



GOVERNMENT OF MONTENEGRO

# ACTION PLAN

FOR CHAPTER 24 JUSTICE, FREEDOM AND SECURITY



February, 2015

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## INTRODUCTORY REMARKS

### 1. BACKGROUND

In its session held on 10 April 2014, the Government of Montenegro adopted the Decision establishing the Working Group for Preparation of Negotiations on Accession of Montenegro to the European Union in the area of the EU acquis relating to the Negotiating Chapter 24 – Justice, Freedom and Security (hereinafter referred to as: Working Group 24). This Decision replaced the previous one which was adopted by the Government on 8 March 2012.

Pursuant to the Decision of the Government, the Working Group consists of 44 members from all three branches of government: legislative, judicial and executive, including two representatives of the civil society from non-governmental organisations: *Centar za monitoring* (Centre for Monitoring) and *Građanska alijansa* (Civic Alliance).

Explanatory screening for Chapter 24 of the EU acquis covering the area of justice, freedom and security, was held in Brussels on 28-30 March 2012.

Bilateral screening for Chapter 24 of the EU acquis covering the area of justice, freedom and security was held in Brussels from 23 to 25 May 2012.

At the end of the bilateral meeting, according to the procedure, the Chief Negotiator stated on behalf of Montenegro that Montenegro accepted the European Union acquis.

Based on the bilateral meeting and complete screening process, the European Commission summed up the results of the screening process in the screening report, submitted to the Working Group on 25 December 2012, which also contains the assessments from the EUROPOL report.

The obligation of Montenegro to adopt the Action Plan was set as the sole benchmark for the opening of negotiations on Chapter 24 – Justice, Freedom and Security, which was clearly stated in the letter of the Permanent Representative of the Republic of Cyprus to the European Union, as a member state of the Union that presided the Union at the moment of submission of the Screening report.

*“On behalf of the member states of the European Union, you are informed that, in accordance with items 42 and 43 of the Negotiating Framework and screening of the EU acquis Chapter 24, the EU considers that the opening of this chapter may be considered after the EU confirms that the following benchmarks have been met:*

- *Montenegro shall adopt one or more detailed action plans that include related timetables and implications on funds and setting out clear objectives, measurable indicators as appropriate and necessary institutional order in the following areas: Migration, Asylum, Visa Policy, External Borders and Schengen, Judicial Cooperation in Civil and Criminal Matters, Police Cooperation and the Fight against Organised Crime, Fight against Terrorism, Cooperation in the Area of Drugs, Customs Cooperation and Counterfeiting of the euro (criminal aspects).”*

After the adoption of the Action Plan in the Government’s session held on 27 June 2013, the European Commission drafted the Report on assessment of fulfilment of opening benchmarks based on which the Council of the European Union decided that Montenegro was ready for the opening of negotiations. Afterwards, the Government of Montenegro adopted and submitted the Negotiating Position, and the Council of the European Union adopted the Common Position of the EU. The negotiations for chapter 24 have been open since 18 December 2013. The Common Position of the EU stipulates 38 interim benchmarks for chapter 24.

## 2. DESCRIPTION OF THE ACTION PLAN STRUCTURE

### 2.1. General remarks

Since the first Action Plan envisaged the adaptation of the document for the purpose of more concrete defining of medium-term and long-term priorities, after the realisation of the first phase of the Action Plan (short-term priorities), the Working Group 24 started adaptation of the Action Plan for chapter 24.

### 2.2. Method of establishing objectives

The objectives have been defined, bearing in mind clear recommendations from the Screening Report, as well as those provided in the course of analytical overview of compliance of the Montenegrin legal system with the acquis. Furthermore, some of the objectives were defined considering the need to

achieve certain standards, which represent precondition for fulfilment of certain objectives from recommendations contained in the Screening Report. In the course of adaptation the objectives remained unchanged.

According to the rules for preparation of the Action Plan as a strategic and reform document, as well as in accordance with the guidelines of the European Commission, the Draft Action Plan contains an overview of activities within a single process that helps to meet the obligations towards the European integration in a planned and proactive approach through the achievement of clearly defined objectives.

The Action Plan represents an overview of mechanisms and activities based on which it is evident what is intended to be achieved within a specified period, based on realistic assessments and to the extent possible.

### **2.3. Method of determining measures**

Measures in the Action Plan for Chapter 24 were designed towards fulfilment of recommendations defined by the Screening Report for this chapter. All the measures contained in this Action Plan are harmonised with measures provided in national strategic documents (Strategy for the Fight against Corruption and Organised Crime, Strategy for the Integrated Border Management, Strategy for the Fight against Trafficking in Human Beings, Strategy for the Integrated Migration Management, Strategy for Prevention and Suppression of Terrorism, Money Laundering and Financing of Terrorism, as well as other relevant strategic documents covered by Chapter 24).

Recommendations provided in the Screening Report, which were defined as objectives, are divided into measures. During prescription of measures, priorities were taken into account; these priorities were assessed as precondition for fulfilment of certain other objectives, i.e. their achievement was deemed necessary in the shortest possible period of time. Measures, classified in relation to priorities as well, were presented chronologically in the Action Plan, depending on the established deadlines for their implementation.

Prescribed measures can be divided into three groups: normative harmonisation, strengthening institutional and administrative framework, as well as performance of necessary educational activities for staff and raising awareness of citizens (*where applicable*), all for the purpose of the best possible implementation of the legal framework and achievement of an appropriate standard where necessary.

It is important to point out that the planned measures were not designed to ensure mere fulfilment in terms of achieving a certain degree of alignment, but special attention was paid, where possible, to defining them in such manner that their implementation clearly reflects the influence of the reform.

With the aim of the best possible realisation of certain measures, some new measures were introduced through the adaptation, whereas certain measures have been redefined. The realised measures are marked with a specific colour, whereas the related sub-measures are deleted.

#### 2.4. Method of determining deadlines

The deadlines were defined with regard to the implementation of each activity individually, which as a set of measures provide for the attainment of the defined objective.

The adaptation included changing of all deadlines for the measures the realisation of which was overdue and defining more specific deadlines for the future measures. For each sub-area of Chapter 24, activities were planned and presented so as to chronologically follow the dynamics of their implementation, starting from 2013. In this context, the priorities in the implementation of activities were determined, according to the following structure of the implementation dynamics:

- **Short-term priorities** include activities that will be implemented in 2015;
- **Medium-term priorities** include measures that will be implemented in the period 2016-2017;
- **Long-term priorities** include measures that will be implemented in the period during 2018 and beyond.

For the realisation of the 2015 measures, the deadlines are precisely specified by indicating the month and year when the implementation was planned. As regards the medium-term priorities, the realisation of measures is planned by quarters, whereas the realisation of the long-term measures is determined on a semi-annual basis.

The intention is to enable, through structuring of deadlines, the best possible monitoring of the success of realisation of the Action Plan and creation of adequate conditions for the European Commission to set up an overview of measurable results, as well as to be able at any time, to contribute through suggestions to the improvement of the content of the Action Plan.

It should also be noted that the deadlines for the realisation of activities from the already approved IPA projects have been adjusted to deadlines defined by those projects, and the beginning of realisation of these activities depends on the start of implementation of a project itself. The same applies to activities for which funds will be allocated from IPA II (2014 – 2020).

## **2.5. Method of determining the responsible authorities for the implementation of measures**

For each individual measure there is specifically defined institution or body which will be responsible for the realisation of that measure. Through the adaptation of the Action Plan in a certain number of measures changes were made regarding the institutions and responsible persons.

For some measures requiring involvement of several institutions and inter-ministerial cooperation, the institution in charge for carrying out and coordinating the implementation of activities was placed first, while the other institutions provide support in achieving the highest and most efficient possible level of implementation.

In the measures which refer to amendments of the existing and development and adoption of new legislative acts, multidisciplinary working groups will be established, in accordance with the content of a related act, with participation of interested representatives from the civil sector, in accordance with the Decree on Method and Procedure of Establishing Cooperation between State Administration Bodies and Non – Governmental Organisations (Official Gazette of Montenegro 07/12) and the Decree on Method and Procedure of Conducting the Public Dispute in Preparation of Laws (Official Gazette of Montenegro 02/12).

## **2.6. Method of establishing the required funds**

The Action Plan defines the funds required for implementation of envisaged measures, and it should be noted that the Budget of Montenegro will represent the major source of financing. The budgetary funds prescribed for the measures related to law and bylaw amendments encompass gross amount of the regular salaries of the employees working on the drafting of this legislation, as well as regular costs of public discussion and costs of work of the Government and parliamentary committees, in all stages, i.e. from the drafting to the adoption of legislation. This means that additional budgetary funds are not required for these measures, so they are always prescribed as regular. Bearing in mind that the expert assistance is required for implementation of certain measures, the engagement of foreign experts through the TALEX assistance mechanism has been envisaged. In view of the fact that significant amount of funds is required for implementation of certain measures, the already allocated funds defined under the IPA II projects have been stated as the potential sources of financing, as well as the provided and possible donations of international organisations or EU Member States through projects and bilateral agreements, along with the plans for submission of applications for financing through IPA 2014 – 2020 programming. Furthermore, budgetary funds for new measures and sub-measures have been allocated.

Priority activities from this Action Plan are completely aligned with priority activities for financing from IPA II.



For activities planned to be implemented in 2015, the exact amount of costs and the source of financing are indicated.

For activities planned to be implemented in 2016, an approximate amount of costs (cca.) is indicated, as well as the source from which the funds are likely to be obtained.

For activities planned to be implemented in 2017 and onwards, it is indicated that financial assessment will be made in accordance with preparation of project proposals and thus assessed financial needs.

### **2.7. Method of determining the indicators of result and impact**

Implementation performance indicators were set with respect to each measure individually. Indicators were set up to facilitate the manner of monitoring the implementation of the action plan, both in quantitative and especially in qualitative terms. In this respect, two types of indicators were determined: indicator of result and indicator of impact, where possible. In this manner, the aim is to project clear results that will, at the same time, project a concrete impact towards improving operational standards or the condition in a particular area in general.

Each indicator was set so as not only to monitor the implementation of certain activities up to the level of alignment (indicator of result), but in a way that the level of implementation (indicator of impact), namely the implementation of a new standard with respect to citizens and all stakeholders can be assessed (for example: an indicator of amendment or adoption of a law is not only its adoption, but also, where possible, statistical data on the enforcement of the law, reports, in some cases research, etc. – hence, measurable data pointing to changes made in society).

During the process of adaptation of the Action Plan, certain indicators of result and impact were added or redefined in order to facilitate the monitoring of implementation of measures, as well as the fulfilment of interim benchmarks. Furthermore, the indicators of impact are linked to the track record tables for the monitoring of fulfilment of interim benchmarks.

### **2.8. Participation of all relevant stakeholders in the preparation and implementation of the Action Plan for Chapter 24**

The current composition of the Working Group for Chapter 24 includes coordinators for particular areas and coordinators of institutions: three coordinators for the area of migrations, one coordinator for the area of asylum, one coordinator for the area of visa policy, one coordinator for the area of external borders and the Schengen, one for the area of judicial cooperation in civil and criminal matters, five coordinators for the area of police cooperation and the fight against organised crime, one coordinator for the area of terrorism, two coordinators for the area of cooperation in the field of drugs, one coordinator

for the area of customs cooperation and one coordinator for the area of counterfeiting of the euro. The coordinators of institutions include coordinators of: the Parliament, Ministry of Defence, Ministry of Labour and Social Welfare, Ministry of Finance, Ministry of Justice, Human Resource Administration, PI High Vocational School "Police Academy", Public Property Administration. Members of the Working Group are also seven representatives of the Ministry of Interior, five representatives of the Police Administration, three representatives of the Ministry of Foreign Affairs and European Integration, one representative of the Refugee Care and Support Administration, one representative of the Administration for Prevention of Money Laundering and Terrorism Financing, one representative of the Office for Fight against Trafficking in Human Beings.

In line with the negotiating framework, the draft Action Plan was developed through a process of consultations with key stakeholders and in full inter-ministerial cooperation of all the responsible institutions and bodies, in order to provide maximum support for its implementation. Public consultations were also organised during the adaptation of the Action Plan, and all relevant stakeholders were given the opportunity to submit the proposals and provide opinion on the adapted AP. In the professional segment, the important contribution was also provided by representatives of the civil sector in the Working Group 24, who were involved in the adaptation process and the final design of the Action Plan.

When it comes to financial assessment, as it was previously stated, a more extensive deadline for alignment is required, so as to ensure that every objective and measure are projected in a manner that provides for the financial aspect to be considered as a support, not as a limitation.

## **2.9. Monitoring**

During the implementation of the Action Plan, special attention is paid to the performance of continuous monitoring of implementation of all the measures and the level of achievement of projected objectives.

In that part, the Working Group 24 is in charge, at the most operative level, of the monitoring of and reporting on the fulfilment of obligations, and above it, pursuant to the Decision Establishing the Negotiating Structure for Accession of Montenegro to the European Union, a member of the Negotiating Group, Chief Negotiator, the College and the Government. At its session held on 27 March 2014, the Government adopted the Decision Establishing the Rule of Law Council (Official Gazette of Montenegro 19/14), as a high-level body that would monitor all the activities and deal with possible challenges, all with the view to enhancing the coordination in terms of fulfilment of obligations arising from chapters 23 and 24.

During the monitoring of implementation, special support is expected to be provided by the civil sector, whose representatives are members of the Working Group 24 and who will considerably, by giving their expert comments and suggestions, contribute to the improvement of implementation of each activity, its monitoring, but also to the maintenance of the necessary level of transparency.

Regular monitoring of implementation of the established obligations will enable, through inter-ministerial communication, as well as in co-operation with the European Commission, the creation of an adequate mechanism for possible updating and reviewing of certain activities during the implementation of the Action Plan.

Specifically, the monitoring of implementation of the Action Plan is performed through a coordinator for particular areas. The coordinators directly cooperate with focal points within the bodies in charge of implementation of envisaged activities and receive from them information on all the issues that are important for the implementation. This means that one person is determined, and that person is responsible for reporting on the implementation of defined measures. Those focal points will report to the coordinators every three months, who prepare a semi-annual report on undertaken activities on the basis of that information. The semi-annual report prepared in such a manner is approved by the Head of the Working Group and a member of the Negotiating Group, following which it is submitted to the Ministry of Foreign Affairs and European Integration as the main coordinator of the process of accession of Montenegro to the European Union. Then, the report is considered by the Government and submitted to the European Commission through the MFAEI.

Along with the data on implemented measures, the reports also include information on possible difficulties in their implementation, as well as and the reasons for failing to fulfil the obligations arising from the Action Plan.

Besides the abovementioned, “formal”, manner of reporting by means of submission of quarterly report, ad hoc, “informal”, informing is possible as well, at the request of the Head, members of the Working Group, coordinators for particular areas, as well as the European Commission, or the EU Directorate-General for Enlargement.

### 3. AREAS COVERED BY THE ACTION PLAN

In accordance with the position of the EU Member States and the communication of the Cyprus Presidency, the Draft Action Plan was designed so as to cover 10 sub-areas: *Migrations, Asylum, Visa Policy, External Borders and Schengen, Judicial Cooperation in Civil and Criminal Matters, Police Cooperation*

*and the Fight against Organised Crime, Fight against Terrorism, Cooperation in the Field of Drugs, Customs Cooperation and Counterfeiting of the Euro (criminal aspects).*

Prior to presentation of the objectives and measures for each sub-area, in order to consider their projections as adequately as possible, a brief description of the current state of play in that sub-area is provided, which represents a starting basis for the projection of future activities.

Within each sub-area, bearing in mind the wide range of issues covered, as well as the objective – to ensure easier referencing of the material and monitoring of the implementation of the measures set, each sub-area is divided into headings, namely topics of which it consists and which follow the recommendations from the Screening Report, as follows:

## **I. Migrations**

1. *Legal migration*
2. *Irregular migration*
3. *Readmission of irregular migrants*

## **II. Asylum**

## **III. Visa policy**

## **IV. External borders and Schengen**

## **V. Judicial cooperation in civil and criminal matters**

1. *Judicial cooperation in civil and commercial matters*
2. *Judicial cooperation in criminal matters*

## **VI. Police cooperation and fight against organised crime**

1. *Police cooperation*
2. *Fight against organised crime*

## **VII. Fight against terrorism**

## **VIII. Cooperation in the field of drugs**

## **IX. Customs cooperation**

## X. Counterfeiting of the euro

### 4. ACTION PLAN UPDATES

While setting the priorities (short-term, medium-term and long-term) and planning the objectives and measures in the Action Plan, care was taken to preserve a certain space that allows for flexibility in the planning of medium-term and, especially, long-term priorities.

Likewise the adaptation following the completion of the first stage of the Action Plan, so will the updating of the Action Plan take place again, particularly taking into account certain new circumstances that may occur, such as new legislation of the European union, new information systems and software, etc.

In order to adhere to the letter from the EU presidency and the Screening Report, and to adjust the Action Plan to the dynamic process of development of the national legislation, but also to the level of development of the *acquis* under Chapter 24, automatic updating will be performed after a two-year period, in order to provide details for implementation of medium-term measures (2016 – 2017) and long-term measures to the possible extent (2018 and onwards).

## ACTION PLAN FOR NEGOTIATING CHAPTER 24 - JUSTICE, FREEDOM AND SECURITY

### 1. MIGRATIONS

#### 1.1. LEGAL MIGRATION

**(Coordinator for the area of legal migration: Abdulah Abdić, Ministry of Interior)**

The Law on Foreigners (Official Gazette of Montenegro, no 56/14), prescribes the conditions of entry, exit, movement, residence and work of foreigners in Montenegro. Law will enter into force on 1 April 2015.

New Law on Foreigners, besides entry, movement and residence of foreigners, comprises the issuing of residence and work permits, when it comes to work and employment of foreigners, as well as the issue of registration and deregistration of residence of foreigners.

The drafting of the new Law on Foreigners was supported by the Development fund of the International Organization for Migration, through the Office of the International Organization for Migration in Podgorica, which implemented a project aimed at reducing the number of foreigners working illegally in Montenegro, as well as towards the improvement of administrative capacities and simplifying administrative procedures for regulating the work and residence of foreigners in Montenegro.

On the date of entry into force of the new Law on Foreigners ceases to be valid the Law on Foreigners (Official Gazette of Montenegro, 82/08, 72/09, 32/11, 53/11, 27/13 and 61/13), the Law on Employment and Work of Foreigners (Official Gazette of Montenegro, 22/08 and 32/11) and provisions of the Law on registers permanent and temporary residence (Official Gazette of Montenegro, 13/08, 41/10 and 40/11), in the part referring to the foreigners.

The Labour Law applies to employees who are foreign nationals and work under an employer in the territory of Montenegro, therefore, rights and obligations on the basis of work, including the right to compensation in cases of termination, apply to these persons as well, unless otherwise prescribed by a special law.

The Law on Social and Child Welfare prescribes that foreign nationals can exercise rights from social and child welfare determined by law, in accordance with international treaties and conventions.

The Law on Pension and Disability Insurance prescribes that foreign nationals have access to pension and disability insurance, under the same conditions as Montenegrin nationals.

The Law on the Recognition and Assessment of Educational Certificates prescribes that Montenegrin and foreign nationals have the right to the recognition of the educational certificate or assessment of qualifications. Recognition or assessment of educational certificates is carried out for the purposes of continued education or employment in Montenegro.

The General Law on Education prescribes that foreign nationals who have regulated their residence in Montenegro exercise the right to education equally to the nationals of Montenegro.

Montenegrin regulations are partially (significantly) harmonized with: Council Directive 2003/86/EC of 22 September 2003 on the right to family

reunification, Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research, Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long term residents i Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.

Montenegrin regulations are not harmonized with: Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

The Ministry of Interior, in cooperation with other competent authorities, drafted the Legal Migration System Analysis which identified the problems and financial needs and recommendations for full legislative, institutional, administrative and technical harmonization with the regulations and standards of the EU in this area, including a detailed impact assessment with respect to training needs, administrative capacities and budget required. According to this Analysis were defined clear recommendations for the Ministry of Interior, the Ministry of Labour and Social Welfare, the Ministry of Justice and other competent authorities.

Also, recommendations of the Analysis planned the alignment of the Montenegrin legislation with: Directive 2003/86/EC, Directive 2003/109/EC, Directive 2004/114/EC, Directive 2005/71/EC and Directive 2011/98/EC, until the end of 2016, while the full alignment with the Directive 2009/50/EC was planned for the end of 2017.

In the following period, there is a need to align the Montenegrin legislation with Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment of seasonal workers and Directive 2014/66/EU on conditions of entry and residence of third-country nationals via intra-corporate transfer.

In 2011, the Government of Montenegro adopted a new 2011-2016 Strategy for the Integrated Migration Management and the Action Plan for its implementation for 2011 and 2012, as well as the Action Plan for implementation of the Strategy for 2013 and 2014. On 4 December 2014, the Government of Montenegro adopted the Action Plan for implementation of the Strategy for 2015 (link: [www.mup.gov.me](http://www.mup.gov.me)).

The adoption of these documents was the result of the IPA project "Support for migration management in Montenegro", within which the mission of the

International Organization for Migration (IOM), in October 2009, conducted an analysis and review of migration management system in Montenegro.						
<b>Recommendation 1 from the Screening Report – Migrations</b>						
<b>OBJECTIVE:</b> Determining the measures for the harmonisation of the remaining legislation in the field of legal migration with the EU <i>acquis</i> , including the assessment of the impact on administrative capacities, training needs and the budget						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.1.1.	<p>Establish the inter-ministerial working group in charge of making an overall analysis of the legal migration system, drafting amendments to relevant legislation, and monitoring the overall process of harmonisation and implementation of regulations and standards in the field of legal migration</p> <p>Prepare the project proposal for engagement of expert support (TAIEX) with a view to preparing an all-encompassing legal migration system analysis in Montenegro;</p> <p>Prepare the all-encompassing Legal Migration System Analysis in Montenegro-legislative and institutional framework,</p>	<p><i>The inter-ministerial working group would include representatives of:</i></p> <p>Ministry of Interior <b>(Abdulah Abdić,</b> Dragan Dašić), Ministry of Foreign Affairs and European Integration, Ministry of Justice <b>(Irena Milošević),</b> Ministry of Labour and Social Welfare <b>(Željko Šofranac),</b> Ministry of</p>	<p>November 2013 (for establishment of the inter-ministerial working group and preparation of the project proposal for engagement of the expert support)</p> <p>December 2014 (for preparation of the Analysis)</p>	<p>Budgetary funds – EUR 17,010</p> <p>TAIEX – EUR 5,400</p> <p>TOTAL: EUR 22,410 for 2014</p>	Analysis prepared, including a list of which legislation is to be amended	Full alignment and correct implementation of the EU <i>acquis</i> on legal migration



	administrative capacities, and technical equipment, that should identify the problems and financial needs and recommendations for full legislative, institutional, administrative and technical harmonisation with the regulations and standards of the EU in this area, including a detailed impact assessment with respect to training needs, administrative capacities and budget required	Finance, Ministry of Education <b>(Mubera Kurpejović)</b> , Employment Office, University of Montenegro, Scientific research institutions, IOM representatives				
<b>1.1.2.</b>	<b>1.1.2.1.</b> Adopt the Law on Foreigners and its secondary legislation and its harmonisation with the Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State	Ministry of Interior <b>(Abdulah Abdić,</b> Dragan Dašić)  Inter-ministerial working group	<b>April 2015 (for the beginning of implementation of the Law on Foreigners)</b>  <b>September 2015 (for the beginning of implementation of secondary legislation)</b>	Budgetary funds The total of– EUR 30,336 for 2015	Law on Foreigners adopted by the Parliament of Montenegro  Secondary legislation adopted on the basis of the Law on Foreigners	Positive EC opinion  Progress Reports  Peer review Mission Reports

1.1.2.1. 1.	Adoption of the Law on Foreigners	Parliament of Montenegro	December 2014		Law adopted	
1.1.2.1.2.	Beginning of implementation of the Law on Foreigners	Ministry of Interior ( <b>Abdulah Abdić</b> , Dragan Dašić)	April 2015		Law on Foreigners beginning to be implemented	
1.1.2.1.3	Adopt secondary legislation on the basis of the Law on Foreigners	Ministry of Interior ( <b>Abdulah Abdić</b> , Dragan Dašić), Inter-ministerial working group	September 2015		Secondary legislation adopted	
<b>1.1.2.2.</b> Adopt the necessary amendments to the Law on Foreigners and its secondary legislation on the basis of Analysis and its recommendations for full harmonisation, inter alia, with the following: Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, Council Directive 2003/86/EC as of 22 September 2003 on the right to family reunification, Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the		Ministry of Interior ( <b>Abdulah Abdić</b> , Dragan Dašić),  Inter-ministerial working group	<b>December 2016</b>  (for Directive 2003/86/EC, Directive 2005/71/EC, Directive 2004/114/EC and Directive 2003/109/EC and Directive 2011/98/EU)  <b>II quarter 2017</b> (for drafting	Budgetary funds TOTAL - EUR 82,368 2015 – EUR 30,336 2016 – EUR 26,016 2017 – EUR 26,016	Law on Foreigners adopted at the Parliament of Montenegro	Positive EC opinion  Progress Reports  Peer review Mission Reports

purposes of scientific research, Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State and Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. <sup>1</sup>			secondary legislation)  <b>IV quarter 2017</b>  For Directive 2009/50/EC)			
1.1.2.2.1.	Determine draft Law	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	February 2016		Draft Law determined	
1.1.2.2.2.	Organise public discussion	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	March 2016		Public discussion organised	
1.1.2.2.3.	Acquire EC opinion	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	July 2016		EC expert opinion acquired	
1.1.2.2.4.	Define Law proposal	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	September 2016		Law proposal defined	
1.1.2.2.5.	Adopt the Law on	Parliament of	December		Law adopted	

<sup>1</sup> Law on Employment and Work of Foreigners (Official Gazette of Montenegro 22/08 and 32/11) shall cease to apply on the day this Law enters into force, therefore this measure has been adapted in this regard.

		Foreigners	Montenegro	2016			
	1.1.2.2.6.	Adopt secondary legislation on the basis of the Law on Foreigners	Ministry of Interior (Abdulah Abdić, Dragan Dašić) Inter-ministerial working group	II quarter 2017		Secondary legislation adopted	
<b>1.1.3.</b>	Adopt the necessary amendments to the legislation in the field of family law based on the analysis and its recommendations for complete harmonisation with the Council Directive 2003/86/EC as of 22 September 2003 on the on the right to family reunification		Ministry of Justice <b>(Stela Lekić, Irena Milošević),</b> Inter-ministerial working group	I quarter of 2016	Budgetary funds – EUR 21,480	Law and secondary legislation adopted	Positive EC opinion  Progress Reports  Peer review Mission Reports
	1.1.3.1 .	Determine draft Law	Ministry of Justice (Stela Lekić, Irena Milošević)	April 2015		Draft Law determined	
	1.1.3.2.	Organise public discussion	Ministry of Justice (Stela Lekić, Irena Milošević)	June 2015		Public discussion organised	
	1.1.3.3.	Acquire EC opinion	Ministry of Justice (Stela Lekić, Irena Milošević)	July 2015		EC expert opinion acquired	
	1.1.3.4.	Define Law proposal	Ministry of Justice	December 2015		Law proposal	

			(Stela Lekić, Irena Milošević)			defined	
	1.1.3.5.	Adopt the Family Law	Parliament of Montenegro	I quarter of 2016		Law adopted	
<b>1.1.4.</b>	Adopt amendments to the <b>Law on Voluntary Work</b> on the basis of the Analysis and its recommendations for full harmonisation with the <b>Directive 2004/114/EC</b> on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service		Ministry of Labour and Social Welfare <b>(Budimirka Đukanović)</b> with social partners	August 2016 (for law adoption)	Budgetary funds – EUR 21,480	Law adopted	Positive EC opinion  Progress Reports  Peer review Mission Reports
	1.1.4.1.	Acquire EC opinion	Ministry of Labour and Social Welfare (Budimirka Đukanović)	Jul 2015		EC expert opinion acquired	
	1.1.4.2.	Define Law proposal	Ministry of Labour and Social Welfare (Budimirka Đukanović)	September 2015		Law proposal defined	
	1.1.4.3.	Adopt the Law	Parliament of Montenegro	August 2016		Law adopted	
<b>1.1.5.</b>	Adopt a comprehensive training plan to ensure the smooth implementation of the		Ministry of Interior	April 2015 Continuously –	Budgetary funds –EUR	Project proposal for hiring an	Ministry of Interior

	new (harmonised) legal framework, which will elaborate the following aspects: the number of trainings, the number of employees who will be encompassed by the training, hiring trainers - experts from the EU Member States by organising workshops / seminars and organising study visits to EU Member States	<b>(Abdulah Abdić,</b> Dragan Dašić),  Inter-ministerial working group  Expert from an EU Member State	annually, following the adoption of the legislation	9,720  TAIEX – EUR 2,700  TOTAL: EUR 12,420	expert from an EU Member State prepared and submitted to the EC, Comprehensive training plan adopted and submitted to all the relevant institutions  Statistics data on the number of the trained staff	employees are correctly implementing the legal migration acquis
<b>1.1.6.</b>	Strengthen the administrative capacities, if the analysis of the legal migration system and its impact assessment of the need for administrative capacity proves it necessary, especially with regard to the implementation of Directive 2011/98/EU, through the employment of new staff members:	Ministry of Interior <b>(Abdulah Abdić,</b> Dragan Dašić)  Inter-ministerial working group	January 2015 - December 2016	Financial resources are not required on the assumption of relocation, i.e. taking-over of staff	The number of new or taken-over employees	Statistical indicators on the number of residence permits issued on any grounds, the number of filed complaints and claims by foreign nationals, on the

						<p>basis of which we will be able to observe whether there are sufficient administrative capacities for the implementation of newly adopted regulations, Reports of the expert assessment on administrative capacities</p> <p>Reports of the expert assessment on administrative capacities</p>
<b>1.1.7.</b>	Prepare an Analysis for the future technical solutions regarding the implementation of the Directive 2009/50/EC ( in the part concerning the form of “EU blue card” in	Ministry of Interior <b>(Abdulah Abdić,</b> Dragan Dašić)	December 2016	Budgetary funds – EUR 972	Analysis drafted	

	accordance with the Council Regulation 1030/2002), with a financial plan for implementation of technical solutions	Inter-ministerial working group  Expert from an EU member state		TAIEX – EUR 2,700  TOTAL: EUR 3,672		
<b>1.1.8.</b>	Produce informational material (brochures, flyers, banners at the official website of the ministry of Interior) and distribute it to employees and target groups with a view to informing them on the newly adopted legislation and standards	Inter-ministerial working group,  Ministry of Interior <b>(Abdulah Abdić,</b> Dragan Dašić),	<i>Periodically, after the adoption and entry into force of every harmonised regulation in the field of legal migration - by the end of 2018</i>	Budgetary funds – EUR 4,500  donor support (IOM, UNHCR) - EUR 4,500  TOTAL: EUR 9,000	Informational material prepared and printed, Informational material distributed to employees, Informational material distributed to diplomatic missions and consular posts of Montenegro abroad with a view to introducing the foreign nationals with the newly adopted	



					<p>legislation and standards, Informational material distributed to foreign diplomatic missions and consular posts in Montenegro with a view to introducing their nationals with the newly adopted legislation and standards, Informational material distributed to employers in Montenegro, Informational material distributed to scientific and educational</p>	
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					institutions	
<b>Recommendation 2 from the Screening Report – Migrations</b>						
<b>OBJECTIVE:</b> Establishing a mechanism that will be used to check whether the legislation in this field is implemented;						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.1.9.	Monitor the process of harmonisation and implementation of newly adopted legislation in the area of legal migrations	Inter-ministerial working group  <b>(Mol-Abdulah Abdić, Dragan Dašić),</b> IOM representative	January 2014 – December 2018	Budgetary funds – EUR 4,860	Semi-annual reports of the inter-ministerial working group	Reports of the expert assessment on harmonisation process and implementation of regulations, Reports of IOM representatives, Reports on the problems identified in the process of harmonisation and implementation of newly adopted regulations, with recommendations of the inter-

						ministerial working group to relevant institutions with a view to eliminating the identified problems
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## 1.2. IRREGULAR MIGRATION

(Coordinator for the area of irregular migration: Dragan Stevanović, Ministry of Interior)

### STATE OF PLAY

Fight against irregular migration is one of the foremost priorities of Montenegro on its EU path; therefore, cooperation and exchange of information is necessary at the national, regional and international levels.

It is important to emphasize that irregular migration in Montenegro are of transit-type: through the territory of Montenegro, via the Republic of Croatia and Bosnia and Herzegovina towards EU Member States. Most of these migrants are economic migrants, whose objective is to provide better living conditions for themselves and their families, by irregularly crossing the borders of states through which they can get the shortest route to economically prosperous and stable countries. That is, according to the statements of migrants, the key reason why someone decides to irregularly reach their objective.

Statistical data confirm that unstable political and economic conditions continue to affect the increase in the number of irregular migrants from the

territories of African and Asian countries.

Irregular migrants come to Montenegro mostly through the territories of Turkey, Greece, Former Yugoslavian Republic of Macedonia, Albania and Kosovo<sup>†</sup>, where they have been recently applying for asylum in significant numbers or they continue further towards the European Union. There is a significant number of false asylum seekers who use asylum as an opportunity to get from one country to another more easily, i.e. to continue their journey onwards to the EU MSs from Montenegro through Bosnia and Herzegovina or Croatia.

According to their statements and according to the information we receive through international cooperation channels, these persons come irregularly to Montenegro on the route Turkey - Greece - Former Yugoslavian Republic of Macedonia - Albania or Kosovo<sup>‡</sup> - Montenegro and then they continue further. For this reason, and in agreement with European Commission's recommendations, border supervision is strengthened and border checks enhanced at border crossings with Albania and Kosovo<sup>§</sup>.

The largest number of irregular migrants was found outside border crossing points. They were found to be in possession of maps in Albanian or Greek, plotted routes and the like, which indicates that they had aiders in the process of moving from state to state. A small number of irregular immigrants use BCPs to irregularly cross the state border by using forged passports and travel documents of others. On several occasions, during inspections of heavy goods vehicles at BCP Port of Bar, border police officers found persons who were attempting to irregularly cross the border hidden under the truck.

Unstable situation, political and economic conditions cause the continuation of irregular migration from African and Asian countries towards EU countries, among others, through the territory of Montenegro as well.

In accordance with the recommendations of the European Commission referred to in the Visa Liberalisation Roadmap with Montenegro, and aiming at acquiring new knowledge and renewing existing ones, over 120 trainings were carried out at the Police Academy in Danilovgrad, out of which we point out the following:

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<sup>†</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

<sup>‡</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

<sup>§</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

- implementation of existing regulations - readmission agreements and their implementing protocols - statistics-practical examples,
- implementation of existing regulations - measures towards foreigners, software for foreigners, visa regime, up to 90 days' stay, temporary stay of foreigners, statistics and reporting – practical examples,
- asylum, migration and the Reception Centre - work and the functioning of the Reception Centre for Foreigners, Centre for Asylum - practical examples,
- Suppressing irregular migration,
- Risk analysis in Border Police Department,
- Smuggling and trafficking in persons,
- integrated border management.

### **Current state of capacities**

The Division for Foreigners and Suppression of Irregular Migration, one of four divisions in the Border Police Department, has been successfully suppressing irregular migration in the course of its daily measures and activities in coordination with the BCPs in the territory of Montenegro.

In order to create the conditions for the control of movement and stay of foreigners in accordance with EU standards and recommendations, as well as for a more efficient fight against irregular migration, Border Police Department continued, with the assistance of the International Organisation for Migration (IOM), to carry out activities related to the establishment of the Reception Centre for Foreigners within the project "Support to Migration Management in Montenegro".

Building a Reception Centre for Foreigners, with the capacity for 46 persons, was carried out in two stages. The first stage of the project was carried out through the project "Support to Migration Management in Montenegro" planned under the 2008 IPA program, while the second stage was carried out by using funds from the 2011 capital budget.

The first stage was implemented with the funds of the EU Delegation to Montenegro, through the International Organisation for Migration (IOM), while the second phase was carried out through the Public Works Directorate of Montenegro.

The Rulebook on internal organisation and job descriptions of the Ministry of Interior provides that, as an organisational unit of the Police Administration – Border Police Department, the Shelter for Foreigners functions within the Division for Foreigners and Suppression of Irregular Migration. According to the Rulebook, 36 employees will be working at the Shelter.

The plan for acting and providing accommodation capacities in case of occurrence of a large number of irregular migrants in a short period of time was developed and adopted in October 2013, with a view to providing all preconditions for the opening and undisturbed functioning of the Reception Centre for Foreigners.

Furthermore, the Rulebook on the House Rules and Order of the Reception Centre for Foreigners has been passed and adopted, and published in the Official Gazette of Montenegro 20/2013 on 30 October 2013. The Rulebook entered into force on 7 November 2013.

The Reception Centre for Foreigners, in which 32 persons are employed, was opened and put into operation on 13 December 2013.

Previously, before the Reception Centre for Foreigners was opened and put into operation, three cycles of training had been carried out for all employees who will be engaged in the Centre. The training was carried out by an expert from the Netherlands, as our instructor, with his associates. The third training was carried out on the spot, in the facility.

In addition, after the Reception Centre for Foreigners was opened and put into operation, several training courses were organised for employees of the Centre; in the forthcoming period, these training courses will be carried out continuously in compliance with the Framework Programme for Education, Vocational Training and Specialized Training of the Civil Servants and State Employees of the Ministry of Interior of Montenegro – Police Administration, as well as other security authorities.

#### **Harmonisation of the legislation of Montenegro with the EU *acquis* in the area of irregular migration:**

- 32002L0090 (Eurlex 19.10.40) Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence – compliance status (*compliant*)
- 32002F0946 - Council Framework Decision of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence - compliance status (*compliant*)
- 32009L0052 Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of irregularly staying third-country nationals - compliance status (partly compliant – in more details: presentation of Montenegro at the bilateral screening).

**Recommendation 1 from the Screening Report – Migrations**

**OBJECTIVE**

Align the remaining segments of the Montenegrin legal system in the area of irregular migrations with the EU *acquis*, continue further improvement of the overall legal framework and monitoring the results of its implementation

No.	Measure/activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.2.1.	Amend the Criminal Code in accordance with the EU <i>acquis</i> – the Criminal Code of Montenegro needs to be amended - in terms of introducing a new criminal offence which would include items a), b), c) and partly e) of Article 9 of the Directive 2009/52/EC of 18 June 2009.	Ministry of Justice ( <b>Branka Lakočević, Duška Velimirović</b> )	September 2013	(The funds necessary for amendments to the Criminal Code have been envisaged within the AP for Chapter 23)	Establishment of a working group for drafting Amendments, Proposal for Amendments drafted, Amendments to the Code adopted in the Parliament of Montenegro.	Statistical overview of the number of criminal charges filed for the new criminal offence which would include items a), b), c) and partly e) of Article 9 of the Directive 2009/52/EC of 18 June 2009, Monthly, semi-annual and annual reports.
1.2.2.	Amend the Law on Foreigners and its bylaws on the basis of Analysis and its recommendations with a view to fully align, among others, with Directive 2008/115/EC	Ministry of Interior ( <b>Abdulah Abdić, Dragan Dašić</b> )	December 2016  Bylaws II Q 2017	TAIEX (funds foreseen under the sub-measure 1.1.2.2.)	Amendments to the Law adopted in the Parliament of Montenegro. Secondary legislation	EC opinion Progress report Peer review report Statistical overview

					adopted	
1.2.2.1.	Amend the Law on Foreigners with a view to partly align with Directive 2009/52/EC	Ministry of Interior <b>(Abdulah Abić,</b> Dragan Dašić)	December 2014	TAIEX and regular budget	Amendments to the Law adopted in the Parliament of Montenegro.	Statistical overview
1.2.2.2.	Revise the existing analysis of compliance of the national legislation with Directive 2009/52/EC	Ministry of Interior( <b>Dragan Stevanović,</b> Aleksandar Novović, Dejan Bojić)	December 2015		Analysis revised	
1.2.2.3.	Establish the inter-ministerial working group and prepare the Analysis of needs for alignment of legislation with the <i>acquis</i> in the area of illegal migration, with an emphasis on Directive 2008/115/EC	Ministry of Interior( <b>Dragan Stevanović,</b> Aleksandar Novović, Dejan Bojić, Abdulah Abdić, Dragan Dašić), <b>Inter-ministerial work</b>	December 2015		Inter-ministerial working group formed  Analysis of needs for alignment of legislation with the <i>acquis</i> in the area of illegal migration prepared	



			inggroup				
	1.2.2.4.	Determine draft Law	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	February 2016		Draft Law determined	
	1.2.2.5.	Organise public discussion	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	March 2016		Public discussion organised	
	1.2.2.6.	Acquire EC opinion	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	July 2016		EC expert opinion acquired	
	1.2.2.7.	Define Law proposal	Ministry of Interior (Abdulah Abdić, Dragan Dašić)	September 2016		Law proposal defined	
	1.2.2.8.	Adopt the Law on Foreigners	Parliament of Montenegro	December 2016		Law adopted	

	1.2.29.	Adopt secondary legislation on the basis of the Law on Foreigners	Ministry of Interior (Abdulah Abdić, Dragan Dašić) Inter-ministerial working group	II quarter 2017		Secondary legislation adopted	
<b>1.2.3.</b>		Adopt the by-laws which will regulate the work of the Reception Centre for Foreigners (house rules)	Ministry of Interior <b>(Abdulah Abdić, Dragan Dašić, Dragan Stevanović and Aleksandar Novović)</b>	December 2013	EUR 1000/ Regular budget	By-laws adopted Implemented	
<b>1.2.4.</b>		Formally put into operation the Reception Centre for Foreigners - Fill vacancies (36 jobs described)	Ministry of Interior <b>(Dragan Stevanović, Blažo Pavićević)</b>	December 2013	No additional budgetary funds required	Reception Centre for Foreigners put into operation November 2014 – fill 32 vacancies	Inventory of the funds and equipment provided for the beginning of work of the Reception Centre
<b>1.2.5.</b>		Adopt the Rulebook on the method of submitting temporary residence registration and deregistration forms and the contents and method of keeping records in compliance with the Law on Foreigners	Ministry of Interior <b>Abdulah Abdić, Dragan Dasic, Dragan Stevanović i</b>	June 2015	Fundes forseen under the sub-measure 1.1.2.2.	Rulebook adopted	/

		Dejan Bojić)				
<b>1.2.6.</b>	Set up electronic records on foreigners with permanent and temporary residence, or with residence up to 90 days, which also include the data on foreigners who have registered, deregistered or changed their place of residence in Montenegro, as well as the users of those data	Ministry of Interior( <b>Nataša Starovlah-Knežević</b> , Darko Simonović,Dragan Stevanović, Dejan Bojić)	June 2015	82.450/Regular budget and donations	Electronic record set up	Statistic data

**Recommendation 3 from the Screening Report - Migrations**

**OBJECTIVE**

Adopt an evaluation mechanism to assess the capacities of the Reception Centre for Foreigners and arrangements for strengthening its capacities

No.	Measure/activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>1.2.7.</b>	Obtain the licence for the Reception Centre for Foreigners	Ministry of Interior (Dragan Stevanović, Blažo Pavićević)	July 2013	No funds required Implemented	Technical acceptance of the facility.	/
<b>1.2.8.</b>	Draw up the plan for acting and providing accommodation capacities in	Ministry of Interior	December 2013	EUR 1,300 / Budget	Establishing the working group,	The number of irregular migrants, to

	case of occurrence of a large number of irregular migrants in a short period of time	(Dragan Stevanović, Blažo Pavićević, Aleksandar Novović), Ministry of Labour and Social Welfare - Administration for the Care of Refugees (Željko Šofranac/Duško Jovićević), Ministry of Defence (Dragan Dulović), NGO in accordance with the Agreement on Cooperation			Developing a plan, Plan adopted	whom accommodation has been provided in accordance with the Plan
<b>1.2.9.</b>	Evaluate the adequacy of capacities of the Reception Centre for Foreigners	Ministry of Interior ( <b>Dragan</b>	December 2014 (since	EUR 2,700/TAIEX EUR 200/Regular budget	Expert engagement Report on performed evaluation of	Measures and activities undertaken according to

		<b>Stevanović,</b> Blažo Pavićević, Aleksandar Novović)	2014 continuous activity at annual level)	TOTAL: EUR 2,900 for 2014	capacities Implemented	prepared Evaluation, annual report on the work of the Reception Centre
<b>1.2.10.</b>	Equip the Reception Centre for Foreigners with the following material and technical resources; Prepare a project proposal Announce tender for the procurement of material and technical resources Procure the equipment	Ministry of Interior (Dragan Stevanović, Blažo Pavićević)	December 2015	TOTAL: EUR 200,000 / Regular budget and donations Necessary financial assets per years: 2013 – EUR 20,000 2014 - EUR 80,000 2015 - EUR 100,000	. Equipment procured	.
<b>1.2.11.</b>	Prepare information material in several languages, which is intended for foreigners accommodated in the Reception Centre for Foreigners, about the right to asylum and voluntary return	Ministry of Interior( <b>Dragan</b> <b>Stevanović,</b> Blažo Pavićević, Dejan Bojić)	December 2014	EUR 5,000 / Budget and donations	Brochure prepared	
<b>Recommendation 3 from the Screening Report - Migrations</b>						
<b>OBJECTIVE:</b> Prepare and implement an adequate training programme for officers working in the Border Police Department and the Reception Centre for Foreigners						
<b>No.</b>	<b>Measure/activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds / Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>

<b>1.2.12.</b>	<p><b>1. Draft and adopt</b> a comprehensive training plan for employees of the Reception Centre for Foreigners, so as to ensure undisturbed work of the Reception Centre in the following fields:</p> <p><i>X-ray screening;</i>  <i>identification of persons;</i>  <i>interviewing techniques;</i>  <i>regulations governing the work of the Reception Centre;</i>  <i>foreign languages;</i>  <i>Conducting repatriations; proceeding with asylum seekers; prevention and recognition of infiltration of persons smuggling people into the Reception Centre.</i></p> <p><b>2. Implementation of the training plan</b></p>	<p>Ministry of Interior  (Dragan Stevanović,  Blažo Pavićević,  Dejan Bojić),  Police Academy  .  <b>(Milica Pajović),</b>  UNHCR</p>	<p>1. During 2014**  2. Continuously</p>	<p>EUR 10,000 / Budget  TAIEX and other donations</p>	<p>Developing a comprehensive training plan.  Training plan adopted</p>	<p>Reports on the number of organised trainings,  Reports on the number of trained employees,  Evaluation of success of trainings, in terms of a more efficient and higher quality work of employees.</p>
<b>1.2.13.</b>	<p>Study visits and training courses in the Reception Centres for Foreigners and the Reception Centres for Unaccompanied Juvenile Migrants in the EU Member States.</p>	<p>Ministry of Interior <b>(Dragan Stevanović,</b>  Blažo Pavićević,  Aleksandar Novović,  Dragan Dašić)</p>	<p>1. December 2014  2. As of 2015</p>	<p>EUR 9,000 / TAIEX  EUR 1,000 / Budget  TOTAL: EUR 10,000</p>	<p>Application for TAIEX prepared,  Approval for study visits received.  Study visits and training courses carried out</p>	<p>Reports on study visits conducted.  Adoption and implementation of best practices.</p>

\*\*The first set of initial training courses for employees of the Reception Centre for Foreigners have already been carried out, and the employees have been properly trained to start working in the Reception Centre

<b>1.2.14.</b>	Modernise the Division for Foreigners and Suppression of Irregular Migrations by purchasing the equipment for exercising their tasks in line with Schengen Borders Code	Ministry of Interior( <b>Dragan Stevanović, Dejan Bojić</b> )	December 2016	Cca EUR 20,000 / Budget Cca EUR 80,000 / IPA II TOTAL: EUR 100,000	Project proposal prepared, Applying for EU funds (IPA); Equipment procured	Comparative results of the Division's work, by means of regular reporting
<b>1.2.15.</b>	Develop and adopt a comprehensive training plan for border police officers, Ministry of Labour and Social Welfare, Ministry of Health, Ministry of Justice and Employment Office, to ensure the smooth implementation of regulations related to irregular migration, which will elaborate the following aspects in detail – number of trainings, number of officers who will attend trainings, hiring trainers - experts, through the following topics: regulations in the fields of irregular migrations and foreigners; Treatment of vulnerable categories of migrants – unaccompanied juveniles, disabled persons, families, persons having war traumas, etc.); visas and visa regime; readmission agreements; foreign languages; risk analysis; proceeding with asylum seekers.	Ministry of Interior( <b>Dragan Stevanović, Dejan Bojić</b> ), Uprava za kadrove (Svetlana Vuković), Police Academy ( <b>Milica Pajović/Jelena Tomić</b> ), Human Resources Administration ( <b>Jadranka Đurković</b> ), UNHCR	1. During 2014 2. As of 2015	EUR 35,000 / Budget	Developing a comprehensive training plan. Training plan adopted and delivered to all the relevant institutions.	Reports on the number of organised trainings, Reports on the number of trained employees, Evaluation of success of trainings, in terms of a more efficient and higher quality work of employees.

	Implementation of the Plan					
<b>1.2.16.</b>	Develop cooperation with police forces of neighbouring countries and the EU Member States, as well as participate in all forms of regional police cooperation, including training and study visits in terms of preventing irregular migration	Ministry of Interior – Police Administration ( <b>Dragan Stevanović, Dejan Andrić</b> )	Continuous activity	TAIEX	The number of meetings held	Reports (semi-annual and annual) on the number of joint patrols, joint operations, and results achieved.
<b>1.2.17.</b>	Cooperate with FRONTEX on the implementation of the Working Arrangement	Ministry of Interior – Police Administration ( <b>Slavko Vojinović, Dragan Stevanović, Dejan Bojić, Aleksandar Novović</b> )	Continuous activity	No funds necessary	The number of activities realised with FRONTEX	Reports on the number of employees participating in joint operations, Reports on the number of working meetings, Reports on the exchange of information.
<b>Recommendation 4 from the Screening Report - Migrations</b>						
<b>OBJECTIVE:</b> Strengthen the capacities for accommodation, rehabilitation, and protection of unaccompanied juvenile migrants and other vulnerable groups						
<b>No.</b>	<b>Measure/activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds / Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>
<b>1.2.18.</b>	Make a feasibility study for strengthening the capacities for accommodation, protection and	Ministry of Labour and Social	June 2015	EUR 2,700 / TAIEX EUR 2,600 / Regular budget	Feasibility study developed	Report on the level of implementation of



	rehabilitation of unaccompanied juvenile migrants and other vulnerable groups , as well as finding the sources of funding for strengthening the capacities for accommodation, protection and rehabilitation of unaccompanied juvenile migrants and other vulnerable groups <sup>++</sup>	Welfare( <b>Željko Šofranac</b> ), Ministry of Interior( <b>Dragan Stevanović</b> , Goran Bošković)		TOTAL: EUR 5,300		measures laid down in the study
<b>1.2.19.</b>	Prepare project and investment documentation for strengthening the capacities for accommodation, protection and rehabilitation of unaccompanied juvenile migrants and other vulnerable groups	Ministry of Labour and Social Welfare( <b>Željko Šofranac</b> ), Ministry of Interior( <b>Dragan Stevanović</b> , Goran Bošković), Ministry of Finance, Public Works Directorate, local self-government unit	December 2015	EUR 50,000 Budget IPA II	Project prepared on the basis of the feasibility study, Applying for EU funds (IPA II), Application submitted, Funds ensured,	The level of implementation of planned activities

<sup>++</sup>The feasibility study will identify the real need for the capacities for accommodation of unaccompanied juvenile migrants and other vulnerable groups, as well as required funds for construction and equipping of those capacities as of 2016

<b>1.2.20.</b>	Develop guidelines for the treatment of unaccompanied juvenile migrants (accommodation, care and rehabilitation) as well as for other vulnerable groups	Ministry of Labour and Social Welfare( <b>Željko Šofranac</b> ), Ministry of Interior ( <b>Dragan Stevanović</b> , Goran Bošković)	December 2015	EUR 2,000 / Regular budget	Guidelines prepared	

### 1.3 READMISSION OF IRREGULAR MIGRANTS

(Coordinator for the area of readmission of irregular migrants: Dragan Dašić, Ministry of Interior)

#### STATE OF PLAY

Agreement between the Republic of Montenegro and the European Community on readmission was signed on 18 September 2007. Pursuant to Article 19 of the Agreement, implementing protocols with the Republic of Slovenia, Malta, the Republic of Austria, Bulgaria, the Czech Republic, the Republic of Germany, the Benelux states and the Slovak Republic were concluded, Republic of Estonia and the Republic of Italy. Text of protocol with Hungary is harmonized and initialled and it is ready for signing.

Montenegro concluded readmission agreements with the Kingdom of Norway, the Swiss Confederation, the Republic of Croatia, Bosnia and Herzegovina, the Republic of Albania, the Republic of Kosovo<sup>††</sup>, Former Yugoslavian Republic of Macedonia and the Republic of Moldova. Text of the Agreement with the Government of the Russian Federation on readmission was fully harmonized and initialled and it is ready for signing.

In the previous period, activities are undertaken in order to conclude agreements on readmission with the Republic of Iceland, Ukraine, Georgia, the People's Republic of China, the Republic of Azerbaijan.

The Government of Montenegro adopted in 2011 the Strategy of reintegration of persons returned under readmission agreements for the period 2011-2015, as well as the Action Plan for Implementation of the Strategy for 2011 and 2012 and the Action Plan for Implementation of the Strategy for 2013 and 2014 (link: [www.mup.gov.me](http://www.mup.gov.me)). On 4 December 2014, the Government of Montenegro adopted the Action Plan for Implementation of the Strategy for 2015 (link: [www.mup.gov.me](http://www.mup.gov.me)). Adoption of the Strategy and Action Plan was the result of the IPA project "Support to migration management in Montenegro", and these documents have been prepared in cooperation with the International Organization for Migration (IOM) and international experts engaged in the project.

**Note:** Measures 1.3.4., 1.3.5., 1.3.6. and 1.3.7., that were defined in the Action Plan, which the Government of Montenegro adopted at its session of 27 June 2013, and which were related to the conclusion of readmission agreements between Montenegro and Iceland, the Russian Federation, Ukraine and Georgia, are grouped in measure: 1.3.4 in the adapted Action Plan.

In the adapted Action Plan, the measure 1.3.5 is defined as a new measure and it relates to effective and efficient implementation of readmission agreements that Montenegro has concluded with countries with which it borders.

**Remark:** The information on state of play state in terms of concluded agreements on readmission of Montenegro with other countries, as well as those which are planned to be concluded, was submitted to the Directorate General for Home Affairs. The implementation of activities in this area in the future will be jointly planned in cooperation with DG HOME.

**OBJECTIVE:** Continuous effective and efficient implementation of the Agreement on Readmission between Montenegro and EU as well as conclusion of implementing protocols with the remaining EU member states on the basis of Article 19 of the Agreement between the Republic of Montenegro and the European Community on Readmission (return and admission) of Persons Residing without Authorisation.

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No.	Measure/Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.3.1	Efficiently and effectively implement the Agreement on Readmission between Montenegro and European Community regarding readmission of persons without residence permits	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dragan Stevanović), Ministry of Foreign Affairs and European Integration (Radomir Sekulović)	Continuous/ Permanent activity	Budget - 16,000 euro monthly	<b>Number of requests received for readmission of own citizens divided upon:</b> -Member state of EU, -Number of positive answers, -Number of negative answers -Number of written notifications on carried out transfers, -Number of transferred persons. <b>Number of requests received for readmission of citizens of third countries divided upon:</b> -Member state of EU, -Number of positive answers, -Number of negative answers	

					-Number of written notifications on carried out transfers, -Number of transferred persons. Number of received/approved/refused requests for transit, <b>Number of accelerated border procedures,</b> <b>Number of persons from vulnerable groups who are again received in country (e.g. minors and persons with special needs).</b>	
<b>1.3.2</b>	Conclude the implementing protocols with the other EU member states upon the request from any side, in line with Article 19 of the Agreement between Montenegro and European Community on Readmission for persons without residence permit.	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dragan Stevanović), Ministry of Foreign Affairs and European	The second half of 2017	Budgetary funds- EUR 71,680	Initiative launched for conducting negotiations, Initiative accepted and drafts of the protocols exchanged, Dates for negotiations agreed,	Statistical indicators on the number of persons who were subject to readmission, reports of expert evaluation on the implementation of

		Integration (Radomir Sekulović)			Texts of the protocols agreed and initialled, Protocols signed, Protocols entered into force.	agreements and protocols on readmission.
<b>Recommendation 5 from the Screening Report – Migrations</b>						
<b>OBJECTIVE:</b> Sign and ratify readmission agreements with third countries.						
No.	Measure/Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.3.3.	Adopt the Law on ratification of the Agreement and the Implementing Protocol with the Republic of Serbia and the Law on ratification of the Agreement with the Republic of Turkey	Ministry of Interior ( <b>Dragan Dašić</b> ), Ministry of Foreign Affairs and European Integration	December 2013	Budgetary funds – EUR 15,000	Proposals for the Law on Ratification of the Agreement defined with the Republic of Serbia and the Republic of Turkey The Law on Ratification of the Agreement with the Republic of Serbia and the Republic of Turkey adopted; The Law on ratification of Agreement with the Republic of Serbia and the Republic of Turkey	Number of persons who were subject to readmission

					entered into force.	
<b>1.3.4.</b>	Conclude, confirm as well as effectively and efficiently implement readmission agreements with third countries, among others, with the Russian Federation, Iceland, Ukraine, Georgia, Azerbaijan and People's Republic of China	Ministry of Interior (Dragan Dašić Dragan Stevanović) Ministry of Foreign Affairs and European Integration (Radomir Sekulović)	Continuously	Budgetary funds – Total: EUR 31,200	<ul style="list-style-type: none"> <li>- Statistical data on the number of concerted agreements with third countries</li> <li>- Statistical data on the number of signed agreements with third countries</li> <li>- Statistical data on the number of agreements with third countries which are applied</li> <li>- Statistical data on the number of persons who are subject to readmission according to agreements with third countries, according to the nationality.</li> </ul>	Progress reports  Expert Mission Reports
<b>1.3.4.1</b>	<b>Russian Federation</b>	- Ministry of	-	- Budgetary	- the	

		<ul style="list-style-type: none"> <li>- sign the agreement,</li> <li>- adopt the Law on Ratification of the Agreement,</li> <li>- into force of the agreement</li> </ul> <p>NOTE: THIS IS A MEASURE 1.3.5. FROM THE PREVIOUS ACTION PLAN</p> <ul style="list-style-type: none"> <li>- Former measure</li> </ul>	<ul style="list-style-type: none"> <li>- Interior (Dragan Dašić Dragan Stevanović)</li> <li>- Ministry of Foreign Affairs and European Integration (Radomir Sekulović)</li> </ul>		funds –EUR 5,200	<ul style="list-style-type: none"> <li>- agreement signed,</li> <li>- Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
	<b>1.3.4.2</b>	<p><b>Iceland</b></p> <ul style="list-style-type: none"> <li>- harmonize the text of the agreement,</li> <li>- sign the agreement,</li> <li>- adopt a law on ratification of the agreement,</li> <li>- entry into force of the agreement</li> </ul> <p>NOTE: THIS IS A MEASURE 1.3.4. FROM THE PREVIOUS ACTION PLAN</p>	<ul style="list-style-type: none"> <li>- Ministry of Interior (<b>Dragan Dašić</b> Dragan Stevanović)</li> <li>- Ministry of Foreign Affairs and European Integration (Radomir Sekulović)</li> </ul>		Budgetary funds – EUR 5,200	<ul style="list-style-type: none"> <li>- the agreement harmonized,</li> <li>- the agreement signed,</li> <li>- - Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
	<b>1.3.4.3</b>	<p><b>Ukraine</b></p> <ul style="list-style-type: none"> <li>- harmonize the text of the agreement,</li> </ul>	<ul style="list-style-type: none"> <li>- Ministry of Interior (<b>Dragan Dašić</b> Dragan</li> </ul>		Budgetary funds – EUR 5,200	<ul style="list-style-type: none"> <li>- the agreement harmonized,</li> <li>- the agreement</li> </ul>	



		<ul style="list-style-type: none"> <li>- sign the agreement,</li> <li>- adopt a law on ratification of the agreement,</li> <li>- entry into force of the agreement</li> </ul> <p><b>NOTE: THIS IS A MEASURE 1.3.6. FROM THE PREVIOUS ACTION PLAN</b></p>	Stevanović) Ministry of Foreign Affairs and European Integration (Radomir Sekulović)			<ul style="list-style-type: none"> <li>signed,</li> <li>- Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
	<b>1.3.4.4</b>	<p><b>Georgia</b></p> <ul style="list-style-type: none"> <li>- harmonize the text of the agreement,</li> <li>- sign the agreement,</li> <li>- adopt a law on ratification of the agreement,</li> <li>- entry into force of the agreement</li> </ul> <p><b>NOTE: THIS IS A MEASURE 1.3.7. FROM THE PREVIOUS ACTION PLAN</b></p>	Ministry of Interior ( <b>Dragan Dašić</b> Dragan Stevanović) Ministry of Foreign Affairs and European Integration (Radomir Sekulović)		Budgetary funds – EUR 5,200	<ul style="list-style-type: none"> <li>- the agreement harmonized,</li> <li>- the agreement signed,</li> <li>- Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
	<b>1.3.4.5.</b>	<p><b>PR China</b></p> <ul style="list-style-type: none"> <li>- harmonize the text of the agreement,</li> <li>- sign the agreement,</li> </ul>	Ministry of Interior ( <b>Dragan Dašić</b> Dragan		Budgetary funds – EUR 5,200	<ul style="list-style-type: none"> <li>- the agreement harmonized,</li> <li>- the agreement signed,</li> </ul>	

		<ul style="list-style-type: none"> <li>- adopt a law on ratification of the agreement,</li> <li>- entry into force of the agreement</li> </ul>	Stevanović) Ministry of Foreign Affairs and European Integration (Radomir Sekulović)			<ul style="list-style-type: none"> <li>- Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
	<b>1.3.4.6</b>	<b>Azerbaijan</b> <ul style="list-style-type: none"> <li>- harmonize the text of the agreement,</li> <li>- sign the agreement,</li> <li>- adopt a law on ratification of the agreement,</li> </ul> entry into force of the agreement	Ministry of Interior ( <b>Dragan Dašić</b> Dragan Stevanović) Ministry of Foreign Affairs and European Integration (Radomir Sekulović)		Budgetary funds – EUR 5,200	<ul style="list-style-type: none"> <li>- the agreement harmonized,</li> <li>- the agreement signed,</li> <li>- Adopted Law on Ratification of the Agreement,</li> <li>- The agreement entered into force</li> </ul>	
<b>1.3.5.</b>	Efficient and effective implementation of readmission agreements between Montenegro and the following countries: Bosnia and Herzegovina, the Republic of Croatia, the Republic of Albania, the Republic of Kosovo <sup>§§</sup> and the Republic of Serbia, as well as		Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dragan Stevanović), Ministry of Foreign Affairs	Continuously	Budgetary funds  EUR 16,000 a month	<b>Number of requests received for readmission in a regular procedure sorted by:</b> <ul style="list-style-type: none"> <li>- State,</li> <li>- Number of positive</li> </ul>	<b>-Reduced number of requests for readmission addressed to Montenegro for readmission of own nationals in a regular</b>

<sup>§§</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

	complying with deadlines for responding to individual requests***	and European Integration (Radomir Sekulović)			responses, - number of negative responses. <b>Number of requests sent for readmission in a regular procedure sorted by:</b> - State, - Number of positive responses, - number of negative responses. <b>Number of requests received for readmission in a summary procedure sorted by:</b> - State,	<b>and summary procedure</b>  - Reduced number of requests for readmission addressed to Montenegro for readmission of third country nationals in a regular and summary procedure  - Expert assessment reports on implementation of agreements and protocols on
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\*\*\* For more efficient implementation of readmission agreements, which Montenegro has concluded with countries with which it borders, it is provided that the competent authorities of the Contracting Parties may accept without formality and delay (summary procedure) third-country nationals or stateless person if he is a national of a third country or a stateless person deprived of liberty in the territory of another Contracting Party within seventy-two (72) hours after illegal crossing of the state border (this procedure is under jurisdiction of the Ministry of Interior - Police Administration).

If acceptance of persons in summary procedure is refused, the acceptance may be requested in the regular procedure (this procedure is under jurisdiction of the Ministry of Interior).

Readmission agreements, which Montenegro has concluded with countries with which it borders, it is stipulated that joint committees for readmission shall be formed.

					<ul style="list-style-type: none"> <li>- Number of positive responses,</li> <li>- number of negative responses.</li> </ul> <p><b>Number of requests sent for readmission in a summary procedure sorted by:</b></p> <ul style="list-style-type: none"> <li>- State,</li> <li>- Number of positive responses,</li> <li>- number of negative responses.</li> </ul> <p><b>Number of received / accepted / rejected requests for transit sorted by:</b></p> <ul style="list-style-type: none"> <li>- State,</li> <li>- Number of positive responses,</li> <li>- number of negative responses.</li> </ul> <p><b>Number of meetings of joint committees that were formed in accordance with readmission</b></p>	<p><b>readmission</b></p> <ul style="list-style-type: none"> <li>- <b>Reports on implementation of readmission agreements from joint committee meetings,</b></li> <li>- <b>Progress reports</b></li> <li>- <b>Expert Mission Reports</b></li> </ul>
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					agreements.	
<b>OBJECTIVE:</b> Adopt a new strategy for reintegration of persons returned on the basis of the Agreement on Readmission and its implementing Action Plan.						
No.	Measure/Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
1.3.6	Draft and adopt a new Strategy and its implementing Action Plan, in accordance with the European standards in this area.	Ministry of Interior (Dragan Dašić, Abdulah Abdić, Dejan Bojić) Inter-agency working group for monitoring implementation of the Strategy for reintegration of persons returned on the basis of the readmission agreement for the period 2011-2015 IOM (International	December 2015	Budgetary funds – EUR 3,240  TAIEX – EUR 2,700  TOTAL: EUR 5,940	-Reducing the number of illegal migrants from Montenegro, with a special emphasis on circular migrations -Reducing the number of request for readmission referred to Montenegro -Statistical data on the number of returnees who have made access to the labour market - Statistical data on the number of returnees who have made access to one-	Positive opinion of the European Commission  - Progress reports  - Expert Mission Reports

		Organization for Migration)			time financial assistance	
1.3.6.1	<b>Form IWG</b>	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić)	<b>March 2015</b>		Inter-agency Working Group (IWG) formed	
1.3.6.2	<b>Organize study visits with the support of TAIEX</b>	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dejan Bojić)	<b>April 2015</b>	TAIEX – EUR 2.700	- Study visit report	
1.3.6.3	<b>Prepare Draft Strategy and</b>	Ministry of	<b>August</b>		- Draft Strategy and	

		<b>Action Plan</b>	Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dejan Bojić) Inter-agency Working Group (IWG)	<b>2015.</b>		Action Plan prepared	
	1.3.6.4	<b>Submit Draft Strategy and Action Plan to the European Commission for its opinion</b>	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić)	<b>September 2015</b>		Draft Strategy and Action Plan submitted to the European Commission for its opinion	
	1.3.6.5	<b>Adopt the Strategy and the action plan</b>	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić) Inter-agency Working Group (IWG)	<b>December 2015</b>		-Proposal for the Strategy and Action Plan prepared and submitted to the Government for adoption, -the Strategy and the action plan adopted	
<b>1.3.7</b>	Monitor the course of implementation of the Strategy and its implementing Action Plan		Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić, Dejan Bojić)  IWG	January 2016 – December 2020	Budgetary funds – EUR 2,592	- Number of returnees included in the reintegration process - Annual reports on	--Expert assessments reports on implementation of the Strategy and Action Plan -Progress reports - Expert Mission

		(Inter-agency Working Group)			implementation of the AP for implementation of the Strategy of reintegration of persons returned on the basis of the readmission agreement, determined by the Government of Montenegro - Work reports of the Inter-agency Working Group for monitoring implementation of the Strategy of reintegration of persons returned on the basis of the readmission agreement	Reports
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## 2. ASYLUM

(Coordinator for the area of asylum: Sandra Bugarin, Ministry of Interior)

### STATE OF PLAY



The Law on Asylum of Montenegro is partially aligned with the EU *acquis*, as is the relevant secondary legislation. Since the start of the implementation of the Law on Asylum (2007) until 13 June 2013, 2.699 requests for asylum were submitted, out of which 7 positive decisions were made (2 refugee statuses and 5 subsidiary protections); at the moment 1 refugee status and 4 subsidiary protection statuses are in force. We point out that there is a genuine lack of interest of asylum seekers for receiving protection in Montenegro, so that in 2013, since 3 January until 12 June, there is a total of 892 submitted requests for asylum, procedures for 771 requests were concluded (adopted: 572 conclusions on termination of the procedure because the seekers failed to appear for the interview to make a statement on the facts and circumstances that are of significance for making a decision, and 199 solutions on rejecting the asylum requests that were obviously unjustified). The statistical indicators clearly show that the asylum seekers still view Montenegro as a transit state.

The Government adopted the Rulebook on internal organisation and job descriptions of the Ministry of Labour and Social Welfare under which is the Administration for the Care of Refugees - Centre for Accommodation of Asylum Seekers.<sup>+++</sup>

The Centre for Accommodation of Asylum Seekers is projected for 65 seekers, with the possibility of increasing the capacity to 100 beds in case of need. Also, depending on the number of asylum seekers, the alternative accommodation capacities (lease of private facilities) will be continuously engaged, with the capacity of up to 150 beds.

Prior to the adoption of the new Law on Asylum, an analysis will be carried out of the asylum system, which will result in the adoption of the new Law on Asylum and new secondary legislation regulating this area. Adopting this Law, European legislation shall be introduced into Montenegrin legislation and conditions will be met for implementation of standards, practice and policy of European Union in this area.

The analysis of impact of the new Law on administrative and technical capacities of competent bodies involved in the asylum system has been drafted in September 2014 and submitted to the EC.

### ***Recommendation 1 from the Screening Report – Asylum***

#### **OBJECTIVE:**

Fully align the national legislation with the EU legislation and practice in the asylum area, including evaluation of the impact on administrative capacities,

<sup>+++</sup> Normative document which regulates internal organisation, number of employees, qualification conditions for employment, and job descriptions.

needs for education and budget						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
2.1.	<p>Establish an inter-agency working group for the preparation of the new Law on Asylum</p> <p>Prepare an impact analysis with regard to the impact of the new Law on administrative and technical capacities of competent bodies included in the asylum system</p>	<p>Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković, Danka Petrović-Matanović),</p> <p>Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević),</b></p> <p>Ministry of Justice <b>(Aida Bojadžić),</b></p> <p>Ministry of Health, Ministry of</p>	<p>April 2014</p> <p>September 2014</p>	<p>Regular budgetary funds</p> <p>3 245 €</p>	<p>Working group has been established and has started to work</p> <p>Analysis made</p>	<p>Ensured engagement and involvement of all the relevant institutions in the process of alignment of the legislation</p>

		Education <b>(Mubera Kurpejović),</b> Ministry of Finance, UNHCR				
2.2.	Prepare the project proposal for engagement of an EU expert in the area of harmonisation of legislation	Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković, Danka Petrović- Matanović)	September 2014	EU funds (TAIEX)  2 700 €	Project proposal prepared and submitted to the European Commission for approval  Project proposal approved by the European Commission  EU expert engaged	Defined institutes of European legislation with which national legislation will be harmonised, such as: <ul style="list-style-type: none"> <li>- Act of persecution,</li> <li>- Reasons for exclusion,</li> <li>- Agent of persecution,</li> <li>- Safe country of origin,</li> <li>- The first country of asylum,</li> <li>- Safe third country,</li> <li>- Unacceptable requests,</li> <li>- Procedure at border,</li> <li>- Court protection</li> </ul>

2.3.	<p>Adopt the new Law on Asylum which will identify the institutes of the EU acquis on asylum, as well as the best practice of the Member States, with which the national legislation will be harmonised:</p> <ul style="list-style-type: none"> <li>-identification of asylum seekers</li> <li>-admission conditions</li> <li>-the procedures of granting and revoking the international protection</li> <li>-standards for the qualification of asylum seekers as users of the international protection</li> <li>-rights of persons with approved protection</li> </ul>	<p>Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković), Inter-agency working group</p>	December 2015	<p>Regular budgetary funds</p> <p>29 520 €</p>	Law adopted in Parliament	<p>Prerequisites made for the implementation of standards, practice and policy of EU in the area of asylum. New Law incorporates the following institutes:</p> <ul style="list-style-type: none"> <li>-Act of persecution,</li> <li>-Reasons for exclusion,</li> <li>-Agent of persecution,</li> <li>-Safe country of origin,</li> <li>-The first country of asylum,</li> <li>-Safe third country,</li> <li>-Unacceptable requests,</li> <li>-Procedure at borders,</li> <li>-Court protection</li> </ul>
2.4.	<p>Adopt amendments to the existing and new secondary legislation in accordance with the new Law on Asylum</p> <ol style="list-style-type: none"> <li>1. Rulebook on forms and registers in the asylum procedure</li> <li>2. Rulebook on free legal aid</li> </ol>	<p>Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković), Ministry of Labour and</p>	II Quarter 2016	<p>Regular budgetary funds</p> <p>34.992 €</p>	Secondary legislation adopted	<p>Prerequisites are made for the implementation of standards, practice and policy of the EU in the area of asylum, especially with regard to the rights of asylum</p>

	3. Rulebook on amount of financial assistance to persons from the asylum system 4. Rulebook on accommodation of persons from the asylum system 5. Rulebook on content of the medical examination of persons from the asylum system 6. Rulebook on manner of program implementation and examination of knowledge of persons from the asylum system in order to access the education system 7. Rulebook on program of the Montenegrin language, history and culture for persons from the asylum system	Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> , Ministry of Justice <b>(Aida Bojadžić)</b> , Ministry of Health, Ministry of Education <b>(Mubera Kurpejović)</b> , UNHCR				seekers in the field of free legal assistance, financial assistance, accommodation, medical examinations, etc
2.5.	Prepare information materials for asylum seekers and persons who have been granted protection	Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković, Danka Petrović-Matanović), Ministry of	From III Quarter 2016	EUR 3,000 at the annual level (EUR 1,500 from donations and EUR 1,500 from the Budget)	Information material printed and distributed to target groups	The number of asylum seekers and persons who have been granted protection who have been informed about their rights and duties

		Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević),</b> Ministry of Justice <b>(Aida Bojadžić),</b> Ministry of Health, Ministry of Education <b>(Mubera Kurpejović),</b> UNHCR				
2.6.	Train the trainers for training of civil servants and border police officers in the asylum system	Ministry of Interior <b>(Sandra Bugarin,</b> Marija Raičković, Danka Petrović-Matanović),	II Quarter 2014	UNHCR Projects of bilateral cooperation TAIEX  4 000€	Trainers trained	A list of trained trainers made  The number of delivered trainings and the number of civil servants and police officers to be trained by trainers

		Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> , Police Academy <b>(Milica Pajović/Jelena Tomić)</b>				
2.7.	Train the state, border and other police officers in the asylum system, depending upon the needs, with regard to recognising the asylum seekers, establishing the origin of asylum seekers, analysis of reasons for seeking asylum, translation and interpretation, as well as monitoring voluntary returns, with special focus on vulnerable groups such as: unaccompanied minors, women under risk, victims of violence, non-refoulement, international standards	Police Academy <b>(Milica Pajović/Jelena Tomić)</b>	Continuously	Budgetary funds  4.800€ (at the annual level)  UNHCR	The number of trainings held  The number of civil servants trained	

	and rights of refugees					
<b>Recommendation 2 from the Screening Report – Asylum</b>						
<b>OBJECTIVE:</b> Prepare an analysis on what is necessary to establish in order to fulfil technical requirements for cooperation within the meaning of EURODAC system and Dublin Convention. Also, establish databases which are in line with EURODAC system and the Dublin Convention.						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
2.8.	Create the electronic records of asylum seekers with basic data on seekers	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović)	June 2015	EUR 10,000 / Budget	Established electronic record which is fully operational	Updating records, easier daily work of officers from the Asylum Directorate, achieved better efficiency in work
2.9.	Prepare the project proposal for engagement of EU experts in the areas of EURODAC and Dublin and submit it to the European Commission with a view to analyzing procedures for establishing the national database (DATA BASE) of asylum seekers	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović), Ministry of Foreign Affairs and European Integrations	May 2014	EU funds (TAIEX)  EUR 2,700	Project proposal prepared and submitted to the European Commission for approval  EU expert engaged	Competent services familiarised with EU standards in the area of Information Technologies for EURODAC system
2.10.	Make an analysis of the working	Ministry of	March 2015	Regular budgetary	Analysis on state of	Identified concrete



	procedures for creating the national database (DATA BASE) of asylum seekers	Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović)		resources  810€	play made	working procedures for creating national data base (DATA BASE) of asylum seekers  Competent services familiarised
2.11.	Prepare the project proposal for engagement of EU experts in the area of information technologies required for EURODAC system and submit it to the European Commission with a view to analyzing the required technical conditions to ensure proper electronic transmission of data to/from EURODAC	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović) Ministry of Foreign Affairs and European Integrations	December 2014	EU funds (TAIEX)  EUR 2,700	Project proposal prepared and submitted to the European Commission for approval  Project proposal approved by the European Commission  EU expert engaged	Technical conditions defined for proper electronic data transmission
2.12.	Make an analysis on the state of play as regards required technical conditions to ensure proper electronic transmission of data to/from EURODAC	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko	June 2015	Regular budgetary resources  810 €	Analysis on state of play made	Defined concrete technical conditions which will ensure proper electronic transmission of data to/from EURODAC

		Simonović)				
2.13.	Create the national database (DATA BASE) of asylum seekers in accordance with the EURODAC system and the Dublin Convention	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović)	IV Quarter 2016	Budget	National database (DATA BASE) of asylum seekers established  Staff trained to use the electronic register of asylum seekers	Precise records of asylum seekers with biometric data
2.14.	Networking with the EURODAC system <sup>+++</sup> and DubliNet	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović)	By the date of accession to the EU	Required funds could not be assessed at this point of time	Full implementation of the Dublin Convention after the accession to the EU	Technical equipment purchased  Safe electronic communication with the EURODAC system established  Staff trained for use of the EURODAC system
<b>Recommendation 3 from the Screening Report – Asylum</b>						
<b>OBJECTIVE:</b> Strengthen administrative capacities dealing with requests for acquiring asylum, especially with a view of establishing origin, analysis of reasons for seeking asylum, translation and interpretation, as well as monitoring voluntary returns						
<b>No.</b>	<b>Measure / Activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds / Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>

<sup>+++</sup> DG Home will subsequently inform about the timeframe and steps needed for establishing link with EURODAC after accession.

2.15.	<p>Strengthen the administrative capacities of the Asylum Directorate with 3 new working posts</p> <p>Establish the mechanisms for the translation needs with countries in the region and increase the number of interpreters for the needs of Asylum Directorate</p>	Ministry of Interior <b>(Sandra Bugarin, Marija Raičković)</b>	<p>December 2015 (2 working posts) and 2016 (1 working post)</p> <p>II Quarter 2016</p>	<p>Budget</p> <p>EUR 38,880 (for 4 interpreters with 100% engagement at the annual level)</p>	<p>Administrative capacities of the Asylum Directorate strengthened</p> <p>Administrative capacities of the Asylum Directorate strengthened, number of civil servants and interpreters increased, technical conditions met for establishing mechanisms for the translation needs with the countries in the region and reorganisation carried out by forming special Departments in the Directorate such as:</p> <ul style="list-style-type: none"> <li>- Section for procedures (receiving requests,</li> </ul>	<p>Statistical indicators on the number of requests submitted/solved, those resolved within the legally set deadline, the number of backlog cases</p> <p>Expert reports</p>
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					conducting procedures); - Section for searching information on countries of origin of asylum seekers, networking and electronic updating upon the basis of relevant information sources regarding countries of origin of asylum seekers; - Section – Dublin Unit	
2.16.	Establish the mechanism of permanent monitoring aimed at promoting the asylum procedures	Ministry of Interior <b>(Sandra Bugarin, Marija Raičković)</b> UNHCR	Continuously	UNHCR	The number of monitored interviews, the number of monitored decisions, analysis of flaws  Report on monitoring	Asylum procedures quality improved and best practices identified

					(semi-annual reports)	
2.17.	Train staff of the Asylum Directorate and the State Commission for Resolving Asylum-Related Complaints, focusing on identification of countries of origin of asylum seekers, reasons for seeking asylum, translation and interpretation, as well as with regard to supervision of voluntary departures and EURODAC, with a special emphasis on vulnerable groups such as: unaccompanied minors, women under risk, victims of violence, non-refoulement, international standards and the rights of refugees	Ministry of Interior <b>(Sandra Bugarin, Marija Raičković),</b> Human Resources Administration <b>(Jadranka Đurković)</b>	Continuously	UNHCR, International cooperation projects, TAIEX  EUR 10.530 (budget for 2013, 2014 and 2015)	Staff of the Asylum Directorate and State Commission for Resolving Asylum-Related Complaints additionally trained	Expert recommendations
2.18.	Strengthen the cooperation with the countries in the region as regards monitoring mixed migrations and asylum system, by initiating meetings and taking part in regional initiatives	Ministry of Interior <b>(Sandra Bugarin, Marija Raičković),</b> Ministry of Foreign Affairs and European Integrations	Continuously	Budget, Donations  EUR 2,500 at the annual level	The number of held bilateral and multilateral meetings  The number of adopted recommendations  Reports on the implementation of	Better quality of monitoring mixed migrations and asylum system in the region, to be confirmed through expert reports

		UNHCR			recommendations adopted in regional conferences	
<b>Recommendation 4 from the Screening Report – Asylum</b>						
<b>OBJECTIVE:</b> To put into function the Centre for asylum seekers and to establish mechanisms for regular checks of capacities of Centre for asylum seekers in order to meet requirements due to changeable pressures over time						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
2.19.	Put into function the Centre for asylum seekers with the capacity of 65 beds, with the possibility of increasing the capacity to 100 beds in case of a need	Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b>	December 2013	2013 – EUR 15,000 2014 – EUR 628,133 2015 – EUR 605,609.74 2016 – EUR 635,519.69 2017 – EUR 666,925.71 TOTAL: EUR 2,551,188.23 Budget (indicated financial resources are planned for the capacity of the Centre of 100 beds)	Centre for asylum seekers put into function	Provided conditions for accommodation of asylum seekers in the Centre  The number of asylum seekers, persons with approved protection and vulnerable groups for which care was provided
2.20.	Secure additional accommodation capacities for asylum seekers	Ministry of Labour and	Continuously	2013-EUR 205,875 2014 – EUR 410,625	Secured additional accommodation	Provided conditions for accepting asylum

	through alternative manners (lease of alternative private facilities for 150 persons)	Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b>		2015 – EUR 410,625 2016 – EUR 410,625 TOTAL : EUR 1,437,750 Budget (indicated financial resources are planned for the capacity of 150 beds in the alternative accommodation)	through alternative manners	seekers  The number of asylum seekers, persons with approved protection and vulnerable groups for which care was provided
2.21.	Establish the mechanisms of permanent monitoring in relation to occupancy of and evaluation of adequacy of capacities of the Centre for Asylum Seekers with support of UNHCR, with a special focus on vulnerable groups and the preparation of analysis for defining additional accommodation needs	Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> Ministry of Interior ( <b>Sandra Burgarin</b> ), UNHCR	Continuous y <sup>§§§</sup>	4.000€ Budget	Analysis of the state, report on conducted monitoring (semi-annual reports) Adapting the existing capacities on the basis of current monitoring	Promoted quality of reception conditions for asylum seekers on the basis of real needs
2.22.	Prepare additional capacities for accommodation of asylum seekers – approximately 150 persons	Ministry of Finance - Public Property	IV Quarter 2016	Cca 1.100.000€ Budget, EU funds	Reconstructed/adapted additional capacities for	Provided additional capacities for accommodation of

<sup>§§§</sup> Monitoring will begin as of putting the Centre into function.

		Administration) <b>(Osman Nurković)</b> Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> UNHCR			accomodation  Improved conditions and the quality of reception	asylum seekers
2.23.	Provide reception conditions adequate to the needs of vulnerable groups (e.g. unaccompanied minors, single mothers, victims of violence)	Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> Social Welfare Centres, Ministry of Health and specialised	Continuously	Funds have been taken into account within the item 2.19  Budget	Provided reception conditions adequate to the needs of vulnerable groups	Better protection of vulnerable groups and easier integration



		medical institutions				
2.24.	<p>Train the civil servants and state employees for a more efficient work in the area of reception conditions with a special focus on vulnerable groups (e.g. unaccompanied minors, women under risk, victims of violence), including for preventing and recognising the infiltration of smugglers into the Centre</p> <p>Training for recognising human trafficking victims</p>	<p>Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko Šofranac/Duško Jovičević)</b> Human Resources Administration <b>(Jadranka Đurković)</b> UNHCR</p>	<p>January – December 2014</p> <p>and</p> <p>January – December 2015</p>	<p>25.400€</p> <p>Budget, UNHCR, Projects of international cooperation, TAIEX</p>	<p>Officers of the Centre for accommodation of asylum seekers additionally trained</p>	<p>Better efficiency in taking care and increased quality of work (number of trained civil servants and state employees)</p> <p>Number of exchanged data with the Police Directorate on possible cases of infiltration of smugglers into the Center</p>
2.25.	<p>Project of development of an IT system **** in the Centre for accommodation of asylum seekers:</p> <ul style="list-style-type: none"> <li>- developing needs analysis and terms of reference for IT system,</li> <li>- detailed specification of</li> </ul>	<p>Ministry of Labour and Social Welfare (Administration for the Care of Refugees) <b>(Željko</b></p>	IV Quarter 2016	<p>Cca 55.000€</p> <p>Budget, UNHCR, Projects of international cooperation, TAIEX</p>	<p>Established and fully operational information system</p>	<p>Updated records, easier daily work of officers from the Centre</p> <p>Achieved better efficiency in work</p>

\*\*\*\* The IT system will deal with recording: asylum seekers, refugees and persons under the additional protection that are taken care of; accommodation of asylum seekers; equipment borrowed to persons who are taken care of for each accommodation facility; entrances and exits from the Center or other accommodation facility; material accountancy; business operations of the restaurant, laundry and infirmary; assets used by employees; scheduling work in shifts; failures, damage and missing assets, etc.

	terms of reference, - software development and implementation, - system testing and system acceptance testing, - training of system users, - putting IT system into operation and - maintenance of IT system following the expiry of warranty period	<b>Šofranac/Duško Jovičević)</b> Ministry for Information Society				
<b>Recommendation 5 from the Screening Report – Asylum</b>						
<b>OBJECTIVE:</b> Establish a structure required for cooperation with the European Asylum Support Office and use of the European Refugee Fund, as appropriate by the date of accession						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
2.26.	Establish the necessary structure for cooperation with the European Asylum Support Office  Establish the necessary structure for cooperation with the European Refugee Fund	Ministry of Interior ( <b>Sandra Bugarin</b> , Marija Raičković), Ministry of Labour and Social Welfare ( <b>Željko Šofranac</b> ), Ministry of	By the date of accession to the EU	Budget	Established structure required for cooperation with the European Asylum Support Office and use of the European Refugee Fund, as appropriate	Established mechanisms in case of necessary cooperation with European Asylum Support Office and use of the European Refugee Fund

		Foreign Affairs and European Integrations				
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### 3. VISA POLICY

(Coordinator for the area of visa policy: Dejan Vuković, Ministry of Foreign Affairs and European Integration)

#### STATE OF PLAY

In the area of “Visa regime”, guided by the official EU policy, Montenegro adopted the Law on Foreigners (Official Gazette of Montenegro 82/2008, 72/09, 32/11 and 53/11), on the grounds of which the Decree on Visa Regime was adopted (Official Gazette of Montenegro 18/2009, as of 11 March 2009), as well as the Decree on Amendments to the Decree on Visa Regime (Official Gazette of Montenegro 31/2011, as of 23 December 2011), which established the basis for normative alignment of the visa policy with EU and Schengen standards, although, it should be noted, the practical adaptation process started in 2007 by signing of the Stabilisation and Association Agreement.

Starting from the guidelines of the European Union that analyses and reports on illegal migration and the percentage of asylum seekers from the so-called

“third countries”, play an important role in the strategy of issuing visas, as well as the fact that issuing visas at the border is not in accordance with Schengen standards, except in extraordinary circumstances as prescribed in Articles 35 and 36 of the Visa Code, Montenegro has, although not a member of the Schengen zone significantly reduced the number of visas issued at the border in accordance with Art. 22 of the Law on Foreigners, and has adopted stricter documentary evidence and procedures necessary for the issuance of visas to enter and stay in Montenegro for nationals of all countries from the so-called “black list” (risky countries), demonstrating significant commitment and cooperativeness with regard to implementation of the EU recommendations. The above mentioned is substantiated by the following information: in 2008 at border crossing points 2,606 visas have been issued, in 2009 897 visas have been issued, in 2010 280 visas have been issued, in 2011 102 visas have been issued, in 2012 84 visas have been issued (71 of which was "B" visa type for seafarers), in 2013 only 15 visas have been issued, and from 1 January to 31 October 2014 the authorities issued 18 visas at border crossing points. We emphasize that the largest number of visas at border crossing points have been issued to seafarers.

Bearing in mind the above mentioned, we believe that the visa regime of Montenegro is currently not in full compliance with EU and Schengen standards. Therefore, the intensive activities are still carried out regarding harmonisation of the visa regime of Montenegro with EU standards, and these activities will be continued in the course of negotiations. In accordance with the international law and diplomatic practice, the representation of Montenegro through diplomatic missions and consular posts of third countries is normatively regulated by the Law on Foreign Affairs. Due to the fact that there are no diplomatic missions and consular posts of Montenegro in a large number of countries, bilateral agreements have been concluded on providing consular assistance and representation in the issuance of visas with the Republic of Serbia (17 February 2007), Republic of Bulgaria (20 May 2008), and the Republic of Croatia (28 January 2011). Priorities in this area include strengthening the existing cooperation with the EU Member States representing Montenegro, including future conclusion of agreements on representation with the EU Member States in accordance with the Visa Code, as well as gradual abolishment of agreements on representation with states representing Montenegro and which are not members of the EU.

In the area of “Safety of documents”, according to the Law on Foreigners (Official Gazette of Montenegro 82/08, 72/09, 32/11 and 53/11), personal identity cards for foreigners shall be issued to a foreigner who has been granted permanent residence in Montenegro and a foreigner who has been granted temporary residence but does not possess a valid travel document. Personal identity card for foreigners is an autonomous document in ID 1 format. The ID card for foreigners is rectangular in shape, in the form of a card, measuring 86 mm x 54 mm, made of laminated polycarbonate, dominantly in the shades of blue, and with built-in security features. The ID card is made in accordance with ISO/IEC 7810 standards for dimensions and physical characteristics and ISO/IEC 10373 for testing physical properties.

Visas for entering Montenegro are issued through passports stamps, with manual data entry into a visa, which is not in accordance with the applicable standards. The existing Rulebook on Visas and Visa Forms (Official Gazette of Montenegro 64/2009, as of 22 September 2009) should be adapted in accordance with the EU recommendations, i.e. appropriate secondary legislation should be prepared. Full alignment is not possible until the technical specifications of the Schengen visa are obtained. In the area of "Visa information system", Development of the national visa system represents a complex and lengthy process, which is confirmed by the fact that the EU has been working intensively on the establishment of the Visa Information System since 2004, and that this system became operational at the end of 2011. Bearing in mind the above mentioned the delegation of the Ministry of Foreign Affairs and European Integration spoke with representatives of the Unit C3 – Large-Scale IT Systems and Biometrics within the European Commission in July 2011. On that occasion the Visa Information System and its advantages over the current visa systems were presented. In accordance with recommendations from this meeting, visits were organised to Slovenia, Croatia and the Former Yugoslav Republic of Macedonia, since these are the countries that have Visa Information System; the objective was to get familiar with the process of its development, operation, and operational experience. At the same time, the Ministry of Finance is undertaking actions aimed at considering the possibilities for provision of financial resources, while the Ministry of Foreign Affairs and European Integration established contacts with domestic and foreign experts in software programming, with a view to designing a suitable Visa Information System in Montenegro, which would be fully compliant with Schengen standards. Furthermore, we expect EU support in this segment through relevant IPA funds and possibly through donations.

Montenegro will draft and adopt the Schengen Action Plan during 2016. All the financial, administrative, legal and procedural measures, as well as the infrastructure necessary for the implementation of EU policy in the area of visas will make the integral part of the Schengen Action Plan. The Schengen Action Plan will, inter alia, cover the following: EU Regulation 539/2001 on visas, capacities for reception of classified information on security details of travel documents and visa format, along with their implementation in practice several months prior to accession, EU Visa Code, Visa Information System and connection with diplomatic missions and consular posts of Montenegro, as well as discovering the alternative for consular representation of Montenegro abroad by using the EU Member States.

**Recommendation 1 from the Screening Report – Visa policy**

**OBJECTIVE:**

Harmonise the Law on Foreigners with the EC recommendations and the acquis in the area of visa policy, along with additional specification of motifs for rejection of visa and prescription of right to appeal regarding visa rejection. Montenegro strengthens its efforts in order to ensure the alignment with the EU requirements in the area of visa policy. Notably, Montenegro is carrying out a detailed analysis of needs as the basis for relevant parts of the required Schengen Action Plan

No.	Measure/Activity	Responsible authority	Deadline	Required funds/Source of financing	Indicator of result	Indicator of impact
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<b>3.1.</b>	Alignment of national legislation and establishment of Visa Information System in accordance with the EU visa policy		IMWT for drafting the Schengen Action Plan  Ministry of Foreign Affairs and European Integration, Ministry of Interior	I Quarter 2016  Upon accession	Regular budgetary funds and TAIEX  Twinning project for the SAP  Application for 1 million euros from IPA funds in 2016. Contribution from the Budget of Montenegro will be specified subsequently	Visa Information System established	Measures for the improvement of legislative, administrative and technical framework were carried out  Improved application of the common visa policy and consular cooperation  Improved control at the external EU borders  Improved identification of persons who do not fulfil conditions for entering and residing in the EU
	<b>3.1.1.</b>	Prepare the analysis of financial, administrative, legal and procedural measures, as well as the necessary infrastructure for	Ministry of Foreign Affairs and European Integration, Ministry of	May 2014	Regular budgetary funds and TAIEX	Analysis prepared	Measures for the improvement of legislative, administrative and technical framework

		the implementation of EU visa policy, towards the preparation for the Schengen Action Plan	Interior				were carried out
	<b>3.1.2.</b>	Adopt the Schengen Action Plan which will, inter alia, include the following: EU Regulation 529/2001 on visas, capacities for reception of classified information on the security details of travel documents and form of visas and their implementation in practice several months prior to accession, EU Visa Code, Visa Information System and connection with diplomatic missions and consular posts of Montenegro as well as finding an alternative for consular representation of Montenegro abroad by using the EU Member States Note: For more details, please see Area 4. External Borders and Schengen	IMWT for drafting the Schengen Action Plan	I Quarter 2016	Twinning project for the SAP	Schengen Action Plan adopted	Improved application of the common visa policy and consular cooperation
	<b>3.1.3.</b>	Within the Schengen Action	Ministry of	Upon	Application for 1	Visa Information	Improved control at



		Plan is planned the implementation of the Visa Information System, as well as other activities in the area of visa policy referred to in the preceding paragraph.	Foreign Affairs and European Integration, Ministry of Interior	accession	million euros from IPA funds in 2016. Contribution from the Budget of Montenegro will be specified subsequently	System established	the external EU borders  Improved identification of persons who do not fulfil conditions for entering and residing in the EU
Recommendation 1 from the Screening Report – Visa policy							
<b>OBJECTIVE</b> - Align national legislation and the Montenegrin visa regime with the acquis concerning the third countries whose nationals require visas when crossing the external borders and those whose nationals are exempt from that requirement, for example EU positive and negative lists attached to the Regulation 539/2001, strengthening at the same time administrative and technical capacities necessary for aligning with the above mentioned regulations by the date of accession to the EU. - Prepare a draft of measures which will ensure alignment with the Visa Code							
No.	Measure/Activity	Responsible authority	Deadline	Required funds/ Source of financing	Indicator of result	Indicator of impact	
<b>OBJECTIVE:</b> Prepare capacities for reception of classified information several months prior to accession, regarding security details of travel documents and format of visas, as well as with their implementation in practice							
3.2.	Prepare capacities for reception of classified information regarding security details of travel documents and visa format and their implementation in practice, several months prior to accession	Ministry of Interior, Ministry of Foreign Affairs and European Integration	Six months prior to accession to the EU	Capacity analysis and financial evaluation will be prepared in cooperation with the European	Capacities strengthened for reception of classified information regarding security details of travel documents and	Expert assessment reports on established capacities for reception of classified information regarding security	

				Commission	visa format, as well as their implementation in practice	details of travel documents and visa format and their implementation in practice
<b>Recommendation 5 from the Screening Report – Visa policy</b>						
<b>OBJECTIVE:</b> Define measures in order to additionally limit issuing of visas at border crossing points						
No.	Measure/Activity	Responsible authority	Deadline	Required funds/Source of financing	Indicator of result	Indicator of impact
3.3.	Issue visas at the border crossing points only in exceptional cases, if it is required for humanitarian, personal or professional reasons – in these cases, visas will be issued with a previous notification and after checks were carried out	Ministry of Interior - Police Administration ( <b>Dragan Stevanović</b> , Dejan Bojić) Ministry of Foreign Affairs and European Integration	Continuously	No additional funds required	Strict respecting of regulation	Number of issued visas at the border crossing points  Number of received notifications and completed checks
3.4.	Inform ship agents, who submit	Ministry of	Continuously	No additional	Continuous and	Number of issued visas

	requests for issuing visas to sailors, to send these requests to competent diplomatic missions and consular posts because visas cannot be issued at the border crossing points but in exceptional cases	Interior - Police Administration ( <b>Dragan Stevanović</b> , Dejan Bojić) Ministry of Foreign Affairs and European Integration	usly	funds required	improved informing of ship agents	type "B" to sailors
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#### 4. EXTERNAL BORDERS AND SCHENGEN

(Coordinator for the area of external borders and Schengen: Milan Paunović, Ministry of the Interior)

##### STATE OF PLAY

The national legislation regulating the **area of border control** is mostly in line with the EU legislation, i.e. with the Community Code on the rules governing the movement of persons across borders - Schengen Borders Code (EC Regulation .No 562/2006 as of 15 March 2006 and EC Regulation 1931/2006 as of 20 December 2006).

On the session held on 27 March 2014, the Government of Montenegro adopted the Integrated Border Management Strategy 2014- 2018 and the Framework Action Plan for its implementation 2014-2018. Adoption of the Strategy cancels the Integrated Border Management Strategy 2013-2016 and the Framework Action Plan. In addition, the Government of Montenegro, on the session held on 29 May 2014, adopted the Action Plan for the implementation of Integrated Border Management Strategy for 2014. The Strategy and AP have been drafted in accordance with the EU IBM concept.

Following the Conclusion of the Government of Montenegro, on 11 March 2013 the Ministry of Interior passed the decision establishing the Commission for demarcation and designation of the national border, designation of border crossing points, establishment of the border traffic regime with the neighbouring countries and **implementation of the Integrated Border Management Strategy**.

With a view to fully implementing the Integrated Border Management Strategy, as well as the synchronising and coordinating activities of border services in performing border control procedures, the Ministry of Interior, Police Administration and inspection services competent for veterinary, phytosanitary and health matters have signed the following agreements:

- Agreement on Mutual Cooperation in Integrated National Border Management, No. 01-731/1 of 3 February 2009,
- Special agreement on Establishing the Coordination Teams for Implementation of the Integrated Border Management Strategy at the regional and local level, No. 01-1648/1 of 5 May 2009,
- Special Agreement on the Rules of Conduct at Border Crossing Points, No. 01-1649/1 of 5 May 2009.

***(Provisions of the Schengen Borders Code, Article 15, item 3, that recommends permanent cooperation between the national services responsible for border control)***

In accordance with the vital interests of Montenegro, changes within the European Union and the European Commission's guidelines, with a view to strengthening cooperation and coordination within the services, inter-ministerial cooperation of bodies exercising powers at the national border, as well as cooperation with the competent authorities of neighbouring and other countries, allowing for faster and safer cross-border transit, increasing the border security, ensuring the human health protection and the environmental protection, and suppressing all forms of cross-border crime as a contribution to the regional security, the Government of Montenegro adopted the Report on Implementation of the Integrated Border Management Strategy for the period 2006-2012 on 28 February 2013. The national legislation regulating the local **border traffic regime** at the common borders and the signed international agreements are partially aligned with the *acquis*.

The Agreement between the Government of Montenegro and the Council of Ministers of Bosnia and Herzegovina on Border Crossing Points for Border Traffic was signed on 7 October 2010 in Podgorica (Law on Ratification of the Agreement on Border Crossing Points for Border Traffic between the Government of Montenegro and the Council of Ministers of Bosnia and Herzegovina (Official Gazette of Montenegro – International Treaties 9/2011)).

Agreement between the Government of Montenegro and Government of the Republic of Kosovo\* on regulating the border traffic was signed in Pristina on 26 March 2014. Act of the Ministry of Foreign Affairs and European Integration No: 09/2-2618/2 as of 26 September 2014 forwarded three official notes from the Ministry of Foreign Affairs of Kosovo\* to the Ministry of Interior of Montenegro, which contained the information that Kosovo\* has completed legal

procedures for three agreements to enter into force which have been, among others, signed in Pristina on 26 March 2014 as follows:

- Agreement on Police Cooperation between the Government of Montenegro and Government of Republic of Kosovo\*<sup>++++</sup>;
- Agreement on opening international road border crossing Kula-Savine Vode, on the road Rožaje-Kula-Peć and
- Agreement on regulating border traffic regime.

The national legislation stipulating the **obligations of carriers in the international road, air, maritime and inland waterway traffic as well as the penalties for failure to meet the statutory provisions** is aligned with the *acquis*.

The Law on Border Control (Official Gazette of Montenegro 72/09 and the Official Gazette of Montenegro 39/13):

- in Article 53 paragraph 8 provides for that the ship's captain is responsible for hidden passengers;
- in Article 54 paragraph 3 provides for that, with regard to cruising, the ship's captain is obliged to submit a list of crew members and passengers, including the name, date of birth, nationality and the number and type of travel document, and if necessary, the visa number,
- Article 52a defines the obligation of the carrier in air traffic to deliver complete and accurate passenger information to the Police in border crossing used for entry of passengers into Montenegro immediately following the passengers' registration of the flight. The information referred to in paragraph 1 of this Article shall be: first and last name, number and type of travel document, nationality, date of birth, name of the border crossing used for entry into Montenegro, flight number, time of departure and arrival, total number of passengers, place of boarding. In addition, information from this Article shall be collected and delivered electronically, and provided that such delivery fails, collection and delivery of information shall be conducted in a different manner. Air traffic carrier registered in Montenegro shall inform the passenger on the information delivery in accordance with the regulation which regulates personal data protection.

The national legislation governing the **obligations of air carriers** to submit passenger information to the competent authorities in advance, in order to enable timely planning and undertaking of measures, is partially aligned with the *acquis*.

The national legislation regulating the field of **international border cooperation**, which includes establishment of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, aimed at improving the joint management of external borders of the EU Member States, is partially aligned with the EU regulations.

Operational cross-border cooperation is defined by protocols on joint patrols with neighbouring countries, prescribing *inter alia* procedures for operation of mixed patrols and joint contact points. Such protocols have been signed with the Republic of Albania, Republic of Serbia, and Bosnia and Herzegovina. On 26 March 2013 in Pristina, Agreement between the Government of Montenegro and Government of the Republic of Kosovo\* was signed regarding police

<sup>++++</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

cooperation and two protocols as follows: Protocol between the MI of Montenegro and MI of the Republic of Kosovo\* on joint patrols in state border and Protocol between the MI of Montenegro and MI of the Republic of Kosovo\*<sup>\*\*\*\*</sup> on holding regular meetings of cross-border police in all management levels. Act of the MI as of 6 March 2014 contained an initiative for commencing negotiations with the Ministry of Interior of the Republic of Croatia on harmonising Protocol on organising joint patrols along the state border and Protocol on organising meetings on a national, regional and local level between border service representatives.

Montenegro, a future member of EU and Schengen Area, developed IUG EU concept, with the Member States and relevant EU agencies and bodies, among others, aimed at improving cooperation with FRONTEX. Framework AP for the implementation on IUG Strategy 2014-2018 envisages activities until the accession into EU. Following Montenegro's accession to EU, conclusion of the Agreement on Operational Cooperation with FRONTEX is planned. Until then, Montenegro will, in cooperation with FRONTEX, use the existing signed Working Arrangement on the establishment of Operational Cooperation between the Police Administration of Montenegro and FRONTEX, signed on 18 June 2009, aimed at improving operational cooperation, fight against illegal migration and cross-border crime, exchange of information and risk analysis, cooperation in providing training, technical cooperation, joint operations, and pursuant to Article 14 of the regulation 2007/2004. This cooperation refers also to participation as observers in certain joint actions carried out at inside and outside EU borders, participation in various meetings and trainings where experiences and novelties are exchanged in the area of border control as well as through data and information exchange according to the assessment and upon request of FRONTEX.

The national legislation defining the **manner of implementation of procedures of border controls of persons** is mostly aligned with the Schengen Borders Code, which governs the rules for exercising border control or border checks on persons at border crossing points, as well as rules for surveillance of national borders between border crossing points.

The Law on Border Control (Official Gazette of Montenegro 72/09 and Official Gazette of Montenegro 39/13 ) provides for procedures for border checks on persons at border crossing points, for surveillance of national borders between border crossing points, for minimum and thorough border checks, as well as special rules for border checks on certain categories of persons and special rules for border checks in international rail, air, maritime and inland waterway traffic.

Rulebook on the manner of Supervising State Border (Official Gazette of Montenegro 25/2012), among other things, prescribes that the supervision is carried out in accordance with activity plan, that manner of supervision and securing state border and border control activities are regulated: protection of state border, border control and stay and movement of foreigners.

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<sup>\*\*\*\*</sup> This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

**With a view to full implementing the recommendations of the European Commission in the application of the Schengen Handbook, the border services should be fully provided with all the necessary conditions in terms of human, administrative, infrastructural and technical capacities.**

The national legislation regulating the field of international border cooperation, which includes the activities of foreign police services in the territory of Montenegro, or the activities of the Police Administration in the territory of a foreign country, as well as the cooperation with foreign security services, are mostly in line with the Schengen *acquis*.

The national legislation regulating the field of international judicial cooperation in criminal matters, with regard to the extradition and escort - transit of accused or convicted persons, are harmonised with the Schengen *acquis* when it comes to subject regulations.

It is planned to adopt the Schengen Action Plan and to draft plans for development of a national information structure that would be compatible with the Schengen Information System, including the adequate data protection provisions. Within the same framework, the existing structure of the Ministry of Interior and the Police Administration is planned to be reorganised with a view to establishing the SIRENE Bureau. The Schengen Action Plan will include the following areas: **Border Control** (transit of internal and external borders, airports, maritime and river traffic, cooperation of parties involved, risk analysis), **Visas** (common visa policy, single visa form, visa categories, request for visas, visas with limited territorial expiration, consular representation abroad, cooperation, exchange of information and statistics, visa fees), **Migrations** (conditions for foreigner movement management, foreigner deportation, cooperation, information and statistics exchange, carrier responsibility), **Police Cooperation** (cross-border police cooperation including the establishment SIRENE information and statistics exchange in order to carry out the obligation of information exchange with other Member States 24/7), **Judicial Cooperation** (legal assistance in criminal matters, application for the principle “ne bis in idem”, extradition, transfer of convicted felons), **Schengen Information System and Personal Data Protection**. Schengen Acton Plan will additionally promote the cooperation with neighbouring countries in accordance with the best practices in the implementation of Schengen *acquis*.

***Recommendations 1, 2 and 4 from the Screening Report – External borders and Schengen  
(recommendations concerning the Schengen Action Plan)***

**OBJECTIVE**

- Draft a strategy with the sequence of necessary legal amendments to Montenegrin legislation required before joining the EU and the Schengen Action Plan (recommendation 1);
- Prepare a comprehensive analysis of the infrastructure and business processes of the competent law enforcement, judicial and vehicle licensing authorities regarding their proposed access to and use of the Schengen Information System (SIS), including the querying, creation, update and deletion of alerts in the SIS. This is also to include an analysis of the sources of information for both alerts and supplementary information to ensure that the SIRENE Bureau is able to fulfil its role in information exchange with other Member States 24/7 (recommendation 2);

- Develop a risk analysis model for border management purposes, based on European standards, such as the Common Integrated Risk Analysis Model developed by Frontex (recommendation 4).

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
4.1.	Need assessment for harmonizing the national legislation with the Schengen related acquis	Ministry of the Interior – Police Administration (Nataša Starovlah-Knežević, Vesko Vukadinović, Milan Paunović, Tanja Ostojić, Stanko Čabarkapa, Vaso Jovičević, Vukoman Žarković, Slavko Vojinović, Dejan Đurović, Zora Čizmović, Darko Simonović)	June 2015.	6.000  Twining Project “Support to adoption of acquis in the Schengen area”	MWT for drafting the Analysis  Analysis made	Defined plan for short-term and long-term measures and activities in the process of accession of Montenegro to the EU, as regards supervision of the external borders in accordance with the Schengen <i>acquis</i> in terms of more efficient border management, future EU external borders as regards irregular



						migrations, trafficking in human beings and all other forms of cross-border crime and asymmetrical threats
<b>4.1.1.</b>	Establishment of inter-ministerial working group for drafting the Needs Analysis for harmonising relevant portions of the Schengen related acquis until the accession in EU takes place, as well as for purposes of accession to Schengen	IMWT for drafting the Analysis	July 2014	/	IMWT for drafting the Analysis established	
<b>4.1.2.</b>	Endorse the overall needs assessment with regard to legal, technical, human and infrastructural requirements and their costs in the aim of	IMWT	June 2015.	6.000 Twinning Project "Support to adoption of acquis in the Schengen area"	Analysis made	

		harmonising with the relevant portions of the Schengen <i>acquis</i> until the accession to EU, as well as for the purpose of accession to Schengen					
4.2.	<b>Adoption of the Schengen Action Plan)</b>	MWT for drafting the Schengen Action Plan composed of representatives of the following authorities: - Ministry of the Interior – Police Administration <b>(Nataša Starovlah-Knežević, Vesko Vukadinović, Miloš Vukčević, Milan Paunović, Stanko Čabarkapa, Vaso Jovičević, Vukoman</b>	I quarter 2016	Twining Project “Support to adoption of <i>acquis</i> in the Schengen area”	MWT formed  The Schengen Action Plan drafted  The Schengen Action Plan submitted to EC  The Schengen Action Plan adopted		

		Žarković, Slavko Vojinović, Tanja Ostojić, Dejan Đurović, Zora Čizmović, Darko Simonović and Dejan Bojić) - Ministry of Justice ( <b>Irena          Milošević</b> ) - Ministry of Foreign Affairs and European Integration - Ministry of Finance ( <b>Vesko          Lekić</b> ) - Ministry of Transport - Customs Administration Police Academy ( <b>Milica          Pajović/Jelena          Tomić</b> )				
4.2.1.	Establishment of ministerial work team	MWT	May 2015.	/	MWT formed	

		for drafting the Schengen Action Plan					
	4.2.2.	Draft the Schengen Action Plan that will contain a roadmap of necessary steps in order to harmonise national legislation with Schengen <i>acquis</i> . Schengen Action Plan will contain the following areas: <ul style="list-style-type: none"> <li>• <b>Border control, Visas, Migrations, Police Cooperation , Judicial Cooperation, Schengen Information System and Personal Data Protection</b></li> </ul>	MWT	June – november 2015	Twining project “Support to adoption of <i>acquis</i> in the Schengen area”	The Schengen Action Plan drafted	
	4.2.3.	Submit the Schengen Action Plan to EC	MWT	December 2015.	/	The Schengen Action Plan submitted to EC	
	4.2.4.	Adopt the Schengen Action Plan	Government of Montenegro	I quarter 2016	/	The Schengen Action Plan adopted	

4.3.	<b>Start the implementation of the Schengen Action plan and establish monitoring mechanisms</b>	Ministry of the Interior ( <b>Nataša Starovlah-Knežević</b> , Vesko Vukadinović, Miloš Vukčević, Milan Paunović, Vukoman Žarković, Slavko Vojinović, Tanja Ostojić)	I quarter 2016	Budgetary funds	Implementation started in I quarter 2016  Monitoring mechanism established for the implementation of the Schengen Action Plan	Improved Infrastructure  Border control equipment acquired
4.4.	<b>Annual Report on implementation of the Schengen Action Plan</b>	Ministry of the Interior ( <b>Nataša Starovlah-Knežević</b> , Vesko Vukadinović, Milan Paunović, Vukoman Žarković, Slavko Vojinović, Tanja Ostojić)	Beginning from December 2016 at annual level	/	Annual reporting implementation of the Schengen Action Plan	

4.5.	<b>Establishment of the national coordination centre EUROSUR</b>		Ministry of Interior – Police Administration <b>(Vukoman Žarković)</b>	During 2017. and 2018.	/	Analysis made  Technical capacities equipped  Number of trainings organized  National coordination centre established	
	4.5.1.	Analysis of the possibility to establish a National Coordination centre for EUROSUR in Podgorica (analysing human , technical and infrastructure resources and needs for the establishment of the NCC in Podgorica)	Ministry of Interior – Police Administration <b>(Vukoman Žarković)</b>	December 2015	/	Analysis made	
	4.5.2.	Ensuring technical capacities and activities in linking with the NCCs of neighbouring countries and FRONTEX	Ministry of Interior – Police Administration <b>(Vukoman Žarković)</b>	IV quarter 2017	/	Technical capacities equipped	

	<b>4.5.3.</b>	Organising trainings in EUROSUR operations	Ministry of Interior – Police Administration <b>(Vukoman Žarković</b>	2017. and 2018.	/	Number of trainings organized	
	<b>4.5.4.</b>	Establish the National Coordination Centre in line with the EUROSUR concept and create preconditions for connection with FRONTEX and coordination centres of the neighbouring countries	Ministry of Interior – Police Administration <b>(Vukoman Žarković</b>	During 2017. and 2018.	/	National coordination centre established	

**Recommendations 3 and 5 from the Screening Report – External borders and Schengen  
(recommendations concerning the integrated border management)**

**OBJECTIVE**

- Prepare a new strategy and an action plan for integrated border management in line with EU concepts (recommendation 3);
- Outline measures to improve inter-agency cooperation including the exchange of information at the borders through a joint operational work (recommendation 5)

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>4.6.</b>	<b>Draft reports on the Implementation of the Integrated Border Management Strategy 2013-2016, until the adoption of</b>	Ministry of Interior <b>(Milan Paunović,</b> Stanko Čabarkapa, Vaso Jovičević,	Continuously until the adoption of the new IBM Strategy and Action plan at	Budgetary funds 2000 EUR	Annual reports on implementation of action plans drafted	Annual reports on implementation of the Integrated

	<b>the new Strategy, in accordance with the EU's IBM concept</b>	Vukoman Žarković, Slavko Vojinović, (from organs: R. Lazović, M. Kragulj, R. Šćepanović i V. Orban),  Inter-ministerial Commission for demarcation and designation of the national border, designation of border crossing points, establishment of the border traffic regime with the neighbouring countries and implementation of the Integrated Border Management Strategy	the beginning of 2014		Annual action plans for implementation of the Integrated Border Management Strategy 2013-2016 drafted, in accordance with the vital interests of Montenegro, changes within the European Union and the European Commission's guidelines with regard to the EU's Schengen IBM concept	Border Management Strategy;  Level of implementation of measures and activities and achieved results
4.7.	<b>IBM Strategy 2014-2108 aligned with EU IBM concept</b>	Ministry of the Interior ( <b>Milan Paunović</b> , Expert team of the	March 2014.	Budgetary funds IPA II fond	Innovated Integrated Border Management Strategy 2014-2018	



		existing IMWT: M.Paunović, S.Čabarkapa, V.Jovičević i A.Vukčević)			adopted	
<b>Recommendations 6 and 7 from the Screening Report – External borders and Schengen (recommendations concerning cooperation with the neighbouring countries)</b>						
<b>OBJECTIVE</b>						
<ul style="list-style-type: none"> <li>Propose measures to improve the protection of the external borders through improved operational cooperation with neighbouring countries (recommendation 6);</li> </ul> <p>Suggest steps to effectively prevent cross-border traffic through alternative roads (recommendation 7)<sup>§§§§</sup></p>						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
4.8.	<b>Implementation of joint patrols with neighbouring countries</b>	Ministry of the Interior-Police administration (Vukoman Žarković, Hermin Šabotić)	Continuously	Budgetary funds: EUR 3,000 On annual level	Besides already existing, Protocol on establishing cross-border operational cooperation with R. Croatia signed  Number of patrols on annual level	The implementation of protocols, prevented illegal crossings of the state border and other forms of cross-border

<sup>§§§§</sup> Cooperation with the neighbouring countries will be developed in detail in the Schengen Action Plan

					Increased number of check points along the state border  Participation in the activities organized by FRONTEX	crime  Established operational cross-border police cooperation at the Montenegrin border and at the EU external borders
<b>4.8.1.</b>	Besides already existing, sign Protocol on establishing cross-border operational cooperation with R. Croatia	Ministry of the Interior-Police administration <b>(Vukoman Žarković,</b> Hermin Šabotić)	Continuously	/	Protocol on establishing cross-border operational cooperation with R. Croatia signed	
<b>4.8.2.</b>	Implement increased patrol activities (independently and in cooperation with neighbouring countries) and increase the number of control points along the state line, as well as use the technical means for border crossing surveillance	Ministry of the Interior-Police administration <b>(Vukoman Žarković,</b> Hermin Šabotić)	Continuously	/	Number of patrols on annual level  Increased number of check points along the state border	

	<b>4.8.3.</b>	Strengthening cooperation with FRONTEX at EU external border	Ministry of the Interior-Police administration <b>(Vukoman Žarković,</b> Hermin Šabotić)	Continuously	/	Participation in the activities organized by FRONTEX	
<b>4.9.</b>	<b>Conclude local border traffic agreements with neighbouring countries</b>		Ministry of Interior – Police Administration <b>(Milan Paunović,</b> Stanko Čabarkapa, Slavko Vojinović)	Continuously	Budgetary funds: EUR 6,000 on annual level	The existing agreement with B&H aligned with EU Regulation No.1931/2006  The agreements on defining the border traffic regime concluded with the remaining neighbouring countries	
	<b>4.9.1.</b>	Fully align the existing agreement with Bosnia and Herzegovina on border crossing points for border traffic with the EU Regulation No 1931/2006,	Ministry of Interior – Police Administration <b>(Milan Paunović,</b> Stanko Čabarkapa, Slavko Vojinović)	Continuously	/	The existing agreement with B&H aligned with EU Regulation No.1931/2006	The border traffic regime with the neighbouring countries established in accordance with the adopted rules for border traffic at the EU external

							borders
	<b>4.9.2.</b>	Conclude agreements on defining the border traffic regime with the remaining neighbouring countries in accordance with the EU <i>acquis</i>	Ministry of Interior – Police Administration ( <b>Milan Paunović</b> , Stanko Čabarkapa, Slavko Vojinović)	Continuously	/	The agreements on defining the border traffic regime concluded with the remaining neighbouring countries	Effects of implementation of the signed agreements
<b>4.10.</b>	<b>Solve the issue of unauthorised roads crossing the border between Montenegro and its neighbouring countries</b>		Ministry of Interior – Police Administration ( <b>Vukoman Žarković</b> , Mirjana Popović)	Continuously	Budget defined in submeasures	1. 22 roads demolished by Montenegro  2. Established inter-ministerial working teams  3. Demolished side roads with Republics of Kosovo*, Albania and Serbia  4. Undertaken activities	Number of closed off alternative roads  Decrease in the number of illegal border crossings
	<b>4.10.1.</b>	Defining the status of 44 alternative roads between MNE and Bosnia and Herzegovina	Ministry of Interior – Police Administration ( <b>Vukoman Žarković</b> , Mirjana Popović)	December 2015.	40 000 eur (total amount of tenders for B&H and Albania)	The status of 44 alternative roads between MNE and Bosnia and Herzegovina defined	

						and 22 roads demolished by Montenegro	
	<b>4.10.2.</b>	Establishment of mixed working teams for the development of the study for demolishing roads with the Republics of Kosovo****, Albania and Serbia	Ministry of Interior – Police Administration ( <b>Vukoman Žarković</b> , Mirjana Popović)	December 2015.	Funds will be defined by the elaborate	Mixed working teams established and elaborates prepared	
	<b>4.10.3.</b>	Demolish side roads with: <ul style="list-style-type: none"> <li>• Republic of Kosovo*</li> <li>• Republic of Albania</li> <li>• Republic of Serbia</li> </ul>	Ministry of Interior – Police Administration ( <b>Vukoman Žarković</b> , Mirjana Popović)	Continuously	Funds will be defined by the elaborate	Alternative roads demolished	
<b>Recommendation 8 from the Screening Report – External borders and Schengen</b>							
<b>OBJECTIVE:</b>							
Outline measures to improve the fight against corruption at the borders, based on the anti-corruption code of ethics							
No.	Measure / Activity		Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>4.11.</b>	<b>Prevention and repression of corruption on border crossing</b>		Ministry of the Interior-Police	April 2014. and continuously on	Budgetary funds 3.000 €	Plan of joint measures drafted	Number of

\*\*\*\* This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

	points	administration ( <b>Slavko Vojinović</b> , Nebojša Mrvaljević, Vučina Keković), Customs administration (Ana Vuletić), Ministry of justice- Administration for Anti-Corruption Initiative (Grozdana Laković), IMWT for the implementation of IBM Strategy, Police academy (Vladimir Stanišić)	annual level	TAIEX 2,700€ (for the Plan's draft for the period April 2014 – April 2015)	and adopted  Plan implemented and monitoring mechanism established	detected cases per year, raising awareness of the officers at the PA, CA and inspection services and function abuse  Decrease of corruption on borders, efficient complaints processing
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	<b>4.11.1.</b>	Draft a common plan of measures for prevention and repression of corruption on border crossings by all institutions involved <sup>++++</sup> on annual level	Ministry of the Interior-Police administration ( <b>Slavko Vojinović</b> , Nebojša Mrvaljević, Vučina Keković), Customs administration (Ana Vuletić), Ministry of justice-Administration for Anti-Corruption Initiative (Grozdana Laković), IMWT for the implementation of IBM Strategy, Police academy (Vladimir Stanišić)	April 2014. and continuously on annual level	Budgetary funds 3.000 € TAIEX 2,700€ (for the Plan's draft for the period April 2014 – April 2015)	Plan of joint measures drafted and adopted	
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<sup>++++</sup> Border Police, Customs Administration, Veterinary Inspection, Phytosanitary Inspection and Health and Sanitary Inspection

	<b>4.11.2.</b>	Implement the plan and establish the monitoring mechanism, including annual reporting on results	Ministry of the Interior-Police administration ( <b>Slavko Vojinović</b> , Nebojša Mrvaljević, Vučina Keković), Customs administration (Ana Vuletić), Ministry of justice-Administration for Anti-Corruption Initiative (Grozdana Laković), IMWT for the implementation of IBM Strategy, Police academy (Vladimir Stanišić	Annually	/	Plan implemented and monitoring mechanism established	
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## 5. JUDICIAL COOPERATION IN CIVIL AND CRIMINAL MATTERS

### 5.1 JUDICIAL COOPERATION IN CIVIL AND COMMERCIAL MATTERS

(Coordinator for the area of judicial cooperation in civil and commercial matters: Ognjen Mitrović, Ministry of Justice)

#### STATE OF PLAY

In addition to relevant laws (Law on Civil Procedure, Law on Resolution of Conflict of Laws with Regulations of Other Countries), the legal basis for judicial cooperation in civil and commercial matters and in the field of family law in Montenegro is contained in international treaties. At this point, Montenegro is committed by 18 multilateral and 32 bilateral agreements which regulate the area of international judicial cooperation in civil and commercial matters. This area is also represented in the national strategic documents - Judicial Reform Strategy 2014 – 2018 and the Action Plan for the implementation of the Strategy, as well as the National Programme for Integration of Montenegro into the EU (link: [www.mpa.gov.me](http://www.mpa.gov.me)).

In the efforts to meet the criteria for gaining membership in EU, efforts need to be continued towards the full harmonisation of the legislative framework in this area with the EU *acquis*. This implies undertaking measures for incorporating regulations into the Montenegrin legislation, with an assessment of the impact of such legislative reforms. In this regard, in the field of international judicial cooperation in civil and commercial matters, new Law on international private law was adopted (Official Gazette of Montenegro, 1/14). This Law seeks to establish the highest level of standards of compliance with Regulation 44/2001 and other EU standards.

Bearing in mind that the Law on Private International Law has brought several absolute novelties in the field of judicial cooperation in civil and commercial matters (escape clause, the norm of immediate application, the concept of habitual residence, partial expansion of the independence of will), the national courts are presently not sufficiently familiar with the forthcoming obligations with regard to law enforcement and do not have enough practice in the application of these institutes in court proceedings. Therefore, prompt and additional training in this area is regarded as crucial, especially in relation to the application of the relevant EU *acquis* in this area (substantive and case law). In view of the above, at the beginning of 2014 the Judicial Training Centre

developed a program of specialized trainings on judicial cooperation in civil matters and, in cooperation with academic institutions, conducted first training programmes in the field of application of European private law with participation of international experts.

The current state of human resources and administrative capacities of the central bodies of communication (Ministry of Justice and the Ministry of Labour and Social Welfare) is not at the satisfactory level in terms of quality and timely fulfilment of obligations in the field of judicial cooperation in civil and commercial matters.

All current regulations provide the necessary space for unobstructed provision of international legal assistance in civil and commercial matters. This is illustrated by statistics from 2012 and 2013. During 2012, there were 1497 cases of international legal assistance in civil matters. Active request where the judicial authorities of Montenegro were requesting legal assistance, accounted for 41.88% out of the total number of cases, while there were 58.12% of passive requests. Classified per type of cases, by far the largest part of the rogatory letters referred to conveyance of judicial documents (80, 76 %), followed by requests for data or documentation submission (9.82%), and to a lesser extent the cases relating to taking heirs' statements (5.74%), hearings (1.40%) and information about regulations of foreign countries (1.95%). In 2013 there were 1,813 cases of international legal assistance in civil matters. Montenegro was the party submitting letter rogatory in 37,56% of cases, while it provided legal assistance in 62,54% of cases. Classified per type of cases, most of them were related to conveyance or delivery (80,30 %), and data or documentation submission (10,65%), while providing mutual legal assistance is registered on a smaller scale through giving heirs' statements (4,41%), information about regulations of foreign countries (2,26%) and hearings (1,43%). During 2012 and 2013, the Ministry of Justice as the central authority for the implementation of the Convention on the Civil Aspects of International Child Abduction processed 8 cases in this field. As the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children was ratified in 2012, the effects of the implementation of this Convention will be monitored in the future period.

The existing system of keeping track of cases in the Ministry of Justice as the central body of communication does not allow for accurate monitoring of the number of received letters rogatory and other requests, which is due to inadequate system of recording the number of cases. Because of this, it is necessary to improve the mechanisms of statistical reporting in the field of international legal assistance in civil and commercial matters. This will contribute to better analyses of international judicial cooperation and the evaluation and presentation of the efficiency in resolving requests from third countries. Quality records and the operational methods of statistical reporting will be an efficient monitoring tool to assess the level of regional and international cooperation in the areas of judiciary.

**Recommendation 1 from the Screening Report – Judicial cooperation in civil and commercial matters**

**OBJECTIVE**

Propose measures to transpose existing regulations into Montenegrin legislation with an impact analysis (administrative, budgetary, staff and training needs)

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
5.1.1.	Submit the text of the Proposal for and/or the Law on Private International Law in English, with the attached Table of Concordance, to the EC – DG Justice, in order to assess the degree of conformity with relevant conventions (Brussels I and II, Rome I and II and Lugano)	Ministry of Justice (Svetlana Rajković, Jadranka Vukčević)	October 2013	No additional funds required	Text of the Law submitted to the EC	Assessment of compliance of the Law on Private International Law submitted by the EC, with the recommendations for further improvement of national legislation
5.1.2.	Prepare the analysis of the national civil – procedure and executive legislation, in order to	Ministry of Justice (Svetlana Rajković, Tijana Badnjar) in	January – December 2014  First part of the	Budget EUR 32,400  (two working groups each composed of 5 persons, for the	Analysis prepared regarding the degree of conformity with proposals for	/

	assess the degree of compliance with the acquis. **** ■	cooperation with Ministry of Labour and Social Welfare (Svetlana Sovilj), Judicial Council (Darko Drašković), Supreme Court (Valentina Pavličić/Miroslava Raičević) and faculties of law and engagement of expert through TAIEX	Analysis	analysis of procedure and analysis of legislation for enforcement, EUR 16,200 x 2)  TAIEX EUR 5,400  (two experts – for analysis of procedure and analysis of legislation for enforcement – five working days each, EUR 2,700 x 2)	amendments of legislation for full harmonisation, and recommendations for strengthening human resource capacities of competent authorities.	
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\*\*\*\* The analysis will include the following Regulations:

- *Regulation 32007R1393 of the European Parliament and the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)*
- *Regulation 32001R1206 of the Council of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters*
- *Regulation 32004R0805 of the European Parliament and the Council of 21 April 2004 creating the European Enforcement Order for Uncontested Claims*
- *Regulation 32006R1896 of the European Parliament and the Council of 12 December 2006, creating a European order for payment procedure*
- *Regulation 32007R0861 of the European Parliament and the Council of 11 July 2007 establishing a European Small Claims Procedure*
- *Council Regulation (EU) No 1259/2010 of 20 December 2010, implementing enhanced cooperation in the area of the law applicable to divorce and legal separation*
- *Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations*

*Amended Regulation of the Council (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000*

	5.1.2.1	Prepare the second part of the Analysis that will include analysis of the impact of transmission of relevant EU regulations in Montenegrin legislation in terms of assessment of the current and necessary administrative , budgetary, staff and training capacities and needs based on the number of cases, efficiency of the procedure	Ministry of Justice ( <b>Tijana Badnjar</b> , Dara Tomčić)	II Q 2016	Budget TAIEX	Prepared analysis with recommendations for strengthening staff capacities of the competent authorities	
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		and existing staff structure.					
5.1.3.	Prepare proposals of the amendments to the Law on Civil Procedure, in accordance with recommendations from the Analysis	Ministry of Justice <b>(Tijana Badnjar</b>	2018	Budget EUR 27,710 (working group composed of 5 persons, effective work 2 months – draft law EUR 8,900;  public dispute EUR 3,810; work of Parliamentary committees EUR 15,000; TAIEX EUR 2,700 (one expert, five working days)	Proposal for Amendments to the Law on Civil Procedure adopted	/	
5.1.4.	Adopt the Law on Amendments to the Law on Civil Procedure	Ministry of Justice <b>(,Tijana Badnjar)</b>	2018	Budget  Work of Parliamentary Committees EUR 15,000 – from the previous measure	Amendments to the Law on Civil Procedure adopted	Provided normative, institutional, administrative and technical preconditions for efficient implementation of transposed EU regulations into the Law on Civil Procedure	

<b>5.1.5.</b>	Prepare proposals for the amendments to the the Law on Enforcement Procedure in line with the recommendations from the Analysis	Ministry of Justice <b>(Anka Vučinić)</b>	2018	Budget EUR 27,710 (working group composed of 5 persons, effective work of 2 months – draft law EUR 8,900; public dispute EUR 3,810; work of Parliamentary Committees EUR 15,000; TAIEX EUR 2,700 (one expert for five working days)	Proposal for amendments to the Law on Executive Procedure adopted	/
<b>5.1.6.</b>	Adopt the Law on Amendments to the Law on Enforcement Procedure	Ministry of Justice <b>(Anka Vučinić)</b>	2018	Budget Work of Parliamentary Committees EUR 15,000 – from the previous measure	Proposal for the amendments to the Law on Enforcement Procedure adopted.	Provided normative, institutional, administrative and technical preconditions for efficient implementation of transposed EU regulations into the Law on Enforcement Procedure
<b>5.1.7.</b>	Continuously monitor implementation of the new legal solutions of	Ministry of Justice <b>(Jadranka Vukčević)</b> in cooperation with	Once a year, following the adoption of the	Budget EUR 4,450 (working group composed of 5	Report on implementation of the Law with statistical	

	the Law on International Private Law through regular reports on implementation of the law, case law and principal opinions of the Supreme Court	Supreme Court	Law	persons, effective work 1 month)	data of courts and case law prepared	
<b>5.1.8.</b>	Sign the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance of 2007	Ministry of Labour and Social Welfare (Željko Šofranac)  Ministry of Foreign Affairs and European Integration	March 2015	No funds required	The Hague Convention signed	
<b>5.1.9.</b>	Prepare the Proposal of the Law on Ratification of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance of 2007	Ministry of Labour and Social Welfare (Željko Šofranac)	June 2015	No funds required	Proposal for the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance of 2007 adopted,  Law adopted	Report on results of implementation of the Hague Convention



<b>5.1.10</b>	Adequately plan and enhance personnel capacities of the Ministry of Justice and the Ministry of Labour and Social Welfare in the area of international judicial cooperation and legal assistance in civil and commercial matters in accordance with recommendations from the Analysis – measure 5.1.2.	Ministry of Justice (Ognjen Mitrović) and Ministry of Labour and Social Welfare	As of March of 2015	Budget  Note: in 2013, the annual budget expenses for one employee amount EUR 9,720	Number of new positions, in line with the internal organisation and job descriptions, in the Ministry of Justice and two in the Ministry of Labour and Social Welfare in accordance with recommendations from the Analysis – measure 5.1.2.  Number of the newly-employed	Increased number of employees working on international judicial cooperation and legal assistance in civil and commercial matters, in comparison with the existing one
<b>5.1.11</b>	Conclude the Agreement on Cooperation between the Ministry of Justice, the Judicial Training Centre, and the faculties of law, aimed at the implementation of training programmes in the field of private international law and EU	Ministry of Justice (Svetlana Rajković, Jadranka Vukčević),  Judicial Training Centre (Maja Milošević),  faculties of law	September 2013	No funds required	The Agreement concluded  It defines forms of cooperation through unique training programme	

	law					
5.1.12	Prepare the general education programme for judges and prosecutors and representatives of legislative and executive branch of power <sup>§§§§§</sup> -	Ministry of Justice <b>(Svetlana Rajković, Jadranka Vukčević)</b>  in cooperation with Supreme Court <b>(Valentina Pavličić/Miroslava</b>	December 2013	Budget EUR 9,720 (working group – up to 6 persons, effective work 2 months)  TAIEX expert – five working days – 2.700	Developed education programme  Cluster included in the work of the Programme of Human Resources Administration and Judicial Training	/

<sup>§§§§§</sup> The programme will contain the following:

- trainings on international private law and EU law following the Lisbon Treaty and obligation of harmonisation
- Law on International Private Law, relations with international private law, practical implications for implementation,
- theme trainings for employee of ministries and judges on provisions defined by EU conventions and decrees:
  - *Regulation 44/2001 (Brussels I) on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;*
  - *Council Regulation (EC) 1397/2007, Council Regulation (EC) 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, connection with the Hague Convention of 1965, case law;*
  - *Regulation 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters, facilitated communication, use of video links, case law;*
  - *Regulation (EC) 1896/2006 creating a European order for payment procedure, case law;*
  - *Regulation (EC) 805/2004 creating a European Enforcement Order for uncontested claims and Regulation 1869/2005 replacing the Annexes to Regulation (EC) No 805/2004, case law;*
  - *2007 Lugano Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;*
  - *Regulation 2201/2003 (Brussels II bis) concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.*
  - **European Contract Law:**
    - *Regulation 593/2008 on the law applicable to contractual obligations (Rome I),*
    - *Regulation 864/2007 on the law applicable to non-contractual obligations (Rome II), case law*

		<b>Raičević</b> ), Faculty of Law, Human Resources Administration <b>(Jadranka Đurković)</b> , Judicial Training Centre <b>(Maja Milošević)</b> , along with engagement of expert through TAIEX			Centre	
<b>5.1.13</b>	Carry out a training programme for judges and prosecutors, in accordance with defined programme	Judicial Training Centre <b>(Maja Milošević)</b> Human Resources Administration <b>(Jadranka Đurković)</b>  along with engagement of experts	From January 2014 continuously	Budget of the Centre  Note: one training for 20 persons – EUR 3,000  Foreign expert – EUR 1,500  Regional project: „Transboundary Judicial Cooperation in Civil Matters“ (donor: GIZ Open Regional Fund for South East	Number and type of trainings organised  Number and structure of attendees  Media articles  Materials published on the websites of the ministries  Survey papers of participants	Administrative capacities of judicial authorities and executive power authorities enhanced and able to efficiently implement regulations in the area of international and EU law

				Europe – Legal Reform)		
<b>Recommendation 2 from the Screening Report – Judicial cooperation in civil and criminal matters</b>						
<b>OBJECTIVE:</b> Outline steps to improve statistics to monitor efficiency in treating international requests in this area						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
5.1.14.	Establish the information system, which will support keeping the records of international legal assistance in criminal and civil matters Note: the information system will support keeping records of ILACM as well	Ministry of Justice <b>(Svetlana Rajković, Dušan Polović)</b>	December 2014	Expenses of establishment of information system EUR 100,000  For implementation of this measure, additional funds will be required; Montenegro will ask them via donations and bilateral cooperation projects – EUR 80,000  Additional funds in the budget for 2014 – EUR 20,000	Information system established	Statistical data provided on cases within international legal assistance in criminal and civil matters by form of legal aid, legal base, by the applicant state  Duration of the process of cases and collection of statistical data shortened
5.1.15.	Establish records on implementation of the	Ministry of Labour and Social Welfare	January 2015	Budget	Records established regarding	

	Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children	(Željko Šofranac)	Continuous semi – annual reporting	EUR 810.00 (regular activities of one employee, which last for one month)	implementation of the Convention	Provided statistics on the number of completed cases and the number of current cases
5.1.16.	Consider the possibility of connecting the Information System of the Ministry of Justice with PRIS, in order to enable the use of data for the needs of acting upon cases MPPGiPS and ILACM	Ministry of Justice <b>(Svetlana Rajković, Dušan Polović)</b>  Secretariat of Judicial Council <b>(Darko Drašković)</b>	December 2015	Budget  Additional funds will be required for implementation of this measure in the part which refers to provision of informatics preconditions for connection of systems; Montenegro will ask for these funds via donations and bilateral cooperation projects	Analysis prepared  IT support provided	/

## 5.2 JUDICIAL COOPERATION IN CRIMINAL MATTERS

(Coordinator for the area of judicial cooperation in criminal matters: Ognjen Mitrović , Ministry of Justice)

### STATE OF PLAY

Efficient judicial cooperation in criminal matters presents one of the key challenges in the efforts to prevent and fight against criminal activities more efficiently, as they are increasingly gaining international characteristics. Quality mechanisms for fighting against these phenomena include a quality normative and institutional framework. Strengthening the capacities of judicial and law enforcement bodies remains a priority.

The basis for providing international legal assistance in criminal matters in Montenegro is contained in multilateral and bilateral international agreements as well as in the Law on International Legal Assistance in Criminal Matters and the Criminal Procedure Code. International judicial cooperation in criminal matters is carried out on the basis of 26 multilateral agreements of the Council of Europe and United Nations. In addition, legal assistance in criminal matters is regulated by bilateral international agreements.

In order to improve the efficiency of implementation of legal assistance in criminal cases with an international element, the Ministry of Justice has started to prepare Amendments to the Law on International Legal Assistance in Criminal Matters. During 2013, the Law on Amendments to the Law on International Legal Assistance in Criminal Matters was adopted (Official Gazette of Montenegro 36/2013). The Law provides a legislative framework for: introducing the possibility of extradition with the defendant's consent and without the request, introducing the possibility of renouncing the principle of specialty in extradition proceedings, the abolition of restrictions on the transfer of criminal prosecution and ensuring protection of the rights of defendants and other persons in criminal cases with an international element. Also, for the first time, the conditions for the recognition or denial of recognition of judicial decisions in criminal matters are prescribed, as is the protection of the information contained in the letter rogatory or the response, while the joint investigation teams and the submission of banking data have been introduced as other forms of international legal assistance. The Law on Amendments to the Law on International Legal Assistance in Criminal Matters is based on the fundamental international documents governing international legal assistance in criminal matters, as follows: the European Convention on Mutual Assistance in Criminal Matters and its protocols, the European Convention on Extradition and its protocols, the Convention on the Transfer of Sentenced Persons, European Convention on the Transfer of Proceedings. Article 13 of the Law on Amendments to the Law on International Legal Assistance in Criminal Matters introduces the possibility of extradition of a defendant without submitting an application, in order to comply with - Art. 3 par. 2, Article 9, 10 and 11 of the Convention of 10 March 1995 on simplified extradition procedure between the Member States of the European Union, i.e. with a view to providing the legislative requirements for the application of the European

Arrest Warrant. In the aspect of meeting the criteria for gaining membership in EU, efforts need to be continued towards full harmonisation of the legislative framework in this area with the EU *acquis*. This includes undertaking measures in order to incorporate regulations in the Montenegrin legislation, with the impact assessment of these legislative reforms.

Primarily, it is necessary to implement the Convention on simplified extradition procedures between the Member States of the European Union as of March 1995, in order to transpose the Framework Decision 2002/584/JHA on the European Arrest Warrant and the surrender procedures between Member States, as well as to take into account the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union from 2000 and its Additional Protocol.

In the previous period, in order to bilaterally create the conditions for stronger, obligatory and more effective cooperation with the countries of the region in the fight against all forms of crime, in particular organised crime and corruption, Montenegro has concluded extradition agreements with the Republic of Serbia (2009, amended in 2010), Republic of Croatia (2010) and the Former Yugoslav Republic of Macedonia (2011). With a view to further promote the cooperation, bilateral agreements with Serbia and Croatia, which began to be implemented in October 2010, provide for the procedure for extradition of own nationals. In 2012, negotiations have been initiated with a view to signing the Agreement on Mutual Enforcement of Court Decisions in Criminal Matters, and the Agreement on Mutual Legal Assistance in Criminal Matters and the Extradition Agreement with the **Republic of Kosovo**<sup>\*\*\*\*\*</sup>. the Additional Bilateral Agreement to the European Convention on Extradition of 13 December 1957 (Official Gazette of Montenegro – International treaties 1/2014), which aims to facilitate its implementation, as well as the Additional Bilateral Agreement to the European Convention on Mutual Assistance in Criminal Matters of 20 April in 1959 (Official Gazette of Montenegro – International treaties 1/2014), which aims to facilitate its implementation were signed and ratified with the Republic of Italy. The signing of additional bilateral agreements with the Republic of Italy is expected in 2013. Also, the negotiation process with the **Republic of Turkey** has been initiated, with a view to signing the Agreement on Mutual Legal Assistance in Criminal Matters, Extradition and Transfer of Sentenced Persons.

During 2012 there were 2299 cases of international legal assistance processed, created in 2012, which is 179 cases more than in 2011. As regards the structure of cases, there were 145 cases of extradition, i.e. 104 requests for extradition were sent to foreign states (active), while there were 41 requests for extradition from foreign countries received (passive). Also, there were 35 requests, received and processed, for the transfer of sentenced persons, of which 30 requests for transfer of sentenced persons to Montenegro and 5 requests for transfer of sentenced persons from Montenegro to foreign states.

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\*\*\*\*\* This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

Due to a lack of good transport links, a quarter of active extraditions are conducted with transit through third countries, which implies the need to address the competent authorities of third states for approval of transit. This applies to a portion of the cases of transfer of sentenced persons as well. Further on, there were 26 cases for the recognition and enforcement of foreign court decisions, 202 cases of transfer of criminal prosecution, 178 letters rogatory for service of notices, 648 letters rogatory for delivery of criminal records, of which 155 cases were the data of conviction, as well as 84 letters rogatory asking for verification of data. The rest is relating to requests for a temporary delivery of a person deprived of liberty, checking bank accounts, and three requests to locate potential witnesses by the Prosecution of the International Criminal Tribunal for the Former Yugoslavia, etc. During 2013, there were a total of 1,983 cases, 1,132 (57.1%) of which were active letters rogatory, while 851 (42.9%) were passive letters rogatory. According to the type of legal assistance, most requests were for so-called "small legal assistance", to a total of 1,629 letters rogatory (78.9%), while the least request were for recognition and enforcement of foreign court decisions, as follows 59 letters rogatory (2.9%).

The current state of human resources and administrative capacities of the Ministry of Justice as the central body of communication is not at the satisfactory level in terms of quality and timely fulfilment of obligations in the field of judicial cooperation in criminal matters.

Importance of international judicial cooperation of Montenegro in criminal matters is increasing and it is notable that cooperation instruments, especially with the countries of the region, EU and numerous international organisations (EUPM, MARRI, UNODC, SEESAC, INTERPOL, ICMPD, RAI, SELEC, RACVIAC; PCC-SEE Secretariat, Geneva Centre for Democratic Control of Armed Forces (DCAF), GIZ, Council of Europe, UOB, OSCE Mission in Bosnia and Herzegovina, Treptower group, etc.), meet their purpose. In addition, the Supreme Public Prosecutor's Office is an active member of the Consultative Council of European Prosecutors, South East European Prosecutors Advisory Group, and the Western Balkans Prosecutors' Network. The Supreme Public Prosecutor has submitted an initiative for obtaining the observer status in the Network of the General Prosecutors at the Supreme Judicial Courts of the European Union in February 2013. The Judicial Training Centre has launched an initiative to acquire the observer status in the European Judicial Training Network in February 2013, while the Judicial Council was granted the observer status at the General Assembly of the European Network of Councils for the Judiciary (08-10 June 2012). The President of the Supreme Court of Montenegro is an observer in the Network of the Presidents of the Supreme Judicial Courts of the Member States of the European Union and attends meetings of the Network, while the Supreme Court has also launched an initiative for obtaining the observer status in the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union in February 2013. The Ministry of Justice has acquired observer status in the Network for Legislative Cooperation between the Ministries of Justice of the Member States of the European Union in October 2013.

As regards the cooperation with EUROJUST, Montenegro submitted a translation of the Law on Personal Data Protection to the Secretariat of the body for



the assessment of compliance. During 2013 a visit was organized of EUROJUST's representatives to the competent authorities in Montenegro with the aim of establishing the existence of conditions for concluding the Agreement on cooperation. The EUROJUST's representatives were in Montenegro in October 2014, in order to assess the current state of implementation of their recommendations within the activities aimed at signing of the Cooperation Agreement between Montenegro and this institution. The EUROJUST's experts stated that all their recommendations were taken into account and fully implemented in practice, which represents a very positive step, especially if one takes into account the fact that the Montenegrin institutions managed to do so for a period of less than a year.

***Recommendation 1 from the Screening Report – Judicial cooperation in criminal matters***

**OBJECTIVE**

Outline measures to implement outstanding pieces of legislation, including an impact assessment on administrative capacity, the budget and technical requirements

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of results	Indicator of impact
5.2.1.	Submit the consolidated text of the Law on International Legal Assistance in Criminal Matters, with the attached Table of Concordance, to the EC – DG Justice.	Ministry of Justice (Svetlana Rajković, Vladimir Vujotić)	September 2013	No funds necessary	Text of the law submitted to the EC	Submitted assessment grade of compliance of the Law on International Legal Assistance in Criminal Matters by the EC along with recommendations for further improvements in the national legislation
5.2.2.	Prepare the analysis of the existing national legislation in order to evaluate the degree of	Ministry of Justice (Svetlana Rajković, Vladimir Vujotić), in	June – December 2014	Budget, EUR 16,200 (working group	Analysis prepared regarding the degree of compliance with proposals for	/

	<p>compliance with the acquis.</p> <p>The analysis will particularly contain the impact analysis regarding transposition of relevant EU regulations into Montenegrin legislation in terms of evaluation of the current and necessary administrative, budgetary, human resources and educational capacities and needs of the Ministry of Justice, competent courts and prosecutor's offices, based on the number of cases, efficiency of procedure and existing employee structure</p>	<p>cooperation with Judicial Council (Darko Drašković) and Supreme Court (Valentina Pavličić/Miroslav a Raičević), along with engagement of expert through TAIEX</p>		<p>composed of 5 persons, 4 months of effective work)</p> <p>TAIEX 2,700 (one expert for five working days)</p>	<p>amendments of legislation with the view to full harmonising, and recommendation for strengthening human resource capacities of competent authorities.</p>	
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	5.2.2.1	Organize a visit of EU experts to present models of introducing certain arrangements in the national legal system (eg. European arrest warrant and surrender procedures; orders freezing property or evidence; the European evidence warrant)	Ministry of Justice (Ognjen Mitrović) Supreme Court Supreme State Prosecutor's Office	January – December 2015	TAIEX 2015	Organized visit of EU experts and presented models of introducing certain arrangements in the national legal system (eg. European arrest warrant and surrender procedures; orders freezing property or evidence; the European evidence warrant)	Number of working meetings held during the visit; number of participants at working meetings held during the visit; number of conclusions and recommendations proposed by the TAIEX experts.
	5.2.2.2	Organize a visit of EU experts in order to find the best method of	Ministry of Justice (Ognjen Mitrović) Supreme Court Supreme State Prosecutor's	January – December 2015	TAIEX 2015	Organized visit of EU experts in order to find the best method of harmonizing national legislation with the EU acquis regarding:	Number of participants at working session with EU experts; number of conclusions and recommendations proposed

		harmonizing national legislation with the EU acquis regarding: recognition and enforcement of property or objects confiscation order and recognition and enforcement of decisions on fines.	Office			recognition and enforcement of property or objects confiscation order and recognition and enforcement of decisions on fines.	by the EU experts; etc.
	5.2.2.3	Organize a visit of EU experts in order to find the best method of harmonizing national legislation	Ministry of Justice (Ognjen Mitrović) Supreme Court Supreme State Prosecutor's Office	January – December 2015	TAIEX 2015	Organized visit of EU experts in order to find the best method of harmonizing national legislation with the EU acquis regarding: recognition and enforcement of judgments imposing a	Number of participants at working session with EU experts; number of conclusions and recommendations proposed by the EU experts; etc.

		with the EU acquis regarding: recognition and enforcement of judgments imposing a prison sentence or measure involving deprivation of liberty; recognition and enforcement of judgments and decisions imposing probation measures and alternative sanctions; recognition and enforcement				prison sentence or measure involving deprivation of liberty; recognition and enforcement of judgments and decisions imposing probation measures and alternative sanctions; recognition and enforcement of decisions on precautionary measures.	
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		of decisions on precautionary measures.					
5.2.3.	<p>Continuously monitor the implementation of the Law on the amendments to Law on International Legal Assistance in Criminal Matters</p> <p>Closely monitor the application of Article 13 of Amendments to the Law on International Legal Assistance in Criminal Matters introducing the possibility of extradition of the accused person without filing a request for the purpose of harmonisation with Article 3 paragraph 2, Article 9, 10 and 11 of the Convention of 10</p>	Ministry of Justice (Ognjen Mitrović)	Once a year, following the adoption of the Law	Budget EUR 810.00 (regular activities of one employee for a month)	Report on implementation with statistical data from courts prepared	/	

	March 1995 on simplified extradition procedure between Member States of the European Union					
5.2.4.	Prepare and adopt the Law on Judicial Cooperation in Criminal Matters with the EU Member States	Ministry of Justice (Ognjen Mitrović)  Supreme Court  Supreme State Prosecutor's Office	2017	Budget EUR 27,710 (working group composed of 5 persons, two months of effective work – draft law EUR 8,900;  public dispute EUR 3,810;  work of the Parliamentary Committees EUR 15,000;  TAIEX EUR 2,700  (one expert for five working days)	Proposal for the law prepared  Public dispute held  Law adopted	Law on Judicial Cooperation in Criminal Matters with the EU Member States adopted and completely harmonized with the EU <i>acquis</i> in this area

<b>5.2.5.</b>	Prepare amendments to the Law on Courts with a view to defining jurisdictions of courts in accordance with the Law on Judicial Cooperation in Criminal Matters with the EU Member States	Ministry of Justice (Nataša Radonjić)  Supreme Court	2018	Budget approximately as in the previous measure  TAIEX EUR 2,700 (one expert for five working days)	Proposal for the Law on Amendments to the Law on Courts adopted  Law adopted	Defined courts competent for issuing and proceeding upon the European Arrest Warrant
<b>5.2.6.</b>	Define the procedures for the application of the European Arrest Warrant considering comparative normative and operational experiences of the EU Member States, having previously consulted DG JUST especially in terms if further amendments to the Constitution are necessary  Will be implemented through the measure 5.2.5	Ministry of Justice (Nataša Radonjić)  Supreme Court  Supreme State Prosecutor's Office	I quarter  2017	Budget  Approximately EUR 2,000  TAIEX EUR 2,700 (one expert for five working days)	Procedures defined (secondary legislation or special law)	/



<b>5.2.7.</b>	Conduct analysis and if necessary amend the Criminal Code for the purpose of harmonizing the norms with elements of 34 criminal offences from the European Arrest Warrant	Ministry of Justice (Nataša Radonjić)  Supreme Court  Supreme State Prosecutor's Office	Fourth quarter of 2017	Budget  Expert support of DG JUST will be necessary to implement this measure	Proposal of the Law on amendments to the Criminal Code determined  The Criminal Code adopted	/
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***Recommendation 2 from the Screening Report – Judicial cooperation in criminal matters***

**OBJECTIVE:**

Establish the necessary institutions relevant to judicial cooperation in criminal matters to complete the institutional framework; enable direct cooperation between Montenegrin courts and courts from third countries

<b>No.</b>	<b>Measure / Activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds / Source of financing</b>	<b>Indicator of results</b>	<b>Indicator of impact</b>
<b>5.2.8.</b>	Adequately plan and enhance personnel capacities of the Ministry of Justice in the area of international judicial cooperation and legal assistance in criminal matters in accordance with recommendations from the Analysis –	Ministry of Justice ( <b>Ognjen Mitrović</b> )	As of March 2015	Budget  Note: in 2013, annual budget expenses for one employee amount EUR 9,720	Number of new working posts in the Ministry of Justice, for which the job description has been provided in accordance with recommendation from the Analysis – measure 5.2.2.  Number of newly	Number of employees increased for affairs regarding international judicial cooperation and legal assistance in criminal matters in comparison with the existing one

	measure 5.2.2.				employed persons	
<b>5.2.9.</b>	<p>Organise regular meetings of representatives of ministries of justice with whom Montenegro has signed bilateral agreements on international legal assistance in criminal matters on the topic of application of bilateral</p> <p>Agreements envisaging direct cooperation of courts</p>	<p>Ministry of Justice ( <b>Ognjen Mitrović</b>), in cooperation with ministries of justice from the region</p>	<p>As of January 2014, at least once a year</p>	<p>Budget EUR 4,520 per meeting for 4 persons (airplane ticket, 2 overnights, 2 daily fees for one person EUR 1,130)</p>	<p>Number of regional meetings held</p>	<p>Increased number of cases in which the direct cooperation between courts has been established</p> <p>Quality of implementation of bilateral agreements improved</p>

5.2.10.	Organise regional conferences on the topic of application of provisions of bilateral agreements envisaging direct cooperation of courts	Judicial Training Centre ( <b>Maja Milošević</b> )	As of January 2014, at least once a year	<p>Budget</p> <p>EUR 16,000 (5 delegations, two persons each)</p> <p>Additional funds will be necessary for implementation of this measure; Montenegro will ask them through donations and bilateral cooperation projects</p>	Number of regional conferences held	<p>Increased number of cases in which the direct cooperation between courts has been established</p> <p>Quality of implementation of bilateral agreements has been improved</p>
<b>Recommendation 3 from the Screening Report – Judicial cooperation in criminal matters</b>						
<b>OBJECTIVE:</b> Prepare and deliver training taking into account legislative developments when aligning legislation						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
5.2.11.	Prepare the plan of education for judges and prosecutors, Ministry of	Ministry of Justice (Svetlana	December 2013	Budget EUR 9,720 (working group composed of six	Education programme prepared	/

	<p>Justice and officers of Police Administration on positive regulations from the area of international legal assistance in criminal matters, which includes trainings on provisions of ILACM, as well as provisions of multilateral and bilateral agreements from the area of ILACM</p> <p>Theme trainings for employees of ministries and judges concerning provisions defined by the following EU conventions and decrees:</p> <ul style="list-style-type: none"> <li>- European Convention on mutual provision of legal assistance in criminal matters, with accompanying protocols,</li> <li>- European</li> </ul>	<p>Rajković, Lidija Mašanović) in cooperation with Supreme Court (Valentina Pavličić/Miroslava Raičević), Supreme Public Prosecutor's Office (Miljana Radović/Radmila Ćuković), Judicial Training Centre (Maja Milošević) and Police Academy (Milica Pajović/Jelena Tomić) along with engagement of expert through TAIEX</p>		<p>persons, two months of effective work)</p> <p>TAIEX expert for five working days – EUR 2,700</p>	<p>Cluster included in the programme of work of Human Resources Administration and Judicial Training Centre, as well as Police Academy</p>	
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	<p>Convention on extradition with accompanying protocol,</p> <ul style="list-style-type: none"> <li>- Convention on transfer of convicted persons,</li> <li>- European Convention on transfer of procedure,</li> <li>- Convention on simplified procedure of extradition between EU states,</li> <li>- Framework Decision 2002/584/JHA on European Arrest Warrant and procedure of transfer between Member States</li> <li>- Convention from 2000 on mutual assistance in criminal matters between EU Member States,</li> </ul>					
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	along with the Protocol					
<b>5.2.12.</b>	Organise trainings on the grounds of prepared plan	Judicial Training Centre ( <b>Maja Milošević</b> ) and Police Academy ( <b>)</b> for the needs of:  Ministry of Justice ( <b>Ognjen Mitrović</b> )  Courts  Prosecutor's Offices  Police, along with engagement of expert	As of January 2014	Budget of the Centre  Note: one training for 20 persons – EUR 3,000  Foreign expert – EUR 1,500	Number and type of organised trainings  Number and structure of attendees  Media articles  Materials published at the websites of the ministries  Survey papers of participants	Administrative capacities of judicial authorities, Ministry of Justice and Police Administration enhanced and enabled for efficient implementation of international treaties and national regulations from the area of judicial cooperation and legal assistance in criminal matters
<b>Recommendation 4 from the Screening Report – Judicial cooperation in criminal matters</b>						
<b>OBJECTIVE</b>						
Ensure preparations to conclude a cooperation agreement with Eurojust, notably as regards personal data protection						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of	Indicator of result	Indicator of impact

				financing		
5.2.13.	Organise the expert visit of representatives of EUROJUST to relevant institutions	Ministry of Justice (Svetlana Rajković, Ognjen Mitrović), in cooperation with competent institutions	During 2014, depending on requests from EUROJUST	No funds required	Expert visit organised  Required information submitted	On the grounds of evaluation of conformity of national regulations and reports of expert mission, further necessary steps defined regarding signing of the Agreement
5.2.14.	Sign the Agreement on Cooperation with EUROJUST	Ministry of Justice (Svetlana Rajković, Ognjen Mitrović)	2015, depending on the opinion of EUROJUST	No funds required	Agreement signed	Results of implementation of the Agreement

## 6. POLICE COOPERATION AND FIGHT AGAINST ORGANISED CRIME

## 6.1. POLICE COOPERATION

(Coordinator for the area of police cooperation: Dejan Đurović, Ministry of Interior)

### STATE OF PLAY

Montenegro actively participates in regional cooperation in the area of law enforcement. Furthermore, Montenegro established practical cooperation with some of the EU Member States. As a result, several police operations were led in cooperation with bodies from EU Member States as well as other countries of the region, as well as with Interpol and Europol.

- **INTERPOL** - Montenegro has been a fully-fledged member of INTERPOL as of 19 September 2006. International Law Enforcement Coordination Unit (ILECU) has been defined in the job classification documents of the Police Administration. It is at the same time the National Central Bureau of INTERPOL Podgorica. The Unit has 30 employees. NCB Interpol is connected to Interpol's database using the I-24/7 secure global police communications network, used for exchanging data with other member states of INTERPOL. NCB INTERPOL has installed the so-called MIND system at Montenegrin border crossing points, which is used for making checks directly in Interpol's databases. Cooperation via INTERPOL is intensive and continuous and aimed at exchanging data which are necessary to collect evidence against criminal offenders, exchanging evidence needed for court proceedings (mutual legal assistance), exchanging letters rogatory of competent public prosecutor's offices and organising joint police operations. Data are exchanged via the secure communications network, I-24/7.
- **EUROPOL** - on 19 September 2008, Montenegro signed a strategic cooperation agreement with EUROPOL, which was ratified in July 2009 by the Parliament of Montenegro in the form of a law (published in the Official Gazette of Montenegro - International Treaties 2/2009). In November 2010, a secure communication link was established, which was upgraded in April 2012 into SIENA communication link. In April 2012, Montenegro responded to additional EUROPOL questions as regards personal data protection. Therefore, Europol's Evaluation Team visited Montenegro in November 2012 and made an assessment on the spot whether prerequisites have been met to begin the process of signing the operational cooperation agreement- based upon which experts from Europol made report in April in 2013 and submitted it to Joint Supervisory Body for opinion i.e. to give recommendations to Europol for initiating the process of negotiating signing the Agreement on operative cooperation with Montenegro. As for cooperation, it takes place at a strategic level, through the secure communication link. Operational cooperation takes place via one of the member states of EUROPOL. Montenegro is currently conducting the process of selecting a liaison officer who will be seconded to Europol headquarters in The Hague, as soon as the necessary prerequisites have been met. Montenegro signed the Agreement on Operational and Strategic Cooperation with EUROPOL on 29 September 2014.



Assignment of a liaison officer is planned, who would assist to intensify the cooperation with EU Member States.

Analysis of meeting security standards defined by Europol's instructions developed: Europol Instructions for network security, Europol Security Manual and Europol Guidance for Security.

- **SELEC** - In 2011, Montenegro ratified the SELEC Convention at the Parliament of Montenegro, in the form of a law. Montenegro has had its own liaison officer in SELEC as of November 2009. As of July 2010 Montenegro has had established a protected communication link with SELEC. The national SELEC contact point (including the secure communication link) is the International Law Enforcement Coordination Unit. SELEC is used to exchange data, as well as organise joint police operations aimed at detecting specific crimes and prosecuting certain criminal groups that are covered by that joint police operation. Data are exchanged via the SELEC communication link, liaison officers or during direct contacts at joint meetings.
- It is via **bilateral cooperation** (network of liaison officers) that data related to specific police operations are exchanged and investigative activities are coordinated in both countries in order to collect evidence in a timely manner and prosecute persons before competent courts and to exchange evidence or materials needed for forensic expertise.

Montenegro identified the key challenges in the implementation of the *acquis* in the field of police cooperation. Special attention and capacities are directed towards the implementation of the Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and crime with cross-border implications (Prüm Decision) and the Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union ("Swedish Initiative"). Moreover, the need has been recognised to sign the Operational Agreement on cooperation with EUROPOL and establish the SERENE Bureau.

Analysis was developed with the proposal of measures regarding the existing infrastructure and possibility of accessing data in databases and establishment of protected electronic communication network for mutual data access and exchange of information between law enforcement authorities, including the Public Prosecutor's Office. Trainings for international police cooperation were organised. Analysis of the state of play was drafted in relation to the existence of DNA databases, fingerprints and motor vehicle databases and possibility of exchanging the data within Prüm. In addition, an analysis of the information system was prepared in terms of the adjustability for meeting the obligations from the Prüm decision. FBI donation was used to purchase CODIS software and trainings were held for CODIS use, and we are currently in the process of finding a model for acquiring AFIS.

Analysis of the status for Data Availability, Accessibility and Reciprocity was drafted and defining points of contact (Police, Customs, Prosecution Office) which refers to the implementation of the Swedish initiative (Council Decision 2006/960/JHA).

## **LEGAL FRAMEWORK**

Criminal Procedure Code (Official Gazette of Montenegro, no. 57/09, 49/10), Criminal Code (Official Gazette of Montenegro, no.70/03, 13/04, 47/06, 40/08, 25/10 and 32/11), Law on Internal Affairs (Official Gazette of Montenegro, no.44/12, 36/13 and 1/15), Law on Personal Data Protection (Official Gazette of Montenegro, no. 79/08, 70/09 and 44/12), Law on Data Confidentiality (Official Gazette of Montenegro, no.14/08 and 14/13), Law on Ratification of the Strategic Cooperation Agreement with Europol (Official Gazette of Montenegro, no.2/09).

### ***Recommendation 1 from the Screening Report – Police Cooperation***

#### **OBJECTIVES:**

- put in place the necessary data protection standards to allow the smooth implementation of the operational agreement with Europol
- Sign the operational agreement with Europol
- Second a liaison officer to Europol headquarters in the Hague

<b>No.</b>	<b>Measure/activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds/ Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>
<b>6.1.1.</b>	Engage EU experts for the purpose of drafting:  1. a situation analysis in terms of application of standards of personal data protection standards and data confidentiality (legislative, organisational, IT, staff	Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Dejan Đurović, Zora Čizmović),</b>  Police Academy <b>(Milica Pajovic/Jelena</b>	1. March 2015  2. June 2015	Twining project SAP	1. Experts engaged. Analysis completed.  2. Proposal of measures prepared for enhancement of the situation regarding the protection of personal data and data confidentiality	/

	and procedural analysis) 2. proposal of measures for drafting procedures, organisation of trainings and procurement of the missing equipment (computer, safety equipment, computer programs) for implementation of standards in the field of personal data protection	<b>Tomic)</b>			developed <sup>+++++</sup>	
<b>6.1.2.</b>	Fulfil personal data protection standards on the basis of analysis done:  1. drafting rulebooks on	Ministry of Interior– Police Administration <b>(Zora Čizmović,</b> Dejan Đurović,	1. September 2013 2. II quarter – June 2015 3. II quarter –	1. No additional expenses 2. Twinning Project SAP 3. Twinning	1. Rulebooks drafted on the form and contents of personal data records kept	1. - 2. Number of controls conducted concerning the protection of personal data, number of

<sup>+++++</sup> In conformity with EU regulation:

- **32009D0371** – COUNCIL DECISION of 6 April 2009 establishing the European Police Office (Europol) (2009/371/JHA)
- **32009D0934** - Council Decision 2009/934/JHA of 30 November 2009 adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information
- **32009D0935** - COUNCIL DECISION 2009/935/JHA of 30 November 2009 determining the list of third States and organisations with which Europol shall conclude agreements
- **32009D0968** - COUNCIL DECISION 2009/968/JHA of 30 November 2009 adopting the rules on the confidentiality of Europol information

	<p>the form and contents of personal data records, according to the Law on Internal Affairs,</p> <p>2. amending procedures for handling<sup>*****</sup> personal data</p> <p>3. drafting the Personal Data Protection Plan</p> <p>4. upgrading of computer programs for electronic records of personal data, and application of IT security standards<sup>§§§§§§</sup>,</p> <p>5. organisation of continuous trainings for Police Administration staff regarding personal data protection.</p>	<p>Nataša Starovlah-Knežević),</p> <p>Police Academy (Milica Pajovic/Jelena Tomic)</p>	<p>June 2015</p> <p>4. November 2013</p> <p>5. September 2013 - Fourth quarter of 2017, continuously, at least once a year</p>	<p>Project SAP</p> <p>4. EUR 50,000 approx. /- budgetary funds</p> <p>5. EUR 20,000 year/ We will apply for external financing (TAIEX) and budgetary funds</p>	<p>according to the Law on Internal Affairs</p> <p>2. Procedures developed for handling personal data (input, updating and deletion of personal data)</p> <p>3. Plan of Personal Data Protection drafted</p> <p>4. Computer programs developed for electronic keeping of all personal data databases, as well as for the automatic warning/deletion of personal data kept in electronic databases, after</p>	<p>applications for examination/complaints of persons whose data are being processed, and number of adopted/rejected complaints/applications for examination.</p> <p>3. -</p> <p>4. Number of information/personal information stored in electronic form into personal data filing systems; number of information exchanged via Europol, which are stored into electronic records of personal data</p> <p>5. Number of unclassified and classified information exchanged with Europol (number of information containing personal data), number of</p>
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\*\*\*\*\* In line with new Law on Personal Data Protection and the Law on Internal Affairs

§§§§§§ In line with new Law on Personal Data Protection and the Law on Internal Affairs

					<p>the expiration of statutory deadline for keeping data in the databases</p> <p>5. Plan of continuous trainings of Police Administration staff drafted – programme of the Police Academy drafted</p>	information stored into Europol's Analysis Work Files (AWF)
<b>6.1.3.</b>	<p>Fulfil security standards defined by:</p> <ul style="list-style-type: none"> <li>• Europol Instructions for network security-System Specific Security Requirements</li> <li>• Europol Security Manual</li> <li>• Europol Guidance for Security.</li> </ul>	<p>Ministry of Interior – Police Administration <b>(Dejan Đurović,</b> Nataša Starovlah-Knežević),  Directorate for Data Confidentiality</p>	November 2013	Cca. EUR 20,000 / Application will be submitted for external financing -expert support (TAIEX)	Standards fulfilled – analysis of fulfilment of recommendations defined by Europol documents and standards-procedures applied in Montenegro drafted.	/
<b>6.1.4.</b>	Sign Operational Agreement on Cooperation with Europol (in order to exchange personal	<p>Ministry of Interior – Police Administration <b>(Ivan Ivanišević,</b></p>	By December 29.09.2014.	No additional costs	Operational Agreement on Cooperation signed, Ratified by the Parliament,	Number of unclassified and classified information exchanged with Europol, number of information

	data) *****	Dejan Đurović)			Entered into force	stored in analytical working files of Europol (AWFs), number of police operations as a result of exchanged information with Europol.
6.1.5.	Select and second a liaison officer to Europol's headquarters – Train the selected liaison officer before secondment to Europol	Ministry of Interior <b>(Ivan Ivanišević,</b> Dejan Đurović),  Police Academy <b>(Milica Pajovic/Jelena Tomic)</b>	June 2015	EUR 80,000 / year, budgetary funds, external financing (TAIEX)	Procedure for selection of liaison officer completed  Training of the liaison officer carried out according to the Europol Instructions on duties, skills and qualifications of liaison officers  Police liaison officer assigned to Europol – the Montenegrin Liaison Office in Europol headquarters established	Number of information exchanged via liaison officers. Number of joint cases - police operations; which include liaison officers
6.1.6.	1. Join and actively	Ministry of Interior	1. March 2015 ,	Annually EUR	1. Montenegro	Number of focal points in

\*\*\*\*\* In conjunction with measure 219 of the national AP for the fight against organised crime and corruption

	<p>participate in Europol's<sup>+++++</sup> Analysis Work Files (AWF) and Focal Points (FPs)</p> <p>2. Appoint – nominate persons who will have the role of national points of contact for the AWF and communication with FPs of EUROPOL</p>	<p>– Police Administration <b>(Dejan Đurović)</b></p>	<p>continuously<sup>+++++</sup></p> <p>2. March 2015</p>	<p>15,000<sup>§§§§§§</sup></p>	<p>participates in Europol Analysis Work Files (AWF) and FPs – concerning Southeast Europe (by submitting, analysing and using information from the AWF and FPs),<sup>*****</sup></p> <p>2. Defined-appointed national points of contact for AWF and communication with EUROPOL FPs</p>	<p>which Montenegro participates, number of information exchanged with EUROPOL Focal Points and entered into Europol's analysis work files (AWF);, number of criminal charges – persons and criminal organisations prosecuted, based on information obtained from the analytical work files (AWF) through the exchange of information through focal points</p>
<b>6.1.7.</b>	<p>Deliver information to Europol via the Siena Link about the newly identified</p>	<p>Ministry of Interior – Police Administration</p>	<p>January 2014, continuously<sup>+++++</sup></p>	<p>No additional expenses</p>	<p>Number of submitted information compared to the number of newly</p>	<p>/</p>

<sup>+++++</sup> In conjunction with measure 190 and 223 of national AP for the fight against organised crime and corruption

<sup>+++++</sup> Participation in files, if needed

<sup>§§§§§§</sup> Costs for 4 annual meetings in EUROPOL with 3 Police representatives

<sup>\*\*\*\*\*</sup> In conformity with regulation **32009D0936** - COUNCIL DECISION 2009/936/JHA of 30 November 2009 adopting the implementing rules for Europol analysis work files

<sup>+++++</sup> After detecting a new psychoactive substance

	psychoactive substances	(Dejan Đurović)			identified psychoactive substances <sup>+++++</sup>	
<b>6.1.8.</b>	<p>Establish a secure electronic communication network<sup>§§§§§§§§</sup> for mutual access to data bases<sup>*****</sup> and exchange of information between law enforcement agencies<sup>+++++</sup>, including Public Prosecution Office<sup>+++++</sup>, in accordance with the Law on Personal Data Protection, by:</p> <p>1. drafting analysis with proposal of measures, in relation to the existing infrastructure and possibilities for access to data bases</p>	<p>Ministry of Interior – Police Administration (<b>Nataša Starovlah-Knežević</b>, Dejan Đurović, Nikola Rogošić)</p> <p>Ministry of Justice (<b>Dušan Polović</b>, <b>Merima Baković</b>)</p> <p>Ministry for Information Society and</p>	<p>1. October 2013</p> <p>2. a) March 2015 b) March 2016 c) I quarter 2017</p>	<p>1. No additional costs</p> <p>2. a) Cca. EUR 50,000/budgetary financing b) approx. EUR 200,000/budget funds c) approx. EUR 100,000/budget funds</p>	<p>a) Enabled exchange of messages and files</p> <p>Training on the manner of data exchange organised</p> <p>b) Special programme made which will enable access to data bases made.</p> <p>Networking of all relevant bodies with Prosecution Office carried out.</p> <p>Trainings on the manner of data exchange carried out.</p>	Established better and more efficient inter-institutional cooperation (number of exchanged information, number of accesses to data, number of investigations for which network was used in order to access data from databases and exchange information).

+++++ In conformity with the Council Decision 2005/387/JHA on the information exchange, risk assessment and control of new psychoactive substances

§§§§§§§§ In conjunction with measure 196 (so called ILECU Agreement) and 197 of national Action Plan for the fight against corruption and organised crime.

\*\*\*\*\* Data bases of the Ministry of Interior, Ministry of Justice, Judicial Court, Public Prosecution Office, Customs Administration, Tax Administration, Real Estate Administration, Administration for Prevention of Money Laundering and Terrorism Financing.

+++++ Police Directorate, Tax Administration, Administration for Prevention of Money Laundering and Terrorism Financing, Customs Administration

+++++ In conjunction with measure 6.2.26 of the Action Plan 24 and measure 2.2.1.5 from the Action Plan 23



	<p>2. implementing measures for enabling access to data bases and exchange of information.</p> <p>a) Exchange of messages between system users with the possibility of exchanging files</p> <p>b) Automatic collection of data by WEB service or Message Queuing, in accordance with the “need to know” principle, based on concrete queries.</p> <p>c) Implementation of Enterprise Service Bus data exchange</p>	<p>Telecommunication (Milica Vučinić)</p> <p>Supreme Public Prosecutor's Office</p>			<p>c) Improved existing technical conditions for access to data in competent bodies.</p> <p>Delivered trainings on the manner of data exchange.</p> <p>- Report of the European Commission</p> <p>- Report of MONEYVAL</p>	
6.1.9.	<p>1. Define the Siena Link as the main channel for information exchange under the implementation of EU</p>	<p>Ministry of Interior – Police Administration (Dejan Đurović), Customs</p>	<p>1. March 2015</p> <p>2. December 2015</p>	<p>1. No additional expenses</p> <p>2. Cca. EUR 50,000 /budgetary</p>	<p>1. Siena Link defined as the main channel of communication</p> <p>2. Analysis made</p>	<p>Number of exchanged information via Siena</p> <p>Number of information exchanged within application of the</p>

	instruments (Prüm Decision, Swedish Initiative and ARO) governing cross border cooperation and information exchange 2. Expand the Siena Link to other law enforcement agencies <sup>§§§§§§§§§§</sup>	Administration, , Administration for Prevention of Money Laundering and Terrorism Financing		financing/external financing (TAIEX)	regarding the need for expanding the Siena Link to other law enforcement agencies; creating preconditions (legal procedural, technical) for the expansion of Siena Use of Siena Link provided to the defined law enforcement agencies	Prüm Decision, Swedish Initiative, ARO <sup>*****</sup>
<b>6.1.10.</b>	Define the role of the Europol Bureau in coordinating activities of the Montenegrin representatives at Europol (Steering Committee, Work Groups, meetings of ENU heads, etc.), by developing a Manual for international police cooperation <sup>+++++</sup>	Ministry of Interior – Police Administration <b>(Milan Tomić, Dejan Đurović)</b>	December 2015	Twinning project SAP	Manual – operational procedures for international police cooperation developed	

§§§§§§§§§§ Customs Administration, Administration for Prevention of Money Laundering and Terrorism Financing  
 \*\*\*\*\* After accession to the EU  
 ++++++ This Rulebook defines procedures which are part of the unified procedure for international police cooperation

**Recommendation 2 from the Screening Report – Police cooperation**

**OBJECTIVE:**

Implement the necessary IT infrastructure for police cooperation, including analysis of costs, administrative resources, the budget and training needs

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Indicator of result	Indicator of impact
6.1.11.	<p>1. Analyse the existing situation in relation to necessary resources for efficient international police cooperation:</p> <ul style="list-style-type: none"> <li>- equipment (computer and communication equipment)</li> <li>- human resources (needs analysis for increasing number of officers, needs</li> </ul>	<p>Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Dejan Đurović)</b></p>	<p>January 2014, continuously +++++</p>	<p>Costs evaluation amounts to cca. EUR 30,000 /annually (budgetary funds)</p>	<p>Analysis made.</p> <p>Defined need for funds. Procured equipment for the Department, defined by the analysis as necessary. Equipment put into operation.</p> <p>Personnel recruited.</p> <p>Trainings delivered in line with needs</p>	/

	analysis for trainings) -needs analysis for additional funds according to defined needs. ++++++ 2. Implement activities upon the basis of made needs analysis: - equipment procurement ++++++ - recruitment of lacking personnel ++++++ - training of officers				analysis.	
6.1.12	Amend the Decree on Police Representatives for the purpose of: - introducing the	Ministry of Interior – Police Administration <b>(Hermin Šabotić,</b>	June 2014	2.430 EUR	Decree amended so as to enable police representatives to represent EU interests	Number of information which has been exchanged with the liaison officer for the needs of other EU

+++++

At least once a year

+++++

In conjunction with measure 156 and 224, National AP for the fight against corruption and organised crime

+++++

If analysis presents that procurement of equipment is necessary.

+++++

If analysis presents that number of officers should be increased.

	<p>possibility for the police representatives to represent EU interests in third countries,</p> <ul style="list-style-type: none"> <li>- amending procedures of selecting police representatives in order to define the Director of police authorisation to conduct employment procedure and propose candidate for police representative,</li> <li>- defining authorisations of police for providing guidelines for the work of police representatives</li> </ul>	Dejan Đurović)			in third countries <sup>*****</sup>	member states, number of police operations initiated by the liaison officer for the purposes of other Member States countries <sup>§§§§§§§§§§</sup>
6.1.13	Draft operational procedures for the work of	Ministry of Interior – Police	December 2015	Twining Project SAP	Experts engaged for assisting in drafting the	Number of information exchanged among liaison

\*\*\*\*\* Pursuant to Decision **32003D0170** - COUNCIL DECISION 2003/170/JHA of 27 February 2003 on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States  
 §§§§§§§§§§ After accession to the EU

	police representatives abroad *****	Administration ( <b>Milan Tomić,</b> Dejan Đurović)			procedures Operational procedures for the work of our police representatives abroad drafted	officers and police services of the host country
<b>6.1.14</b>	Membership in the EU MSs liaison officers network	Ministry of Interior – Police Administration ( <b>Milan Tomić,</b> Dejan Đurović)	Following accession to the EU	No additional costs	Montenegro member of the liaison officers' network of EU; active participation in the network, attending meetings of the network of liaison officers, implementation of guidelines defined at the EU level.	Number of joint police operations as a result of exchange of information among liaison officers of EU MSs. ++++++
<b>6.1.15</b>	1. Expand Interpol's services – establish the FIND system and integrate it with the existing police databases ++++++	Ministry of Interior – Police Administration ( <b>Nataša Starovlah-Knežević,</b> Dejan	1. September 2013 2. 2013, continuously §§§§§§§§§§ 3. Third quarter	1. EUR 50,000 approx. / budgetary funds 2. No additional expenses	1. FIND system implemented missing equipment procured and put into operation	Number of persons/vehicles/documents entered into Interpol's database, number of checks of persons/vehicles/documen

\*\*\*\*\* These procedures are a part of the unified procedure for international police cooperation

+++++ After accession to the EU

+++++ In conjunction with measure of 194 and 195 of the national Action Plan for the fight against corruption and organised crime

§§§§§§§§§§ Data entry after their identification

	2. Input all lost/stolen/invalid travel documents into Interpol's SLTD database 3. Develop procedures to use the FIND system 4. Establish a system for checking passengers on cruise ships and ships used for pleasure voyages (Interpol's batch searches) 5. Expand the FIND system to the private sector	Đurović)	of 2013 4. March 2015 5. June 2015	3. EUR 10,000 approximately/ we will apply for external financing / Expert assistance (TAIEX, INTERPOL) 4. EUR 10,000 approximately/ Budget financing / Expert assistance (INTERPOL) 5. No additional expenses	The necessary computer programs developed 2. Automatic input of all invalid documents into Interpol's SLTD database ***** 3. Procedure for the use of the FIND system developed 4. System for checking passengers on cruise ships and ships used for pleasure voyages established; number of checks carried out at border crossing points 5. FIND system connected to the	ts, number of hits, number of wanted persons located, number of sought vehicles located
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\*\*\*\*\* Pursuant to COUNCIL common position EU 2005/69/JHA of 24/01/2005 on exchanging certain data with Interpol

					private sector for the purpose of checking documents and vehicles	
<b>6.1.16</b>	<p>Upgrade and networking with the existing applications at the MoI and develop new applications:</p> <ol style="list-style-type: none"> <li>1. Developing the application for crime intelligence work and case management at the level of the Police Directorate</li> <li>2. Upgrade the application for wanted persons, vehicles and items (<i>Potražna</i>) and its interconnecting with the case management applications of Division for International Police Cooperation.</li> </ol>	<p>Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Dejan Đurović)</b></p>	<ol style="list-style-type: none"> <li>1. June 2016</li> <li>2. September 2015</li> <li>3. December 2016</li> </ol>	<p>EUR 60,000 approximately/ we will apply for external financing - -/ Expert assistance (TAIEX)/IPA 2, budgetary funds</p>	<p>The existing applications upgraded:</p> <ol style="list-style-type: none"> <li>1. Application developed. Training of officers conducted.</li> <li>2. Database of wanted persons, vehicles and items connected to case management application</li> <li>3. Installed AFIS application in the Division for International Police Cooperation, interconnected with AFIS central base in Forensic Centre.</li> </ol>	<ol style="list-style-type: none"> <li>1. Number of information entered into Crime Intelligence System through the case management application, percentage portion of information o(entities) from the Case Management Application obtained via international police cooperation, in relation to the total number of information (entities)</li> <li>2. Number of wanted persons found in Montenegro, number of persons wanted by Montenegro found abroad, number of wanted persons entered through the Case</li> </ol>



	3. Network the Division for International Police Cooperation with AFIS in Forensic Centre <sup>+++++</sup>					Management Application, number of persons extradited from Montenegro and extradited to Montenegro 3. Number of checks through AFIS unit in the Division for International Police Cooperation, number of hits, on the basis of queries obtained through international police cooperation
<b>6.1.17</b>	Establish the duty 24/7 service needed for international police cooperation  1. Fill in positions laid down by the job classification act <sup>++++</sup> 2. Draft instructions for the work of the 24/7	Ministry of Interior – Police Administration <b>(Milan Tomić, Dejan Đurović)</b>	1. December 2013 2. December 2013	EUR 12,000 / year, budgetary funds	1. positions laid down by the job classification act filled in; work of international police cooperation organised according to the 24/7 principle 2. Instructions for the work of the 24/7	Number of employees engaged in the work of the duty service for international police cooperation, number of information exchanged outside standard working hours, number of cases acted upon outside standard working hours

++++ In conjunction with measure 225 from the national Action Plan for the fight against corruption and organised crime

++++ In conjunction with measure 177 of the national Action Plan for the fight against corruption and organised crime

	duty service as a part of the Manual for International Police Cooperation <sup>§§§§§§§§§§§§§§§§</sup>				service drafted	<p>Number of employees engaged in the work of the duty service for international police cooperation is 4.</p> <p>Number of information exchanged outside standard working hours, related to the cases acted upon outside for the second half of 2014 is 3.687.</p>
<b>6.1.18</b>	<p>Train staff in the field of international police cooperation related to:</p> <ul style="list-style-type: none"> <li>• Use of Interpol 's databases</li> <li>• Use of Europol 's databases</li> <li>• Introducing new data exchange systems (I-link, Siena, SIS, Prum)</li> <li>• Personal data</li> </ul>	<p>Police Academy <b>(Milica Pajovic/Jelena Tomic)</b></p> <p>Ministry of Interior – Police Administration <b>(Dejan Đurović, Zora Čizmović)</b></p>	<p>January 2014, continuously *****</p>	<p>EUR 20,000 / year we will apply for external financing (TAIEX, Twinning Project SAP) / budgetary funds</p>	<p>Training plan finalised</p> <p>Trainings organised at the national and international level</p> <p>Standard trainings and e-learning trainings carried out</p> <p>Number of organised trainings by comparison with the</p>	<p>Number of exchanged information in international police cooperation, number of data entered into Interpol's, Europol database, number of hits in the databases of Interpol, Europol, number of persons deprived of liberty on the basis of Interpol searches, number of organised international police</p>

§§§§§§§§§§§§§§§§ These procedures are a part of the unified procedure for international police cooperation  
 \*\*\*\*\*  
 At least once a year

	protection standards and data confidentiality <ul style="list-style-type: none"> <li>• Working with Europol's Analysis Work Files</li> <li>• Access to the Schengen Information System</li> <li>• conducting targeted searches and extraditions of persons</li> <li>• foreign languages</li> </ul>				number of planned trainings  Number of trained employees by comparison with the number of employees who were planned to attend trainings – periodic testing of employees	operations
<b>Recommendation 3 from the Screening Report – Police cooperation</b>						
<b>OBJECTIVE</b>						
Participate in cooperation on issues such as security of football matches, vehicle crime, and the protection of public figures						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Indicator of result	Indicator of impact
6.1.19	1. Establish a national contact point (NCP)	Ministry of Interior – Police	1. December 2014	1. No additional expenses	1. National contact point (NCP)	Number of information exchanged between the

	<p>for football matches</p> <ol style="list-style-type: none"> <li>2. Train the NCP staff for international cooperation (foreign language courses)</li> <li>3. Inform the Council of the EU about the NCP's establishment</li> </ol>	<p>Administration <b>(Nikola Janjušević,</b> Dejan Đurović),</p> <p>Human Resources Administration <b>(Jadranka Đurković),</b></p> <p>Police Academy ( <b>Milica Pajovic/Jelena Tomic)</b></p>	<ol style="list-style-type: none"> <li>2. January 2014 – II half of 2019,</li> <li>3. Following accession to the EU</li> </ol>	<ol style="list-style-type: none"> <li>2. EUR 10,000 / year, budgetary funds</li> <li>3. No additional expenses</li> </ol>	<p>established +++++</p> <ol style="list-style-type: none"> <li>2. Number of trainings, number of NCP employees speaking a foreign language, by comparison with the total number of NCP staff</li> <li>3. Notification submitted to the Council Secretariat regarding establishment of the NCP</li> </ol>	<p>national contact point and the NCPs of other EU MSs; number of organised joint activities related to football matches</p>
<b>6.1.20</b>	<ol style="list-style-type: none"> <li>1. Establish a national contact point (NCP) for the protection of public figures</li> <li>2. Train the NCP staff for international cooperation (foreign language courses)</li> <li>3. Inform the Council of</li> </ol>	<p>Ministry of Interior – Police Administration <b>(Predrag Ašanin,</b> Dejan Đurović),</p> <p>Police Academy <b>(Milica Pajovic/Jelena</b></p>	<ol style="list-style-type: none"> <li>1. December 2014</li> <li>2. January 2014 – II half of 2019,</li> <li>3. June 2015</li> </ol>	<ol style="list-style-type: none"> <li>1. No additional expenses</li> <li>2. EUR 10,000 / year, budgetary funds</li> <li>3. No additional expenses</li> </ol>	<ol style="list-style-type: none"> <li>1. National contact point (NCP) established +++++</li> <li>2. Number of trainings, number of NCP staff speaking a foreign language, by</li> </ol>	<p>Number of information exchanged between the national contact point and NCP of other EU MSs; number of joint activities organised, related to the protection of protected figures</p>

+++++ Pursuant to **32002D0348** - Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension  
+++++ Pursuant to the decision **32002D0956** - Council Decision of 28 November 2002 setting up a European Network for the Protection of Public Figures

	the European Union of NCP's establishment	<b>Tomic)</b>			comparison with the total number of NCP staff 3. Notification regarding the establishment of the NCP submitted to the General Secretariat of the Council of the European Union	
<b>6.1.21</b>	Establish a national contact point (NCP) for cross-border vehicle crime	Ministry of Interior – Police Administration <b>(Milan Tomić, Dejan Đurović)</b>	Following accession to the EU	No additional expenses	National contact point established <sup>§§§§§§§§§§§§§§§§</sup>	Number of information exchanged among NCPs and NCPs of EU MSs in relation to criminal offences related to motor vehicles, number of vehicles found on the basis of information exchanged via the NCP and entries/queries into available databases (Interpol, SIS II)
<b>6.1.22</b>	Define procedures <sup>*****</sup> for	Ministry of Interior – Police	1. December 2015 (for SIS II	1. EUR 10,000 approx./ we	1. Procedures for automatic	Number of vehicles entered into Interpol's and SIS II

§§§§§§§§§§§§§§§§ Pursuant to the decision **32004D0919** - Council Decision 2004/919/EC of 22 December 2004 on tackling vehicle crime with cross-border implications

	<p>automatic simultaneous checks of national, SIS and Interpol's stolen vehicle databases</p> <ol style="list-style-type: none"> <li>1. define procedures and workflow for exchange of additional information following hits (define rights and obligations)</li> <li>2. authorise the services dealing with registration of motor vehicles to access the data into databases</li> </ol>	<p>Administration <b>(Nataša Starovlah-Knežević, Dejan Đurović)</b></p>	<p>–after joining EU) 2. December 2015 (for SIS II -after joining EU)</p>	<p>will apply for external financing - expert assistance (TAIEX) 2. EUR 10,000 approx./ budget funds</p>	<p>simultaneous checks of national, SIS and Interpol's stolen vehicle databases defined Unit dealing with registration of vehicles authorised to access Interpol 's and SIS databases in order to check vehicles,  2. Work procedure defined following confirmation that the concerned vehicle is sought after – defining rights and obligations</p>	<p>database, number of vehicles checked, number of hits, number of sought vehicles which were located, number of information exchanged on the basis of hits into Interpol 's and SIS II database</p>
<b>6.1.23</b>	<p>Upgrade the national information system for the purpose of automatic synchronisation of national and Schengen /</p>	<p>Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Dejan</b></p>	<p>March 2015 (II half of 2019 for SIS II)</p>	<p>EUR 20,000 approximately (for Interpol)/ budget funds/ external</p>	<p>National information system which enables simultaneous checks of all available international</p>	<p>Number of automatic entries/cancellation of searches of vehicles in Interpol's and SIS II databases, number of</p>

\*\*\*\*\* Manual for International Police Cooperation will contain all individual operational procedures related to international police cooperation

	Interpol database of stolen vehicles when entering / cancelling a vehicle search	Đurović)		financing +++++	databases of stolen vehicles upgraded (in the background of the national application used by the end-user)	vehicles found on the basis of searches entered
6.1.24	Harmonise national legislation and define procedures which will allow automatic withdrawal and cancellation of vehicle documents in cases of total destruction of vehicle or when it is determined that the VIN number is forged Introduction of IT system for automatic entry into the Interpol and SIS ii database of stolen vehicles and related vehicle documents	Ministry of Interior – Police Administration ( <b>Nataša Starovlah-Knežević</b> , Dejan Đurović)	December 2015	EUR 10,000 – budget funds	Needs analysis for harmonisation of the national legislation completed;  If needed, legislation harmonised and procedures defined – manner defined for exchange of information between the Ministry of Interior and the Police Administration; Procedures applied;  System for automatic entry/blocking of data from national into international databases (Interpol, SIS	Number of vehicle documents/licence plates which were cancelled due to forged VIN, or destruction of vehicles,  Number of automatic transfer of data from national into international databases

+++++ The funds necessary for synchronisation with SIS II system will be ascertained in a timely manner

					II)	
<b>OBJECTIVE:</b>						
Implement the Prüm Decision						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Indicator of result	Indicator of impact
6.1.25	<p>Establish a working group for implementation of the Prüm Decision and engage an expert in order to:*****</p> <p>1. Analyse the situation with regard to databases of DNA, fingerprints and motor vehicles and possibility of exchanging those data under the Prüm Decision:</p> <p>a. Existence of AFIS system</p> <p>b. Existence of</p>	<p>Ministry of Interior – Police Administration</p> <p><b>(Dejan Đurović, Nataša Starovlah-Knežević)</b></p>	<p>1. March 2014</p> <p>2. March 2014</p> <p>3. September 2016</p> <p>4. March 2016</p> <p>5. June 2015</p> <p>6. March 2016</p> <p>7. March 2016</p> <p>8. First half of 2017</p> <p>9. Following accession to the EU</p> <p>10. Following accession to the EU</p> <p>10 11 Following accession to</p>	<p>1. EUR 10,000 / we will apply for external financing / Expert assistance (TAIEX)</p> <p>2. EUR 10,000 / we will apply for external financing / expert assistance (TAIEX)</p> <p>3. EUR 1, 500,000</p>	<p>Working group established; EU expert engaged:</p> <p>1. Situation analysis made – report with recommendations prepared</p> <p>2. Situation analysis made – report with recommendations prepared</p> <p>3. Recommendations from the analysis implemented</p>	<p>1. /</p> <p>2. /</p> <p>3. Number of checks of databases of DNA and fingerprints (via AFIS and CODIS), number of hits, number of persons identified, number of additional information exchanged after a hit in DNA and fingerprints databases,</p>

\*\*\*\*\* Pursuant to Council Decision 2008/615/JHA and 2008/616/JHA



	<p>CODIS system</p> <p>2. Analyse the IT system as regards its adaptability for meeting commitments arising from the Prüm Decision</p> <p>3. Implement recommendations given in the analysis:</p> <ul style="list-style-type: none"> <li>• procurement of equipment, AFIS, CODIS,</li> <li>• organisation of trainings for the use of CODIS and AFIS,</li> <li>• development of computer programs,</li> <li>• establishment of secure communication links,</li> <li>• define procedures</li> </ul> <p>4. Designate contact points for exchange of data on DNA and fingerprints</p> <p>a. organise</p>		<p>the EU</p> <p>11 12 I quarter 2017, continuously (quarterly)</p> <p>13 II quarter of 2017, continuously (quarterly)</p>	<p>4. External financing (Twining Project SAP) / budgetary funds</p> <p>5. No additional expenses</p> <p>6. external financing -(Twining Project SAP) / budgetary funds</p> <p>7. External financing -(Twining Project SAP) / budgetary funds</p> <p>8. No additional expenses</p> <p>9. No additional expenses</p> <p>10. No additional expenses</p> <p>11. No additional</p>	<p>(CODIS procured and put into operation, number of organised trainings for the use of CODIS and system, efficient AFIS system established, number of trainings for the AFIS system)</p> <p>4. Contact points for DNA and fingerprints designated; , number of trainings conducted for the NCP</p> <p>5. Contact points for exchange of additional information on the basis of DNA and fingerprints</p>	
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	<p>trainings for the NCP</p> <p>5. Designate a contact point for exchange of additional information following hits in the foreign databases of DNAs or fingerprints</p> <p>6. Designate a contact point for exchange of data on motor vehicles' owners</p> <p>a. Organise trainings for the NCP</p> <p>7. Designate contact points for cooperation under the Prüm Decision according to other Articles of the Council Decision</p> <p>a. Organise a training for the NCP</p> <p>8. Implementation of the Council Decision (PRUM) into the</p>			<p>expenses</p> <p>12. EUR 10,000 approximately/ we will apply for external financing - expert assistance (TAIEX)</p> <p>13. Expenses will be assessed after evaluation of implementation of recommendations</p>	<p>hits designated</p> <p>6. Contact point for exchange of data on motor vehicles owners designated, number of organised trainings for the NCP</p> <p>7. Contact point designated for data exchange with regard to other Articles of the Prüm Decision, number of trainings organised for the NCP</p> <p>8. Legal document (decree) for implementation of the Council of the European Union's Decision developed</p>	
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	<p>national legislation</p> <p>9. Prepare a statement on the meeting of obligations arising from Article 36(2) of the Council Decision 2008/615/JHA §§§§§§§§§§§§§§§§</p> <p>10. Send the statement on the register of data on DNA, fingerprints and motor vehicle owners *****</p> <p>11. Sending the statement on national contact points via the Council's General Secretariat +++++</p> <p>12. Evaluate implementation of recommendations</p> <p>13. Implement</p>				<p>9. Statements on obligations met, registrations of databases and national contact points submitted</p> <p>10. Statement on the register of DNA, fingerprints and motor vehicle owners submitted to the competent EU authority</p> <p>11. Statement on national contact points sent to the Council of the European Union's General Secretariat</p> <p>12. Periodic evaluation of implementation of</p>	
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§§§§§§§§§§§§§§§§

Implementation of the decision, which enables data exchange

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Pursuant to obligations concerning the meeting of standards from 36(2) Article of the Council Decision 2008/615/JHA

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	recommendations from the evaluation report				recommendations made – additional recommendations given 13. Recommendations from the evaluation reports met – activities concerning additional recommendations completed	
6.1.26	<p>Define procedures***** for exchange of data with regard to:</p> <ol style="list-style-type: none"> <li>1. Public order (Major Events)</li> <li>2. Terrorism</li> <li>3. Joint operations to be conducted §§§§§§§§§§§§§§§§§§</li> <li>4. Other forms of cross-</li> </ol>	Ministry of Interior – Police Administration <b>(Dejan Đurović)</b>	December 2015	No additional expenses	<p>Procedure for exchange of data defined in accordance with the Council of the European Union Decisions *****</p>	

\*\*\*\*\* These procedures are a part of the unified procedure for international police cooperation  
 §§§§§§§§§§§§§§§§§§ In conjunction with measure 220 of the national Action Plan for the fight against corruption and organised crime  
 \*\*\*\*\* Pursuant to Council Decision EU 2008/615/JHA and 2008/616/JHA of 23/06/2008

	border cooperation					
<b>Obligations assumed at the bilateral screening</b>						
<b>OBJECTIVE:</b> Implement the Swedish Initiative (define standards and operational procedures in international police cooperation)						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Indicator of result	Indicator of impact
<b>6.1.27</b>	<p>Establish a working group for implementation of the Swedish Initiative (Council Decision 2006/960/JHA):</p> <p>1. Situation analysis with regard to »Data availability, Accessibility and Reciprocity«</p> <p>2. Designate contact points (Police, Customs Administration, Public Prosecution Office)</p> <p>a. Designate the International Law Enforcement Coordination Unit as a contact point in the Police Administration</p> <p>3. Introduce 24/7 in</p>	<p>Ministry of Interior – Police Administration <b>(Dejan Đurović),</b> Customs Administration, Public Prosecutor's Office</p>	<p>1. December 2014</p> <p>2. December 2015</p> <p>3. March 2016</p> <p>4. Following accession to the EU</p> <p>5. Following accession to the EU</p> <p>6. Following accession to the EU</p> <p>7. Following accession to the EU</p> <p>8. Following accession to the EU</p>	<p>1. EUR 10,000/ we will apply for external financing (TAIEX)</p> <p>2. No additional expenses</p> <p>3. EUR 100,000 approx. / budget funds</p> <p>4. No additional expenses</p> <p>5. No additional expenses</p> <p>6. No additional expenses</p> <p>7. No additional expenses</p> <p>8. No additional expenses</p>	<p>Working group established:</p> <p>1. Situation analysed and a proposal of measures given</p> <p>2. Contact points in Police, Customs Administration, Public Prosecution Office designated</p> <p>3. 24/7 work introduced in all contact points</p> <p>4. Statement sent to the Council of the European Union</p> <p>5. Statement sent to the Council of the European Union</p> <p>6. All agreements to</p>	<p>Number of information exchanged while respecting the Swedish Initiative standards; number of information exchanged via SIENA</p>

	<p>contact points through access to all databases owned by or available to contact authorities – Police, Customs Administration, Public Prosecution Office) according to the 24/7 principle</p> <p>4. Submit a statement to the Council of the European Union and to the Commission on contact points</p> <p>5. Submit a statement to the Council of the European Union and to the Commission on the contact point for exchange of urgent information and data (Division for International Police</p>		<p>9. March 2015</p> <p>10. First half of 2017 - until the accession to EU</p>	<p>9. No additional expenses</p> <p>10. No additional expenses</p>	<p>be implemented at the national level, following implementation of the Swedish Initiative, defined; statement on agreements whose implementation will continue sent to the Council of the European Union</p> <p>7. Legal document adopted concerning the simplification of information exchange between contact points and the EU member states</p> <p>8. Copy of the legal document transposing the Swedish Initiative</p>	
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\*\*\*\*\* Pursuant to Article 2(a), 11136/08 CRIMORG 97 ENFOPOL 126 COMIX 522 ENFOCUSTOM 68 (Police, Customs

	<p>Cooperation) *****</p> <p>6. Specify all agreements which will continue to be applied and send a statement to the Council of the European Union on agreements that Montenegro will continue to apply</p> <p>7. Transpose into the national legislation the Council Framework Decision on simplifying the exchange of information and intelligence between contact points in Montenegro and the responsible authorities of the EU Member States</p>				<p>into the national legislation, sent</p> <p>9. Decision taken to use SIENA as a channel for information exchange in accordance with the Swedish Initiative</p> <p>10. Analysis of recommendations implemented; relation between the proposed and implemented measures</p>	
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\*\*\*\*\*Pursuant to Article 6 11136/08 CRIMORG 97 ENFOPOL 126 COMIX 522 ENFOCUSTOM 68

\*\*\*\*\*Pursuant to Article 12 (6) published in Council of the European Union's document 11136/08 CRIMORG 97 ENFOPOL 126 COMIX 522 ENFOCUSTOM 68

	<p>8. Send a copy of articles transposing the "Swedish Framework Decision" into the national legislation</p> <p>9. Designate SIENA as a channel for exchange of information and data</p> <p>10. Implement adopted documents, mechanisms and procedures</p>					
<b>6.1.28</b>	<p>Define operational procedures for international police cooperation by developing a manual (instructions) for international police cooperation *****</p>	<p>Ministry of Interior – Police Administration <b>(Dejan Đurović)</b></p>	December of 2015	External financing – (Twining project SAP)	Operational procedure adopted <sup>+++++</sup> Number of training, number of trained officers	Number of information exchanged in international police cooperation,, number of joint international police activities coordinated by foreign services for international police cooperation number of entries of data into the available international

\*\*\*\*\* This Manual will contain all individual operational procedures related to international police cooperation  
+++++ In accordance with the standards from Council Framework Decision 32006F0960



						databases
<b>6.1.29</b>	<ol style="list-style-type: none"> <li>1. Develop a "case management" application for the entire operational police cooperation</li> <li>2. Introduction of the Case Management application at the level of the Police Directorate and linking the application to the single crime intelligence system</li> <li>3. Determine the form of the request to be used for international police cooperation – integration into the case management application</li> <li>4. Analyse, develop plan</li> </ol>	Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Dejan Đurović),</b> Directorate for Data Confidentiality, Police Academy <b>(Milica Pajovic/Jelena Tomic)</b>	<ol style="list-style-type: none"> <li>1. July 2014</li> <li>2. June 2016</li> <li>3. December 2014</li> <li>4. March of 2015</li> <li>5. March 2014 - continuous</li> </ol>	<ol style="list-style-type: none"> <li>1. EUR 25,000 / we will apply for external financing – projects – external financing</li> <li>2. EUR 50,000 / we will apply for external financing – external financing ( budgetary funds)</li> <li>3. No additional expenses</li> <li>4. EUR 100,000 approximately / we will apply for external</li> </ol>	<ol style="list-style-type: none"> <li>1. Case management application developed</li> <li>2. Application connected to the crime intelligence system for the purpose of storing data</li> <li>3. Form of the request defined</li> <li>4. Intranet developed – information exchange through electronic protected channel at the level of the Mol</li> <li>5. Training plan</li> </ol>	Number of cases entered into the case management application, number of information entered, number of information/cases transferred from the application into the crime intelligence system (Infostream), number of information exchanged via the INTRANET,

\*\*\*\*\* In conjunction with measure 6.2.41 of AP 24

\*\*\*\*\* In conformity with Council Framework Decision 2006/960/JHA of 18/12/2006

\*\*\*\*\* In accordance with the standards from Council Framework Decision 2006/960/JHA of 18/12/2006

	and connect all police units through the single electronic protected network (INTRANET) for the purpose of enabling exchange of data			financing – Projects, Expert assistance (budgetary funds)	developed Number of organised trainings, number of employees who have undergone the trainings	
	5. Train employees that will use the case management application			5. EUR 10,000 / budgetary funds		

## 6.2 FIGHT AGAINST ORGANIZED CRIME

(Coordinators for the area of fight against organized crime: Saša Milić, Ministry of Interior; Radmila Ćuković, Deputy Supreme Public Prosecutor; Veljko Rutović, Deputy High Public Prosecutor; and Milenka Žižić, judge of the Appellate Court)

### TRENUTNO STANJE

As for fight against organized crime, Montenegro strengthened its legislative framework, but it is still important to continue work on the legislative alignment. Montenegro also must enhance the provisions on the use of special investigative measures.

Montenegro actively participates in the development and enhancement of regional cooperation in view of effective and efficient law enforcement. Moreover, it established practical cooperation with some EU member states. As a result, several police operations were led in cooperation with bodies from EU, MSs, as well as with other countries of the region, and with Interpol and Europol. Special focus will be placed on achieving results in investigations, prosecutions and

judgments. **Protocol on Cooperation of the Ministry of the Interior - Police Administration and the Supreme Public Prosecutor's Office, which will govern cooperation in pre-trial and criminal procedure** is signed (April 2014).

**Intelligence Led Policing (ILP)** model is implemented in police and capacities of the relevant department have been strengthened. The public version of "**Serious and Organized Crime Threat Assessment in Montenegro**" (MNE SOCTA 2013) was made public on the website of the MoI/Police Administration. Classified SOCTA version was distributed to end-users at the operational level in the Police Administration/MoI and to the Special prosecutor for fight against organized crime. Further capacity building in the field of intelligence-led management, use of measures of secret surveillance and undercover investigators is done in partnership with the EU via the project IPA2012 "EU Support to the Rule of Law - EUROL". On the basis of recommendations from MNE SOCTA 2013, Strategic Managing Group of the Police Administration/MoI produced and distributed to operational units of the Criminal Police Department "Action Plan for fight against serious and organized crime" for the period until the end of 2015.

As for **witness protection in the fight against serious crime and terrorism**, activities are conducted through the continued regional project WINPRO II, for a period of 36 months, starting from January 2013. The Parliament adopted the **Law on Amendments to the Law on Protection of Witnesses** (Official Gazette of Montenegro 31/14). Specific actions were taken in order to restructure the Witness Protection Unit, its operational and professional capacities, in accordance with the EU practices and recommendations of EU experts, in order to improve the harmonization of regulations and operating procedures.

Grounds for actions in this area are comprised in: the Criminal Procedure Code, Criminal Code, Law on Internal Affairs, Law on Personal Data Protection, Law on Data Confidentiality, Law on DNA, Law on Management of Seized and Confiscated Assets, Law on Witness Protection, Law on Criminal Liability of Legal Persons. In addition to the current legal framework and planned activities in this area, the following are also grounds for actions:

- The 2011-2016 Strategy for fight against organized crime and corruption (link: [www.antikorupcija.me](http://www.antikorupcija.me)),
- The 2011-2016 Strategy for fight against terrorism, terrorist financing and money laundering (link: [www.mod.gov.me](http://www.mod.gov.me)), and
- The 2012-2018 Strategy for combating trafficking in human beings (link: [www.mup.gov.me](http://www.mup.gov.me)).

Taking into account the recommendations of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) after the third evaluation round of anti-money laundering and terrorist financing system (AML/TF system), during 2013, the Law on Amendments to the Criminal Code was adopted.

In order to further harmonize the Law on Prevention of Money Laundering and Terrorist Financing with MONEYVAL recommendations and with the updated recommendations of the Financial Action Task Force (FATF), the text of the **new Law on the Prevention of Money Laundering and Terrorist Financing** was

developed in 2013 and 2014. The said law was adopted on 25 July 2014 in the Parliament of Montenegro (Official Gazette of Montenegro 33/14), and it entered into force on 12 August 2014.

In the area of **cybercrime**, in 2005 Montenegro signed the **Budapest Convention on Cybercrime** (ratified in 2010), as well as the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Following their ratification, Montenegro aligned its criminal legislation with the provisions of these Conventions, as well as with the **Council Framework Decision 2005/222** on attacks against information systems and the **Council Framework Decision 32000D0375** to combat child pornography on the Internet. The strategic framework in this area is defined by the **2013 - 2017 Strategy on cyber security of Montenegro**, which defines, among other things, the key steps in capacity building and training courses of repressive bodies with a view to efficient fight against cybercrime. In addition, pursuant to the Convention on Cybercrime, Montenegro actively participates in the work of the Cybercrime Convention Committee (T-CY), which monitors the implementation of the Convention on Cybercrime, as well as in the Council of Europe 24/7 Network, established on the basis of the Convention, which has to be available at all times to provide assistance in matters relating to cybercrime in Montenegro.

Division for fight against organized crime and corruption was established at the Ministry of Interior-Police Administration, within the Criminal Police Department, and it includes an organized economic crime suppression team. The team includes staff specifically in charge of fighting cybercrime and copyright misuse. A CERT team was established within the Ministry of Information Society, which is responsible, among other things, to react in emergencies, in cases of unauthorized intrusions into protected databases.

Montenegro will increase its capacities to prevent and combat **cybercrime** and it has already adopted a comprehensive **2013 – 2017 Strategy of cyber security**. Montenegro will also align its substantive and procedural legislation with the Directive 2013/40/EU on attacks against information systems, and replacing Council Framework Decision 2005/222/JHA, as well as with Directive 2011/92/EU on combating child pornography, and replacing Council Framework Decision 2000/375/JHA. The capacities to combat cybercrime will be increased by establishing a new unit in the Ministry of Interior-Police Administration in charge of combating cybercrime and also dedicated to training staff for various types of cybercrime events and by establishing a legislative framework in the field of cybercrime.

At its session held on 13 September 2012, the Government of Montenegro adopted the new **2012-2018 Strategy on the fight against trafficking in human beings** and a two-year Action Plan (link: [www.antitrafficking.gov.me](http://www.antitrafficking.gov.me)).

As for the field of **fight against trafficking in human beings**, normative framework is established, enabling efficient criminal prosecution and punishment of

perpetrators of trafficking in human beings/children and providing support and protection to victims of trafficking in human beings/children in Montenegro, is a result of a long-term reform and harmonisation with the applicable international standards. The most important regulations governing these matters are: the Criminal Code, Criminal Procedure Code, Law on Witness Protection, Law on Free Legal Aid, Law on Foreigners, Law on Mutual Legal Assistance in Criminal Matters, Law on Personal Data Protection, Law on Treatment of Minors in Criminal Procedure, Law on Liability of Legal Persons for Criminal Offences as well as the Protocol on Cooperation with Union of Employers of Montenegro, and the Code of Conduct for the Protection of Minors from Sexual Exploitation in Travel and Tourism.

The **Law on Amendments to the Criminal Code as of August 2013** contains the following modifications: in Article 444 paragraph 1, forms of exploitation resulting from the commission of trafficking in human beings include 'slavery and slave-like relationships' and 'contracting an illicit marriage'; Article 444 is amended by new paragraph 9 which stipulates that the consent of the victim of trafficking in human beings to exploitation is irrelevant. Article 142, paragraph 11, defines the meaning of the term 'victim of crime'. In line with UN Convention on the Rights of the Child, Article 445 'trafficking in children for adoption' was amended by replacing the term 'child' with the term 'minor', which includes persons who are up to 18 years of age. Also, two new Articles were included – 295a - trafficking in human organs and 295b – advertising trafficking in human organs.

Inter-agency cooperation was enhanced by signing the revised Agreement on cooperation in the fight against human trafficking between state bodies (the Supreme Court, Supreme Public Prosecutor's Office, Ministry of Health, Ministry of Labour and Social Welfare, Ministry of Education, Ministry of Interior/Police Administration, General Secretariat of the Government/Office for Fight against Trafficking in Human Beings), PI Centre for Child and Family Support from Bijelo Polje, Montenegro Red Cross and six NGOs.

***Recommendation 1 from the Screening Report – Fight against organised crime***

**OBJECTIVE:**

Harmonisation of the national legislation with the *acquis*

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.1	Amend the Law on Liability of Legal Persons for Criminal Offences – harmonisation with Article 6, items a) and e) of the	Ministry of Justice ( <b>Merima Baković</b> )	December 2015	Budget	Working group established Draft amendments	Law harmonised with the Framework Decision 2008/841

	Framework Decision 2008/841 in respect of sentences for legal persons.				made Public debate organised Law adopted	
<b>6.2.2</b>	Produce a report on the necessity to amend the Criminal Procedure Code  <i>Note: the same measure is provided for in the Action Plan for negotiation chapter 23 under Repressive Actions against Corruption (measure 2.2.2.1).</i>	Ministry of Justice <b>(Branka Lakočević, Merima Baković)</b>	June 2013.	Budget of the Ministry of Justice €6,029  OSCE project expert support IPA 2010 Strengthening the Prosecutors' Network expert support	Report produced on the scale of necessary CPC amendments and a decision taken on the period when to introduce specific CPC amendments	Improved pre-trial investigation phase based on improved ratio between investigations launched and cases brought before court  Increase in the value of confiscated criminal assets following convictions for corruption  Increase in the number of high level corruption cases investigated, prosecuted and

						trialed
<b>6.2.3</b>	<p>Adopt the Law Amending the Criminal Procedure Code</p> <p><i>Note: the same measure is provided for in the Action Plan for negotiation chapter 23 under Repressive Actions against Corruption, measure 2.2.2.2.</i></p>	<p>Government</p> <p>Parliament</p>	<p>March 2015.</p> <p>June 2015.</p>	<p>Budget €97,260, Donations €2,700</p>	<p>Working team established; Working version of the document adopted; Opinion of EC experts received; Criminal Procedure Code amended</p>	
<b>6.2.3.1</b>	<p>Monitoring the implementation of amended CPC provisions</p> <p><i>Note: the same measure is provided for in the Action Plan for</i></p>	<p>Ministry of Justice (<b>Branka Lakočević,</b> <b>Merima Baković</b>)</p>	<p>June 2015.</p>	<p>Budget</p>	<p>Implementation plan of the Law Amending the CPC adopted</p>	<p>Annual reports on the implementation of amended CPC provisions</p>

		<i>negotiation chapter 23 under Repressive Actions against Corruption (sub-measure 2.2.2.4).</i>					
6.2.4	Harmonise the Law and bylaws on the DNA registry with the EU Council Resolution ++++++	Ministry of Interior ( <b>Miloš Vukčević,</b> Dragana Đurišić, Sandra Kovačević, Saša Milić, Dalibor Medojević, Dragan Radonjić, Darko Vujović)	December 2014.	Budget: €25,000 TAIEX: €2,700	Established ESS (European Standard Set) through the adoption of amendments to the Law/bylaw on the DNA register	Number of DNA profile checks, Number of hits in the DNA database, Number of processed persons upon the basis of established DNA profile match, Number of profiles in the DNA registry.	
Recommendation 2 from the Screening Report – Fight against organised crime							
OBJECTIVE: Building capacities of police, prosecution services and the Administration for Prevention of Money Laundering and Terrorism Financing for investigating organised crime, especially economic and financial crime, inter alia money laundering							
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator	
6.2.5	Make a comprehensive analysis of	Ministry of Interior	October	Budget of the Ministry of	Analysis made	Indicator 1:	

+++++ U skladu sa odlukom 32009G1205(01) od 30. novembra 2009. o razmjeni rezultata analize DNK



	<p>the organisational structure, capacities and competences of state authorities and public administrative bodies in the fight against organised crime and corruption.</p> <p><i>Note: The same measure is provided for in AP 23 part 2.2 Repressive Actions Measure 2.2.1.1.</i></p>	<p><b>(Miloš Vukčević, Maja Raspopović, Milan Tomić, Saša Milić, Dragan Radonjić)</b> Ministry of Justice <b>(Merima Baković)</b></p>	2013.	<p>Justice €6,029</p> <p>OSCE project expert support IPA 2010 Strengthening the Prosecutors' Network expert support</p>	<p>with recommendations for amending the legislative and institutional framework for the fight against corruption in accordance with the Government's Work Plan - priority activities point 56</p>	<p>improved pre-trial investigation phase based on improved ratio between investigations launched and cases brought before court. (Tool : PRIS)</p> <p>Indicator 2 : Increase in the value of confiscated criminal assets following convictions for corruption (Tool : reports from the asset confiscation directorate)</p> <p>Indicator 3: Increase in the number of high level corruption cases</p>
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						investigated, prosecuted and tried.
<b>6.2.6</b>	<p>Adopt the Implementation plan of conclusions from the previous Analysis paper with concrete measures to be implemented, competent authorities and the time limits in which the planned measures should be undertaken</p> <p><i>Note: The same measure is provided for in AP 23 part 2.2 Repressive Actions Measure 2.2.1.2.</i></p>	<p>Ministry of Interior (<b>Miloš Vukčević</b>, Maja Raspopović, Milan Tomić, Saša Milić, Dragan Radonjić)</p> <p>Ministry of Justice (<b>Merima Baković</b>)</p>	December 2013.	Budget of the Ministry of Justice €3,000	Implementation plan of conclusions from the Analysis paper adopted	
<b>6.2.7</b>	<p>Merge two specialized divisions of high courts into one at the High Court in Podgorica with the aim of centralising competences for criminal offences involving organised crime, corruption, terrorism and war crimes</p> <p><i>Note: Detailed activities, competent authorities and deadlines are defined by the</i></p>	<p>Judicial Council (<b>Darko Drašković</b>)</p> <p>High Court Podgorica (<b>Sanja Kalezić</b>)</p> <p>High Court Bijelo Bolje (<b>Sanja Kalezić</b>)</p> <p>Judicial Council's Secretariat (<b>Darko Drašković</b>)</p> <p>Ministry of Justice (<b>Merima Baković</b>)</p>	March 2015	Budget of the Supreme Court of Montenegro €3,824	<p>Analysis made of human and technical resources in specialised divisions</p> <p>Decision on number of judges modified</p>	Centralised competence for the criminal offences of organised crime, corruption, terrorism and war crimes

	<i>Judicial network rightsizing plan</i> <i>Note: The same measure is provided for in AP 23 part 2.2 Repressive Actions Measure 2.2.1.3.</i>					Plan made for takeover of cases	
<b>6.2.8</b>	Establish a Special Public Prosecutor's Office which will be competent to prosecute perpetrators of high-level corruption (in public and private sector), organised crime, terrorism and war crimes  <i>Note: The same measure is provided for in Chapter 23, part 2.2 Repressive Actions against Corruption, measure 2.2.1.4.</i>		Judicial Council <b>(Stojanka Radović)</b>  Special Public Prosecutor's Office <b>(Đurđina Ivanović)</b>	June 2015.	Ordinary budgetary funds €503,237.66  Additional budgetary funds needed In the MNE budget for 2015 150.000,00	Special Public Prosecutor's Office established  Functional link between the Police Administration and the Special Public Prosecutor's Office established	
	<b>6.2.8.1</b>	Adopt the Law on Special Public Prosecutor's Office	Parliament	February 2015.	Budget	The Law on Special Public Prosecutor's Office adopted	
	<b>6.2.8.2</b>	Adopt a decision on the needed number of public prosecutors, including special	Judicial Council <b>(Stojanka Radović)</b>	February 2015.	Budget	Decision adopted	

		prosecutors					
	<b>6.2.8.3</b>	Publish an open job advertisement for the appointment of the chief special prosecutor and special prosecutors	Judicial Council ( <b>Stojanka Radović</b> )	March 2015.	Budget	Job advertisement published	
	<b>6.2.8.4</b>	Appoint the chief special prosecutor and the special prosecutors	Judicial Council ( <b>Stojanka Radović</b> )	May 2015.	Budget €109,000	Chief special prosecutor and special prosecutors appointed	
	<b>6.2.8.5</b>	Carry out a takeover of cases under the competence of the Special Public Prosecutor's Office from the Division for suppressing organized crime, corruption, terrorism and war crimes	Special Public Prosecutor's Office ( <b>Đurđina Ivanović</b> )  Supreme Public Prosecutor's Office ( <b>Stojanka Radović</b> )	May 2015.	Budget	Case takeover conducted	

	<b>6.2.8.6</b>	Carry out a takeover of duties from the Division for suppressing organized crime, corruption, terrorism and war crimes, of employees in charge of those duties, of equipment, resources and official documents	Special Public Prosecutor's Office ( <b>Đurđina Ivanović</b> )  Supreme Public Prosecutor's Office ( <b>Stojanka Radović</b> )	May 2015.	Budget	Takeover of duties, of employees in charge of those duties, of equipment, resources and official documents carried out	
<b>6.2.9</b>		Establish an information system at the Public Prosecutor's Office, including the Special Public Prosecutor's Office  <i>Note: The same measure is provided for in Chapter 23, sub-measure 2.2.1.4.7.</i>  <i>Reference: measure 6.1.8. and 6.2.26 in the AP24</i>	Supreme Public Prosecutor's Office ( <b>Stojanka Radović</b> )	December 2015	Budget of the Public Prosecutor's Office for 2015,  Donations	Information system established	

<b>6.2.10</b>	Ensure spatial and technical conditions for work of the Special Public Prosecutor's Office  <i>Note: The same measure is provided for in Chapter 23, part 2.2 Repressive Actions against Corruption, measure 2.2.1.6.</i>	Supreme Public Prosecutor's Office <b>(Radmila Ćuković/Đurđina Ivanović)</b>	March – May 2015	Budget €41,000.00	Conditions for work of the Special Prosecutor's Office ensured	
<b>6.2.11</b>	Increase human resource capacities of the Special Prosecutor's Office  <i>Note: The same measure is provided for in Chapter 23, part 2.2 Repressive Actions against Corruption, measure 2.2.1.7.</i>	Supreme Public Prosecutor's Office <b>(Radmila Ćuković/Đurđina Ivanović)</b>	May 2015	Budget €44,000.00	Human resource capacities increased	
<b>6.2.11.1</b>	Adopt the act on internal organisation and job descriptions of the Special Public Prosecutor's Office	Supreme Public Prosecutor's Office <b>(Stojanka Radović)</b>	May 2015.	Budget	The act on internal organisation and job descriptions of the Special Public Prosecutor's Office adopted, specifying the needed number	

						and profiles/titles of civil servants and state employees	
	<b>6.2.11.2</b>	Start filling in vacancies in accordance with the Act on internal organisation and job descriptions of the Special Public Prosecutor's Office	Supreme Public Prosecutor's Office ( <b>Stojanka Radović</b> )	May - September 2015.	Budget €44,000.00	Civil servants and state employees employed	
<b>6.2.12</b>	Adopt the Law on the Special Public Prosecutor's Office, which will enable the establishment of a team comprising expert assistants and accountants, experts in money laundering, banking experts, experts in taxes and in international banking transactions  <i>Note: The same measure is provided for in Chapter 23, part 2.2 Repressive Actions against Corruption, measure 2.2.3.1.</i>		Parliament	February 2015.	Budget	The Law on Special Public Prosecutor's Office adopted	Number of teams for complicated cases  Increased success rate in investigation processes regarding the cases in which expert team is formed
<b>6.2.13.</b>	Ensure transparent, and in line with EU standards, system for		Ministry of Interior ( <b>Miloš Vukčević</b> )	January-december	Budget/TAIEX		

	recruitment, career advancement and trainings for police officers			2015.			
	<b>6.2.13.1</b>	Analysis of the current state of recruitment, career advancement and trainings for police officers	Ministry of Interior <b>(Miloš Vukčević)</b>	October 2015.	Budget	Analysis developed	
	<b>6.2.13.2</b>	Adopt the Plan of activities which will undertaken in order to im recruitment, career advancement and trainings for police officers prove system for	Ministry of Interior <b>(Miloš Vukčević,</b> Radovan Ljumović)	December 2015.	TAIEX	Plan of activities made	
	<b>6.2.13.3</b>	Adopt new Law on internal affairs	Ministry of Interior <b>(Miloš Vukčević)</b>	III quarter 2017.	TAIEX	Law on internal affairs adopted	
<b>6.2.14</b>	In accordance with expert's recommendations, establish the Special police unit within the Criminal police sector which will act under Special procesutor's office warrant		Ministry of Interior	February-december 2015.	Budget /TAIEX		Improved functional relation between Police and Special prosecutor's office  Number of initiated investigations



	<b>6.2.14.1</b>	Draft the Proposal for the Rulebook	Ministry of Interior	February 2015.	Budget	Draft proposal developed	
	<b>6.2.14.2</b>	Adopt the amendments on Rulebook on internal organization and jobs description	Ministry of Interior <b>(Miloš Vukčević)</b>	April 2015.	Budget	Amendments on Rulebook on internal organization and jobs description adopted	
	<b>6.2.14.3</b>	Make the analysis of current state regarding the assessment of number of needed employees and personnel structure	Ministry of Interior <b>(Ivan Jokić, Dragana Babović)</b>	September 2015.	TAIEX	Analysis developed	
	<b>6.2.14.4</b>	Filling vacancies	Ministry of Interior	December 2015.		Vacancies filled	

<b>6.2.15</b>	Enhance the material and technical capacities of the Division for Fight against Organised Crime, Division for Suppression of General Forms of Crime and Division for Suppression of Economic Crime (6.2.13 and 6.2.14 merged)  <i>Note: Connection with measure provided for in Chapter 23, part 2.2 Repressive Actions against Corruption, measure 2.2.1.8.</i>	Ministry of Interior ( <b>Saša Milić</b> , Saša Rakočević, Dragan Radonjić, Zoran Asanović, Nataša Starovlah-Knežević, Ranko Vojinović)	March 2015-III quarter 2018.	Total procurements for 2014-2018: €2,865,000  (Budget / IPA II)		Number of initiated investigations
<b>6.2.15.1</b>	Initiated procurement procedures		March 2015.	/		
<b>6.2.15.2</b>	Provisions of vehicles		September 2015. September 2016. September 2017.	Budget 2015= 500.000€ 2016= 600.000€ <b>IPAI procurement</b> 2017= 350.000€	vehicles procured	
<b>6.2.15.3</b>	Applying for IPA II funds to procure vehicles and equipment		April 2015.	/		
<b>6.2.15.4</b>	Procurement of IT equipment		III quarter 2016.	<b>IPAI procurement</b> 2016=150.000€	IT equipment procured	

	<b>6.2.15.5</b>	Procurement of communication equipment		III quarter 2016. III quarter 2017.	Budget 2016= 90.000€ <b>IPAI procurement:</b> 2017= 90.000€	communication equipment procured	
	<b>6.2.15.6</b>	Procurement of personal protection sets (bullet-proof vest)		III quarter 2017.	<b>IPAI procurement</b> 2017= 190.000€	personal protection sets (bullet-proof vest) procured	
	<b>6.2.15.7</b>	Procurement of sets for evidence collecting	Ministry of Interior <b>(Zoran Asanović)</b>	III quarter 2018.	<b>IPAI procurement</b> 2018= 50.000€	sets for evidence collecting procured	
	<b>6.2.15.8</b>	Procurement of metal safes for classified documents		III quarter 2018.	<b>IPAI procurement</b> 2018= 45.000€	metal safes for classified documents procured	

	<b>6.2.15.9</b>	Maintenance and depreciation of procured equipment (up to 20% value)		From 2017.	Budget 2017= 400.000€ 2018= 400.000€		
<b>6.2.16</b>	Enhance human resource capacities and efficiency within the Criminal Police Department  (Measure 6.2.17, 6.2.18 , 6.2.19 and 6.2.20 from the previous AP merged)		Ministry of Interior ( <b>Saša Milić, Dragan Radonjić</b> )	April 2015- december 2018.	Budget Donations and TAIEX		Number of initiated investigations
	<b>6.2.16.1</b>	Amendments to the Rulebook on internal organisation and job descriptions adopted  <i>Reference: measure 2.2.3.3. in the AP23</i>	Ministry of Interior ( <b>Miloš Vukčević</b> )	April 2015.	/	Amendments to the Rulebook on internal organisation and job descriptions adopted	
	<b>6.2.16.2</b>	Increased number of employees in specialized units within the Division for Fight against Organised Crime*****	Ministry of Interior ( <b>Saša Milić</b> )	From september 2015. to september 2018.	Implemented via an in internal re-assignment of police officers	Increased number of employees in specialized units	

\*\*\*\*\* Specijalizovane organizacione jedinice za: finansijske istrage; visokotehnološki kriminal; trgovinu ljudima i terorizam

	<b>6.2.16.3</b>	Reorganize, define competences of and centralize the economic crime working field  <i>Reference: measure 2.2.1.9. in the AP23</i>	Ministry of Interior <b>(Dragan Radonjić)</b>	April 2015.	Budget	Rulebook on internal organisation and job descriptions adopted (no increase in the number of employees)	
	<b>6.2.16.4</b>	Allocation of employees to vacancies in the economic crime field of work  <i>Reference: measure 2.2.3.4. in the AP23</i>	Ministry of Interior <b>(Dragan Radonjić)</b>	September 2015.	Implementation via internal reallocation of police officers. (no additional increase of the number of employees)	Decisions on allocation adopted	
	<b>6.2.16.5</b>	Organize special trainings in the economic and organized crime field of work  <i>Reference: measure 2.2.3.5. in the AP23</i>	Ministry of Interior <b>(Dragan Radonjić),</b>  Policijska akademija <b>(Milica Pajović/Jelena Tomić)</b>	from january 2014. to december 2018.	Donations and TAIEX	Number of trainings  Number of officers included	



6.2.18	Organise training courses of employees from the Forensic Centre's team for examination of information technologies by training two officers in forensic analysis of computers, two officers in forensic analysis of mobile phones, and one officer in analysis of bank cards ***** (reference: measure 6.2.16 from the previous AP)  <i>Note: The same measure is provided for in AP 23 part 2.2 Repressive Actions Measure 2.2.1.16.</i>	Ministry of Interior (Zoran Tomčić, Jakša Backović)	December 2015.	Budget  TAIEX	Conducted training courses  Number and structure of participants  Evaluating the success of training via evaluation forms	
<b>Recommendation 3 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b> According to the new recommendations of the Financial Action Task Force (FATF), analyse the Montenegrin legislation and amend it accordingly						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.19	Analyse and amend Montenegrin legislation in accordance with	Ministry of Finance – Administration for	December 2013.	Budget - €27,300.00 TAIEX - €2,700.00	Amendments of relevant	Legislative framework

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The measure which relates also to the area of cybercrime.

	<p>recommendations of the Financial Action Task Force</p> <p><i>(reference 6.2.21 from previous AP)</i></p>	<p>Prevention of Money Laundering and Terrorism Financing <b>(Kristina Baćović)</b>, Ministry of Justice <b>(Merima Baković)</b>, Supreme Public Prosecutor's Office <b>(Dražen Burić)</b>, Ministry of Interior – Police Directorate <b>(Saša Milić, Dalibor Medojević, Dragan Radonjić)</b>, Central Bank of Montenegro</p>		<p><b>Total</b> <b><u>€30,000.00</u></b></p>	<p>laws and bylaws (CC, Law on AML/FT) finalised</p> <p>Montenegrin legislation harmonised with FATF recommendations</p>	<p>harmonised with FATF recommendations ensures a broader scope of application of relevant laws to the regulated sector</p>
<b>6.2.20</b>	<p>Organise training courses on the implementation of new FATF recommendations for employees of institutions involved in the AML/FT prevention system, as well as for obligated entities</p> <p><i>(reference 6.2.22 from previous AP)</i></p>	<p>Ministry of Finance – Administration for Prevention of Money Laundering and Terrorism Financing <b>(Kristina Baćović)</b>, Human Resources Administration <b>(Jadranka Đurković)</b>,</p>	<p>December 2015.</p>	<p>Budget- €11,300.00 TAIEX - €2,700.00 <b>Total</b> <b><u>€14,000.00</u></b></p>	<p>Training plan for the regulated sector developed</p> <p>Number of organized training courses and number of</p>	



					participants	
					Number of trained trainers	
<b>6.2.21</b>	Develop a set of key rules for the regulated sector on implementation of the new FATF recommendations  <i>(measure 6.2.23 from previous AP)</i>	Ministry of Finance – Administration for Prevention of Money Laundering and Terrorism Financing <b>(Kristina Baćović)</b> , Ministry of Justice <b>(Merima Baković)</b> , Supreme Public Prosecutor's Office <b>(Dražen Burić)</b> , Ministry of Interior <b>(Saša Milić, Dalibor Medojević, Dragan Radonjić)</b> Central Bank of Montenegro	December 2015.	Applying for IPA/Twinning projects Needed funds up to 150,000	Development of brochures/leaflets on the manner of implementing the new FATF recommendations	Informing the regulated sector about FATF recommendations and their implementation into the Montenegrin legislation

**Recommendation 4 from the Screening Report – Fight against organised crime**

**OBJECTIVE:**

Increase and application of sanctions for failure to comply with legislation and reporting obligations

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.22	Increase and apply sanctions for failure to comply with legislation and reporting obligations  (measure 6.2.24 from previous AP)	Ministry of Finance – Administration for Prevention of Money Laundering and Terrorism Financing ( <b>Kristina Baćović</b> ), Ministry of Justice ( <b>Merima Baković</b> ), Supreme Public Prosecutor's Office, Ministry of Interior – Police Directorate ( <b>Saša Milić</b> , Dalibor Medojević, Dragan Radonjić), Central Bank of Montenegro	January - september 2014.	Budget- €15,300.00 TAIEX - €2,700.00 <b>€18,000.00 total</b>	Amendments of legal provisions referring to increase of the amount of sanctions for failure to comply with legislation and reporting obligations made.  Plan for a wider control of obliged entities – controlled sector produced  Increased number of sanctions imposed for	Increase and application of sanctions for failure to comply with legislation and reporting obligations

					failure to act in line with the legislation	
<b>Recommendation 5 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b>						
Establish policy of information technology that would identify hardware and software requirements for data analysis related to money laundering						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.23	Replace and improve the information system of the Administration for Prevention of Money Laundering and Terrorism Financing (APMLTF) <i>(measure 6.2.25 from previous AP)</i>	Ministry of Finance – Administration for Prevention of Money Laundering and Terrorism Financing <b>(Kristina Baćović)</b>	IV quarter 2016.	IPA 2012 (EU Support to the Rule of Law)/ Budget Required funds in the amount of ca. €500,000.00: 2014 - €300,000.00 2015 - €150,000.00 2016 - €50,000.00	Performed analysis of the existing IT system which is a combination of old hardware and out-dated software which cannot provide level of services and security necessary for the work at APMLTF	Improved efficiency in the analysis of data related to money laundering and terrorism financing  Electronic receipt of regular reports on transactions for all types of obligated entities. Uniform electronic processing and exchange of information, requests and orders between APMLTF, obligated entities

					<p>Solutions to eliminate the existing shortcomings proposed,</p> <p>Hardware and software system the APMLTF improved</p>	<p>and other competent law enforcement agencies.</p> <p>Automation of working processes in the Administration, efficient management of cases, analysis and documents as well as the possibility to apply modern analytical tools for detection and processing of suspicious transactions and persons.</p> <p>Improved network infrastructure and improving safety of the system itself.</p>
<b>Recommendation 6 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b>						

Improvement of inter-institutional cooperation by facilitating access to information to investigators at all levels and strengthening capacities of investigative inter-institutional teams						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.24	Signed Protocol on Cooperation of the Ministry of Interior - Police Administration and the Supreme Public Prosecutor's Office, which will govern cooperation in pre-trial and criminal procedure ( <i>measure 6.2.26 from previous AP</i> )  Note: The same measure is provided for in the AP 23, under 2.2.4.1.	Supreme Public Prosecutor's Office ( <b>Veselin Vučković</b> ) Ministry of Interior – Police Administration ( <b>Miloš Vukčević</b> , Maja Raspopović, Hermin Šabotić, Milan Tomić, Radovan Ljumović)	April 2014.	Ordinary funds from the budgets of both bodies	Protocol signed	Clearly defined roles of the police and prosecutor's office when taking actions in preliminary investigations related to corruptive and other criminal offences
6.2.25	Sign agreements between state bodies of Montenegro on exchange of information necessary for collecting data in pre-trial and criminal procedure (Public Prosecutor's Office, Police Administration/MoI, Tax Administration, Customs Administration, Harbour Master's Office, etc.)  <i>measure 6.2.27 from previous AP</i>	Public Prosecutor's Office ( <b>Stojanka Radović</b> ), Police Administration/MoI, Tax Administration ( <b>Rade Simonović</b> ), Customs Administration, Harbour Master's Office	January 2015 and onwards	Budget	Agreements concluded	Possibility for exchange of information between state bodies created Increased success rates in conducting investigations in cases that end up before the court in line with the increase in the

	<i>Note: The same measure is provided for in the AP 23, under 2.2.4.2.</i>					number of joint activities.
<b>6.2.26</b>	In line with expert recommendations, establish channels of secure communication for exchange of electronic e-mail and information <sup>+++++</sup> (Info-ex, Secure Mailing Service ) between the police, Special Prosecutor's Office and the High Court. Connection with other law enforcement agencies will be carried out via measure 6.1.8.  (measure 6.2.31 from previous AP)	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Dejan Đurović, Nikola Rogošić) Ministry of Justice <b>(Dušan Polović, Merima Baković)</b> Special Prosecutor's Office High Court <b>(Sanja Kalezić)</b>	December 2015.	TAIEX: €5,400  MNE budget: 2014=€80,000 2015=€20,000	Created system for exchange of e-mails and information	Statistics on exchanged messages

**Recommendation 8 from the Screening Report – Fight against organised crime**

**OBJECTIVE:**

Capacity building and increasing the resources of special police units to conduct secret surveillance measures and building organisational, administrative and technical capacities for implementation of the Intelligence Led Policing (ILP) model in the police at central, local and regional level, as well as at the national (inter-institutional) level

**SUB-OBJECTIVES (RESULTS):**

- Provide appropriate means and support for specialised units for fight against organised crime within the police,

<sup>+++++</sup> Also including the electronic exchange of documents related to SSMs (petitions, proposals, orders, approvals, and the like).

- Provide additional equipment and specialised staff in order to increase capacities of law enforcement agencies,
- Increase capacities and resources of specialised police units,
- Bring the organisation of the police at all levels into line with the "Intelligence Led Policing" model,
- Increase the operational capacity of units implementing intelligence projects and operative investigations,
- Build capacities necessary for periodic development and supplement of "Serious and Organised Crime Threat Assessment" (SOCTA),
- Establish the ILP model for defining priorities, management and allocation of duties in the whole territory of Montenegro.

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.27	Enhance capacities and efficiency of the unit in charge of implementing secret surveillance measures (measures 6.2.32, 6.2.37 and 6.2.38 merged)  <i>Reference 2.2.1.10 from the AP23</i>	Ministry of Interior ( <b>Nikola Rogošić</b> )	April-september 2015.			Capacities of the Special Verifications Division enable the implementation of at least four field operations simultaneously
	6.2.27.1 Amendments to the Rulebook on internal organisation and job descriptions adopted	Ministry of Interior ( <b>Miloš Vukčević</b> )	April 2015.	/	Amendments to the Rulebook on internal organisation and job descriptions adopted	
	6.2.27.2 Draft proposals of	Ministry of Interior	September	Financial implications via	There are	

		Instructions on the implementation of secret surveillance measures and Instructions on the use of resources for special operational needs produced	<b>(Miloš Vukčević)</b>	2015.	the IPA2012 project, part for SSM training	standard operating procedures to prepare and implement SSM (including security mechanisms)	
	<b>6.2.27.3</b>	Increased number of staff in charge of SSM	Ministry of Interior <b>(Nikola Rogošić)</b>	September 2015.	Regular budgetary funds for salaries of 4 new employees	Increased number of staff in specialized police units	
<b>6.2.28</b>	Implementation of the ILP model 'Intelligence-Led Management' in the police  (measures 6.2.45, 6.2.46 and 6.2.47 from the previous AP merged)		Ministry of Interior <b>(Nikola Rogošić)</b>	April 2015- march 2016.			Capacities of the criminal intelligence unit (central level) allow conducting six simultaneous long-term intelligence projects  Capacities of the criminal intelligence unit (regional level) allow conducting two simultaneous intelligence



						investigations
						Number of developed plans
	<b>6.2.28.1</b>	Amendments to the Rulebook on internal organisation and job descriptions adopted	Ministry of Interior <b>(Miloš Vukčević)</b>	April 2015.	/	Amendments to the Rulebook on internal organisation and job descriptions adopted
	<b>6.2.28.2</b>	Criminal-intelligence units established at the central and regional levels of the Police Administration	Ministry of Interior <b>(Nikola Rogošić)</b>	September 2015.	Implemented via an internal re-assignment of police officers	Criminal-intelligence units established at the central and regional levels of the Police Administration

	<b>6.2.28.3</b>	Draft proposal of amendments to the ILP Handbook and Instructions on work with informants produced	Ministry of Interior <b>(Nikola Rogošić)</b>	September 2015.	Financial implications via the IPA2012 project, part for ILP training	Amendments to the ILP Handbook adopted and Instructions on work with informants aligned	
	<b>6.2.28.4</b>	Implementation of the ILP model at the regional level of the police	Chiefs of police stations	until march 2016.	Financial implications via the IPA2012 project, part for ILP training	Number of regions in which working groups for ILP implementation were established	
<b>6.2.29</b>	Training courses for chiefs and staff included in the process of ILP model implementation at strategic and operative police levels  (modified measure 6.2.49 from the previous AP)		Ministry of Interior <b>(Nikola Rogošić)</b>	from april 2014. to april 2016.	Donor IPA2012 and co-financing		Number of operational reports at the CPD composed in accordance with the ILP increased by 10% by the end of 2016
	<b>6.2.29.1</b>	Training courses and activities via international projects	Ministry of Interior <b>(Nikola Rogošić)</b>	from april 2014. to april 2016.	Donor IPA2012 2014-2016 €450,000 +	Number of training courses and activities	

					IP co-financing from the MNE budget 2014= €5,000 2015= €20,000 2016= €20,000	Number of involved employees	
	<b>6.2.29.2</b>	Independent training courses and activities to research and develop criminal-intelligence tasks.	Ministry of Interior ( <b>Ivan Jokić</b> )	from april 2014. to april 2016.	Independently from the MNE budget: 2014= € 5,000 2015= €10,000 2016= €10,000	Number of training courses and activities  Number of involved employees	
<b>6.2.30</b>	ILP implementation at the national level in order to establish the National intelligence model for identifying priorities and management  (modified measure 6.2.48 from previous AP)		Ministry of Interior ( <b>Hermin Šabotić</b> )	February-september 2015.	Financial implications via the IPA2012 project, part for ILP training + co-financing from the budget €30,000		Multi-annual planning developed  OAP (operational annual plan) developed
	<b>6.2.30.1</b>	National inter-agency operational team established	Ministry of Interior, justice and finance	February 2015.	/	National inter-agency operational team established	

	<b>6.2.30.2</b>	Mid-term threat assessment review developed - SOCTA	Team of strategic analysts	June 2015.	/	Mid-term threat assessment review developed - SOCTA	
	<b>6.2.30.3</b>	Adopt the National intelligence model for identifying priorities and management on the basis of SOCTA report	National inter-agency strategic team	September 2015.	Financial implications via the IPA2012 project, part for ILP training + co-financing from the budget 2015= €20,000 2016= €10,000	Methodologies adopted for annual and multi-annual planning of fight against serious and organised crime	
<b>6.2.31</b>	Enhancing capacities and efficiency of the Undercover Operations Unit (measures 6.2.39, 6.2.40, 6.2.41, 6.2.42, 6.2.43 and 6.2.44 from previous AP merged)  <i>Reference 2.2.1.13 from the AP23</i>		Ministry of Interior <b>(Aleksandar Radović)</b>	April 2015-september 2017.	Budget / IPA II		Undercover operations capacities enable implementation of at least two simultaneous operations in Montenegro and one abroad  Undercover Operations Unit has

						been admitted to membership in the European Cooperation Group on Undercover Activities
<b>6.2.31.1</b>	Amendments to the Rulebook on internal organisation and job descriptions of the Police Administration adopted	Ministry of Interior <b>(Miloš Vukčević)</b>	April 2015.	/	Amendments to the Rulebook on internal organisation and job descriptions of the Police Administration adopted	
<b>6.2.31.2</b>	Number of staff increased	Ministry of Interior <b>(Aleksandar Radović)</b>	July 2015.	/	Having full time undercover investigators	
<b>6.2.31.3</b>	Work with the psychologist from Mol's Medical Centre enabled	Ministry of Interior <b>(Vladan Delić/Biljana Milošević)</b>	March 2015.	/	Work with the psychologist from Mol's Medical Centre enabled	

	<b>6.2.31.4</b>	Equipping the Undercover Operations Unit with material and technical resources via the procurement procedure:	Ministry of Interior <b>(Aleksandar Radović)</b>	From September 2014 until September 2017	Procurements from the budget in total €230,000		
		- Evidence obtaining sets and sets for protection of employees;		1. September 2014. September 2015.	2014 = 70,000 (5,130 spent) 2015 = 70,000	Quantity and type of procured equipment for obtaining evidence and protecting staff	
		- procurement and maintenance of civilian vehicles;		2. September 2014. September 2015. September 2016.	2014 = 20,000 (15,000 spent) 2015 = 20,000 2016 = 20,000	Number of vehicles procured	
		- procurement of IT equipment		3. September 2014. September 2016. September 2017.	2014 = 10,000 (3,000 spent) 2016 = 5,000 2017 = 5,000	Quantity and type of procured computer equipment	

		- procurement of communication equipment and maintenance and upgrade of the existing one		4. September 2016. September 2017.	2016 = 5,000 2017 = 5,000	Quantity and type of procured communication equipment Funds for work of the UOU allocated in a separate item which regards the Mol	
	<b>6.2.31.5</b>	Instructions on financial operations and resources for operational needs of the Undercover Operations Unit adopted	Ministry of Interior ( <b>Miloš Vukčević</b> )	December 2014.	/	Instructions on financial operations and resources for operational needs of the Undercover Operations Unit adopted	
	<b>6.2.31.6</b>	Instructions adopted on the manner and procedure of selecting,	Ministry of Interior ( <b>Miloš Vukčević</b> )	December 2014.	/	Instructions adopted	

		training, creating a cover identity, deploying and work of undercover investigators					
	<b>6.2.31.7</b>	Instructions on cover legend documents adopted	Ministry of Interior <b>(Miloš Vukčević)</b>	December 2014.	/	Instructions adopted	
	<b>6.2.31.8</b>	Train the existing undercover investigators and begin own training program for the selection of new UIs	Ministry of Interior <b>(Aleksandar Radović)</b>	from march 2014. to september 2017.	Via the approved IPA2012 project Donor 2014-2015 €43,500 + From the MNE budget: 2015=€10,000 2016=€20,000 2017=€20,000	Number of trainings and number of participants  Own training programme established for new undercover investigators/ having own trainers/number of participants	
<b>6.2.32</b>	Identify and organise specialized training courses in the country and abroad for trainers and staff in charge of SSM and research and		Ministry of Interior <b>(Nataša Starovlah-Knežević, Darko Simonović, Ranko</b>	March 2014.	Via IPA2012 project Donor 2014-2016 €350,000 +	Curriculum prepared for training (including the	



	<p>development in fields of:</p> <ul style="list-style-type: none"> <li>- telephone communications and Internet surveillance</li> <li>- Operational equipment and observation</li> <li>- Newly adopted instructions (<i>measure 6.2.33 from previous AP</i>)</li> </ul> <p>Same measure 2.2.1.11.in the AP23</p>	<p>Vojinović, Nikola Rogošić, Ivan Jokić), Policijska akademija (<b>Milica Pajović/Jelena Tomić</b>), Project manager for IPA2012</p>	<p>from april 2014.</p> <p>to april 2016.</p>	<p>co-financing IPA2012 from the budget</p> <p>2014 = €5,000</p> <p>2015 = €15,000</p> <p>2016=€10,000</p> <p>+</p> <p>Independent training of police and other activities from the budget:</p> <p>2014 = €5,000</p> <p>2015 = €10,000</p> <p>2016 = €10,000</p>	<p>time and contents)</p> <p>Number of organized training courses (courses, seminars, workshops, working visits)</p> <p>Number of own trainers</p> <p>Number of trained employees</p>	
<b>6.2.33</b>	<p>Establish a working group and develop:</p> <ol style="list-style-type: none"> <li>1. A situation analysis and a needs analysis in terms of material and technical resources of the Special Verifications Division</li> <li>2. Information system analysis for the needs of the Special Verifications</li> </ol>	<p>Ministry of Interior – Police Administration (Nataša Starovlah-Knežević, Darko Simonović, Nikola Rogošić, Ivan Jokić, Ranko Vojinović)</p>	<p>October 2013.</p> <p>March 2014.</p>		<p>Working group established</p> <p>Situation analysis and needs analysis prepared,</p>	

	Division  (measure 6.2.34 from previous AP)				including recommendati ons  IS analysis prepared, including recommendati ons	
6.2.34	<p>Equip the Special Verfications Division with material and technical resources in accordance with EU standards, based on the prior analysis (IT and special purpose equipment for investigations and surveillance, audio, video and GPS devices, improving the system for secret surveillance of telephone communications and Internet, vehicles and material and technical resources, etc.)</p> <p>In accordance with expert recommendations, improve within the telephone communications surveillance system mechanisms of electronic record-keeping and external control of SSM's</p>	<p>Ministry of Interior – Police Administration <b>(Nataša Starovlah-Knežević, Darko Simonović, Nikola Rogošić, Ivan Jokić, Ranko Vojinović, SPO)</b></p>	<p>March 2014.  from march 2014. to september 2018.</p>	<p>Via IPA2012 project co-financing From the MNE budget for 2015 = €250,000</p> <p>Procurement in total: €3,000,000 from the budget of MNE for 2014-2018: 2014 = €270,000 2015 = €400,000 2016 = €930,000 2017 = €900,000 2018 = €500,000 <b>(Apply for IPAll in the amount of €1,200,000 for 2015-2017)</b> +</p>	<p>Procurement of equipment</p> <p>Equipment installed</p>	

	implementation  (measure 6.2.35 from previous AP)  Same measure 2.2.1.12.in the AP23			Annual maintenance of equipment and software from the budget of MNE in total €550,000 (for 2015-2018): 2016 = €150,000 2017 = €150,000 2018 = €250,000		
<b>6.2.35</b>	Acquire and equip premises and equipment for a fixed and mobile command centre for SSMs  (measure 6.2.36 from previous AP)	Ministry of Interior ( <b>Zoran Asanović,</b> Nikola Rogošić)	February 2014-june 2015.	Via IPA2012 project Donation for 2014=€90,000 + co-financing IPA2012 from MNE budget 2015 = €50,000		Command and control of SSM planning and implementation is centralised
<b>6.2.35.1</b>	Prepare analysis		Februar 2014.		analysis prepared	
<b>6.2.35.2</b>	Procedure of procurement		June 2014.		Procurement done	
<b>6.2.35.3</b>	Installation of equipment		October 2014.		Installation done	
<b>6.2.35.4</b>	Put into function a fixed and mobile		June 2015.		First SSM done from	

		command centre for SSMs				command centre	
6.2.36	Develop a situation and needs analysis in terms of the IT equipment at local level in police  <i>(measure 6.2.50 from previous AP)</i>	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović, Nikola Rogošić, Ivan Jokić)	October 2013 March 2014			Working group established Situation and needs analysis prepared, including recommendations Planned procurements initiated	
6.2.37	Equipping the local police level with IT equipment  <i>(measure 6.2.51 from previous AP)</i>	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović, Nikola Rogošić, Ivan Jokić)	October 2014.  June 2015.	IPA2012 Donator 2014=45,000€ 2015=45,000€	Tender  Installation	Increased number of intelligence information(4x) which are received and processed within Criminal police sector for 10% until the end of 2016.	
6.2.38	Develop a needs analysis in terms of the 'Entity management' software at the police  <i>(measure 6.2.52 from previous AP)</i>	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Darko Simonović, Nikola Rogošić, Ivan Jokić)	October 2013. February 2014.		Working group established Analysis of needs with		

					reccomendati ons prepared Initiated planned procurements	
<b>6.2.39</b>	<p>Develop/purchase/install software for ILP model implementation in accordance with the findings of the 'Entity management' analysis, which includes:</p> <ol style="list-style-type: none"> <li>1. Procurement and installation of a software for data collection</li> <li>2. Development of an application suite for entity database establishment</li> <li>3. Integration with the I2 system</li> <li>4. Staff training</li> </ol> <p>(measure 6.2.53 from previous AP)</p>	Ministry of Interior ( <b>Nataša Starovlah-Knežević</b> , Darko Simonović, Nikola Rogošić)	<ol style="list-style-type: none"> <li>1. from March 2015 to May 2015</li> <li>2. from May 2015 to June 2016</li> <li>3. September 2016</li> <li>4. From June 2015 until October 2016</li> </ol>	<p>From the MNE budget:</p> <p>2015=€150,000</p> <p>2016=€50,000</p> <p>Note: 100,000 EUR for 2015 are IPA project co-financing</p>	<p>Data collection software procured</p> <p>Data collection software installed</p> <p>Software for entity database establishment procured</p> <p>Software for entity database establishment installed</p> <p>'Entity management' system implemented</p>	

					into the police computer system Staff trained Number of collected data Number of entities entered into the system	
<b>6.2.40</b>	1. A needs analysis in terms of a police software for statistics and reporting 2. technical documentation for tender procedure implementation  <i>(measure 6.2.54 from previous AP)</i>	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Radovan Ljumović, Darko Simonović, Nikola Rogošić)	April 2015.  October 2015.		Working group established Needs analysis prepared, including recommendations Technical documents developed Planned procurements initiated	

<b>6.2.41</b>	Develop/purchase/install software for statistics and reporting in accordance with the findings of the analysis, which includes: <ol style="list-style-type: none"> <li>1. Procurement of software</li> <li>2. Installation of software</li> <li>3. Staff training</li> </ol> (measure 6.2.55 from previous AP)	Ministry of Interior <b>(Nataša Starovlah-Knežević,</b> Radovan Ljumović, Darko Simonović, Nikola Rogošić)	1. March 2016 2. November 2016 3. December 2016	From the MNE budget: 2015 = €30,000 2016 = €50,000	Software for statistics and reporting procured Software for statistics and reporting implemented into the computer system of the police	Number of electronically generated statistical crime reports (from the computer system of the police)
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**Recommendation 8 from the Screening Report – Fight against organised crime**

**OBJECTIVE:**

Amendments to the Law on Witness Protection and advanced training of the members of the Witness Protection Unit through specialised training courses

**SUB-OBJECTIVES (RESULTS):**

- Attending specialised training courses organised within the project for witness protection units (regional project WINPRO II)
- Providing technical equipment to the Unit in accordance with the standards adopted in EU Member States
- Strengthening human resources

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
<b>6.2.42</b>	Amendments to the Law on Witness Protection, include the category of cooperating witness in accordance with recommendations of experts, redefine the term close person, the	Ministry of Justice <b>(Branka Lakočević,</b> <b>Merima Baković),</b> Ministry of Interior <b>(Darko Vujović)</b>	December 2013.  April	Budget 2014 = 15.000€	Proposal for the Law on Witness Protection Law Amending	Law and bylaws harmonised with the operational needs, Results of enforcement of the

	<p>number of members and composition of the Commission for the Protection Program Application, etc. It is also needed to define, in accordance with the Law on Witness Protection Article 47, the budget of the Witness Protection Unit</p> <p><i>(measure 6.2.56 from previous AP)</i></p>		<p>2014.</p> <p>September 2014.</p>		<p>the Law on Witness Protection was adopted</p> <p>Funds for implementation of the Law to be defined in the special allocation relating to the Ministry of Interior</p>	Law
<b>6.2.43</b>	<p>Work on training concept/ Organise and implement specialised training courses at all levels, improve management of protection measures when implementing the Protection Program in all segments and in the procedure of application of urgent measures</p> <p><i>(measure 6.2.57 from previous AP)</i></p>	<p>Ministry of Interior <b>(Darko Vujović)</b></p> <p>Organisation NI-CO (Northern Ireland) through EU project “Cooperation in Criminal Justice: Witness Protection in the Fight against Organised Crime and Corruption (WINPRO II)”</p>	<p>from March 2013 to December 2015</p>	<p>External sources, IPA2012</p> <p>EU funds for seven participating countries approx. EUR 7,000,000</p> <p>CRIS decision number 2102/022-966 project number 05</p>	<p>Number of successfully completed specialised training courses</p>	<p>Implementation of the plan envisaged by the WINPRO II project</p>



<b>6.2.44</b>	Equip the Witness Protection Unit, <i>(measure 6.2.58 from previous AP)</i>		Ministry of Interior <b>(Darko Vujović)</b>	March 2014- december 2015.	Procurement from the budget: 2015 = €5,000  2015 = €250.000 Apply for IPAII		Ratio (%) funds spent / funds needed identified in the analysis
	<b>6.2.44.1</b>	Develop needs assessment analysis		March 2014.	/	Needs assessment analysis developed	
	<b>6.2.44.2</b>	Procure equipment for for video-link testimonies		September 2015.	Budget Mol  2015 = 5.000€	One video conference procured	
	<b>6.2.44.3</b>	Procure special and armoured vehicles for the needs of the Unit in line with expert recommendations		December 2015.	IPA II  2015 = 250.000€	Number of procured vehicles	
<b>6.2.45</b>	Analyse the needs and adjust the number of employees of the Witness Protection Unit with identified needs  <i>(measure 6.2.59 from previous AP)</i>		Ministry of Interior <b>(Darko Vujović)</b> / WINPRO II project, technical experts for human resources and structures	March 2014- december 2015	Budget		/

	<b>6.2.45.1</b>	Develop needs assessment analysis		March 2014.	/	needs assessment analysis developed	
	<b>6.2.45.2</b>	Develop draft proposal of the Rulebook		October 2014.	Budget	draft proposal of the Rulebook developed	
	<b>6.2.45.3</b>	Amendments to the Rulebook on internal organisation and job descriptions adopted		April 2015.	Budget	Amendments to the Rulebook on internal organisation and job descriptions adopted	
	<b>6.2.45.4</b>	Fill the vacancies of the Unit for Witness Protection		December 2015.	Realisation through employees allocation	Vacancies filled in the Unit for Witness Protection	

***Recommendation 9 from the Screening Report – Fight against organised crime***

**OBJECTIVE:**

Ensure that the legislative and institutional framework allows effective confiscation, seizure and management of the proceeds of crime, which would result in increasing the number of seizures and confiscations

No.	Measure/activity	Responsible authority	Deadline	Required funds / source of financing	Result indicator	Impact indicator
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<b>6.2.46</b>	<p>Within the analysis of organisational structure, capacities and powers of state authorities and administrative bodies in the fight against organised crime and corruption, current situation relating to the procedure of seizure of proceeds of crime, their safeguarding and management will be specifically analysed and a model for improvement will be proposed</p> <p><i>(measure 6.2.60 from previous AP)</i></p> <p><i>Note: The same measure is provided for in Chapter 23, measure 2.2.6.1.</i></p>	<p>Ministry of Interior <b>(Miloš Vukčević, Maja Raspopović, Milan Tomić, Saša Milić, Dragan Radonjić)</b></p> <p>Ministry of Justice <b>(Merima Baković)</b></p>	October 2013	<p>No additional funds required – regular budget of both ministries</p> <p>OSCE project expert support</p> <p>IPA 2010 Fight against organised crime and corruption: Strengthening the Prosecutors' Network</p>	<p>Analysis made with the overview of the current state in the cases where pecuniary gain was confiscated, further custody and management thereof by the Public Property Administration, obstacles detected and deficiencies in application of this institute and recommendations for improvement</p>	<p>Increased number of cases and higher value of criminal assets confiscated on a yearly basis (baseline to be known)</p>
<b>6.2.47</b>	Adopt the Law on Seizure and Confiscation of Proceeds of Crime	<p>Ministry of Justice <b>(Merima Baković)</b></p>		<p>Budget €97,260</p> <p>Donations €2,700</p>	Special Law adopted	

	<p>which will regulate the procedure of conducting financial investigations and the legal principle of asset seizure and confiscation (substantive and procedural provisions on asset seizure and confiscation, provisions on its management, safeguarding and recovery)</p> <p><i>(measure 6.2.61 from previous AP)</i></p> <p><i>Note: The same measures in Chapter 23, measures 2.2.3.2. i 2.2.6.2</i></p>	<p>Government</p> <p>Parliament</p>	<p>June 2015.</p> <p>October 2015.</p>		<p>which will be harmonised with Directive 2014/42</p>	
<b>6.2.48</b>	<p>Increase administrative capacity of the Public Property Administration by increasing the number of positions for civil servants in charge of management and safeguarding of seized and confiscated assets, by hiring two new employees</p> <p><i>(measure 6.2.62 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.3</i></p>	<p>Public Property Administration (<b>Emir Dacić</b>)</p>	<p>December 2014.</p> <p>March 2015.</p>	<p>Budget in the amount of EUR 19,440 for two employees per year</p>	<p>Increased number of positions for civil servants in charge of management and safeguarding of seized and confiscated assets</p>	<p>Increased administrative capacities of the Public Property Administration for management and safeguarding of seized and confiscated assets</p>

<b>6.2.49</b>	<p>Develop internal operating procedures of the Public Property Administration</p> <p><i>(measure 6.2.63 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.4</i></p>	Public Property Administration ( <b>Emir Dacić</b> )	December 2013.	Budget of the Public Property Administration €2,700	Developed operating procedures, Criteria determined for managing various types of assets	
<b>6.2.50</b>	<p>Establish an electronic register of seized and confiscated assets</p> <p><i>(measure 6.2.64 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.5</i></p>	Public Property Administration ( <b>Emir Dacić</b> )	December 2013.	Budget of the Public Property Administration	Established system of recording seized and confiscated assets	
<b>6.2.51</b>	<p>Regularly report on the safeguarding and management of seized and confiscated assets</p> <p><i>(measure 6.2.65 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.6</i></p>	Public Property Administration ( <b>Emir Dacić</b> )	2014-2015. Semi-annually	Budget of the Public Property Administration €400	Semi-annual reports of the Public Property Administration developed and made public on the website	Number of cases and value of confiscated assets

<b>6.2.52</b>	<p>Adopt a training plan and organise training courses for employees of the Public Property Administration in the area of management and safeguarding of seized and confiscated assets</p> <p><i>(measure 6.2.66 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.7</i></p>	<p>Public Property Administration (<b>Emir Dacić</b>)</p> <p>Human Resources Administration (<b>Jadranka Đurković</b>)</p>	December 2013 and continuously	Budget of Human Resources Administration and of the Public Property Administration €3,000	<p>Training plan adopted</p> <p>Number of organised training courses</p> <p>Number and structure of participants</p>	
<b>6.2.53</b>	<p>Conduct training courses for officers of the Police Administration, public prosecutors and judges on financial investigations, detection and freezing of proceeds of crime in accordance with the annual training programme</p> <p><i>(measure 6.2.67 from previous AP)</i></p> <p><i>Note: The same measure in Chapter 23, measure 2.2.6.8</i></p>	<p>Judicial Training Centre (<b>Maja Milošević</b>), Police Academy (<b>Milica Pajović/Jelena Tomić</b>)</p>	<p>January 2014.</p> <p>December 2015.</p>	JTC and Police Academy's budget €3,000, IPA 2010 Fight against Organised Crime and Corruption: Strengthening the Prosecutors' Network, OSCE project	<p>Number and structure of participants</p> <p>Number of organised training courses</p>	
<b>6.2.54</b>	<p>Establish an independent body that will safeguard and manage seized and confiscated assets</p>	<p>Ministry of Justice (<b>Branka Lakočević</b>, <b>Merima Baković</b>) and Ministry of Finance</p>	January 2016.	Budget	Independent body established	

	(measure 6.2.68 from previous AP)  Note: The same measure in Chapter 23, measure 2.2.6.9	(Milanka Otović/Ana Cerović)				
<b>Recommendation 10 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b> Implement the recommendations of the Council of Europe's Group of Experts (GRETA) on activities against trafficking in human beings and monitor the implementation of newly adopted strategic documents in this area						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.55	Monitor implementation of the recommendations of the Council of Europe's Group of Experts – GRETA  (measure 6.2.69 from previous AP)	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	November 2014 and onwards	TOTAL: <b>€26,730</b> 2013: €3,402  2014-2017: €23,328 Annually: €4,212 <hr/> <b>Budget</b> Total: €26,730 2014-2017: €23,328 Annually: €5,832 <b>Donations</b> Total: 0 €	Report produced on the level of implementation of GRETA recommendations	GRETA report
6.2.56	Implement the 2012-2018 Strategy	Secretariat-General of	Semi-annual	TOTAL: <b>€18,954</b>	Report on the	State Department's

\*\*\*\*\* [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Recommendations/CP\\_2012\\_9\\_MNE\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Recommendations/CP_2012_9_MNE_en.pdf)

	for fight against trafficking in human beings and the accompanying Action Plan \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$ <i>(measure 6.2.70 from previous AP)</i>	the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	2 <sup>nd</sup> half of 2018	2013: €2,106 2014-2017: €16,848 Annually: €4,212 <hr/> <b>Budget</b> Total: €20,007 2014-2017: €17,901 Annually: €1,053 <hr/> <b>Donation</b> Total: 0 € <hr/>	implementation of the 2012-2018 Strategy for fight against trafficking in human beings and the accompanying 2012-2013 Action Plan  Evaluation of the 2012-2018 Strategy for combating trafficking in human beings	Trafficking in Persons Report and reports of other relevant entities  Increased number of identified victims of THB
<b>Recommendation 10 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b> Increase efforts to adequately identify and respond in the fight against human trafficking						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.57	Include the training of judges and prosecutors into Judicial Training Programme, as regards new	Judicial Training Centre <b>(Maja Milošević)</b>	1 <sup>st</sup> quarter 2014	TOTAL: <b>€32,704</b> 2014: €8,404	Training programme developed	Number of THB cases in which final court decisions were

\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$ <http://www.antitrafficking.gov.me/rubrike/nacionalna-strategija/116182/Vlada-utvrdila.html>



	<p>statutory provisions governing the criminal offence –trafficking in human beings, with emphasis on specific features of obtaining testimonies from victims</p> <p><i>(measure 6.2.71 from previous AP)</i></p>		Annually	<p>2015-2017: €24,300 Annually: €8,100</p> <hr/> <p><b>Budget</b> Total: €18,303.75 2014-2017: €18,303.75 Annually: €4,500</p> <hr/> <p><b>Donation</b> 2014-2017: €14,400 Total: €14,400 Annually: €3,600</p> <hr/>	<p>Number of conducted training courses</p> <p>Number of judges and prosecutors trained as regards new statutory provisions governing the criminal offence – trafficking in human beings, with emphasis on specific features of obtaining testimonies from victims</p>	<p>rendered (including para.6 which speaks of organised manner of commission) and when the offence in question is committed in concurrence with the offence - conspiracy to commit a crime- under Art.401 of the CC</p>
<b>6.2.58</b>	Train Police Administration staff (Criminal Police Department, General Police Department, Border	Police Academy <b>(Milica Pajović/Jelena Tomić)</b>	Annually	<p>TOTAL: <b>€39,000</b> 2013: 0 €</p>	Number of conducted training	

	Police Department) on methods of early identification of potential victims of human trafficking , their referral, and specific features of obtaining testimonies from potential THB victims  (measure 6.2.72 from previous AP)			2014-2017: €39,000 Annually: €9,750 <hr/> <b>Budget</b> Total: €28,200 2014-2017: €28,200 Annually: €7,050 <hr/> <b>Donation</b> 2014-2017: €10,800 Total: €10,800 Annually: €2,700 <hr/>	courses  Number of participants who successfully attended the training programme	
6.2.59	Organise training courses for labour and safety at work inspectors, staff of health care institutions, social welfare centres and NGOs on methods of early identification of potential victims of THB and their referral  (measure 6.2.73 from previous AP)	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	Annually	TOTAL: <b>€52,900</b> 2013: 0 €  2014-2017: €52,900 Annually: €13,230 <hr/> <b>Budget</b> Total: €9,720 2014-2017: €9,720 Annually: €2,430 <hr/>	Number of conducted training courses  Number of participants by institutions /organisations who successfully attended the	

				<b>Donation</b> 2014-2017: €43,200 Total: €43,200 Annually: €10,800	training courses	
<b>Recommendation 10 from the Screening Report – Fight against organised crime</b>						
<b>OBJECTIVE:</b> Change the national legislation on trafficking in human beings in order to harmonise it with the international instruments and with the EU acquis, especially with Directive 2011/36/EU and Directive 2004/81/EC						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
<b>6.2.60</b>	Amend the Criminal Code  (measure 6.2.74 from previous AP)	Ministry of Justice <b>(Branka Lakočević, Duška Velimirović),</b> Government of MNE, Parliament of MNE	September 2013.		Amendments to the Criminal Code adopted	
<b>6.2.61</b>	Amend the Law on Foreigners in terms of regulating the period of reflection for victims of THB  (measure 6.2.75 from previous AP)  <i>Note: The Law on Employment and Work of Foreigners (Official Gazette of MNE 22/08 and 32/11) shall be repealed on the date when the new Law on Foreigners enters into force.</i>	Ministry of Interior <b>(Dragan Dašić, Abdulah Abdić)</b> Inter-agency working group	April 2015 (for the beginning of implementation of the Law on Foreigners)  September 2015 (for the	Budget  TOTAL – 2015=30.336 €		Progress reports  Expert mission reports  GRETA experts' reports  Number of persons who were issued a temporary resident

			beginning of implementation of bylaws)			permit and who had been identified as victims of THB and who went through a reflection period
	<b>6.2.61.1</b>	Adopt the Law on Foreigners	Parliament of Montenegro	December 2014.		The Law was adopted
	<b>6.2.61.2</b>	Begin implementing the Law on Foreigners	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić)	April 2015.		Law on Foreigners entered into force
	<b>6.2.61.3</b>	Bylaws adopted on the basis of the Law on Foreigners that will define in more details the conditions for issuing temporary resident permits to victims of THB	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić) Inter-agency working group	September 2015.		Bylaws adopted
<b>6.2.62</b>	Adopt the Law on the Compensation of Damages to Victims of Violent Criminal Offences with a view to establishing a national system for compensation of damages available to victims of THB		Ministry of Justice ( <b>Merima Baković</b> ),  Government of Montenegro,  Parliament of	November 2014.  June 2015.	Budget	Proposal for the Law approved  The Law on the Compensation of Damages to Victims of Violent Criminal

		Montenegro			Offences adopted	
	<i>(measure 6.2.76 from previous AP)</i>					
<b>6.2.63</b>	<p>Amend the Law on Foreigners in terms of prescribing that victims of THB who were granted temporary residence on that basis are entitled to access the labour market</p> <p><i>Note: The Law on Employment and Work of Foreigners (Official Gazette of MNE 22/08 and 32/11) shall be repealed on the date when the new Law on Foreigners enters into force.</i></p> <p><i>(measure 6.2.77 from previous AP)</i></p>	<p>Ministry of Interior (<b>Dragan Dašić</b>, Abdulah Abdić) Inter-agency working group</p>	<p>April 2015 (for the beginning of implementation of the Law on Foreigners)</p> <p>September 2015 (for the beginning of implementation of bylaws)</p>	<p>Budget</p> <p>TOTAL – 2015=30.336€</p>		<p>Progress reports</p> <p>Expert mission reports</p> <p>GRETA experts' reports</p> <p>Number of persons who were issued a temporary resident permit and a work permit and who had been identified as victims of THB</p>
<b>6.2.63.1</b>	Adopt the Law on Foreigners	Parliament of Montenegro	December 2014.		The Law was adopted	
<b>6.2.63.2</b>	Begin implementing the Law on Foreigners	Ministry of Interior ( <b>Dragan Dašić</b> , Abdulah Abdić)	April 2015.		Law on Foreigners entered into force	

	6.2.63.3	Bylaws adopted on the basis of the Law on Foreigners that will define in more details the conditions for issuing temporary resident permits and work permits to victims of THB	Ministry of Interior (Dragan Dašić, Abdulah Abdić)	September 2015.		Bylaws adopted	
Recommendation 10 from the Screening Report – Fight against organised crime							
OBJECTIVE: Improving quality, diversity, adequacy and availability of services of protection and support to victims of human trafficking							
No.	Measure/activity		Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
6.2.64	Ensure unhampered functioning of the Shelter for Human Trafficking Victims  (measure 6.2.78 from previous AP)		Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings (Zoran Ulama)	Annually	TOTAL: €203,500 2013: €25,900  2014-2017: €177,600 Annually: €44,400 <hr/> Budget Total: €203,500 2014-2017:	Providing fees for the people working with the victims in the Shelter, Covering overhead expenses and the rent expenses for the Shelter, Obtaining the necessary funds for inmates' elementary needs	Number of inmates to whom assistance and accommodation were provided in the Shelter;  The continuity of work of the Shelter for Human Trafficking Victims ensured;

				€177,600 Annually: €44,400 <hr/> <b>Donation</b> Total: 0 €		
<b>6.2.65</b>	Engage EU experts to develop an analysis of functioning of the Shelter for Human Trafficking Victims and make recommendations for increasing its human resources and technical capacities with a view to complying with the EU standards in this area  <i>(measure 6.2.79 from previous AP)</i>	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	2 <sup>nd</sup> quarter 2014	UKUPNO: <b>5805 €</b> 2014: 5805 € <b>Budžet</b> Ukupno: 405 € 2014: 405 € <b>Donacija</b> 2014: 5400 € Ukupno: 5400 € <hr/>	Analysis of functioning of the Shelter for Human Trafficking Victims developed	The degree of implementation of recommendations defined in the analysis
<b>6.2.66</b>	In accordance with expert recommendations increase the human resource and technical capacities of the Shelter for Human Trafficking Victims  <i>(measure 6.2.80 from previous AP)</i>	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	Annually	Budget/donations		Higher level of quality and efficiency of work in the Shelter

	<b>6.2.66.1</b>	Organise a training course for implementation of re-integration programmes and a training course for foreign language learning	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	Annually	Budget/donation (2000€)	Number and type of training courses held,  Number of persons working with the victims in the Shelter for Human Trafficking Victims who attended the trainings	
	<b>6.2.66.2</b>	Equip a special room at the Shelter for work with inmates, so as to conduct re-integration programmes	Secretariat-General of the Government – Office for Fight against Trafficking in Human Beings ( <b>Zoran Ulama</b> )	December 2015.	Donation (2000€)	Equipment for the Shelter's needs provided	

**Recommendation 11 from the Screening Report – Fight against organised crime**

**OBJECTIVE:**

Adopt and implement the Strategy on small arms and light weapons

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
<b>6.2.67</b>	Adopt the Strategy for control and reduction of small arms and light weapons (SALW), with an	Ministry of Interior ( <b>Mira Radović</b> , Pero Lazarević)	July 2013.	Budgetary resources €5,000	The Strategy for control and reduction of small arms and light weapons	The level and quality of implementation of measures from the



	implementation action plan <i>(measure 6.2.81 from previous AP)</i>				(SALW) adopted Strategy's implementation action plan adopted	Action plan  Number of pieces of confiscated and destroyed weapons
<b>6.2.68</b>	Establish a coordination body for monitoring the implementation of the Strategy for control and reduction of small arms and light weapons with a view to efficiently implementing the Strategy and the Action plan  <i>(measure 6.2.82 from previous AP)</i>	Ministry of Interior – Police Administration ( <b>Mira Radović</b> , Pero Lazarević) Ministry of Foreign Affairs and European Integration, Ministry of Defence ( <b>col. Dražen Božović</b> ), Ministry of Justice ( <b>Đorđije Bošnjak</b> ), Ministry of Economy, Customs Administration	September 2013.	OSCE and UNDP donation	Coordination body for monitoring the implementation of the Strategy established	/
<b>6.2.69</b>	Monitor implementation of the Strategy and of the Action plan  <i>(measure 6.2.83 from previous AP)</i>	Coordination body for monitoring the implementation of the Strategy for control and reduction of small arms and light weapons (SALW) ( <b>Mladen Marković</b> )	Annually	€810.00 annually	Number of meetings held by the Coordination Body	Annual report on the implementation of the Strategy and the Action Plan submitted to the Government of Montenegro
<b>Recommendation 11 from the Screening Report – Fight against organised crime</b>						

**OBJECTIVE:**

Establish a more efficient system of legal supervision and keep records on procurement and possession of firearms and their transfer from one country to another, in accordance with the EU directives 91/477/EEC and 2008/51/EC, as well as strengthen measures for improvement of fight against illegal trade in small arms and light weapons in accordance with the Council Directives 2010/765/CFSP and 2011/428/CFSP

No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
<b>6.2.70</b>	Adopt a new Law on Weapons, which will regulate in details the issue of weapons possessed by natural and legal persons and define a legal framework harmonised with EU directives 91/477/EEC and 2008/51/EC  (measure 6.2.84 from previous AP)	Ministry of Interior <b>(Mira Radović, Pero Lazarević)</b>  Government   Parliament	IV quarter 2014.   February 2015.	Budget 21.000€ TAIEX: 5.400€ Total: 26.400	Proposal for the Law adopted   Law adopted	Result of enforcement of the Law (more efficient supervision system and keeping records of procurement, possession, manufacturing, trade and transport of weapons and ammunition, as well as of the manner of treating weapons possessed by natural and legal persons, in accordance with the EU acquis)
<b>6.2.71</b>	Amend the Law on Administrative Fees  (measure 6.2.85 from previous AP)	Ministry of Finance <b>(Antoaneta Krivokapić),</b> Ministry of Interior	September 2014.	Budget 35.820 €	Law adopted	Result of enforcement of the Law

<b>OBJECTIVE:</b>						
Increasing the capacities of law enforcement agencies in the area of suppression of cigarette smuggling						
No.	Measure/activity	Responsible authority	Deadline	Required funds/ Source of financing	Result indicator	Impact indicator
<b>6.2.72</b>	Increase the capacities of law enforcement agencies	Ministry of Interior <b>(Dragan Radonjić)</b> Customs Administration <b>(Goran Milonjić)</b>	September- december 2015.	TAIEX and budget		Reduce cigarette smuggling and Procedures conducted more efficiently at the Port of Bar Free Zone
	<b>6.2.72.1</b> Adopt Instructions for local risk analysis of Customs Administration that will also include the Port of Bar Free Zone	Customs Administration <b>(Rade Lazović)</b>	September 2015.	TAIEX and budget of the Customs Administration	Instructions adopted	
	<b>6.2.72.2</b> Make an analysis regarding cigarette smuggling on the basis of available statistics and intelligence	Ministry of Interior <b>(Dragan Radonjić)</b> Customs Administration <b>(Rade Lazović)</b> Agency for tobacco <b>(Brana Božović)</b>	December 2015.	TAIEX	Analysis developed	

## 7. FIGHT AGAINST TERRORISM

(Coordinator for the area of fight against terrorism: Mladen Marković, Ministry of Interior)

### STATE OF PLAY

The framework of action of Montenegro in the fight against terrorism is directed towards the improvement of the existing and the development of new measures, mechanisms and instruments, which serve the purpose of stability and security of Montenegro, the region and beyond. Strategic objectives are defined and further activities planned which are necessary for reaching the vision which describes the future state in the area of prevention of terrorism. Analysis of previous state indicates that Montenegro has not been confronted with the criminal offence of terrorism so far. However, the position of Montenegro in fight against terrorism is that modern terrorism is not limited to borders of countries and is considered international – with regard to objectives and manners of action, and therefore responses to causes, phenomena and consequences need to be an expression of joint actions with the international community.

Establishing a modern and comprehensive legislative framework, in accordance with relevant international standards is one of the key condition for efficient prevention and fight against terrorism. The number of state authorities and institutions involved in anti-terrorism actions indicates that effective coordination mechanism in formulating and implementing comprehensive policy in this area needs to be set up. Montenegro ratified key international instruments and instruments of the Council of Europe for the fight against terrorism. Capacities in this area are appropriate for the threat that terrorism imposes on Montenegro.

In order to harmonize legislation the Parliament of Montenegro at the eight sitting of the first regular session held on 16 July 2014, adopted amendments to the Law on Explosive Materials, and at the tenth sitting of the first regular session, held on 17 July 2014 adopted the Law on Transport of Dangerous Goods.

Montenegro adopted the National Report and the Action Plan for implementation of the United Nations Security Council Resolution 1540 for preventing the spread of weapons of mass destruction (both documents were adopted at the 66th Government's session 8 May 2014). The documents are sent to the competent commissioner of the UN Security Council, as well as to the OSCE Conflict Prevention Centre (CPC) for publication on their websites.

On 30 September 2010, the Government of Montenegro adopted the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing 2010-2014 (link: [www.gov.me](http://www.gov.me)).

The Government of Montenegro on its 78th session held on 31 July 2014 considered the VI Report of the National Commission for the Implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing and by the Conclusion number 08-1924/4 of 4 September 2014 obliged the National Commission, when submitting the VII Report, to prepare and submit to the Government a proposal for a new Strategy for the period after 2014.

The law enforcement agencies continuously conduct trainings in order to acquire new knowledge.

**Recommendation No. 1 from the Screening Report – section Fight against Terrorism**

**TOPIC:**

**Prevention of terrorism**

**OBJECTIVE**

- Alignment of the national legislation with the EU *acquis*

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.1.	Amend the Law on Liability of Legal Persons for Criminal Offences – harmonisation with Article 6, items a) and e) of the Framework Decision 2008/841 in respect of sentences for legal persons.	Ministry of Justice (Merima Baković)	December 2015	Budget	Working group established  Draft amendments made  Public debate organised  Law adopted	Law harmonised with the Framework Decision 2008/841

<b>7.2.</b>	Adopt the Law on amendments to the Criminal Code of Montenegro, in order to inculcate foreign mercenaries/fighters		Ministry of justice <b>(Merima Baković)</b>		Budgetary funds	The Law on amendments to the CC adopted, in alignment with UN Resolution on foreign fighters 2178 (2014)	Number of criminal charges  Number of rejected criminal charges  Number of accused persons  Number of convicted persons
			Goverment	December 2014			
			Parliament	February 2015			
			Judicial council secretariat <b>(Darko Drašković)</b>				
<b>7.3.</b>	Amend the Law on Explosive Substances and adoption of appropriate bylaws  It is to align with the EU Action Plan on enhancing the security of explosives adopted by the Council on 4 April 2008		Ministry of the Interior <b>(Sandra Racković, Dejan Marunović)</b>	December 2013- December 2015	Budgetary funds- 23670	Amendments to the Law on Explosive Substances and appropriate bylaws adopted	
	<b>7.3.1</b>	Determine Proposal for Amendments to the Law and submit to the Parliament	Ministarstvo unutrašnjih poslova <b>(Sandra Racković, Dejan Marunović)</b>	December 2013		Proposal for Amendments to the Law adopted and submitted to the Parliament	Results of implementation of the Law
	<b>7.3.2</b>	Adopt the Rulebook on technical requirements	Ministarstvo unutrašnjih poslova	September	Budgetary funds-	Rulebook adopted	Testing standards of explosives,

		and procedures for conformity assessment of explosive substances, as well as marks and manner of marking explosive substances	( <b>Sandra Racković,</b> Dejan Marunović, Dragan Radulović, Sreten Nedić)	2015	1710		traceability of explosives (explosive movement)
	<b>7.3.3</b>	Adopt the Rulebook on the content of request and documentation for issuing opinions and approvals, security clearances and danger zone borders for all types of production and storage facilities, conditions to be met by the production and storage facilities, location and manner of their physical and technical security	Ministarstvo unutrašnjih poslova ( <b>Sandra Racković,</b> Dejan Marunović, Žarko Knjeginjić, Goran Samardžić, Dragan Radulović, Sreten Nedić)	December 2015	Budgetary funds- 1710	Rulebook adopted	Defined security requirements to be met by the production and storage facility
<b>7.4.</b>	Amend the Law on Transport of Dangerous Substances  It is to align with the EU Action Plan	Ministarstvo unutrašnjih poslova ( <b>Sandra Racković,</b> Dejan Marunović, Mladen Marković,	September 2013	Budgetary funds- 23670	Proposal for Amendments to the Law drafted  Law adopted in the	Results of the implementation of the Law	

	on enhancing the security of explosives adopted by the Council on 4 April 2008	Vesna Burić, Djurovic Monja), Ministarstvo ekonomije			Parliament	
<b>7.5.</b>	Adopt the Law on Protection against Ionizing Radiation, Nuclear and Radiation Safety and Security  It is to align with the EU Chemical, Biological, Radiological and Nuclear Action Plan (CBRN) adopted by the Council on 1 December 2009	Ministry of Sustainable Development and Tourism <b>(Ivana Vojinović)</b>  Parliament	III quarter 2017	Expert support- 2700 Budgetary funds- 23670 Total- 26370	Law adopted in the Parliament	Results of the implementation of the Law
<b>7.6.</b>	Implement the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing	National Commission for Implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing <b>(Mladen Marković)</b>	July 2013 July 2015			



	<b>7.6.1</b>	Draft the innovated Action Plan for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing 2013-2014	National Commission for Implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing <b>(Mladen Marković)</b>	July 2013	Budgetary funds - 1485	Innovated Action Plan drafted	Semi-annual reports on the implementation of objectives and measures from the Action Plan
	<b>7.6.2.</b>	Draft the Action Plan for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing for the period after 2014	National Commission for Implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing <b>(Mladen Marković)</b>	July 2015	Budgetary funds - 1485	Innovated Action Plan drafted	Semi-annual reports on the implementation of objectives and measures from the Action Plan
<b>7.7.</b>		Draft an action plan for implementation of the UN Security Council Resolution 1540 and its	Ministry of Foreign Affairs and European	March 2014. And continuously	Budgetary funds- 2.430 €	Action plan for implementation of the UN Security	Report on implementation of objectives and

	implementation	Integration ( <b>Stanica Anđić</b> )			Council Resolution 1540 drafted	measures of the AP
<b>OBJECTIVE</b> Organize new training and professional development programmes						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.8.	Organize trainings for the judicial authorities and law enforcement agencies who are dealing with criminal act of terrorism and other connected criminal acts	Judiciary, Prosecution, Mol -Police administration ( <b>Mladen Marković</b> , Saša Milić, Draško Radinović), Ministry of Justice ( <b>Miljan Vlaović</b> ) Institute for Execution of Criminal Sanctions, Administration for anti money laundering and terrorism financing, Police Academy ( <b>Milica Pajović</b> ,	Continuously	/	Number of conducted trainings  Number of trained officers	The degree of training, efficiency and work quality

		Jelena Tomić)				
7.9.	Purchase specialised and technical equipment for the needs of the police (in line with the Action Plan – the plan of needs for acquiring the missing material and technical assets)	Ministry of Interior – Police Administration <b>(Zoran Asanović, Mladen Marković, Darka Šaban, Nataša Ivanović)</b>	IV quarter of 2016	Donation-EUR 500,000	Equipment acquired	Promoted efficiency and the quality of work
<b>TOPIC:</b> Suppression of terrorism						
<b>OBJECTIVE</b> Assessing the danger of terrorism and related criminal offences						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.10.	Carry out risk assessment and danger analyses	Ministry of Interior – Police Administration <b>(Mladen Marković, Saša Milić, Draško Radinović, Zoran Srdanović)</b> , Ministry of Defence <b>(Nusret Hanjalić)</b> , National Security Agency	June 2015	Budget-EUR 11,880  Donation-EUR 4,000  Expert assistance-EUR 2,700	Working group for preparing the methodology formed  Methodology prepared for collection of data necessary for carrying out of risk assessment and	The implementation of recommendations and conclusions from the risk assessment and danger analysis  List of activities made, selection of the expert,

				Total- EUR 18,575	danger analysis  Carried out assessment and analysis	concept, i.e. methodology of development
<b>OBJECTIVE</b> Improving the mechanisms for detection, monitoring, research and disabling movement and stay of persons connected with terrorism in the territory of Montenegro						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.11.	<p>Sign the Operational Agreement with EUROPOL</p> <p>In reference to the Decision 32005D0671 (EURLEX 19.30.20)</p> <p>Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (OJ L 253, 29/09/2005, p. 22)</p> <p><i>Link: Reporting through police cooperation and fight against organised crime</i></p>	Ministry of Interior (Ivan Ivanišević, Dejan Đurović)	/	/	/	/

7.12.	<p>Conclude the agreement with EUROJUST</p> <p>In reference to the Decision 32005D0671 (EURLEX 19.30.20)</p> <p>Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (OJ L 253, 29/09/2005, p. 22)</p> <p><i>Link: Reporting through the sub-field of Judicial cooperation in criminal and civil matters, measure 5.2.14.</i></p>	/	/	/	/	/
7.13.	<p>Establish cooperation with the EU institutions and make a joint assessment of national arrangements for fight against terrorism</p>	<p>National bodies, which must closely cooperate with the assessment teams, established by the Council Decision of 28 November 2002, depending on the subject and sequence of assessments</p> <p><b>(MI-Mladen Marković, Saša Milić,</b></p>	IV quarter of 2016	No additional funds necessary	Assessment prepared	

		Dražko Radinović, Zoran Srdanović)				
<b>Recommendation 2 from the Screening Report – Fight against Terrorism</b>						
<b>TOPIC:</b> Protection against terrorism						
<b>OBJECTIVE</b> Improving the mechanisms for development and strengthening of protection of infrastructure facilities of particular interest in the territory of Montenegro <i>Note: More details available in the Innovated National Action Plan for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing 2013-2014</i>						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>7.14.</b>	Achieve the required level of technical equipment at the border crossing points  <i>Link: Reporting through the sub-field of External borders and Schengen, measure 4.3. and 4.7</i>	/	/	/	/	/
<b>7.15.</b>	Identify potential European Critical Infrastructures – ECI	Ministry of Economy <b>(Zoran Perišić),</b>  Ministry of Transport and Maritime Affairs,  Ministry for Information Society and	IV quarter 2016	Expert assistance- EUR 8,100  Budget- EUR 8,910  Total- EUR 17,010	Identification made in accordance with the Council Decision 2008/114/EC on the identification and designation of European critical infrastructures and the assessment of	Periodical reporting on measures undertaken with a view to protection of critical infrastructure facilities

		Telecommunication			the need to improve their protection, OJ L 345, 23.12.2008, p. 75	
<b>Recommendation 3 from the Screening Report – Fight against terrorism</b>						
<b>OBJECTIVE</b> Improving the system of controlling the trade and transportation of explosives and weapons, improved security of warehouses and storage facilities for the storage of explosives, weapons, dual-use goods and other assets that could be used for terrorist attacks <i>Note: More details available in the Innovated National Action Plan for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing 2013-2014</i>						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.16.	Analyse the existing system of control of trade, warehousing and storage of weapons, explosives and other assets, as well as of trade in and control of dual-use goods	Ministry of Economy  Ministry of Interior <b>(Danilo Radunović,</b> Dragan Radulović)  Ministry of Defence <b>(Vukadin</b> <b>Tomašević),</b>  Ministry of Foreign Affairs and European	September 2014	Budget- EUR 5,940  Expert assistance- EUR 2,700  Total EUR 8,640	Working group for conducting the analysis formed  Analysis made	Implementation of recommendations prescribed in the Analysis

		Integration				
<b>7.17.</b>	Reconstruct the warehouses where lethal weapons are kept	Ministry of Defence – Armed Forces of Montenegro <b>(Vukadin Tomašević),</b>  Ministry of Interior <b>(Mladen Marković,</b> Radomir Šćepanović)	IV quarter of 2016	Donation (MONDEM Program)- EUR 2,300,000	The number of reconstructed warehouses compared to the number of warehouses requiring reconstruction  Annual report on project realization	Increased degree of safety of the warehouses through clear indicators
<p style="text-align: center;"><b>TOPIC:</b> <b>Recovery of damage caused by terrorist attacks</b></p>						
<p><b>OBJECTIVE</b> Improving and developing the national capacities required for recovery of consequences of terrorist attacks and revitalisation of damaged systems</p>						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>7.18.</b>	Perform the inter-agency exercises with various scenarios	Ministry of Interior <b>(Radomir Šćepanović,</b> Milan Radović, Mladen Marković, Vesna Burić, Slavka Miletić),  Ministry of Defence	Continuously	Budget: EUR 9,000	Existing plans reviewed  The number of exercises conducted	Increased degree of readiness to address security risks



		(Rade Ćurčić) and state authorities participating in removing the consequences of attacks and revitalisation of damaged systems depending on the accident				
<b>OBJECTIVE</b> Develop mechanisms for rescuing people, material and cultural resources and environment						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
7.19.	Strengthen the coordination and cooperation with a view to adequate use of resources of the protection and rescue services	Ministry of Interior – Police Administration (Radomir Šćepanović, Milan Radović, Mladen Marković, Vesna Burić, Slavka Miletić),  Ministry of Defence – Armed Forces of Montenegro (Rade Ćurčić), competent bodies and local	Continuously	No additional funds necessary	The number of joint meeting in the country and abroad  The number of joint interventions	An overview of results achieved

		protection and rescue services				
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## 8. COOPERATION IN THE FIELD OF DRUGS

(Coordinators for the area of cooperation in the field of drugs: Miodrag Laković, Ministry of Interior/Police Administration and Jasna Sekulić, Ministry of Health)

### STATE OF PLAY

In the field of fight against drugs, Montenegro has acceded the relevant UN Conventions: the 1961 Single Convention on Narcotic Drugs, the 1972 Protocol Amending the Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, the 1988 United Nations Convention on the Fight against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the UN Convention against Transnational Organised Crime and Protocols thereto, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, and the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and Financing of Terrorism.

By hiring an external EU consultant, UNDOC supported the drafting of the following documents through the Regional Programme 2012-2015:

“Evaluation of the National Strategic Response to Drugs 2008-2012”,

“Strategy of Montenegro on the Prevention of Drug Abuse 2013-2020”, and

Action Plan 2013-2016, as adopted by the Government.

The Strategy of Montenegro 2013-2020 identifies areas in accordance with the new strategic framework of the European Union in the area of drugs (link: [www.mzd.gov.me](http://www.mzd.gov.me)). The Strategy of Montenegro 2013-2020 as well as the Action Plan for 2013-2016 are continuously implementing in the all areas, through monitoring and reporting.

The field of fight against drugs and prevention of their abuse includes the following regulations: Criminal Code (Official Gazette of the Republic of

Montenegro 70/03, 13/04, 47/06 and Official Gazette of Montenegro 40/08, 25/10 and 32/11), Criminal Procedure Code (Official Gazette of Montenegro 57/09 and 49/10), Law on Internal Affairs (Official Gazette of Montenegro 44/12, 1/15), Law on Prevention of Drugs Abuse (Official Gazette of Montenegro 28/11 and 35/13) and Law on Control of Production of and Trade in Substances Used in Manufacturing Narcotic Drugs and Psychotropic Substances (Official Gazette of Montenegro 83/09) (links: [www.mpa.gov.me](http://www.mpa.gov.me); [www.mup.gov.me](http://www.mup.gov.me); [www.mzd.gov.me](http://www.mzd.gov.me)).

The Rulebook on the list of drugs, psychotropic substances and plants that can be used for manufacturing drugs (Official Gazette of Montenegro 56/12) / List of drugs / entered into force and it is in accordance with the list of UN Conventions which contains a special section with new synthetic substances. The list can be easily updated and filled in when the need arises, depending on the appearance of new synthetic substances. The Rulebook on the form of special licence for import, export and transit of drugs (Official Gazette of Montenegro 44/12) also entered into force. The Regulation on the list of substances that can be used for manufacturing narcotic drugs and psychotropic substances (precursors) (Official Gazette of Montenegro 58/10) entered into force as well. [www.mzd.gov.me](http://www.mzd.gov.me)

In December 2011, reorganisation of the Division for Fight against Drugs and Smuggling was carried out through the adoption of the Rulebook on internal organisation and job description of the Police Administration. Activities related to suppression of drugs abuse and smuggling were centralised at the level of the Crime Police Department, which will contribute to more efficient investigations and quality of work in collecting evidence for these criminal offences, and particularly their qualified forms (*international smuggling chains, organised criminal groups, etc.*).

On 29 September 2014, Operational Agreement was signed with EUROPOL, which will contribute to international cooperation in the part concerning investigation and working on joint cases.

Project IPA 2012 project "Support of the EU to the rule of law by further strengthening the administrative, technical and operative capacities of the Police Administration, Administration for Prevention of Money Laundering and Terrorist Financing as well as Property Administration (EUROL)", is being at the moment implemented in partnership with the United Kingdom and the Kingdom of Netherlands. Within this Project, the following activities were completed: preparation of the equipment specifications for the Division for Fight against Drugs, tender announcement, trainings, as well as three workshops for drafting the guidelines for acting in operations or in collecting evidence for criminal offences involving drugs.

Montenegro continued to actively participate in the *UNDOC Regional Programme for better management, justice and security in the South East Europe 2012-2015*. Within the UNODC Programme, the Joint operative team for container control was established in the Port of Bar. In June 2014, 227, 80 kg of

cocaine in the Port of Bar was seized.

Significant activities have been implemented regarding the education of employees in the area of prevention and addiction treatment, through cooperation with TAIEX, EMCDDA, REITOX, UNODC, Pompidou Group Council of Europe.

Through cooperation with EMCDDA, activities were implemented in the field of research and seminar. With TAIEX programme support, Process of drafting the EWS ("Early warning system on new psychoactive substances") has begun. As of 2011, Montenegro is a member of the Pompidou Group Council of Europe and, being a full member, it participates in the programmes of this body.

Montenegro has a long tradition and experience in implementing prevention programmes through the education system. Preventive, informational and educational programmes are also implemented by the municipal offices for prevention of addiction diseases, through cooperation with schools. Some of the preventive activities are implemented by NGOs.

Drug addiction treatment in the health care system of Montenegro, is available to all drug addicts who seek help, with the respect of human rights and rights of patients. The treatment costs for all addicts who seek help are paid from the state budget and free of charge for patients. Rehabilitation and re-socialisation programmes are available in the Public Institution for Accommodation, Rehabilitation and Re-socialisation of Users of Psychoactive Substances, which received the assistance in developing additional premises for accommodation of women, through IPA project.

Significant financial funds are allocated from the games of chance revenues and, through public tenders, awarded to non-governmental organisations which implement programmes for prevention, rehabilitation and self-help to addicts, as well as outreach and/or drop-in programmes and/or programmes for reducing damage (harm reduction) caused by drug abuse and/or programmes for populations which are difficult to reach.

The National Council for Drug Abuse Prevention affirms the activities of all entities aimed at comprehensive efforts of Montenegro to fight drug abuse.

The Department for drugs in the Ministry of health has the role of national unit for information and data on drugs and of national contact point for international cooperation with the relevant agencies and bodies.

On the basis of recommendations from the Screening Report and the European Commission Progress Report on Montenegro, and in accordance with measures from the Action Plan 24, in the areas of reduced demand for narcotic drugs and reduced supply of drugs, the strategic framework and national policy for prevention and fight of drug abuse is being implemented for the period 2013-2020, in accordance with new policy framework of the European

Union, taking into account evaluation mechanisms and continuous monitoring.						
<b>Recommendation 1 from the Screening Report – Cooperation in the field of drugs</b>						
<b>OBJECTIVE:</b> Improve operational results of the law enforcement bodies and judicial authorities in the fight against drugs, including increase in the number of cases, criminal charges, persons deprived of their liberty, and the quantity of drugs seized						
No	Measure / Activity	Responsible authority	Deadline	Required funds /Source of financing	Indicator of result	Indicator of impact
8.1	Strengthen human resources of the Division for Fight against Drugs and Smuggling, through filling vacancies	Ministry of Interior – Police Administration <b>(Miodrag Laković)</b>	December 2014 December 2015	Regular budgetary funds	Vacancies filled in the Division for Fight against Drugs and Smuggling *****	To be more efficient in carrying out the activities (number of cases, criminal charges, persons deprived of liberty, seizures and quantity of seized narcotic drugs)
8.2	Provide material resources and technical equipment for the Division by purchasing official vehicles and replacing	Ministry of Interior – Police Administration <b>(Miodrag Laković, Vladan Delić)</b>		Regular budgetary funds	Motor vehicles provided	Number of cases, criminal charges, persons deprived of liberty, seizures and quantity of seized

\*\*\*\*\* During the 2014, two vacancies have been filled within the Division for Fight against Drugs and Smuggling (out of 55 working posts provided by the Rulebook on Internal organizations and jobs description, 52 officers have been employed).

	old official vehicles		December 2013	2013=EUR 15,000		narcotic drugs
			December 2014	2014=EUR 50,000		
			December 2015	2015=EUR 85,000		
<b>8.3</b>	<p>Provide material resources and technical equipment for the Division by purchasing specialised equipment and equipment for protection for officers of the Division for Fight against Drugs<sup>+++++</sup>:</p> <p>equipment used for raising the level of security of officers when on duty (bulletproof vest)</p> <p>equipment used for clear identification of police officers when taking arrest actions (jackets, vests and</p>	<p>Ministry of Interior – Police Administration (<b>Miodrag Laković</b>, Zoran Asanović)</p>	<p>December 2013</p> <p>June 2015</p>	<p>Overall EUR 250,000 – Budgetary funds, and through IPA 2012 supply budget EUR 80,000</p> <p>2013= EUR 10,000</p> <p>2015=EUR 60,000 (IPA2012)</p> <p>2015=EUR 90,000</p>	<p>Equipment purchased</p>	<p>Number of cases, criminal charges, persons deprived of liberty, seizures and quantity of seized narcotic drugs</p> <p>Table for monitoring indicators</p>

+++++  
Need assessment made through IPA 2010

	caps with visible police symbols)  technical equipment to be used on the crime scene (specialised equipment for search of premises such as CT35 sets, manual reflectors, LED torches, devices for daily and nightly long-distance surveillance, etc.)		December 2015  December 2016	(budget)  2016=EUR 90,000		
<b>8.4</b>	Train officers in the country and abroad for:  a) use of secret surveillance measures in collecting evidence against organised criminal groups ( <i>a part through IPA 2012</i> )  b) international investigations and joint investigation teams  c) new types of drugs and method for their detection	Ministry of Interior – Police Administration <b>(Miodrag Laković)</b> Police Academy***** <b>( Milica Pajović/Jelena Tomić)</b>	a) and b)  December 2013 – December 2015	EUR 9,600 of budgetary funds, and partly through IPA 2012 training budget - EUR 10,000	Number of trained officers	Increased number of cases resolved by applying secret surveillance measures

\*\*\*\*\* - 1 trainee EUR 21.10 per day;/ for 18 trainees EUR 379.80 per day (for national organisations);  
- 1 trainee EUR 31.70 per day ;/ for 18 trainees EUR 570.60 (for foreign organisations);  
*The price varies depending on the number of trainees and days of training!*

	(particularly as regards synthetic drugs and laboratories for their production)		c) continuously			
<b>Recommendations 1 and 3 from the Screening Report – Cooperation in the field of drugs</b>						
<b>OBJECTIVE</b>						
Improve practical cooperation, coordination and exchange of data between national and international authorities involved in the fight against drugs						
Improve international cooperation and cooperation with the Europol						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
8.5	Strengthen cooperation between the Police Administration and the Customs Administration through joint controls at border crossing points	Ministry of Interior – Police Administration ( <b>Milan Tomić</b> , Miodrag Laković)  Customs Administration (Darko Šćekić)	Continuously	Budgetary funds	Increased number of conducted joint controls at the border crossing points	Increased number of seizures and quantity of seized drugs at the border crossing points  Table for monitoring indicators
8.6	Exchange operational data with the Europol and counterpart services of other countries	Ministry of Interior – Police Administration ( <b>Miodrag Laković</b> , Dejan Đurović), Customs Administration (Darko Šćekić),	Continuously	Budgetary funds	Increased number of international investigations	Increased number of international cases, number of seizures, number of prosecuted persons and quantity of seized drugs within



		Supreme Public Prosecutor's Office				international cooperation
<b>8.7</b>	Initiate and participate in international investigations	Ministry of Interior – Police Administration <b>(Miodrag Laković)</b>  Customs Administration <b>(Darko Šćekić),</b>  Supreme Public Prosecutor's Office <b>(Mira Samardžić)/</b>  Special Prosecutor's Office	Continuously  December 2013  December 2014  December 2015  December 2016	Budgetary funds  2013=EUR 21,432.60  2014=EUR 36,741.60  2015=EUR 36,741.60  2016=EUR 36,741.60	Increased number of international investigations	Increased number of international cases, number of seizures, number of prosecuted persons and quantity of seized drugs within international cooperation
<b>Recommendation 2 from the Screening Report – Cooperation in the field of drugs</b>						
<b>OBJECTIVE</b> Strengthen security measures and the surveillance over the Port of Bar						
<b>No.</b>	<b>Measure / Activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds /Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>

8.8	Strengthening the capacities of the Joint operative team at the Port of Bar ( <i>measures 8.8, 8.9, 8.10 and 8.11 from the previous AP are merged</i> )		Customs Administration ( <b>Dragan Lučić</b> ) Ministry of Interior – Police Administration ( <b>Miodrag Laković</b> , Gordana Krivokapić)	Continuously	Donations: UNODC Regional Programme	Administrative, Material and technical conditions are improved	Increased number of controlled containers at the Port of Bar  Increased number of seizures and the quantity of seized drugs in the Port of Bar
	8.8.1	Form the working group for the development of the Risk Analysis and the assessment of the required material and technical resources with the aim of more efficient surveillance over the Port of Bar	Customs Administration ( <b>Dragan Lučić</b> ) Ministry of Interior – Police Administration ( <b>Miodrag Laković</b> , Gordana Krivokapić)	September 2013	Budgetary funds	Working group formed	

	8.8.2	Develop the Risk Analysis and the assessment of the required material and technical resources for the operative work on the improved surveillance over the Port of Bar	Customs Administration <b>(Dragan Lučić)</b>  Ministry of Interior – Police Administration <b>(Miodrag Laković,</b> Gordana Krivokapić)	December 2013	Budgetary funds EUR 5,248.80	Analysis developed,  Risk profiles entered into the Risk Management System of the Customs Administration and available to the Police Administration	
	8.8.3	Provide the premises and the equipment for the work of the joint operative team	Customs Administration <b>(Dragan Lučić)</b>  Ministry of Interior – Police Administration <b>(Miodrag Laković,</b> Gordana Krivokapić)	December 2014	Budgetary funds and the UNODC Regional Programme	Material and technical conditions provided	
	8.8.4	Select and train officers who will, when necessary, be engaged in the Joint operative	Customs Administration <b>(Dragan Lučić)</b>  Ministry of Interior – Police Administration <b>(Miodrag Laković,</b>	December 2013 – December 2015	Budgetary funds and the UNODC Regional Programme	Number of trainings	



				19,440.00  2016 cc EUR 19,440.00  2017 cc EUR 19,440.00  overall by the end of 2017 cc EUR 69,660.00		
<b>8.10</b>	Train staff in the Focal Point for Drugs, with building the capacity of national network for the information and data on drugs in line with the EMCDDA standards <i>(measures 8.13 from the previous AP)</i>	Ministry of Health <b>(Jasna Sekulić),</b>  Ministry of Interior – Police Administration <b>(Miodrag Laković,</b> Gordana Krivokapić)	Continuously through stages until the membership	Expert support through participation in programmes with the EMCDDA, for three employees, per one employee cca EUR 1,000.00  Note: principal through programs of training with EMCCDA   2014 cc EUR 3,000.00	Number of trainings and the number of trained staff	Adopted and applied the standards and indicators for collecting and analysing data through the operative national network

				2015 cc EUR 3,000.00 2016 cc EUR3,000.00 2017 Cc EUR 3,000.00		
<b>8.11</b>	Develop the Action Plan for establishing a national drug information system ( <i>NAPDIS –National Action Plan on Drug Information System</i> ), along with recommendations for network participants ( <i>measures 8.14 from the previous AP</i> )	Ministry of Health <b>(Jasna Sekulić)</b>  Multi-department group	June 2015	Expert support through cooperation with the EMCDDA, TAIEX  Budget EUR 8,505.00	Action Plan adopted(NAPDIS) and activities implemented	Recognized and determined particular data sources at the national level;  operative through regular submission of collected and analysed data and information in accordance with the prescribed European standards and indicators to the National Focal Point
<b>8.12</b>	Train the participants in the Early Warning System (EWS) in case of new types of psychoactive substances	Ministry of Health <b>(Jasna Sekulić),</b>  Ministry of Interior -	Continuously	Participation in the international training programmes;	Number of trained participants and trainings conducted	Application of the adopted standards. Capacity to monitor trends regarding

	<i>(measures 8.15 from the previous AP)</i>	Police Administration <b>(Miodrag Laković,</b> Gordana Krivokapić)		TAIEX workshops and study visits;  Expert support of the European agencies  (EUROPOL, EMCDDA).  Per one officer: cc EUR 1,000  Note: principal through programs of training with EMCDDA.  2015 cc EUR 3,000.00 2016 cc EUR 3,000.00 2017cc EUR 3,000.00		the appearance of new synthetic substances and exchange of information with the international partners
<b>8.13</b>	Draft guidelines for establishment of the Early Warning System (EWS) in case of new types of psychoactive substances <i>(measures 8.16 from the previous AP)</i>	Ministry of Health <b>(Jasna Sekulić),</b>  Ministry of Interior - Police Administration <b>(Miodrag Laković,</b> Gordana Krivokapić)	Third quarter of 2016	Expert support, TAIEX workshops and seminars  Cca EUR 7,290.00  3 officers/experts will work on the document for three	Guidelines adopted	EWS in function,  Possibility to detect new synthetic substances,  Participation in the European network for the EWS,

				months		Exchange of information and practices with the EUROPOL, EMCDDA and with the INCB
<b>8.14</b>	Establish the functionality, through the stages, of the National Focal Point and the national information system, as a preparation for the participation in the European network (Reitox) and in reporting of the EMCDDA  <i>(measures 8.17 from the previous AP)</i>	Ministry of Health <b>(Jasna Sekulić)</b>	Continuously through stages until the membership	Participation in the programmes with the EMCDDA,  Expert support,  TAIEX, Regular budgetary funds  Reference: item 8.9	Development of annual national reports in accordance with the standards of EMCDDA	Availability of data and information on the condition in the area of drugs for the purpose of planning national programmes and measures and participation in the international exchange of information and data
<b>Recommendation 6 from the Screening Report – Cooperation in the field of drugs</b>						
<b>OBJECTIVE</b> Apply strategic framework, along with development of evaluation mechanisms, and apply the national policy on drug abuse prevention and suppression in accordance with the new EU policy framework						
<b>No.</b>	<b>Measure / Activity</b>	<b>Responsible authority</b>	<b>Deadline</b>	<b>Required funds / Source of financing</b>	<b>Indicator of result</b>	<b>Indicator of impact</b>



<b>8.15</b>	Establish an inter-ministerial working group with the task to draft an annual report on fulfilment of objectives contained in the 2013-2016 Action Plan ( <i>measures 8.18 from the previous AP</i> )	Ministry of Health <b>(Jasna Sekulić)</b>  Inter-ministerial working group	January – March 2014  January – March 2015  January – March 2016	No additional funds required	Information and annual report on fulfilment of objectives contained in the 2013, 2014 and 2015 Action Plan adopted by the Government	Improved situation in the area of drug abuse prevention, in accordance with the strategic framework, through functional monitoring
<b>8.16</b>	External mid-term evaluation of the Strategy, by applying appropriate methodology ( <i>measures 8.19 from the previous AP</i> )	Ministry of Health <b>(Jasna Sekulić)</b>	Fourth quarter of 2016	External evaluation with expert assistance needed in choosing and applying certain methodology, in order to continually follow the strategic direction of EU, and through participation in international projects and cooperation programmes.	Report on external in-term evaluation of the Strategy adopted by the Government	Obtained evaluation indicators are used for drafting the second Action Plan for Implementation of the Strategy.
<b>8.17</b>	Draft Proposal for the 2017-2018 Action Plan in order to continue implementation of the	Ministry of Health <b>(Jasna Sekulić),</b> Inter-ministerial	Fourth quarter of 2016	Budget EUR 2,430.00 per plan	The second Action Plan 2017-2018 adopted by the Government in order to continue	Ensuring continuity in implementing activities in the area of drug abuse

	national Strategy for Prevention of Drug Abuse  Draft Proposal for the 2019-2020 Action Plan in order to continue implementation of the national Strategy for Prevention of Drug Abuse  <i>(measures 8.20 from the previous AP)</i>	working group  Ministry of Health <b>(Jasna Sekulić)</b>  Inter-ministerial working group	Second quarter of 2018		implementation of the Strategy  The Action Plan 2019-2020 adopted by the Government in order to continue implementation of the Strategy	prevention, in accordance with the EU strategic framework.  Ensuring continuity in implementing activities in the area of drug abuse prevention, in accordance with the EU strategic framework.
<b>OBJECTIVE</b> Align and implement legislation and strategic documents						
No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
<b>8.18</b>	Adopt the Law Amending the Law on Prohibition of Drug Abuse, transposing the Council Decision 2001/419/JHA  <i>(measures 8.21 from the previous</i>	Ministry of Health <b>(Jasna Sekulić)</b>	December 2013		Law adopted	Practical implementation of the concerned Decision regarding international official exchange and transmission of

	AP)					samples of controlled substances for the purpose of forensic analysis between police contact points of the involved countries
<b>8.19</b>	Adopt instructions for officers' actions in the Division for Fight against Drugs and Smuggling ( <i>guidelines for acting in operations or in collecting evidence for criminal offences involving drugs</i> )  ( <i>measures 8.22 from the previous AP</i> )		Ministry of Interior – Police Administration <b>(Miloš Vukčević,</b> Dragana Đurišić, Miodrag Laković)	June 2015	EUR 15,000 – Budgetary funds, donations,  and partly through IPA 2012	Practical application of the adopted document
	<b>8.19.1</b>	Establishment of a Working Group to draft the Instruction	Ministry of Interior – Police Administration <b>(Miloš Vukčević,</b> Dragana Đurišić,	June 2014		WG established

			Miodrag Laković)				
	<b>8.19.2</b>	Developing a draft Instruction	Ministry of Interior – Police Administration (Miloš Vukčević, Dragana Đurišić, Miodrag Laković)	September 2014		Draft Instruction developed	
	<b>8.19.3</b>	Adopt the Instruction	Ministry of Interior – Police Administration (Miloš Vukčević, Dragana Đurišić, Miodrag Laković)	June 2015		Instruction entered into force	

## 9. CUSTOMS COOPERATION

(Coordinator for the area of customs cooperation: Rade Lazović, Customs Administration)

### STATE OF PLAY

The Customs Administration cooperates with customs services of the EU Member States, on the basis of Article 99 of the Stabilisation and Association Agreement between Montenegro and the European Union (Official Gazette of Montenegro 7/07), i.e. on the basis of Protocol 6 of the Agreement (Protocol on Mutual Administrative Assistance in Customs Matters). Article 14 of the Customs Law (Official Gazette of the Republic of Montenegro 07/02, 38/02, 72/02, 21/03, 29/05, 66/06 and the Official Gazette of Montenegro 21/08) prescribes that, during the course of customs supervision and control and when it is necessary in order to lower the risks, customs authority is allowed to exchange information with international institutions and bodies of other countries regarding the entry, exit, transit, transfer and final use of goods transferred between the customs area of Montenegro and other territories, as well as information regarding foreign goods. The Law on Customs Service (Official Gazette of the Republic of Montenegro 7/02, 29/05) defines the scope of work of the body competent for customs affairs and obligations and responsibilities of customs officers.

The Customs Administration has signed 27 bilateral Agreements on Cooperation and Mutual Assistance in Customs Matters, 12 of which with the customs services of EU Member States. The Memorandum of Understanding was signed with the Customs Agency of Italy on the exchange of information between the Customs Stations Bar and Bari. Agreements on electronic data exchange have been signed with the customs services of Serbia, Bosnia and Herzegovina, Kosovo \*\*\*\*\* and Albania, which completed phase II of the Regional SEED project supported by the European Commission. The Customs Administration actively participates in international customs investigations. In 2012, 114 pieces of information have been exchanged with international institutions OLAF, SELEC, WCO-RILO, as well as with partner customs services.

Customs information system supports customs procedures. Article 33 of the Law on Customs Service prescribes keeping records of data that are collected, used and kept by customs officers for purposes of performing the tasks of implementing customs authorities. TIR carnet is monitored electronically, in accordance with the TIR Convention. TARICG is implemented into the IT system of the Customs Administration where a Control List has been entered which contains a list of goods that undergo sanitary and phytosanitary control, list of non-military lethal weapons, list of goods which undergo veterinary control

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\*\*\*\*\* This name does not prejudice the status, and it is in accordance with the UN Security Council Resolution 1244 and opinion of the International Court of Justice on the Kosovo's declaration of independence.

and CITES species. Information on all significant seizures is entered into the Customs Enforcement Network, a computer system within RILO ECE. Implementation of the project for risk analysis and business rules is on-going, with the software solution donated by Slovenia.

**Recommendation 1 from the Screening Report:** “Define terms of reference of experts to assist in preparing the strategy on customs IT infrastructure” is implemented.

The Customs Administration, in cooperation with DG TAXUD, has prepared technical specification for development of a new ICT strategy, based on the new business strategy. In January 2013, the Delegation of the European Union to Montenegro published an international tender for selection of the best bidder for development of ICT strategy of the Customs Administration. The procedure was completed. Three experts from the company Analysis for Economic Decisions (ADE) - Consulting & Advisory Services, with headquarters in Belgium, will be entrusted with preparing a document entitled “IT Strategy in Accordance with the Business Strategy of the Customs Administration”. Those are experts in the European customs information systems, with good knowledge of EU business procedures and experience in accession processes.

In drafting the IT Strategy, including a tactic plan, the main focus will be put on the following points:

1. Timeframe of the IT Strategy – up to 2020;
2. Tactic plan with detailed elaboration of the first three years of implementation of the Strategy;
3. Current IT architecture, which is already complex due to great advancement made in the last few years;
4. Obtaining recommendation from the consultants in terms of giving directions for development in the next 8 years, although there is a large number of available options for the IT Strategy.

The Customs Administration has drafted the ICT Strategy in line with the Operational Strategy of the Customs Administration in October 2013 which defines the organisational structure of the IT projects, application of IT standards, goals of the Information System, infrastructure and technical environment.

The Rulebook on internal organisation and job descriptions of the Customs Administration, which is a part of the Rulebook of the Ministry of Finance has been adopted and it entered into force in June 2013.

#### ***Recommendation 2 from the Screening Report – Customs Cooperation***

##### **OBJECTIVE:**

Draft a strategy on changing the customs IT infrastructure

Implement the Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
9.1.	Draft an IT Strategy in accordance with the Business Strategy of the Customs Administration by the company Analysis for Economic Decisions (ADE) - Consulting & Advisory Services from Belgium	Ministry of Finance - Customs Administration <b>(Milan Martinović)</b>	October 2013	- EU Delegation in Montenegro - Budget/10.328	IT Strategy drafted	Annual reports on implementation of the Strategy
9.2.	Engage an IT expert to prepare technical specifications for implementation of the Council Decision 2009/917/JHA	Ministry of Finance - Customs Administration <b>(Milan Martinović)</b>	IV Quarter 2016	- TAIEX/5.400 - Budget/2.430	Technical specifications for implementation of the Council Decision 2009/917/JHA prepared	/
9.3.	Organise a public procurement procedure for selection of an IT expert for implementation of the Council Decision 2009/917/JHA	Ministry of Finance - Customs Administration <b>(Milan Martinović)</b>	II Quarter 2017	- IPA II, DGTAXUD - TAIEX/2.700 - Budget/8.100	Public procurement procedure completed – Council Decision 2009/917/JHA	Increased number of exchanged information within international cooperation

**Recommendation 3 from the Screening Report – Customs Cooperation**

**OBJECTIVE:**

Define activities for ratification of the Convention on Mutual Assistance and Cooperation between Customs Administrations (Naples II Convention) and plan for their implementation

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
9.4.	Ratification of Ratify the Convention on Mutual Assistance and Cooperation between Customs Administrations (Naples II Convention)	Ministry of Finance - Customs Administration ( <b>Azra Bećović</b> ) Ministry of Foreign Affairs and European Integration	Following accession to the European Union	- Budget/15.000	Law on Ratification of the Convention on Mutual Assistance and Cooperation between Customs Administrations (Naples II Convention) adopted	Increased number of exchanged information, joint investigative actions, criminal charges and seized goods within international cooperation
9.5.	Adoption of a new Law on Customs Service	Ministry of Finance - Customs Administration ( <b>Ranko Jovović</b> )	April 2015	- TAIEX/24.300 - Budget/31.185	Law on Customs Service adopted  Periodical reports on implementation – progress	Increased number of customs investigations, number of cases conducted in cooperation with public prosecution offices, number of criminal charges, scope



							and value of seized goods
	9.5.1.	Forming of a working group for drafting the Law on Customs Service		December 2013		The working group for drafting the Law on Customs Service formed	
	9.5.2.	Engagement of EU experts for assistance in drafting the Law on Customs Service		March 2014	- TAIEX 2014	A mission of EU experts for assistance in drafting the Law on Customs Service carried out	
	9.5.3.	The draft proposal for the Law on Custom Service completed		October 2014		The draft proposal for the Law on Custom Service completed	
9.6.	Adopt a Law on amendments of the Criminal Procedure Code aiming to extend the authorisations of customs officers for collecting evidence in criminal proceedings by order of the competent prosecutor		Ministry of Justice <b>(Merima Baković)</b>  <b>Government</b>  <b>Parliament</b>	March 2015  June 2015	Financial implications in the AP23	Adopted a Law on amendments of the Criminal Procedure Code and made possible investigative powers of the customs officers	Periodical reports on achieved results, in accordance with new authorisations of customs officers  Number of pre-

						investigations initiated by Customs
9.7.	Amend the Rulebook on internal organisation and job description of the Customs Administration	Ministry of Finance - Customs Administration (Ranko Jovović)	December 2013	- Budget/8.100	Rulebook on internal organisation and job description of the Customs Administration adopted	Increased number of exchanged information within international cooperation  Strengthened capacities of the Section for International Customs Cooperation
9.8.	<i>Adopt internal rulebooks</i>  <b><i>Internal rulebook on operation of the Division for Customs Investigations</i></b> <i>(define and describe competences, precisely describe tasks and procedures, records keeping and monitoring status of cases, cooperation with the prosecutor in investigations, application of authorisations, evidence collecting,</i>	Ministry of Finance - Customs Administration (Ranko Jovović)	December 2015	- TAIEX/7.290 - Budget/5.400	Internal rulebooks adopted	Efficient monitoring of activities regarding cases, application of authorisations, evidence collection, resource planning,

	<i>international cooperation, etc.)</i>  <b><i>Internal rulebook on operation of the Intelligence Division</i></b>  <b><i>Internal rulebook on operation of the Division for Ex-Post Control</i></b>					investigation efficiency improvement
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## 10. COUNTERFEITING OF THE EURO

(Coordinator for the area of counterfeiting of the Euro: Dragan Radonjić, Ministry of Interior)

### STATE OF PLAY

#### LEGAL FRAMEWORK:

Law on Internal Affairs, Criminal Procedure Code, Criminal Code, Strategy for Prevention of Organised Crime and Corruption.

Official means of payment in Montenegro is the Euro. Euro was introduced on the basis of the Law on Central Bank in 2000 as a replacement for the Deutsche Mark. The Central Bank concluded the Agreement on Cooperation in the area of coins with the European Commission – OLAF in 2008. The Central Bank of Montenegro concluded the Agreement on Cooperation with the European Central Bank in the area of notes in 2009. Protocol on cooperation aimed at promoting cooperation in the fight against counterfeit euro was signed on the level of state institutions of Montenegro, Public Prosecutor's Office of

Montenegro, Police Administration and the Central Bank of Montenegro in 2012.

In accordance with the above mentioned, an analysis has been developed based on which agreements were signed with OLAF and the European Central Bank, and those are implemented in a high quality manner, through regular reporting by means of data exchange, planning and organisation of seminars and trainings, which will be continued in the forthcoming period as well. Furthermore, analysis has recognised the need for strengthening capacities for improving cooperation with OLAF, EUROPOL and European Central Bank, with the special focus on the following:

- harmonising normative framework with EU *acquis*,
- strengthening administrative capacities of the line of work of economic crime,
- more efficient discovery and prosecution of criminal offences of counterfeiting money - Euro,
- more efficient discovery and prosecution of other offences of economic crime,
- continuous enhancing of the cooperation of Montenegro with institutions of the European Union responsible for protecting Euro from forfeiting, such as: the European Commission – OLAF, European Central Bank
- process of establishing a national central office (NCO) for fight against Euro forfeiting is underway; it's registered office is planned to be located in Ministry of Interior of Montenegro, Police Administration, Criminal Police Sector, Department for Combating Economic Crime.

The Agreement on Operational and Strategic Cooperation between Montenegro and EUROPOL was signed on 29 September 2014 in The Hague, which will enable the exchange of information in the area of protection against the counterfeiting of the Euro.

***Recommendation 1 from the Screening Report – Counterfeiting of the euro***

**OBJECTIVE:**

Align the legislation with the *acquis* and strengthening the capacities for improving cooperation with OLAF (the European Anti-Fraud Office), EUROPOL and the European Central Bank in this area

No.	Measure / Activity	Responsible authority	Deadline	Required funds / Source of financing	Indicator of result	Indicator of impact
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10.1.	Make an Analysis of the normative and legal framework governing the area of counterfeiting of Euro and implement the conclusions from the Analysis	Ministry of Justice <b>(Branka Lakočević,</b> Duška Velimirović),  Central Bank of Montenegro,  Ministry of Interior – Police Administration <b>(Dragan Radonjić)</b>	June 2015	Financial evaluation done within the measure 6.2.3 (Law Amending the Criminal Procedure Code)  Funds necessary for 3 officers × one month × EUR 810.00 = EUR 2,430.00		
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	10.1.1	<p>Make an Analysis of the normative and legal framework governing the area of counterfeiting of Euro:</p> <p>a. Ratification of the Geneva Convention for the Suppression of Counterfeiting Currency as of 1929</p> <p>b. Consider amending the word money into currency in Article 142, paragraph 23</p> <p>c. Consider amending the use of SSM for individual persons in Article 262</p> <p>d. Consider whether the Criminal Code needs to contain the definition of Counterfeit money which is currently contained in the decision of the Central Bank of Montenegro</p>	<p>Ministry of Justice <b>(Branka Lakočević,</b> Duška Velimirović),</p> <p>Central Bank of Montenegro,</p> <p>Ministry of Interior – Police Administration <b>(Dragan Radonjić)</b></p>	September 2014	<p>Funds necessary for 3 officers × one month × EUR 810.00 = EUR 2,430.00</p>	Analysis made	
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	<b>10.1.2.</b>	Ratify the Geneva Convention for the Suppression of Counterfeiting Currency as of 1929	Ministry of Justice <b>(Branka Lakočević,</b> Duška Velimirović)	June 2015	/	Convention ratified	/
	<b>10.1.3.</b>	Amend the Criminal Procedure Code regarding the possibility of the application of SSM for the criminal offense of counterfeiting of money	Ministry of Justice <b>(Branka Lakočević,</b> Duška Velimirović)	June 2015	Financial evaluation done within the measure 6.2.3 (Law Amending the Criminal Procedure Code)	Amendments of the Criminal Procedure Code adopted	
<b>10.2.</b>	Amend the Rulebook on Organisation and Job Descriptions of the Ministry of Interior – by defining in the Section for Suppression of Economic Crime of the National Central Bureau that will deal with the issue of Counterfeiting of the euro		Ministry of Interior – Police Administration <b>(Miloš Vukčević,</b> Dragana Đurišić, Dragan Radonjić)	June 2015	Funds necessary for 3 officers × one month × EUR 810.00 = EUR 2,430.00	Amendments to the Rulebook on Organisation and Job Descriptions of the Ministry of Interior adopted	Higher level of quality and efficiency of initiated investigations and filed criminal charges in the area of Counterfeiting of the euro
<b>10.3.</b>	Organise trainings at international and national level for the area of Counterfeiting of the euro		Ministry of Interior – Police Administration <b>(Dragan Radonjić),</b>  Central Bank of	January 2014 - December 2018	Budget, International cooperation  Funds required	Number of trainings carried out  Number of officers trained	Higher level of quality and efficiency of initiated investigations and filed criminal charges in the area of Counterfeiting of the

		Montenegro, Police Academy ( <b>Milica Pajović</b> /Jelena Tomić)		<p>Training at the national level,</p> <p>8 officers × 5 days × EUR 100 = EUR 4,000</p> <p>2 experts × EUR 2,700 = EUR 5,400</p> <p>Training at the international level for 2 officers × EUR 1,000 = EUR 2,000</p> <p>2 experts × EUR 2,700 = EUR 5,400</p> <p>Funds required for a one year training in the country and abroad in the total amount of EUR 16,800</p>		euro
10.4.	Strengthen technical capacities by purchasing an expert analysis	Central Bank of	December	Budget and donations, through	Acquired equipment	Higher level of quality and efficiency of



	software - BIP MAP	Montenegro	2015	<p>projects supported by the international organisations</p> <p>Funds required for the procurement of the expert analysis software - BIP MAP in the amount of EUR 15,000</p>		initiated investigations and filed criminal charges in the area of Counterfeiting of the euro
10.5.	<p>Sign the Operational agreement with the EUROPOL</p> <p><b>Note:</b> <i>signing the agreement in the area of Police cooperation and fight against organised crime</i></p>	Ministry of Interior (Ivan Ivanišević, Dejan Đurović, Dragan Radonjić)	September 2014	/	Operational agreement with the EUROPOL signed	Deliver on regular basis quarter reports to EUROPOL regarding the counterfeiting of the Euro

