

**I CHRONOLOGY OF EVENTS IN THE DEVELOPMENT OF THE ACTION PLAN FOR CHAPTER 24**

The Ministry of the Interior of the Republic of Serbia is involved in the negotiating process with the European Union as the “lead” Ministry in the Negotiating Group for Chapter 24 – Justice, Freedom, Security.

Pursuant to the Decision of the Government of the Republic of Serbia 05 no. 02-7957/2014-1 of 24 July 2014, the Negotiating Group was established for negotiations under Chapter 24 – Justice, Freedom, Security. The Group consists of its Head, Deputy Head, Secretary and Deputy Secretary, all from the Ministry of the Interior of the Republic of Serbia, and it is chaired by the State Secretary in the Ministry of the Interior, Mr Aleksandar Nikolić. The role of the Negotiating Group is to coordinate and monitor the activities in the framework of Chapter 24.

The explanatory screening meeting for Chapter 24 took place on 2-4 October 2013 in Brussels.

It was followed by the bilateral screening meeting for Chapter 24 which was held on 11-13 December 2013 in Brussels, Belgium.

The Draft Screening Report (from the explanatory and bilateral screening meetings) was submitted on 15 May 2014. Immediately after its submission, the drafting of the Action Plan for Chapter 24 commenced on the basis of the recommendations provided in the Draft Report.

On the premises of the EU Delegation in Belgrade on 18 July 2014 a video conference was organised with the representatives of the European Commission in Brussels regarding the development of the action plans for the negotiating chapters 23 and 24 based on the recommendations from the Screening Reports, where all open issues were discussed. The final Screening Report was submitted on 28 July 2014.

The second video conference between the representatives of the European Commission and representatives of the working groups for the development of the action plans for Chapter 23 - Judiciary and Fundamental Rights and Chapter 24 - Justice, Freedom, Security was held on 27 August 2014. The meeting deliberated over the remaining outstanding issues the resolution of which was a precondition for the first Draft Action Plan to be submitted to the European Commission.

As a result of all these activities, on 8 September 2014 the first Draft Action Plan for meeting the criteria of the European Commission for opening negotiations for Chapter 24 was submitted to the European Commission for their opinions and comments.

Having received the comments on the first Draft Action Plan and in order to produce a better new draft, we reviewed the experiences and best practices of the

Republic of Croatia and Montenegro, the countries that had successfully completed this part of the accession process.

In line with this, on 14-15 October 2014 a two-day workshop was held on the implementation of the recommendations obtained from the European Commission regarding the first Draft Action Plan. The workshop was organised in cooperation with the UNDP, Swedish National Police Board and representatives of the former Croatian negotiating body for joining the EU.

After that, on 17-18 November 2014 the representatives of the Negotiating group for Chapter 24 paid a visit to the Ministry of the Interior of Montenegro in order to exchange experiences regarding the European integration process and the methodology of development of the Action Plan in particular.

The second Draft Action Plan was agreed upon at the workshop held on 15-17 December 2014 in Kovačica, the Republic of Serbia, in order to elaborate the financial part of the Action Plan, harmonise the terminology, achieve horizontal uniformity when planning activities, and plan all institutional and staff capacities and changes envisaged by the Action Plan.

Finally, on 23-24 December 2014, the Negotiating Group visited the Ministries of the Interior and Foreign Affairs of Montenegro where they harmonised, together with their counterparts involved in the process of accession of Montenegro to the European Union, all the deadlines contained in the Action Plans of the two countries for Chapter 24 related to the cooperation between the Republic of Serbia and Montenegro such as blocking points used to illegally cross the state border, signing bilateral agreements, etc.

The meeting with civil society organisations has been scheduled for 30 January 2015 in order to have as wide consultations on the Action Plan as possible and to obtain comments and support for its implementation.

## **II METHODOLOGY OF DEVELOPMENT OF THE ACTION PLAN AND ITS STRUCTURE**

Immediately after the bilateral screening meeting, **the Republic of Serbia started preparatory activities** for the development of the Action Plan for Chapter 24 (hereinafter referred to as: AP 24). A decision was made to appoint Head of the Strategic Planning Bureau of the Ministry of the Interior of the Republic of Serbia as Coordinator for the development of AP 24; coordinators for each subchapter were also appointed and it was decided that employees of the Strategic Planning Bureau, Finance and Budgeting Department and IPA-funded Projects Department in the Ministry of the Interior would provide expert assistance in the development of AP 24 for each subchapter.

As part of the preparations, a one-day workshop was held with the Results-Based Management expert of the Swedish Police, Ms Karin Delin, with support of the Swedish National Police Board. The participants were the representatives of public administration authorities who will take part in the development of the

## Action Plans for Chapters 23 and 24.

The participants having been presented with the past activities regarding explanatory and bilateral screening meetings, they started developing a model for presenting measures and activities for the implementation of EC recommendations (hereinafter referred to as: the log frame) for AP 24. Prior to the workshop, a log frame had been prepared which had been analysed and elaborated at a one-day workshop with the Strategic Planning Bureau staff who provided expert support to the subchapter coordinators in the development of Draft AP 24. This log frame was developed for the Migration area as an example and it was presented in Brussels in June 2014. Having obtained recommendations from the EC, the final version of the AP 24 log frame was developed.

According to the final log frame that was aligned with the comments of the European commission, the Draft AP 24 begins with Introduction to AP 24 and is based on the **Recommendations** from the Screening Report. The **Expected result** was defined as well as the **Impact assessment** indicators. When defining values of these indicators attention was paid to align them with results indicators. The **Activities** for achievement of a specific goal were planned to be complemented with **Implementing authorities**, **Deadlines** for their implementation, **Results indicators** and the **Resources** necessary for their implementation.

Civil society organisations are also involved in the preparation of the Draft AP 24. Experts from the European Policy Centre, engaged by SIDA-SIPU, held a three-day workshop entitled *Basic training for ex-ante strategic documents impact assessment* for MoI staff who will take part in the development of Draft AP 24.

The next step in the development of AP 24 was made at a one-day workshop for the representatives of public administration authorities who are involved in the development of AP 24 proposal that was held on 24 March 2014, supported by the Swedish National Police Board. The representatives of the MoI's Strategic Planning Bureau, who are experienced in strategic development and who have completed the training course on “**Working with Impact Assessment in the EU**” at EIPA, Maastricht, presented advantages of impact assessment to be applied in the course of development of Draft AP 24.

After that, the representatives of the Strategic Planning Bureau who provide expert support to coordinators in the development of Draft AP 24 familiarised themselves with the latest methodology for the development of indicators for monitoring and evaluation of the projects financed from the Internal Security Fund and Asylum, Migration and Integration Fund at EIPA, Maastricht.

In order to ensure harmonised approach in the development of Draft AP 23 and AP 24, as well as horizontal quality inspection for each AP, on 19-20 May 2014 the representatives of the Ministry of Justice of Montenegro and Strategic Planning Bureau of the Serbian MoI held a workshop on **Impact Assessment** for the representatives of the public administration authorities involved in the development of AP 23, supported by the GIZ. The workshop participants learnt

about good practices in the development of the action plan and the steps for impact assessment.

As part of preparations for drafting AP 24, between 28 May and 4 June 2014 the Ministry of Justice organised the workshop on **Budgeting Action Plans for Negotiations**, supported by the PLAC project. During the preparatory part of the workshop with the expert from the Slovenian Ministry of the Interior, Ms Polona Čufer-Klep, the representatives of the negotiating groups for subchapters under Chapters 23 and 24 reached the conclusion that the costs needed to be standardised through the development of the methodology for calculating costs related to the implementation of AP 23 and AP 24. At the consultative part of the workshop, the expert used examples of activities defined for subchapters to discuss with subchapter coordinators and members of the working groups the need to thoroughly assess the costs for each individual activity (even if it is within the scope of regular activities of authorities) through identification of needs of each unit involved in the implementation of activities.

The work on the development of Draft AP 24 **has been organised at three interlinked levels. The top level** is represented by the Negotiating Group chaired by the MoI State Secretary, Mr Aleksandar Nikolić, Head of the Negotiating Group. The task of the Negotiating Group was to provide guidelines for the development of AP 24 from the highest level, to monitor progress, to address issues and concerns in the development of the document and to review and approve interim results.

**The second level** is represented by the Working Group for the development of AP 24, chaired by Mr Dražen Maravić, AP 24 Coordinator. When deciding on the composition of the team to work on AP 24, it was sought to include the representatives of all relevant public authorities and institutions that would be implementing authorities for AP 24. The team members are subchapter coordinators who are representatives of public administration authorities: Jelena Vasiljević, coordinator for asylum, migration, visas, external borders and Schengen (Ministry of the Interior), Jovan Stojić, coordinator for terrorism (Security Information Agency), Gordana Janičijević, coordinator for organised crime (Public Prosecutor's Office), Ljiljana Zarubica, coordinator for visa policy (Ministry of Foreign Affairs), Zorana Gajić, coordinator for police cooperation (Ministry of the Interior), Nikola Naumovski, coordinator for judicial cooperation in criminal and civil matters (Ministry of Justice), Radivoje Popović, coordinator for Euro counterfeiting (Ministry of the Interior), Ivan Brandić, coordinator for cooperation in the field of drugs (Ministry of the Interior), and Ognjen Pantelić, coordinator for customs cooperation (Ministry of Finance-Customs Administration).

In addition, contact persons were appointed in the Ministry of Finance and the National Assembly of the Republic of Serbia for the purpose of permanent coordination of the development and implementation of AP 24.

The representatives of the Strategic Planning Bureau, Finance and Budgeting Department and Department for Managing EU-funded Projects in the Ministry of the Interior are involved in working on subchapters as they have been delegated to provide expert assistance to subchapter coordinators in the development of AP 24.

Serbia has opted for a model where civil society organisations are indirectly involved in the negotiation process, i.e. they take part in the process through submitting their suggestions on how to formulate positions and preparing materials, but not directly as members of the negotiating team.

So far, the competent services of the Government of Serbia have organised for civil society organisations “attendance” to the screening meetings via the Internet, as well as subsequent briefings with Chief Negotiator, Ms Tanja Mišćević, and heads of subgroups for Chapters 23 and 24.

With a view to involving civil society in the negotiation process, a group of six NGOs created a network “ прЕУговор” (*Serbian: prEUgovor*) in May 2013 in order to monitor the implementation of policies focusing on Chapter 23 and 24. “ прЕУговор” gathers the Belgrade Centre for Security Policy, ASTRA, Serbian Centre for Investigative Reporting, Centre for Applied European Studies, Group 484 and Transparency Serbia. In autumn 2013, these organizations presented their Report on the implementation of the EC 2012 recommendations to Serbia.

**The third level** is represented by working groups, led by subchapter coordinators and composed of the stakeholders’ representatives depending on their expertise and experience in different area covered by subchapters and TAIEX experts. Expert support for AP 24 for each subchapter was provided by EC experts through the TAIEX instrument.

Each working group has thoroughly elaborated the respective subchapter as its contribution for AP 24. The working groups for Chapter 24 are coordinated by the Ministry of the Interior, but the work has also gathered the Ministry of Justice and Public Administration, Ministry of Foreign Affairs, Ministry of Finance and Economy, Ministry of Agriculture, Forestry and Water Management, Ministry of Health, Ministry of Defence, Ministry of Regional Development and Local Government, and Ministry of Labour, Employment, Veteran and Social Affairs. The Security Information Agency, Commissariat for Refugees, Public Prosecutor's Office, Anti-Corruption Agency, National Secretariat for Legislation, Serbian European Integration Office are also involved, as well as other authorities, if necessary.

The common starting point for all working groups was the established AP log frame. The final AP 24 log frame consists of the narrative and tabular parts. The tabular part is laid out at two levels: recommendations and activities. The narrative part is the **Description of the Current State of Play**, which is a vision in a specific policy area (subchapter). The description presents the main issues that need to be resolved and the manner of their resolution.

**The recommendations** within subchapters have been defined on the basis of the recommendations of the European Commission and the recommendations from the Screening Reports. **The overall result related to the recommendation**, as a unit of measurement of the implementation of AP 24, demonstrates a change in reality that is intended to be achieved by fulfilling the recommendations in order to fully harmonise with the EU *acquis* and reach specific standards. Recommendation **impact assessment** is set in a way which ensures the measuring of the effect of the achieved change in relation to the stakeholders.

**The activities** have been defined as key steps which are necessary to fulfil recommendations. All activities defined by this Action Plan are harmonised with the activities from the Action Plan for Chapter 23 and current strategic documents such as the National Anti-Corruption Strategy, Strategy for Combating Organised Crime, Strategy against Trafficking in People, IBM Strategy, Migration Management Strategy, Illegal Migration Suppression Strategy, and other relevant strategic documents within Chapter 24.

Some activities have been made complex, which means that elements of those activities which are their mandatory and common integral parts have not been stated separately but as a whole (e.g. *preparation, consultations and adoption of legislation/regulations*). All activities related to the preparation of regulations imply setting up the relevant working groups, while consultations encompass both intragovernmental consultations (interagency consultations, gathering opinions pursuant to the Government's Rules of Procedure) and those with the public (public debates).

Activities in AP 24 are presented in chronological order depending on the deadlines for their implementation and in line with the division into short-term, mid-term and long-term priorities. The foreseen activities are aimed at normative harmonisation, strengthening institutional and legislative frameworks, and staff training, for the purpose of better implementation of the legislative framework and achievement of appropriate operating standards.

**Implementing authorities** are in most cases a number of public administration authorities, which means that the activities will be implemented in partnership in which case the authority listed first will be the implementing authority while other listed authorities are implementing partners.

**Deadlines** for the implementation are set in relation to each individual activity. The deadlines chronologically follow the time frame for the implementation of activities, starting from 2015 where the deadlines are set per months, followed by 2016 and 2017 where the deadlines are given quarterly up to the year 2018 where it has been planned to complete the activities by the end of 2018. The deadlines are defined as the quarters in which the activities will be completed, not as an overall time frame for the implementation of those activities. For example, if **the fourth quarter of 2016** was set as a deadline for an activity, it means that the activity will be completed in that quarter, not that it will begin in that very quarter. The deadlines for the activities to be implemented through projects have been determined as envisaged in the projects that have already begun.

The time frame for the implementation of some activities will be **set afterwards, depending on the results of the analysis done prior** to that activity; hence their deadlines will be determined later on, during regular updates of AP 24. Since some of the activities concerning law changes, e.g. changes to the Criminal Code, are closely connected with the implementation of the activities under AP 23, the time frames have been harmonised with AP 23 deadlines. Some activities will be implemented continually, from the beginning to the end of the implementation of AP 24.

Qualitative indicators were mostly used in defining the **activities results** (with few exceptions where quantitative or hybrid indicators were used), given that their measurement will be more easily conducted independently or jointly within the competent authorities.

The Action Plan defines the **budget** needed for the implementation of envisaged activities. The source of financing is, to the largest extent, the budget of the Republic of Serbia. Bearing in mind that implementation of certain activities requires expert support, it is envisaged to hire foreign experts through TAIEX support mechanism. As the implementation of certain activities requires significant financial means, the list of possible financing sources included potential donations by international organisations or using EU pre-accession funds, as well as grants. Priority activities within the AP24 are completely harmonised with the priority activities to be financed by the IPA II cycle, due to engagement of representatives of the MoI Department for Managing EU-funded Projects in the work on subchapters, as well as due to continuous consultations with the EU Integration Office of the Republic of Serbia.

For the purpose of the AP24 elaboration, several workshops, both plenary and small, group or individual meetings were held at several work levels. The workshops and meetings were attended by all stakeholders' representatives. In the overall course of the document development, it has been continuously commented, revised and harmonised electronically.

Before the final version of the first draft of the AP 24 was made, a five-day workshop had been held in the period 25-29 August 2014, supported by the PLAC project. The workshop gathered the Head of the EU accession Negotiation Team of the Republic Serbia, Heads of Negotiation Teams, representatives of the Working Group in charge of drafting the AP 24 and representatives of Working Groups in charge of subchapters. At the workshop managed by the expert from the MoI of the Republic of Slovenia Polona Čufer-Klep, overlapping areas were identified and harmonised, standardised methodology of calculating the costs for the AP 24 and AP 23 drafts was agreed upon, and standardised methodology was tested on the first AP 24 draft.

**The first AP 24 draft** was submitted to the European Commission in September 2014. Immediately after the EC comments were received, the work on the development of the second AP 24 draft started comprising all subchapters and supported by TAIEX expertise. In the period November 2014- January 2015, several TAIEX expert missions were conducted with a view to developing relevant subchapters within the AP 24.

After that, the activities within every subchapter were harmonised horizontally at the three-day workshop in December 2014, supported by the OSCE Mission in Serbia. The workshop, managed by the UNDP expert, Filip Dragović, was attended by the subgroups coordinators, representatives of the International Cooperation and European Integration Bureau, Strategic Planning Bureau and the Sector for Finance, Human Resources and General Matters. The result of the work was establishment of the cause and consequence link among the activities within the subchapter and a draft model for monitoring and assessing the implementation of the AP 24. After the remaining TAIEX expert visits were conducted, the second draft of the AP 24 was revised, translated and sent to the European Commission for additional suggestions and comments.

### **III ACTION PLAN RELATED PROJECTS**

While developing the AP 24 it was envisaged to benefit from the European Union pre-accession funds (IPA) and other kinds of international assistance as

sources of financing certain activities, namely:

- IPA 2012 project „Police Reform and Migration Management“- component 2, envisaging legal migration related activities- „Migration“ subchapter.
- Project „Cooperation in the Fields of Criminal Justice, Witness Protection in Fighting Organised Crime and Corruption- WINPRO II“- a multi-beneficiary programme IPA 2012, envisaging activities within the subchapter „Police Cooperation and Fight against Organised Crime“.
- The Sector fiche IPA 2013 „Strengthening the Executive Power Institutions for Law Enforcement in Fighting Organised Crime and Migration Management“ encompassing two contracts falling within the competence of the Ministry of the Interior: twinning project „Fight against Organised Crime (human trafficking, illegal narcotic drugs trafficking, illegal weapons trade and financial investigations)“ and procurement of the „Laboratories for Evidence Analysis in Criminal Cases Prosecution“, envisaging activities relating to the fight against organised crime, covered by the subchapter „Police Cooperation and Fight against Organised Crime“. In addition, the Sector fiche for IPA 2013 provides for the twinning contract “Support to the National Asylum System in the Republic of Serbia”, which is in the competence of the Commissariat for Refugees and Migration. The project envisages the activities for harmonising the asylum system, which is covered by the subchapter “Asylum”.
- IPA 2013 Project “Support to Further Modernisation of the Customs Administration and Improved Border Management in the Republic of Serbia” envisages the activities for updating IT Strategy of the Customs Administration, which is covered by the subchapter “Customs Cooperation”.
- IPA 2014 in its Action document „Support to the Sector of Home Affairs“ envisages activities relating to the visa policy, external borders and Schengen and fight against organised crime, covered by the subchapters „Visa Policy“, „External Borders and Schengen“ and „Police Cooperation and Fight against Organised Crime“.
- The Sectorial Planning Document 2015-2017 envisages various activities covered by the following subchapters: „Migration“, „Asylum“, „Visa Policy“, „External Borders and Schengen“, „Police Cooperation and Fight against Organised Crime“, „Fight against Terrorism“ and „Cooperation in the field of Drugs“ (see the table, please). It should be kept in mind that this document will be revised and updated annually. In the course of the document drafting we took into account the harmonisation of the project activities with the national ones (NPAA 2014-2018- National programme for the Adoption of the EU Acquis 2014-2018, NAD- National Priorities for International Assistance 2014-2017 including the projections until 2020, Strategies and Action Plans) and the EU priorities (Indicative Strategic Document for the Republic of Serbia 2014-2020, the European Commission Annual Report on the Progress of the Republic of Serbia, Chapter 24 Screening Report- Justice, Freedom and Security etc.), including the AP 24. Representatives of the Department for the EU funded Projects Management participated actively in the development of the Action Plan and

cooperated with the subchapter coordinators. In the course of the programming process we also held regular meetings and consultations with the EU Integration Office.

- In the framework of the Kingdom of Sweden Bilateral Assistance Programme we implement the project „Capacities Development for the Intelligence-Led Policing in the MoI of the RoS (ILP)“. The activities are covered by the subchapter „Police Cooperation and Fight against Organised Crime“,

In the course of the AP 24 development and its implementation we envisaged to benefit from the experts' assistance of the Bureau for technical assistance and exchange of information of the European Commission (TAIEX) in the form of organising workshops, training courses, expert missions and study visits to the EU Member States. Short-term TAIEX assistance will be used to implement some activities from the Action Plan.

#### **IV ACTION PLAN IMPLEMENTATION BUDGET**

For the purpose of budgeting the activities from the AP 24, on behalf of the Sector for Finance, Human Resources and General Matters of the Ministry of the Interior, a Working Group was established comprising the General Matters Directorate employees tasked with cooperating with other organisational units and institutions in the field of subchapters in order to develop the financial part of the Action Plan.

Representatives of the Sector for Finance, Human Resources and General Matters, in cooperation with all subchapters' interested parties involved in the activities defining, made a cost assessment for the AP 24 activities implementation.

Before the assessment development, a detailed elaboration of every individual activity was done, namely the human and material resources needed for their implementation were identified.

Representatives of the Working Group of the Sector of Finance, Human Resources and General Matters attended the meetings related to all subchapters and made a list of questions that further served as basis for the cost assessment. At the meeting, all participants developing the AP 24 were suggested to review the possibilities of implementing the activities using the existing resources and to use the additional budgetary funds to the least possible extent. It was also pointed out that the implementing authorities should involve in applying for the funds from the projects, donations, TAIEX and alike.

In cooperation with the Ministry of Justice, supported by the expert from Slovenia Polona Čufer- Klep, costs standardisation, that is the budgeting methodology, was made. The methodology contains the elements needed for the cost assessment relating to the administrative capacities, adoption of laws and by-laws, training courses and seminars, TAIEX workshops, study visits and expert missions, as well as other costs. This document is the Annex to the AP

24.

At the beginning of September 2014, the first version of the AP 24 for the negotiating chapter 24 was sent to the European Commission. After the feedback was received, the work on subchapters continued, including the corrections of the necessary financial means initial assessment in accordance with the suggestions given in the European Commission Report.

## **V REPORTING, MONITORING AND EVALUATION OF THE AP 24 IMPLEMENTATION**

The public authorities designated in the Action Plan as implementing authorities will implement, within their respective fields of competence, the activities covered by this Action Plan. A person responsible for successful implementation of the activities is the appointed head of the public authority, that is the head of the organisational unit. In case that several authorities are in charge of some activities, the authority that is first listed and written in different font in the AP 24 will take up the leading role and coordinate the work of other partners.

For the purpose of monitoring the AP 24 implementation, the Chapter 24 Negotiating Group will cooperate with the subchapters' coordinators. In accordance with the orders of the Negotiating Group, the task of coordinators is to monitor the implementation of activities and provide the Negotiating Group with objective and timely information of the state of play in the area of the Action Plan implementation. The collegium of all coordinators will be convened once a month, or more frequently if needed, to consider the implementation reports.

A relevant decision, that will be adopted at the moment of the AP 24 adoption, will stipulate the tasks and powers of the subchapters coordinators, including the manner of scheduling the meetings and decision making, dynamics of activities and the implementation reports format. Those organisational units of the Ministry of the Interior in charge of international cooperation, EU integration and strategic planning will perform administrative, technical and expert duties for the Negotiating Group and provide expert assistance to coordinators.

Authorities implementing the activities have the obligation to regularly report to coordinators, in the stipulated format, as well as to provide additional information of relevance for monitoring, upon the coordinators' request.

The AP 24 implementation evaluation and monitoring will be performed by the Chapter 24 Negotiating Group following the implementation coordinators reports. The coordinators will, based on the information received, report quarterly to the Negotiating Group on the AP 24 implementation. The quarterly reports will comprise narrative and table parts. The narrative part will describe the current state of play and expected trends in the activities implementation. For easier reference, the table part will be presented by the traffic lights method: the activities implemented within envisaged timeframe and budget will be green, the activities facing certain difficulties in the course of implementation will be yellow, whereas the activities that exceeded the timeframe, or their implementation did not start at all, will be red. Following the materials prepared in the above mentioned manner, the Negotiating Group will, for the

Government, perform once a year the AP 24 implementation evaluation. Such evaluation will also encompass the impacts of the AP 24 implementation.

When it comes about the activities that are not implemented according to the plan, the coordinators will have the obligation to focus the responsible person's attention to the need for an intervention. In case it doesn't bring about a solution, the coordinators will explain the situation in question to the Negotiating Group and propose remedial measures. These measures may comprise introduction of changes into the AP 24 and its adaptations.

In addition to the AP 24 monitoring and implementation, the responsible persons in organisational units will have the obligation to keep themselves updated with the EU regulations, so that, in case the EU regulations are amended, they could timely initiate the adjustment of activities to the new circumstances. The organisational unit of the MoI in charge of the EU integration will have the general obligation to follow all the amendments to the Chapter 24-related EU regulations. This organisational unit is obliged to timely inform the Negotiating Group on all the amendments to the Chapter 24- related regulations, so that amendments to and supplements of the AP 24 could be made, if needed.

## **1. MIGRATIONS**

### **CURRENT STATE OF PLAY:**

Since the process of accession to the European Union is a priority for the Republic of Serbia, in the last several years the Government has developed sectoral

strategies and laws on its road towards harmonizing the legislation of the Republic of Serbia with the *acquis*. The area of migration in Serbia is regulated by the Law on Foreigners (Official Gazette of the RS, no. 97/08), Law on State Border Protection (Official Gazette of the RS, no. 97/08), Law on Migration Management (Official Gazette of the RS, no. 107/2012) and Law on Employment of Foreigners (Official Gazette of the RS no. 128/2014). The strategies of the Republic of Serbia by which the migration policy is created include: Strategy for Combating Illegal Migration in the Republic of Serbia for the period 2009-2014 (Official Gazette of the RS, no. 25/09), Migration Management Strategy (Official Gazette of the RS, no. 59/09), Strategy for the Integrated Border Management in the Republic of Serbia (Official Gazette of the RS, no. 11/06) and Strategy for the Reintegration of Returnees under the Readmission Agreement (Official Gazette of the RS, no. 15/09), together with the accompanying Action Plans.

In the period 1 January – 30 November 2014, a total of 27,339 temporary stay permissions were granted to foreign nationals in the Republic of Serbia. Out of the total number of permissions, 13,207 were issued for the purpose of family reunification, 10,904 for employment, 2,009 for education and 374 for ownership over immovable property and other purposes. Moreover, in the reference period a total of 8,197 foreigners had permission for permanent residency.

The laws of the Republic of Serbia governing the area of migration are **largely compliant with the Directives of the EU** related to the area of legal and irregular migrations.

The new Law on Employment of Foreigners provides a higher level of harmonization with the Directive 2009/52/EC. The Law stipulates criminal liability of employers who employ a foreigner contrary to the provisions of the Law, that is, a foreigner who has not been granted temporary stay or permanent residency (irregular migrant). Moreover, in addition to fines, a protective measure of prohibition of conducting business activities of such an employer for a certain period of time in case an irregular immigrant is employed is also prescribed.

This Action Plan is going to continue with carrying out activities for gradual harmonizing with the *acquis* and with the final result of full harmonisation with the EU Directives. In the first phase, harmonization with the relevant pieces of the *acquis* will be in the areas of: granting temporary residence to third-country nationals for the purpose of family reunification; granting permanent residence to third-country nationals; granting temporary residence to third-country nationals for the purposes of studies, pupil exchange, professional training or voluntary service, as well as scientific research; returning illegally staying foreigners - which defines illegal entry, transit and residence; strengthening of the penal framework to prevent facilitation of unauthorised entry, transit and residence; the residence permit issued to third-country nationals who are victims of trafficking in human beings or have been the subject of an action to facilitate illegal immigration and who cooperate with the competent authorities - these have been partially implemented in the national legislation. In the second phase, the Republic of Serbia shall conduct activities for the purpose of harmonizing the national legislation provisions with those Directives provisions regulating sanctions against employers of illegally staying foreigners; issuing of the Blue Card - a unique residence and work permits for third country nationals; and granting of a humanitarian residence permit for irregular migrants who are participants in a process before a state authority.

For the purpose of full harmonization with the Directive 2002/90/EC what should be envisaged in the national legislation is exclusion of the element of acquisition of material gain from the criminal offence of facilitation of illegal crossing of the state border and illegal transit, that is, an intention only to assist a person in illegal crossing or transit should be regarded as a basis for existence of this criminal offence.

The area of migration management in the Republic of Serbia is multisectoral by its nature and, consequently, the competences in this area are divided among several state authorities. The institutional framework in the area of migration monitoring in Serbia consists of all the relevant institutions involved in the migration system on basis of the laws and normative acts and strategies, and these are primarily: the Ministry of Interior, the Commissariat for Refugees and Migration, the Ministry of Foreign Affairs, the Ministry of Justice, and the Ministry of Labour, Employment, Veteran and Social Policy of the Republic of Serbia. Furthermore, civil society and international organisation are also the stakeholders involved in the area on migration management.

The Commissariat for Refugees and Migration of the Republic of Serbia as the central authority (focal point) in the area of migration management has established a unique system for collecting data and information on migration flows. In that sense the Commissariat for Refugees and Migration, within its competences, shall monitor the implementation of harmonised legislation in the area of migrations. The Annual Migration Profile of Serbia is developed in line with the international standards. According to the Law on Migration Management, local migration councils have been established in 128 local government units and these are composed of representatives of various institutions on the local level relevant for the realization of the rights of migrants, with the goal to coordinate activities of: local administration, police administration, employment service, school administration, local trustee, a health centre, a centre for social work, the Red Cross and civil society organizations. The establishment of local councils as multisectoral bodies has created basis for constant cooperation of the Republic and local authorities. On the path of the Republic of Serbia towards fulfilment of European standards, the coordination between the Commissariat for Refugees and Migration, the Ministry of Interior and other administrative bodies, in particular at the local level, needs to be further developed.

The Republic of Serbia will keep on delivering trainings, providing funds for purchase of appropriate equipment and developing the existing infrastructure, for the purpose of the implementation of harmonised legislation and as an answer to the problem of irregular migration. The asylum system is abused in Serbia since the majority of persons caught illegally entering or transiting the territory of the country express an intention to seek asylum so as to avoid being returned and deported. In that sense, the existing capacities of 144 persons at the Reception Centre for Foreigners currently satisfy accommodation needs of irregular migrants, bearing in mind that persons willing to seek asylum are sent to one of the existing Asylum Centers, and those accommodated at the Reception Centre stay there until deportation, which is a period much shorter than those prescribed by the law.

Within the existing Reception Centre for Foreigners, it is necessary to provide separate rooms for families, as well as for accommodation of vulnerable groups.

With a view of further harmonization of the national legislation and the fact that the existing capacities will not be satisfactory after adoption of new legal

solutions, it is necessary to invest efforts into providing new accommodation facilities for this category of persons. On basis of the results of the assessments envisaged by this Action Plan, additional accommodation capacities will be provided, either through repurposing of the existing facilities or building of new ones.

Special attention should be paid to accommodation of minors and other vulnerable groups and mechanisms for short-term boost of capacities in case of inflow of numerous irregular migrants should also be established. Simultaneously, activities will be carried out so as to improve cooperation with all the stakeholders on international, national and local level, for the purpose of implementation of the existing Readmission Agreements with all the neighbouring countries and implementation of the Strategy on the Reintegration of Returnees on the bases of the Readmission Agreement with its accompanying Action Plan.

Moreover, activities on improvement of cooperation in the procedures of returning persons will also be improved and implemented, (including Kosovo\*)

The Republic of Serbia has signed the Readmission Agreement with the EU and sixteen protocols on its implementation with the Member States, as well as Readmission Agreements with eleven third countries. Readmission Agreements are planned to be signed with Turkey and Ukraine as well. There is a plan to sign the Readmission Agreement Implementing Protocol between Serbia and the European Community on persons staying illegally with the Kingdom of Spain, the Kingdom of Sweden, the Republic of Portugal. In this sense, Serbia is dedicated to adherence to agreements signed with the EU when concluding its bilateral agreements with the third parties. The European Commission assessed that there are no problems in implementation of the Readmission Agreement with the Member States and meeting obligations that originate from implementation of the Agreement.

With the aim of harmonising with the EU Directives in this area, as well as undisturbed further implementation of the harmonised legislation, in March 2014 the Ministry of Interior of the Republic of Serbia started with the IPA 2012 twinning project– Police Reform. The first phase of the project was finished in July 2014, that is, an assessment was carried out of the current situation in the area of visa policy, legal framework in the area of legal and irregular migration and trainings. The final result of the project will be the amended Law on Foreigners and strengthened capacities for its implementation

1.1. RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
Outline measures to align the remaining legislation in the area of legal and irregular migration with the <i>acquis</i> , including setting out a mechanism to check that legislation in this area is being implemented;	The national legal framework is fully aligned with the <i>acquis</i> in the field of legal and irregular migration.	Prerequisites for fulfilment of the rights of migrant aligned with and at the level of the EU provided.

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
1.1.1	Draft a proposal for amendments of the Law on Foreigners which transposes the provisions of Directive 2009/50/EC, Directive 2011/98/EU, Directive 2003/86/EC,	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Foreign Affairs, Ministry of Labour, Employment, Veteran and Social Policy	III quarter of 2016 – partial harmonisation; full harmonisation two years prior to admission to the EU	BUDGET (regular) - 40.008 EUR for 2016  TOTAL 80.016 EUR  Twinning Project	Adoption of the legal framework that will enable Serbia align with the EU <i>acquis</i> on legal and irregular migration	“Official Gazette of the Republic of Serbia”	

	<p>Directive 2003/109/EC,          Directive 2011/51/EZ          Directive 2005/71/EC,          Directive 2004/114/EC          Directive 2014/36/EU,          2014/66/EU,          81/2004/E3,          Directive 2002/90/EC,          Directive 2004/82/E3,          Directive 2008/115/E3,          Framework Decision 2002/946/PUP,          Directive 2009/52/E3,          and submit it for adoption to the National Assembly of the Republic of Serbia.</p>			<p>IPA 2012- Further development and implementation of the mechanism for comprehensive and consistent monitoring of legal migration in the Republic of Serbia</p> <p>Police reform and migration management ,          Twinning Project value 1.000.000 EUR</p>			
1.1.2	Draft a proposal for amendments to the Criminal Code in line	<b>Ministry for justice</b> , working group and partners – the	December 2015	Reference to Chapter 23	Adoption of the amendments of the Criminal Code submitted	“Official Gazette of the Republic of Serbia”	

	with EU <i>acquis</i> , and submit it for adoption to the National Assembly of the Republic of Serbia (Directive 2002/90/EC )	activity will be implemented under Chapter 23			to the National Assembly for adoption		
1.1.3	Draft of the Amendments to the Law on Employment of Foreigners aligned with Directive 2009/52/EC, Directive 2004/38/EC, Directive 2001/55/EC, Directive 2013/33/EC, Directive 2003/109/EC, Directive 2004/81/EC, Directive 2011/95/EC, Directive 2004/114/EC,	<b>Ministry of Labour, Employment, Veteran and Social Affairs</b> – Minister	Fourth quarter of 2017	BUDGET (regular) 40.008 EUR for 2017	Fully harmonised Law adopted	“Official Gazette of the Republic of Serbia”	

	Directive 2014/36/EU and Directive 2011/51/EU to the National Assembly of the Republic of Serbia for adoption						
1.1.4.	Improve the mechanism of coordination and monitoring of the work done by state authorities implementing the legislation governing migration	<b>Commissariat for Refugees and Migration</b> , Commissioner, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labour, Employment, Veteran and Social Policy	continuously	BUDGET(regular): 19.872 EUR for 2015  19.872 EUR for 2016  19.872 EUR for 2017  19.872 EUR for 2018  TOTAL = 79.488EUR	No. of meetings of the Working Group, no. of jointly conducted projects, assessment of the situation and recommendations	Working group meetings' reports, Reports on implementation of joint project activities and Reports on the current state of play assessment with recommendations	

1.2. RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
With the support of external experts, conduct an assessment of the administrative capacity, training	Well-trained staff correctly implements the <i>acquis</i>	The level of protection of human rights in line with the EU minimum standards ensured; level of

needs, equipment and infrastructure, and roll out the necessary measures to ensure Serbia's readiness to correctly implement the <i>acquis</i> in the field of legal and irregular migration;	in the area of legal and irregular migrations;  Central database established	training of all employees, their efficiency and quality of their work; the extent to which the appropriate model of implementation, monitoring and evaluation is ensured.
---	--	---

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
1.2.1	Conduct a gap analysis with recommendations with help of foreign experts (training needs, administrative capacities, equipment and infrastructure) in order to implement measures so that Serbia is ready to adequately enact the <i>acquis</i> it has implemented in new legislation related to regular and irregular migrations.	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Foreign Affairs, Ministry of Labour, Employment, Veteran and Social Policy,  Commissariat for Refugees and Migration	June 2015	Twinning project IPA 2012 Further development and implementation of the mechanism for comprehensive and consistent monitoring of legal migration in the Republic of Serbia Reform of the Police, Twinning Project value: 1.000.000 EUR	A gap analysis with recommendations in the area of legal and irregular migrations conducted	Report on conducted activity with the analysis document	

1.2.2	Develop and implement the Training Plan and Programme in the field of migration in line with the recommendations in the Analysis (according to the findings of the Analysis under activity 1.2.1.)	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Foreign Affairs, Ministry of Labour, Employment, Veteran and Social Policy	I quarter of 2016	Twinning Project IPA 2012 Further development and implementation of the mechanism for comprehensive and consistent monitoring of legal migration in the Republic of Serbia - Reform of the police, value of the Twinning Project: 1.000.000 EUR In line with the activity 1.2.1.	Training Plan and Programme developed in line with recommendations from the Gap Analysis, Training Plan and Programme adopted;  number of trainings delivered (the no. of trainings envisaged by the Plan is materialised according to the pre-planned dynamics); number of trainees;  an assessment of the quality of the Plan and Programme	Plan I - Training Programme, Report on delivered trainings and Evaluation report on implemented activities covered within the Plan I – Training Programme	
1.2.3	Provide equipment necessary for implementation	<b>Ministry of Interior</b> , Head of Border Police Directorate,	December 2015, provision of the equipment will	I Phase – IPA 2012, Further development and	Equipment provided according to the results of the Gap	Report on conducted project activities and MoI statistics on the	

	of the legislation related to legal and irregular migrations to be adopted, according to the Gap Analysis	Ministry of Foreign Affairs, Ministry of Labour, Employment, Veteran and Social Policy	continue until IV quarter of 2018	implementation of the mechanism for comprehensive and consistent monitoring of legal migration in the Republic of Serbia Police reform an Migration Management Equipment value: 1.210.000 EUR  BUDGET (regular) 121.000 EUR for the year 2016	Analysis;  Electronic Central Database on foreigners established;  Faster access and use of  Equipment necessary for full implementation of the <i>acquis</i> provided	number of exchanged data	
--	---	--	-----------------------------------	---	--	--------------------------	--

1.3. RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
Address The accommodation needs, with particular attention for minors and other vulnerable groups;	<p>Accommodation capacities of the Reception Centre improved to the level which will enable accommodation and housing of all the foreigners whom it is not possible to remove forcefully immediately, whose identity has not been confirmed or who do not possess a travel document, and vulnerable groups;</p> <p>Accommodation capacities and integration programmes for unaccompanied minors provided</p>	Number of minors and other vulnerable groups who use newly build accommodation capacities

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
1.3.1	Repurpose a part of the area of the Reception Centre (Padinska skela) so as to accommodate families and vulnerable groups	<b>Ministry of Interior</b> , Head of Border Police Directorate, Common affairs Directorate	June 2015	BUDGET(regular) 3.500 EUR for the year 2015	Separate rooms adequate for accommodation of families and vulnerable groups provided through repurposing of the existing facilities according to their needs	Expert report on established capacities for accommodation of families and vulnerable groups	
1.3.2	Develop an	<b>Ministry of</b>	June 2015	BUDGET	An analysis with	TAIEX experts	

	assessment of current accommodation capacity of the Shelter for Foreigners (Padinska skela) especially taking into account the needs of minors and families and vulnerable groups	<b>Interior</b> , Head of Border Police Directorate, Ministry of Labour, Employment, Veteran and Social Policy, Commissariat for Refugees and Migration		(regular) 1.656 EUR for the year 2015 TAIEX 4.500 EUR for the year 2015	recommendations developed specifying number and quality of accommodation facilities.	report on conducted analysis with the analysis document	
1.3.3	Provide additional accommodation capacities according to the results of the Assessment (activity 1.3.2)	<b>Ministry of Interior</b> , Common Affairs Directorate	IV quarter of 2016	Budget– (reconstruction just after the needs analysis, possible capacities’ increase and pursuant to this employment of new staff )	Material and technical capacities strengthened in accordance with the outcome of the Assessment See indicator 1.3.2. above	Report on conducted activities for strengthening material and technical capacities for accommodation of accompanied minors and vulnerable groups	
1.3.4	Development of a assessment, including related financial needs assessment, for	<b>Ministry of Labour, Employment, Veteran and Social Policy</b> Assistant	IV quarter of 2015	Donations: Swiss Fund for Migrations-Project: “Strengthening capacity of	Assessment of accommodation capacities increase for UAMs with special attention to unaccompanied minors	Report on conducted activity with the assessment document	

	increasing the accommodation capacities for UAMs, with particular emphasis on unaccompanied minors	minister in the Sector of family care and social welfare		institutions and human resources” – accommodation of unaccompanied minors  563000 CHF	drafted		
1.3.5	Preparation of a plan for reconstruction and/or adaptation of the existing accommodation units that are not used or adequately utilized under the current social welfare structure	<b>Ministry of Labour, Employment, Veteran and Social Policy</b> Assistant minister in the Sector of family care and social welfare	II quarter of 2016	Donations: Swiss Fund for Migrations-Project: “Strengthening capacity of institutions and human resources” – accommodation of unaccompanied minors  563000 CHF (connected with 1.3.4. activity)	In accordance to assessment results, plan for reconstruction/adaptation of existing accommodation capacities drafted	Report on conducted activity with the Plan for reconstruction of existing capacities	
1.3.6	Implementation of plan for reconstruction and adaptation of accommodation units for unaccompanied minors in the	<b>Ministry of Labour, Employment, Veteran and Social Policy</b> Assistant minister in the Sector of family care and social	IV quarter of 2016	Donations: Swiss Fund for Migrations-Project: “Strengthening capacity of institutions and human resources” – accommodation	The reconstruction in line with the plan for reconstruction/adaptation of accommodation capacities for unaccompanied minors implemented	Project report on conducted activities defined by reconstruction plan	

	existing structure	welfare		of unaccompanied minors  563000 CHF (connected with 1.3.4. activity.)			
--	--------------------	---------	--	--	--	--	--

1.4. RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
Propose an evaluation mechanism assessing the accommodation capacity for irregular migrants on a continuous basis with the possibility to boost capacity in the short term, if necessary; attention also needs to be paid to ensuring that the centre's staff are adequately trained;	An evaluation mechanism is in place in line with good practice of the EU	Statistical tool assesses on a permanent basis the occupation rate of the existing accommodation (not detention, unless criminally charged) and which can swiftly activate a buffer capacity available in case of need or emergency

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
1.4.1	Conduct an assessment of the condition of accommodation and administrative capacities, with	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Labour, Employment,	June 2015	BUDGET(regular) 1.656 EUR for the year 2015 TAIEX 4.500 EUR for the year 2015	An assessment of the condition conducted with help of a foreign expert, in cooperation with all the	TAIEX experts report on conducted analysis with the analysis document	

	a potential for fast expansion of the capacities for the purpose of accommodating numerous irregular immigrants, if needed.	Veteran and Social Policy, Commissariat for Refugees and Migration and other state authorities			relevant stakeholders		
1.4.2	Develop needs indicators and procedures for the state authorities for actions to take in case of inflow of a big number of irregular migrants	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Labour, Employment, Veteran and Social Policy, Commissariat for Refugees and Migration and other state authorities	September 2015	BUDGET (regular) 1.656 EUR for the year 2015 4.968 EUR for the year 2016 4.968 EUR for the year 2017 4.968 EUR for the year 2018 TOTAL (2015-2018) 16.560 EUR	Needs indicators developed;  Procedures for acting in case of inflow of a big number of irregular migrants defined, according to the needs indicators	Document with defined indicators containing procedures for acting in case of inflow of a big number of irregular migrants.	
1.4.3	Develop a training plan for the staff at accommodation centres that will be additionally	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Labour,	June 2015	BUDGET (regular) 1.656 EUR for the year 2015 TAIEX 4.500 EUR for the year	Training Plan and Programme developed for the staff at accommodation centres that will	TAIEX experts report with Plan I – Training Programme document.	

	engaged in case of big inflow of irregular migrants	Employment, Veteran and Social Policy, Commissariat for Refugees and Migration and other state authorities		2015	be additionally engaged in case of big inflow of irregular migrants;  Training Plan and Programme adopted		
1.4.4	Implement a training of the staff at accommodation centres and others who shall be engaged in case of big inflow of irregular migrants, in line with the Plan	<b>Ministry of Interior</b> , Head of Border Police Directorate, Ministry of Labour, Employment, Veteran and Social Policy, Commissariat for Refugees and Migration and other state authorities	September 2015, continuously	BUDGET (regular) 4.140 EUR for the year 2015 1.000 EUR for the year 2016 1.000 EUR for the year 2017 1.000 EUR for the year 2018 TOTAL(budget regular 2015-2018) 7.140 EUR TAIEX 4.500 EUR for the year 2015	Number of Staff and trainings carried out at Reception Centres in line with the adopted Training Plan and Programme	Report on delivered trainings covered within Plan I – Training Programme	
1.4.5	Establish a mechanism for regular assessment of accommodation capacities in case of big	<b>Commissariat for Refugees and Migration</b> , Ministry of Interior and Ministry of	As of September 2015, continuously	BUDGET(regular) 828 EUR for the year 2015 2.484 EUR for the year 2016 2.484 EUR for the year 2017	Mechanism established	Document of the mechanism for assessment of accommodation capacities in case of big inflow of	

	inflow of irregular migrants	Labour, Employment, Veteran and Social Policy		2.484 EUR for the year 2018 TOTAL (2015-2018) 8.280 EUR		irregular migrants  Regular report on implementation of established mechanism	
--	------------------------------	---	--	--	--	---	--

<b>1.5. RECOMMENDATION: 5</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Continued good implementation of readmission agreements with the EU countries and finalisation of the network of bilateral agreements with all neighbouring countries which will be compatible with EU readmission agreements with third countries. A similar arrangement should be reached with Kosovo.	Serbia implementing readmission Agreements	Number of irregular migrants returned to the countries of previous residence or country of origin.

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS / SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
1.5.1	Implement readmission agreements efficiently	<b>Ministry of Interior</b> , Head of Administrative Affairs Directorate	Continuously,	Budget (regular) 397.440 EUR for the year 2015 397.440 EUR for the year	Number of received readmission requests for the Republic of Serbia nationals	Statistics on the number of received requests for reception of the Republic of Serbia nationals	

				2016 397.440 EUR for the year 2017 397.440 EUR for the year 2018 TOTAL 1.589.760 EUR	and third- country nationals; number of replies to the received requests for readmission of Republic of Serbia and third- country nationals; number of readmission requests sent	and third country nationals, the number of responded requests and number of readmission requests sent by the Republic of Serbia.	
1.5.2	Strengthen the capacities for implementation of readmission agreements	<b>Ministry of Interior</b> , Head of Administrative Affairs Directorate	Continuously,	Budget, TAIEX instrument study visits, engaging experts, trainings  Engaging experts 450 EURO  Working groups 3.726 EURO  Trainings 2.000	Number of conducted study visits;  Number of conducted expert missions;  Number of conducted trainings	TAIEX report on conducted study visit, report on conducted expert missions and report on delivered trainings.	

				EURO			
				<b>Total for 2015 6.176 EURO</b>			
1.5.3	Conclude implementation protocols to implement the Readmission Agreement between the Republic of Serbia and the European community on readmission with the Kingdom of Sweden, Kingdom of Spain, Republic of Portugal,	<b>Ministry of Interior</b> , Head of Administrative Affairs Directorate	September 2015	<b>Working group 497 EURO – REGULAR BUDGER FOR 2015</b>	Implementation protocols signed	Protocol document deposited in the MoI archive.	
1.5.4	Conclude readmission agreement with a protocol between the Republic of Serbia and the	<b>Ministry of Interior</b> , Head of Administrative Affairs Directorate	January 2016	<b>1.656 EURO - REGULAR BUDGET FOR 2015</b>	The readmission agreement with a protocol between the Republic of Serbia and the Republic of	“Official Gazette of the Republic of Serbia”	

	Republic of Turkey				Turkey signed		
1.5.5	Finalise negotiations with the aim to conclude a readmission agreement with a protocol between the Republic of Serbia and the Republic of Ukraine	<b>Ministry of Interior</b> , Head of Administrative Affairs Directorate	June 2016	<b>4.140 FOR WORKING GROUP</b>  <b>1.656 FOR AGREEMENT</b>  <b>TOTAL 5. 796</b>	The readmission agreement with a protocol between the Republic of Serbia and the Republic of Ukraine signed	“Official Gazette of the Republic of Serbia”	

**2. ASYLUM**

**CURRENT STATE OF PLAY:**

Asylum, as an institution, in the Republic of Serbia legal system is primarily regulated by the provisions of the Republic of Serbia Law on Asylum ("Official Gazzete No. 109/2007). However, on the asylum procedure issues which are not regulated by this Law, shall be applied the provisions of the Law on General Administrative Procedure, Law on Foreigners and Law on Administrative Disputes. The Republic of Serbia Law on Asylum regulates the principles and conditions for the acquisition and termination of asylum, accommodation of asylum seekers during the procedure, the status, rights and obligations of asylum seekers and those persons who have been granted asylum.

The legislative framework of the area of asylum is partly in accordance with the EU acquis. Areas that are not in accordance with EU directives and which need to be further harmonized with the acquis, are the following:

- Granting access to asylum procedures in Serbia in case when the safe third country does not allow applicant to enter its territory;

- Recording of asylum seekers should not be treated as the asylum application;
- Estimation of age;
- Definition of the act of persecution;
- Definition of an Acting of persecution;
- Basis for exclusion;
- Definition of "safe country of origin", "first country of asylum", "safe third country", "unacceptable request" and "border procedures."
- Requirement to formally terminate the procedure in case of implicit withdrawal or cancellation procedure;
- Reconsider the rights of international protection beneficiaries.

Also, the Republic of Serbia is not in a position to implement the Regulation (EC) No. 2725/2000 and Council Regulation (EC) No. 407/2002 on the establishment of 'EURODAC' System for the comparison of fingerprints, neither to conduct Council Regulation (EC) No. 604/2013 on introducing criteria and mechanisms for determining the Member State responsible for reviewing applications on international protection which third-country national or a stateless person submits in one of the Member States („Dublin“ Regulation).

The State institutions which are competent for implementing the Law on Asylum in the Republic of Serbia are:

The Republic of Serbia Ministry of Interior is responsible for conducting first instance asylum procedure. The procedure itself is being done by the Asylum Section, part of the Border Police Directorate. This body is responsible for processing the asylum requests, conducting interviews with asylum seekers and deciding upon filed asylum requests. Upon first instance decisions it is allowed to file a complaint before the Republic of Serbia Asylum Commission.

Commissariat for Refugees and Migration provides accommodation and basic life conditions to asylum seekers in Asylum Centers, as well as the integration of persons who have been granted asylum;

Ministry of Labor, Employment, Veteran and Social Affairs which takes care of persons with special needs through social work centers and provides social

assistance to asylum seekers and persons who have been granted asylum;

Ministry of Health is responsible for medical examinations of persons seeking asylum upon reception at the asylum center and provides medical care and assistance to asylum seekers and persons granted asylum through health centers.

Asylum Commission is an independent body of the Republic of Serbia Government, consisting of the president and eight members, representatives of the Ministry of Health, Commissariat for Refugees and Migration, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Labor, Employment, Veteran and Social Affairs and two civil sector representatives. It makes decisions in second instance and through appellate process monitors the implementation of the Law on Asylum in the Republic of Serbia in terms of effective access to asylum procedure and processing asylum requests of the first instance authority. Upon the second instance decisions it is allowed to file a complaint before the Republic of Serbia Administrative Court.

Republic of Serbia Ministry of Justice –Administrative Court decides upon filed claims against second instance decisions. This is the final stage of the proceedings.

Besides public institutions, non-governmental organizations and UNHCR are included in the national asylum system as well. They are dealing with the protection of asylum seekers' rights and providing psychological assistance, while UNHCR, in line with its mandate, monitors the implementation of the Convention of the Refugees' Status from 1951 and related Protocol from 1967, since the Republic of Serbia is signatory to said Convention.

The Republic of Serbia is facing a significant increase in number of migrants arriving in illegal ways who express intention to seek asylum in the Republic of Serbia thus abusing asylum system, which could be seen from the statistics of issued confirmations on intentions to seek asylum in the Republic of Serbia: in 2008 there has been 77 of them, in 2009 – 275, in 2010 – 520, then great increase of 3134 confirmations issued in 2011, in 2012 - 2723, in 2013 – 5066, and for the first ten months in 2014 that number is 10.851.

The Asylum Section capacities are insufficient for receiving and processing asylum requests and assessing the grounds of asylum seekers requests who have been accommodated in existing Asylum Centers in the Republic of Serbia. The Republic of Serbia Asylum Law from 2008 lays down the establishment of the Asylum Office, which has not been established yet. 11 work positions are systematized within the Asylum Section (1 position – Asylum Section chief, 6 positions – determining the right to asylum, 2 positions – collecting data on asylum seekers' countries of origin, 1 position – keeping special records, 1 position – record keeper). Not filled in one position for determining the right to asylum.

The establishment of Asylum Office requires institutional strengthening of the infrastructure, material-technical and human resources. The Asylum Office anticipates 29 work positions, out of which 25 shall be filled up by redistribution of the Republic of Serbia MoI employees, and 4 new work positions

intended for interpreters shall be filled by hiring new staff in the Republic of Serbia MoI.

The accommodation capacities of asylum centers are not sufficient to ensure that all asylum seekers could adequately accommodate. Asylum seekers are currently being received in five of reception centers which are open. Asylum Centre in Banja Koviljaca is the only facility owned by the state. This center exists since 2008 and has a capacity of 100 accommodation places. It was primarily designed to be a specialized institution to accommodate unaccompanied minors. Center for asylum in Bogovadja was opened in 2011, it has 160 accommodation places and space is rented by the Red Cross in Belgrade. Centers for asylum in Sjenica and Tutin with 150 accommodation places were opened during the winter of 2013 and all are types of temporary accommodation. These facilities are rented through a contract on service given by the local municipal authority. Asylum Centre in Obrenovac, whose accommodation capacity was 100 accommodation places, is closed after major natural disasters (floods) that have affected the Republic of Serbia in May 2014. On 15 August 2014 another center for asylum was opened in Krnjaca with 200 accommodation places in facilities of collective center for refugees. In 2014, until December 1, in centers for asylum, over 8,300 persons have been placed (Bogovada 2.596, Banja Koviljača 743, Tutin 2.044, Sjenica 1.805 and Krnjača 1.157), which is an alarming increase bearing in mind that in the overall period from 2008 to 2014, there were 10,651 persons.

In 2013, the Republic of Serbia has established an electronic biometric database with fingerprints and photographs administered by the Republic of Serbia Ministry of Interior. According to Republic of Serbia, collected fingerprint data are transferred to an electronic record that is compatible with the specifications of EURODAC. The Asylum Section has a database for the collection of administrative information (personal data) related to asylum seekers.

<b>2.1.1 RECOMMENDATION: 1</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Establish a permanent first instance body, as foreseen in 2007 Serbian law on asylum. Allocate adequate means both to the first instance body (currently the Asylum Office) as well as to the Commissariat for Refugees and Migration which is responsible for the accommodation of asylum seekers, both bodies respect the procedural standards of the Directive on Asylum Procedures	Established Asylum Office and provided material - technical and administrative capacities for the smooth functioning of the Asylum Office and Asylum Centers	<p>The number of submitted and solved asylum requests in a prescribed time limit</p> <p>Number of accommodated asylum seekers</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
2.1.1.1	Set up the Asylum Office	<b>Ministry of Interior</b> , head of the Border Police Directorate		BUDGET (regular) 300.000 EUR and (additionally) 48.000 EUR for the year 2016  300.000 EUR and 48.000 EUR for the year 2017  300.000 EUR and 48.000 EUR for the year 2018.  TOTAL(regular) 900.000 EUR TOTAL (additionally) - 144.000 EUR  TOTAL (2016-2018) - 1.044.000 €	The Rulebook on Internal Organisation and Job Classification of the Ministry of Interior amended; the Asylum Office set up	The Rulebook on Internal Organisation and Job Classification of the Ministry of Interior deposited in MOI archive	

2.1.1.2	Provide funding in the budget in accordance with the needs of the Asylum Office	<b>Ministry of Interior</b>	Since 2015.	<p>BUDGET (regular) 300.000 EUR and (additionally) 48.000 EUR for the year 2016</p> <p>300.000 EUR and 48.000 EUR for the year 2017</p> <p>300.000 EUR and 48.000 EUR for the year 2018.</p> <p>TOTAL(regular) 900.000 EUR TOTAL (additionally) - 144.000 EUR</p> <p>TOTAL (2016-2018) - 1.044.000 €</p> <p>Connected with the activity 2.1.1.1</p>	Functional Office for Asylum	<p>Annual report on the work of MOI deposited in MOI archive</p> <p>Budget for 2016 published on web presentation of MOI</p>	
2.1.1.3	Provide funding in the budget in accordance with the needs of the	<b>Commissariat for Refugees and Migration,</b>	continuously	<p>Budget 58.300 for salaries</p>	Full support and access to rights offered to asylum seekers	Information Booklet of Commissariat for Refugees and	

	Commissariat for Refugees and Migration			<p>2.166.000 EUR for asylum total for year 2015</p> <p>58.300 for salaries</p> <p>2.166.000 EUR for asylum total for year 2016</p> <p>58.300 for salaries</p> <p>2.166.000 EUR for asylum total for year 2017</p> <p>Total (salaries in asylum) 2015-2018: 6.498.000</p> <p>Total (asylum) 2015-2018.</p> <p>174.900</p>	<p>during the entire procedure</p> <p>Full support and access to rights offered to persons granted international protection</p>	<p>Migrations available on the website</p> <p>Budget RS 2015-2018</p>	
2.1.1.4	Conduct the needs analysis after adoption of the new Law on Asylum and, based on it,	<b>Commissariat for Refugees and Migration,</b> Commissioner in cooperation with the Ministry of	III quarter 2016	IPA 2013 - Twinning Project Support to National Asylum system in the Republic of Serbia	The analysis about the amount of funds needed for functioning of the national	Report on conducted activities within IPA - IPA 2013 - Twinning Project with analysis	

	determine the amount of funds needed for functioning of the national asylum system	Interior		1.000.000 EUR	asylum system developed	document Report of Commissariat for Refugees and Migration	
2.1.1.5	Revision of the budget in accordance with the activity 2.1.1.4.	<b>Commissariat for Refugees and Migration,</b> Ministry of Interior	IV quarter 2016	BUDGET (regular) 8280 EUR - 2015 8280 EUR - 2016	Budget adopted in accordance with the results of the analysis	Information Booklet of Commissariat for Refugees and Migrations available on the website	
<b>2.1.2 RECOMMENDATION: 2</b>			<b>OVERALL RESULT</b>			<b>INDICATOR OF IMPACT</b>	
Ensure at all levels the necessary administrative capacity to deal with an increasing amount of asylum claims, including sufficient know-how with regard to establishing of the origin, analysis of grounds to claim asylum, written and oral translation			Administrative capacities for conducting asylum procedure ensured			Number of employed and trained officers	

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
2.1.2.1	Fill up staff vacancies in the	<b>Ministry of Interior,</b> head of	I quarter of 2016	BUDGET (regular) 300.000	Provided sufficient	Report of filled positions in	

	Asylum Office according to systematization	the Border Police Directorate		<p>EUR and (additionally) 48.000 EUR for the year 2016</p> <p>300.000 EUR and 48.000 EUR for the year 2017</p> <p>300.000 EUR and 48.000 EUR for the year 2018.</p> <p>TOTAL(regular) 900.000 EUR TOTAL (additionally) - 144.000 EUR</p> <p>TOTAL (2016-2018) - 1.044.000 €</p>	<p>number of officers in the Asylum Office -</p> <p>out of 29 anticipated work positions, 25 shall be filled up by redistribution of the Republic of Serbia MoI employees, and 4 new work positions intended for interpreters shall be filled by hiring new staff in the Republic of Serbia MoI</p>	accordance with the adopted Rulebook	
2.1.2.2	Develop the training programme for public servants in competent authorities	<b>Ministry of Interior</b> Commissariat for Refugees and Migration Asylum Commission Administrative	IV quarter of 2016	IPA 2013 - twinning project Support to National Asylum system in the Republic of Serbia 1.000.000 EUR	The training programme developed	Report on conducted activities within IPA - IPA 2013 - twinning project Training plans and programs deposited in MOI	

		Court				archive	
2.1.2.3	Deliver training program for civil servants in relevant competent authorities	<b>Ministry of Interior</b> Commissariat for Refugees and Migration Asylum Commission Administrative Court	IV quarter of 2016	IPA 2013 - twinning project Support to National Asylum system in the Republic of Serbia 1.000.000 EUR	Training program is being delivered on a regular basis	Report on conducted activities within IPA - IPA 2013 - Twinning Project with reports on delivered trainings for civil servants in the competent authorities	

2.1.3 RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
Define a sustainable solution to ensure sufficient permanent accommodation capacity based on clear and transparent criteria and put in place a mechanism to regularly review the capacity of the asylum centres to meet the demands of the present changeable migratory flows (contingency plan)	Provided an efficient mechanism for the accommodation of asylum seekers in the case of increased number of asylum seekers and permanent accommodation capacities in accordance with European standards	Increased number of permanent accommodation and accommodation capacity in the case of increased number of asylum seekers

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
2.1.3.1	Opening and providing full equipment for the new asylum centre, in accordance with the needs of the asylum seekers	<b>Commissariat for Refugees and Migration</b>	IV quarter of 2017	IPA 2014 - --Works and Supply project Action Document , Support to Home Affairs Sector 3.240.000 EUR  National contribution:230.000 EUR	Center is operational for 300 persons	Report on conducted activities within IPA - IPA 2014 - twinning project, concerning opening and relating to the opening and equipment of asylum Center  Reports of Commissariat for Refugees and Migration, Report of European Commission,  Report of , Gouvernement of RS	
2.1.3.2	Opening alternative facilities for the accommodation of the asylum	<b>Commissariat for Refugees and Migration</b>	continuous	Budget (regular)-depending on the number of the accommodated persons	Accommodation needs of all the asylum seekers are met	Gouvernement Conclusion on opening new asylum Centers	

	seekers during the periods of their mass influx					Report of , Government of RS	
2.1.3.3	Develop the plan of responding, sheltering and accommodating asylum seekers in case of their mass influx	<b>Commissariat for Refugees and Migration,</b> Ministry of Labour, Employment, Veteran and Social Policy	December 2015	Budget (regular) 5.796 EUR - 2015 5.796 EUR - 2016	The plan for responding, sheltering and accommodation developed	Report of Commissariat for Refugees and Migration	
2.1.3.4	Establish the mechanism of regular meetings of Commissariat for Refugees and Ministry of Interior for reviewing the capacity of the asylum centres	<b>Commissariat for Refugees and Migration,</b> Ministry of Interior	continuous	Starting with 2015 BUDGET (regular) 1.242 EUR for the yaer 2015 1.242 EUR for the yaer 2016 1.242 EUR for the yaer 2016 1.242 EUR for the yaer 2017 1.242 EUR for the yaer 2018 TOTAL (2015- 2018) 4.968 EUR	Number of meetings, number of decisions adopted	Minutes of meetings of Commissariat for Refugees and Migration and Ministry of Interior	

2.1.4 RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
<p>Outline measures to further align legislation with the <i>acquis</i> in the area of asylum</p> <p>and establish a mechanism to ensure that legislation is correctly implemented, in particular when it comes to adequately and timely processing of applications and in terms of effective access to the asylum procedure, so that, among other:</p> <ul style="list-style-type: none"> <li>- expression of intention to apply for asylum, is treated as a request for asylum</li> <li>- access to asylum procedures for rejected asylum seekers who can not return to a safe third country is guaranteed,</li> <li>- Implicit withdrawal / abandonment leads to completion of the procedure or rejection rather than to the termination of the proceedings,</li> <li>- The deadlines are respected, amongst other, through effective legal remedies</li> <li>- To carry out the audit of the concept of safe third country and its application,</li> </ul> <p>- To create a training plan adjusted to employees in all authorities involved</p>	<p>The legislation is fully harmonized with the European <i>acquis</i> and the mechanism for monitoring the implementation of legislation is established</p>	<p>The legislation is fully implemented</p> <p>The number of requests resolved is in accordance with the harmonized Law on Asylum</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
2.1.4.1	Conduct Gap analysis of the existing legislative framework in the field of asylum	<b>Commissariat for Refugees and Migration</b> , Commissioner in cooperation with the Ministry of Interior	June 2015	IPA 2013 - twinning project Support to National Asylum system in the Republic of Serbia 1.000.000 EUR	Drafted gap analysis	Report on conducted activities IPA 2013- twinning project with the document Gap analysis of the existing legislative framework in the field of asylum	
2.1.4.2	To draft Law on Asylum, which is fully harmonized with the Directive 2013/32 / EU, Directive 2011/95 / EU, Directive 2013/33 / EU, Directive 2001/55 / EC	<b>Commissariat for Refugees and Migration</b> , Commissioner in cooperation with the Ministry of Interior	I quarter 2016	IPA 2013 - twinning project Support to National Asylum system in the Republic of Serbia 1.000.000 EUR	Prepared draft of Law on Asylum	Official gazette of RS	
2.1.4.3	Adopt the new Law on Asylum	<b>Commissariat for Refugees and Migration</b> , Commissioner in cooperation with the Ministry of Interior	I quarter of 2016	BUDGET (regular)  1.656 EUR for the year 2016	The Law on Asylum adopted, standards from the Directive 2013/32/EU, Directive	Official gazette of RS	

					2011/95/EU, Directive 2013/33/EU, Directive 2001/55/EC incorporated		
2.1.4.4.	Develop by-laws in accordance with the new Law on Asylum	<b>Commissariat for Refugees and Migration</b> , Commissioner in cooperation with the Ministry of Interior	I quarter of 2016	IPA 2013 - twinning project Support to National Asylum system in the Republic of Serbia - 1.000.000 EUR  Connected to the activity 2.1.1.4  Budget (regular)  3.533 EUR FOR 2015	By-laws adopted	Report on conducted activities - IPA 2013 - twinning project  Official gazette of RS	
2.1.4.5	To evaluate the implementation of the Law on Asylum and to give recommendations for further	<b>Asylum Commission</b>	IV quarter of 2016, continuously	BUDGET (regular) 4.140 EUR for the year 2016  8.280 EUR for the year 2017	Drafted reportet of the Commission for Asylum	Reports of the Commission for Asylum	

	improvement			8.280 EUR for the year 2018  TOTAL (2016-2018) 20.700 EUR			
2.1.4.6	To strengthen cooperation with countries in the region through existing regional initiatives, international organizations and aid programs such as MARRI, ICMPD, ENARO	<b>Commissariat for Refugees and Migration,</b> Ministry of Interior	continuously	5.400 EUR annually  BUDGET (regular) 5.400 EUR for the year 2015  5.400 EUR for the year 2016  5.400 EUR for the year 2017  5.400 EUR for the year 2018  TOTAL (2015-2018) 21.600 EUR	Number of completed projects. Number of meetings, conferences, joint initiatives	Report of Commissariat for Refugees and Migration, Ministry of Interior on conducted joint initiatives  Reports from meetings  Reports from Conferences  ENARO and MARRI annual reports	

<b>2.1.5 RECOMMENDATION: 5</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Implement an adequate integration procedure applicable to beneficiaries of various forms of international protection, including language courses and effective access to the labour market	Provided for the integration of persons granted international protection in accordance with European standards	Number of persons who received support in the integration

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS/SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
2.1.5.1	Develop a by-law regulating the accommodation of integration of beneficiaries of various forms of international protection	<b>Commissariat for Refugees and Migration,</b>	April 2015	BUDGET (regular) - 3.533 EUR for 2015	The by-law developed	Official Gazette of RS	
2.1.5.2	Prepare programmes of integration of persons granted international	<b>Commissariat for Refugees and Migration</b> in cooperation with Ministry of	December 2015	IPA 2013 - twinning project Support to National Asylum system in the	Integration programmes prepared	Report of Commissariat for Refugees and Migration	

	protection	Labour, Employment, Veteran and Social Policy, Ministry of Education		Republic of Serbia - 1.000.000 EUR			
2.1.5.3	Planning and allocating funds needed for integration	<b>Commissariat for Refugees and Migration</b> , Commissioner	December 2015	budget (regular): 160.000 EUR for 2015 160.000 EUR for 2016  160.000 EUR for 2017  160.000 EUR for 2018  TOTAL 640.000 EUR	Funds ensured	Budget RS 2015-2018	

2.1.6 RECOMMENDATION: 6	OVERALL RESULT	INDICATOR OF IMPACT
With the support of external experts, conduct a comprehensive assessment of administrative capacity, training needs and infrastructure. Particular focus should be put on: preparing a	Well before accession, all the relevant EU acquis on asylum matters is transposed into the national legislation or directly applicable. All technical requirements are in place to co-operate in the	Administrative, technical and infrastructural capacities in place for the usage of EURODAC and cooperation with EASO

specific analysis of what needs to be further done to meet the technical requirements to cooperate in the context of the Eurodac Regulation and the Dublin Regulation; putting in place the structures necessary to cooperate with the European Asylum Support Office and to benefit from the Asylum, Migration and Integration Fund, if needed, by the date of accession		context of the Dublin Regulation and the national biometric database is fully compatible with EURODAC. All necessary staff has been recruited and trained to operate the national infrastructure of the EURODAC system					
No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
2.1.6.1	With the support of external experts, conduct an assessment of administrative and information-communications capacities and training needs, to create necessary preconditions for electronic data exchange with the EURODAC system	<b>Ministry of Interior</b> , head of the Border Police Directorate	Two years prior the EU accession	twinning light TBD  Budget (regular) Working group 8.280 EUR	The analysis conducted, report with recommendations prepared	Report on twinning light - The analysis conducted, report with recommendations	

2.1.6.2	Define procedures to be set up for the purpose of smooth data exchange with the EURODAC system	<b>Ministry of Interior</b> , head of the Border Police Directorate	Two years prior the EU accession	twinning light TBD In line with the activity 2.1.6.1.	Procedures defined	Procedures for data exchange with the EURODAC deposited in MOI archive	
2.1.6.3	Conduct the analysis of needs for training of technical staff and employees in the field of asylum activities, who will use the EURODAC system	<b>Ministry of Interior</b> , head of the Border Police Directorate and Commissariat for Refugees and Migration	Two years prior the EU accession	twinning light TBD In line with the activity 2.1.6.1.	The analysis conducted and report with recommendations prepared	Report on twinning light – with analysis of needs for training of technical staff and employees in the field of asylum activities, who will use the EURODAC system with recommendations	
2.1.6.4	Conduct training for those employees who will provide technical support to users of the	<b>Ministry of Interior</b> , head of the Border Police Directorate and Commissariat for Refugees and Migration	Two years prior the EU accession	twinning light TBD  In line with the activity 2.1.6.1.	Training of employees completed	Report on twinning light with Report on delivered trainings	

	EURODAC system						
2.1.6.5	Provide equipment for EURODAC system accession	<b>Ministry of Interior</b>	One year prior the EU accession	Possible IPA	Provided accession to EURODAC system	Report on conducted activities IPA – concerning the equipping EURODAC system accession	
2.1.6.6	Testing equipment for EURODAC system	<b>Ministry of Interior</b>	Three months prior to EURODAC accession	Possible IPA	Provided accession to EURODAC system	Report on test results of equipment for EURODAC system	

2.1.6.7	Strengthen capacities of the Ministry of Interior and Commissariat for Refugees and Migration with the aim of creating necessary structures for cooperation with EASO and the use of means from the Asylum, Migration and Integration Fund	<b>Ministry of Interior,</b> Commissariat for Refugees and Migration	One year prior the EU accession	Budget (regular) 120.000 EUR	Employees and trained personnel of the Ministry of Interior and Commissariat for Refugees and Migration with the aim of creating necessary structures for cooperation with EASO and the use of means from the Asylum, Migration and Integration Fund	Report on delivered trainings with the aim of creating necessary structures for cooperation with EASO and the use of means from the Asylum, Migration and Integration Fund	
---------	--	---	---------------------------------	---------------------------------	--	--	--

### 3. VISA POLICY

#### CURRENT STATE OF PLAY:

The visa policy legal framework consists of the Law on Foreigners (Official Gazette of RS, No. 97/08) and sub-legal acts or enactments such as: Visa Rules, Regulation on more specific conditions to deny foreigners entry to Serbia; Rules concerning more specifically-defined conditions and method of visa-issuing at border-crossing points (BCPs), and the Instructions for visa application processing within the Visa Information System (VIS). Visas are issued by the diplomatic missions and consular posts of the Republic of Serbia in foreign countries on the basis of prior consent by the Ministry of Internal Affairs.

Serbian visa regime stems from Government decisions and bilateral treaties and is, for the most part, aligned with the EC Decision 539/2001. As for Annex I to the EC Decision 539/2001, a visa to enter the Republic of Serbia is not required for nationals of Belarus, Bolivia, Cuba, Kazakhstan, Mongolia, Russian Federation, Tunisia, Turkey and Ukraine (a total of 9 countries), whereas with regard to the positive EU list contained in Annex II to the Decision an entry visa is required for nationals of Antigua and Barbuda, Bahamas, Brunei Darussalam, Colombia, Dominica, Grenada, Guatemala, Honduras, Kiribati, Malaysia, Marshall Islands, Mauritius, Micronesia, Republic of Moldova, Nauru, Nicaragua, Palau, Panama, Paraguay, Peru, Saint Lucia, Saint Vincent and the Grenadines, Salvador, Samoa, Solomon Islands, Saint Kitts and Nevis, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu and Venezuela (a total of 33 countries). Before its entry into the Union, Serbia will fully harmonize its visa regime with that in place in EU Member States and will, consequently, adopt a Schedule of specific and time-limited activities (Visa Regime Harmonization Plan) which will, *inter alia*, also include efforts aimed at administrative capacity building. In the framework of such activities, consideration will also be given to re-establishing a visa regime with countries in respect of which there is a departure from the list of third countries for which there is a visa requirement to enter the EU.

The visa-issuing system is to a big extent harmonised with the provisions of EC Decision 810/2009 (Visa Code). In order to eliminate weaknesses in administrative and technical capacity building, steps are being taken to amend legal regulations and approximate them to the EU visa policy legislation (EU Regulation 539/2001, Visa Code) With regard to that, Serbia shall adopt a new Law on Foreigners and a new Law on Foreign Affairs, as well as relevant bylaws (Visa Regime Decree, Bylaw on Visas, VIS User Guide etc). Additionally, legal instruments will be in place to ensure that the applicants are informed of the outcome of the visa application, namely that they may appeal against the refused visa.

Aiming at further harmonisation with the EU Visa regime, the Government of Serbia adopted a Decision (30 October 2014) on visa free entry to the Republic

of Serbia for holders of foreign passports having a valid Schengen, UK and other Member States' visa, or visa of the United States of America, and for holders of foreign passports having residence permit in the countries of the Schengen area, EU or the United States of America. The said categories of foreign nationals, under the Decision which took effect on 8 November 2014, are allowed to enter, transit through and stay in the Republic of Serbia for a period not exceeding 90 days during a six-month period.

The Republic of Serbia has cut the number of visas issued at the border, which is done in accordance with the Law on Foreigners in force only in exceptional cases (medical emergencies, humanitarian aid and for personal and professional reasons such as for sport teams). In such instances, Type "B" (transit) visa (one transit) or Type "C" (short-stay) visa (one entry for a stay of up to 15 days) are issued. During 2012, 204 visas were issued at the border as opposed to 461 visas in 2013, but in the period from 1 January to 1 November 2014 only 180 such visas were granted. More than 95 per cent of visas have been issued to participants of international sporting events, and the issue of such visas has not been systematic but the result of an urgent need or the specificity of the situation. The trend of reduction of the number of visas issued at the border continues, with the ultimate aim of acting fully in line with the EU Acquis. In order to maintain the decrease the number of visas issued at the border, cooperation will be improved and intensified with organizers of big sporting events so that timely visas can be granted at the Serbian diplomatic missions or consular posts.

As of 21 June 2014 Serbia abolished the issuance of exit visas for Serbian citizens - holders of Maritime and Shipping booklets as well as the issuance of other visas on the basis of bilateral agreements, in accordance with amendments on the Law on Travel Documents.

Regarding the documents security and visa characteristics, a highest possible level of harmonisation has been assured, especially with the ICAO standards. The visa sticker's shape and format is similar to that of the Schengen Visa sticker, but its colour and security elements differ. Entry visas for Serbia are issued by affixing the visa sticker onto the passport and by inserting the photo and entering information in the visa form mechanically. The visa form is printed by the Serbia Institute for Manufacturing Banknotes and Coins. Full harmonization will only be possible after we receive classified technical specifications about the uniform Schengen Visa format that will have to be implemented prior to formal accession. Future activities will revolve around further improvements in the operation of this segment and capacity building to receive classified information on security details of travel documents and visa format and on their practical application.

VIS was put in place in 2012 after the model applied in EU Member States and it connected Serbian diplomatic missions and consular posts with the Ministries of Foreign Affairs and of the Interior and is located within the Ministry of Foreign Affairs. The VIS has been operational in 82 diplomatic missions and consular posts of the Republic of Serbia throughout the world and it will be installed in the remaining six diplomatic missions (Baku, Damascus, Havana, Nicosia, Sofia and Tehran). From the beginning of VIS operation (inclusive of 7 November 2014) a total of 43,145 visas have been granted out of 51,366 applications filed. Training courses to manage visa issues are planned on a continuous basis for consular officials of the Ministry of Foreign Affairs and for the staff of diplomatic missions and consular posts, as well as for the staff of the Ministry of the Interior. The current VIS has an electronic database or visa records that can be accessed by the Ministry of the Interior, Ministry of Foreign Affairs and the diplomatic missions and consular posts of the Republic of

Serbia in foreign countries, which are linked to the VIS. Once an in-depth expert and technical analysis is completed, further IT and technical imperfections will have to be removed and standardized software used to allow links with other databases. In this segment, any professional, expert and material-technical support and assistance by the EU and its Member States (TAIEX, TWINNING, relevant IPA funds or any other form of grants) will be welcome.

All projected measures will be taken and incorporated into the Schengen Action Plan to be adopted, covering all legal, financial, administrative and procedural steps, including the necessary infrastructure and logistics in the context of full harmonization of Serbia's visa regime with that applicable in EU.

<b>3.1. RECOMMENDATION: 1</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Outline for measures to ensure that national legislation complies with EU Visa Regulation 539/2001 and to address the shortcomings in the administrative and technical capacities to comply with this Regulation	The Republic of Serbia's Visa regime towards third country nationals is fully aligned with the relevant EU Acquis	Ensured normative framework including administrative and institutional capacities to implement EU Visa Regulation 539/2001

<b>No.</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS/SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
3.1.1	Draft a proposal of Visa Regime Harmonization Plan in line with the EU Visa Regime	Ministry of Foreign Affairs	IV quarter of 2016	Regular Budget 2016  3.726,00 €	Adopted a Plan that defined capacities, deadlines and instruments for harmonization of Visa regime	Document Visa Harmonisation Plan (Ministry of Foreign Affairs Archive)	
3.1.2	Align the bilateral agreements on	<b>Ministry of Foreign Affairs-Head of the</b>	6 months prior to Serbia's accession to the	Regular Budget (2015-2018)	Bilateral agreements concluded,	Official Gazette of the Republic of Serbia	

	visa exemption which will be concluded and making a decisions on Visa regimes toward third countries, having in mind EU Regulation 539/2001	<b>Visa Policy Department</b> , Ministry of Interior	EU	16.020,00 €	decisions has been made regarding Visa regime with third countries		
3.1.3	Improve technical and administrative capacities necessary for the implementation of harmonized Visa Regime	<b>Ministry of Foreign Affairs – Head of the Visa Policy Department</b> , Ministry of Interior	6 months prior to Serbia's accession to the EU	22. 000 € cost per one diplomatic and consular mission  We are waiting for decision about number of diplomatic and consular mission of Republic of Serbia	Provided IT equipment and enhanced administrative capacities by delivering trainings for staff of Ministry of Foreign Affairs, as well as MoI (Border police)	- Report on delivered trainings  - Report on provided equipment  - Expert mission report on compliance of technical capacities for implementation of harmonized visa regime with the EU Visa Regulation	
3.1.4	Initiate and conduct diplomatic activities in	<b>Ministry of Foreign Affairs – Head of the Visa Policy</b>	6 months prior to Serbia's accession to the EU	In line with activity 3.1.2 -the same Working group as for 3.1.2	Government's decisions published (Visa Regime	Official Gazette of the Republic of Serbia	

	accordance with International Law and practice, toward third countries with which there are bilateral agreements of unilateral decisions on visa exemption, in order to align the Visa Regime with Regulation 539/2001	<b>Department,</b> Ministry of Interior			Decree), diplomatic instruments exchanged, technical and administrative capacities in place for the implementation of the procedures in accordance with the diplomatic rules and European practice		
--	--	--	--	--	--	--	--

<b>3.2. RECOMMENDATION: 2</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Capacities in place, a few months ahead of accession, to receive classified information on the security features of travel documents and visa format, and on their application in practice	Visa security features according to the EU standards	Established capacities to receive confidential information on security characteristics of travel documents and visa formats. Visas in travel documents are issued in conformity with EU practice

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
3.2.1	Provide adequate technical and logistic preparation and provide capacity concerning receipt, a few months ahead of accession, of classified information on the security features of travel documents and visa format and their application in practice	<b>Ministry of Interior -Head of Border Police Directorate,</b> Ministry of Foreign Affairs, Serbia Institute for Manufacturing Banknotes and Coins	6 months prior to Serbia's accession to the EU	Budget/TAIEX  Budget regular (2015-2018)  9.936,00 €  TAIEX 4.500	Capacities strengthened for reception of classified information regarding security features of travel documents and visa format, as well as their implementation in practice	- Expert evaluation Report on provided capacities for reception of classified information regarding security features of travel documents and visa format and their implementation in practice	

<b>3.3. RECOMMENDATION: 3</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Develop measures to ensure compliance with the Visa Code	Visas are issued according to EU standards, visa legislation fully aligned with the EU Visa Code before the accession to the EU	Ensured conditions for full visa code implementation

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
3.3.1	Draft a proposal for the new Law on Foreign Affairs in accordance with EU Acquis	<b>Ministry of Foreign Affairs,</b> Government, National Assembly	December 2015	Regular Budget 2015 16.560,00 €	Law on Foreign Affairs adopted in line with EU standards	Official Gazette of the Republic of Serbia	
3.3.2	Draft a proposal for the new Law on Foreigners in accordance with EU Acquis	<b>Ministry of Interior- Head of Border Police Directorate,</b> Ministry of Foreign Affairs, Government, National Assembly	III quarter of 2016	TWINNING project,  IPA 2012 Police Reform and migration management (legal migration) 2,210,000 EUR- 1,100,000 EUR equipment and 1,000,000 EUR (Further development and implementation mechanism with a comprehensive and consistent monitoring of legal migration in the Republic of	Law on Foreigners adopted in line with EU standards	Official Gazette of the Republic of Serbia	

				Serbia) Twinning – value of project:  1.000.000,00 €(the activity will be realized in the frame of subchapter Migration)			
3.3.3	Draft a proposal for the Bylaw on Visas.	<b>Ministry of Foreign Affairs – Head of the Visa Policy Department, Ministry of Interior</b>	I quarter of 2017	Regular Budget 2017  3.726,00 €	Bylaw on Visas adopted, regulated procedures of receiving, processing requests and issuing visas	Official Gazette of the Republic of Serbia	
<b>3.4. RECOMENDATION: 4</b>			<b>OVERALL RESULT</b>			<b>INDICATOR OF IMPACT</b>	
Appropriate measures taken for preparation for the Visa information system and electronic networking with diplomatic and consular representations abroad, including training of consular staff			VIS is developed so as to allow for a harmonized Visa regime and the required networking with EU institutions, and staff is trained to use it  Functioning of the newly developed VIS			Visa issuing system operates as a part of unique EU visa information system	

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
3.4.1	Conduct an analysis of financial, administrative, legal and procedural measures and necessary infrastructure for the implementation of Visa Information System	<b>Ministry of Foreign Affairs – Head of the Visa Policy Department,</b> Ministry of Interior	II quarter of 2016	IPA 2014- Action document: Support to Internal Affairs, the total budget of 1,500,000.00 €  TWINNING (under Schengen AP)  RegularBudget2016  74.520,00	Analysis is carried out and recommendation for strenghtening of administrative capacities and infrastructure are defined	Document Analysis Report of financial, administrative, legal and procedural measures and necessary infrastructure for the implementation of VIS	
3.4.2	Draft a proposal for the Visa Information System Decree (VIS)	<b>Ministry of Foreign Affairs- Head of the Visa Policy Department,</b> Ministry of Interior	IV quarter of 2016	RegularBudget 2016  8.280,00 €	Adopted Visa Information System Decree (VIS)	Official Gazette of the Republic of Serbia	
3.4.3	Provide the necessary equipment and a new software and hardware, which will allow electronic connection between	<b>Ministry of Foreign Affairs – Head of the Visa Policy Department,</b> Ministry of Interior	Continuous task up to 6 months prior to Serbia's accession to the EU	IPA 2012 - Police reform and migration management (legal migration) 2,210,000 EUR- 1,100,000 EUR equipment and 1,000,000 EUR	VIS established	- Expert Mission Report on provided technical capacities for VIS	

	competent authorities (MFA, MI, consulates etc.)			(Further development and implementation mechanism with a comprehensive and consistent monitoring of legal migration in the Republic of Serbia)			
3.4.4	Train consular staff according to VIS requirements	<b>Ministry of Foreign Affairs</b>	Continuous task	IPA 2012 (Further development and implementation mechanism with a comprehensive and consistent monitoring of legal migration in the Republic of Serbia)  Budget regular (2015-2018)  64.800,00 €	Number of trainings delivered, number of trainees, training evaluation	- Report on delivered trainings	
<b>3.5. RECOMENDATION: 5</b>			<b>OVERALL RESULT</b>			<b>INDICATOR OF IMPACT</b>	
Measures taken to further limit the number of visas issued at the borders			Prohibit issuing of visas at the borders allowing exceptions as stipulated by the Acquis			A steady decrease of visas issues at the borders with ultimately only those that are in line with the exceptions stipulated in the Acquis	

<b>No.</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS/SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
3.5.1	Amend the current legislation concerning the issues of visas at the borders in line with Schengen Acquis (Rulebook on issuing visa at border crossing points)	<b>Ministry of Interior- Head of Border Police Directorate,</b> Ministry of Foreign Affairs	III quarter of 2016	RegularBudget 2016  6.210,00	Number of issued visas at the borders, number of received notifications and checks conducted, delivered training of Border police and Foreign Affairs	Official Gazette of the Republic of Serbia	

#### 4.1.EXTERNAL BORDERS AND SCHENGEN

##### CURRENT STATE OF PLAY:

The Republic of Serbia has the state border with Hungary, Rumania, Bulgaria, Croatia, Bosnia and Herzegovina, Montenegro, Macedonia and Albania. Total length of the state border of the Republic of Serbia is 2,351.78 km. There are 94 border crossing points at various types of the borders (land, air, waters).

The most significant risk regarding border security at the moment is illegal migration that Serbia is facing from 2009 when transiting secondary illegal migration started. Important pull factor which makes territory of Serbia major transit country in the region is the fact that it has a common border favorite for illegal migrants is external Shengen border (Hungarian border).

The main entry point for illegal migrants is still Macedonian-Serbian border, beside Bulgarian border which is activated during 2013. The most used exit point is Serbian-Hungarian border, while Croatian and Romanian border are used from time to time.

The Republic of Serbia fully respects and implements all signed readmission agreements, while the other bordering states mainly Macedonia, from which illegal migrants entered Serbian, territory refuses to accept them.

Serbian police pressed 236 criminal charges against 406 persons for committing criminal act according to article 350 of Serbian Criminal Code (Illegal border crossing and human smuggling) during eleven months of 2014.

Regarding other kinds of cross border crime, there are detections of narcotics, weapons, ammunition and excise goods. The most significant seizures of narcotics are registered in 2013 (1.409 kg), while during 2014 592 kilos of narcotics were seized. During 2014, 288 pieces of arms and 23.426 pieces of ammunition were seized.

Border crossing point Bački Vinogradi - Ašóthalom at Serbian - Hungarian border was opened in 2013, where joint border checks are performed. Thus the

Border Police shows a high degree of harmonization in the operations and procedures with the EU standards. Opening of other joint border crossing point Horgoš - Reske is planned (placed in Hungarian territory) as soon as all the necessary infrastructural and technical conditions are met.

Main responsible authority for border control is the Border Police within the Ministry of Interior, which is also main coordinating authority in implementation of the Integrated Border Management (IBM) strategy.

Previous IBM strategy and the Action Plan for its implementation were approved in the beginning of 2006.

The Cooperation Agreement in the field of IBM was signed by the Ministry of Interior (Border Police), Ministry of Finance (Customs), Ministry of Agriculture, Forestry and Water Management (Veterinary and Phyto-Sanitary Inspection) and the Ministry of Infrastructure (Port Authorities) in February, 2009.

In consultation with EU experts a new IBM strategy was drafted and adopted by government in November, 2012, however, the Action Plan for its implementation hasn't been approved yet. Mechanism for implementation of the IBM strategy and practical coordination envisages: Coordination body (members are Ministers of IBM relevant authorities), Operational Working Group for IBM coordination on the central level (members are the heads of IBM related border services), working groups at regional level and working groups at local level. In accordance with the IBM strategy regular meetings of representatives from relevant IBM authorities on the local, regional and central level take place.

The IBM strategy still has not been completely harmonized with the 5 – dimensions EU IBM concept as of 2006, having in mind that Serbian IBM strategy mostly is based on Western Balkans IBM guidelines. Therefore, drafting and adoption of new IBM strategy has been planned, together with the Action Plan, which shall be in line with the 5 – dimensions EU IBM concept as of 2006.

The risk analysis in border management is applied within existing organizational units at the central, regional and local level. System of collecting and processing of data related to illegal migration and the different types of cross-border crime is done in accordance with FRONTEX guidelines. Internal patterns and early warning system is in place.

Starting from 2009, the statistical data are posted on the web – based platform of the European Commission on a monthly basis (<https://circabc.europa.eu>) within the Network for the Risk Analysis of the Western Balkans and Frontex (FRAN – WBRAN). Data included serve as a source for preparation of risk analysis products and as a base for decision making in borders management.

In order to improve the existing risk analysis system it is planned to establish the Risk Analysis Unit at the central level, as well as to implement CIRAM v2.0

model at national level.

The Law on the State Border Protection of is the basic legal act for border control of the state borders of the Republic of Serbia, which has not been completely harmonized with the EU standards so far, but corresponds to the progress achieved and situation at the state borders.

Provisions of the Law on the State Border Protection and Law on Foreigners are harmonized with the EU provisions related to conditions of entry, stamping of the travel documents, facilitating of entry (for humanitarian reasons, national interests or international obligations), issuing visas at the borders, relaxation of border checks, thorough border checks, border surveillance by mobile and stationed units, special rules for specific types of traffic and border crossing for certain categories of persons, refusals of entry at the border, possibility for opening the common border crossings, duration of stay (90 out of 180 days), obligation of carriers to communicate passenger data.

During the visa liberalization procedure a set of legal acts were adopted in the field of border security in order to achieve provisional harmonization with the EU standards:

- The Law on Protection of the State Border,
- The Law on Foreigners,
- Travel Documents Act,
- The Law on Managing Migrations,
- The Asylum Act.

The Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention are not implemented yet. Croatia unilaterally suspended implementation of the Agreement on Local Border Traffic after joining the EU. Negotiation process with Croatia regarding the new Agreement on Local Border Traffic is in progress. The bilateral Working Group was established in 2013 and two join meetings already took place in 2014.

The Readmission Agreement with the EU and implementing Protocols with the Member States were signed.

Current legal framework forms a solid base and allows continue further improvements towards compliancy with EU standards. Taking into account that the harmonisation of legal framework foresees gradual and comprehensive steps, there is a need for further broader approach in development of legal framework compatible with the Schengen *acquis*.

Recommendations of the Schengen Catalogue (2009) regarding organization and competence of single body responsible for border control and coordination

at central, regional and local levels have been integrated in the relevant legislation and organizational chart of the Border Police Directorate. Also the recommendations concerning the equipment that should be used at the first line have been implemented. Due to various reasons recommendations regarding separation of budget for the Border Police have not been implemented yet.

There is a room for improvement in availability of capacities and in administrative framework in order to achieve high level of border control in accordance to EU standards:

- No single risk analysis body at the central level appointed,
- There is a need for assessment in order to identify steps needed in order to join EUROSUR network in future,
- Not all of the border crossing points have been linked to the Interpol database (currently 65% of the border crossing points have been linked, where 95% of the total cross-border traffic is performed),
- Only biggest border crossing points have been equipped with passport scanners, cameras for recording registration plates, video surveillance and finger - prints scanners, and
- Other issues.

Therefore further improvements in administrative framework, equipment modernization and training for staff are required.

Present international cooperation is conducted based on the Police Cooperation Convention and several bilateral/ multilateral agreements with neighbouring countries.

The Republic of Serbia has signed several Agreements on establishing Joint Patrols. There are Joint Patrols taking place alongside the common borders with Montenegro, Bulgaria, Former Yugoslav Republic of Macedonia, Hungary and Bosnia and Herzegovina. It is planned to form Joint Patrols with Rumania and Croatia (Agreement with Croatia has been signed but not implemented yet). There are joint border checks on the border with the Former Yugoslav Republic of Macedonia and Hungary, and the Common Contact Centres was established with Hungary, Croatia, Bulgaria, the Former Yugoslav Republic of Macedonia and the Common Trilateral Centre with Montenegro and Bosnia and Herzegovina. Opening of the Common Contact Centre with Rumania is planned. Based on the Protocols concluded with Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina and Montenegro system for holding regular operational meetings on the local, regional and central levels is established.

With regard to the illegal border traffic through the alternative routes at the border with Bosnia and Herzegovina a joint Working Group was established. Main tasks of Working Group are to determine and undertake the set of measures in order to reduce traffic through the alternative routes at the border by physical blocking such routes. Terrain monitoring was performed for determining the locations suitable for illegal crossings.

The same approach to tackle issue of illegal border crossing through alternative routes is planned to be launched with Montenegro.

However, physical blocking of the alternative routes at the border is considered as only one of measures to be implemented. There is a need for more coherent approach which includes a set of measures in order to reduce illegal traffic across the border.

The Border Police implements the measures from the National Strategy for Fight against Corruption and the relevant Action Plan.

In order to achieve progress in anticorruption activities the rotations of the Border Police officials shifts performing border checks and border surveillance is implemented. The rotation of superiors is not performed yet and that will be a subject for implementation during merging (reorganisation) of units responsible for border checks and border surveillance in the near future.

Provisions of the Law on Civil Servants and the Police Act stipulate the additional engagement outside the professional duties of border police officials notably, activities not allowed to do (i.a. the establishment of companies, private service, enterprises).

At all border crossing points the “four eyes” principle is implemented. At vast majority of the border crossing points there is real time video surveillance. The project financed by EU fund IPA 2011 (stationary and mobile video surveillance), which was completed in 2014., provided improvement of surveillance system at 22 border crossing points.

The internal controls activities of the Border Police units are performed on regular basis using unannounced procedures at all levels.

In order to suppress corruption in the Border Police further activities of the Border Police and Sector of Internal Control of the Ministry of Interior are following:

- Improvement of the system of vetting of applicants for admission for service in the Border Police;
- Incorporating diversity of trainings in the area of ethics and professional integrity topics;
- Improvement of the system of informing all employees about the most important anticorruption events on a daily basis;
- Conducting assessment of procedures and methodologies with aim to identify gaps and critical points that facilitate corruption, in order to initiate amendments in the legislation, internal instructions and practical actions;
- Intensifying random preventive controls of the Border Police officials.

In order to achieve gaps already identified it is planned to compile the Integrity Plan for Border Police.

4.1. RECOMMENDATION: 1			OVERALL RESULT		INDICATOR OF IMPACT		
Harmonize legal and administrative framework for external borders management in line with the EU standards and adopt a multi-annual Action Plan for Schengen area accession			<p>Compliance of legal, administrative and institutional framework with the EU standards and Schengen <i>acquis</i></p> <p>Compliance of capacities of all relevant institutions with the EU standards and Schengen <i>acquis</i></p>		<p>Improved legal and administrative, and institutional framework</p> <p>Compliant technical, infrastructural and human resources capacities</p> <p>Improved level of trainings, efficiency and employees' work quality</p>		
No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/ SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
4.1.1.	Conduct an assessment of legal framework in order to assess the compliance with the EU standards in the area of borders management	<p><i>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</i></p> <p>All relevant institutions involved in IBM</p>	Second quarter 2016	<p>IPA 2014 (Schengen Action Plan) – Action document: Support to the Internal affairs- total budget 1.500.000,00 for twining</p> <p>TAIEX</p> <p>2.250 Euro – Regular budget 40.572</p>	<p>Approved assessment report indicating actions to be implemented before the EU accession (1st stage actions) and before Schengen area accession (2nd stage actions)</p> <p>Approved recommendations</p>	<p>Report of TAIEX experts with the state analysis</p> <p>Report on conducting project IPA 2014</p>	

					for the implementation, <i>inter alia</i> provisions on fundamental rights and non-discrimination	Report of TAIEX experts	
4.1.2.	Implementation of recommendations based on the results of the legal framework assessment	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>  All relevant institutions involved in IBM	Second quarter 2017	Budget regular 2017  64.848 euro	Adopted relevant legal acts or amendments	<b>Official Gazette of RS</b>	
4.1.3.	Assessment of technical, infrastructural and human resources requirements and associated costs necessary to achieve the	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>	First quarter 2016	Budget regular (2015-2016)  198.720 Euro  (expenses for 2015 and half of 2016)	Adopted assessment report (s)  Approved recommendations for the	<b>Report with Recommendations</b> Assessment of technical, infrastructural and human resources requirements and associated costs necessary to	

	proper level of conformity with the EU standards and Schengen <i>acquis</i> before the EU accession	MoI, Sector of Finance  All relevant institutions involved in IBM			implementation	achieve the proper level of conformity with the EU standards and Schengen <i>acquis</i> before the EU accession	
4.1.4.	Develop the national Action Plan for Schengen area accession	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>  MoI, Criminal Police Directorate, Directorate for International Operational Police cooperation, IT Sector  Ministry of Foreign Affairs	Second quarter 2018	(IPA 2014) (Schengen Action Plan) – Action document: Support to the Internal affairs- total budget 1.500.000,00 for twining  - connection 1.000.000 Euro, activity 1. Regular budget 2015-2018  83.433 EUR	Adopted Action Plan for Schengen area accession	<b>Official Gazette of RS</b>	

		All relevant institutions involved in IBM					
4.1.5.	Semi-annual reporting on the implementation of the Action Plan for Schengen area accession	<b>MoI</b>	Continuously from fourth quarter 2018	2070 eur PER YEAR	Semi-annual report	Report- six months on conducted activities defined in the Action plan for access to Schengen area	
4.1.6.	Conduct training needs assessment for Border Police officials on different levels of training	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>  MoI, Directorate for education and professional development	June 2015	Budget regular 2015 15.730 EUR	New training programs adopted where appropriate  New training courses established where appropriate  Defined number of border police officials applicable for training	Plan and programme of training, report on delivered trainings covered within the plan and programme of the training	
4.1.7.	Develop and implement basic Training Curriculum for Border Police harmonized with	<b>Ministry of Interior, General Police Directorate, Border Police Directorate,</b>	December 2015 and continuously	Budget regular (2015 – 2018) 33.120 EUR	Adopted training Curriculum for Border Police harmonized with FRONTEX Common Core	Document Training Curriculum for Border Police harmonized with FRONTEX	

	FRONTEX Common Core Curriculum (CCC)	<i>Head of Directorate</i>  MoI, Directorate for education and professional development			Curriculum  Number of border police officials trained based on CCC	Common Core  Report on delivered trainings defined in CCC	
4.1.8.	Deliver specialized training for Border Police officials	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>  MoI, Directorate for education and professional development	Continuously since 2016	No costs required	Number of border police officials trained for proper implementation of new legislation  Number of border police officials trained in the field of risk analysis  Number of border police officials trained for using the new equipment and data bases	Report on delivered trainings for proper implementation of new legislation  Report on delivered trainings in the field of risk analysis  Report on delivered trainings for using the new equipment and data bases	
4.1.9.	Continue equipping of the Border Police	<b>Ministry of Interior, General Police</b>	Continuously since 2018	We are waiting for analysis from activity 4.1.3, and after that	Strengthened  the Border Police	Report on conducted activities IPA 2014	

	based on the results of the activity No. <b>4.1.3.</b>	<i>Directorate, Border Police Directorate, Head of Directorate</i>  in cooperation with  MoI, Sector of Finance and Sector of IT  MoF, Customs Administration		we will be able to continue this activity  Possible IPA	capacities	and 2015 projects by which BPD shall be equipped according to needs analysis	
4.1.10	Strengthening of the cooperation with the FRONTEX Agency	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>	Continuously from 2015	FRONTEX Agency is in charge	Effective usage of FRONTEX risk analysis products  Reinforced involvement into joint actions (home and host)  Created list of experts compliant to EBGT profiles	Report on conducted activities according to FRONTEX risk analysis  Report on participation of BPD officers in joint actions (home and host)  List of experts compliant to EBGT profiles	

					requirements Created list of technical equipment available for the joint actions	requirement List of technical equipment available for the joint actions	
4.1.11	Evaluation of necessary steps toward joining the EUROSUR network	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>	Fourth quarter 2018	Possible IPA	Evaluation report (administrative and technical issues)  Leading authority identified (future NCC manager)	Report on conducted activities according to IPA by which the evaluation shall be conducted along with evaluation document  Decision on responsibilities deposited in the MOI Archive	
4.1.12.	Development of national risk analysis model in compliance with CIRAM v2.0	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</b>	December 2015	Budget regular 2015 10.420	Adopted national risk analysis model  Adopted institutional instruction for the implementation of the national risk analysis	National risk analysis model deposited in the MOI Archive  Instruction for the implementation of the national risk analysis model deposited in the	

					model  Performed revision of tasks and responsibilities at the national, regional and local levels of the units and officials responsible for the risk analysis	MOI Archive	
4.1.13.	Establishing of Risk Analysis Unit within the Border Police	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, Head of Directorate</i>	March 2015	Budget regular 2015  8.280e	Adopted structure systematization Act  Established Risk Analysis Unit within the Border Police  National risk analysis model implemented	Act on internal organisation and systematisation of work positions in MOI  Annual Report on the work of the Risk Analysis Unit within the Border Police	

4.2. RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
Adopt a multi-annual Integrated Border Management Strategy in line with the 2006 EU concept on Integrated Border Management, including measures to improve inter-agency cooperation including the exchange of information at the borders through joint operational work	Harmonization with the EU Integrated Border Management concept from 2006	Mechanisms for more efficient and effective policy in the area of integrated border management improved; Interagency cooperation and information exchange among border police services improved;

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/ SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
4.2.1.	Evaluation of the implementation of the existing Integrated Border Management Strategy	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</i>  MoF-Customs Administration  MoA – Veterinary and Phyto-sanitary	Fourth quarter 2015	Budget regular 2015 7.450 EUR  TAIEX 4.500 EUR	Evaluation report of the existing Integrated Border Management Strategy and recommendation for new multi-annual Integrated Border Management Strategy	TAIEX report on conducted evaluation  and recommendation for new multi-annual Integrated Border Management Strategy	

		Inspection					
4.2.2.	Development of new multi-annual Integrated Border Management Strategy and Action Plan for implementation of new IBM Strategy	<p><b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b></p> <p>MoF-Customs Administration</p> <p>MoA – Veterinary and Phyto-sanitary Inspection</p> <p>The Government of Republic of Serbia</p>	Fourth quarter 2016	Budget regular 2016 4.140EUR	<p>Adopted new multi-annual Integrated Border Management Strategy</p> <p>Adopted Action Plan for implementation of the IBM Strategy</p> <p>Monitoring of implementation</p>	Official Gazette of RS	
4.2.3.	Reporting on implementation and evaluation in line with the mechanisms defined by the IBM Strategy and Action Plan for implementation of IBM Strategy	<b>Leader of the Working Group laid down by the Strategy</b>	First quarter 2017 and continuously	Budget regular from 2017 4.140e	Annual Reports on implementation of the IBM Strategy and Action Plan for implementation of IBM Strategy	Annual Reports on implementation of the IBM Strategy and Action Plan for implementation of IBM Strategy bodies which shall be defined by this	

					Recommendations for further improvements	document with recommendations	
--	--	--	--	--	--	-------------------------------	--

4.3. RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
Propose measures to improve the protection of external borders through improved operational cooperation with neighboring countries and suggest steps to effectively prevent cross-border traffic through alternative roads	The bilateral and multilateral operational cooperation is strengthened achieving proper level of mutual cross-border cooperation and performing border control in compliance with EU standards	<p>Signed new international agreements (protocols) and revised existing international agreements (protocols)</p> <p>Improved operational cooperation at national, regional and local levels</p> <p>Measures implemented reduced the cross-border traffic through alternative roads</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/ SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
4.3.1.	Establishing of mechanism for the Joint patrolling at the Serbian-Romanian	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, –</i>	First quarter 2016 and continuously	Budget regular ( 2016-2018) 17.193 EUR total costs	Established bilateral drafting (negotiating) working group  Produced and	Decision on WG establishing deposited in the MOI Archive  Joint patrols	

	border	<i>Head of Directorate</i>			signed Joint patrols implementation Protocol  Conducting of Joint patrols	implementation  Protocol deposited in the MOI Archive  Report on conducting joint patrols	
4.3.2.	Establish the Common Contact Center with Romania	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>  MoF-Customs Administration  MoA – Veterinary and Phyto-sanitary Inspection  The Government of Republic of Serbia	First quarter 2016 and continuously	Budget regular  Utilities – 8500 e for one year  from 2016	Implementation of existing Protocol  Practical arrangements agreed and fulfilled  The Common Contact Center becomes operational	Protocol on  Common Contact Center with Romania deposited in the MOI Archive  Work report on Common Contact Center with Romania	implemented
4.3.3.	Establish the Joint patrols with Croatia	<b>Ministry of Interior, General Police</b>	First quarter 2016 and continuously	Budget regular  Utilities – 8500 e	Implementation of existing	Protocol on the Joint patrols with Croatia deposited	

		<i>Directorate, Border Police Directorate, – Head of Directorate</i>		for one year  from 2016	Protocol  Practical arrangements agreed and fulfilled  Conducting of Joint patrols	in the MOI Archive Report on conducting joint patrols with Croatia	
4.3.4.	Implement measures in order to introduce local cross-border traffic with Croatia	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate MoF-Customs Administration, MoA – Veterinary and Phyto-sanitary Inspection, The Government of Republic of Serbia</i>	Third quarter 2016	Budget regular 2016  9.936 EUR Additional cost will be presented after signing the agreement with Croatia	Practical arrangements agreed and fulfilled-Local cross-border traffic enabled	Report on taken measures for local cross – border traffic with Croatia	
4.3.5.	Performing of more intensive cooperation and information exchange with neighboring	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, –</i>	Second quarter 2016 and continuously	Total budget will be presented after signing the agreement with Croatia	Established or renewed channels for operational information exchange at all	Report on contacts, new channels of exchange and data exchange in the field of risk	

	countries in the field of border security (risk analysis products, discovered false/ falsified documents descriptions, cross-border crime issues, THB)	<i>Head of Directorate</i>			levels  Intensified mutual contacts between regional and local officials at managerial level (chief of units, shift leaders)  Information exchanged	analysis products, discovered false/ falsified documents descriptions, cross-border crime issues, THB)	
4.3.6.	Draft joint Elaborate (Serbia and Bosnia and Herzegovina ) which will define places and manner of blocking routes suitable for illegal crossing of the state border with Bosnia and Herzegovina	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>  MoI- Directorate of Common Affairs	March 2015	Budget regular 2015  28.980	Joint Elaborate drafted and adopted by Serbia and Bosnia and Herzegovina	Elaborate between Serbia and Bosnia and Herzegovina deposited in MOI Archive	
4.3.7.	Implementation of measures for	<b>Ministry of Interior, General</b>	December 2015	Budget regular	Routes suitable for illegal	Report on taken measures for	

	blocking the routes suitable for illegal crossing of the state border with Bosnia and Herzegovina	<i>Police Directorate, Border Police Directorate, – Head of Directorate</i>  MoI- Directorate of Common Affairs		2015  <u>14.904</u>	crossing of the state border with Bosnia and Herzegovina blocked  Monitoring	blocking the routes suitable for illegal crossing of the state border with Bosnia and Herzegovina	
4.3.8.	Monitoring visit to the state border of the Republic of Serbia and Montenegro with the purpose to review situation in the field	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>  MoI- Directorate of Common Affairs	March 2015	Budget regular 2015  2.848  Total budget will be presented  after assessment of Directorate of Common Affairs	Bilateral working group established  Final report with recommendations	Decision on WG establishment deposited in MOI Archive  Report on the situation in the field with suggestions for measures	
4.3.9.	Draft joint Elaborate (Serbia and Montenegro) which will define places	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, –</b>	June 2015	Budget regular 2015  28.980 Euro	Joint Elaborate drafted and adopted by Serbia and Montenegro	Elaborate between Serbia and Montenegro deposited in MOI	

	and manner of blocking routes suitable for illegal crossing of the state border with Montenegro	<i>Head of Directorate</i>  MoI- Directorate of Common Affairs				Archive	
4.3.10.	Implementation of measures for blocking the routes suitable for illegal crossing of the state border with Montenegro	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>  MoI- Directorate of Common Affairs	First quarter 2016	Budget regular 2016  14.904 Euro	Routes suitable for illegal crossing of the state border with Montenegro blocked  Monitoring	Report on taken measures for blocking the routes suitable for illegal crossing of the state border with Montenegro	
4.3.11.	Implementation of relevant measures:  1. Intensified usage of human resources (regular patrolling);	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>	First quarter 2016  and continuously	Budget regular  Total budget will be presented  after assessment of Directorate of Common Affairs  Budget regular -	Number of illegal border crossings through alternative roads gradually decreases	Report on taken measures with statistics	

	<p>2. Equipping with appropriate technical surveillance means (video surveillance, sensor systems);</p> <p>3. Providing information to local population in transparent way (publicity), using social media and information signposting at respective areas;</p> <p>4. Close cooperation with local municipalities.</p>			<p>2016</p> <p>4.140 Euro</p>			
--	--	--	--	-------------------------------	--	--	--

4.4. RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
Outline a comprehensive set of measures to improve the fight against corruption at the borders, covering all agencies active at the border	Comprehensive set of measures developed and effectively implemented	<p>Increased level of efficiency in the implementation of measures for improvement of the fight against corruption at the borders</p> <p>Raised intolerance with regard to the conflict of interests.</p> <p>Increased quality of anti-corruption monitoring</p> <p>Decrease in the number of corruption complaints</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/ SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
4.4.1.	Assessment of corruptive behavior risk of employees of relevant institutions involved in IBM	<p><i>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</i></p> <p>MoI-Sector for internal control</p>	September 2015	Budget regular 2015 2.484 Euro	<p>Established working group within each relevant institution involved in IBM</p> <p>Approved separate assessment reports by each relevant institution</p>	<p>Decision on establishing inter-departmental working group deposited in the MOI Archive</p> <p>Reports with recommendations by each relevant institution</p>	

		MoF-Customs Internal Control			involved in IBM	involved in IBM	
		MoA – Veterinary and Phyto-sanitary Inspection			Approved recommendations for implementation		
4.4.2.	Implementation of adopted conclusions included into mid-term review of the National Anti-Corruption strategy where relevant by conducting risk analysis of corruption, introducing integrity test, conducting activities on strengthening integrity of border police officers working on positions of high-risk, monitoring the	<i>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</i> MoI-Sector for internal control MoF-Customs Internal Control MoA – Veterinary and Phyto-sanitary Inspection	Second quarter 2016	Budget regula 2016 8.280	Consultation with National Anti-Corruption Agency  Improvements of internal controls system of relevant institutions involved in IBM	Reports from consultatives meetings of relevant institutions involved in IBM with National Anti-Corruption Agency  Report about activities on strengthening integrity of border police officers working on positions of high-risk  Report on monitoring of implementation of the Police Code of Ethics and sanctions taken	

	implementation of the Police Code of Ethics and sanction its violations						
4.4.3.	Develop a Joint measures plan to prevent corruption of employees of all relevant institutions involved in IBM, including mechanism for monitoring the implementation of the plan	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>  MoI-Sector for internal control  MoF-Customs Internal Control  MoA – Veterinary and Phyto-sanitary Inspection	First quarter 2016	Budget regular 2016  2.848 Euro  Twinning (IPA 2015) connection activity – 2.1 Strategic Plan Document 2015-2017	Adopted Joint plan to prevent corruption of employees of all relevant institutions involved in IBM, including mechanism for monitoring the implementation of the plan	Joint plan to prevent corruption of employees of all relevant institutions involved in IBM, including mechanism for monitoring the implementation of the plan  deposited in the MOI Archive	
4.4.4.	Based on the needs assessment, create a joint training program for staffs' training of relevant	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of</b>	Fourth quarter of 2016	Budget regular 2016  6.624 Euro  Twinning (IPA 2015) connection activity – 2.1 Strategic Plan Document 2015-2017	Adopted training program based on principle TRAIN THE TRAINERS	Training program based on principle TRAIN THE TRAINERS deposited in the MOI Archive	

	institutions involved in IBM, in the field of suppression of all forms of corruptive behavior	<i>Directorate</i> MoI-Sector for internal control MoF-Customs Internal Control MoA – Veterinary and Phyto-sanitary Inspection					
4.4.5.	Deliver joint trainings in the field of suppression of all forms of corruptive behavior	<b><i>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</i></b> MoI-Sector for internal control MoF-Customs Internal Control MoA – Veterinary and Phyto-sanitary Inspection	From 2016 continuously	Budget – regular 2016 6.624 Euro Twinning (IPA 2015) connection activity – 2.1 Strategic Plan Document 2015-2017	Joint trainings delivered Evaluation of delivered trainings conducted Number of officials trained	Report on statistic data on delivering joint trainings Report on evaluation of delivered trainings	
4.4.6.	Sign	Ministry of	4. quarter	Budget of the Republic	Created joint	Memorandum of	

	Memorandum of understanding and create joint investigative teams between police, prosecutors and customs in order to fight against corruption on the border	Interior (Internal Affairs Sector, Criminal Police Directorate , Border Police), Customs Office and Republic Prosecutor's Office	2016	of Serbia TAIEX ICITAP Office, USA Embassy  Budget regular 2016 4.140  We are not able to calculate other costs at this moment.	investigative teams  Number od conducting investigations of JIT	understanding, deposited in MOI Archive  Decision on establishing investigative teams, deposited in the MOI Archive  Report with the statistical data on conducted investigations of JIT	
4.4.7.	Compilation of the Border Police Integrity Plan	<b>Ministry of Interior, General Police Directorate, Border Police Directorate, – Head of Directorate</b>	December 2015 and continuously	Budget regular (2015-2018  223.228 EUR	Adopted new Biannual Border Police Integrity Plan, including reporting mechanism on implemented activities  Annual report on implementation of the Border Police Integrity Plan	Biannual Border Police Integrity Plan, including reporting mechanism on implemented activities deposited in the MOI Archive  Annual report on implementation of the Border Police Integrity Plan	

						deposited in the MOI Archive	
--	--	--	--	--	--	---------------------------------	--

## 5. JUDICIAL COOPERATION IN CIVIL, COMMERCIAL AND CRIMINAL MATTERS

### CURRENT STATE OF PLAY:

In the Republic of Serbia, beside relevant national legislation (Law on the Organisation of Courts, Civil Procedure Law, Court Rules of Procedure) legal basis for mutual assistance in civil matters are ratified Conventions:

- a) Hague Convention on civil procedure from 1 March 1954 ("FPRY Official Gazette – International Treaties", No 6/62 from 23/06/1962),
- b) Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters from 15 November 1965 ("RS Official Gazette" - International Treaties", No 13/2013) and
- c) Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters from 18 March 1970 ("RS Official Gazette" - International Treaties", No 13/2013).

The Republic of Serbia has not yet ratified the Hague Convention on private international law on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children (1996).

Through bilateral agreements, the Republic of Serbia has regulated mutual assistance in civil matters with 22 countries, of which 14 are EU member states (Austria, Belgium, Bulgaria, Greece, Italy, Cyprus, Hungary, Poland, Romania, Slovakia, United Kingdom, France, Croatia and Czech Republic). In 2011, Republic of Serbia signed the agreement on mutual assistance with Slovenia, which is yet to come into effect.

Mutual legal assistance (both in civil and criminal matters) is also present in national strategic documents – National Judicial Reform Strategy for period 2013-2018, Action Plan for the implementation of the Strategy and National Programme for Adoption of Acquis (First Revision of the document for period 2014 – 2018).

The institutional framework in the area of mutual legal assistance in civil matters consists of courts (basic and commercial courts and the Administrative Court) and the Ministry of Justice.

Considering the number of rogatory letters in 2014 (7463 criminal matters and 10,212 civil matters) the current state of administrative capacities is not sufficient for quality and timely fulfilment of obligations in the area of mutual legal assistance. With regards to administrative capacities (in civil and criminal matters) it is necessary to improve capacities of employees in the ministry, courts and prosecutors' offices, especially on relevant *acquis communautaire*.

In terms of international private law, beside relevant national legislation (Law on Resolution of Conflict of Laws with Regulations of Other Countries, Law on Contracts and Torts and Bases of Property Relations in Air Transport and Law on Sea and Inland Navigation), legal basis are ratified multilateral treaties:

- a) Hague Convention on the Law Applicable to Traffic Accidents from 1971 ("SFRY Official Gazette" – addition International Treaties", No 26/76),
- b) Hague Convention on the Law Applicable to Products Liability from 1973 ("SFRY Official Gazette" – addition International Treaties", No 8/77),
- c) Hague Convention on the civil aspects of international child abduction ("SFRY Official Gazette" – addition International Treaties", No 7/91),
- d) European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children ("FRY Official Gazette – addition International Treaties, No 1/2001),
- e) Hague Protocol on the Law Applicable to Maintenance Obligations ("RS Official Gazette" - International Treaties", No 1/2013),
- f) UN Convention on the Recovery Abroad of Maintenance ("FPRY Official Gazette – International Treaties and Other Agreements", No 2/60),
- g) Hague Convention on the Conflicts of Laws Relating to the Form of Testamentary Dispositions from 1961 ("FPRY Official Gazette – additional International Treaties", No 10/62) and
- h) Convention providing a Uniform Law on the Form of an International Will ("SFRY Official Gazette – International Treaties – addition", No 3/77).

In terms of international private law, the institutional framework consists of:

1. Courts (all courts of general and special jurisdiction). Higher and commercial courts are in charge of recognition and enforcement of foreign court judgments,
2. Ministry of Justice (central authority for implementation of the Hague Convention on the civil aspects of international child abduction and the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children),
3. Ministry for Labour, Employment, Veteran and Social Policy
4. Ministry of Finance.

The Ministry of Justice use for collecting statistics in area of mutual assistance in civil matters (also in criminal matters) program LURIS, donation from the Ministry of Foreign Affairs of the Kingdom of the Netherlands. Current system for collecting statistics does not allow completely accurate monitoring of all requests. Bearing that in mind, on request of the Department for mutual legal assistance and after consultation with relevant stakeholders, Ministry of Foreign Affairs of the Kingdom of the Netherlands provided, through the Dutch organization "Center for International Legal Cooperation" improvement of programs LURIS which will be finished in 2015.

Judicial academy prepared in cooperation with Asser Institute in 2012 curricula for mutual legal assistance. Bearing in mind that in the process of harmonization with EU legislation (both in civil, and criminal matters) in the legal system of the RS shall be incorporated significant novelties, as well as that judicial authorities are not sufficiently familiar with upcoming obligations in law enforcement and do not have sufficient practice in the application of new institutes in the court proceedings, it is necessary to organize additional training in these areas, especially in relation to the implementation of the relevant acquis. In line with recommendation from impact assessment updated curricula will be developed bearing in mind all relevant acquis communautaire.

When it comes to current legislation of the Republic of Serbia regulating the area of mutual legal assistance in civil matters and international private law, it needs to be point out the fact that the applicable legislation is partially harmonized with EU regulations.

With the adoption of the Law on international private law, as well as amendments to the other relevant national legislation, in line with the results of Impact assessment, the legislation of the Republic of Serbia shall be harmonized with respective EU Aquis.

Beside national legislation (Law on Mutual Assistance in Criminal Matters, Criminal Procedure Code, Criminal Code, Law on the Organisation of Courts,

Law on Organisation and Jurisdiction of Governmental Authorities in Suppression of Organised Crime, Corruption and Other Particularly Serious Criminal Offences, Law on Organisation and Competences of Government Authorities in War Crimes Proceedings, Law on Seizure and Confiscation of Proceeds from Crime, Law on the Enforcement of Penal Sanctions) legal basis in the area of mutual assistance in criminal matters are 24 conventions of the Council of Europe and their Protocols regulating mutual assistance in criminal matters (e.g the European Convention on Mutual Assistance in Criminal Matters and its Protocols, European Convention on Extradition and its Protocols, European Convention on the Transfer of Proceedings in Criminal Matters, European Convention on the International Validity of Criminal Judgments, Criminal Law Convention on Corruption, Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, Convention on Action against Trafficking in Human Beings etc).

The Republic of Serbia has acceded to a number of conventions of the UN and its organisations, regulating mutual assistance in criminal matters (e.g. the UN Convention against Transnational Organised Crime, UN Convention against Corruption, UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances etc).

The Republic of Serbia has concluded with 31 countries 52 bilateral agreements regulating all or individual forms of mutual assistance in criminal matters. In terms of EU member countries, the Republic of Serbia has concluded 31 bilateral agreements regulating different forms of international legal assistance in criminal matters with 19 of them (Austria, Belgium, Bulgaria, Greece, Denmark, Italy, Cyprus, Hungary, Germany, Poland, Romania, Slovenia, Slovakia, United Kingdom, France, Netherlands, Croatia, Czech Republic, Spain). In 2011, Republic of Serbia signed the agreement on mutual assistance in civil and criminal matters with Slovenia, which is yet to come into effect.

The institutional framework in the area of mutual assistance in criminal matters consists of:

- a) Courts and prosecutor's offices (mutual assistance is provided by judicial authorities – basic and higher courts and public prosecutor's offices, in accordance with their substantive and territorial jurisdictions);
- b) Ministry of Justice (central authority through mutual assistance in criminal matters takes place);
- c) Ministry of Foreign Affairs;
- d) Ministry of Interior – INTERPOL

When it comes to current legislation of the Republic of Serbia regulating the area of mutual legal assistance in criminal matters, it needs to be point out the

fact that the applicable legislation is partially harmonized with EU regulations.

With the adoption of a new, special law for mutual assistance with EU Member States or amending the Law on Mutual Legal Assistance in Criminal Matters (Official Gazette of RS, no. 20/2009), in line with the results of Impact assessment, the legislation of the Republic of Serbia shall be harmonized with respective EU Aquis.

Regarding concluding an agreement with EUROJUST all relevant data are provided within Chapter 23:“Judiciary and Fundamental rights“, Subchapter 3: Fundamental rights – Current state of play.

Judicial authorities/bodies of the Republic of Serbia (the High Judicial Council, Supreme Court of Cassation and Judicial academy) are included, as observers, in work of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union, the European Network of Councils for the Judiciary and European Judicial Training Network.

Republic Public Prosecutors Office and Ministry of Justice approached to Network of the General Prosecutors of the Supreme Judicial Courts of the European Union and Network for Legislative Cooperation between the Ministries of Justice of the European Union to acquire an observer status in October 2014.

Regarding necessary infrastructure all relevant data are provided within Chapter 23:”Judiciary and Fundamental rights”, Subchapter 1: Judiciary – Current state of play.

On 7 March 2013, the Government of the Republic of Serbia adopted the Conclusion 05 No: 018-1862/2013-1, adopting the text of procedures of mutual assistance envisaged by the IBM Technical Protocol. The Conclusion entered into force on 20 March 2013. The Procedures of mutual assistance envisage that cooperation between competent authorities concerning general types of legal assistance (service of documents, taking of evidence, transmission of information etc) shall be effected through the EULEX.

On 15 November 2013, the Minister of Justice and Public Administration adopted the Directive on the Manner of Implementing the Government Conclusion 05 No: 018-1862/2013-1 of 7 March 2013, by civil servants at the Ministry of Justice and Public Administration and office of the Administration for Joint Services of the Republic Bodies. In line with this, letters rogatory for mutual assistance of temporary institutions of self-government in Priština are acted upon in practice.

Ministry of Justice, as well as all other relevant institutions shall, upon submission of an impact assessment by external experts, with the planned activities to fulfil the expected results and improve the quality of judicial cooperation in civil,commercial and criminal matters, notably harmonization of legislation with

EU standards, and the strengthening of technical and administrative capacity through adequate training programs, improving the processing of statistical data through improved program LURIS, as well as adequate needs in finances in this area.

The Republic of Serbia shall create conditions that its judicial authorities, upon the accession of the EU, act on the demands of the judicial authorities of the Member States of the EU and take care of proper statistics.

Observer status for Republic of Serbia in EU judicial networks will provide a „guest reader” status for representatives of the Republic of Serbia and full access to all relevant information.

5.1 RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>With the support of external experts, prepare an impact assessment that should result in a clear timeline and adequate measures for transposing the existing <i>acquis</i> into Serbian legislation or directly implementing it, bearing in mind administrative, budgetary, staff and training needs, including:</p> <ol style="list-style-type: none"> <li>1. Steps to improve statistics to monitor the efficient handling of international requests in this area;</li> <li>2. A comprehensive training programme;</li> <li>3. Prioritising direct cooperation</li> </ol>	<p>Judiciary of the Republic of Serbia is compatible with judiciary of the EU Member States regarding implementation of the relevant <i>acquis</i>.</p>	<ul style="list-style-type: none"> <li>- The procedure upon letters rogatory shortened</li> <li>- Swift court to court dealings</li> <li>- Sufficient numbers of MoJ and court staff trained and well equipped to implement the <i>acquis</i></li> </ul>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
5.1.1	Preparation of impact assessment with precise timeline and determined measures for harmonization of national legislation with relevant EU acquis or direct implementation in the area of mutual legal assistance in civil matters and international private law, including administrative, budgetary, staff and training needs. Relevant acquis in this area is:	Ministry in charge of justice in cooperation with courts and Judicial Academy	Jun 2016.	Working group up to 8 people x 50 days (1 w.group x 50 days x 501 € + overheads, 15%)  28.808 € (Budget RS)  External experts up to 4 x 50 days (4 experts x 50 days x125 €+ overheads , 15 %)  28.750 € (DONATION <sup>1</sup> )	- Impact assessment drafted	Published impact assessment	

<sup>1</sup> Negotiations with donors are in progress, complete information will be in next version of the AP

	<p>1. Council Decision 2001/470 / EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters</p> <p>2. Regulation no. 1393/2007 on the service of judicial and extra-judicial documents in civil and commercial matters between Member States and repealing Regulation no. 1348/2000</p> <p>3. Regulation</p>		<p>September 2016</p>	<p>TAIEX</p> <p>1 TAIEX Expert</p> <p>Mission that will check and provide a report about Impact assessment that will be provided through donation. It will consist of 5 working days) (1 expert x 5 days x 350 €)</p> <p>1750 €</p>	<p>- TAIEX expert mission</p>	<p>TAIEX report</p>	
--	---	--	-----------------------	---	-------------------------------	---------------------	--

	<p>no. 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters</p> <p>4. Regulation 593/2008 on the law applicable to contractual obligations (Rome 1 Regulation)</p> <p>5. Regulation 864/2007 on the law applicable to non- contractual obligations (Rome Regulation 2)</p>			TOTAL 59.308 €			
--	--	--	--	----------------	--	--	--

	<p>6. Regulation 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels Regulation 1)</p> <p>7. Council Regulation no. 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental rights,</p>						
--	--	--	--	--	--	--	--

	<p>8. Council Regulation no. 1259/2010 on the establishment of enhanced cooperation in the area of the law applicable to divorce and legal separation,</p> <p>9. Council Regulation no. 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters of maintenance.</p> <p>10.Regulation</p>						
--	--	--	--	--	--	--	--

	<p>No. 805/2004 on the introduction of the European executive order for uncontested claims.</p> <p>11.Regulation no. 861/2007 on the introduction of the process of European small claims.</p> <p>12.Regulation no. 1896/2006 on the introduction of procedures for the European payment order.</p>						
5.1.2	Implementation of measures	<b>Ministry of Justice</b> , courts,	Two years after publishing	Costs currently unknown	- Institutional capacities	Evaluation report	

	envisaged in results of the impact assessment	Judicial Academy	Impact assessment		<p>developed</p> <p>- Administrative capacities developed</p> <p>- Budget funds for implementation of the acquis provided</p>		
--	---	------------------	-------------------	--	---	--	--

5. RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
Ratification of the Hague Convention on private international law on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children (1996)	The Hague Convention on private international law on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children (1996) ratified	Rights of the child in international disputes are protected at level that is standard in EU.

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
5.2.1	Preparation of the Draft Law on Ratification of the Hague Convention on private international law on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children (1996)	<b>Ministry of Labour,</b> Employment, Veteran and Social Policy with National Assembly	june 2015	Working group - 8642 €, Secretariat for legislation - 231 €,  Government of Serbia - 420 €,  National assembly - 39.375 €,  Total 48.668 €  In 2015 (budget of the RS)	- The Law adopted  - Number of undertaken measures for protection of children as provided for under the Convention in comparison to a number of the requests for application of such measures received from other State Parties.  -Number of instituted proceedings to recognize the measures as	Official gazette of the Republic of Serbia	

					<p>determined by other State Parties.</p> <p>- Number of the instituted proceedings for the exercise of measures as determined by the authorities of other State Parties.</p> <p>- Number of completely exercised measures as set by the authorities of other State Parties.</p>		
--	--	--	--	--	--	--	--

5.3. RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
With the support of external experts, prepare an impact assessment that should result in a clear timeline and adequate measures for transposing the existing <i>acquis</i> into Serbian legislation (also	Judiciary of the Republic of Serbia is compatible with judiciary of the EU Member States regarding implementation of the relevant <i>acquis</i> .	<ul style="list-style-type: none"> <li>- The procedure upon letters rogatory shortened</li> <li>- Swift court to court dealings</li> </ul>

including the European arrest warrant) or directly implementing it, bearing in mind administrative, budgetary and training needs, including: 1. Steps to improve statistics to monitor the efficient handling of international requests in this area; 2. A comprehensive training programme; 3. Prioritising direct cooperation		- Sufficient numbers of MoJ and court staff trained and well equipped to implement the acquis
--	--	---

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
5.3.1	Preparation of impact assessment with precise timeline and determined measures for harmonization of national legislation with relevant EU acquis (also including the European arrest warrant) or direct implementation in the area of	Ministry in charge of justice in cooperation with courts and public prosecutor's offices, Judicial Academy, Ministry of Interior	Jun 2016	<p>Working group up to 8 people x 50 days (1 w.group x 50 days x 501 € + overheads, 15%)</p> <p>28.808 € (Budget RS)</p> <p>External experts up to 4 x 50 days (4 experts x 50 days x 125 €+)</p>	- Impact assessment drafted	Published impact assessment	

	<p>mutual assistance in criminal matters, including administrative, budgetary, staff and training needs. Relevant acquis in this area is:</p> <p><b>1.</b> Framework Decision 2002/584 / JHA on the European arrest warrant and the surrender procedures between Member States</p> <p><b>2.</b> Framework Decision 2008/909 / JHA on mutual recognition of measures of deprivation of</p>		<p>September 2016</p>	<p>overheads, 15 %)</p> <p>28.750 € (DONATION<sup>2</sup>)</p> <p>TAIEX</p> <p>1 TAIEX Expert</p> <p>Mission that will check and provide a report about Impact assessment that will be provided through donation. It will consist of 5 working days) (1 expert x 5 days x</p>	<p>- TAIEX expert mission</p>	<p>TAIEX report</p>	
--	---	--	-----------------------	---	-------------------------------	---------------------	--

<sup>2</sup> Negotiations with donors are in progress, complete information will be in next version of the AP

	liberty <b>3. Framework Decision 2009/829 / JHA on mutual recognition of supervision measures</b> <b>4. Framework Decision 2009/947 / JHA on mutual recognition of alternative sanctions</b> <b>5. Framework Decision 2005/214 / JHA on mutual recognition of financial penalties</b> <b>6. The Framework Decision 2002/465 / JHA on joint investigation teams</b> <b>7. Framework Decision 2009/829 / JHA of 23.10.2009.</b>			350 €)  1750 €  TOTAL 59.308 €			
--	--	--	--	--	--	--	--

	<p>on the mutual recognition of supervision measures</p> <p><b>8. Framework Decision 2009/947 / JHA</b> on mutual recognition of alternative sanctions</p>						
5.3.2	<p>Implementation of measures envisaged on results of the impact assessment</p>	<p><b>Ministry in charge of justice</b>, Ministry of Interior, Ministry of Foreign Affairs, courts, Judicial Academy, courts, Public Prosecutor's Office</p>	<p>Two years after publishing Impact assessment</p>	<p>Costs currently unknown</p>	<ul style="list-style-type: none"> <li>- Institutional capacities developed</li>   <li>- Administrative capacities developed</li>   <li>- Budget funds for implementation of the acquis provided</li> </ul>	<p>Evaluation report</p>	

5.4 RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
Preparations to conclude the agreement with EUROJUST, notably in terms of personal data protection	The agreement with EUROJUST concluded	- Advanced cooperation with EUROJUST which will enable better prosecution and investigation of criminals regardless of state borders

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
5.4.1	Organization of visit for EUROJUST experts to assess the degree of harmonisation and give recommendations to meet conditions for signing an	Ministry in charge of Justice, Public Prosecutor's Office, Ministry of Interior and Commissioner for Information of Public Importance and Personal Data	June 2015	5 representatives of the RS institutions x1,5 working day 5 x 105 € x 1.5day = 787,5 euro +15% overhead  350*5*1,5=2625 €+394€=3.019 €	Recommendations received	EUROJUST report	

	agreement with the EUROJUST	Protection		Total 3.019 € In 2015 (budget of the RS)			
5.4.2	Amend and supplement the normative framework of the Republic of Serbia in the field of personal data protection in line with tables of concordance (see 3.11.1.2. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	(see 3.11.1.1. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	(see 3.11.1.1. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	(see 3.11.1.1. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	(see 3.11.1.1. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	(see 3.11.1.1. AP Chapter 23, subchapter "Fundamental rights – personal data protection")	
5.4.3	Organisation of visit for EUROJUST experts to assess the fulfilment of conditions for signing the agreement with EUROJUST	<b>Ministry in charge of justice</b> , Public Prosecutor's Office	December of 2015	5 (representatives of the RS institutions x1,5 working day 5 x 105 x 1.5 = 787,5 euro +15% overhead  350*5*1,5=2625 €+394€=3.019 €	Approval that the conditions are met.	EUROJUST report	

				Total 3.019 € In 2015 (budget of the RS)			
--	--	--	--	---	--	--	--

5.5 RECOMMENDATION: 5	OVERALL RESULT	INDICATOR OF IMPACT
Involvement of judicial authorities as observer members of the European Judicial Training Network, Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union, Network of the Presidents of the Supreme Judicial Courts of the European Union, Network of the General Prosecutors of the Supreme Judicial Courts of the European Union, and Network for Legislative Cooperation between the Ministries of Justice of the European Union	Judicial authorities/bodies of the Republic of Serbia involved as observer members of judicial organisations/bodies of the European Union	<ul style="list-style-type: none"> <li>- Republic of Serbia participate in exchange of experience and best practices</li> <li>- Republic of Serbia accommodate its judicial mechanism in accordance with received information</li> </ul>

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS/SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
5.5.1	Application for observer status in judicial networks of EU	Ministry in charge of justice, in cooperation with courts and public prosecutor's offices, Judicial Academy	June 2015	No costs	- Submitted application	Web site of the network	
5.5.2	Participation as observer in work of judicial networks of EU	Ministry in charge of justice, High Judicial Council, State Prosecutorial Council, Supreme Court of Cassation, Public Prosecutor's Office, Judicial Academy	starting from June 2015	Costs currently unknown	- The amount of exchanged information	Internal reports on activities	

5.6 RECOMMENDATION: 6	OVERALL RESULT	INDICATOR OF IMPACT
<p>It needs to put in place the necessary infrastructure (of courts and prosecution offices).</p>	<p>Conducted comprehensive analysis of the costs, efficiency and access to justice as the foundation for taking further steps in the reform of the court network. (See 1.3.3. – overall result AP Chapter 23, subchapter: „Judiciary“)</p>	<p>With a clear, pre-defined methodology, regularly are monitored data on the:</p> <ul style="list-style-type: none"> <li>- Number of courts and public prosecutor's offices at 100 000 inhabitants;</li> <li>- The number of judges and public prosecutors per 100 000 inhabitants;</li> <li>- Average and maximum distances of the courts and public prosecutor's offices of dwellings in the area of the court or the public prosecutor's office;</li> <li>- The conditions and extent of exercising the right to free legal aid;</li> <li>- The conditions and extent of exercising the right to a remedy;</li> <li>- The amount of court fees;</li> <li>- The number of cases by the court or the public prosecutor's office;</li> <li>- The number of cases per judge or a public prosecutor;</li> <li>- Costs of functioning judicial network;</li> <li>- The average length of proceedings (with the matter);</li> <li>- Backlog;</li> <li>- old cases;</li> <li>- Number of accepted applications to the European Court of Human Rights relating to the violation of the right to trial within a reasonable time.</li> </ul>

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
5.6.1	Undertaking further reform steps to correction the structure of the judicial network, improvement of infrastructure and internal procedures, based on the results of a comprehensive analysis from activities 1.3.3.1, 1.3.4.1 and 1.3.5.1 (see 1.3.3.2. AP Chapter 23, subchapter: „Judiciary“)						

<b>5.7 RECOMMENDATION: 7</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Serbia will need to remain fully committed to the continued normalisation of relations with Kosovo* <sup>3</sup> and the implementation of all agreements reached in the context of the dialogue, including by cooperating with EULEX as appropriate.	Normalization of relations with Kosovo* <sup>4</sup> in area of mutual assistance (in civil and criminal matters)	- The procedure upon letters rogatory shortened

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS/SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
5.7.1	This activity will be defined in final draft of the Action plan for Chapter 24 bearing in mind the development of Belgrade-Priština dialog in Chapter 35						

<sup>3</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

<sup>4</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

## 6. Police cooperation and fight against organised crime

### 6.1. POLICE COOPERATION

#### CURRENT STATE OF PLAY:

**Police cooperation** in the Republic of Serbia is effective and comprehensive and it takes place at all levels (strategic, operational, specialist and border level) and via different communication channels (international – INTERPOL, EUROPOL, SELEC, and bilateral). The information is exchanged for different purposes: for criminal investigation, prevention and detection of crime and for ensuring public order and security. On average, around 50,000 police information is exchanged via INTERPOL channel at annual level, 30,000 of which represents the number of messages exchanged with police of the EU Member States. All standard methods of work of the European police services are used in the daily police work as well as the following institutes: arrests based on international notices in the country and abroad, parallel investigations, controlled deliveries, operations with undercover agents joint investigation teams, etc. The Serbian police participates in the INTERPOL databases of wanted persons, stolen motor vehicles, documents, works of art and other, and performs operational cooperation on the basis of concluded bilateral (20 international agreements on police cooperation with the Third Countries are currently in force, including the 15 EU Members States) and multilateral police cooperation agreements (Serbia has ratified more than 25 UN and Council of Europe Conventions) as well as on domestic legislation – Law on Police, Criminal Procedure Law, Criminal Code, Law on International Legal Assistance in Criminal Matters, Law on Personal Data Protection, Law on Confidentiality of Data and other which have provided the legal basis for it, which is based on precisely defined subjects and communication channels of INTERPOL, EUROPOL and domestic and foreign liaison officers. The Single Point Contact (SPOC) represents “all in one” in the area of international police cooperation which operates on 24/7 basis, where Serbia, as a future EU country, gathers its SIRENE bureau, ENU and INTERPOL national central bureau, national and foreign liaison officers and contact points of other channels.

**It is required to strengthen human resources and operational capacities** through trainings as it enables the trained staff to use different information tools in their work so as to enable them to validate requests and replies within various police channels within police cooperation (Secure Information Exchange Network Application – EUROPOL, SIRENE – Schengen Information System (SIS 2), exchange procedure in case of a Prüm hit, I-Link INTERPOL system),

The legal framework is mostly harmonized in the area of police cooperation with the European Acquis in relation **to cooperation with EUROPOL**, the future implementation of the Swedish initiative and in the area of fight against violence and disorderly conduct in sports events and the protection of public figures as well as in the field of the suppression of motor vehicle crime with transborder implications. The institutional framework for law enforcement does exist and the police are acting at the optimal level in accordance with their authorizations and capacities, relative to the tasks entrusted by law. The legal framework for the Prüm Decision has been partially harmonised.

Efficiency of the institution is followed on the basis of the number of the data exchanged with INTERPOL and EUROPOL and participation in the EUROPOL Focal Points. The Serbian Bureau at EUROPOL has appropriate spatial and technical conditions for work which have to be improved in the field

of safety and data confidentiality and it is also necessary to fill staff vacancies as soon as possible due to expected increase in workload because of joining the EUROPOL Focal Points. There will be difficulties in financing as for raising safety standards. The institution capacities are being improved through the training programs for employees (Siena Training in June 2014, Swedish Initiative Workshop in July 2014). It is intended that a liaison officer be appointed in the Hague. The Serbian Bureau at EUROPOL was established in 2009 on the basis of then applicable Law on Strategic Co-operation with EUROPOL adopted in 2009 (stopped to be valid upon entering into force of the Operational Agreement). Operational agreement between EUROPOL and Serbia came into force in June 2014. Secure communication link via EUROPOL Network Application for secure exchange of information (SIENA) was established in 2012. It is coordinating with the exchange of operational information between EUROPOL and the Serbian police. In the period from 01.01.2012 until 15.10.2014 a total number of 1554 messages were exchanged via SIENA and only in the last 5 months, since the moment when the operational agreement became valid, 774 messages have been exchanged. The Serbian Bureau at EUROPOL has 9 work places and 3 are currently filled (head and two inspectors). It has direct access to all national bases. It is the contact point for EMPACT-EU and within the Bureau has been coordinating with 5 international police actions at the national level. It is also coordinating with the procedure of joining the following Focal Points of EUROPOL (consent of all the participating countries in a focal point has to be given previously, in accordance with the EUROPOL rules): *FP Twins* (child sexual abuse through the Internet), *FP Checkpoint* (illegal migration), *FP Phoenix* (trafficking in human beings), *FP Cyborg* (cyber attacks), *FP Synergy* (synthetic drugs) and Focal Points in relation to counter-terrorism and combating drug trafficking. It has been invited in the capacity of an observer to participate in the meetings of HENU in EUROPOL (meeting of the heads of ENUs of the EU member states).

The legal framework is mostly harmonized with **the Swedish Initiative**. The institution of framework has been established. Institutions have sufficient executive authorisations in accordance with their tasks. Serbia achieves police co-operation respecting the standards of INTERPOL and EUROPOL when acting upon the requests for information sent by foreign police. SPOC (Serbian Single Point of Contact, which has been established through the Regional Project ILECU – International Law Enforcement Coordination Unit) **fully implements the principle of “equivalent approach”** and sends the information to the interested member state bilaterally through EUROPOL’s SIENA (secure communication channel) and through INTERPOL 24/7 system (secure communication channel) under conditions that are not stricter than those applied at the national level as well as in accordance with the national laws. Specialized International Operational Police Co-operation Department (SPOC or ILECU unit) was established in 2011 as a part of the Police Directorate, Ministry of the Interior of the Republic of Serbia, and it currently has 63 employees and 88 systematized work places. Apart from NCB INTERPOL Belgrade and EUROPOL National Unit, within the Serbian SPOC there is also a Duty Service 24/7, as well as co-operation with foreign liaison officers and the plan is to establish SIRENE Bureau and coordination with national liaison officers posted abroad. Serbia currently has liaison officers posted to seven countries and international organizations (MARI Centre and SELEC). SPOC has direct access to the national databases so that it could efficiently comply with the requests of foreign police. The Swedish Initiative will be implemented into the national legislation through the proposed activities. The capacities of the institutions and training programmes for employees should be improved. The strengthening of the capacities of the Single Point of Contact (the International Operational Police Cooperation Department – SPOC) will represent “all in one” in the area of international police cooperation which operates on 24/7 basis, where Serbia, as a future EU country, gathers its SIRENE bureau, ENU and INTERPOL National Central Bureau, national and foreign liaison officers and contact

points of other channels.

There is partial alignment with the EU legal framework as regards **the Prüm Decision**. The institutions act at an optimal level in accordance with their capacities and authorisations. In its capacity as expert service within the Ministry of the Interior, the IT Department organizes, develops, improves and exploits the integrated automated information system of the Ministry (JIS) and provides logistics support in operational work in the field of information technology. The system's principal segments are: a system for recording, updating, storing and processing alphanumeric data, system for personalization of e-ID documents with biometrical data, including a system for filing, document management system, system for processing fingerprints, palms and photographs of individuals, system of public keys protection and affairs of certification body, system of protected electronic mail, system of end-to-end data transmission and storage, Internet system and application of multimedia technology, new user services (mobile systems). These systems help collect ID alphanumeric and biometrical data (alphanumeric and biometrical data - photograph, fingerprint, palm print, signature, etc.), process data, integrate processed data with existing databases, create new databases, design functionally new JIS, monitor and supervise the implementation of methodology of data collecting, delivering and processing, as well as the use of JIS; project, develop, materialize and maintain JIS; install and maintain the computer equipment and software; train staff to use JIS. There are some difficulties in financing the implementation of the Prüm Decision relating to efficient technical capabilities of the integrated information system. As for the part of the Prüm Decision relating to defining procedures for data exchange on public order, terrorism, performing joint operations and other types of cross-border cooperation, data are exchanged with foreign police in accordance with INTERPOL standards via the I-24/7 information exchange system and EUROPOL standards via SIENA, and the legal bases for the exchange are, besides the membership in these organisations, bilateral and multilateral agreements on cooperation (please see the explanation above). Furthermore, national contact points have been defined in these areas in accordance with national laws. The extranet network is a segment of the intranet network of the Serbian Ministry of the Interior and it facilitates service exchange between the Ministry of the Interior and external entities (government authorities, economic entities, individuals, etc.), with maximum protection, via single access point – extranet. The extranet segment also contains application and server base, which is used to exchange services. With appropriate preparations and improvements of the existing ICT infrastructure and in accordance with necessary legal regulations, it is possible to fulfill the EU standards which relate to enabling communication with TESTA network and relevant entities and systems for automated data exchange at the EU level in accordance with the Prüm. The AFIS system is in place and it supports the use of standard NIST format.

Serbia needs to analyze the current situation. New software and hardware must be implemented and training, connections and some trials conducted before the implementation of the Prüm Decision. There is partial alignment with EU regulations on the exchange of DNA analysis results. In this context, the new Law on DNA Register should be adopted, subliming the relevant EU regulations and opening the path towards the implementation of the latter two regulations, relating to the Prüm decisions. We need to connect some public and private DNA labs, because, MoI will be Focal point of future DNA exchanging. In that way, Serbia needs some IPA or bilateral Project (estimated costs about 4,800.000 Euros). Similar needs are necessary for fingerprints and vehicle area in same project. Before it is necessary to establish "the chain of custody" of traces and materials which will contain fingerprints and DNA isolated from crime scenes in the entire territory of Serbian with regard to other relative EU regulations (see <sup>11a</sup> footnote). Thus, the capacities of the Serbian police in their fight against organized crime will be strengthened. This part is second part of one or more projects (IPA or bilateral - especially with Sweden or/and

Norway) with estimated costs of 6,000.000 Euros (5 labs in 5 different paces with a lot of different area parts and 27 PD's in whole Serbia).

In addition, legal drafting is necessary, as well as their implementation, which entails significant resources. To the same end, the Law on Police and the Criminal Procedure Code must also be amended, including subsequent adoption of several by-laws by different government authorities, with full personal data protection. Together with the development of the system for fingerprints and DNA, the national information system for the stolen motor vehicles and the data on vehicle owners is also to be upgraded in order to be synchronized with the Schengen/INTERPOL SMV database in terms of entry/cancellation of stolen motor vehicles and with the aim of protecting bona fide owners as well as with a view to prevention of smuggling of motor vehicles with transborder implications.

In accordance with the EU Council Decision 2002/348/JHA of April 25<sup>th</sup>, 2002, concerning **security in connection with football matches** with an international dimension, the Division for monitoring and suppressing violence in sports events – National Football Information Centre (NFIP) was created in 2011. Relevant organisational units and job positions responsible for monitoring and suppressing violence in sports events have been formed at the level of police departments. The Division functions as a focal point for information exchange on sports events with national and international dimension. On July 12<sup>th</sup>, 2013, the Government of the Republic of Serbia adopted the National strategy on fight against violence and disorderly conduct in sports events over the period from 2013 to 2018, with its Action Plan, which represents a strategic document, setting out the basic principles and security policy in the area of fight against violence and disorderly conduct in sports events. The basis for monitoring and evaluating the National Strategy is the National Action Plan for fight against violence and disorderly conduct in sports events, which contains strategic areas and goals, activities to achieve goals, financing sources and deadlines for accomplishing each activity. The system of monitoring and evaluating comprises all phases and levels of enforcing the Action Plan, as well as the plan of activities which is designed every second year due to recurrent social changes as new phenomena of violence, which require swift and efficient response of the society. It is supposed to provide information on the progress and enforcement of defined activities, as well as to assess whether the goals are achieved. Through feedback information, this system is the basis for improvement of the Action Plan and plan of activities, redefining particular activities, reaching decisions based on the facts and data, coordinating all of those who participate in the Action Plan, as well as sharing responsibilities to produce results. The Government's Action Team and Council for suppression of violence and disorderly conduct in sporting events should assess whether the plan is successfully applied and in accordance with the assessment, and if necessary, it should redefine the existing activities, depending on the results. The legal framework is mostly harmonised with the EU regulation in the area of **protection of public figures** National Contact Point for protection of public figures is in place. It is required to improve the capacity of their staff through trainings, participation in international workshops, etc.

As for the EU legal framework in relation to **vehicle crimes**, the national legislation is partially harmonized with it. The institutional framework has been established. The institutions operate within their purview and capacities in a manner that is optimum in relation to the tasks set. The check on the registration of a vehicle of the first owner is conducted through INTERPOL, but while this check is in progress, the vehicle of the owner is registered provisionally, and thus, in case the check on the vehicle through the INTERPOL ASF is positive, the vehicle may be seized from its owner. New procedures on the manner of checking the vehicle during the process its registration will contribute to the transparency of the process with the aim of protecting the legal owner and thus

simplified procedure of the return of the vehicle will serve to this purpose as well. The build-up of the national information system of the Ministry of the Interior in order to synchronize the national database with the Schengen/INTERPOL SMV database in terms of entry/cancellation of stolen motor vehicles will be achieved through the implementation of the proposed activities.

Police Training Centre in the Republic of Serbia – Centre for Specialized and Advanced Training – has not yet concluded a formal agreement on cooperation with European Police College (CEPOL). The training organized within cooperation with CEPOL will enable building up capacities through the exchange and sharing of experience and ideas of police officers employed in different lines of work as well as getting acquainted with the structure of foreign police services and their working methodology and procedures in area of police in community, high police management, international information exchange and combating specific forms of criminal activities. This training might include exchange study visits, workshops, seminars, e-learning, etc., participation in forums, etc. The draft of working arrangement on cooperation with the CEPOL prepared. The national contact point nominated.

6.1.1. RECOMMENDATION: 1	OVERALL RESULT	IMPACT INDICATOR
Ensure effective implementation of the Operational Agreement with EUROPOL and the posting of a liaison officer in the Hague <sup>1</sup>	Full harmonisation with the <i>acquis</i> in the field of cooperation with EUROPOL through Strategic and Operational Agreement	More efficient cooperation with EU Member States in preventing of and fight against organised crime, terrorism and other forms of international crime, particularly through the exchange of data between the Republic of Serbia (ENUs and LBs) and EUROPOL

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.1.1.1	Conduct the analysis of the	<b>Ministry of the Interior</b>	December 2015	budget (regular) – EUR 2,795€ - IV	Experts engaged; the analysis with	Document on the analysis with the	

	current situation from the aspect of implementing standards in the field of data assurance and confidentiality	(International Operational Police Cooperation Department, Head of the Division for Cooperation with EUROPOL)		quarter of 2015 TAIEX - EUR 4,500 - IV quarter of 2015	recommendations of measures to improve the situation in regard to data assurance and confidentiality conducted	recommendations of measures for improvement of the situation regarding confidentiality of data at the International Operational Police Cooperation Department	
6.1.1.2	Meet security standards in accordance with recommendations from the analysis	<b>Ministry of the Interior</b> (International Operational Police Cooperation Department, Head of the Division for Cooperation with EUROPOL, in cooperation with Security Department, IT Department, Cabinet of the Minister, Security Division)	II quarter of 2017	IPA 2015/ budget  500,000 EUR	Standards and recommendations defined by EUROPOL documents fulfilled: organisation, system and measures relating to security ensured, the adequate level of physical security of premises ensured, procedures developed, missing equipment	The final report on the project	

					procured		
6.1.1.3	Strengthen capacities of the National Contact Point for cooperation with EUROPOL	<b>Ministry of the Interior</b> (Head of the Division for Cooperation with EUROPOL)	IV quarter of 2016	<p>Budget (regular) – the transfer of employees from other organisational units (6):</p> <ul style="list-style-type: none"> <li>- EUR 54,000 for 2015</li> <li>- EUR 72,000 for 2016</li> <li>- EUR 72,000 for 2017</li> <li>- EUR 72,000 for 2018</li> </ul> <p>TOTAL: EUR 270,000</p> <p>Budget (the existing resources /additional) – Equipment TBD – IV quarter of 2016</p>	Six vacancies at the National Contact Point for cooperation with EUROPOL filled, pursuant to the Rulebook on Job Classification of the Ministry of the Interior	Employment agreements and reports on the statistics on the number of exchanged messages; the number of the conducted police operations coordinated by EUROPOL (EMPACT Project)	
6.1.1.4	Develop, adopt and implement the plan of additional trainings for	<b>Ministry of the Interior;</b> International Operational Police	continuous	<p>Budget (regular)</p> <ul style="list-style-type: none"> <li>– plan for the development of trainings –</li> </ul>	The training plan developed, adopted and implemented; nine police	Reports on trainings	

	employees to use SIENA, with the aim to strengthen administrative and technical capacities of the National Contact Point for cooperation with EUROPOL <sup>2</sup>	Cooperation Department (Head of Division for Cooperation with EUROPOL)		<p>EUR 931</p> <ul style="list-style-type: none"> <li>- TAIEX experts – EUR 4,500 for 2014</li> <li>- TAIEX experts – training for the employees of the National Contact Point for cooperation with EUROPOL – EUR 9,000 for 2015</li> <li>- EUR 9,000 for 2016</li> <li>- EUR 9,000 for 2017</li> <li>- EUR 9,000 for 2018</li> </ul>	officers of the EUROPOL National Contact Point trained		
6.1.1.5	Post one liaison police officer in the The Hague from the Ministry of Interior- General Police Directorate; train the selected	<b>Ministry of the Interior</b>	June 2015	<p>Budget (regular)–</p> <ul style="list-style-type: none"> <li>- EURO 1,242 – 2015</li> </ul> <p>Budget</p>	<p>The liaison officer selected and posted to EUROPOL;</p> <p>The Rulebook on Internal Organisation and</p>	Document on the secondment of a liaison officer	

	liaison officer before being posted to EUROPOL <sup>34</sup>			<p>(additionally) – costs of posting a liaison officer :</p> <ul style="list-style-type: none"> <li>- EUR 49,500 for 2015</li> <li>- EUR 66,000 for 2016</li> <li>- EUR 66,000 for 2017</li> <li>- EUR 66,000 for 2018</li> </ul> <p>TOTAL: EUR 247,500</p> <p>Other sources: The training is implemented by EUROPOL at its own cost after a liaison officer is posted to EUROPOL.</p>	<p>Job Classification at the Ministry of the Interior (in regard to the job description for the liaison officer in the Division for Cooperation with EUROPOL, International Operational Police Cooperation Department) amended; Training for the police liaison officer completed</p>		
6.1.1.6	Sign working arrangements on joining EUROPOL analytical groups	<b>Ministry of the Interior;</b> International Operational Police Cooperation Department (Head of the	June 2015	Budget (regular) – EUR 207 for 2015	<p>Number of signed working arrangements;</p> <p>Attendance at meetings of analytical groups to receive the</p>	Signed working arrangements and reports on the statistics on the number of exchanged messages	

		Division for Cooperation with EUROPOL)			results of EUROPOL analyses		
6.1.1.7	Participation in joint investigation teams	<b>Ministry of the Interior</b> (International Operational Police Cooperation Department, Head of the Division for Cooperation with EUROPOL, Criminal Police Department, Organised Crime Prosecutor's Office, Ministry of Justice)	IV quarter of 2016	Budget (regular) – EUR 1,863 – for 2016	Establishment and work of joint investigation teams	The number of JITs	
6.1.1.8	Submitting information on new identified psychoactive substances to the EUROPOL	<b>Ministry of the Interior;</b> International Operational Police Cooperation Department, Criminal Police	continuous	Budget (regular) – EUR 40 per year, 2014-2018, total: EURO 200	Track records SIENA, and information system of the  International Operational Police	Report on the statistics	

		Department			Cooperation Department		
--	--	------------	--	--	------------------------	--	--

<sup>1</sup>The Law Ratifying the Agreement on Operational and Strategic Cooperation between the Republic of Serbia and the European Police Office was published in the “RS Official Gazette”, No 5/14-international treaties, 30 May 2014.

<sup>2</sup>In accordance with Article 8 – National units, paragraphs 1, 3, 4 of the *Council Decision establishing the European Police Office – EUROPOL* (2009/371/JHA).

<sup>3</sup>In accordance with Article 9 – Liaison officers, paragraph 1 of the Council Decision establishing the European Police Office – EUROPOL 2009/371/JHA).

<sup>4</sup>In accordance with the EC recommendation.

6.1.2. RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
Strengthen human resources and the operational capacities to implement various instruments in the field of efficient police cooperation, in particular the Swedish Initiative <sup>5 6</sup>	Harmonisation with the <i>acquis</i> in the field of police cooperation	Efficient prevention and suppression of criminal activities; created new and strengthened existing organisational, information and staff capacities with a view to efficient police cooperation

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.1.2.1	Conduct the analysis of situation in terms of necessary	<b>Ministry of the Interior,</b> International Operational	December 2015 + 12 months	Budget (regular) – EUR 2,795 - TAIEX - EUR 2,250 -	Conducted analysis of situation with the	Document on the analysis with the recommendations; the Document on	

	<p>human resources, legislative and institutional framework for efficient international police cooperation, also in relation to data availability, accessibility and reciprocity with a view to the implementation of Swedish Initiative</p>	<p>Police Cooperation Department, in cooperation with a foreign expert</p>			<p>recommendation of measures developed:</p> <p>identified contact points in law enforcement authorities; work on the principle of 24/7 established in all contact points, especially within SPOC; The statement on the contact points sent to the EU Council and the Commission; The statement on the contact point for urgent information and data exchange sent to the EU Council and the Commission (SPOC) Identified all agreements which will be applied at</p>	<p>the Systematization of work posts within the Ministry of the Interior; the 24/7 duty services already established within SPOC – the number of the duty officers within SPOC; identified contact points, statements sent to the EU and identified all agreements to be applied at national level; statement on the agreement the application of which continues sent to the EU council, relevant legal documents adopted and sent to the EU</p>	
--	--	--	--	--	---	---	--

					<p>national level following the application of the Swedish Initiative;          Sending of the statement on the agreements the application of which continues to the EU Council;</p> <p>Transfer of the Swedish Initiative into the national legislation (a relevant legal document adopted and sent to the EU Council),</p>		
6.1.2.2	Develop the Guidelines on International Operational Police Cooperation, defining	<b>Ministry of the Interior</b> (International Operational Police Cooperation Department,	IV quarter of 2016 Note: continuous (in accordance with new requirements	Budget (regular) – EUR 9,315 - IV quarter of 2016 TAIEX – EUR 2,250 - IV quarter of 2016	The Guidelines on International Operational Police Cooperation adopted	The Guidelines on International Operational Police Cooperation	

	operational procedures and International Operational Police Cooperation Department as a single national contact point <sup>7 8</sup> In addition to the very useful references 7 and 8, the following Council document should be considered:  “SPOC Guidelines for international law enforcement information exchange”,  Doc 6721/2/14	Criminal Police Department, IT Department, Department for Administrative Affairs, etc.); The forming of a working group at the level of the  Ministry of the Interior is underway, upon the initiative of International Operational Police Cooperation Department	covered by EU instruments; the Guidelines will be supplemented)				
6.1.2.3	Upgrade human resources by implementing training in the field of	<b>Ministry of the Interior</b> (International Operational Police	December 2015	TAIEX experts – EUR 6,750 – IV quarter of 2015  TAIEX visit -	The training plan in relation to the use of INTERPOL and EUROPOL	Reports on trainings	

	international operational police cooperation, in accordance with recommendations from the analysis	Cooperation Department)		EUR 3,000 - IV quarter of 2015  TAIEX workshop + expert – EURO 5,700 – IV quarter of 2015	databases and channels developed, adopted and implemented, in relation to: the introduction of new data exchange systems  (I-link, SIRENA, SIS 2, PRUM, SIENA), standards on personal data protection and data confidentiality, access to the <i>Schengen Information System, handling EUROPOL analytical working files and implementation of targeted searches and extradition of</i>		
--	--	-------------------------	--	---	--	--	--

					<p><i>persons;</i></p> <p>2014 – one workshop implemented via TAIEX on the topic of cross-border cooperation based on the Swedish Initiative; 50 police officers attended the workshop</p>		
6.1.2.4	<p>Strengthen capacities of the 24/7 duty service for the needs of international operational police cooperation, in accordance with recommendations from the analysis</p> <p>See comment under 6.1.2.2<sup>5</sup></p>	<p><b>Ministry of Interior</b> (International Operational Police Cooperation Department, Head of the Information Management Division)</p>	IV quarter of 2016	<p>Budget (regular) – the transfer of the employees from other organisational unit (3):</p> <ul style="list-style-type: none"> <li>- EUR 9,000 for 2016</li> <li>- EUR 36,000 for 2017</li> <li>- EUR 36,000 for 2018</li> </ul> <p>TOTAL: EUR 81,000</p>	<p>Classified workplaces in accordance with the Rulebook on Job Classification at the Ministry of the Interior filled</p>	<p>Employment agreements, the number of the messages exchanged through secure communication channels of INTERPOL and EUROPOL; the number of the data entered into the available databases</p>	

---

5

				Budget (additional/the existing resources) - equipment TBD - IV quarter 2016			
6.1.2.5	Extend INTERPOL services – establish the FIND system and integrate it with the existing police databases <sup>9</sup>	<b>Ministry of the Interior</b> (IT Department, International Operational Police Cooperation Department, Criminal Police Department, Traffic Police Department, Department for Administrative Affairs )	IV quarter of 2016	Donation: INTERPOL – software and equipment – EURO 20,000 – obtained in the previous period	The FIND system extended	The number of INTERPOL system users	
6.1.2.6	Coordinate domestic and foreign police liaison police officers as one of police	<b>Ministry of the Interior</b> ; Bureau for International Cooperation and European Integration in	December 2015	Budget (regular) – EUR 828 for 2015	The existing structure of International Operational Police Cooperation	Rulebook on the workplace of the coordinator for foreign and national liaison officers	

**IMPORTANT:** the legal transposition of the Swedish Initiative, 2006/960/JHA seems to be missing. Since this requires first a legislative procedure and subsequently practical implementation it needs to be thoroughly planned.

	cooperation instruments <sup>10</sup>	cooperation with International Operational Police Cooperation Department (Head of the Department)			Department reorganised and the Rulebook amended		
6.1.2.7	Adopt the new Instructions on Police Officers of the Republic of Serbia who are dispatched abroad	<b>Ministry of the Interior</b> , internal working group (chair of the working group) (Police Directorate, Cabinet, Bureau for International Cooperation and International Integration, International Operational Police Cooperation Department)	II quarter of 2016	Budget (regular) – EUR 4,658 - II quarter of 2016	The Instructions on Police Officers of the Republic of Serbia adopted; the procedure for the selection of Serbia’s police representatives amended; police authorisations for the issue of guidelines concerning work with police representatives defined	The Instructions on Police Officers of the Republic of Serbia	
6.1.2.8	Ensure the establishment of the <i>SIRENE Bureau</i> , with the aim of performing its	<b>Ministry of the Interior</b>	2018	Budget (regular) – the transfer of employees from other organisational units (4):	The existing structure of International Operational Police Cooperation	SIRENE Bureau established and operational	

	<i>role in the information data exchange with other EU member states</i>  24/7 <sup>11</sup>			- EUR 48,000 for 2018  IPA, twinning: (check with Coordinator before Border Police)  Equipment and training TBD	Department reorganised; the <i>SIRENE Bureau established (instead of the Division for Normative-Legal Affairs and Other Forms of International Cooperation)</i> :  exchange of information with other EU Member States 24/7		
--	--	--	--	---	--	--	--

<sup>5</sup> In accordance with the EC recommendation.

<sup>6</sup> In accordance with recommendations of the European Commission’s European Information Exchange Model (EIXM) COM (2012) 735 final, in relation to setting up Single Points of Contact (SPOC) - INTERPOL-EUROPOL-SIRENE-SIS-liaison officers.

<sup>7</sup> These Guidelines will contain all individual operational procedures for international police operational cooperation.

<sup>8</sup> In accordance with recommendations of the European Commission’s European Information Exchange Model (EIXM) COM (2012) 735 final, in relation to setting up Single Points of Contact (SPOC) - INTERPOL-EUROPOL-SIRENE-SIS-liaison officers.

<sup>9</sup> Searches both through national and INTERPOL databases have already been integrated through the national information border system.

<sup>10</sup> Operational procedures for cooperation of the Serbian police with foreign police officers in the Republic of Serbia, and operational procedures for operation of police officers of the Republic of Serbia abroad, will be part of the uniform Guidelines on International Operative Police Cooperation – link to activity 2.

<sup>11</sup> Link to the Action Plan on Schengen.

6.1.3. RECOMMENDATION: 3			OVERALL RESULT			INDICATOR OF IMPACT	
Strengthen human resources and the operational capacities to implement various instruments in the field of police cooperation, in particular the Prüm Treaty			Adoption of the <i>acquis</i> in the field of police cooperation, the staff trained to validate requests and replies (information exchange) following a hit based on Prüm			Efficient technical equipment of the single information system by the " <b>hit/no hit</b> " principle for automated exchange of DNA profiles, data on fingerprints and vehicle registration, along with simultaneous personal data protection. Strengthen human resources and technical capacities with a view to meeting the necessary preconditions for the application of Prüm Decision.	
No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEAD LINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.1.3.1	Conduct the analysis of the legislative and institutional framework, and technical equipment for automated exchange of DNA data, fingerprint data, and data on motor vehicle owners	<b>Ministry of the Interior- chair of the working group</b> (Criminal Police Department, Department for Administrative Affairs, IT Department)	December 2015	Budget (regular) – EUR 29,808 - IV quarter of 2015 TAIEX – EUR 20,250 - IV quarter of 2015	The analysis of situation developed; the report with recommendations prepared	Document on the analysis with the recommendations	

6.1.3.2	Analysis of the information system, aimed at ensuring technical adaptability for meeting the requirements from the <i>Prüm Decision (GAP/comparative analysis)</i>	<b>Ministry of the Interior- chair of the working group</b> (Criminal Police Department, Department for Administrative Affairs, IT Department)	December 2015	Budget – EUR 29,808 - IV quarter of 2015 TAIEX – EUR 20,250 - IV quarter of 2015	The analysis of situation developed; the report with recommendations prepared	Document on the analysis, analysis report	
6.1.3.3	Strengthening human resources and operational capacities to achieve the necessary preconditions for the implementation of the Prüm Decision (establishing technical preconditions on the entire territory of the Republic of Serbia for a valid use (forensic	<b>Ministry of the Interior – president of the working group</b> (Criminal Police Directorate- National Forensic Center)	until the end of 2017, after that period and after joining the EU	estimated amount is EUR 6.000 000 (IPA2015 until 2017 or bilateral agreement)  until 2018: year and after that period  Forensic activities in the Republic of Serbia have been the focus of the activities of Sweden and Norway during the	The final report of the project with internal indicators drew up;  the “chain” of custody” processing established;  adopted procedures and sub-legal acts (Directives, Instructions)	The partial and final reports on the projects, equipment on the place, certificates of the trainings, partial MOI Reports;  Adopted Minister’s legal acts  Established procedures in accordance with the international	

	<p>examination)) of material evidence relative to the data that will later be used in accordance with the Prüm Decision (fingerprints and DNA).</p>			<p>last ten years and therefore their continued participation is recommended due to technical aspect and sustainability.</p> <p>After joining the EU, financing from Serbia's own budget is needed for sustaining established situation.</p> <p>The necessities for achieving this goal are as follows: reconstruction and adaptation of space ("WORKS"); purchase of the equipment for forensic examination of the evidence which is the source of fingerprints, DNA profiles etc; establishment of procedures and</p>		<p>standards;</p>	
--	---	--	--	---	--	-------------------	--

				general written rules; training of staff. The above is necessary with a view to maintaining the chain of custody processing before and after joining the EU <sup>11a</sup>			
6.1.3.4	<p>Implement recommendations of the analysis:</p> <p>develop the new Law on the DNA Register, propose amendments and supplements to other laws, prepare by-laws arising from the Law, define procedures for setting up the DNA register, setting up the DNA register, perform accreditation of the DNA</p>	<p><b>Ministry of the Interior- chair of the working group</b> (Criminal Police Department, Department for Administrative Affairs, IT Department, Secretariat), in cooperation with bodies in charge of the adoption of the Law and public discussion about the Draft Law; in cooperation with the Ministry of Justice and Ministry of</p>	<p>IV quarter of 2016 – preparation of the law proposal and amendments and supplements; II quarter of 2017 – preparation of the proposed by-laws and procedures; IV quarter of 2017 – setting up the DNA register; IV quarter of 2016 – completed</p>	<p>Law proposal: Budget – EUR 2,795 - II and III quarter of 2016 TAIEX – EUR 6,750 - II and III quarter of 2016</p> <p>Adoption of the Law Budget – EUR 40,008 - 2016</p> <p>By-laws: TAIEX – EUR 6,750 - II quarter of 2017</p> <p>Budget (regular) – EUR 2,532 – II</p>	<p>The draft proposal, amendments and supplements to the Law prepared; the draft text of the proposed by-law developed; the Law on DNA adopted; the decree implementing the</p> <p>Prüm Decision adopted; relevant internal procedures adopted;</p> <p>the DNA register</p>	<p>Official Gazette of the Republic of Serbia, Document with adopted procedures, reports of the</p> <p>Ministry of Interior, ATS certificate</p>	

	<p>laboratory of the Ministry of the Interior with ISO standard 17025 compared to new procedures, and adopted law;</p> <p>Prepare a regulation (decree implementing the <i>Prüm Decision</i>)</p> <p>Similar action is required for fingerprint data files and motor vehicles (according activities 6.1.3.1.1 and 2.) Assumedly, similar action is required for fingerprint data files (to be clarified)</p>	Healthcare	<p>accreditation</p> <p>IPA project - hardware – after 2018</p>	<p>quarter of 2017</p> <p>Drafting of acts and procedures: TAIEX study visit: EUR 15,000 - II quarter of 2017</p> <p>Defining procedures for setting up the DNA register: Budget – EUR 33,120€ - II quarter of 2017</p> <p>Accreditation – EUR 5,000 – for 2014 – budget</p> <p>Budget (additionally) – upgrade method</p> <ul style="list-style-type: none"> <li>– EUR 2,000 for 2015</li> <li>– EUR 1,500 for 2016</li> <li>– EUR 1,500 for 2017</li> </ul> <p>Certificate: 2018 –</p>	<p>set up and the contact point for the exchange of additional information after hits in DNA databases or fingertips or data on motor vehicle registration defined, certificate on ATS accreditation</p>		
--	--	------------	---	--	--	--	--

				<p>EUR 5,000 for re-accreditation</p> <p>IPA project - hardware – DNA, fingerprints, motor vehicles – assessment of required funds – EUR 4,800,000 in total /EU Bilateral agreement/other donors</p>			
6.1.3.5	Implement recommendations of the analysis: develop applicative solutions	<b>Ministry of the Interior- chair of the working group</b> (Criminal Police Department, Department for Administrative Affairs, IT Department, Secretariat)	until EU accession	TBD (NOTE: already covered- see funds/ source of financing, activity 6.1.3.4)	<p>Selection of one Member State per data type acting as a supporting partner for the implementation</p> <p>Equipment and software procured and put in operation; technical preconditions established for recording queries to the national</p>	Project documents	

					<p>database of fingertips, vehicle registration and DNA; recording queries about completed checks in the database; recording hits; identified contact points for DNA, fingerprints; identified a contact point for the exchange of additional information upon hits for DNA and fingerprints (SPOC); identified a contact point for the exchange of data in relation to motor vehicles owners upon a hit (SPOC)</p>		
6.1.3.6	Implement recommendations	<b>Ministry of the Interior- chair</b>	I quarter of 2016	TAIEX experts EUR 20,250 I	The training plan in relation to	Document of the training plan,	

	of the analysis: improve training capacities	<b>of the working group</b> (Criminal Police Department, Department for Administrative Affairs, IT Department, Secretariat)		quarter of 2016 TAIEX workshop EUR 8,850 I quarter of 2016  TAIEX visits - EUR 18,000 for 2016  TAIEX total - EUR 47,100	DNA, fingertips and motor vehicle registration developed, adopted and implemented;  120 persons trained (40 from each field)	certificates, reports of the Ministry of Interior	
6.1.3.7	In relation to the development of the Guidelines on International Operational Police Cooperation <sup>12</sup> , define operational procedures for data exchange in regard to:  1. public order 2. terrorism 3. implementation of joint operations 4. other forms of cross-border cooperation NOTE: These procedures are	<b>Ministry of the Interior</b> (International Operational Police Cooperation Department, Criminal Police Department, Border Police Department, IT Department, Department for Public Peace and Order, Security Department, and other, when needed); underway is the establishment of	continuous (in accordance with new requirements covered by EU instruments; the Guidelines will be supplemented)	Costs of this activity are expressed through application of the Swedish Initiative, activity 6.1.2.2.	Procedures for information exchange in accordance with the Council Decision  (2008/615/JHA and 2008/616/JHA of 23 June 2008)  defined	Text of the Guidelines	

	part of a uniform procedure for international police cooperation to be incorporated in the single Guidelines on international operational cooperation. Developing these Guidelines is a special activity within the objective; implementation of the Swedish Initiative	the working group at the level of the  Ministry of Interior, upon the initiative of International Operational Police Cooperation Department					
--	---	---	--	--	--	--	--

<sup>11a</sup> in accordance with the **COUNCIL FRAMEWORK DECISION 2009/905/JHA, Council conclusions on the vision for European Forensic**

**Science 2020 including the creation of a European Forensic Science Area and the development of forensic science**

**infrastructure in Europe, 3135th JUSTICE and HOME AFFAIRS Council meeting**

**Brussels, 13 and 14 December 2011, THE STOCKHOLM PROGRAMME — AN OPEN AND SECURE EUROPE SERVING AND PROTECTING CITIZENS**

**(2010/C 115/01)** and international standards ISO 17025, ISO 17020, ILAC G-19 etc.

<sup>12</sup> Link to activity 2 within recommendation 2.

<b>6.1.4. RECOMMENDATION: 4</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
---------------------------------	-----------------------	----------------------------

Implement the Action Plan for the Fight Against Violence and Misbehaviour at Sports Events, and participate in cooperation on issues such as security of football matches, vehicle crime, and the protection of public figures	Harmonisation with EU instruments in the field of police cooperation	Ensured joint approach and cooperation of law enforcement authorities in the fields such as safety at football matches, vehicle crime and protection of public figures <sup>13 14</sup>
--	--	---

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.1.4.1	Define procedures for automated simultaneous checks of the national, SIS and INTERPOL databases of stolen motor vehicles (prepare the new instruction on the method of verifying whether a vehicle was stolen abroad; define procedures and the working methodology for the exchange of additional information following a hit – define rights and obligations) <sup>15</sup>	<b>Ministry of the Interior</b> (Criminal Police Department, IT Department, Department for Administrative Affairs, International Operational Police Cooperation Department)	December 2015	Budget (regular) – EUR 3,726 - IV quarter of 2015  TAIEX visit – EUR 3,000  IV quarter of 2015  TAIEX workshop + expert – EUR 5,700 – IV quarter of 2015	Guidelines for international operational police cooperation; user passwords allocated to members of other organisational units of the Ministry of the Interior	New work instructions (the internal document of the Ministry of the Interior as part of the Guidelines for International Operational Police Cooperation)	

6.1.4.2	Upgrade the national information system of the Ministry of the Interior (JIS) for the purpose of automated synchronisation of the national and Schengen/INTERPOL database on stolen motor vehicles in entry/cancellation of stolen motor vehicles	<b>Ministry of the Interior of the Republic of Serbia</b> (IT Department, International Operational Police Cooperation Department; Criminal Police Department)	According to the agreement within the Ministry of the Interior, for Schengen – SIS, following EU accession	TBD	Number of automated entries and cancellations of passenger motor vehicles in the INTERPOL and SIS II database; number of found passenger motor vehicles, based on searches for stolen passenger motor vehicles in the country and abroad	Report on the statistics from the INTERPOL and Schengen system	
6.1.4.3	Define the procedure and methodology for the withdrawal and cancellation of vehicle registration licenses and vehicle registration plates in cases of fake chassis	<b>Ministry of the Interior</b> (Department for Administrative Affairs; IT Department; Criminal Police Department;	I quarter of 2016	Budget (regular) – EUR 3,726 - II quarter of 2016	The document defining procedures for automated withdrawal and cancellation of vehicle	Rulebook on the registration of motor vehicles and trailers	

	numbers of passenger motor vehicles and total damage to vehicles; amend the Rulebook on Registration of Motor Vehicles and Trailers ;	International Operational Police Cooperation Department)			documents and vehicle registration plates in cases of fake chassis numbers of passenger motor vehicles; amended Criminal code in relation to the unauthorised use of another person's vehicle, production, procurement and possession of means intended for commission of criminal offences;		
6.1.4.4	Draft a proposal for amendment to the Criminal Code Law in accordance with agreement on strategic contract with EUROPOL	<b>Ministry of the Interior</b> Criminal Police Department;	December 2015	Budget	Criminal Code Low adopted	RS Official Gazette	

6.1.4.5	Strengthening capacities and upgrading human resources of the competent police organisational units for combating international vehicle trafficking (connection to the Decision 919/2003) as well as customs, prosecutors' offices through mutual cooperation and inclusion of the private sector	<b>Ministry of the Interior</b> (Criminal Police Department, Service for Combating Organised Crime, Service for Combating Crime; International Operational Police Cooperation Department)	1. December 2014 2. December 2014 3. March 4. June 2015 5. June 2015	1. OSCE workshop  2. -TAIEX workshop (30 police officers, 3 working days, 3 experts)  3. TAIEX Study Visit – 3 police officer, 3 days, Italy  4. TAIEX workshop and experts (3 working days, 3 experts, 60 police officers)  5. -TAIEX workshop (20 police officers, 3 working days, 3 experts)	1. The total of 30 state officers trained  2. At least 30 police officers trained  3. Trained staff  4. the number of trained police officers (60);  5. -20 state officers trained;	Reports on trainings	
6.1.4.6	Implementation of the National Action Plan (2013-2018) for the Fight Against Violence and Misbehaviour at Sports Events <sup>16</sup>	<b>Government action team in charge of development and implementation of the Strategy and Action Plan</b>	Continuously	Budget (regular) – “Government action team – following”  -EUR 5,900 for 2014	The level of implemented activities defined by Action plan	Annual report on implementation of Action plan;  The National Council for Prevention of Violence and	

		<b>for the Fight Against Violence and Misbehaviour at Sports Events;</b> the National Council for Prevention of Violence and Misbehaviour at Sports Events	- EUR 5,900 for 2015 - EUR 5,900 for 2016 - EUR 5,900 for 2017 - EUR 5,900 for 2018  TOTAL: EUR 29,500  Budget (regular) – “National Council – assessment” - EUR 1,863 for 2014 - EUR 1,863 for 2015 - EUR 1,863 for 2016 - EUR 1,863 for		Misbehaviour at Sports Events assessment of the success of the implementation of The tasks from the Action Plan	
--	--	--	--	--	--	--

				2017  -EUR 1,863 for 2018  TOTAL: EUR 9,315			
6.1.4.7	Monitoring and evaluation of activities defined by the National Action Plan for the Fight Against Violence and Misbehaviour at Sports Events	<b>The working group of the Government Action Team for the development and implementation of the strategy and the National Action Plan for the Fight Against Violence and Misbehaviour at Sports Events</b>	March 2015	Budget (regular) – “Government action team – redefining”  -EUR 5,900 for 2014  -EUR 5,900 for 2015  -EUR 5,900 for 2016  -EUR 5,900 for 2017  -EUR 5,900 for 2018  TOTAL: EUR 29,500	The National Action Plan for the Fight Against Violence and Misbehaviour at Sports Events revised accordingly	Evaluation report	

6.1.4.8	Strengthen capacities of the National Football Information Point (NFIP) by training its officers and participation in the work of international working bodies in the field of the fight against violence and misbehaviour at sports events <sup>17 18</sup>	<b>Ministry of the Interior;</b> Department for Public Peace and Order, Gendarmerie, Local Police Departments	December 2015  Continuous	<ol style="list-style-type: none"> <li>1. TAIEX Workshop + experts – EUR 13,400</li> <li>2. TAIEX study visits – EUR 6,000</li> <li>3. Budget - (a meeting at the Council of Europe) – EUR 1,535</li> <li>4. Budget (the meeting – UEFA) – EUR 592 continuous</li> </ol>	1. Already established as the National Football Information Point and operational; number of trained police officers,  number of study visits and the report on the meetings.	Document on the systematization of work posts within the Ministry of the Interior ;  Reports on trainings	
6.1.4.9	Strengthen capacities of the National Contact Point for the protection of public figures, by training its	<b>Ministry of the Interior;</b> Security Department	December 2015 and following EU accession	TAIEX workshops + experts – EUR 12,900 for 2015  TAIEX visits –	Number of training sessions and the number of trained police	Reports on trainings	

	officers <sup>19</sup>			EUR 6,000 for 2015	officers		
--	------------------------	--	--	--------------------	----------	--	--

<sup>13</sup> In accordance with the EC recommendation.

<sup>14</sup> In accordance with the National Strategy for the Fight Against Violence and Misbehaviour at Sports Events (2013–2018).

<sup>15</sup> As already specified under previous objectives, the Guidelines for International Operative Police Cooperation will contain all individual operative procedures relating to international operative police cooperation.

<sup>16</sup> In accordance with the National Strategy for the Fight Against Violence and Misbehaviour at Sports Events (2013–2018).

<sup>17</sup> In accordance with the EC recommendation.

<sup>18</sup> Creation and activities of the NFIP already covered by the National Strategy.

<sup>19</sup> In accordance with the EC recommendation.

6.1.5. RECOMMENDATION: 5	OVERALL RESULT	INDICATOR OF IMPACT
Active participation in the CEPOL through implementation of the Cooperation Agreement	Exchange of experiences and good police practice in the EU	Joint training, curricula harmonised and reports of police officers who participated in training-exchange programmes

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.1.5.1	Sign the working arrangement with the CEPOL, Council Decision 2005/681/JHA	<b>Ministry of the Interior:</b> Bureau for International Cooperation and European Integration, Sector for Finance, Human Resources and Joint Affairs – Department for Education, Professional Training, Development and Science	January of 2015	Budget EUR 40,008 -	Text of the proposed arrangement submitted to the National Assembly for adoption	Official Gazette RS	
6.1.5.2	Implementation of the Agreement signed with CEPOL	<b>Ministry of the Interior;</b> Police Directorate, Bureau for International Cooperation and European Integration, Sector for	continuing	TAIEX  BUDGET (15 police officers – when TAIEX covers all costs)  TAIEX expert – EUR 2,250 - IV	The number of trainings carried out and the number of trained police officers in accordance with the CEPOL	Reports on trainings, workshops and number of participants in the European programme exchange	

		Finance, Human Resources and Common Affairs, Department for Professional Training, Education, Development and Science		<p>quarter of 2015 TAIEX workshop – EUR 1,700 - IV quarter of 2015</p> <p>TOTAL TAIEX EUR 3,950 - IV quarter of 2015</p>	<p>programme , participation in the European exchange programme (through the electronic network</p> <p>e-Net, seminars, workshops, exchange of experience and knowledge in areas of mutual interest and in other forms of training)</p>		
--	--	---	--	--	---	--	--

## 6. Police cooperation and fight against organised crime

### 6.2. Fight against organised crime

#### CURRENT STATE OF PLAY:

Republic of Serbia has strengthened legal and institutional framework in the fight against organized crime. However, it is necessary to continue work on the harmonization of legislation to enhance efficiency and proactive approach in detection and prosecution of organized crime. Essential in combating organized crime is to improve the efficiency of relevant institutions, record keeping and exchange of information at the national and international level, and to further promote regional and international cooperation through regional and international projects.

#### **Legal framework**

The legal framework of the Republic of Serbia relating to the fight against organized crime, besides the Constitution of the Republic of Serbia, is contained primarily in the following laws:

the Criminal Code, the Criminal Procedure Code, the Law on Organization and Jurisdiction of Government Authorities in Suppression of Organized Crime, Corruption and other particularly serious crimes, the Law on the basic structure of security services of the Republic of Serbia, the Law on Police, the Law on the Security Information Agency, Law on Military Security and Military Intelligence Agency, the Law on the Protection of Participants in criminal Procedure, the Law on Seizure and Confiscation of the Proceeds from Crime, Law on Liability of Legal Entities for Criminal Offences the Law on the execution of prison sentence for criminal offenses of organized crime.

The institutions of the Republic of Serbia responsible for the fight against organized crime are determined by the Law on Organization and Jurisdiction of Government Authorities in Suppression of Organized Crime, Corruption and other particularly serious crime: are Department for Combating Organized Crime in the Ministry of Internal Affairs of the Republic of Serbia, Prosecutor's Office for Organized Crime and Special departments in the High Court in Belgrade and Appellate Court in Belgrade.

Detection of organized crime is in the jurisdiction of the Ministry of Interior, the Department for Combating Organized Crime, but also other state organs such as the Security Information Agency, Military Intelligence Agency, customs and tax authorities and other state organs.

Criminal prosecution of perpetrators of the criminal offenses of organized crime is within the competence the Prosecutor's Office for Organized Crime (POOC) and for the trial in the first instance is competent Higher Court in Belgrade - Special Department and for trial in the second instance is competent Appellate Court in Belgrade - Special department.

The jurisdiction of the mentioned authorities in combating organized crime refers to the entire territory of the Republic of Serbia. In relation to the criminal offenses of organized crime, aside from using evidentiary actions such as interrogation of the defendant, questioning witnesses, expert examination, performing examination and reconstruction of an event, seizure of objects, a search and checkout of suspicious transactions, there is a legal possibility to use special investigative techniques respectively special evidentiary actions such as: covert interception of communications, covert surveillance and audio and video recording, simulated deals, computer search of data, controlled delivery and undercover agent under the conditions provided for by the law.

One of the most important innovations in the Criminal Procedure Code is the new role of the public prosecutor in pre-trial investigation and investigation. The public prosecutor manages pre-trial proceedings, and the investigation is initiated by the order of the public prosecutor.

Procedure for seizing and confiscation of proceeds from crime include financial investigation, seizure and asset management of the proceeds from crime of natural and legal persons. The state authorities responsible for financial investigations are the Financial Investigation Unit in the Ministry of Internal Affairs, the Prosecutor's Office for Organized Crime and within the Ministry of Justice - Directorate for Management of Seized Property. In accordance with the Law on Seizure and Confiscation of the Proceeds from Crime after conducting financial investigations it is possible to carry out the temporary and permanent confiscation of assets derived from crime on the basis of the court's decisions.

A financial investigation is initiated by the order of the prosecutor who is also managing the financial investigation. In almost every organized crime investigation initiated by the Prosecutor's Office for Organized crime financial investigations are conducted in parallel with criminal investigations. However, there is also a need to involve Financial Investigation Unit of the Ministry of Interior in all preliminary investigations in order to promote efficiency and pro-activeness.

The Inter-agency cooperation in combating organized crime between different state organs takes place on the basis of existing legal provisions. The obligation for such a cooperation is provided in a variety of laws, but can also be based on agreements. However, inter-agency cooperation would be improved if a platform for communication would be established between the different agencies and automated exchange of data on perpetrators of organized crime criminal offenses would be possible.

### **The prosecution service and the police**

The Prosecutor's Office for Organized Crime has a total of 66 employees : the Prosecutor for Organized Crime, 18 Deputy Prosecutors, 19 assistants of the prosecutors and 28 administrative and technical staff. By the Act of job classification, capacity is provided for the 25 deputy prosecutors, so 7 positions are not fulfilled. The current number of employees is not sufficient to conduct its activities, especially having in mind complexity of organized crime cases . The new responsibilities given to the Serbian prosecution and the emergence of new forms of complex organized crime and high-level corruption cases require a rigorous and timely exchange of data between the relevant institutions at both national and international level. The resulting additional workload for the

POOC staff needs an increase in both financial and human resources as well as a modern information and case management IT system (CMS) to conduct efficient investigations.

As for equipment, the POOC can be said to be at an intermediate level. It is currently using MEGA Libra case management system, which was introduced in 2004 but this system is out of maintenance since 2009. This system has a number of failings : It does not provide any functions to search content in documents; It provides very poor possibilities for statistical/track records reporting and no possibilities for analytical work; The form used in Registers are not up to date and do not reflect procedural changes criminal proceedings; There are no standards implemented to allow any compliance or interoperability with other external systems. In general the OS software is obsolete.

The improvement of the existing analytical-operational methods has been also recognized as a priority in the National Strategy for combating Organized Crime adopted in 2009. Therefore, POOC, with the OSCE Mission's support, started implementation of the project "*Improving the Special Prosecutor's Office for Organized Crime capacities to conduct efficient investigations through the use of a highly efficient case management system and enhanced regional cooperation*". The aim of this project is to improve capacities of the POOC for conducting investigation in more efficient manner by introducing highly efficient and specialized case management and information system SIDDA/SIDNA, adjusted to Serbian legal framework and practice, as well as through promotion of regional and domestic exchange of data and evidences.

The Case management system of the POOC, whose development is underway, is planned to be used for the monitoring of cases, making statistics of the Prosecutor's Office and preservation of documents, as well as for analytical processing of all records contained in the documents of the prosecution case. This CMS offers specific tools to be used during the investigations to read, connect and aggregate information which cannot be seen or done manually. It offers also a business intelligence (BI) system that regular CMS does not provide. One of the major advantages of this system is the possibility to install a visual investigative analysis module which facilitates the analysis of complex criminal activities and the detection of links between cases. It is also planned to make POOC's case management and IT system in future interoperable with data bases of other institutions involved in fight against organized crime, corruption and other most severe criminal offence. At an advanced stage such case management and information system of high performance can constitute a gateway for exchanging data with other countries with the objective of having an integrated system of information exchange in the region and within Eurojust in the longer term.

The Ministry of Interior, Police Directorate, Department for Combating Organized Crime (DCOC) has a total of 214 employees from 280 jobs and is distributed at three locations. In relation to predicted occupancy capacity, as in the improvement of the same, both in terms of human and technical resources as well as a general conclusion it can be said that there are financial constraints.

### **Pro active investigations**

The National Strategy for Combating Organized Crime defines as one of its goals the development of a proactive approach in the fight against organized crime, which is then elaborated through individual actions in the Action Plan for the implementation of this strategy.

The vast majority of the investigations of the POOC and the DCOC over the last 5 years have been pro active and aimed at the organized crime gangs which are active in Serbia, the region and also Western Europe.

The POOC has initiated investigations against 128 persons in the period from January 1, 2014 to October 31, 2014, out of which against 91 persons the investigation was proactive. This means that more than 70% of investigations of organized crime cases are proactive. However the POOC received 24 privatization cases in 2012 to deal with it as a priority. These investigations are – by their very nature – not proactive, but have taken and will take up a considerable amount of capacity.

Pro active investigations are, according to the definition laid down by the Republic Public Prosecutor, investigations conducted prior to or during the period in which the criminal offense will be committed. This term refers to the preliminary investigation and the investigation as a stage of a criminal proceeding. The investigation is started on the initiative of the prosecutor or police and can be based on e.g. intelligence, results of evidentiary actions in other investigations, media reports or reports of government institutions or non-governmental organizations.

In order to establish uniform practices and keep record , the Republic Public Prosecutor on 20 January 2014 has brought an Instruction which defines proactive investigations. In the public prosecutor’s offices from 2014 there are now also special records on proactive investigations in the relevant registers labeled by reference “PRI” together with a regular reference items.

In order to improve the existing situation and further develop proactive investigations of organized crime, it is necessary to establish the centralized criminal-intelligence system and secured platform for communication between law enforcement authorities, databases networking, and further enhance of the capacity for statistical analysis and risk analysis.

### **Financial investigations**

It is necessary to further improve performance in financial investigations by strengthening the capacity of the competent authorities to conduct complex financial investigations in parallel with criminal investigations. The total level of seized assets acquired through criminal offences is still low. The institution of Asset Recovery Office, both within Ministry of Interior and within the Ministry of Justice will facilitate an improvement in this field. Since the tracing of assets is connected to the international judicial cooperation in tracing and confistate of the assets as well as to the financial and criminal investigation, Serbia opts for two AROs: Financial investigation unit in Ministry of Interior and Directorate for the Management of Seized and Confiscated assets within Ministry of Justice, in line with their respective jurisdictions.

Apart from the harmonization of the laws, specialized trainings are needed, as well as better coordination between institutions and adequate budgetary resources in each segment.

## **The future**

To improve on the number and quality of the criminal and financial investigations there should be an increase in capacity within the POOC and the DCOC, as described in the activities, but also a better cooperation with other institutions involved in the fight against organized crime is necessary. Part of the activities will be aimed at a better cooperation, integration and an improvement of the flow of information.

Also a better use will be made of the combination between the criminal and the financial investigation. The establishment of an Asset Recovery Office will also improve the track record on assets seizure and forfeiture.

Moreover a new law/instruction is being designed, which makes it obligatory that with the initial report for the start of a preliminary investigation into organized crime, a financial report is prepared on the subjects of the investigation. This law/instruction will lead to more financial investigations which will be parallel to the criminal investigation from the start.

### **Programmatic approach of organized crime**

The fight against organized crime is not a matter of the police and the public prosecution alone. Investigation and prosecution of individuals and/or criminal groups are one side of the coin. Other (state) institutions will have to take up their position in prevention and/or other measures to protect society against organized crime, such as financial institutions, etc.

Reality is also that the police and prosecution will (despite an increase in capacity) still need to make choices and prioritize in the fight against organized crime. The SOCTA analysis will facilitate this process. The SOCTA will be the basis for a (3 or 4 year) investigative plan to be decided by the POOC and DCOC on topics to be tackled, such as THB and/or fire arms trafficking, and criminal groups to be investigated. Not only will the plan be leading in the selection and prioritization of investigations, it will also lead to commitment on both the POOC and DCOC on the number of investigations and prosecutions.

The outcome of the investigations should also lead to reports to and contacts with institutions on a state level or within society to point out weaknesses or vacuums in their organizations or rules which facilitate organized crime.

Only then the fight against organized crime can and will be effective.

### **Administration for the Prevention of Money Laundering – FIU (Financial Intelligence Unit)**

Serbia is party to all relevant United Nations and Council of Europe conventions on money laundering and terrorism financing. Its anti-money laundering and countering the financing of terrorism (AML/CFT) **legislative framework** also transposes the relevant European Union AML/CFT legislation, including the Third Anti-Money Laundering Directive (AMLD). Regarding international co-operation in the field of prevention and fight against money laundering, Serbia's legal framework is aligned with the Council Decision (2000/642/JHA) concerning arrangements between financial intelligence units of the Member States in respect of exchanging information. Serbia has an **institutional AML/CFT framework** in place. Serbia has established a Financial Intelligence Unit (FIU) within the Ministry of Finance (Egmont Group member). The responsibility in the AML/CFT field lies with the Ministries of Interior, Defence, Finance and Justice, as well as with the judicial authorities and the Security Information Agency. Serbia is a member of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MoneyVal). Concerning the compliance with FATF Recommendations, Serbia has made progress, since the last MoneyVal Mutual Evaluation Report in 2009, as noted in MoneyVal's 2010 and 2012 progress reports on Serbia<sup>[1]</sup>, and has been proactive in implementing new FATF recommendations, including Recommendation 1 on national risk assessment.

Looking ahead, with the legal and institutional framework in place, Serbia is focusing on effectiveness. Serbia has drafted a National Strategy and Action Plan, to be adopted by the end of November 2014, guided by the outcome of Serbia's National AML/CFT Risk Assessments and by the intermediate and immediate objectives of the reviewed 2012 FATF Recommendations. Indeed, effectiveness will also be the focus of the MoneyVal 5<sup>th</sup> round evaluation process that Serbia is entering as of late 2014, with the onsite visit scheduled for autumn 2015. The actions under Chapter 24 are designed to be consistent and coordinated with those in other relevant chapters, including Chapter 4 (e.g. measures to improve the analysis of cash transactions and reporting on suspicious transactions) and Chapter 23. Serbia is also closely following the developments concerning the adoption of the Fourth AMLD. Therefore, the deficiencies noted by the Commission under Serbia's EU negotiation process and the Fourth AMLD considerations have also been taken into account when designing the objectives, measures and actions in the National AML/CFT Strategy and Action Plan, to be implemented over the next five (5) years. To achieve the objectives set under Chapter 24 and other related chapters as well as under the National AML/CFT Strategy, Serbia will approach the EU and other international partners with prioritised project proposals.

### **Asset forfeiture - Ministry of Interior Financial Investigation Unit**

Financial Investigations Unit is formed based on the Law on Seizure of Property Derived from Criminal Act from 1.6.2009. Based on this Law specialized organizational unit of MoI detects property derived from criminal act and performs other tasks in accordance with the Law. Unit has two Departments (Department for financial investigations in organized crime cases and Department for planning and coordination of financial investigations). Unit has 10 Sections within the second mentioned Department covering the whole territory of Republic of Serbia. Total number of systematized work positions is 105, and currently 48 work positions are fulfilled. Police officers of Financial Investigations Unit are always included in criminal investigations of organized crime. Financial investigation according to article 19 paragraph 1 is launched by order of public prosecutor. With amendments to this Law which are

expected in forthcoming period, together with criminal charge police will be required to deliver data collected in preliminary investigations on the property of suspect and persons related to him. In this manner data on property will be collected in preliminary investigations procedure before order on launching financial investigation; therefore, this future plans are the reason for Unit to strive toward fulfilling all systematized work positions. More efficient financial investigations will be conducted and based on Strategy on more efficient financial investigation which adoption is expected. Starting from the current competencies of the unit established by this Law in forthcoming period the unit will also be tasked to perform tasks of ARO within the Ministry of Interior. With this legislation will be harmonized with Decision 845/2007 PUP; and by adoption of new Law legislation will be harmonized with Framework Decision 212/2005/PUP, 783/2006/PUP.

### **Intelligence-led policing**

The Ministry of Interior of the Republic of Serbia is continually conducting activities relating to the development of organizational, legal, administrative and technical capacities needed for the implementation the ILP model. The organizational structure of the MoI of the Republic of Serbia consists of the following parts relevant to ILP: a Service for Criminal Intelligence Affairs and Undercover Investigators, which is responsible for collecting, processing and analyzing information and for creating intelligence, with a focus on combating organized crime; a Service for Criminal Analysis, which is responsible for processing and analysis of data pertaining to criminal investigations, as well as other units which, to a certain extent, also engage in intelligence work. The MoI of the Republic of Serbia is applying the following legislation relevant to ILP: the Law on Police, the Criminal Procedure Code, the Law on Confidentiality of Information, the Law on the Protection of Personal Data, the Law on the Organization and Competences of State Organs in Combating Organized Crime, the Mandatory Instructions on Operational Police Work (an internal document which standardizes the procedures for creating, entering, verification, processing and submitting information and intelligence, for assessing the accuracy and reliability of source and information with 4x4 and for handling informants).

Regarding the development of human resources, the number of police officers that have been trained so far as informant controller and handler instructors and as instructors in the analysis methods OIAT and ANALYST NOTEBOOK meets the needs. Also, a certain number of police officers have been trained to use the mentioned methods. As for a unique MoI information system, it has been developed (databases on crimes and offenders, persons, vehicles, weapons, persons whose identity has been checked, misdemeanors, state border crossings, etc.), together with a unique database on criminal investigations, a unique daily events database and other databases. The MoI IT Directorate acts as the administrator of these databases (with the exception of the database on criminal investigations).

In order to establish an effective, efficient and cost-effective ILP model, the MoI of the Republic of Serbia has recognized the following needs: to unified all criminal intelligence jobs functionally and organizationally; to set up the ILP model on all three levels (national, regional, local); to create management and leading groups on the strategic and operational levels; to provide a more precise legal framework; to further develop the current databases and integrate them into one system; to create sustainable training systems; to set standards and develop procedures; to build the capacity for devising strategic and operational

assessments and plans and for intelligence-based decision-making.

The MoI of the Republic of Serbia and the Swedish National Police Board are implementing a project entitled "The Development of the Intelligence-Led Policing Model in the MoI of Serbia (2011-2014)". A part of this project is a pilot project aimed at introducing the ILP model in the regional police directorates of Novi Sad and Kraljevo. Numerous activities have been completed as part of the project, two of which stand out in terms of importance: a Baseline Study, whereby the current situation in all relevant areas has been established, and a GAP Analysis which has shown the difference between the Swedish ILP reference model and the intelligence and operational police work in practice in Serbia. A continuation of the collaboration between Serbia and Sweden on the development of the ILP model is planned and the MoI of Serbia has already submitted an official proposal/initiative to the Swedish police for the realization of the new project. The objectives of the activities planned for the next period are all directed at further strengthening institutional, legal, administrative and technical capacities in order to be able to fully implement the ILP model. Further development of the introducing ILP model in MoI have been achieved through establishing Working group for implementation of ILP model.

#### **SOCTA Serious and Organized Crime Threat Assessment**

The Republic of Serbia adopted the Strategy for combating organized crime, however it does not have Serious and Organized Crime Threat Assessment conducted upon EUROPOL methodology. Understanding the importance of this document, the Directorate of Criminal Police this year commenced a project (2014-2016) with the OSCE Mission in Belgrade which will result in the "Threat Assessment of Organized Crime on National Level" SOCTA report, which will serve for establishing security risks and setting priorities in police work. Having in mind that EUROPOL is included as a partner in this project, its representatives will be engaged as mentors in drafting of the above-mentioned report. Activities preparatory steps to implement the Guidelines on Recording, Classification and Monitoring of Organised Criminal Groups in the Republic of Serbia through presentations for employees were undertaken. The team selected for SOCTA. Hardware and software are in function for SOCTA. All necessary posts are filed in Criminal Analytics Service. Two trainings modules are finished in 2014.

#### **Criminal Intelligence System (KOS)**

The Criminal Intelligence System (KOS) as a project of the Ministry of Interior of Republic of Serbia and Swedish National Police Board was launched in 2005. The project was carried out in the areas of data collection and analysis, and work with operational links. By 2008, some of the phases related to the development and improvement of organizational units of KOS and Ministry were implemented. Bearing in mind that the project was not fully implemented, we are working through a new project Adoption of Intelligence Lead Policing (ILP) as a future model of the General Police Directorate. It is planned that in accordance with the recommendation of the European Commission through signing of protocol on cooperation of the competent institutions to be established a single platform that will enable the secure exchange of information and joint action. The holder of any action in relation to KOS at the Ministry of Interior is General Police Directorate and Sector for Telecommunications and Information Technologies (SATIT).

### **Joint Information System (JIS)**

The Ministry of Interior of the Republic of Serbia (MOI) implemented *Joint Information System (JIS)* covering all areas of the Ministry's scope, with a significant number of crime-related information and data stored in databases and in use for operational activities. JIS is a centralized system, which means that entering the data and usage of them are available throughout the whole territory of the Republic and all organizational units of the MOI. The legal framework for keeping information and data in JIS MoI RS is the Law on Police and other special laws. Usage of information and data the Mandatory Instruction on Rules and Procedures in the use of the information system of the Ministry of Interior. Access to information system and the data contained in electronic records is gained in accordance with the assigned access rights and user access which determine whether the data can only be watched, and / or entered, and updated. Access is gained by using passwords and codes, as well as by smart cards. The use of eID smart card and digital signature mechanism is integrated in some applications. Access system also allows tracking of time, used data sets (entered, edited or screened) and persons who use that data/information from the system.

There are capacities for establishing electronic exchange of data with other state authorities via a network of state authorities as a special communications network, using web services. The exchange of data and information is also carried out in other ways by applying all necessary measures of data and information protection (eg. by using data encryption system on removable media).

The data contained in the automated records of the Ministry of Interior are statistically processed within the JIS and represented on a monthly and cumulative basis (considering work areas, public safety and territorial principle, starting from the lowest organizational territorial units - police stations across police directorate to the MOI as a whole). MOI uses advanced analytical and statistical tools (Cognos tool) for statistical and analytical processing of data contained in the records within the JIS.

Implementation of modern information and communication technologies and analytical review of everyday police work in order to achieve faster, simpler, more efficient and reliable business process are carried out by experts (expert services) of the MOI organized within the Sector for Analytics, Telecommunications and Information technologies. Such services provide the operation, development, improvement and exploitation of an *Joint Information System (JIS)* giving direct support to police officers in the field and other employees in the Ministry and police.

The development of electronic services for establishing communication among law enforcement authorities involves also simultaneous development of ICT infrastructure with respect to all safety standards and data protection. Bearing in mind that the ICT infrastructure should ensure the continuity of the work and a high degree of availability, it is necessary to plan and implement spare resources for the purpose of overcoming failures in work, as well as apply appropriate standards applicable to the management of critical information infrastructures at EU level. Further development of information systems and ICT infrastructure of all law enforcement authorities is needed in order to provide a unified platform for an electronic exchange of data and information among these authorities, it will provide more efficient coordination and collaboration of all the authorities responsible for the effective operation in the fight against organized and other forms of crime. Hence, it is needed to improve availability of services, data and information, as well as strengthen the communication infrastructure of the Ministry of the Interior in accordance with the needs of the relevant organizational units and standards contained in the regulations of the

EU.

### **Statistics**

In the Republic of Serbia, the police, prosecution and courts use different systems for monitoring criminal cases. In practice, such an approach creates a number of problems. The police keeps statistical records according to the number of reported crimes; the prosecution according to the number of reported persons; whereas the court statistics is kept according to the number of cases. Such record keeping is not suitable for measuring the progress and the level of efficiency of the criminal justice system, neither for setting up criminal policy. The goal of establishing a unique records keeping system or an electronic record for criminal offenses with elements of corruption is, inter alia, the precise systematization and classification of data as well as regular control and information exchange. One of the tasks this information system has to correspond to is to establish a uniform system of reporting on corruption and organized crime. By achieving this goal, the Ministry of Justice shall have the ability to produce reliable annual report on cases, which contain all the relevant information about the course of the investigation, the progress of the criminal proceedings and their outcome. Mutually compatible forms in the police, courts and prosecutors' offices should also include the possibility of monitoring cases of proactive conduct, acting upon the reports of the Agency, State Audit Institution, Tax Administration, and Administration for public procurement, etc.

### **Intelligence services in criminal investigation**

Data retention in the Republic of Serbia is harmonized with the best practice of the European Union countries. There are no mandatory standards regulating lawful interception of electronic communications in the European Union. Access to retained data and lawful interception of electronic communications in the Republic of Serbia is possible only based on court decision and it is time-constrained. There are two separate systems of access to the retained data and lawful interception of electronic communications in the Republic of Serbia, which differ both in terms of legal basis and purposes for which results of this method are intended: 1. For the purpose of protection of national security (results cannot be used directly as evidence in criminal proceeding) that is conducted based on the Law on Security Information Agency, i.e. the Law on Military Security and Military Intelligence Agencies and 2. For the purpose of prevention, detection and evidencing of criminal offences, based on the Criminal Procedure Code and results can be used directly as evidence in criminal proceeding. The duration is limited to 12 (twelve) months at most.

Competent authorities are: Police, Security Information Agency (BIA) and Military Security Agency (VBA). The Police and VBA access the retained data completely individually and independently from the monitoring centre within BIA, contrary to lawful interception of electronic communications.

Currently, the Republic of Serbia has no material resources that would enable the existence of two or more separate monitoring centres for electronic communications interception.

The Action Plan of the Republic of Serbia for fulfilling the recommendations of the European Commission, relating to the said conclusion, envisages analysing of the role and practice of security services and police in implementation of certain special investigative measures in the phase of criminal investigation, which would be completed by the end of September 2015, based on conclusion of the Security Services Coordination Bureau. Additionally, by

the end of 2016, a plan shall be made, containing clear concept and defined activities along with deadline for realization and evaluation, which would be carried out by a working group established by the decision of the Government of the Republic of Serbia.

## **Trafficking in human beings**

### **Current state of play in the field of human trafficking in the Republic of Serbia**

Within the public prosecution office, a specialization for prosecution of trafficking in human beings was made, by appointing contact points for trafficking in human beings cases at all Higher Public Prosecution Offices in Serbia (25). These specialized prosecutors attended a series of trainings on topics relevant for trafficking in human beings, organized by NGO Astra, Embassy of France and IPA 2010 project: “Combating organized crime and corruption”. Furthermore, the Republic Public Prosecutor’s Office of Serbia was the first in the region to sign the MOU with the NGOs providing legal representation, victims support and assistance to THB victims.

Within the General Police Directorate of the Republic of Serbia Ministry of Interior there are units specialized for combating human trafficking at different levels. Within the Border Police Directorate there is a Section for suppression of illegal migration and human trafficking, as well as different units responsible for combating cross-border crime, illegal migration and human trafficking located in seven Border Police Regional Centers operational in respect of neighboring countries and police stations at Belgrade and Nis Airport. Within the Criminal Police Directorate - Service for fight against organized crime, there is a special Section responsible for investigating migrants’ smuggling and human trafficking. This section with total number of 8 specialized investigators, uses a proactive investigation methods (special investigative techniques) and has two to five investigations per year related to human trafficking and human smuggling, which are managed by a prosecutor for organized crime. In previous investigations of human trafficking, Section has tried to apply best practices in the fight against human trafficking, to use investigation based on proactive methods, evidence obtained through special investigative measures and actions with minimal use of victims as witnesses, in order to prevent a secondary victimization. At the local level in Belgrade and in another 26 regional police departments there are different organizational units (according to the size of the city or area or whether they are near to the state border) where work is performed regarding the foreigners issues, combating illegal migration and human trafficking with 352 police officers employed. Most of them attended training for combating human trafficking and victims’ protection.

The Republic of Serbia legislation in the field of combating human trafficking has been developed during the past years. Amendments to Article 388 of the Criminal Code from 2009 led to an increase penalties for human trafficking, expanding the list of forms of exploitation, declaring the criminal offense of knowingly using the services of victims of trafficking and specifying irrelevance of the victim's consent to exploitation. Strategy to Combat Trafficking in Human Beings has been adopted in the Republic of Serbia in 2006. It envisages comprehensive strategic goals which have been realized, upon drafted National Action Plan for combating trafficking in human beings for 2009 – 2011, through different activities of public institutions, non-governmental,

international and other organizations.

Partnership between competent public authorities and civil sector in implementing the national prevention and victims' protection policy and suppressing human trafficking has been established both in operational and policy level. A multidisciplinary work framework has been also set up based on the victims' human rights protection, as well as regional and international cooperation, especially the international police cooperation, and relevant strategic and normative framework.

Actual system of victims' identification in the Republic of Serbia has been developed through proactive approach of employees of the Police and social protection system, above all, but also employees in the educational system, health institutions and civil society organizations, as well as persons who are working with asylum seekers and returnees based on the readmission agreement. In April 2012, upon the Law on Social Protection, the Government has established Center for Protection of Human Trafficking Victims, whose aim is to provide assistance and support to victims of human trafficking, including their children. The work on identification, coordination and urgent sheltering of human trafficking victims is part of this institution. The Center is comprised of two organizational units: Service for coordination of protection of human trafficking victims and Reception center for victims of human trafficking. Currently, only the Service for coordination of protection of human trafficking victims is operational. Necessary specialized support and reintegration programs for the victims have been provided so far mainly by civil society organizations or from project donations and assets, such as: Temporary house (accommodation and support), reintegration programs, SOS number for human trafficking victims and SOS number for missing children, as well.

### **New developments**

With the aim of strengthening the national referral mechanism and better protection of human trafficking victims, as well as harmonizing national legislation with the EU acquis, the proposal of the National strategy for prevention and suppression of human trafficking, especially women and children and protection of victims in the Republic of Serbia for the period 2014 - 2020 has been drafted, as well as proposal of accompanying National Action Plan for the period 2015 – 2016. The new national strategy shall ensure respect and protection of human rights, as a response to human trafficking, through upgraded system of prevention, assistance and victims' protection, timely case identification in practice and efficient prosecution of perpetrators. Definition and harmonization of indicator list for the identification of human trafficking victims at national level is still in progress. The national strategy also anticipates the reform of the Council for combating human trafficking by appointing Council members, then appointing National anti-trafficking coordinator by the Government and establishing the office for national anti-trafficking coordinator in the Ministry of Interior, appointment of Strategy implementation team composed of Ministry and public authority representatives, Serbian Red Cross and civil society organizations.

Office of the National anti-trafficking coordinator shall have multidisciplinary approach and task to coordinate the anti-trafficking activities at national level.

The coordinator monitors Strategy implementation, gathers reports, statistics and monitors harmonization of the national legislation with the EU acquis.

Calculation of the financial assessment of the implementation of the Strategy for prevention and suppression of trafficking in persons, especially women and children and the protection of victims in the Republic of Serbia for the period 2014-2020 is underway, as well as the accompanying action plan, after which it is expected the adoption of these two strategic documents by the Government.

### **Future**

The Republic of Serbia has recognized the importance of the National Rapporteur institution, but for economic reasons and efficiency issues the National anti-trafficking coordinator shall be appointed within the Ministry of Interior, whose tasks shall be equivalent to those of the National Rapporteur.

Training of specialised police officers and prosecutors on trafficking in human beings and the cooperation with the NGOs will be continued, based on current MOUs between public prosecutor's office and NGOs that represent victims in criminal proceedings and on future MOUs with NGOs that provide victims support, which will cooperate with the Victim Witness Support Office within the public prosecutor's offices (at the moment existing at Higher Public Prosecutor's Office in Belgrade, the plan is to expand them to other prosecutor's offices).

### **Cyber-crime**

Through the Law on the organisation and competencies of government authorities in combatting high-tech crime, Serbia established a special unit responsible for the fight against cybercrime within the Ministry of Interior as well as a Special Prosecutor's Office for the fight against high-tech crime. At the court level (High Court in Belgrade), there is no longer a specialised department. In 2009 Serbia ratified the Council of Europe Convention on cybercrime and the additional protocol to it. The legislation is largely harmonised with Directive 2013/40/EU on attacks against information systems. To fully transpose the *acquis*, legislative amendments are necessary notably with regard to sanctions. In order to enhance capacity of Special Prosecutor's Office for High-tech Crime, relevant bylaws shall be amended regarding expanding systematization. Concerning the level of efficiency of state authorities in fighting cybercrime and sexual exploitation of children, transparency and civil society participation, Agreement on cooperation shall be developed.

### **Illicit trafficking in firearms**

The Law on Weapons and Ammunition which is currently in force in the Republic of Serbia is partly in accordance with European Union regulations. Republic of Serbia prepares new Law on Weapons and Ammunition which will be more restrictive and in fully accordance to standards set in the Directive 477/91 on control of the acquisition and possession of weapons and Directive 51/2008 of the European Parliament and of the Council of May 2008 amending Council Directive 477/91 EEC on control of the acquisition and possession of weapons. The objective of the new Law on weapons and ammunition is to create more efficient system of control over procurement, storage, transfer and trade in firearms that would contribute to reduction in quantity of illegally

possessed, number of legally possessed misused weapons as well as increase in general safety of citizens. In order to achieve this objective, the Ministry of Interior envisaged drafting of a new law on weapons and ammunition as well as other activities related to training and establishment of IT system in compliance with the new Law.

For the purpose of adequate and full implementation of the Law after its adoption, program of trainings for police officers on this new Law will be created and implemented.

Also, The Republic of Serbia has adopted the Strategy on control of small arms and light weapons which regulates the field of control of small arms and light weapons as well as measures for development in that field and framework for engagement of state institutions and individuals both in the Governmental and Nongovernmental sectors, for implementation of activities in the fight against illegal production, possession and trafficking in small arms in various aspects.

In addition, to achieve the above mentioned objective, draft Law on weapons and ammunition envisages both legalization and handover of weapons.

Within the criminal police of the MoI Republic of Serbia there is a unit specialized for investigations in the area of organized weapons smuggling. Unit consist of 5 police officers in total, i.e. one manager and 4 investigators. Weapons smuggling, in particular its organized forms are problem with regional dimensions. Therefore, information exchange (primarily with countries of the region) is integral part of daily work of this unit. In order to strengthen regional co-operation and improve intensity and quality of information exchange with countries of the region, Republic of Serbia will intensify its activities in regional expert networks and groups specialized for firearms, and with expert teams formed with the purpose of cooperation improvement between EU MS and countries of Western Balkans. To that end, it will organize also trainings on a national level in order to present to all relevant state actors in the country possibilities of cooperation through such expert and specialized teams and networks. Deployment of all available domestic resources and use of regional and international cooperation in this area, together with adoption and enforcement of the new Law on Weapons and Ammunition harmonized with EU standards, will contribute to overall improvement of prevention and fight against trafficking in weapons.

### **Witness protection**

Non procedural measures of witness protection are regulated by the Law of the protection program of the participants in criminal proceedings, and are implemented by the Ministry of Interior Witness Protection Unit. To improve the protection, WPU had suggested several activities mentioned in the Action Plan. These activities are stipulated as result of large number of protected persons who are in the Protection program, therefore there is a need for more staff who are going to be in charge to deal with protected persons. The first activity is relating to change of Systematization of working places within the Protection Unit. As soon as this Act is adopted, the Units will reorganize the working places and tasks, while the specific working places will be fulfilled with employees from the other departments of the Ministry of Interior. In our work the Unit has been working with project WINPRO II for several years, who provided trainings and educations. In relation to this, when this project is over, Department of Education within the Ministry of Interior will continue with

education activities. Obtaining material – technical means will be arranged from the Budget of Ministry of interior, as well as from foreign donations. Having this equipment will help us to protect witnesses in more adequate ways. Activity related to improving the non-adequate Witness Protections Units' spaces, will bring more offices for Unit members, as well as relocate to the Unit the offices on other floors in the same building. These activities will bring more steps to the security and secrecy during the daily work with protected persons.

As the fight against organized crime and corruption is one of the most important objectives in Serbia, it is necessary to further improve current legal, institutional and administrative mechanisms that will maximize the capacity of competent authorities to combat this most serious form of crime.

6.2.1. RECOMMENDATION : 1	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Based on EUROPOL's Serious and Organised Crime Threat Assessment (SOCTA) methodology, develop a strategic picture of organised crime in Serbia to assess threats and risks. On that basis develop strategic planning and analysis and subsequently appropriate law enforcement responses, <b>including through the concept of intelligence-led policing;</b></li> </ul>	The model of intelligence-led policing established; full harmonisation with the <i>acquis</i> , based on the roadmap defining different steps; the strategic picture of organised crime to assess threats and risks developed	Higher level of effectiveness, efficiency and cost-effectiveness of the fight against organised crime.

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.1. 1.	Define the plan of developing the first	<b>Ministry of Interior, Police Directorate, Sector</b>	March 2015	budget – EUR 6.624,00 for 2015	The plan of development of the strategic	Project report	

	national serious and organised crime threat assessment (SOCTA), within the project that started in March 2014	for Analytics, Telecommunications and Information Technologies and competent relevant institutions		grants (OSCE project) – total project value: EUR 130,000	assessment defined		
6.2.1.2.	Delivering III and IV training modules	<b>Ministry of Interior Police Directorate, Criminal Analytics Service</b> in cooperation with other competent institutions	June 2015	-Trainings – 7,420.00€ -	Team trained in III and IV modules for SOCTA	Project report	
6.2.1. 3.	Develop the first national serious and organised crime threat assessment (SOCTA)	<b>Ministry of Interior Police Directorate, Criminal Analytics Service</b> in cooperation with other competent institutions	December 2015	Link: activity 6.2.1.1. -grants (OSCE project) – total project value 130.000 €  Budget (regular) - 106.315 €.	First SOCTA developed	Project report	
6.2.1. 4.	To adjust the organizational structure of the Serbian Ministry of Interior units	<b>Ministry of Interior:</b> Minister, working group, Police Directorate-Director, Secretariat-	June 2015;	Total budget (regular) - 11.178 €  Link with activity	Conducted analysis of current organizational structure;	Regulation on internal organization and job classification in the MoI	

	that engage in intelligence work (collection, processing and analysis of information and creating intelligence) with the ILP model	Secretary, Sector for Finance, Human Resources and Joint Affairs-Head; Government of the Republic of Serbia	Second quarter of 2016;  Third quarter of 2016;	6.2.1.7: Project by the Republic of Serbia and the Kingdom of Sweden	Adopted an Rulebook on systematization for the new organizational structure which unifies intelligence work functionally and organizationally, describes procedures and jobs, tasks and competencies for each post;  Implementation of new organizational structure in accordance with the ILP model;		
6.2.1.5.	To create strategic and operational management groups in order	<b>Working group,</b> Police Directorate-Director, Secretariat-Secretary, Sector for	December 2015;	Total budget (regular) - 11.178 €	Adopted document on structure and methodology of work for the	Document on the creation of strategic and operational leading groups	

	to implement ILP models at the central, regional and local level	Finance, Human Resources and Joint Affairs-Head;	Third quarter of 2016;	Link with activity 6.2.1.7: Project by the Republic of Serbia and the Kingdom of Sweden	management groups; Implementation of work by the management groups;		
6.2.1.6.	Draft a proposal the Law on Police and adopt the national handbook "Intelligence-Led Policing in the Ministry of Interior of Serbia"	<b>Ministry of Interior:</b> Minister, working group, Secretariat-Secretary, Police Directorate-Director; Ministry of Justice; Government of the Republic of Serbia; National Assembly of the Republic of Serbia	June 2015;  December 2015;  First quarter of 2016;	TAIEX expert - 2.250 for 2015.  Link with activity 6.2.1.7: Project by the Republic of Serbia and the Kingdom of Sweden	Adopted national handbook "Intelligence-Led Policing in the Ministry of Interior of Serbia";  the Law on Police;  Amended Mandatory Instructions on Operational Police Work;	National handbook  Law on Police  Mandatory Instructions on Operational Police Work	
6.2.1.7.	Improve an integrated Information Communication Technology (ICT) platform	<b>Ministry of Interior:</b> Police Directorate-Director, working group, Sector for Analytics,	December 2015;	Total budget (regular) 99.360 €  TAIEX expert -	Conducted analysis of the ICT platform;	Report on conducted analysis	

	of the Ministry of Interior which is accessible to all users	Telecommunications and Information Technologies, Ministry of Finance	First quarter of 2017.  Second quarter of 2017.	2.250 €  setting up the platform  -bi-lateral project with Sweden SIDA, which is expected to be continued  - equipment –IPA 2015 TBD	Improved system of protection of information and of IT systems;  All databases are accessible to ILP integrated;	Report of working group on completion of tasks  Report of working group on completion of tasks	
6.2.1. 8.	Develop a sustainable training system for ILP	<b>Ministry of Interior:</b> Minister, Police Directorate-Director, Directorate for Education, Professional Training, Development and Science-Head, Directorate for Human Resources-Head;	June 2015;  December 2015;  December	Total budget (regular) - 3.726€  Link with activity 6.2.1.7: Project by the Republic of Serbia and the Kingdom of Sweden – training TBD	Curriculum for the analysis method OIAT;  Curriculum for controllers informants;  Curriculum for informant handlers;  Curriculum for the analysis	Training programs adopted by the Ministry of Interior  Reports on delivered trainings	

			2015;  December 2015;		method ANALYST NOTEBOOK;  Number of delivered trainings; Number of trained police officers;		
--	--	--	-----------------------------	--	--	--	--

<b>6.2.2. RECOMMENDATION: 2</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
<p>Prepare for the establishment of a single centralised criminal intelligence system and a safe platform for communicating between law enforcement bodies. Ensure better connection of relevant databases (including an analysis of the costs, administrative resources, budget and training needs) and improve the collection of unified crime statistics</p> <p>In terms of actions, the first priority should be to establish a robust mechanism to gather reliable data on crime and organised crime. Please develop a dedicated action to ensure that as of early 2015 work is done to substantially improve the data collection capacity of the police. In parallel, the analytical capacity has to be developed so as to</p>	<p>Full harmonisation with the <i>acquis</i> in the area of developing criminal intelligence system</p>	<p>Achieved coordinated work of government authorities in the fight against organised crime, safe exchange and protection of data, ensuring the respect of human rights</p>

analyse these data and use them to roll out a strategic picture on organised crime/crime as a precondition for then developing an efficient policy and intelligence led policing. At the same time, a way to safely communicate these data and the analysis between judicial and law enforcement authorities is key.		
--	--	--

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.2.1.	Conduct a comprehensive analysis of the existing situation on data collection and data exchange in respect of investigations – the information communications infrastructure and other	<b>Ministry of Interior</b> in cooperation with other competent authorities (interagency working group)	February 2015  September 2015  March 2016	budget – EUR 44,712 for 2016  TAIEX experts + 3 workshops for 20 participants = EUR 19,350 for 2015  Swedish project, which is expected	The inter-agency working group created;  The analysis conducted  The reference	- TAIEX expert report  - Projects reports	

	resources-capacities for automated data exchange between government law enforcement authorities			to be continued OSCE project	model selected		
6.2.2.2.	Prepare and sign Protocols to enable electronic data exchange between law enforcement authorities and judicial authorities in charge of the fight against organised crime	<b>Ministry of Interior</b> , other competent ministries and institutions	December of 2015	TAIEX – study visits, experts and workshop - EUR 10,200 link activity 6.2.2.1	Number of protocols signed,	Annual report of Ministry of Interior and other institutions	
6.2.2.3.	Improve interagency cooperation and coordination of operational activities of all entities participating in	<b>Ministry of Interior</b>  Ministry of Justice  Ministry of	December of 2015	budget – signing the memorandum EUR 5,962  budget – establishing procedures EUR	Memoranda of understanding between the police, Organised Crime Prosecutor’s Office and	Annual report of Ministry of Interior and other institutions	

	the fight against organised crime by signing a Memoranda	Finance  Public Prosecutor's Office, Organised Crime Prosecutor's Office,  Administration for the Prevention of Money Laundering and other authorities in the fight against organised crime		5,962	other government bodies and institutions,		
6.2.2.4.	Establish technical conditions within Ministry of Interior and other relevant institutions to	<b>Ministry of Interior</b>  Ministry of	II quarter 2016  Fourth quarter 2016	Budget, IPA 2015	Technical specification defined  Equipment supplied	Annual report of Ministry of Interior and other institutions	

	enable electronic data exchange between law enforcement authorities and judicial authorities in charge of the fight against organised crime,  Link: the activity envisaged in AP 23 corruption 2.3.2.2	Justice  And other relevant institutions	2017		Equipment for safe platform for communication established		
6.2.2.5.	Establish the system of human resources training and professional education in regard to functioning of the criminal-intelligence system	<b>Ministry of Interior-Directorate for Education,</b> Professional Training, Development and Science, other competent ministries and institutions	IV quart of 2016	TBD	The training plan and programme developed;  number of implemented training sessions (based on the plan); number of trained trainers – ten	Yearly report of Directorate for Education, Professional Training;  Reports on conducted trainings	

6.2.2.6.	Adopt and implement the methodology of statistical collecting monitoring, and reporting on criminal offences ( <b>track records</b> ) of organised crime among all institutions in charge of fight against organised crime	<b>Ministry of Justice,</b> Prosecution office, the Ministry of Interior and other competent government authorities	December 2015	Budget 5796 EUR  Working group  7 days, 10 people	System of statistical monitoring and reporting improved	Reports of Ministry of Justice, Prosecution office, the Ministry of Interior and competent institutions	
----------	--	---	---------------	---	---	---	--

6.2.3. RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
Revise the role and practice of security services in the criminal investigation phase in line with data retention and human rights standards	The independence of the police from security services in the field of special investigative measures, in accordance with best EU practices.	Improvement of human rights protection in relation to application of special evidentiary actions in criminal investigations

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.3.1.	Analyse the roles and practices of security services and the police in implementation of specific investigative measures in the criminal investigation phase	<b>Office of the Council for National Security and Protection of Secret Data</b>  - Director, in cooperation with the Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent organisational units, Criminal Police Directorate, Police Directorate of the Ministry of Interior, and Ministry of Finance	September of 2015	budget – EUR 13,041 until September of 2015	Recommendation of the Bureau for the coordination of Security Services	Minutes from the meeting of the Bureau	
6.2.3.2.	Develop the plan	<b>Office of the</b>	IV quarter of	Regular budget -	working group	Report of working	

	implementing the government decision based on the Bureau recommendation, containing a clear concept, defined activities with the implementation and evaluation deadline	<b>Council for National Security and Protection of Secret Data</b>  <b>- Director</b> , in cooperation with the Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent organisational units, Criminal Police Directorate, Police Directorate of the Ministry of Interior, and Ministry of Finance	2016	total EUR 3,614 from September of 2015 and for 2016 (EUR 1,807 per year)	set up under the government decision;  plan developed	group	
--	---	--	------	--	---	-------	--

6.2.4. RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Propose measures to reinforce the capacity of the police, the Organised Crime Prosecutor's Office and the Anti-Money Laundering Administration (FIU) to pro-actively investigate organised crime, including economic and financial crime, such as money laundering</li> </ul>	Full alignment with EU acquis and the best practices in the area of pro-active investigations	Degree of efficiency in the process of proving and processing of criminal offences of organised crime; degree of skills, efficiency and quality of work of all employees; degree of ensuring the appropriate model for implementation, monitoring and assessment Number of cases discovered

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.4.1.	Conduct of analysis of the organizational structure, capacity and powers of state bodies in the fight against organized crime and corruption in order to achieve	<b>Ministry of Justice,</b>  Prosecutors Office for Organised Crime and  Ministry of Interior – state	June 2015	Link. Chapter 23  Activity 2.3.2.1.	Link. Chapter 23  Activity 2.3.2.1.	Link. Chapter 23  Activity 2.3.2.1.	

	<p>efficiency and strengthen the independence of all relevant institutions</p> <p>LINK; the same activity in CH 23 2.3.2.1</p>	<p>secretary</p> <p>And other relevant institutions</p>					
6.2.4.2.	<p>Amend the Law on Organization and Jurisdiction of State authorities in the fight against organized crime, corruption and other particularly serious criminal offences, in order to systematically organize the work of special investigative teams, using the necessary methods for increasing efficiency in the</p>	<p><b>Ministry of Justice,</b></p> <p>Public Republic Public Prosecutor's Office,</p> <p>Organised Crime Prosecutor's Office</p>	June 2015	<p>Link. Chapter 23 Activity 2.3.2.3.</p>	<p>Link. Chapter 23 Activity 2.3.2.3.</p> <p>Law on amendments and supplements to the Law on Organization and Jurisdiction of State authorities in the fight against organized crime, corruption and other particularly serious criminal offences adopted</p>	<p>Link. Chapter 23 Activity 2.3.2.3.</p> <p>Official Gazette of Republic of Serbia</p>	

	prosecution of criminal offences  LINK; the same activity in CH 23 2.3.2.3						
6.2.4.3	Draft a proposal for the Law on Amendments and Supplements to the Law on the Seizure and Confiscation of the Proceeds from Crime in regard to improve financial investigation  Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.1	<b>Ministry of Justice,</b>  Ministry of Interior Directorate for the Management of Seized and Confiscated Assets  National Assembly	December 2015	Note: the same activity is budgeted under chapter 23, Fight against corruption, 2.3.5.1	the Law on Amendments and Supplements to the Law on the Seizure and of the  Proceeds from Crime adopted	Official Gazette of Republic of Serbia	
6.2.4.4	Develop procedures for involvement of	<b>Ministry of Justice</b>	December 2015	Budget RS  TAIEX-4200 EUR	Memorandums of Understanding	Annual reports  Annual Progress	

	different relevant state agencies' representatives in criminal proceedings	Republic Public Prosecutor's Office,  Prosecutor's Office for Organized Crime and other relevant agencies  Ministry of Interior and relevant institutions			for involvement of different relevant state agencies' representatives in investigative teams adopted	reports	
6.2.4.5	Introduce registry on proactive investigations in order to monitor their efficiency , and report on their results	<b>Prosecutors Office for Organised Crime</b>  Republic Public Prosecutors Office	December 2015	Budget	Registry on proactive investigations set up;	Report of Number. of proactive investigations	
6.2.4.6	Introduce the team of economic forensic experts at the	<b>Ministry of Justice</b> , Public Prosecutor's Office, Organised Crime Prosecutor's	I quarter of 2016	Link: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.4.	Law on amendments and supplements to the Law on Organization	Official Gazette of Republic of Serbia	

	Organised Crime Prosecutor's Office and other authorities where necessary. Note: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.4.	Office			and Jurisdiction of State authorities in the fight against organized crime, corruption and other particularly serious criminal offences adopted.  training for economic forensic experts conducted	Annual narrative and statistical reports of the Organised Crime Prosecutor's Office,  Annual Progress reports	
6.2.4.7.	Strengthen material-technical capacities of the Organised Crime Prosecutor's Office to conduct proactive investigations through the development of	<b>Ministry of Justice,</b> Organised Crime Prosecutor's Office	Second quarter of 2016	budget – employees EUR 3,974 per year; budget/donation  hardware EUR 12,990 and software EUR 6,500  Donation “Improving the Capacities of the	The information system developed; training of users and administrators conducted	Annual narrative and statistical reports of the Organised Crime Prosecutor's Office,  Report on introduction of the information system in the	

	the information system, complying with security standards for data exchange and personal data protection			Organised Crime Prosecutor's Office to Conduct Efficient Investigations, Using the Highly Efficient Case Management System and Enhancing Regional Cooperation" – EUR 404,084 (negotiation with donors)		Organised Crime Prosecutor's Office	
6.2.4.8	Strengthen staff capacities of the Organised Crime Prosecutor's Office to implement proactive investigations, by increasing the number of deputy prosecutors, prosecutorial assistants and	<b>Ministry of Justice,</b> Organised Crime Prosecutor's Office, State Prosecutorial Council, Ministry of Finance	continuous, from of 2015	Increasing the number of deputy prosecutors, prosecutorial assistants and supporting staff) TBD-depends on the analysis Specialisation budget Four TAIEX per year  EUR 16.800 for 2015.	The human resource capacities strengthened  the Rulebook on Internal Organisation and Job Classification and the Staffing Plan amended;  the number of deputy prosecutors for	Rulebook on Internal Organisation and Job Classification and the Staffing Plan (amended),  Annual narrative and statistical reports of the Organised Crime Prosecutor's Office,	

	supporting staff, including specialisation upon analysis			EUR 16.800 for 2016. EUR 16.800 for 2017. EUR 16.800 for 2018.	organised crime, prosecutorial assistants and supporting staff increased;  the training plan and programme developed;  reports on conducted training	Training reports	
6.2.4.9.	Conduct training of authorities involved in proactive investigations of organized crime economic and financial crime, such as money laundering,	<b>Judicial Academy,</b>  Ministry of Interior The Judicial Academy,  Ministry of Interior,  The Prosecutor's Office, Supreme Court of Cassation, Ministry of Finance - Administration	continuously	IPA 2013 Fight against organised crime– twinning 1.500.000 EUR  IPA 2014 Action document "Support to the Sector of internal affairs" IPA 2014, OSCE  Strategic planning document (SPD)  For period 2015-2017 <b>IPA 2015/Budget</b>	The training plan and programme developed;  Reports on conducted training;	Reports on conducted trainings	

		for the Prevention of Money Laundering and other law enforcement authorities					
6.2.4.10.	Develop the analysis of necessary capacities in the Administration for the Prevention of Money Laundering in respect of providing information for proactive investigations Note: the comprehensive analysis is envisaged under AP 24 Chapter 4 on money laundering and AP 23, corruption,	<b>Ministry of Finance</b> - Administration for the Prevention of Money Laundering	September 2015	budget - EUR 559 2015 TAIEX EUR 2250 – for 2015  link: the analysis of situation is envisaged under AP 23, corruption, activity 2.3.2.1.	Information on the necessary capacities available.	Assessment of necessary capacities prepared	

	activity 2.3.2.1.						
6.2.4.11	<p>Strengthen capacities of the Administration for the Prevention of Money Laundering in terms of special, technical, staff and professional capacity, in accordance with the conducted analysis</p> <p>Link with AP 24 Chapter 4 on money laundering and AP 23, corruption, activity 2.3.2.1</p>	<p><b>Ministry of Finance</b> - Administration for the Prevention of Money Laundering</p>	<p>Second half of 2017</p>	<p><b>TBD</b></p>	<p>Adequate premises for the adequate number of civil servants ensured;</p> <p>A higher number of civil servants contributes to the increase in successful analyses in the Administration for the Prevention of Money Laundering;</p> <p>the IT system improved, enabling faster and more efficient conduct of the analysis of financial-intelligence</p>	<p>Annual report, Rulebook On Internal Organisation and Job Systematisation</p>	

					<p>data;</p> <p>Number of conducted training sessions;</p> <p>Reducing time necessary for analysis, a larger number of analyses submitted to law enforcement agencies compared to the previous year</p>		
6.2.4.12	<p>Strengthen administrative capacities of the specialised Financial Investigations Unit within the Ministry of Interior based on result of the analysis performed</p> <p>NOTE: the</p>	<p><b>Ministry of Interior,</b> Criminal Police Directorate Service for Combating Organised Crime, Head of the Financial Investigations Unit and other competent authorities</p>	<p>September of 2015 onwards</p>	<p>Link: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.7</p> <p>TAIEX</p> <p>EUR 11,350 for 2015</p> <p>budget: reallocated</p>	<p>Increased number of employees in Financial Investigations Unit - currently 56 out of 105 envisaged officers are employed in Fin. Investigations Unit ; trainings conducted</p>	<p>Annual Ministry of Interior Financial Investigations Unit Report</p>	

	same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.7			<p>additional officers, up to maximum of 105 envisaged employees</p> <p>2015.</p> <p>3.q - 300.000 €</p> <p>2016. 600.000 €</p> <p>2017. 600.000 €</p> <p>2018. 600.000 €</p> <p>Total budget 2.100.000 €</p> <p>Equipment from existed resources - TBD</p>			
6.2.4.13.	Implement best practices and solutions in the field of fighting fraud in line with Council Framework Decision 2001/413/JHA	<b>Ministry of Interior,</b> Criminal Police Directorate, Service for Combating Organised Crime - deputy head of Department of the suppression of organised	February 2015 and continuous	<p>TAIEX Workshop</p> <p>OSCE study visit/workshop</p> <p>Strategic planning document (SPD)</p> <p>For period 2015-2017 IPA</p>	Implementation of best EU solutions and practices in the responsible authorities' proposals for by-legislation	Annual reports	

		financial crime		2015/Budget			
6.2.4.14	Improve capacities on Ministry of Interior and Ministry of Justice through workshop on frauds performed by legal entities	<b>Ministry of Interior,</b> Criminal Police Directorate, Service for Combating Organised Crime - deputy head of Department of the suppression of organised financial crime, Ministry of justice	September 2015  and continuous	OSCE workshop  Strategic planning document (SPD)  For period 2015-2017 IPA 2015/Budget	Workshop conducted	Number of educated staff and report from workshop	

6.2.5. RECOMMENDATION: 5	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Fully implement the new Financial Action Task Force (FATF) recommendations and step up the capacity to run complex financial investigations in parallel with criminal investigations, including through strengthening the special unit in the Ministry of Interior and ensuring adequate training; AP 23 corruption 2.3.2.6</li> </ul>	Full harmonisation with the <i>acquis</i> through improving performance in financial investigations	Reduced financial power of perpetrators of criminal offences and related persons through seized and confiscated proceeds of crime

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.5.1	Conduct analysis of harmonisation of national legislation with Financial Action Task Force (FATF) recommendation with the assistance of a foreign expert	<b>Ministry of Finance</b> of  Ministry of Justice and Ministry of Interior- Cabinet of minister, Criminal Police Directorate,  Service for Combating Organised Crime, Head of the Financial Investigations Unit, and other competent authorities, in cooperation with other competent institutions	September 2015	Budget –  EUR 621 € for 2015. TAIEX - EUR 3.000 for 2015.  TAIEX - EUR 2.250 for 2015.	The analysis conducted and the model selected	TAIEX Report	
6.2.5.2	Implementation of Financial Action	<b>Ministry of</b>	II quarter of 2016	budget – EUR	(FATF) recommendations	Official Gazette of Republic of	

	<p>Task Force (FATF) recommendation recommendations in the relevant regulations of the RS in accordance with prepared analysis</p> <p>Note: the same activity envisaged under chapter 23, activity</p> <p>2.3.2.6</p>	<p><b>Finance</b></p> <p>Ministry of Justice</p> <p>Financial Action Task Force (FATF) Ministry of Interior-Criminal Police Directorate Service for Combating Organised Crime, Head of the Financial Investigations Unit and other competent authorities in cooperation with other competent institutions</p>		<p>14.904 for 2015.</p> <p>TAIEX – EUR 11.250 for 2015.</p> <p>Link: the envisaged under chapter 23, activity</p> <p>2.3.2.6</p>	implemented	Serbia	
6.2.5.3	<p>Draft a proposal for the Law on Amendments and Supplements to the Law on the Seizure and Confiscation of the Proceeds from Crime in</p>	<p><b>Ministry of Justice,</b></p> <p>Ministry of Interior Directorate for the Management of Seized and Confiscated</p>	December of 2015	<p>Note: the same activity is budgeted under chapter 23, Fight against corruption,</p> <p>2.3.5.1</p>	<p>the Law on Amendments and Supplements to the Law on the Seizure and of the</p> <p>Proceeds from</p>	Official Gazette of Republic of Serbia	

	<p>accordance with the previously conducted analysis aimed at improvement of efficiency</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.1</p>	<p>Assets</p> <p>National Assembly</p>			Crime adopted		
6.2.5.4	<p>Develop and monitor the implementation of a Strategy improving the efficiency of financial investigation</p> <p>Note: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.5.</p>	<b>Ministry of Justice</b>	continuously, commencing from 2016	<p>Budget of Republic of Serbia</p> <p>Link: the same activity is envisaged under chapter 23, Fight against corruption, activity 2.3.2.5</p>	The Strategy improving the efficiency of financial investigation adopted	Reports on the extent of implementation of the Strategy published at the website of the Ministry of Justice	
6.2.5.5	Strengthen	<b>Ministry of</b>	June of 2015	Link: activity	Training	Report from study	

	<p>capacities through continuous training of police officers and prosecutors, relating to the conduct of complex financial investigations in parallel with criminal investigations, for the purpose of achieving synergy in proactive action</p> <p>Note: activity envisaged under chapter 23, activity 2.3.2.9 and under 6.2.4. of chapter 24</p>	<b>Interior-Criminal Police Directorate, Judicial Academy</b>	onwards,	<p>envisaged under chapter 23, activity 2.3.2.10</p> <p>TAIEX EUR 3,700</p> <p>TAIEX EUR 9,700</p> <p>OSCE workshop</p> <p>Fight against organised crime</p> <p>IPA 2013 Twinning Project 1.500.000 eur</p>	<p>conducted and study visit for cross-comparison of data of all government institutions implemented;</p> <p>training of interagency groups for more complex financial investigations in parallel with criminal investigations conducted</p>	<p>visit</p> <p>And the report on training conducted</p>	
6.2.5.6	Strengthen administrative capacities of the specialised Financial Investigations Unit within the Ministry of	<b>Ministry of Interior, Criminal Police Directorate Service for Combating Organised Crime, Head of</b>	September of 2015 onwards	Link: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.7	Increased number of employees in Financial Investigations Unit – currently 56 out of 105 envisaged	Annual Ministry of Interior Financial Investigations Unit Report	

	<p>Interior based on result of the analysis performed</p> <p>NOTE: the same activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.7</p>	<p>the Financial Investigations Unit and other competent authorities</p>		<p>TAIEX</p> <p>EUR 11,350 for 2015</p> <p>budget :reallocated additional officers, up to maximum of 105 envisaged employees</p> <p>2015. 3.q - 300.000 €</p> <p>2016. 600.000 €</p> <p>2017. 600.000 €</p> <p>2018. 600.000 €</p> <p>Total budget 2.100.000 €</p> <p>Equipment from existed resources</p> <p>Fight against organised crime</p> <p>IPA 2013 Twinning Project 1.500.000 eur</p>	<p>officers are employed in Fin. Investigations Unit ; trainings conducted</p>		
--	---	--	--	--	--	--	--

				Strategic planning document (SPD)  For period 2015-2017 IPA 2015			
6.2.5.7	<p>Conduct professional training of employees focusing on a mechanism of the information exchange at the international level, in accordance with the Framework Decision 2006/960/JHA with the aim of more efficient seizure, confiscation and management of assets for the purpose of effective seizure, confiscation and asset management</p>	<p><b>Ministry of Interior</b> - Financial investigation unit,</p> <p>Ministry of Justice,</p> <p>Prosecutor Office, competent judicial authorities</p>	December 2015	<p>TAIEX expert mission</p> <p>Fight against organised crime</p> <p>IPA 2013 Twinning Project 1.500.000 eur</p> <p>Strategic planning document (SPD)</p> <p>For period 2015-2017 IPA 2015/Budget</p> <p>Link: the activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.8</p>	<p>Analysis of legal framework on information exchange</p> <p>Training conducted</p>	Report from expert about current state	

	NOTE: the activity envisaged under chapter 23, Fight against corruption, activity 2.3.2.8.						
6.2.5.8.	Conduct of analysis of the division of responsibilities and needs assessment for capacity development regarding ARO functions between Ministry of Interior- Financial Investigations Unit and Ministry of Justice - Directorate for the Management of Seized and Confiscated assets	<b>Ministry of Interior</b>  Ministry of Justice	June 2015	RS Budget	Analysis conducted	Written report of conducted analysis	
6.2.5.9	Establish ARO (Asset Recovery Office) within the Ministry of Interior- Financial Investigations Unit and Ministry of Justice -	<b>Ministry of Justice</b> , Ministry of Interior - Financial Investigations Unit	December 2015	RS Budget	Adopted Law and Rulebooks on systematization by which ARO is established	Official Gazette and Decision on adopted systematization by Government	

	Directorate for the Management of Seized and Confiscated assets by amendments of the Law on the Seizure and Confiscation of the Proceeds from Crime, amend of by law stipulation internal organization of the Ministry of Interior and Ministry of Justice in order to harmonize with the Framework Decision 845/2007 JHA						
6.2.5.10	Draft a proposal of the bylaws (internal Ministry of Interior and Ministry of Justice acts) on acting of police officers and stuff in proactive investigations, in order to improve functioning of	<b>Ministry of Interior</b> - Financial Investigations Unit,  Ministry of Justice - Directorate for the Management of Seized and	February 2016	RS Budget	Adopted bylaws	Signed instructive (internal) bylaws	

	ARO	Confiscated					
6.2.5.11	Strengthen capacities of ARO through trainings	<b>Ministry of Interior</b> - Financial Investigations Unit,  Ministry of Justice - Directorate for the Management of Seized and Confiscated	December 2015  March 2016  IV quarter 2016	RS Budget   TAIEX workshop   TAIEX workshop	Staff educated on co-operation with other AROs  Staff educated on methods of information exchange and spontaneous information exchange  Staff educated on execution of confiscation orders	Report of FIU of ARO  Operationally  TAIEX report  TAIEX report	

6.2.6.1 RECOMMENDATION: 6	OVERALL RESULT	INDICATOR OF IMPACT
• Fully align the legal framework governing the activities of the FIU	Full harmonisation with the. Council Decision 2000/642/JHA	Improved protection of the financial and non-financial system

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.6.1	Analyse the legal framework regulating activities of the Administration for the Prevention of Money Laundering and develop recommendations to upgrade the situation for the purpose of full harmonisation with the Council Decision 2000/642/JHA	<b>Ministry of Finance</b> – Administration for the Prevention of Money Laundering – director	June of 2015	TAIEX EUR 2250 Budget EUR 559	The analysis conducted and recommendations issued	Analysis conducted, report with recommendations available and sent to relevant authorities (Minister of finance)	
6.2.6.2	Draft a proposal of amendments and supplements to the Law on the Prevention of Money Laundering and	<b>Ministry of Finance</b> - Administration for the Prevention of Money Laundering	December of 2015	Budget 40,872 EUR	The amendments to the Law on the Prevention of Money Laundering and the Financing of Terrorism	Official Gazette of the Republic of Serbia	

	the Financing of Terrorism, in accordance with recommendations from the analysis, so as to ensure its full alignment with the Council Decision				adopted		
	2000/642/JHA						
6.2.6.3	Develop internal acts relating to data protection, following the completed analysis of situation in the field of data protection within chapter 23, field “data protection”, and ensure material-technical conditions for the implementation of these acts  NOTE: Harmonisation	<b>Ministry of Finance</b> - Administration for the Prevention of Money Laundering - director	Second half 2017	link: TBD following analyses –	Internal acts on data protection adopted	Official Gazette of the Republic of Serbia	

	measure in the field of data protection is envisaged under chapter 23, field “data protection”						
--	--	--	--	--	--	--	--

6.2.7 RECOMMENDATION: 7	OVERALL RESULT	INDICATOR OF IMPACT
• Ensure that the legislative and institutional framework enables effective seizure, confiscation and management of the proceeds of crime resulting in an increased number of seizures and confiscations	Full harmonisation with the <i>acquis</i> for the purpose of increasing the number of seizures and confiscations of the proceeds of crime	Positive report of EC  Number of sized and confiscated assets deriving from criminal activity

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.7.1	Draft a proposal of the Law on Amendments and Supplements to the Law on the Seizure and Confiscation of the Proceeds	<b>Ministry of Justice,</b>  Directorate for the Management of Seized and Confiscated	December 2015	Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.1	the Law on Amendments and Supplements to the Law on the Seizure and of the  Proceeds from	Official Gazette of the Republic of Serbia	

	<p>from Crime in accordance with the previously conducted analysis aimed at improvement of efficiency</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.1</p>	<p>Assets</p> <p>National Assembly</p>			Crime adopted		
6.2.7.2	<p>Conduct a comparative legal analysis on efficient mechanisms for seizure and confiscation of assets and select an appropriate model</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption,</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption</p> <p>Ministry of Interior</p> <p>Directorate for the Management of Seized and Confiscated</p>	December 2015	<p>Budget of RS</p> <p>8.642 e</p> <p>Note: the same activity is budgeted under chapter 23, Fight against corruption, 2.3.5.2.</p>	Analysis performed	Reports	

	2.3.5.2.	Assets					
6.2.7.3	<p>Draft a proposal of by-laws to regulate records keeping, management of seized assets and value assessment</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.3.</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption Directorate for the Management of Seized and Confiscated Assets Director</p>	December 2015	Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.3.	By-laws adopted;	Official Gazette of the Republic of Serbia	
6.2.7.4.	<p>Strengthen material and technical capacities of the Directorate for the Administration of Seized Assets through the purchase of the software for recording seized</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption Directorate for the Management of Seized and Confiscated Assets Director</p>	II quarter 2016	Note: the same activity is envisaged under chapter 23, Fight against corruption 2.3.5.4.	Software installed	Reports of IT expert	

	<p>property</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption 2.3.5.4</p>						
6.2.7.5	<p>Strengthen the capacities of the Directorate for the Administration of Seized Assets through employment and training, particularly in the part relating to the management of property seized from legal entities</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption,</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption Directorate for the Management of Seized and Confiscated Assets Director</p>	Continuously	<p>Note: the same activity is budgeted under chapter 23, Fight against corruption, 2.3.5.5..</p>	Training conducted	Reports on trainings	

	2.3.5.5.						
6.2.7.6	<p>Improve international cooperation by signing contracts with Directorates in the region and the EU</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.6.</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption Directorate for the Management of Seized and Confiscated Assets Director</p>	Continuously	Note: the same activity is budgeted under chapter 23, Fight against corruption, 2.3.5.6.	Number of contracts concluded with the Directorates in the region and in the EU	Annual reports	
6.2.7.7.	<p>Strengthen capacity by recruiting new staff and training current staff</p> <p>Note: the same activity is envisaged under chapter 23, Fight against corruption, 2.3.5.7</p>	<p><b>Ministry of Justice</b>, State secretary in charge of anticorruption Directorate for the Management of Seized and Confiscated Assets Director</p>	Continuously	Note: the same activity is budgeted under chapter 23, Fight against corruption, 2.3.5.7.	Training of Directorate stuff conducted and positions filled	Reports on trainings conducted	

6.2.7.8	Conduct of analysis of the division of responsibilities and needs assessment for capacity development regarding ARO functions between Ministry of Interior-Financial Investigations Unit and Ministry of Justice - Directorate for the Management of Seized and Confiscated assets	<b>Ministry of Interior</b>  Ministry of Justice	June 2015	RS Budget	Analysis conducted	Written report of conducted analysis	
6.2.7.9	Establish ARO (Asset Recovery Office) within the Ministry of Interior-Financial Investigations Unit and	<b>Ministry of Justice</b> , Ministry of Interior - Financial Investigations Unit	December 2015	RS Budget	Adopted Law and Rulebooks on systematization by which ARO is established	Official Gazette and Decision on adopted systematization by Government	

	<p>Ministry of Justice - Directorate for the Management of Seized and Confiscated by amendments of the Law on the Seizure and Confiscation of the Proceeds from Crime, amend of by law stipulation internal organization of the Ministry of Interior and Ministry of Justice in order to harmonize with the Framework Decision 845/2007 JHA</p> <p>Link The same activity :6.2.5.8</p>						
6.2.7.10	Draft a proposal of the bylaws (internal)	<b>Ministry of Interior</b> - Financial	February 2016	RS Budget	Adopted bylaws	Signed instructive (internal) bylaws	

	<p>Ministry of Interior and Ministry of Justice acts) on acting of police officers and stuff in proactive investigations, in order to improve functioning of ARO</p> <p>Link The same activity :6.2.5.9</p>	<p>Investigations Unit,</p> <p>Ministry of Justice - Directorate for the Management of Seized and Confiscated</p>					
6.2.7.11	<p>Strengthen capacities of ARO through trainings</p> <p>Link The same activity :6.2.5.10</p>	<p><b>Ministry of Interior</b> - Financial Investigations Unit,</p> <p>Ministry of Justice - Directorate for the Management of Seized and Confiscated</p>	<p>December 2015</p> <p>March 2016</p> <p>IV quarter 2016</p>	<p>RS Budget</p> <p>TAIEX workshop</p> <p>TAIEX workshop</p>	<p>Staff educated on co-operation with other AROs</p> <p>Staff educated on methods of information exchange and spontaneous information exchange</p> <p>Staff educated</p>	<p>Report of FIU of ARO</p> <p>Operationally</p> <p>TAIEX report</p>	

					on execution of confiscation orders	TAIEX report	
6.2.7.12.	Strengthen capacity of the Financial Investigations Unit within the Ministry of Interior, courts and prosecutor's offices through training	<b>Ministry of Interior</b> -Finance Sector, Ministry of Justice,  Ministry of Interior  Directorate for the Management of Seized and Confiscated Assets, Judicial Academy	December 2015 and continuous training	donation/ budget  920 € 4. q 2015.  3.680 € for 2016. 3.680 € for 2017. 3.680 € for 2018.  Total: 11.960 €  Link: activity 6.2.5.5. TAIEX in AP 24	10 employed police officers at the Ministry of Interior trained through TAIEX; 15 employed police officers at the Ministry of Interior through TAIEX workshops (for application of the new Law) trained;  training for 20 prosecutors and judges per year conducted;	Reports on trainings conducted	
6.2.7.13	Strengthen capacities by learning about	<b>Ministry of Interior</b> -Criminal Police	September 2015	Link: activity 6.2.5.5 AP 24	Best EU solutions and practice	TAIEX expert report	

	<p>the exchange of information at the international level, in accordance with the Framework Decision 2006/960/JHA for the purpose of more efficient seizure, confiscation and management of assets</p> <p>Link: activity 6.2.5.5 AP 24</p>	<p>Directorate Service for Combating Organised Crime, Head of Financial Investigations Unit</p>			<p>incorporated in proposed acts by responsible authorities</p>		
--	--	---	--	--	---	--	--

<b>6.2.8. RECOMMENDATION: 8</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
<ul style="list-style-type: none"> <li>Adopt and implement a new Strategy and Action Plan for the prevention and the fight against trafficking in human beings (including inter alia steps to further align with the <i>acquis</i>, steps to proactively identify and duly protect victims of trafficking, ensure dissuasive sanctions for those found guilty of trafficking in human beings, outline a timeline and steps to appoint a National</li> </ul>	<p>Full harmonisation with the <i>acquis</i> in the field of trafficking in human beings</p>	<p>Improved mechanisms for countering all forms of trafficking in human beings, in accordance with EU standards, as an adequate response of the Republic of Serbia to the phenomenon of trafficking in human beings, in line with EU standards</p>

Rapporteur for the fight against trafficking of human beings in line with the Directive); further foster efficiency and specialisation within the police and develop dedicated policy measures based on a strategic picture of the trafficking situation in the country		
---	--	--

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.8.1	Draft proposal for the new Strategy for the Prevention and Suppression of Human Trafficking and Victim Protection in the Republic of Serbia for the period 2015 - 2020 and the initial Action Plan for its implementation for the period 2015 - 2016	<b>Ministry of Interior</b>  Parliament	March 2015	Budget	Strategy and Action Plan adopted by Parliament	Official Gazette of Republic of Serbia	

6.2.8.2	Implement the new Strategy for the Prevention and Suppression of Human Trafficking and Victim Protection in the Republic of Serbia for the period 2015 - 2020 and the initial Action Plan for its implementation for the period 2015 - 2016	<b>Implementation Team</b> (Ministry of the Interior, Public Prosecutor's Office, Centre for Human Trafficking Victims Protection, Ministry of Labour, Employment, Veteran and Social Policy, Ministry of Health, Ministry of Education, Ministry of Youth and Sports, Ministry of Finance, Ministry of Justice, Security Information Agency, NGOs)	December 2015 and beyond	<p>*budget regular -r: 81.000 € for 2015. 58.674 € for 2016. 58.000 € for 2017. 58.000 € for 2018. Total .255.674 €</p> <p>*budget (additional) - 78.000 € for 2015. 78.000 € for 2016. 78.000 € for 2017. 78.000 € for 2018. Total : 322.000 €</p> <p>*donation/other resources 745.121 € for 2015. 706.341 €</p>	Action Plan activities implemented	Annual report on AP	
---------	---	---	--------------------------	--	------------------------------------	---------------------	--

				for2016. AD SUPPORT TO HOME AFFAIRS SECTOR  IPA 2014 850.000 € (2014-2015)			
6.2.8.3	Perform monitoring, reporting and evaluation according to the Strategy	<b>Ministry of Interior - National Anti-Trafficking Coordinator</b>	June and December 2015  June and December 2016	Budget - 3.974 € for 2015  3.974 € for 2016  TAIEX - 2.250 € for 2015.  TAIEX - 2.250 € for 2016.	Report on the implementation of the Strategy containing recommendations for changes and additions	Annual report	
6.2.8.4	Conduct an analysis of alignment of national legislation with the EU <i>acquis</i> in the anti-trafficking area focused on the Directive 2011/36/EU Directive	<b>Ministry of Interior - National Anti-Trafficking Coordinator</b>	December 2015	Budget - EUR 3,975 for 2014 EUR 1,987 for 2015  TAIEX EUR 4,500 - October 2014 TAIEX EUR 4,500 - December 2014 TAIEX EUR 4,500 - February 2015	Level of alignment established based on TAIEX experts' recommendations	TAIEX expert reports	

	2004/81/EC , and Directive 2012/29/EU						
6.2.8.5	Harmonize the legislative framework based on the analysis conducted	<b>Ministry of the Interior / Minister's Office, in cooperation with</b> , Ministry of Justice, Ministry of Labour, Employment, Veteran and Social Policy, Ministry of Health, Centre for Human Trafficking Victims Protection	Second half of 2016	Budget - EUR 267,993 - second half of 2016	Amendments to the Criminal Code of the Republic of Serbia adopted, amendments to the Law on Social Care adopted, amendments to the Law on Free Legal Aid adopted, amendments to the Law on Foreigners adopted, amendments to the Law on Health Care adopted, amendments to the Criminal Procedure Code adopted	Official Gazette of Republic of Serbia	
6.2.8.6	Develop specific criteria to recognise human trafficking	<b>Centre for Human Trafficking Victims Protection</b> in cooperation with other competent	June 2015	Donations - IOM: Strengthening the system for the identification and protection of	Indicators defined,	Report of <b>Centre for Human Trafficking Victims Protection</b> ,	

	victims in order to enhance proactive identification	authorities		victims of human trafficking. Project value amounts to USD 60,000 (approx. EUR 46,500),		publicly available on the website(s) of relevant institutions	
6.2.8.7	Take steps towards proactive identification and due protection of human trafficking victims in line with the Strategy.	<b>Ministry of Labour, Employment, Veteran and Social Policy and Centre for Human Trafficking Victims Protection</b> in cooperation with other competent authorities	2015 and 2016	Link: 6.2.8.2.  And per year 180,000 EUR regular budget of Centre for Human Trafficking Victims Protection	Activities within Strategy under objectives 3 and 4 are implemented	Annual report on AP	
6.2.8.8	Finalise the steps to appoint the National Anti-Trafficking Coordinator according to the Strategy	<b>Ministry of Interior, RS Government</b>	Upon the adoption of the Strategy	No costs	Strategy adopted	Annual report on AP	
6.2.8.9	Enhance the capacities of police and prosecution through training and seminars	<b>Ministry of Interior</b>	March 2016	Budget - EUR 13,020 for 2015  IPA 2013 Fight against organized crime (human	Trainings, seminars delivered	Reports on conduct trainings	

	intended for specialised police officers working on anti-trafficking cases			trafficking, drugs, trafficking illicit arms trafficking, financial investigation) – Twinning 1.500.000 EUR			
6.2.8.10	Develop a strategic picture in the field of human trafficking (strategic picture within SOCTA for Serbia)	<b>Ministry of Interior</b>	December 2015	Link: activity 6.2.1.5 AP 2	Strategic picture developed ,First SOCTA	First SOCTA	
6.2.8.11.	Improve organisational capacities of the police on the field of THB in line with EU best practices	<b>Ministry of Interior</b> /General Police Directorate/Criminal Police Directorate for Suppression Organized Crime Directorate/Police Directorate	December 2015	TAIEX - EUR 8,700 - II quarter of 2015  Budget - EUR 2,422 - III quarter of 2015 Link: activity 6.2.8.2. equipment – donation/other resources IPA 2014 - 1.500.000 € THB)	TAIEX report on the best practice  Amended rulebook on jobs systematisation passed,  (Prosecutor’s office, court, inspectorates, etc.)	Rulebooks	
6.2.8.12	Conduct an analysis of the	<b>Ministry of Interior</b> /General	I quarter of 2017	Strategic planning	Conducted analysis	Report with recommendation	

	existing legislative and institutional framework for the establishment Joint Investigation teams in accordance with 2002/465/JHA	Police Directorate/Criminal Police Directorate for Suppression Organized Crime Directorate, Prosecutor office		document(SPD)  For period 2015-2017 IPA 2015		from the conducted analysis	
6.2.8.13	Drafting bylaw concerning the methodology of working JIT in accordance with conducted analysis	<b>Ministry of Interior</b> /General Police Directorate/Criminal Police Directorate for Suppression Organized Crime Directorate, Prosecutor office	III quarter of 2017	Strategic planning document(SPD)  For period 2015-2017 IPA 2015	Adopted bylaw and methodology	Signed instructive (internal) bylaw and methodology	
6.2.8.14	Strengthening technical capacity of the Ministry of Interior for the implementation JIT in THB	<b>Ministry of Interior</b> /General Police Directorate/Criminal Police Directorate for Suppression Organized Crime Directorate	IV quarter of 2017	Strategic planning document(SPD)  For period 2015-2017 IPA 2015	Purchase of technical goods	Installation of technical goods	
6.2.8.15	Strengthening human capacity in conducting THB	<b>Ministry of Interior</b> /General Police Directorate/Criminal	From 2017 and further	Strategic planning document(SPD)	At least 20 officers educated	Report from workshops trainings study visit	

	investigations	Police Directorate for Suppression Organized Crime Directorate, Prosecutor office		For period 2015-2017 IPA 2015 Workshops Trainings Expert mission Study visit			
6.2.8.16	Establishing office for the National Rapporteur	<b>Government</b>	During 2018	Budget of RS	The National Rapporteur institution established	Official Gazette of Republic of Serbia	

6.2.9.1 RECOMMENDATION: 9	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>• Provide further specialised training and enhance the capacity of law enforcement bodies in charge of fighting cyber criminality;</li> </ul>	Enhanced level of training and experience of all employees; Appropriate models for implementation, monitoring and evaluation developed; better equipment	The level of skills and performance quality of all employees; the extent to which the appropriate implementation, monitoring, and evaluation mode is provided for; better equipment

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.9.1.1	Draft proposal of the relevant by-laws in order to enhance organisational, human resource, and technical capacities against cyber crime	<b>Ministry of Interior - Service for Combating Organised Crime,</b> Ministry of Justice, Public Prosecutor's Office - Cyber Crime Prosecutor's Office, State Prosecutorial Council, Ministry of Finance	September 2015	Budget regular EUR 4,968	Relevant by-legislation adopted	Official Gazette of the Republic of Serbia	
6.2.9.1.2	Strengthen capacities of the Special Prosecutor's Office for Cyber crime	<b>Ministry of Justice,</b> State Prosecutorial Council, Public Prosecutor's Office	June of 2016	Budget additional - Recruitment of new employees (7)  26,568€ - IV quarter of 2015.  106.272 €- 2016.  106.272 €-	Systematisation extended by 2 deputy public prosecutors, 2 prosecutors' assistants, 3 administrative staff members Adequate material and technical conditions created	Official Gazette of the Republic of Serbia  Equipment procurement reports  TAIEX Project Report	

				2017. 106.272 €- 2018.  Total budget - 345.384 €  Equipment TBD (existing resources)  Training:  TAIEX:  2016. (4.q) - 7.800 €  2017. (4.q) - 7.800 €  2018. (4.q) - 7.800 €  Total: 23.400 €			
6.2.9.1.3	Strengthen capacities of Special Prosecutor's Office for Cyber crime, the	<b>Judicial Academy, Ministry of Interior Directorate for Education, Professional Training,</b>	2015 and continuously	Budget RS TAIEX Study visits	The law enforcement bodies in charge of fighting cyber criminality	Annual reports	

	Special Police Unit for Cyber crime and courts through trainings	Development and Science			trained		
6.2.9.1.4	Conduct an analysis of the existing legislative, institutional and technical framework for the establishment of state authorities' CERT Note: this activity will be addressed under Chapter 10	<b>Ministry of Trade, Tourism and Telecommunications</b>	June of 2015	Note: this activity will be addressed under Chapter 10	Analysis report developed	Reports of Ministry of Trade	
6.2.9.1.5	Draft proposal of legal framework, institutional and technical legal framework for the establishment of state authorities' CERT Note: this activity will be addressed under	<b>Ministry of Trade, Tourism and Telecommunications,</b> Ministry of Justice, Ministry of Interior, Public Prosecutor's Office, Administration for Common Services for the Republic's Authorities, Security Information Agency, Regulatory Agency	I quarter of 2016	Note: this activity will be addressed under Chapter 10	Legislation and by-legislation adopted	Official Gazette of the Republic of Serbia	

	Chapter 10	for Electronic Communications and Postal Services, Ministry of Defence, etc.					
6.2.9.1.6	Establish CERT for state authorities' NOTE: this activity is envisaged under Chapter 10 on Information Society and Media	<b>Ministry of Trade, Tourism and Telecommunications,</b> Ministry of Justice, Ministry of Interior, Public Prosecutor's Office, Administration for Common Services for the Republic's Authorities, Security Information Agency, Regulatory Agency for Electronic Communications and Postal Services, Ministry of Defence, etc.	IV quarter of 2016	Note: this activity will be addressed under Chapter 10	State authorities' CERT established	CERT Annual report	

<b>6.2.9.2 RECOMMENDATION: 9</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Harmonisation of Serbian legislation with the <i>acquis Directive 2013/40</i> and EU standards in the field of fight against cyber crime – <b>RECOMMENDATION FROM THE TEXT</b>	Full harmonisation with the <i>acquis</i> in the field of cyber crime	Improved mechanisms for countering all forms of cyber crime, in accordance with EU standards

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITY</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS / SOURCE OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
6.2.9.2.1	Analyse the current legislative framework in order to determine the level of its alignment with the <i>acquis</i> and EU standards	<b>Ministry of Justice,</b> Ministry of Trade, Tourism and Telecommunications, Ministry of Interior, Public Prosecutor's Office	June of 2015	Budget - EUR 1,490 II quarter of 2015 TAIEX: EUR 13,500 II quarter of 2015	Analysis conducted	TAIEX Project report	
6.2.9.2.2	Draft a proposal of the laws and by-laws based on the analysis conducted	<b>Ministry of Justice,</b> Ministry of Interior, Ministry of Trade, Tourism and Telecommunications, Public Prosecutor's Office	December 2015	Budget	Legislation and by-legislation adopted	Official Gazette of the Republic of Serbia	

6.2.9.3 RECOMMENDATION: 9	OVERALL RESULT	INDICATOR OF IMPACT
Strengthening cooperation among state authorities and with civil society institutions in fighting cyber crime - RECOMMENDATION FROM THE TEXT	Enhanced cooperation among state authorities and with civil society institutions in fighting cyber crime; enhanced level of efficiency of state authorities	Level of efficiency of state authorities in fighting cyber crime and sexual exploitation of children, level of increase in transparency, level of civil society participation

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.9.3.1	Develop and sign Agreements on cooperation among state authorities and with civil society institutions in fighting cyber crime	<b>Ministry of Justice</b> , Public Prosecutor's Office, Ministry of Interior, etc.	June of 2015	Budget EUR 994 II quarter of 2015	Agreements on cooperation signed	Annual reports on cooperation	

6.2.10.1. RECOMMENDATION: 10	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Establish dedicated teams of experts to improve cooperation with the EU and the Western Balkans to increase the flow of information and intelligence regarding the illicit trafficking in firearms</li> </ul>	Full alignment with the <i>acquis</i> based on a roadmap specifying different steps	Republic of Serbia is an equal partner to EU member states and Western Balkans countries in the prevention and fight against illicit trafficking in firearms

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.10.1.1	Learn about the best solution for establishing a closer and faster cooperation and exchange of experience and information with the EU and other countries	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Section for the suppression trafficking of arms and dangerous substances	March 2015	TAIEX - EUR 3.000	The best EU solutions and practices recognised	Report of study visit	
6.2.10.1.2	Appointment of	<b>Ministry of</b>	March 2015	No Costs	Complied list	Annual Ministry	

	police officers on national and regional level for the purpose of specialisation through workshops aimed to increase the flow of information and intelligence regarding the illicit trafficking in firearms	<b>Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Department for the suppression of general organised criminality			of police officers determined for exchange of information and intelligence regarding illicit trafficking in firearms	of Interior Report	
6.2.10.1.3	Draft a proposal of the internal act about procedure of exchange of information and intelligence	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Department for the suppression of general organised criminality	March 2015	TBD (OSCE or TAIEX)	Internal Act adopted	Instruction	
6.2.10.1.4	Improve the exchange of information and intelligence through participation in the South-East European	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Department for the suppression	Continued	No Costs	Signing of the Memorandum on the establishment of the Expert group Designation of the Expert	Annual Ministry of Interior Report	

	Expert Group on Firearms and European Firearms Expert Group	of general organised criminality			group contact point Amount of information exchanged		
6.2.10.1.5	Strengthen capacities on regional level through workshop on the role of legal entities being the source of information in the suppression of illicit arms trade	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Section for the suppression trafficking of arms and dangerous substances, Administrative Affairs Directorate, in cooperation with other competent institutions	May 2015	TAIEX- EUR 3,700 – May 2015	30 employees trained	TAIEX report	
6.2.10.1.6	Strengthen capacity of dedicated teams on cooperation opportunities by South East European Expert Group on Firearms	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Section for the suppression trafficking of arms	April of 2015	TBD	Workshop held	Workshop report	

		and dangerous substances					
6.2.10.1.7	Improve visibility and cooperation between dedicated team with all competent authorities and relevant third parties in society (manufactories, producers, association)	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Section for the suppression trafficking of arms and dangerous substances	October 2015 and after	Budget - EUR 332 – October 2015	Visit and established contact between dedicated teams, between competent authorities and third parties	Annual report	
6.2.10.1.8	Specialise police officers through workshop in order to enable functioning of dedicated team with aim to increase the flow of information and intelligence regarding illicit trafficking in firearms	<b>Ministry of Interior</b> , Criminal Police Directorate, Service for Combating Organised Crime - Head of Section for the suppression trafficking of arms and dangerous substances	II quarter 2016	IPA 2013 fight against organized crime – Twinning 1.500.000 EUR	Workshop held, number of educated police officers 80	Training report	

6.2.10.1.9	Specialization of police officers to conduct proactive, reactive and parallel investigations	<b>Ministry of interior,</b> Criminal Police Directorate, Service for combating organised crime	December 2017	IPA 2015	Trained officers	Report from workshop	
6.2.10.1.10	Increasing administrative capacity by conducting investigations and collecting evidence with the application of special evidence measures in cases of international arms smuggling	<b>Ministry of interior,</b> Criminal Police Directorate, Service for combating organised crime	IVquarter 2016	Budget (TBD)	Increased number of international arms smuggling investigations	Report of MoI	

6.2.10.2. RECOMMENDATION: 10	OVERALL RESULT	INDICATOR OF IMPACT
Legal harmonization in the field of firearms acquisition and possession	Full harmonisation with the <i>acquis</i> in the field of acquisition and possession of firearms	General security of citizens increased by decreased number of weapons in illegal possession and abuse of weapons in legal possession

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.10.2.1	Draft a proposal of the new Law on weapons and ammunition upon the Ministry of Interior draft Law, which will lay down a legal framework harmonised with directives	<b>Ministry of Interior</b>  National Assembly	April/May 2015	Budget EUR 52.186- March 2015	Law adopted	Official Gazette of the Republic of Serbia	
6.2.10.2.2	Strengthen capacities by training of staff	<b>Ministry of Interior</b> - Administrative Affairs	September 2015	Budget EUR 48.672–September 2015 donation UNDP	Training programme designed and adopted; 10	Report on conducted training	

	on application of the new Law on Weapons and Ammunition	Directorate, assistant head of directorate		(SEESAC)	seminars held - 331 trained officer working on weapons issues		
6.2.10.2.3	Establish new IT system for processing of requests received and issuing documents so as to be consistent with the adopted Law	<b>Ministry of Interior</b> - Administrative Affairs Directorate, assistant head of directorate and IT Directorate	I quarter of 2016	donations: UNDP (SEESAC) – hardware and software from the project -TBD	New system for the implementation of the new Law established	Report of Ministry of Interior SATIT	
6.2.10.2.4	Strengthen capacities by training employees on the application of the new system for the processing of requests received acquisition, registration and carrying weapons and issuing documents	<b>Ministry of Interior</b> - Administrative Affairs Directorate, assistant head of directorate and IT Directorate	II quarter of 2016	Budget EUR 48.960 - IV quarter of 2015  donations: UNDP (SEESAC) – hardware and software from the project - TBD	18 seminars held - 331 officer working on weapons trained	Report on conducted trainings	

6.2.11. RECOMMENDATION: 11	OVERALL RESULT	INDICATOR OF IMPACT
Propose measures to strengthen the effective protection of witnesses	Full alignment with the <i>acquis</i> in witness protection	Procedural and non-procedural witness protection improved

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
6.2.11.1	Amend the Rulebook on the Internal Organisation and Systematisation of Workplaces in the Ministry of Interior relating to the tasks and organisation of the Unit for Protection	<b>Ministry of Interior, Unit for Protection</b>	December 2015	Budget EUR 3.726 €	Rulebook on the Internal Organisation and Systematisation of Workplaces in the Ministry of Interior adopted	Annual Report of the MoI Unit for Protection	
6.2.11.2	Implement revised Act on Internal Organisation	<b>Ministry of Interior, Unit for Protection</b>	December of 2015	Regular MOI Budget	Relocated employees to the MoI Unit for Protection	Annual report of the MOI Unit for Protection	

	and Systematisation of Workplaces – transfer of employees from other Units in the Ministry of Interior						
6.2.11.3	Improve professional capacities of the Unit for Protection through training	<p>-- <b>Ministry of Interior Witness Protection Unit,</b> through ) through EU Project on Cooperation in Criminal Justice: Witness protection in the fight against serious crime and corruption (WINPRO II) implemented with NI-CO (Northern Ireland)</p> <p>-Ministry of Interior Administration for education, training,</p>	<p>- On-going until 1.1.2016</p> <p>- Continuous as of 2016</p>	<p>- NI-CO (Northern Ireland) Budget, and donations EU Project on Cooperation in Criminal Justice: Witness protection in the fight against serious crime and corruption (WINPRO II)</p> <p>regular MOI budget</p>	<p>- WINPRO II specialised trainings delivered,</p> <p>-Training Directorate’s trainings delivered</p>	<p>Report on conducted WINPRO II specialised trainings</p> <p>-MOI Report on conducted trainings</p>	

		specialisation and science for continuous training					
6.2.11.4.	Enhance material and technical capacities of the Unit for Protection	<b>Ministry of Interior, Unit for Protection</b>	December 2015	- MOI Budget (re-assigning of existing MOI equipment)  - WINPRO donation	Witness Protection Unit equipment improved (with communication devices vehicles, security, tactical equipment IT equipment)	Annual report of the MOI Unit for Protection	
6.2.11.5	Provide adequate offices to the Unit for Protection	<b>Ministry of Interior, Unit for Protection</b>	September 2015	Budget – existing premises TBD	Adequate and isolated premises in line with EU standards for the Unit for Protection in place	Annual report of the MOI Unit for Protection	
6.2.11.6	Conduct an analysis of adequacy of premises in courts and prosecutors' offices for protection and secure interviews of the protected witnesses	<b>Ministry of Justice</b>	IV quarter of 2016	Budget EUR 12.420  TAIEX 2.250€ -2016.	The analysis conducted	Report on the analysis	

6.2.11.7	Make available adequate premises for protection and secure interviews with the protected witnesses to the courts and prosecutors' offices, based on the analysis,	<b>Ministry of Justice</b>	2018	TBD	Adequate premises for protection and secure interviews of the protected witnesses in courts and prosecutors' offices in place	Annual reports of MoJ	
----------	---	----------------------------	------	-----	---	-----------------------	--

## 7. FIGHT AGAINST TERRORISM

### CURRENT STATE OF PLAY:

The current legal framework of the Republic of Serbia that regulates the field of counterterrorism (prevention and repression) is mostly harmonized with international standards and the European Union (EU) *acquis*.

In past few years capacities have been increased in this regard, both normatively and institutionally, through definition of goals of security policies, building of security system, cooperation upgrade and evolvement of responsibility of all actors in counterterrorist functioning, application of preventive and repressive measures in prevention and deterrence of concrete terrorist intentions through the application of international legal standards from this field, as well as through safeguarding of efficient international cooperation.

Enhancing legal capacities and resilience in tackling security challenge posed by the phenomenon of Foreign fighters, Serbia has transposed the provisions of UNSC Resolution 2178(2014) in its national legislation to a large extent, amending its Criminal Code. On 10 October 2014, a Law on Amendments to the Criminal Code has been adopted in the National Assembly of the Republic of Serbia, by which two new criminal offences have been stipulated in Chapter 34: Criminal offences against humanity and other goods protected by international law. Those are criminal offence Participation in war or armed conflict in a foreign country (article 386a) and Organizing of participation in war or armed conflict in a foreign country (article 386b). Sanction for the first said criminal offense shall be imprisonment of six months to five years for a citizen of the Republic of Serbia who participates in war or armed conflict in a foreign country as a member of military or paramilitary formations of conflicting sides, on condition that he or she is not citizen of that foreign country or a member of official mission of international organization Serbia is member of. In addition, should this criminal offence be executed in a group, it is stipulated that the perpetrator shall be punished by imprisonment of one to eight years. Sentence stipulated for the second said criminal offence is imprisonment of two to ten years for whoever, in the Republic of Serbia, with aim to perpetrate criminal offence Participation in war or armed conflict in a foreign country, recruits or incites another person to perpetrate that criminal offence, organizes a group or trains another person or a group to perpetrate that offence, equips or makes the equipment available for the perpetration of that offence or provides or collects means for the perpetration of that offence. Furthermore, the perpetrator shall be punished with the said sentence even when the persons he organizes are not citizens of the Republic of Serbia.

The transposition of UNSC Resolution 2178(2014) in its national legislation has been complemented by its full implementation. The Sector of Criminal Police, that operates within Serbian Ministry of Internal Affairs and is in charge of combating terrorism and extremism, has thus already raised several criminal charges against individuals suspected of terrorist association (Article 393a of Serbian Criminal Code) in relation to criminal acts of Terrorism (Article 391 of Criminal Code), Recruitment and Training for Committing Terrorist Acts (Article 391b of Criminal Code), Public Inspiring for Committing Terrorist Acts (Article 391 of Criminal Code) and Terrorism Financing (Article 393 of Criminal Code). Criminal charges were directed against terrorist

organizations that are active in Syria and Iraq. Based on these criminal charges, the Prosecutor's Office in charge of organised crime in Belgrade raised indictments against five individuals suspected of committing the above-mentioned criminal acts.

With the aim to enhance capacities of the Republic of Serbia in responding to contemporary challenges of this global security threat even further, enacting of a national strategy for the fight against terrorism which will offer grounds to develop a strategic component in order to prevent radicalisation which may lead to terrorism and extreme violence as well as corresponding action plans for their implementation is expected to take place in due time, according to this plan. A real challenge presents the setting-up of a strategic framework to prevent radicalisation which may lead to terrorism which will require a wide inter-ministerial cooperation and coordination as well as cooperation with private sector and civil society. Grounds for this strategic framework will be set by the national strategy for the fight against terrorism.

Serbia conducted a National Terrorist Financing Risk Assessment in early 2014 which also provided input for the draft National AML/CFT Strategy and Action Plan. Serbian AML/CFT system has terrorism financing preventive measures in place, as provided for under the Law on the Prevention of Money Laundering and Terrorism Financing. The Draft National AML/CFT Strategy and Action Plan, to be adopted by the end of November 2014, provide for a specific objective on full understanding of TF risks, as well as measures to improve the quality of suspicious transaction reporting (STRs), supervision, processing of STRs received by the Administration for the Prevention of Money Laundering, cooperation between the relevant authorities, and countering the financing of terrorism (CFT) training. Measures to improve awareness on the proliferation of weapons of mass destruction has also been provided for. Serbia intends to approach European Union and other international partners with requests for funding of prioritized projects in CFT as set out in the National AML/CFT Strategy and Action Plan.

Furthermore, the law on international restrictive measures and the law on restriction of access to property are ready to enter legislative procedure with the aim to prevent terrorism, and those are implemented on the bases of relevant UNSC resolutions and acts of other relevant international organizations that the Republic of Serbia is a member.

Furthermore, there is a need of the Republic of Serbia to develop a unique national data base in this field functional, to establish efficient procedures in data exchange, to modernize organization of state actors that are primarily competent for these matters and to make cooperation between competent agencies and services more operational and efficient which will be considered when setting-up of a joint task force.

Alike in the field of the fight against organised crime, competent law enforcement agencies shall take in account systematic use of threat and risk assessments and base their actions on the intelligence-led policing as well as establish a track record of proactive investigations and final convictions.

Finally, more efforts are needed to align Serbian legislation and capacities with Directive 2008/114/EC as concernsthe identification and designation of European Critical Infrastructure (ECI) and the assessment of the need to improve their protection.

Having in mind what we achieved and all activities that we planned in AP we will be able in this challenging and dynamic surrounding to give the best answer on the field of the fight against terrorism.

Between 21 and 23 of January 2015 TAIEX planned expert mission was successfully conducted. The objective of the mission was to scrutinize the AP fight against terrorism and to give advice, if necessary.

7.1. RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Adopt and implement a new comprehensive strategy and action plan to prevent and fight terrorism</li> </ul>	Alignment with the EU CT strategy and action plan, as well as with international standards	<p>More efficient and effective policies in the fight against terrorism</p> <p>Progress reports prepared by the European Commission</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
7.1.1.	Draft proposal National Strategy and Action Plan	<b>Working group - chairman of the working</b>	December 2015	BUDGET (regular)	National Strategy and Action Plan for	Official Gazette of the Republic of Serbia	

	for the fight against terrorism (based on the model <b>Prevent-Protect-Pursue-Respond</b> and including the topic of foreign fighters)	<b>group; Ministry of Justice, Ministry of Interior, Ministry of Finance; Ministry of Defence: Military Security Agency, Military Intelligence Agency and other competent organisational units; Security Information Agency; Civilian Aviation Directorate; Office of the Council on National Security and Classified Information Protection</b>		4,121 EUR TAIEX 6.000 eur	the prevention and fight against terrorism adopted by Government		
7.1.2.	Implement the National Strategy & AP for the fight against terrorism	<b>Working group defined under the 7.1.1</b>	2016-2019 4 years	TBD for implementation 8.280 EUR – per year - working group	Implementation of planned activities within the set timeframe	Progress reports prepared by the European Commission  Report on AP	

7.1.3	Conduct reporting and evaluation concerning the implementation of the National Strategy for the fight against terrorism	<b>Working group for monitoring and evaluation</b>	Based on the timeframes set in the strategy	BUDGET (regular) 2,156 EUR for 2015. 2,156 EUR for 2016. 2,156 EUR for 2017. 2,156 EUR for 2018. TOTAL 8,624 EUR	Report conducted Evaluation within the timeframes specified in the strategy based on the Report	Reports of the working group	
7.1.4	Draft a proposal for National Strategy and Action Plan on the fight against money laundering and the financing of terrorism	<b>Ministry of Finance:</b> Administration for the Prevention of Money Laundering - Director of the Administration	June 2015	BUDGET (regular) 12,722 EUR	Standing Coordination Group set up; National Strategy and Action Plan for the fight against money laundering and the financing of terrorism adopted by the Government.	Official Gazette of the Republic of Serbia	Adopted by the Government of the Republic of Serbia on 31.12.2014.
7.1.5	Implement the National Strategy & AP against money laundering terrorism financing	<b>Standing coordination group</b>	5 years from adoption  (2015-2019)	TBD for implementation  8.280 EUR – per year -	Envisaged activities implemented within the set timeframe	Implementation Report	

				working group			
7.1.6	Conduct reporting and evaluation concerning implementation of the National Strategy against money laundering and terrorism financing	<b>Standing coordination group</b> - SCG coordinator (Ministry of Finance: Administration for the Prevention of Money Laundering, Customs Administration, Tax Administration, Sector for exchange and foreign currency operations and games of chance; Ministry of Justice; Ministry of Interior; Supreme Court of Cassation; Public Prosecutor's Office; Securities Commission; National Bank of Serbia; Security Information	Based on the timeframes set in the strategy	BUDGET (regular) 2,650 EUR for 2015. 2,650 EUR for 2016. 2,650 EUR for 2017. 2,650 EUR for 2018. TOTAL 10,600 EUR	Report conducted Evaluation within the timeframes specified in the strategy based on the Reports	Reports of the Standing Coordination Group	

		Agency; Military Security Agency and Military Intelligence Agency					
--	--	---	--	--	--	--	--

7.2. RECOMMENDATION : 2	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>• Prepare measures to align the national legislation with the EU <i>acquis</i> in this area and update the policy framework to take into consideration policy developments at EU level, including measures to prevent and address radicalisation and recruitment to terrorism in line with EU best practices (e.g. on the phenomenon of so called "foreign fighters");</li> </ul>	<p>Alignment with the EU <i>acquis</i> and the EU relevant policy framework</p>	<p>Sustainable and an efficient system for a suppression of terrorist threats;</p> <p>Enhanced cooperation between relevant ministries, with civil society;</p> <p>Partnership with industry (@) established;</p> <p>Development of capacities for strategic communication and relation with media;</p> <p>Inter-Cultural dialogues established;</p> <p>European Commission Progress reports</p>

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
7.2.1	Analyse the level of alignment with the Council Framework Decision 2002/475/JHA of 13 June 2002 on the fight against terrorism and Council Framework Decision 2008/919/JHA of 2008	<b>Ministry of Justice</b>	March 2015	BUDGET (regular) 580 EUR for 2015. TAIEX 2,250 EUR for 2015. TOTAL 2,830 EUR	The level of compliance established in the form of a table	Yearly report of the Ministry of Justice	
7.2.2	Draft a proposal to amend Criminal Code so as to fully transpose the provisions of the Council Framework Decisions specified in the analysis	<b>Ministry of Justice</b>	December 2015	BUDGET (regular) 662 EUR for 2015. costs of adoption of the Law will be expressed in other subchapters (it should be borne in mind that CC amendments appear in a	Law amending the Criminal Code adopted	Official Gazette of Republic Serbia	

				number of activities in various subchapters)			
7.2.3.	Draft a proposal to amend Law on Freezing of Assets with the aim of Preventing Terrorism which will implement UNSC Resolutions 1267 and 1373	Ministry of Justice: Administration for the Prevention of Money Laundering	June 2015	BUDGET (regular) 45,048 EUR for 2015.	Law on Freezing of Assets with the aim of Preventing Terrorism adopted	Official Gazette of the Republic of Serbia	
7.2.4	Draft a proposal to amend Law on International Restrictive Measures (this will be implemented through Ch. 31)					See Chapter 31	
7.2.5	Draft a proposal to amend Law on Seizure and Confiscation of Proceeds from Crime with the aim of harmonising it with the Council Framework	Ministry of Justice: Directorate for Management of Seized and Confiscated Assets	September 2015	BUDGET (regular) 42,183 EUR for 2015.	The Law amending the Law on Seizure and Confiscation of Proceeds from Crime adopted.	Official Gazette of the Republic of Serbia	

	Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties and with the Directive 2012(0036) on the freezing and confiscation of proceeds of crime in the EU.						
7.2.6	Draft a proposal to amend Law on Organisation and Competences of State Authorities in Suppressing Organised Crime, Corruption and Other Particularly Serious Crimes, in order to harmonise it with the Council Decision	Ministry of Interior: Service for combating terrorism and extremism of the Criminal Police Directorate	December 2015	BUDGET (regular) 40,411 EUR	Law amending the Law on Organisation and Competences of State Authorities in Suppressing Organised Crime, Corruption and Other Particularly Serious Crimes adopted	Official Gazette of the Republic of Serbia	

	2005/671/JHA					
--	--------------	--	--	--	--	--

7.3. RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
• Ensure the necessary administrative and operational capacity to implement the EU acquis	Establishing the permanent joint task force and single data base ensured administrative and operational capacity to implement the EU <i>acquis</i> in place	Efficient response to challenges in the fight against terrorism

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
7.3.1	Improve cooperation between law enforcement agencies, intelligence services and security services by setting up a Permanent Joint Task Force for the fight against terrorism.	<b>Government of the RS;</b> Office of the Council on National Security and Protection of Classified Information Protection; and other competent organisational units;	February 2015	BUDGET (regular) 8,624 EUR for 2015. 8,280 EUR for 2016. 8,280 EUR for 2017. 8,280 EUR for 2018. TOTAL 33,464 EUR	Permanent Joint Task Force established	Annual reports of the Permanent Joint Task Force	
7.3.2	Analyse	<b>Working group</b>	March 2015	BUDGET	Working group	Official Gazette of	

	comparative legal arrangements and good European practices for the establishment of a single national terrorism-related database and enhancing of capacities for an efficient information exchange	<b>for the establishment of a National Database</b> - Chairman of the Working group (Ministry of Justice; Public Prosecutor's Office - Prosecutor's Office for Organised Crime; Security Information Agency; Ministry of Interior Ministry of Defence)		(regular) 5,265 EUR for 2015. TAIEX 2,250 EUR for 2015. TOTAL 7,515 EUR	established by decision of the Government; Analysis of comparative legal arrangements conducted	Republic Serbia	
7.3.3	Determine a model for setting up of a single national database and exchange of terrorism-related information	<b>Working group for establishment of a National Database</b> - Chairman of the Working group	September 2015	BUDGET (regular) 5,265 EUR for 2015. TAIEX 2,250 EUR for 2015. TOTAL 7,515 EUR	Project for the establishment of a national database developed	Project report	
7.3.4	Implement the model for setting up a single national database and exchange of terrorism-related	<b>Working group for establishment of a National Database</b>	Second quarter of 2016	TBD for hardware  BUDGET (regular)	Single national database established; Procedures for efficient information	Working group Report	

	information			6,300 EUR for 2016.	exchange established;		
7.3.5	Deliver training in all competent institutions in order to enhance their capacities for efficient exchange of information within the single national database	<b>Security Information Agency</b>	From 2nd half of 2016 to 2nd half of 2017	BUDGET (regular)  750 EUR for 2016.  750 EUR for 2017. TOTAL 1,500 EUR for 5 training cycles	5 trainings delivered; 300 employees of state authorities trained	Reports on trainings	
7.3.6	Enhance capacities of Service for combating terrorism and extremism through training of police officers about the methods of operation of Europol and possibilities offered by the Agreement on operational and strategic cooperation between Serbia and Europol	<b>Head of Service for combating terrorism and extremism of the Criminal Police Directorate</b>	March 2015	BUDGET(regular)  1.242 EUR for the year 2015 TAIEX 2,250 EUR for 2015. TOTAL 3.492 EUR	Training delivered; three police officers trained	Report on training	

7.3.7	Enhance the capacities of the Service for combating terrorism and extremism for accessing and gathering of all relevant terrorism-related information, according to the Council Decisions 2005/671/JHA and 2009/371/JHA	<b>Head of Service for combating terrorism and extremism of the Criminal Police Directorate</b>	June 2015	BUDGET(regular)  1.242 EUR for the year 2015 TAIEX 2,250 EUR for 2015. TOTAL 3.492 EUR	Training delivered	Report on training	
7.3.8	Enhance the capacities of the Service for combating terrorism and extremism through training on the exchange of operational information with Europol (Council Decision 2009/371/JHA)	<b>Head of Service for combating terrorism and extremism of the Criminal Police Directorate</b>	September 2015	BUDGET(regular)  1.242 EUR for the year 2015 TAIEX 2,250 EUR for 2015. TOTAL 3.492 EUR	Training delivered	Report on training	
7.3.9	Improve operational capacities of the Service for	<b>Head of Service for combating terrorism and extremism of</b>	December 2015	TAIEX 5,000 EUR	Training delivered	Report on training	

	combating terrorism and extremism through training relating to the principles of establishing and operation of joint investigation teams for terrorism-related criminal investigations (according to the Council Decisions 2005/671/JHA, 2009/371/JHA and 2009/426/JHA)	<b>the Criminal Police Directorate</b>					
7.3.10	Enhance capacities of Service for combating terrorism and extremism through training of police officers about the methods of conducting interviews with members of extremist and terrorist groups	<b>Head of Service for combating terrorism and extremism of the Criminal Police Directorate</b>	I quarter of 2017	SPD 2015-2017 IPA 2015	20 certificated police officers trained	Report on training, Project reports	
7.3.11	Enhance the capacities of the Service for	<b>Head of Service for combating terrorism and</b>	I quarter of 2017	SPD 2015-2017	Training delivered and 5 trainers trained	Report on training, Project reports	

	combating terrorism and extremism through training the trainers on the subject of recognizing forms of terrorism and related crimes	<b>extremism of the Criminal Police Directorate</b>		IPA 2015	(certificated)		
7.3.12	Enhance the capacities of the Service for combating terrorism and extremism through the purchase of IT and telecommunication equipment for everyday work activities	<b>Head of Service for combating terrorism and extremism of the Criminal Police Directorate</b>	I quarter of 2017	SPD 2015-2017 IPA 2015	Equipped Service for combating terrorism and extremism in accordance with EU Standards	Reports of EU Commission, Internal working reports, Report of International organizations, Project reports	

7.4. RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
<ul style="list-style-type: none"> <li>Directive 2008/114/EC on the identification and designation of European Critical Infrastructure (ECI) and the assessment of the need to improve their protection.</li> </ul>	Alignment with Directive 2008/114/EC	Protection in critical Infrastructure established in line with Directive 2008/114/EC

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
7.4.1	Learn about best practices in identifying and designating of European critical infrastructures and in assessing the need to improve their protection.	<b>Ministry of Interior</b> - Sector for Emergency Situations; Service for combating terrorism and extremism, Criminal Police Directorate and other competent organisational units of the Ministry of Interior; Ministry of Defence; Security Information Agency; Ministry of Construction, Transport and Infrastructure; Ministry of Trade, Tourism and Telecommunications; Ministry of Mining and Energy; Ministry of Agriculture and Environmental Protection	September 2015	TAIEX 6,000 EUR for 2015.  BUDGET REGULAR 2015- 2070 EUR	Study visit conducted.  Identification made in accordance with the Directive 2008/114/EC on the identification and designation of European Critical Infrastructure (ECI) and the assessment of the need to improve their protection.	Study visit report.  Periodical reporting on measures undertaken with a view to the protection of critical infrastructure facilities.	

7.4.2	Conduct a gap analysis based on the chosen best practice model relating to Directive 2008/114/EC	<b>Ministry of Interior</b> - Sector for Emergency Situations	Second quarter of 2016	BUDGET (regular) 10,764 EUR	Working group established by decision of the Government; Gap analysis conducted	Official Gazette of Republic Serbia	
7.4.3	Draft a proposal for a legislative framework according to the findings of the analysis relating to Directive 2008/114/EC (taking into account the need to adopt beforehand a definition of CI, define common indicators and on that basis identify object of national and European CI, as well as a system for secured exchange of information)	<b>Ministry of Interior</b> - Sector for Emergency Situations Working group for harmonising of legislative framework	2017	BUDGET (regular) 10,764 EUR	Legislative framework adopted	Official Gazette of the Republic of Serbia	
7.4.4	Working in the line with	<b>Ministry of Interior</b> - Sector for	2017- further on	Budget regular for each year	Level of the protection of	Yearly report of SES	

	harmonised procedures	Emergency Situations		for Working group costs <b>4.140 EUR</b>	critical infrastructure		
--	-----------------------	----------------------	--	---	-------------------------	--	--

## 8. COOPERATION IN THE FIELD OF DRUGS

### CURRENT STATE OF PLAY:

The Serbian legal framework concerning the fight against drugs is based on 5 UN Conventions, including the 1961 Single Convention on Narcotic Drugs, 1972 Protocol amending the 1961 Single Convention on Narcotic Drugs, 1971 Convention on Psychotropic Substances, 1988 UN Convention on Illicit Traffic in Narcotic Drugs and Psychotropic Substances with additional protocols, UN Convention against transnational organized crime and additional protocols as well as on the Criminal Code (“Official Gazette of RS”, No. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009, 111/2009, 121/2012 and 104/2013), the Criminal Procedure Code (“Official Gazette of RS”, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 and 55/2014), the Law on organization and competence of state authorities in suppression of organised crime, corruption and other very serious criminal offences (“Official Gazette of RS”, No. 42/2002, 27/2003, 39/2003, 67/2003, 29/2004, 58/2004 – amended law, 45/2005, 61/2005, 72/2009, 72/2011 - amended law, 101/2011 - amended law and 32/2013), the Law on police (“Official Gazette of RS”, No. 101/2005, 63/2009 - CC decision and 92/2011), the Law on psychoactive controlled substances (“Official Gazette of RS”, No. 99/2010 of 27 December 2010), the Law on the substances used in the illegal production of narcotics and psychotropic substances (“Official Gazette” No 107/05) and the Health records Law (“Official Gazette of RS”, No. 14/81, 24/85, 26/85, 6/89 and “Official Gazette of RS”, No. 44/91, 53/93, 67/93, 48/94 and 101/2005 – amended law). Serbia is party to the main international and Council of Europe conventions on drugs.

Serbian legislation is aligned with Joint Action 96/750/JHA concerning the approximation of the laws and practices of the EU Member States to combat drug addiction and to prevent and combat illegal drug trafficking. Criminal Code includes provisions from Framework Decision 2004/757/PUP laying down the minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking. Amendments and supplements are currently being conducted in relation to psychoactive controlled substances (hereinafter: PACS) legislation, which would enable improvement of regulation concerning new psychoactive substances.

The Republic of Serbia created preconditions for the exchange of information on the results of chemical analyses of psychoactive controlled substances. Hence, its legislation should be further aligned with the Joint Action 96/699/JHA to enable exchange of information on the chemical profiling of drugs in order to facilitate improved cooperation between Member States in combating illicit drug trafficking.

There is so far no early warning system on new psychoactive substances for collecting, managing and sharing information among authorities responsible for the fight against drugs. Implementation of the Council Decision 2005/387/JHA on the information exchange, risk-assessment and control of new psychoactive substances is foreseen in the Amendments to the Law on Psychoactive Controlled Substances.

As regards alignment with Joint Action 96/698/JHA on cooperation between customs authorities and business organizations in combating drug trafficking, Customs Administration has concluded Memorandum of Understanding with public enterprises and business organisations related to the fight against drugs trafficking, herewith partially transposing this Joint Action.

Serbia still does not have national legislation on the transmission of samples of controlled substances. Also, there is no national contact point designated to supervise such transmission. Hence, Serbia's legislation does not comply with Decision 2001/419/JHA.

Chapter twenty-three of Serbia's Criminal Code deals with offenses against public health. These provisions are largely aligned with Joint Action 96/750/JHA concerning the approximation of the laws and practices of the EU Member States to combat drug addiction and to prevent and combat illegal drug trafficking.

Serbia is implementing parts of the Council recommendations regarding guidelines for taking samples of seized drugs, on the prevention and reduction of health related harm associated with drug dependence, on exchange of information and on improved investigation methods. The full implementation of these recommendations is foreseen in the new Strategy for Drug Abuse Suppression (2014–2021).

On 27 December 2014, the Government of the Republic of Serbia adopted Strategy for Drug Abuse Suppression in the RS (2014–2021) and its accompanying Action plan (2014–2017), both published in the Official Gazette, No. 1/2015. This strategic document is in line with EU Strategy on drugs (2013–2020) and EU Action plan on drugs (2013–2016). It also reflects the main objectives of the renewed (2013) EU-Western Balkan Action Plan on Drugs, focusing on strategic planning, legislation and institution building, demand reduction, law enforcement and judicial co-operation, money laundering

and precursor control. Serbia's new strategy and action plan foresee evaluation mechanisms. In this way recommendation 8.1 was fulfilled in the part related to its adoption.

Drug consumption in Serbia is increasing in recent years, therefore focus will be on prevention of drug abuse and treatment. The new Strategy and Action Plan therefore stipulate a number of actions in the field of demand reduction and prevention of drug abuse, including awareness raising campaigns in higher education institutions, secondary and primary schools, nursery schools and other places especially interesting for adolescent population.

As regards the institutional capacity, the Government of the Republic of Serbia adopted a Regulation on 24 July 2014 on establishment of the Office for Combating Drugs. The mentioned government body is responsible to carry out of all professional, administrative and operational actions to meet demands set by the Government, coordinate work of public authorities, participate in development of strategies and rules, monitoring of implementation of projects, analyse situation in the field of drugs, establish international cooperation and prepare annual reports for international organizations. The Office has not been equipped and staffed yet nor has commenced to carry out activities being under its jurisdiction. The Ministry of Health deals with prevention and health related needs of the population, including manufacturing and dealing of narcotic drugs, psychotropic substances and precursors. Serbia has established a Commission for Psychoactive Controlled Substances which acts as an inter-departmental body whose members are experts in the field of psychoactive controlled substances and representatives of the Ministries competent in this field. The Ministry of Interior (Criminal police and police directorates throughout the country) and the Organised Crime Prosecutor's Office are the main actors in the fight against drugs trafficking. Legal basis for the cooperation with the European Monitoring Centre for Drugs and Drug Addiction EMCDDA is defined in the Article 93 (Official Gazette of RS", No. 99/2010 of 27 December 2010) of the Law on psychoactive controlled substances which regulates the international cooperation of the Ministry of Health. The national focal point for co-operation with EMCDDA is to be set up at the Ministry of Health. Further investments are needed to adequately develop its institutional and administrative capacities.

Serbia has a list of drugs and drug precursors. Flexible administrative mechanism is in place, enabling quick update of the list on the basis of a proposal of the Ministries of Health or Interior.

Existing quantity of seized drugs shall be continuously destroyed as of November 2014.

With the aim of developing institutional and administrative capacities in the fight against drug-related crimes, the Service for Drug Addiction Prevention and Drug Trafficking Suppression was established within the Ministry of Interior in December 2013, with the task to take preventive and repressive measures to fight against drugs trafficking within Serbian borders. It is necessary to develop capacities of the service so that it could successfully carry out actions under its jurisdiction. It pertains to staffing of 97 designated work posts, with particular emphasis that it will refer to redeployment of existing police officers and will not require new expenditures from the budget. In addition, there already exist premises and infrastructure for these personnel. With reference to

trainings, they can participate in the existing training system of the Ministry and join other users of the already planned training programs.

Police cooperation in the field of drugs in the Republic of Serbia is effective and comprehensive and it takes place at all levels (strategic, operational, specialist and border level) and via different communication channels (international – INTERPOL, EUROPOL, SELEC, and bilateral). The Serbian police concluded bilateral and multilateral police cooperation agreements (20 international agreements on police cooperation with the Third Countries are currently in force, including 15 EU Members States).

8.1 RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
Adopt and implement a Strategy and Action Plan for the prevention and fight against drugs inspired by the EU Drugs Strategy (2013–2020) as well as the main objectives of the renewed (2013) EU-Western Balkan Action Plan on Drugs	Established systematic mechanism to tackle drugs which is in compliance with European standards.	Reduction of damage to the nation caused by drugs through reduction of supply and demand of drugs expressed in percentages.

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
8.1.1.	Implementation of the Strategy for Drug Abuse	<b>Office for Combating Drugs</b> - Director	From January 2015	TBD	15 over – arching indicators for	Annual reports on implementation of National Strategy	

	Suppression in the RS (2014–2021) and its accompanying Action plan (2014–2017)	of the Office with representatives of ministries which, according to the strategy, are responsible for implementation of the Action Plan.			the EU Action plan on Drugs 2013- 2016	and Action Plan	
8.1.2	Monitor the implementation of Strategy for Drug Abuse Suppression in the RS (2014–2021) and its accompanying Action plan (2014–2017)	<b>Office for Combating Drugs</b> - Director of the Office, with competent ministries envisaged by the strategy	From January 2015	EUR 3,794 Regular budget annually, EUR 15,896 Regular budget, for period 2015-2018 total	15 over – arching indicators for the EU Action plan on Drugs 2013- 2016	Annual reports on implementation of National Strategy and Action Plan	

8.2 RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
Propose measures to enhance operational results of law enforcement and judicial authorities in the fight against drugs trafficking and abuse, including	Efficient work of law enforcement bodies and judicial authorities in fight against trafficking and abuse of drugs, carried out through their	Number of disclosed cases, crime offenders, dismantled crime groups and value of confiscated assets

by further improving their co-operation, introducing modern investigation techniques and the systematic seizure of criminal assets	cooperation, conduct of contemporary investigative methods and systematic seizure of assets and proceeds from crime.	
--	--	--

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
8.2.1	Analyse the normative framework against drugs	<b>Office for Combating Drugs</b> , in cooperation with competent ministries: Ministry of Interior, Ministry of Health, Ministry of Justice, Ministry of Agriculture and Environmental Protection, Ministry of Finance-Customs	September 2015	EUR 4,500 TAIEX	Analysis conducted	Analysis report	

		Administration.					
8.2.2	Modify the normative framework according to the results of the analysis	<b>Ministry of Health</b> , Ministry of Interior, Ministry of Justice, NGO, Ministry of Finance-Customs Administration, Ministry of Agriculture and Environmental Protection, with National Assembly.	December 2015	EUR 21,300  Regular budget	Normative framework modified	Official Gazzete	
8.2.3	Improvement of national capacities for fight against drugs through strengthening of Service for Drug Addiction Prevention and Drugs Trafficking Suppression	Ministry of Interior (Criminal Investigations Directorate)	IV quarter 2016	Regular budget redeployment of the employed staff (97 persons).  2016 - EUR 1,080,000 (budget regular),  2017 – EUR 1,080,000 (budget regular),	Improved horizontal communication of law enforcement bodies and establishment of clear chain of command.  Equivalent practice and methodology on fight against drugs on the whole territory	Annual report on the work of the Ministry of Interior	

				<p>2018 - EUR 1,080,000 (budget regular).</p> <p>Total budget (regular) EUR 3,240,000.</p>	<p>of the state.</p> <p>Centralization and standardization of records and processing of statistics.</p> <p>Strengthening of institutional and administrative framework for fight against drugs.</p> <p>More efficient use of resources and saving of resources through overall planning of needs of the whole service.</p> <p>Dissemination of good practices in prevention of drug related crime and abuse</p>		
8.2.4	Sign an	Ministry of	June 2015	No costs	Memorandum	Memorandum of	

	Memorandum of Understanding with the Ministry of Interior and Customs Administration. NOTE: This activity is provided under subchapter on customs cooperation	Interior in cooperation with the Ministry of Finance-Customs Administration			of Understanding signed	Understanding	
8.2.5	Provide on-the-spot tests for preliminary field identification of PACS for Police and Customs Administration purposes	Ministry of Interior (Criminal Investigations Directorate)	As of June 2015	Budget Total cost would be EUR 40,300 in 2015, EUR 10,000 in 2016, EUR 10,000 in 2017, EUR 10,000 in 2018. TOTAL 2015-2018 EUR 70,300	Number of tests and brochures purchased, number of training workshops for police officers delivered, number of police officers trained	Supply contract and Decision on distribution of tests	
8.2.6	Learn about specific CEPOL training models for applying special investigative techniques	<b>Ministry of Interior</b> , Financial Investigations Unit, Directorate for education, training, specialisation	December 2015	TAIEX - (costs to be expressed under subchapter on police cooperation 6.1-CEPOL)	Training models introduced into the Ministry of Interior's training programme	Training Programme	

		and science - heads of the organisational units					
8.2.7	Deliver training about the operation of joint investigative teams in the cases of drugs trafficking by organised crime groups and about conducting financial investigations in parallel with the criminal investigation	<b>Ministry of Interior</b> and partners - head of Service for combating organised crime, head of Financial Investigations Unit	December 2015	TAIEX - (costs to be expressed under subchapter on police cooperation 6.1 - CEPOL)	Ten civil servants trained	Training Report	
8.2.8	Learn about and analysing models for systematic confiscation of assets in an EU member state; Note: subchapter on organized crime	<b>Ministry of Interior</b> and partners - Head of Financial Investigations Unit	June 2015	TAIEX study visit to the Netherlands - (costs to be expressed under subchapter 6.2. on organised crime)	Level of systematic confiscation of assets introduced into documents related to conduct of competent authorities.	Study visit report	

8.3 RECOMMENDATION: 3	OVERALL RESULT	INDICATOR OF IMPACT
Develop measures to ensure safe and secure storage and effective destruction of seized precursors and drugs	Systematically ensured storage of seized precursors and drugs	Quantity of seized / stored / finally treated precursors and drugs

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
8.3.1	Conduct a needs analysis for storage of seized drugs and precursors.	<b>Ministry of Justice</b> , in cooperation with the Ministry of Interior	December 2015	EUR 2,250 TAIEX	Analysis report developed	Analysis report	
8.3.2	Conduct analysis of the normative framework relating to the procedure for storing and destruction of seized psychoactive controlled substances and precursors with	<b>Ministry of Health</b> , Ministry of Interior, Ministry of Justice, Ministry of Finance-Customs Administration, Ministry of Agriculture and Environmental Protection.	December 2015	EUR 16,050 Regular budget	An analysis with recommendations for harmonisation developed	Analysis report	

	recommendations for harmonisation						
8.3.3	Amend the normative framework relating to the procedure for storing and destruction of seized psychoactive controlled substances and precursors based on recommendations of the analysis	<b>Ministry of Health</b> , Ministry of Interior, Ministry of Justice, Ministry of Finance-Customs Administration, Ministry of Agriculture and Environmental Protection, with National Assembly.	IV quarter of 2016	EUR 21,300 Regular budget	Normative framework amended	Official Gazette	
8.3.4	Prepare a programme for destruction of precursors	<b>Ministry of Health</b> , Ministry of Interior, Ministry of Justice, Ministry of Finance-Customs Administration, Ministry of Agriculture and Environmental Protection.	IV quarter of 2017	EUR 14,200 Regular budget	Programme for destruction of precursors adopted	Programme document	
8.3.5	Prepare a programme for destruction of	<b>Ministry of Justice</b> , in cooperation with	December 2015	EUR 14,200	Programme for destruction of PACS adopted	Programme document	

	PACS	the Ministry of Interior and Ministry of Health		Regular budget			
8.3.6	Continuous destruction of seized PACS	<b>Ministry of Interior</b> by order of competent courts in cooperation with the Ministry of Health	Continuously, as of 2016	EUR 5 per KG Regular budget	Quantity of destroyed PACS	Minutes on destruction	
8.3.7	Final treatment of seized precursors	<b>Ministry of Health</b> , Ministry of Interior, Ministry of Justice, Ministry of Finance-Customs Administration, Ministry of Agriculture and Environmental Protection, Faculty of Chemistry	Continuously, as of 2016	Depending on the type of final treatment	Amount of precursors disposed of and destroyed	Minutes	

8.4 RECOMMENDATION: 4	OVERALL RESULT	INDICATOR OF IMPACT
Further development of regional and international	Developed police cooperation on regional and	Increased exchange of information and joint

police cooperation	international level	actions, including existence of joint investigation teams
--------------------	---------------------	---

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
8.4.1	Cooperation with INTERPOL	Ministry of Interior	Continuously	(costs to be expressed under subchapter on police cooperation – 6.1 Interpol)	Number of opened files 2314 of organised crime groups dealing with drugs smuggling	Annual report on the work of the Department for Cooperation with Interpol	
8.4.2	Cooperation with EUROPOL	Ministry of Interior	Continuously, as of 2015	(costs to be expressed under subchapter on police cooperation – 6.1 Europol)	Number of analytical files, number of exchanged messages through SIENA system in the area of drugs trafficking	Annual report on the work of the Department for Cooperation with Europol	
8.4.3	Cooperation with EULEX	Ministry of Interior	Continuously, up to 2017	(costs to be expressed under subchapter 5 Judicial cooperation in civil and criminal	Number of experts cooperating with EULEX, number of meetings attended	Annual report on the work of the Ministry of Interior	

				matters)			
8.4.4	Cooperation with UNODC	<b>Office for Combating Drugs</b> with Ministry of Health, Ministry of Interior, Ministry of Justice, Ministry of finance – Customs Administration Ministry of Agriculture and Environmental Protection, Ministry of Youths and Sport, NGO	Continuously, as of 2015	EUR 20,200  Regular budget annually; for 4 years up to 2018, total costs will be EUR 80,800	Number of conferences and meetings held; number of civil servants participating at the conferences and meetings	Report	
8.4.5	Strengthen capacities of the Criminal Police Directorate through training for participation in joint investigation teams	<b>Ministry of Interior,</b> Prosecutor`s Office	Continuously, as of 2015	(costs to be expressed under subchapter 6.2 on organised crime)	Number of trained police officers and other relevant officers	Report	
8.4.6	Establishing national contact point for transmission and analysis of	<b>Ministry of Health,</b> Ministry of Interior (Criminal Investigations	IV quarter of 2017	EUR 1,115  Regular budget	Contact point established by amendments and supplements of Law on	Official Gazette	

	drugs samples	Directorate), with National Assembly.			PACS		
8.4.7	Adoption of bylaw regulating the work of national contact point for transmission and analysis of drugs samples	Ministry of Interior (Criminal Investigations Directorate)	IV quarter of 2017	EUR 1,242  Regular budget	Bylaw	Official Gazette	

<b>8.5 RECOMMENDATION: 5</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Keep the list of drugs regularly updated following international and European developments	List of drugs aligned with international and European level, as well as situation on the field	Absence of difference between European and domestic list PACS

<b>No</b>	<b>ACTIVITIES</b>	<b>RESPONSIBLE AUTHORITIES</b>	<b>DEADLINE</b>	<b>REQUIRED FUNDS / SOURCES OF FINANCING</b>	<b>INDICATOR OF RESULT</b>	<b>SOURCE OF VERIFICATION</b>	<b>STATE OF IMPLEMENTATION</b>
8.5.1	Regularly update the list of PACS in line	Government Commission for psychoactive	Continuously,	EUR 6,660	PACS list updated	Official Gazette	

	with INCB, relevant EU council decisions and national assessment	controlled substances	as of 2014	Regular budget			
8.5.2	Establish National Early Warning System	<b>Ministry of Health</b> with partners, and with National Assembly.	II quarter of 2016	EUR 3,700 Regular budget	Established National Early Warning System by amendments and supplements of Law on PACS	Official Gazette	
8.5.3	Making National Early Warning System operational	Ministry of Health	II quarter of 2016	EUR 166,500 Regular budget	Adopted adequate legal document regulating Early Warning System in the Republic of Serbia,  Number of information exchanged with EU Early Warning System	Adequate legal document  Report on the work of National Early Warning System	
8.5.4	Train partners for active participation in the National	Ministry of Health	As of II quarter of 2016	EUR 8,100 TAIEX and regular budget	Number of trained persons	Report on trainings  Expert report	

	Early Warning System						
--	----------------------	--	--	--	--	--	--

8.6 RECOMMENDATION: 6	OVERALL RESULT	INDICATOR OF IMPACT
Allocate sufficient staff and financial resources to the focal point for the EMCDDA, to ensure an active cooperation with the Agency	Established focal point for cooperation with EMCDDA in National Monitoring Centre for Drugs within the Ministry of Health	Regular cooperation with EMCDDA through full human and financial capacities of the Republic of Serbia

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCES OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
8.6.1	Establish a National Drugs Monitoring Centre in compliance with Law on PACS	Ministry of Health	June 2015	No costs	National Drugs Monitoring Centre established	Bylaw on new systematization of working posts of the Ministry of Health	
8.6.2	Provide funds for the operation of the National	Ministry of Health	June 2015	EUR 53,230 Regular budget	National Drugs Monitoring Centre	Bylaw on new systematization of working posts of	

	Drugs Monitoring Centre				operational and has all necessary resources	the Ministry of Health	
8.6.3	Conduct needs assessment for establishing National Drugs Information System (including financial resources)	Ministry of Health	September 2015	EUR 5,400 TAIEX	Needs assessment developed	Document	
8.6.4	Establish normative framework for National Drugs Information System	Ministry of Health	as of I quarter of 2016	No costs	Adopted legal document that regulates functioning of National Drugs Information System	Adequate legal document	
8.6.5	Educate and train the staff of National Drugs monitoring centre and partner	Ministry of Health	As of September 2015	EUR 11,100 TAIEX and regular budget	Number of participants and number of trainings	Report on conducted training	
8.6.6	Draft Action plan on National Drugs Information System	Ministry of Health	IV quarter of 2016	EUR 10,650 Regular budget	Adopted Action Plan	Internal document of the Ministry of Health	

8.6.7	Preparation and delivery of the National Report to EMCDDA	<b>Office for Combating Drugs</b> and Ministry of Health	As of 2016	EUR 8,280  Regular budget annually  EUR 33,120  Regular budget for 2015-2018	Prepared and adopted National Reports are regularly delivered to the European Monitoring Centre for Drugs and Drug Addiction	Published report	
-------	---	--	------------	--	--	------------------	--

**9. SUBCHAPTER - CUSTOMS COOPERATION**

**CURRENT STATE OF PLAY:**

Serbian legislation is partially aligned with the Decision 2009/917/JHA on the use of information technology for customs purposes. Since the Customs Administration IT strategy for the period 2011 - 2020 does not contain all the elements necessary to enable Serbia's preparations for the implementation of Decision 2009/917/JHA upon the accession, the EC suggested an improvement of the system.

Before it accedes to the European Union, Serbia will have to prepare for the implementation of the "Naples II Convention", which is to be ratified upon the accession. The Screening showed that Serbia is generally in line with the acquis, but not in regards to the form of central coordination unit, special forms of cooperation and powers of customs officers.

Concerning the recommendation number one to include all the necessary elements in Customs Administration's IT strategy for the period 2011 – 2020 information were exchanged with experts from Slovenia, Croatia and Austria in regard to customs information system and use of AFIS application, in order to facilitate Serbia's preparations for the implementation of the Decision 2009/917/JHA upon the accession. The application is downloaded directly from the Internet and the plan is that the AP provides basis for its use through the amendment of IT strategy and implementation of trainings, for which the Customs Administration already has necessary IT infrastructure and staff. The IT Strategy update will be implemented through IPA 2013 project - Support to further modernization of the Customs Administration and improved border management in the Republic of Serbia, whose aim is to improve quality of customs administration services towards business community and citizens, increase CA capacity, strengthen control function at the border as well as to improve CA fight against illegal migration. A special goal will be to ensure smooth and modern electronic interconnectivity and physical interoperability with other customs authorities in the EU and at the border. The total value of the project amounts to 6.7 million euros, where the EU contribution amounts to 5,807.500 euros.

Within part of the Component 1 - Service Contract, one of the first activities is the update of CA IT Strategy by incorporating CIS Convention, which would create conditions for full implementation of the CIS Convention after Serbia's accession to the EU.

The implementation of entire IT strategy is much broader than the creation of conditions for application of CIS Convention. The implementation will include creation of conditions for application of all electronic customs systems which will be necessary prior to and at the moment of accession and it will last for several years.

Referring to Component 1, CA and European experts engaged through Framework contract cooperate in order to prepare Terms of Reference for Service Contract. Once the preparations are completed and TOR adopted, considering that the project will be implemented through a decentralized system of management of IPA funds, CFCU (Sector for finance and contracting of the EU assistance funds) will conduct a tender process, whose expected duration is a minimum of 9 months, with two ex ante controls. After signing the contract, the arrival of consultants and implementation of Component 1 of IPA 2013 project is expected in the next 2-3 months. The implementation period is 24 months.

As according to the Decision 2009/917/JHA on the use of information technology for customs purposes each Member State has to submit data to the customs information system, we point out that the Customs Administration is currently developing a base-Register of offenses and that the authorized customs officers of Enforcement Division will be allowed access to this base after March 1<sup>st</sup>, 2015.

Explanation of activity envisaged by the action plan concerning this recommendation:

**9.1.1.** - Deadline for adopting the IT strategy is aligned with the implementation of IPA 2013 project - Support to further modernization of the Customs Administration and improved border management in the Republic of Serbia. The amount of funds has been determined after considering part of the

Component 1 of this project. No extra equipment will be necessary for carrying out these activities. The next step, which refers to the implementation of strategy or part of the strategy for the implementation of CIS Convention will include trainings as detailed under the activity 9.1.2.

**9.1.2.** – The plan is to capacitate 10 customs officers in using the AFIS Web application. Training plan will be developed by the Customs Administration and it will be executed by the experts, through TAIEX. As the training will be conducted on the Customs Administration premises, no additional cost will be required.

Vision:

After the activities have been carried out, Serbia is now ready to implement the Decision 2009/917/JHA. Customs Administration has the required IT infrastructure and staff, the basis for implementation of AFIS application is provided through the amendment of IT strategy and the customs officers are trained for using the application.

Regarding recommendation number two, related to investigations powers of customs officers, among other things, CA officers are authorized to carry the weapons and ammunition, stop the vehicle, enter a means of transport, carry out an inspection and search any of its parts, enter any business premises of their user, as well as to inspect such premises, goods and documentation, determine the person's identity by requesting his passport or some other identification document, temporarily detain the person, search the person in conformity with the rules, temporary detain the goods or means of transport.

As regards customs officers' powers and equipment used, CA has exchanged information with colleagues from EU countries - Slovenia, Croatia, Austria and Bulgaria, whereby no crucial differences were established. The only power which is missing is the power to enter a property without a warrant but the final position regarding the extension of customs authority powers may be created only after TAIEX workshop and EU experts' visits.

Cooperation and exchange of information with agencies at the border is priority for Customs Administration and it has signed a large number of memoranda of understanding, protocols and agreements with other state agencies, among which are the Directorate for Prevention of Money Laundering, Tax Administration, Security Information Agenc, Ministry of Interior and other.

Explanation of activity envisaged by the action plan concerning this recommendation:

**9.2.1.** - The plan is to amend Criminal Procedure Code and alternatively or together with this activity, envisaged are amendments to the Law on Customs Service which adoption is expected in 2015. Deadline for the adoption of these laws does not depend on the Customs Administration. AP stresses out the connection with Chapter 23 in terms of funding. Furthermore, the deadline which is decided by the National Assembly adopting the laws is established in

accordance with the deadlines specified under section 23, since there is a greater need to amend Criminal Procedure Code in this chapter.

**9.2.2.** - Training is intended for the officers of Enforcement Division: Customs Investigations Department and Anti-Smuggling Department and it will comprise new investigative powers of the authorized customs officers. The training on entering a property without a warrant (and/or possibly some other new powers of customs officers) and in regard to joint investigative teams according to the “Naples II Convention” is intended only for customs officers, without the involvement of other state agencies (eg. MI), given that it is about powers of customs authorities.

In connection with Serbia’s preparation for the implementation of “Naples II Convention” and in addition to this training, another training specified under the activity 9.3.1. is provided by the AP. This training will be also carried out through TAIEX, as well as the training specified in the activity 9.3.1.

**9.2.3.** CA will participate in the project whose holder is the Ministry of Interior. The activity will be implemented through the IBM. We note that the amendment of the Agreement on cooperation with the Ministry of Interior is alternatively provided, with the aim of accessing the application "Granica". It is expected that signing of the agreement with the Ministry of Interior will occur in the near future. The activity 9.2.3. is connected to the activities 4.2.1. and 4.2.2. subsection of External borders and Schengen, in terms of the deadline and necessary funds compliance, as well as with the recommendation 3 of this subsection.

Vision:

The authorized customs officers have full legal powers which are in line with the EU standards and which are regulated by the Law on Customs Service and/or the Criminal Procedure Code allowing them to perform special forms of cooperation under the “Naples II Convention”.

Customs Administration exchanges information and actively participates in all activities with all agencies at the border, according to the IBM strategy.

After it accedes to the EU, Serbia will have to ratify the “Naples II Convention” and prepare for its implementation. The Screening process and third recommendation showed that Serbia is generally in line with the acquis, but not in regards to the form of central coordination unit and special forms of cooperation.

As regards the Central Coordination Unit, the Customs Investigations Department within the Enforcement Division is responsible for exchange of information with other Customs administrations under Protocol No. 6 of the SAA and concluded agreements on customs cooperation, as well as with international organizations in the field of security, combat of smuggling and customs investigations. The Intelligence Department also exchanges information with other Customs administrations.

In 2013 and 2014 November Customs Investigations Department and Intelligence Department exchanged a total of 538 information under the mutual assistance and cooperation with the EU Member States.

Customs Administration recognized the need concerning special forms of cooperation which should be implemented upon ratification of the "Naples II Convention" - hot pursuit, cross-border surveillance, controlled deliveries and joint special investigation teams. As part of Enforcement Division, the Anti-Smuggling Department has 10 mobile teams and already participates in controlled deliveries as an assistance to the Ministry of Interior and in particular at the request of German colleagues.

Explanation of activity envisaged by the action plan concerning this recommendation:

In order to implement the recommendation no.3. (9.3.) it is necessary that recommendation 2 (9.2.) is fully implemented, or that the authorized customs officers are fully empowered in accordance with EU standards which allow them to perform special forms of cooperation under the "Naples II Convention", as follows: hot pursuit, cross-border surveillance, controlled deliveries and joint investigation teams.

**9.3.1.** - Training is planned for trainers (train the trainer). Training plan will be developed by the Customs Administration and it will be conducted by the EU experts, through TAIEX. Training will be also attended by the officers of the Ministry of Interior. Total approved budget is €12.784 given that CA has its own capacities (training center, boarding school). No extra equipment will be required for carrying out these activities.

Vision:

After ratification of the "Naples II Convention" upon Serbia's EU accession, the job of the central coordination unit will be performed by organizational units of the Enforcement Division, considering that an exchange of information is already carried out in accordance with Protocol no.6 of the SAA with the EU Member States and that it is not necessary to create special organizational unit to perform tasks of central coordination unit.

After completion of these trainings, the trained customs officers will carry out trainings continuously, according to the Customs Administration needs and in cooperation with officers of MI - Criminal police Directorate and BP who have also undergone training. Trainings will be conducted until Serbia's admission to the EU.

Finally, we would like to point out that two day TAIEX Workshop on Customs cooperation in the framework of Negotiating Chapter 24: Naples II Convention and CIS Council Decision will be held in January in the premises of our Customs Administration. Two experts from Austria and one from Germany will be involved in the Workshop.

--

9.1. RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
Ensure that the IT strategy of the Customs Administration for the period 2011 – 2020 contains all necessary elements to allow it to prepare for the implementation of Decision 2009/917/JHA upon accession;	Conditions created for the application of Decision 2009/917/JHA upon Serbia’s accession to the EU	Conditions created for systemic exchange of information with EU member states with the aim of processing customs violations

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
9.1.1.	Amendment of the Customs Administration IT Strategy	<i>Customs Administration</i> ,  Assistant Director General in charge of the IT Division	II quarter of 2017	IPA (2013): 2.700 €  Ministry of Finance budget for  2017: 213 €	Strategy adopted	IPA reports	

				<b>TOTAL: 2.913 €</b>			
9.1.2.	Design, adopt and deliver a training plan for the use of AFIS application for 10 customs officers employed at the Enforcement Division and IT Division	<b>Customs Administration</b>  1. Assistant Director General in charge of the Enforcement Division; 2. Assistant Director General in charge of the IT Division	4th quarter of 2017	Taiex : 4.500 €  Ministry of Finance budget for 2017: 1.284 € (development of a plan: 284 €; implementation of trainings 1.000 €)  <b>TOTAL:</b>  5.784 €	1. Training plan developed, adopted and implemented;  2. 10 customs officers from the Enforcement Division and IT Division capacitated for using the AFIS application	Report on training	

<b>9.2. RECOMMENDATION: 2</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
-------------------------------	-----------------------	----------------------------

Broad the investigative powers of customs officers and improve their possibilities to co-operate (e.g. through the access to data bases) with other agencies at the border	<p>1. Investigative powers of customs officers in criminal proceedings are broadened</p> <p>2. Access to the Border Police IT application, better cooperation and exchange of information with this agency is in place</p>	Capacities of the Customs Administration for implementation/enforcement of legislation are improved, with the purpose of a more efficient work on the border
--	--	--

No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
9.2.1.	Cooperation with the Working Group of the Ministry of Justice in order to prepare a Draft Law Amending the Criminal Procedure Code	<p>1. . <i>Ministry of Justice</i></p> <p>2. <i>Customs Administration,</i> Assistant Director General in charge of the Human Resource and General Affairs Division and the Assistant Director General in charge of Enforcement Division</p>	September 2015	Activity costs forecasted in the Chapter 23	Draft Laws amending the Criminal Procedure Code and Law on Customs Service adopted	Official Gazette of the Republic of Serbia	

9.2.2.	<p>Design, adopt and deliver a training plan for joint special investigative teams (special forms of cooperation according to the Naples II Convention) entering a property without a warrant</p> <p>(increased powers of customs officers from the activity 9.2.1.) for 20 customs officers employed at the Enforcement Division – Customs</p>	<p><b>Customs Administration</b></p> <p>1. Head of the Customs Investigations Department; 2. Head of the Anti – Smuggling Department</p>	I quarter of 2016	<p>Taiex: 9.000 €</p> <p>Ministry of Finance budget: 2.284 € (development of a plan: 284€; implementation of trainings: 2.000 €)</p> <p><b>TOTAL:</b></p> <p>11.284 €</p>	<p>1. Training plan developed, adopted and implemented;</p> <p>2. 20 customs officers from the Enforcement Division- Customs Investigations Department (5) and Anti-smuggling Department (15) capacitated for entering a property without a warrant and joint special investigative teams.</p>	Report on training	

	Investigations Department and Anti – Smuggling Department						
9.2.3.	Cooperation with the Working Group for drafting the Strategy for Integrated Border Management and Action Plan for its implementation in order to establish a systemic access to databases and exchange information among control agencies at the border	<p>1. <b>Ministry of Interior, Border Police</b></p> <p>2. <i>Customs Administration, Assistant Director General in charge of the Enforcement Division</i></p>	Fourth quarter of 2016	Activity costs forecasted within the Subchapter External borders and Schengen	IBM strategy and Action Plan adopted	Same as 4.2.2.	

9.3.RECOMMENDATION: 3		OVERALL RESULT			INDICATORS OF IMPACT		
Draft of work plan for the implementation of Naples II upon accession		Conditions created for the application of Naples II			Cooperation with EU customs administrations enhanced		
No	ACTIVITIES	RESPONSIBLE AUTHORITIES	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
9.3.1.	Design, adopt and deliver a plan of additional trainings for special forms of cooperation, such as: hot pursuit, cross-border surveillance and controlled delivery for 30 customs officers responsible for the implementation of legislation in the area of	<i>Customs Administration</i> , Assistant Director General in charge of the Human Resource and General Affairs Division, and Assistant Director General in charge of Enforcement Division	IV quarter of 2017	Taiex: 9.000 €  Ministry of Finance budget for 2017: 3.784 € (development of a plan: 284 €; implementation of trainings 3.500 €)  <b>TOTAL: 12.784</b>	1. Training plan developed, adopted and implemented;  2. 30 customs officers from the Enforcement Division- Anti-smuggling Department (25) Intelligence Department (5) and 5 officer from the MI capacitated for special forms of	Report on training	

	detecting and prosecuting customs violations and customs-related crimes and 5 officers from the Ministry of Interior - Criminal Police Directorate and Border Police Directorate.			€	cooperation, such as: hot pursuit, cross-border surveillance and controlled delivery and joint investigative teams)		
--	---	--	--	---	---	--	--

## 10. COUNTERFEITING OF THE EURO

### CURRENT STATE OF PLAY:

In the area Counterfeiting of the euro (penal aspect) several laws are in force and regulating this matter: The Criminal Code, the Criminal Procedure Code, the Law on responsibility of legal persons for criminal offences, the Law on the National Bank of Serbia, the Law on police, the Law on organisation and competencies of state authorities in suppression of organised crime, corruption and serious criminal offences cover the counterfeiting of money.

Having in mind that these acts are partially in accordance with EU regulation in further period harmonisation with Directive COM 2013/42, aimed at strengthening of euro protection and fight against its counterfeiting by national penal codes and Council Framework Decision 2001/887/JHA will short term priorities.

Serbia needs to sign the Geneva Convention for the suppression of counterfeiting currency, respecting the obligation of the national central office to communicate information to Europol as foreseen in the Decision 2001/887/JHA.

Within the MoI, Criminal Police Directorate, Service for combating organised crime, Department for Suppression of Organised Financial crime has Section for suppression of money counterfeiting and other means of payment. This Section is also in charge for combating euro counterfeiting. In order to implement EU standards in this field, a study visit to Slovenian Anti-counterfeiting euro unit was organised by TAIEX. One of the results of this visit will be establishing and enhancing capacity of above mentioned Section in order to establish National Central Office (NCO). Establishing of CNAC and NAC will be under the jurisdiction of National Bank.

10.1. RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
Alignment of the national legislation with the EU <i>acquis</i> in this area, including with the Geneva Convention, Decision 887/2001/JHA, Decision 2000/383/JHA	Full alignment with the <i>acquis</i> .	Administrative system established for the suppression of counterfeiting currency is compatible with the European standards (level of compatibility of the Serbian administrative system with the European standards)

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
10.1.1	Initiate the procedure for the accession to the Geneva Convention for the Suppression of Counterfeiting	<b>Ministry of Interior</b> in cooperation with the Ministry of Finance, Ministry of Foreign Affairs	December 2014	497 € Budget (Regular) - 2015 Costs of working group	Procedure initiated by the Ministry of Foreign Affairs	Convention signed	

	Currency						
10.1.2	Prepare a Draft Law Ratifying the Convention for the Suppression of Counterfeiting Currency	<b>Ministry of Foreign Affairs</b>	December 2015	Regular buget for 2015: 40,008 €	The Law Ratifying the Convention for the Suppression of Counterfeiting Currency	Official Gazette of the Republic of Serbia	
10.1.3	Align the national legislation with the Decision 2000/383/JHA, by amending the Criminal Code	<b>Ministry of Justice</b> , in cooperation with the Ministry of Interior	IV quarter 2015	Chapter 23	Law amending the Criminal Code	Official Gazette of the Republic of Serbia	
10.1.4	Enhance capacities of the existing organisational unit, by passing an act that will extend its competence in accordance with the role of the National Central Office from the Decision 2001/887/JHA	<b>Ministry of Interior</b>	November 2015	Regular buget for 2015: 1,656.00 €	By-laws adopted	Conclusion of the Government	
10.1.5	Create	<b>Ministry of</b>	December 2015	Regular buget for	By-law adopted	Government	

	conditions to allow for reporting according to Decision 2001/887/JHA by passing a by-law governing the procedure and method of exchange of information with Europol	<b>Interior</b> in cooperation with the National Bank of Serbia		2015: 1,656.00 €		Conclusion	
10.1.6	Improve cooperation with the Ministry of Finance, its AFCOS Office, by improving its administrative capacities	<b>Ministry of Interior</b> in cooperation with the Ministry of Finance	December 2015	Regular buget for 2015: 1,656.00 €	An agreement on cooperation	Agreement signed	

<b>10.2. RECOMMENDATION: 2</b>	<b>OVERALL RESULT</b>	<b>INDICATOR OF IMPACT</b>
Propose measures to strengthen capacity to enhance cooperation with OLAF, Europol and the European Central Bank in this area.	Full alignment with the acquis.	Improved level of cooperation with European Union agencies, amount of information exchanged, speed of information flow

No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS/SOURCE OF FINANCING	INDICATOR OF RESULT	SOURCE OF VERIFICATION	STATE OF IMPLEMENTATION
10.2.1	Strengthen capacities of MoI regarding the exchange of information according to Decision 887/2001/JHA, delivered by European experts	<b>Ministry of Interior</b> in cooperation with the National Bank of Serbia	December 2015	TAIEX for 2015. 2.950 €	Number of trained employees	Expert report	
10.2.2	Strengthen capacities for cooperation with Serbian AFCOS (under the Ministry of Finance), by organising a joint workshop to be lead by European experts	<b>Ministry of Interior</b> in cooperation with the National Bank of Serbia	December 2015	TAIEX for 2015. 2.950 €	Workshop delivered	Expert report	
10.2.3	Improve cooperation with Europol by learning about	<b>Ministry of Interior,</b> Criminal Police Directorate	April 2015	OSCE	Study visit implemented	Study visit report, recommendations from study visit	

	the method of exchange of information based on Decision 887/2001/JHA	Service for combating organised crime, Department for informatics, National Bank					
--	--	--	--	--	--	--	--