

GOVERNMENT OF THE REPUBLIC OF SERBIA  
NEGOTIATION GROUP FOR CHAPTER 24 – JUSTICE, FREEDOM AND SECURITY



*REVISED*  
ACTION PLAN FOR CHAPTER 24 - JUSTICE, FREEDOM AND SECURITY

Belgrade, 2020.

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

### INTRODUCTION

The Action Plan for Chapter 24 - Justice, Freedom and Security and the Negotiation Position of the Republic of Serbia were adopted by the Government of the Republic of Serbia, on April, 27, 2016, and 24 May 2016, respectively, after which, negotiations under this Chapter were officially opened at the Conference, held in Brussels, on July 18, 2016. With the opening of negotiations, the Ministry of the Interior received the so-called “interim benchmarks”, i.e. a list of activities which would be subject to detailed monitoring and influence the dynamics of European integration regarding this chapter. For the Republic of Serbia, there is a total of 91 interim benchmarks prepared, out of which **41 interim benchmarks were for Chapter 24 – Justice, Freedom and Security**.

**The process of reporting, monitoring and evaluating the implementation** of the Action Plan for Chapter 24 is regulated by the Government Decision, which was adopted on December 29, 2016.

**The first level of reporting** refers to the realisation of individual activities, the second level refers to the realisation of activities under individual subchapters, and the third level of reporting refers to the overall realisation of activities under the Action Plan for this chapter, where the Negotiating Group reports to the Government of the Republic of Serbia, i.e. the Coordination Body for the Process of Accession of the Republic of Serbia to the European Union, i.e. the Minister in charge of European integration, Negotiating Team for Accession of the Republic of Serbia to the European Union and the Ministry of European Integration.

On the other side, this Decision is defining subjects responsible for reporting process, divided into three groups, with a special group for the area of financial management. The first group is responsible for the realisation of individual activities. The second group consists of coordinators of subchapters, while the third group consists of representatives of the Negotiating Group. For the purpose of reporting, administrative-technical and professional tasks are performed by the Ministry of the Interior, the Sector for International Cooperation, European Affairs and Planning - Department for European Affairs.

The Negotiating Group for Chapter 24 delivers semi-annual reports to the European Commission, together with track records tables, through the Head of the Negotiating Team, every January and July. Before being delivered to the European Commission, reports are delivered to the Prime Minister of the Republic of Serbia, competent ministers within the Coordination Body for the Process of Accession of the Republic of Serbia to the European Union, tasked with the implementation of the activities from the Action Plan, Minister for European Integration and the Negotiating Team.

Once a year, in cooperation with the Head of the Negotiating Team, the Negotiating Group reports to the National Assembly, i.e. the competent subcommittees, while, twice a year, the Negotiating Group organises plenary meetings with non-governmental organisations gathered around the National Convention on the European Union, as well as thematic meetings devoted to the policies contained in this chapter. In addition, the Negotiating Group reports to representative unions acting within the Ministry of the Interior on the status of implementation of activities under the Action Plan for Chapter 24.

The Ministry of the Interior regularly publishes reports on the implementation of the Action Plan, on the website of the Ministry of the Interior - [www.mup.gov.rs](http://www.mup.gov.rs).

### REPORTS ON THE IMPLEMENTACION OF THE ACTION PLAN FOR CHAPTER 24 – JUSTICE, FREEDOM AND SECURITY

As mentioned, the Negotiating Group for Chapter 24 delivers semi-annual reports to the European Commission, together with track records tables.

#### **The first report**

On January 30, 2017, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the first report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period July-December 2016. During the reporting period, 37.70% of the activities were implemented, 44.80% were partially implemented, and 17.50% were not implemented.

#### **The second report**

On July 31, 2017, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the second report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period January - June 2017. During the reporting period, 46.35% of the activities were implemented, 29.47% were partially implemented, and 24.17% were not implemented.

#### **The third report**

On February 01, 2018, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the third report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period July - December 2017. During the reporting period, 51.43% of the activities were implemented, 29.21% were partially implemented, and 19.36% were not implemented.

#### **The fourth report**

On July 26, 2018, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the fourth report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period January - June 2018. During the reporting period, 55.56% of the activities were implemented, 29.84% were partially implemented, and 14.60% were not implemented.

#### **The fifth report**

On February 02, 2019, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the fifth report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period January -Jun 2019. During the reporting period, 61.1 % of the activities were implemented, 26.9% were partially implemented, and 11.9% were not implemented.

#### **The Sixth Report**

On August 12, 2019, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the sixth report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period January -Jun 2019. During the reporting period, 62,5 % of the activities were completed, 25,6% were partially completed, and 11,9% were not completed.

#### **The Seventh Report**

On February 17, 2020, the Negotiating Group for Chapter 24 - Justice, Freedom and Security submitted the seventh report on the implementation of the Action Plan for Chapter 24 - Justice, Freedom and Security for the period July-December 2019. During the reporting period, 66,05 % of the activities were completed,21.18% were partially completed, and 12,77% were not completed.

### **METHODOLOGY OF THE REVISED ACTION PLAN**

The revision of the Action Plan was designed with the aim of **bridging the period until the closing benchmarks for this Chapter** when this document will be revised again since the closing benchmarks will contain new requirements.

Another reason for the revision of the Action Plan is that it was not in line with the Common Negotiation Position of the Republic of Serbia and the European Union and was drafted on the basis of the recommendations of the Screening Report, which was submitted a year before its drafting started, while interim benchmarks were submitted within the Common Negotiation Position of the Republic of Serbia and the European Union in July 2016.

After a video conference with the representatives of the European Commission and the meetings held in Brussels, Belgium, on December 20, 2017, as well as the comments of the European Commission on the first Draft, the following steps were taken in terms of revising a document:

- **Recommendations** as the basis for defining the activities have been deleted from the document, and corresponding interim benchmarks have been listed instead along with relevant activities belonging to the specific interim benchmark. Each subchapter begins with an introduction and a description of what has been done
- **Column the, Source of Verification, has been deleted from the Action Plan**
- **Completed activities have been explained in detail** in the Introduction of the Action Plan, for each subchapter separately and *deleted from the document*
- **Partially implemented activities** and a part of implemented activities have been mentioned and explained in subchapter introduction, while a part of non-implemented activities has been redefined, in terms of deadlines and sources of financing
- **Continuous activities, i.e. activities for which the deadline for the implementation is stated as “continuous”** are retained in the Action Plan in a form previously defined.
- **Activities in progress, with a modified deadline, are retained in the Action plan**
- For certain activities, where necessary, **responsible authorities and/or indicators of the result have been changed**
- **Sources of financing** have been defined for each activity separately
- **Deadlines have been defined for each activity separately.** Deadlines chronologically follow the timeframe for the implementation of activities, for the period from 2019 until 2021, defined by quarters. It is planned that the main activities related to harmonisation with the *acquis communautaire* are implemented by the end of 2021. That is, it is foreseen that the main part of the work will be completed **by December 31, 2022**
- Some activities will be implemented continuously from the beginning until the end of the implementation of the Action Plan

Interim benchmark, which was originally read:

***The Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of police cooperation and the fight against organised crime. Serbia conducts a comprehensive analysis and on that basis amends its action plan providing:***

- *a clear sequencing of steps needed to align with the EU police cooperation instruments;*
- *an overview of staffing and training needs, including, where relevant, steps to address, critical gaps;*
- *clarifying procedures for operational cooperation between various departments in the Ministry of the Interior and with Intelligence Services*
- *ensuring the material conditions for a smooth and secure exchange of relevant data; cost details and sustainable financial sources required for effectively implementing these reforms;*
- *detailed steps for establishing robust safeguards to ensure that the police integrity is strengthened and that police services are operationally independent from political, interests and shielded from criminal influence in a satisfactory manner*

**is divided in accordance with the competencies specified.**

The following part of the Interim Benchmark is referred to under the subchapter *Police Cooperation*:

***The Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of police cooperation and the fight against organised crime. Serbia conducts a comprehensive analysis and on that basis amends its action plan providing:***

- *a clear sequencing of steps needed to align with the EU police cooperation instruments;*
- *an overview of staffing and training needs, including, where relevant, steps to address, critical gaps;*
- *clarifying procedures for operational cooperation between various departments in the Ministry of the Interior and with Intelligence Services*
- *ensuring the material conditions for a smooth and secure exchange of relevant data; cost details and sustainable financial sources required for effectively*
- *implementing these reforms;*
- *detailed steps for establishing robust safeguards to ensure that the police integrity is strengthened and that police services are operationally independent from political, interests and shielded from criminal influence in a satisfactory manner*

while the subchapter 6.2 Fight against organised crime refers to a part of this interim benchmark that relates to the field of the National Serious and Organised Crime Threat Assessment – SOCTA:

**The Republic of Serbia effectively applies the EU Serious and Organised Crime Threat Assessment - SOCTA methodology to develop a strategic picture of risks and threats related to the organised crime situation on its territory. Serbia is using the SOCTA to define and act on priorities in its security policy."**

**Other interim benchmarks, related to the field of Police Cooperation and fight against organised crime are referred to under the Subchapter 6.2 Fight against organised crime.**

**With regards to normative acts**, adoption of by-laws, which arise as an obligation from the adopted normative documents, is defined as a separate activity, while activities related to their implementation are defined through the appropriate segments.

With regards to planning **documents**, the activities related to the adoption of these documents are defined separately from the activities related to their implementation.

**Activities which are crucial for a particular change** and contained in action plans for implementation of certain planning documents are defined separately within the revised Action Plan. For example, the activity related to the establishment of the Commission for Light Weapons and Small Arms, which was defined within the Action Plan for the SALW Strategy, as one of the most important, is also defined within revised Action Plan. In addition, key activities in the field, which will be defined in details through the Schengen Action Plan are also listed under Subchapter 4: External Borders and Schengen.

Facts contained within the **Credible Enlargement Perspective for and Enhanced EU Engagement with the Western Balkans** were processed with special attention within the revised Action Plan, as well as facts contained within the new document of the European Union, such as **European Union Strategy "Securing Arms, Protecting Citizens" and Communication of the European Union on the interoperability of the IT system.**

Following the recommendation from the **Report from the Peer-review mission to the Republic of Serbia, on its ability to successfully address high-level corruption, organised crime and money laundering covering the entire criminal procedure from the investigation to the final court rulings**, new activities have been defined within the subchapter 6.22 Fight against organised crime the competencies specified.

## MIGRATION

### STATE OF PLAY

#### Normative framework

Since the process of accession to the European Union is a priority for the Republic of Serbia, in the last several years, the Government of the Republic of Serbia has developed strategies and laws to harmonise its legislation with the *acquis*.

In this regard, new laws related to the field of migration have been adopted:

- **Law on Foreigners** (*Official Gazette of the Republic of Serbia, No. 24/2018*)
- **Law on Border Control** (*Official Gazette of the Republic of Serbia, No. 24/2018*)
- **Law on Asylum and Temporary Protection** (*Official Gazette of the Republic of Serbia, No. 24/2018*).

The field of migration is also regulated by the **Law on Employment of Foreigners** (Official Gazette of the Republic of Serbia, No. 128/2014) and the **Law on Migration Management** (Official Gazette of the Republic of Serbia, No. 107/2012).

The **Law on Foreigners**, published in the Official Gazette of the Republic of Serbia, No. 24/2018, **was adopted in March 2018**. Implementation of the Law on Foreigners **started six months after its adoption, in October 2018**.

In the period from July 2018 to November 2019, **15 bylaws were adopted** in accordance with the Law on Foreigners, which closely regulate certain provisions of the Law on Foreigners:

1. **Rulebook on house rules and rules of residing at the shelters** (Official Gazette of the Republic of Serbia, No. 42/18 from June 1, 2018), entered into force from October 3, 2018
2. **Rulebook on the form used for refusing the entry into the Republic of Serbia, for approving the entry into the Republic of Serbia and the manner of entering information on refusing the entry in the foreign national's travel document**, with the following: *Decision on refusing the entry into the Republic of Serbia* and *Decision on approving the entry into the Republic of Serbia* (Official Gazette of the Republic of Serbia, No. 50/18, June 29, 2018), entered into force from October 3, 2018
3. **Rulebook on the layout of the stamp of entry ban and the method of affixing the entry ban into a foreign travel document** (Official Gazette of the Republic of Serbia, No. 57/18, July 25, 2018), entered into force from October 3, 2018
4. **Rulebook on the layout of the form for refusal of application for visa at the border crossing point and on the layout of the form for refusal of application for visa extension**, with the following forms: *Decision on refusal of visa application at the border crossing point* and *Decision on refusal of the application for extension the validity period of a visa* (Official Gazette of the Republic of Serbia, No. 63/18, of August 17, 2018), entered into force from October 3, 2018
5. **Rulebook on detailed conditions and method of enforcing forced removal of a foreigner from the Republic of Serbia** (Official Gazette of the Republic of Serbia, No. 69/18 of 14 September 2018.), entered into force from October 3, 2018

6. **Rulebook on detailed conditions for the approval of permanent residence permit, the layout of the form for application for permanent residence permit, the layout and method of affixing a permanent residence sticker into a foreign travel document**, with the following: *Application for issuance of approval for permanent stay, Permanent residence sticker (Official Gazette of Republic of Serbia 72/2018 of 28 September, 2018)*, with the following 1. Application for issuance of approval for temporary stay and Temporary residence sticker (Official Gazette of the Republic of Serbia, No. 72/2018, of September 28, 2018), entered into force from October 3, 2018
7. **Rulebook on detailed condition for the approval of temporary residence permit, the layout of the form of application for temporary residence permit, the layout and method of affixing a temporary residence sticker into a foreign travel document**, with the following: Application of approval for temporary stay, Temporary residence sticker (Official Gazette of the Republic of Serbia, No. 72/18, of September 28, 2018), entered into force from October 3, 2018
8. **Rulebook on the layout of the form and procedure of entering the obligatory stay in a travel document of a foreigner, with a form of the mandatory residence sticker** (Official Gazette of the Republic of Serbia, No. 80/2018), entered into force from October 25, 2018
9. **Rulebook on the layout of the form and procedure for issuing a travel document for a foreigner with the form for the foreigner's travel list form** (Official Gazette of the Republic of Serbia, No. 80/2018), entered into force from October 25, 2018
10. **Rulebook on the layout of the form of the application for foreigners, the procedure for registering the residence of the foreigners, the address of the residence, the change of the address of the residence, the registration and ban of the residence of foreigners**, with the following forms: *Application for a foreigner's residence, registration of a change of address, registration of a foreigner's residence change* (Official Gazette of the Republic of Serbia, No. 84/2018), entered into force from November 5, 2018
11. **Rulebook on visas**, with the following: *Form for affixing the visa, visa issuance application, stamp of visa application, visa sticker, decisions on refusal of visa application, decision on cancellation or annulment of visa* (Official Gazette of the Republic of Serbia, No. 74/2018), entered into force from November 6, 2018
12. **Rulebook on the layout of the form and the procedure for issuing an ID card for foreigners and temporary ID cards for foreigners** (Official Gazette of the Republic of Serbia, No. 20/2019), of March 22, 2019, No 47/2019 of June 28, 2019, No 76/2019 of October 25, 2019. Endorsement from January 01, 2020
13. **Regulation on detailed conditions for refusal of entry of foreigners in the Republic of Serbia** (Official Gazette of Republic of Serbia, No. 20/2019), March 22, 2019) entered into force from March 30, 2019.
14. **Rulebook on detailed conditions and method of enforcing proposal for the imposing entry ban to a foreigner and supervision and control of a foreigner upon entry and movement over the territory of the Republic of Serbia** (Official Gazette of the Republic of Serbia, No 2/2019 of January 16, 2019) entered into force March 01, 2019.
15. **Rulebook on the layout of the form for application for issuing the special ID card, layout of the special ID card and the procedure for issuing the ID card** (Official Gazette of the Republic of Serbia No 54/2019 of July 26, 2019) entered into force from July 28, 2019.

With the adoption of the listed bylaws, which regulate procedures for police officers in the field of legal and irregular migration, the Republic of Serbia has created preconditions for the uniform application of the Law on Foreigners.

On the other side, with the prescription of transparent procedures, conditions for legal security of foreign nationals have been created, and brought national legislation further in line with the EU *acquis* in this area.

### Training on the implementation of the Law on Foreigners

To achieve a uniform and effective implementation of the Law on Foreigners, during the period May - October 2018, training courses have been held on the implementation of the adopted provisions of the Law on Foreigners for police officers of the regional police directorates, with the presentation of the provisions of the Law, attended by 80 police officers of regional police directorates and 110 police officers of regional border police centres and border police stations.

Special training for the implementation of the provisions of the Law on Foreigners, the Law on Asylum and Temporary Protection and the Law on Border Control were held during the period October-December 2018, for police officers of regional centres of the border police, with the aim to present the provisions of those Laws. Since the laws are horizontally linked, harmonized action in their implementation is needed.

In particular, a new procedure/way of refusing entry to foreigners were presented, which from the beginning of the implementation of the new Law on Foreigners implies delivery of the prescribed form on the refusal of entry into the Republic of Serbia, setting out the reasons for the refusal of entry. To this Decision, the foreigner has the right to appeal and later, the possibility of initiating an administrative dispute.

**The main objective of the training** was to ensure the uniform performance of all police officers at all border crossings.

### The Law on Amendments to the Law on Foreigners

**The Law on Amendments to the Law on Foreigners** was adopted in April 2019 (Official Gazette of the Republic of Serbia, No. 31/19 of April 29, 2019) <sup>1</sup>

After the adoption of the Law on Amendments to the Law on Foreigners, the procedure for issuing work permits to foreign citizens in the Republic of Serbia has been facilitated. In this regard, a foreigner who holds a long-stay visa on the basis of employment acquires the right to employment, following the regulations which prescribe the employment of foreigners in the Republic of Serbia, which stimulates foreign citizens to find employment in the Republic of Serbia, and which creates the competitiveness of the labour market and further strengthens the domestic economy.

**The implementation of these provisions has begun on January 01, 2020**, bearing in mind that it is necessary to create technical capabilities and connection between several state authorities and organizations, establish data exchange between state authorities and organizations which are competent in the procedure of issuing visas and work permits.

In addition, the Law on Amendments to the Law on Foreigners prescribes the acceleration of the procedure for obtaining a temporary residence permit, with the possibility for a foreigner to apply for temporary residence, in person or electronically.

Foreigners have the possibility to apply electronically from abroad, which speeds up the procedure for obtaining a temporary residence permit of a foreigner in the Republic of Serbia, bearing in mind that a foreigner does not have to be in the Republic of Serbia, in order to submit an application. The implementation of this provision starts by the end of the fourth quarter of the year, 2020 because it is necessary to create technical preconditions.

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<sup>1</sup>Enforcement from May 07, 2019 applies to the following: Article 29. Paragraph 2.; Article 31. Paragraph 6; Article 40. Paragraph 4 and 5; Article 43. Paragraph 1, item 3; Article 102. Paragraph 3, 4 and 5; Article 103.paragraph 6,7,8,9,10; Article 104, paragraph 7; Article 115. Paragraph 3, item 3; Article 122. Paragraph 1, item 1a; Article 124. paragraph 1-5. Enforcement from January 1, 2020 applies to the following: Article 22, paragraph 3 and 4; Article 41, paragraph 1-10. Enforcement from December 1, 2020 applies to Article 41a. .



The Law on Amendments to the Law on Foreigners prescribes a unique administrative place for submitting a consolidated request for the temporary residence and work permit. The consolidated request can be submitted in person or electronically. **Implementation of this provision is postponed for December 01, 2020.**

### The Criminal Code

The Ministry of Justice has adopted amendments of the **Criminal Code**, which in the Article Number 350 prescribes criminal responsibility for persons who allow the illegal border crossing, unauthorised stay or transit through the Republic of Serbia. Following the amendments, the prescribed prison sentence is increased from one to eight years in prison. For the qualified form of a criminal offence, the prescribed punishment is increased from 2-12 years in prison. For the organised form of this criminal offence, the prescribed sentence is increased up to fifteen years in prison.

To obtain full alignment with the European Union standards in this field, **the Ministry of the Interior will draft a proposal for more precisely defining the criminal offence of the illegal border crossing and people smuggling, in accordance with the Directive 2002/90/EC and Framework Decision 2002/946/JHA.**

In order to achieve full alignment with Directive 2002/90 / EC, the Criminal Code of the Republic of Serbia prescribes that this criminal offence can be committed without realising the benefit to the perpetrator.

Provisions of Directive 2004/82/EC about the obligations of air carriers to transmit passengers' data have been transposed to the Law on Border Control, which stipulates the obligation of an air carrier that – by the end of check-in, at the request of the border police - it has to provide complete and accurate passenger data. Moreover, the provisions of the Law on Foreigners foresee penalties for carriers that bring passengers who do not fulfil preconditions for entry into the Republic of Serbia to the border crossing point.

### The Criminal Code Law – the Article No. 350

The Ministry of the Interior is undertaking measures related to the protection of the state border, in accordance with regulations, as well as measures related to the protection of human rights of migrants, i.e. persons who have fled from war zones.

### Statistics for the period 2015-2019 - for the criminal offence “illegal crossing of the state border and smuggling of human beings”, the Article No.350 of the Criminal code of the Republic of Serbia

**2015**  
During the year 2015, **759 criminal charges were submitted against 1.127 perpetrators** (*the number of smuggled persons 8.068*)

**2016**  
During the year 2016, **349 criminal charges were submitted against 604 perpetrators** (*the number of smuggled persons 5.181*)

**2017**  
During the year 2017, **163 criminal charges were submitted against 286 perpetrators** (*the number of smuggled persons 1.976*)

**2018**  
During the year 2018, **95 criminal charges were submitted against 158 perpetrators** (*the number of smuggled persons 630*)

**2019**  
During the year 2019, the **157 criminal charges were submitted against 218 perpetrators** (*the number of smuggled persons 1.834*)

## The Law on Employment of Foreigners

**The Law on Employment of Foreigners** does not contain provisions relating to employers who employ illegal migrants. However, the Labour Law (Official Gazette of the Republic of Serbia, No. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2007 – the Decision of the Constitutional Court and 113/2017) contains general provisions for punishing illegal employment. The Ministry of the Interior will draft a proposal for transposition of this provision into criminal law, i.e. for prescribing criminal responsibility for the employer in case of employment of irregular migrants.

**The new Law on Employment of Foreigners** is partially harmonised with the Directive 2009/52/EC. The Law stipulates misdemeanour liability of employers who employ a foreigner contrary to the provisions of the Law that is, a foreigner who has not been granted temporary or permanent residence (irregular migrant).

The Law on Employment of Foreigners prescribes inspection supervision of the fulfilment of the conditions of employment of foreigners which is performed by Labour Inspectorate. 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 envisaged. Law on Employment of Foreigners does not stipulate criminal liability of the employer in the case of employment of an irregular migrant.

Currently, the Law on Foreigners and the Law on Employment of Foreigners govern the manner of granting temporary residence and subsequent issuing of the work permit for foreigners in the Republic of Serbia. In this regard, the condition for obtaining the work permit in case of a foreign citizen in the Republic of Serbia is previously granted temporary residence.

Please note that competencies in this area are also divided, namely the regional police directorate of the Ministry of the Interior, competent according to the place of residence of the foreigner, is responsible for granting temporary residence, while the branch office of the National Employment Service, competent according to the place of performance of professional activity, is responsible for issuing work permits. Given the above, the legislation of the Republic of Serbia is currently not aligned with regulations in this area.

The Law on Employment of Foreigners is harmonised 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, Directive 2014/36/EU and Directive 2011/51/EU. In the second phase of harmonisation of legislation in the field of legal and irregular migration (amendments to the Law on Foreigners), the legislation will be harmonised with the provisions of Directive 2011/98/EU, i.e. a unique residence and work permit will be introduced into legislation.

Provisions related to the issuance of residence and work permits to foreign nationals (third-country nationals) should be regulated by future amendments to the Law on Foreigners in accordance with the European Union Directive in this area. Provisions regulating the employment of foreigners in the Republic of Serbia will be incorporated in provisions of the Law on Foreigners.

Also, the whole normative area, which regulates the employment of foreigners in the Republic of Serbia, will be incorporated in provisions of the Law on Foreigners.

Currently, the Law on Foreigners and the Law on Employment of Foreigners govern the manner of granting temporary residence and subsequent issuing of work permits to foreign nationals in the Republic of Serbia. In this regard, the precondition for granting a work permit to a foreign national in the Republic of Serbia is previously granted temporary residence. Please note that competencies in this area are also divided, namely the regional police directorate of the Ministry of the Interior responsible for granting temporary residence is established by the place of residence of a foreign national, while the branch office of the National Employment Service responsible for issuing work permits is established by the place of performance of professional activity. Given the above, the legislation of the Republic of Serbia is currently not aligned with regulations in this area.

Given the fact that these two institutions are found in two legal regulations and that their competencies are divided, in order to implement this activity and harmonise legislation in this area, it will be necessary to harmonise institutional and personnel changes in public administration, in addition to the legislative activity in terms of amendments to the Law on Foreigners. In this regard, institutional and personnel changes are needed so that future legislative solutions can be implemented in practice, aimed at facilitating the position of foreign nationals residing and working in the Republic of Serbia, and creating the possibility for processing residence and work permit applications in one place so that a foreign national with a residence permit can also be issued a work permit at the same time.

This means that by the time of the introduction of the unique residence and work permit in the domestic legislation, the Ministry of the Interior should have sufficient personnel and institutional capacities to be able to issue work permits to those foreign nationals who reside in the Republic of Serbia on the grounds of employment, in addition to temporary residence permits. In order to implement this activity, it is necessary to conduct an analysis of the state of play (through the Technical Assistance and Information Exchange instrument of the European Commission- TAIEX or project financing) in the field of employment of foreign nationals and to make necessary legislative and institutional changes based on the analysis.

**In the second phase of harmonisation of the legislation**, in the field of legal and irregular migration, through amendments to the Law on Foreigners, by the end of the year 2020, further harmonisation with the relevant parts of the *acquis* is foreseen, more precisely Directive 2009/50/EC (on highly qualified employment – **the Blue card**) Directive 2014/36/EU (on the employment of seasonal workers), Directive 2014/66/EU (on intra-corporate transfer), Directive 2008/115/EC (on common standards and procedures in the Member States for returning illegally staying third-country nationals), Directive 2009/52/EC (strengthening the penal framework for employers who employ irregular migrants), Directive 2004/38/EC (freedom of movement for workers).

#### Strategic framework

The strategies of the Republic of Serbia defining migration policy are as follows:

- **Migration Management Strategy** (Official Gazette of the Republic of Serbia, No. 59/09)
- **Strategy for Integrated Border Management in the Republic of Serbia** (Official Gazette of the Republic of Serbia, No. 11/06)
- **Strategy for Reintegration of Returnees Under the Readmission Agreement** (Official Gazette of the Republic of Serbia, No. 15/09), *together with the accompanying action plans*

In December 2018, **the Strategy for Combating Irregular Migration in the Republic of Serbia had been adopted**, for the period 2018-2020, as well as the **accompanying Action Plan** (Official Gazette of the Republic of Serbia, No. 105/2018).

The Strategy for Combating Irregular Migration in the Republic of Serbia has developed a *comprehensive system response to irregular migration the Republic of Serbia* following the country's security and economic interests and guaranteed rights of migrants.

The Strategy defines the most effective measures for combating irregular migration, **which include effective combating irregular migration at the state borders, detection and prosecution within the territory of the Republic of Serbia, greater efficiency in returning migrants and protection of migrants in accordance with international standards, including the authorities' preparedness for the increased influx of migrants.**

#### Twinning project IPA 2012 – Reform of the police and migration management

Within the realisation of the **Twinning project IPA 2012 – Police Reform and Migration Management**, the GAP analysis of the national legislation was performed, in the field of legal and irregular migration, based on which the Law on Foreigners was drafted. The Law was adopted in March 2018 and has been applied since October 2018.

Besides GAP analysis, within the project, in order to implement and adopt the European Union Institute, in these areas, training of police officers in charge of legal and irregular migration was held in the areas covered by the Directives that were implemented in the first phase of harmonisation of the Law of Foreigners: **Directive 2003/86/EC** on the right to family reunification, **Directive 2003/109/EC** concerning the status of third-country nationals with long-term residence, **Directive 2005/71/EC** on a specific procedure for admitting third-country nationals for the purposes of scientific research, **Directive 2004/114/EC** on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, **Directive 2004/81/EC** on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, **Directive 2008/115/EC** on common standards and procedures in Member States for returning illegally staying third-country nationals, **Directive 2002/90** defining the facilitation of unauthorised entry, transit and residence, **Directive 2011/51/EU** amending Council **Directive 2003/109/EC** to extend its scope to beneficiaries of international protection and **Regulation 810/2009/EC** establishing a Community Code on Visas (Visa Code).

## INSTITUTIONAL FRAMEWORK

Migration management in the Republic of Serbia is multisectoral, and the competences in this area are divided among several state authorities.

The institutional framework in the field of migration monitoring in the Republic of Serbia includes all relevant institutions involved in the migration system based on the laws and normative acts and strategies, and these are primarily:

- **Ministry of the Interior**
- **Commissariat for Refugees and Migration**
- **Ministry of Foreign Affairs**
- **Ministry of Justice**
- **Ministry of Labour, Employment, Veteran and Social Policy**

Furthermore, **civil society** and **international organisations** are also actors involved in the area of migration management.

### Ministry of the Interior

#### Border Police Directorate

With the adoption of the Rulebook on Internal Organization and Job Classification in the Ministry of the Interior in 2018, the **Service for Foreigners** was established within the Border Police Directorate including two departments:

- **Department for Foreigners**
- **Department for Reception and Accommodation of Foreigners**

The Republic of Serbia has strengthened the human and institutional capacity for the implementation of the legislation in the field of legal and irregular migration.

The Service for Foreigners is responsible for the uniform and efficient implementation of regulations, in the field of legal and irregular migration, i.e. for the improvement and coordination of the activities, and the promotion and coordination of activities in the field of movement and stay of foreigners.

**At the level of regional centres of the Border Police Directorate and Border Police Station in Belgrade and Nis, Section for Combating Cross Border Crime and Irregular Migration** was formed, while, at the level of the regional police administrations, there are sections for foreigners and combating irregular migration. The total number of police officers engaged in migration issues (legal and irregular) in **regional police directorates is about 300**.

Considering the irregular migration issues, taking into account the current illegal migration and forecasting continuous pressure on the Republic of Serbia, obligations of the Border Police Directorate regarding strategies and action plans in this field and the fact that counteracting irregular migration are of strategic interest for the EU Member States and candidate countries, activities to suppress irregular migration in the Service for Foreigners have been intensified.

For this purpose, the Department for the Suppression of Irregular Migration was established on September 27, 2019, and has one Section- the Section for the Suppression of Irregular Migration. The department has been operating since November 1, 2019.

It is estimated that the establishment of the Department for the Suppression of Irregular Migration will improve and strengthen the system of prevention and suppression of irregular migration in the Republic of Serbia, international cooperation in this field and national coordination, with emphasis on the cooperation of various organizational units of the Ministry of the Interior.

The Department for the Suppression of Irregular Migration is responsible for the actions taken by the organizational units of the border police, directs and monitors the work of regional police administrations, proposes measures and plan activities to improve police practice on the irregular migration issue. In addition, it organises, implements and directly participates in international and regional actions in the field of suppression of irregular migration.

The Department performs the tasks of the Secretariat of the Multisectoral Task Force to implement the activities foreseen in the Strategy for Suppression of Irregular Migration for the period 2018-2020, In addition, the Department is responsible for the professional, administrative and technical operations and technical support.

At the same time, within the Service for Foreigners, Departments for Reception and Accommodation of Foreigners, a *Shelter for Foreigners in Plandiste and a Shelter for Foreigners in Dimitrovgrad were established.*

### Shelter for Foreigners

Within the Service for Foreigners, in the Department for reception and accommodation of foreigners operates the Shelter for Foreigners in Padinska Skela, in which are accommodated foreigners who cannot be forcibly returned immediately, i.e foreigners whose identity has not been identified.

The shelter for foreigners in Padinska Skela is a facility under increased police surveillance.

Accommodation capacity of the Shelters for Foreigners in Padinska skela, at the end of the year 2018 was 30. Reduced accommodation capacities are a consequence of the dilapidation of the facility on the one hand, and on the other hand, there are consequences of the separation of rooms for the accommodation of families and rooms for religious purposes, renovating two rooms for the accommodation of mothers with children and adaptation of two rooms for playing - for children, which are funded from the national budget of the Republic of Serbia, during the year 2015. Within the Department for reception and accommodation of foreigners, within the framework of which a shelter for foreigners operates, there are systematized **29 workplaces**.

Funds for strengthening capacities of the Shelter for Foreigners through the reconstruction of the facility of the Shelter for Foreigners were provided within the project of the Swiss State Secretariat for Migration "Support to Migration Management in Serbia 2016-2019".

The first phase of reconstruction was completed in August 2018, and in the course of 2019, reconstruction has continued. Also, within the same project, the funds are allocated to provide interpreters at the Shelter for Foreigners and the improvement of the system for monitoring and keeping records on shelter users. Within the same project, in 2015<sup>2</sup> funds were allocated for the construction of two mobile centres under the jurisdiction of the Ministry of the Interior for processing, registering and referring the irregular migrants.

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<sup>2</sup> during the major migration crisis

Initially, these two facilities should have been set up in Sid (as the exit point) and Dimitrovgrad or Preševo (as the entry point). However, during the implementation of the project, and in accordance with the change of the direction of the migratory route and the large number of persons entering the territory of the Republic of Serbia from Bulgaria, Dimitrovgrad was chosen for the location of one of the facilities; while for the other facility, also due to the change of the migratory route that was current at the time when the decision on the location of the other facility was made, and due to the increased inflow from Romania, it was decided to set up the second facility in Plandiste.

After these facilities have been handed over to the Ministry of the Interior, i.e. after the completion of the project, the Ministry of the Interior can, if necessary, due to the needs of migratory flows, change the purpose and carry out the conversion of these facilities (into facilities intensified police surveillance). Each facility can accommodate up to **100 persons**. The facilities in Dimitrovgrad and Plandište have been built, and their connection to infrastructure networks is pending.

At the Reception Center for Foreigners in Padinska Skela, reconstruction was completed and refurbished part of Annex I was put into operation. Kitchen in the same Annex was refurbished and fully equipped as well as a control room for video surveillance with installations and monitors. Premises for police officers were refurbished and equipped. The courtyard with equipment for possible accommodation of minors was refurbished. The surrounding plot for the construction of a new facility was prepared, and a new separate gate for entry into the facility was opened. As for the facilities of the Shelter for Foreigners in Plandiste and Dimitrovgrad, they are in the final stage and are expected to be put into operation by mid-March 2020. Each facility will be able to accommodate up to 100 people. Systematization of necessary posts for police officers who will work there has been completed (20 posts have been systematized respectively).

These two facilities, in accordance with the requirements of the project, are intended to be in the function of providing primary acceptance for irregular migrants, i.e. for their registration (taking biometric data) and further references to the competent lines of work of the ministry, or other state bodies (the Commissariat for Refugees and Migration).

#### Directorate for Administrative Affairs

In the Republic of Serbia, the authority responsible for the conclusion and implementation of readmission agreements is the Administrative Affairs Directorate, Section for the Implementation of Readmission Agreements, with 20 employees and Section for realization transfer, transit and migration and operational cooperation, with 20 employees.

The primary responsibility of the Border Police Directorate is the implementation of accelerated (*urgent*) procedures, whereas its secondary responsibility is related to foreigners and activities at the state border.

In terms of transit procedure, both horizontal and vertical communication is established with other organizational units of the Ministry of the Interior.

The Republic of Serbia has achieved progress in terms of legislative activity and met the commitments from the negotiation process for the conclusion of Readmission agreements and implementation protocols to the readmission agreements.

When it comes to the implementation of the Readmission Agreement with the European Union, **19 implementation protocols** were concluded with the following countries:

1. *Italian Republic*
2. *Republic of Slovenia*
3. *French Republic*
4. *Hungary*
5. *United Kingdom of Great Britain and Northern Ireland*
6. *Republic of Austria*

7. *Republic of Malta*
8. *Slovak Republic*
9. *Federal Republic of Germany*
10. *Romania*
11. *Republic of Bulgaria*
12. *Republic of Estonia*
13. *Czech Republic*
14. *Benelux*
15. *Republic of Cyprus*
16. *Greece*
17. *Kingdom of Sweden*
18. *Portugal*
19. *Kingdom of Spain*

The conditions for signing the Protocol with the Republic of Lithuania are fulfilled.

The Republic of Serbia has ensured the effective implementation of the Readmission Agreement with the European Union and implements them in the full extent, addressing all the readmission delivered requirements, within a period that is shorter than the period stipulated in the Agreement, monitoring and understanding the effects of the implementation of the Readmission Agreement. Bilateral Readmission Agreements have been signed with the following **11 countries**:

1. *Bosnia and Herzegovina*
2. *Kingdom of Denmark*
3. *Canada*
4. *Kingdom of Norway*
5. *Republic of Croatia*
6. *Swiss Confederation*
7. *Republic of North Macedonia*
8. *Republic of Moldova*
9. *Republic of Albania*
10. *Montenegro*
11. *Russian Federation*

An initiative has been launched to conclude the readmission agreements and the protocols implementing the agreements with **the Islamic Republic of Afghanistan, the Islamic Republic of Pakistan, People's Democratic Republic of Algeria, Morocco, Islamic Republic of Iran and Republic of Iraq, in 2017**. As the initiatives were not answered, they were repeated during 2019.

Within the framework of bilateral cooperation in the field of readmission between the Republic of Serbia and the **Republic of Azerbaijan**, the text of the Agreement is being harmonized. At the request of Argentina, the Republic of Serbia submitted a draft Readmission Agreement and Protocol.

The Republic of Serbia has also developed, i.e. strengthened the human and institutional capacities for the implementation of the Readmission Agreement, first of all, by the institutional systematic improvement in terms of delegation of duties within the Ministry of the Interior, which are grouped through the work of two sections, on the central level, as well as by strengthening horizontal and vertical communication and cooperation with other organizational units of the Ministry, improving the

level of knowledge and skills including through the analyses and exchange of the experiences about all issues in the field of implementation of readmission agreements and return.

### Strategy for the reintegration of returnees under the readmission agreement

By signing the Readmission Agreement with the European Union, the Republic of Serbia has committed itself to implement measures aimed at reintegration of returnees. The Commissariat for Refugees and Migration is responsible for reporting on the exercise of returnee's rights under readmission agreements. In the Commissariat for Refugees and Migration, the reception of the returnees is under the jurisdiction of the Department for reception, accommodation and readmission of returnees which employs **15 officers**, while the Section for Project Implementation, which employs **7 officers**, implements the programs of the Government of the Republic of Serbia.

Following the Law on Migration Management, the Commissariat for Refugees and Migration develops annual programs for local self-government units regarding reintegration of returnees which is funded from the budget of the Republic of Serbia. These programs finance activities, aimed at improving the living conditions and economic empowerment of returnees under the readmission agreement. In addition, the Commissariat, in cooperation with other competent authorities and services, provides emergency support to returnees immediately after returning to the country, including temporary housing for those in needs.

In the period 2015-2018, a total of 38 local self-government units were supported by the budget of the Republic of Serbia. The Commissariat will keep improving the living conditions of returnees under the readmission agreement, by the funds from the budget of the Republic of Serbia and the pre-accession assistance, within the project IPA 2014.

The Technical Working Group, established in accordance with the Strategy for Reintegration of Returnees under the Readmission Agreement, ***meets regularly and present the body in which tasks are performed operatively, for which the cooperation of the competent authorities is necessary.***

The Technical Working Group monitors implementation of the Strategy, through indicators for the assessment of reintegration of returnees, which measures the efficiency of the measures taken in the field of reintegration of returnees under the readmission agreement. The indicators are developed based on the recommendations of experts from the European Commission, the Peer Review Mission, held during the year 2014. Indicators are being collected and have been reported on since 2015.

In addition, activities related to the cooperation in the procedure of returning is going to be improved and implemented (including so-called Kosovo\*<sup>3</sup>).

The Republic of Serbia recognizes that it is important to conclude bilateral readmission agreements with all neighbouring third countries, in accordance with the readmission agreements between the European Union and third countries. The Republic of Serbia recognizes that recommendation of the European Union is to achieve a similar arrangement with Kosovo\*<sup>4</sup>.

The Republic of Serbia recognizes that the conclusion of readmission agreements is a part of the *acquis* in Chapter 24 - Justice, Freedom and Security. This measure will be discussed in the dialogue on normalization of relations between Belgrade and Pristina. An arrangement similar to a readmission agreement, in line with the *acquis*, should be achieved with Kosovo\*<sup>5</sup> and its implementation would be monitored under Chapter 35.

<sup>3</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of the International Court of Justice on the Kosovo declaration of independence

<sup>4</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of the International Court of Justice on the Kosovo declaration of independence

<sup>5</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of the International Court of Justice on the Kosovo declaration of independence



The Republic of Serbia is ready to consider police cooperation with Pristina, through the dialogue on normalization of relations between Belgrade and Pristina, with strict adherence to conditions related to the status neutrality.

#### **Certain progress has already been made.**

At the meeting between Belgrade and Pristina on migration, held in Brussels on February 25, 2015, it was agreed, among other things, to improve and increase the exchange of information on migration flows within Section E of the Protocol on IBM, of February 23, 2012, regarding the exchange, processing and use of information, and in order to prevent and combat irregular crossing of the administrative line, acceleration of bilateral cooperation at all levels on issues of police administrative line management, through the regular meetings and providing timely information exchange in order to facilitate the reintegration of returnees in transit through the Republic of Serbia.

Based on the outcome of the meeting, Kosovo\*<sup>6</sup> is included in the joint meeting of the Western Balkans on the subject of police which was organised in Belgrade, on March 03, 2015. At that meeting, it was also agreed that both parties should participate in a follow-up meeting on migration that is to be held within the framework of Belgrade-Prishtina dialogue on April 15, 2015, and to present a breakdown of the state of affairs and progress in cooperation in the same format as the meeting of February 25, 2015. *The meeting was successfully organised.*

#### **Training courses in the field of return**

In order to strengthen return capacities, mechanism and standards for return of persons under readmission agreement were improved through professional and specialist training within the Ministry of the Interior and training coordinated by the European Border and Coast Guard Agency.

In 2016, a study visit to the competent authorities of the Kingdom of the Netherlands through the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX was organised for three representatives of the Directorate for Administrative Affairs, on the topic „Strengthening of the capacities for implementation of readmission agreements and policy of return”.

In 2016 and 2017, two specialized training seminars have been held for 48 police officers of the Directorate for Administrative Affairs and the Border Police Directorate, for performing official escorts in the return process of citizens of the Republic of Serbia, following the readmission agreement with the European Commission, organised by EU Agency for Border and Coast Guard.

In the period from June 10-14, 2019, specialized training for escort officers in return operations organised by the European Border and Coast Guard Agency, held and completed by 31 police officers, in Belgrade. Police officers of this Ministry who have the certificate for this type of training with the support of trainers from the EU Member States conducted the training.

Also, in the period July 22-26, 2019, a representative of the Directorate for Administrative Affairs participated in the training of escort leaders in return operations at the organization Amsterdam, the Kingdom of the Netherlands.

#### **Commissariat for Refugees and Migration**

The Commissariat for Refugees and Migration is a state authority established by the Law, as a special organization which performs a number of professional tasks related to the migration management.

The most important competencies of the Commissariat in the field of legal and irregular migration are regulated by **Article 10 of the Law on Migration Management**, which refers to *monitoring the implementation of migration policy measures, collection, compilation and analysis of data and indicators needed for migration management, establishing, proposing and undertaking measures for the reintegration of returnees under readmission agreements, proposing programs to*

<sup>6</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo declaration of independence

*illegally staying foreigners in the territory of the Republic of Serbia and proposing programs for assisted voluntary return of foreigners illegally staying in the territory of the Republic of Serbia to their country of origin.*

The Commissariat for Refugees and Migration reports on the state of play in this field, through regular updates of the **Migration Profile of the Republic of Serbia**. In addition, the Commissariat establishes cooperation with the European Migration Network and other relevant international parties. The Commissariat is also in charge of preparing and implementing training programs in this field.

In accordance with its competences, the Commissariat has established a **system for collecting data and information of interest for monitoring migration policies** and the **Technical Working Group for Monitoring and Managing Migration** which participated in the development of the Migration Profile of the Republic of Serbia.

The Technical Working Group for Monitoring and Migration Management meets regularly to discuss tasks requiring the cooperation of competent authorities operationally and participates in the development of the annual Migration Profile of the Republic of Serbia and methodologies for monitoring the situation in the field of migration management, as well as in drafting acts for the Government. It also conducts other ad hoc activities of importance to the field of migration management.

*Data currently available are not fully harmonized with the EU legislation and needs further development and improvement*, to harmonize statistics with the requirements of Regulation 862/2007/EC, with which the national data is partially aligned. Within the Commissariat for Refugees and Migration, the Section for migration and European integration was formed. The Section performs data collection, analysis and monitoring of policies and harmonization with the *acquis*. The Section has systematized workplaces for 5 employees.

Each local self-government unit is obliged to appoint a person to perform tasks for the needs of the Commissariat, at the local level, as well as to establish a **Local migration council**, which coordinates activities at the local level and adopts local action plans which are related to issues of importance to different categories of migrants.

Local migration councils are ***established in 157 local self-government units*** and are composed of representatives of various institutions at the local level, important for the rights of migrants: *representatives of executive bodies of the local self-government unit* (mayor or member of municipal/city council), the *Centre for social work, police administrations, the National employment service, commissioner* as well as a *representative of the municipal or city administration*.

Other parties can be included in the work of Migration Council, such as representatives of the institutions responsible for health and education, a representative of associations dealing with migration issues, as well as other parties engaged in activities which are significant for migration management on their territory.

#### Ministry of Foreign Affairs

The network of diplomatic and consular representations within the Ministry of Foreign Affairs is responsible for issuing travel documents for the return of persons and performing interviews with persons subject to readmission.

#### Ministry of Labor, Employment, Veterans' Affairs and Social Affairs *Center for Protection of Victims of Trafficking of human beings*

In April 2012, the Government of the Republic of Serbia founded the Centre for Human Trafficking Victims Protection intending to provide assistance and support to victims of trafficking in human beings.

Activities related to identification, coordination and emergency accommodation of human trafficking victims fall within the scope of work of this institution. The Centre, together with other competent institutions, has developed criteria for identifying victims of trafficking in human beings.

The Centre employees undergo training at the border crossing point. This training includes police officers, social workers, NGOs, doctors. The activities of the Centre in the field of victims' integration will be improved by creating special conditions for the realisation of victim support activities. With the provision of the office space within the Centre for Human Trafficking Victims Protection, the space for a new organisational unit - Shelter and emergency care for victims of trafficking in human beings will also be provided. A procedure for providing space for six employees of the Shelter is in progress, and this Shelter will provide emergency accommodation services, assessment and planning services, therapeutic counselling and social-educational services for children, young people and adult victims of trafficking. Coordination of community support through connecting institutional capacities and capacities of civil society organisations is constant. One of these activities is related to improving the cooperation of the Centre, as the institution of the system that coordinates NGOs.

In order to improve conditions for the reintegration of victims, the Protocol between the Ministry of Labour, Employment, Veteran and Social Policy and the National Employment Services, as well as between the National Employment Service and the Centre for Human Trafficking Victims Protection, on cooperation in activities related to assistance and support to victims of violence has been concluded. This Protocol has improved the opportunities for the employment of victims of trafficking in human beings as a particularly vulnerable group of hard-to-employ users.

#### Unaccompanied minors

In the period 2016-2017, the Centre for Family Accommodation and Adoption, Belgrade implemented the project: Appropriate care and protection for unaccompanied refugee and migrant children, which included the care for children from this population. Existing capacities in shelters for children and institutions for the accommodation of children mostly meet the need for accommodation of children victims of trafficking of human beings. Trained personnel are hired in these shelters, and they provide adequate support to children. Also, shelters have developed cooperation with institutions and professionals providing treatment, leisure time and programs for child support and integration, as well as education.

Within the Swiss Fund for Migration - Project: "*Strengthening the capacity of institutions and human resources*" – accommodation of unaccompanied minors, analysis of existing and assessment of financial needs for adaptation/reconstruction of accommodation capacities of institutions of the social protection system for unaccompanied minors has been conducted.

Facilities for the accommodation of minor migrants in the city of Belgrade and in the city of Subotica and Nis were reconstructed through this Project in Belgrade, the accommodation capacities in two facilities increased from 12 to 28 places and in Nis from 10 to 19. **In 2019, Belgrade accommodation facilities for minor migrants had housed a total of 55 minor migrants. The accommodation facilities in Nis housed a total of 115 minor migrants.**

Depending on the type of institutions and services they provide (shelter, home placement, small home community), the duration of detention of minors in these institutions varies from several days to over a year.

In addition to the three institutions in the social protection system, there are two run by civil society organizations, which also accommodate minors solely on the basis of the decision of the centers for social work, under whose professional supervision they are. These are "*Integration house Pedro Arupe*" Jesuit Refugee Service in Belgrade with a capacity for accommodation of 13 persons and the "Salvation house" (Border free) in Loznica with a capacity for accommodation of 13 persons. The Integration House accommodated a total of 36 juveniles during 2019, while there were 24 juveniles accommodated in the Salvation House during the same period.

During the year 2019, a total of 823 minors were accommodated in five institutions with the purpose of accommodation of unaccompanied minors. Apart from above-mentioned institutions, minors were placed in asylum centres in Krnjaca and in Sjenica.

## Accommodation capacities

Following the Law on Migration Management, the Commissariat for Refugees and Migration proposes and implements measures to host irregular migrants. Since the beginning of the massive influx of migrants, with donor support, especially the European Union, the Commissariat for Refugees and Migration has opened **14 reception centres**, to ensure the reception and accommodation of migrants. **Currently, there are 12 reception centres, while the remaining two are in stand-by mode.**

Reception centres have been opened following the Response plan to the increased number of migrants on the territory of the Republic of Serbia and the situation on the ground, including change of the main directions of migrants, closing the routes, prolonged stay in the territory of the Republic of Serbia, the structure of accommodated persons and other relevant factors.

Although there is a significant difference in legal status among the asylum seekers and irregular migrants, the principle of non-discrimination is respected, during reception and accommodation, especially because of the mixed nature of current migratory flows. Based on the principle of non-discrimination in living conditions, the reception conditions in all centres, including reception centres, are in line with the UNHCR and the EASO standards.

The total accommodation capacities of both asylum and reception centres are **6.000 places** (1.770 in asylum centres and 4.230 in reception centres), with the possibility of their increase, by additional 10%, by using facilities intended for shorter retention stay if needed. Standards in the centres are compliant with the standards of the United Nations High Commissioner for Refugees - UNHCR.

The accommodation facilities are being continuously improved to comply with the standards of the European Asylum Support Office - EASO, i.e. with the Guidance on reception conditions: **operational standards and indicators**.

Within the Twinning project: **Support to the national asylum system in the Republic of Serbia**, the workshop on planning tools in case of an increased influx of migrants was held in August 2017. In addition, within the project: **Support the information management, communications and planning capacity in addressing the migration management challenges in the Republic of Serbia**, a tool is being developed to facilitate the monitoring of conducted training courses, based on which, the planning and development of the Training Plan in the coming period will be simplified.

The newly hired staff of the Commissariat for Refugees and Migration are undergoing **on the job training**. Seminars are organised periodically. Staff at the accommodation centres is regularly attending training programs organised by different specialized organizations for certain categories of migrants (protection, work and treatment of vulnerable categories of migrants, identification of potential victims of trafficking in human beings, gender-based violence, etc.).

Over the past three years, employees in the reception centres were trained in the field of migrant protection, rights of unaccompanied and separated migrant children, standards of care and welfare of beneficiaries, assisted voluntary return, information on country of origin, gender-based violence, cultural mediation, early identification of torture among migrants and asylum seekers, gender equality, trafficking in human beings (identification and integration of victims of THB), assessment and coordination of field workers in individual work with children and families, migration and asylum policies, human rights.

**The Republic of Serbia continues to develop and strengthen mechanisms for monitoring and capacity planning, in case of increased influx of migrants.**

Within the EU funded project: Support to the Information Management, Communication and Planning Capacity in Addressing the Migration Management Challenges in the Republic of Serbia, implemented by of the International Organization for Migration, tools for regular monitoring of accommodation and reception and mechanisms for coordination and management of facilities for reception in accordance with the EU Guidance on Reception Conditions (developing tools for monitoring the achievement of the standards of the European Asylum Support Office - EASO) are developed.

Within the project: **Inclusion of the Migration in the National Development Strategies**, the International Organisation for Migration and the Commissariat for Refugees and Migration, in July 2017, organised a series of activities of the Technical Working Group for Monitoring and Managing Migration and developing the

Migration Profile of the Republic of Serbia, in order to strengthen capacity for monitoring the situation in the field of migration, representatives of the Commissariat for Refugees and Migration, Ministry of the Interior, Ministry of Labour, Employment, Veteran and Social Policy, Ministry of Justice, National Employment Service of the Republic of Serbia and the Ministry without portfolio responsible for demography and population policy participated in these activities.

The Republic of Serbia actively participated in the Project **Inclusion of the Migration in the National Development Strategies**, which was conducted in the period in the period 2014-2018 and is part of a global project aimed to support national governments and their partners in improving registration, monitoring and processing of migration data.

#### **Software for the proper functioning of the reception centers**

Software for regular monitoring and planning of accommodation and acceptance has been developed and operational, which improved and facilitated the management of accommodation capacities, including coordination of services in the reception facilities for migrants in accordance with the EACO guidelines for acceptance conditions. This activity is supported by the Project of the International Organisation for Migration - IOM: **Support to the information management, communication and planning capacities, in the migration management in the Republic of Serbia.**

#### **The Working group for solving problems of mixed migration flows**

In response to an unprecedented influx of migrants, in June 2015, the Government of the Republic of Serbia formed an ad hoc Working group for solving the problem of mixed migration flows. The working group is tasked to monitor, analyse and consider the issues of mixed migration flows in the Republic of Serbia, with special reference to the problems in this area, and to provide analysis of the situation and proposals of measures to address the identified problems as well as harmonisation of positions of the competent state bodies and other organisation and institutions dealing with the issue of mixed migration flows.

This Group was established at the highest political level, to enable rapid decision-making process and to engage ministries that are not directly responsible for migration management but are important enough to create the conditions for implementing decisions.

In this way, a regular coordination mechanism through the Technical Working Group on Migration Monitoring and Management *was brought to the level of an emergency situation.* **The Working group met regularly, during the migration crisis, after April 2016, as needed.**

#### **Response plan to the increased number of migrants on the territory of the Republic of Serbia**

On September 04, 2015, the Government of the Republic of Serbia adopted **the first Response Plan in the Case of an Increased Influx of Migrants in the territory of the Republic of Serbia, with the needs assessment.**

The Response Plan identifies the competent authorities, organizations and institutions, their tasks in case of a mass influx of migrants, measures and activities, which need to be implemented, as well as human resources, financial and other resources necessary for providing urgent accommodation to migrants and unhindered access to their rights.

Within the first Response plan to the increased number of migrants, the response mechanism in the various situation of a mass influx of migrants was stipulated, as well as activation criteria of the Response Operational plan in various situations, and criteria for identification of facilities, for each phase. **The Response Plan is updated regularly, following the needs, and by now, seven updates of the Plan were made.**

## Assisted Voluntary Return – AVR

Within the framework of the process of assisted voluntary return, the Commissariat for Refugees and Migration, in cooperation with the International Organisation for Migration – IOM conducts counselling at regular info sessions. Within the info sessions, the program and possibilities of return present to migrants who are interested in return and advice on the details of the program.

The procedure of assisted voluntary return includes issuing of temporary travel documents (if necessary), purchasing of the plane tickets, completing the remaining procedural issues regarding the return.

Currently, the assisted voluntary return is conducted and financed in cooperation with the International Organization for Migration -IOM in the Republic of Serbia and the European Union Regional Trust Fund in Response to the Syrian Crisis – MADAD. The programs also include reintegration support.

The Commissariat for Refugees and Migration, in cooperation with the International Organization for Migrations - IOM, continuously conducts information campaigns against persons who are illegally staying in the Republic of Serbia.

Following the Regulation of the Establishment of the Voluntary Return of Foreigners Support Program for the period 2019-2021, the Law on the Budget provides funds that, in cooperation with IOM, finance activities related to regular information and identification of potential returnees. During the second half of the year 2019, more than 100 info sessions were held in reception and asylum centres.

The Law on Asylum and Temporary Protection and the Law on Foreigners specify users of the assisted voluntary return, their rights in the process, as well as the responsibilities of the Commissariat for Refugees and Migration in this field. Following the adoption of these laws, the Commissariat adopted the Decree on **the Program of Assisted Voluntary Return**. The Decree largely refers to the procedure of assisted voluntary return, which was developed through the project Regional Support to Protection-Sensitive Migration Management Systems in the Western Balkans and Turkey. Within the project, workshops for the implementation of procedures and workshops for officers in diplomatic-consular missions were organised.

## Statistics of the Assisted Voluntary Return for the period 2016-2019

### 2016

In 2016, the assisted voluntary return was organised for **101 migrants** who returned from the Republic of Serbia to their countries of origin

### 2017

In 2017, the assisted voluntary return was organised for **234 persons** who returned from the Republic of Serbia to their countries of origin

### 2018

In 2018, the assisted voluntary return was organised for **278 migrants** who returned from the Republic of Serbia to their countries of origin

### 2019

In 2019, the assisted voluntary return was organised for **193 migrants** who returned from the Republic of Serbia to their countries of origin

Besides, in 2019 two persons were returned from the Shelter for Foreigners in Padinska skela and in cooperation with the IOM, through the voluntary return program, two persons were returned to their country of origin.

### Standard operating procedures for profiling, screening and registration of irregular migrants

**405 police and civil servants involved in the implementation of integrated border management were trained on the topic "Standard operating procedures for profiling, examination and registration of irregular migrants", as follows:**

- Ministry of the Interior – 389
- Customs Administration – 10
- Plant Protection Directorate – 3
- Veterinary Directorate – 3

On the other hand, during 2019, **1.054 police and civil servants were trained, as follows:**

- Ministry of the Interior – 1.021
- Customs Administration – 21
- Border Phytosanitary Inspection – 5
- Border Veterinary Inspection – 7

### Permanent task force

The Memorandum of Cooperation in the field of combating people smuggling which was signed between the Ministry of the Interior and the Republic Public Prosecutor's Office on 4 April 2016, provided for the establishment of a Permanent Task Force. The Permanent Task Force comprised representatives of the Ministry of the Interior and the Republic Public Prosecutor's Office and was tasked with investigating both criminal and organised criminal groups and individuals engaged in people smuggling at national and international levels, particularly in neighbouring countries, by conducting reactive and proactive investigations.

Since the establishment of the Permanent Task Force for the suppression of people smuggling, criminal proceedings have been initiated against a total of 12 organised criminal groups, i.e. against 114 persons, involving 1,126 migrants as affected parties. Furthermore, 106 defendants have signed plea agreements based on which they have been sentenced to a total of 245 years and 9 months in prison. Final judgements resulted in the confiscation of a total of EUR 151,480 and RSD 194,150 of illegally obtained material gain, 26 passenger motor vehicles and a large number of mobile phones. Costs of the criminal proceedings have been borne by the defendants who signed the plea agreements.

The Rulebook on Internal Organisation and Job Classification in the Ministry of the Interior was adopted on 13 June 2018. It provided job positions for police officers whose job description includes suppression of human trafficking and people smuggling. Thus, a Department for the Suppression of Human Trafficking and People Smuggling was established within the Criminal Police Directorate - Service for Combating Organised Crime with three Sections: the Section for Coordination, Analysis and Prevention of Human Trafficking, the Section for the Suppression of Human Trafficking and the Section for the Suppression of People Smuggling. Special sections for combating human trafficking and people smuggling were established in the City of Belgrade Police Directorate and in regional police directorates of Novi Sad and Niš. Other regional police directorates, depending on their categorization, have groups for combating human trafficking and people smuggling or systematized job positions for criminal inspectors dealing with this issue.

In this way, those police officers who, by the Decision of the Minister of 26 September 2016 and subsequent amendments were assigned to the Permanent Task Force, in accordance with the new Rulebook and the decision of the Police Director, have been assigned to job positions within the newly established Department -

Section for the Suppression of People Smuggling, the Section for the Suppression of Human Trafficking and the Section for Coordination, Analysis and Prevention of Human Trafficking starting from 1 January 2019. With the adoption of these and other decisions on the assignment of police officers to the positions of criminal inspectors for the suppression of people smuggling and human trafficking, the indicator for this activity within the Action Plan for Chapter 24 was basically verified.

The activities of the Permanent Task Force continued through the work of the Department for the Suppression of Human Trafficking and People Smuggling within the Service for Combating Organised Crime of the Criminal Police Directorate, as a new organizational unit responsible for taking police measures and actions and exercising authority in anti-trafficking cases. Since the duties of police officers employed at the Department and its competence fully meet the obligations undertaken by the Memorandum, the Permanent Task Force for the Suppression of Human Trafficking was abolished by the decision of the Minister of the Interior on 6 March 2019.

The newly established Department for the Suppression of Human Trafficking and People Smuggling has assumed and continued all bilateral and multilateral international activities, through data exchange and participation in joint actions at the regional level, parallel investigations and actions organised by Europol's European Migrant Smuggling Centre in the countries affected by people smuggling.

On the other hand, the Permanent Task Force has been re-established by the order of the Prosecutor for Organised Crime including representatives of the Prosecutor's Office for Organised Crime, the Ministry of the Interior, the Security Information Agency, the Customs Administration and the Anti-Money Laundering Directorate.

Given the aforementioned circumstances and the possibility of establishing ad hoc working groups (which would coordinate their activities with the work of the Permanent Task Force) three sectors were established in the territory of Pirot, Zaječar and Vranje. The Republic Public Prosecutor's Office also encourages the holders of public prosecutor's offices to immediately inform the Permanent Task Force of any information delivered by local police directorates and other competent authorities regarding the activities in the field of human trafficking, as well as of any phenomena they observe during criminal prosecution for the criminal offenses of illegal crossing of the state border and people smuggling under Article 350 of the Criminal Code, and to coordinate with the representatives of the Permanent Task Force in terms of undertaking additional measures and activities in particular cases. Training needs have been identified for all authorities involved in the fight against people smuggling and training courses have been continuously implemented.

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of legal and irregular migration.</p> <p>In particular, Republic of Serbia conducts a comprehensive gap analysis of its legal, institutional, technical and training needs in the field of legal and irregular migration. Based on this, Serbia clearly identifies steps for implementing an EU compliant migration policy, including: an investment plan for meeting the needs for equipment, IT, consequent apprehension, identification and registration of irregular migrants, as well as accommodation and detention of irregular migrants for the purpose of return, a human resources</p>	<p>Migration policy of the Republic of Serbia aligned with European Union standards and implemented following the results of a comprehensive analysis of the normative, institutional, technical and training needs, in the field of legal and irregular migration.</p>	<p>Appropriate level of training provided for all employees Financial resources provided Material, technical and personnel capacities strengthened Statistic on legal and irregular migrants is monitored regularly and published within the Migration Profile of the Republic of Serbia A team in charge of the</p>



<p>strategy and training plan. Republic of Serbia allocates sufficient financial resources to start and complete implementation of the above.</p>		<p>monitoring of the Strategy for combating irregular migration in the Republic of Serbia for the period 2018-2022 formed, to develop a systemic response to irregular migration with the protection of the security and economic interests of the Republic of Serbia and guaranteed rights of migrants.</p>
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No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.1.1.	<p>Improve the Standard Operating Procedures for Profiling, Inspection, and Registration of Irregular Migrants, following the new laws adopted in this field, through the revision of the existing Training Program for Police Officers</p>	<p><b>Ministry of the Interior</b> General Police Directorate Border Police Directorate</p>	<p>IV quarter of the year 2020</p>	<p><b>Budget of the Ministry of the Interior</b> <i>regular work activities</i> 45.000 EUR for the year 2020</p>	<p>Developed an overview of the migration flows in the Republic of Serbia</p> <p>Developed the revision of the existing Training Program for Police Officers, through the Standard operating procedures</p>	
1.1.2	<p>Revise the existing Training Program for Police Officers following the new Standard Operating Procedures for Profiling, Inspection, and Registration of Irregular Migrants</p>	<p><b>Ministry of Interior</b> General Police Directorate Border Police Directorate</p>	<p>IV quarter of the year 2020</p>	<p><b>Budget of the Ministry of the Interior</b> <i>regular work activities</i> 36.000 EUR for the year 2020</p>	<p>Revised Training Program for Police Officers <i>adopted</i></p>	

1.1.3	Conduct the needs assessment for the equipment, of the implementation of the procedure of registration and identification of irregular migrants	<b>Ministry of the Interior</b> General Police Directorate - Border Police Directorate Commissariat for Refugees and Migration	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> <i>regular work activities</i> 63.000 EUR for the year 2020 <b>Budget of the Commissariat for Refugees and Migration</b> <i>regular work activities</i> 36.000 EUR for the year 2020	Needs assessment <i>conducted</i>	
1.1.4	Implement the Standard Operating Procedures through the monitoring of realisation of training courses for police officers, following the new Standard Operating Procedures for the Police Officers	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate	IV quarter of the year 2020 and continuously	<b>Budget of the Ministry of the Interior</b> 311 EUR – <i>per one person, for one week</i> <i>regular work activities</i>	Strengthened administrative and human resources capacities. Training reports, which include: <ul style="list-style-type: none"> <li>▪ <i>the number of conducted training courses</i></li> <li>▪ <i>the number of trained police officers – 20%</i></li> </ul>	
1.1.5	Develop a Methodology for monitoring of the implementation of public policy documents, in the field of migration	<b>Commissariat for refugees and Migration</b>	IV quarter of the year 2020	<b>SEM project:</b> Support to the migration management system in the Republic of Serbia	The Methodology for monitoring of the implementation of public policy documents in the field of migration developed	
1.1.6	Monitor the implementation of the planning documents, in the field of migration following the Methodology	<b>Commissariat for refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> <i>regular work activities</i> <b>60.000 EUR per year</b>	Regular monitoring of the implementation of the planning documents, through the Implementation reports of public policies, in the field of migration	
1.1.7	Improve the human resources capacities of the Commissariat for Refugees and Migration, in the field of the migration management	<b>Commissariat for Refugees and Migration</b>	II quarter of the year 2019 and continuously	<b>Budget of the Commissariat for Refugees and Migration</b> <i>redeployment of existing employees</i> <b>For 35 employees – 420.000 EUR per year,</b>	The Rulebook on Job Classification in the Commissariat for Refugees and Migration	

				<i>starting from the year 2019 regular work activities existing staff</i>		
1.1.8	Improve the human resources capacities of the Ministry of the Interior - Border Police Directorate - Service for Foreigners	<b>Ministry of the Interior</b> General Police Directorate - Border Police Directorate Sector for Human Resources	IV quarter of the year 2019 and continuously	<b>Budget of the Ministry of the Interior 1.564.920 EUR per year</b> <i>redeployment of existing employees, starting from the year 2020 regular work activities existing staff</i>	The Rulebook on Internal Organisation and Job Classification in the Ministry of the Interior <b>adopted</b>	
1.1.9	Regular updating and implementation of the plan and training program, for officers of the Commissariat for Refugees and Migration, in the field of the migration management following the needs and the development of policy in this field.	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration 25.000 EUR per year</b>	Relevant training for the officers of the Commissariat engaged in activities in the field of migration management provided	

INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia amends the Criminal Code, the Law on Employment of Foreigners and the Law on Foreigners and brings its legislation in line with the EU acquis in the field of legal and irregular migration. Serbia effectively monitors and reports on the implementation of this legislation and takes corrective measures where needed	Normative framework of the Republic of Serbia, in the field of legal and irregular migration <i>aligned with the EU acquis</i>  Provided uniform and efficient implementation of the legislation provided, as well as continuous reporting	Foreigners in the Republic of Serbia have the same rights and obligations as third-country nationals within the European Union

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.2.1	Draft a proposal for amendments of the Law on Foreigners - second phase - full harmonization with the provisions of Directive 2009/50/EC, Directive 2011/98/EU, Directive 2003/86/EC, Directive 2003/109/EC, Directive 2011/51/EC, Directive 2014/36/EU, 2014/66/EU, Directive 2008/115/EC, Directive 2009/52/EC, Directive 2004/38/EU, and Directive 2016/801/EU	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate Ministry of Foreign Affairs Ministry of Labour, Employment, Veteran and Social Policy	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 16.200 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of Foreign Affairs</b> 9.720 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of Labour, Employment, Veteran and Social Policy</b> <i>regular work activities</i> 9.720 EUR for the year 2020	Proposal of the Law on Foreigners – second phase – full harmonization drafted The normative framework that will enable the Republic of Serbia to align with the EU <i>acquis</i> , in the field of legal and irregular migration adopted, especially when it comes to establishing a single permit and work permits, introduction of the Blue card to the national legislation and the employment of foreigners who are highly qualified workers, seasonal workers, and institute <i>au pair</i> .	

1.2.2	Adopt the Law on amendments of the Law on Foreigners - second phase - full harmonization with the provisions of Directive 2009/50/EC, Directive 2011/98/EU, Directive 2003/86/EC, Directive 2003/109/EC, Directive 2011/51/EC, Directive 2014/36/EU, 2014/66/EU, Directive 2008/115/EC, Directive 2009/52/EC, Directive 2004/38/EU, and Directive 2016/801/EU and submit it for the adoption to the National Assembly of the Republic of Serbia.	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021 <i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <i>regular work activities</i>	Law on amendments of the Law on Foreigners - second phase – full harmonization adopted  The legal framework that will enable the Republic of Serbia to align with the acquis, in the field of legal and irregular migration adopted, especially when it comes to establishing a <i>single permit and work permits, introduction of the Blue card to the national legislation and employment of foreigners who are highly qualified workers, seasonal workers, and institute au pair.</i>	
1.2.3	Draft a proposal of the amendments of the Criminal Code Law	<b>Ministry of the Interior</b> - Border Police Directorate	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> <i>regular work activities</i> 12.420 EUR for the year 2020	Proposal of amendments of the Criminal Code Law drafted	
1.2.4	Adopt the amendments of the Criminal Code Law	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020 <i>regular work activities</i>	Amendments of the Criminal Code Law adopted	

1.2.5	Strengthen the national system for monitoring and evaluation of the implementation of legislation in the field of legal and irregular migration	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration Ministry of Labour, Employment, Veteran and Social Policy, Ministry of Justice	IV quarter of the year 2020	<b>SDC Projects</b> IPA Project Regional Support to Migration Management in the Western Balkans and Turkey	Standardized reports on implementation of legislation in the field of legal and irregular migration published regularly  <i>Link subchapter Asylum, the activity 2.2.14</i>	
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INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia ensures proper accommodation for intercepted irregular migrants in accordance with the needs and pays particular attention to vulnerable groups. The Republic of Serbia ensures adequate detention capacity and procedural timeframes for the return of irregular migrants in accordance with their needs and in compliance with the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.</p> <p>Republic of Serbia constantly monitors the adequacy of accommodation and detention capacity and is ready to provide, if necessary, at short notice additional capacity in case of sudden influxes.</p>	<p>Adequate accommodation for irregular migrants ensured, following the needs, with special attention on vulnerable groups.</p> <p>An effective return procedure implemented, in line with the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.</p> <p>Secured control of accommodation facilities for irregular migrants and updated Response plan to the increased number of migrants on the territory of the Republic of Serbia</p>	<p>The number of adequate places for the accommodation of irregular migrants (<i>including vulnerable groups</i>) in reconstructed and newly constructed buildings</p> <p>The number of employees in the Shelter for Foreigners increased</p> <p>Material and technical capacities in the Shelter for Foreigners strengthened</p> <p>The number of irregular migrants returned in accordance with the European Committee for the Prevention of Torture and human or Degrading Treatment or Punishment standards</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.3.1	Provide additional accommodation capacities in the Shelter for Foreigners in Padinska skela, Plandiste, and Dimitrovgrad	<b>Ministry of the Interior</b> Sector for material - financial affairs	I quarter of the year 2021	<b>EU Regional Trust Fund in Response to the Migration Crisis – MADAD</b> SDC "Support to the migration management in the Republic of Serbia 2016-2019 <b>Budget of the Ministry of the Interior</b> - for Padinska Skela – 276.000 EUR per year - for Plandiste –	Material and technical capacities strengthened / additional accommodation capacities in the Shelter for Foreigners in Padinska skela, Plandiste, and Dimitrovgrad , and in pre-reception centres for the primary acceptance of irregular migrants	

				240.000 EUR per year <i>-for Dimitrovgrad – 240.000 EUR per year regular work activities</i>	
1.3.2	Improve the human resources capacities in the Shelter for Foreigners in Padinska Skela	<b>Ministry of the Interior</b> Border Police Directorate Sector for Human Recourses	I quarter of the year 2021	<b>Budget of the Ministry of the Interior</b> <i>- for Padinska Skela – 276.000 EUR per year regular work activities</i>	Number of staff engaged in the Shelter for Foreigners in Padinska Skela - 23
1.3.3	Improve the human resources capacities in the Shelter for Foreigners in Plandiste and Dimitrovgrad	<b>Ministry of the Interior</b> Border Police Directorate Sector for Human Recourses	I quarter of the year 2021	<b>Budget of the Ministry of the Interior</b> <i>- for Plandiste – 240.000 EUR per year -for Dimitrovgrad – 240.000 EUR per year regular work activities</i>	Number of staff engaged in the Shelter for Foreigners in Dimitrovgrad - 20  Number of staff engaged in the Shelter for Foreigners in Plandiste - 20



INTERIM BENCHMARK 4	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia negotiates and takes steps to conclude readmission agreements, including with more countries of origin and transit. Serbia promotes and provides effective support for voluntary return of irregular migrants to their country of origin and develops the institutional capacity for implementing a robust re-documentation and return mechanism in line with the EU return policy and <i>acquis</i> . The Republic of Serbia provides an initial record of effective re-documentation and returns of irregular migrants.	<p>The smooth implementation of readmission agreements</p> <p>Support for the voluntary return in the country of origin</p> <p>Strengthened institutional capacities for the implementation of the strong returning mechanism and renewal of the documentation, in line with <i>acquis</i></p> <p>Initial system for monitoring of the results is functional.</p>	Number of irregular migrants returned to countries of previous residence or counties of origin.

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.4.1	Conduct the analysis of the implementation of readmission agreements of persons coming from third countries with recommendations for improvement of the handling mechanism	<b>Ministry of the Interior</b> - Department for the Administrative Affairs, in cooperation with the Border Police Directorate	Continuously	<b>Budget of the Ministry of the Interior</b> 259.200 EUR per year <i>regular work activities</i>	Analysis of the implementation of readmission agreements of persons coming from third countries with recommendations for improvement of the handling mechanism adopted	
1.4.2	Improve the mechanisms for the coordination of activities and measures for the implementation of readmission agreements	<b>Ministry of the Interior</b> - Department for the Administrative Affairs, in cooperation with the other relevant organizational units of the Ministry	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 48.600 EUR for the year 2020 <i>regular work activities</i>	The Instruction on enabling coordination of activities related to the implementation of the Readmission Agreement adopted	

1.4.3	Participation of both parties in the harmonization of the text of the Agreement on readmission between the Republic of Serbia and the Republic of Turkey	<b>Ministry of the Interior-</b> Department for the Administrative Affairs	IV quarter of the year 2020	<p><b>Budget of the Ministry of the Interior</b> 12.150 EUR for the year 2020 <i>regular work activities</i></p> <p><i>Travel cost/ for 3 representatives of the Ministry of the Interior/ - for the year 2020 – for daily allowance</i> 90 EUR 900 EUR - for aircraft tickets 350 EUR - for accommodation</p>	The text of the Agreement on readmission between the Republic of Serbia and the Republic of Turkey agreed	
1.4.4	Participate in the regular annual meetings of the Joint Readmission Committee	<b>Ministry of the Interior,</b> in cooperation with the Ministry of Foreign Affairs and the Commesariat for Refugees and Migration	Continuously, <i>once a year</i>	<p><b>Budget of the Ministry of the Interior -</b> <i>Travel cost / for 4 representatives of the Ministry of the Interior/ - for the year 2020 –</i> <i>120 EUR - for daily allowance</i> <i>1.200 EUR - for aircraft tickets</i> <i>600 EUR - for accommodation</i></p> <p><b>Budget of the Ministry of Foreign Affairs</b> <i>Travel cost / for 1 representative of the Ministry of Foreign Affairs/ - for the year 2020 –</i> <i>30 EUR - for daily allowance</i> <i>120 EUR</i></p>	The number of Decisions and Recommendations adopted by agreement of both parties, in accordance with Article No. 6. of the Decision No. I/2008, of April 16, 2008. Common Readmission Committee	

				<p>300 EUR - for aircraft tickets  150 EUR - for accommodation  <b>Budget of the Commissariat for Refugees and Migration</b>  Travel cost / for 1 representative of the Commissariat for Refugees and Migration - for the year 2020 –  30 EUR - for daily allowance  120 EUR  300 EUR - for aircraft tickets  150 EUR - for accommodation</p>		
1.4.5	Ensure the regular informing of migrants on possibilities of the participation in the Assisted Voluntary Return Program	<b>Commissariat for Refugees and Migration</b> Ministry of the Interior	Continuously	<p><b>Budget of the Commissariat for Refugees and Migration</b>  71.000 EUR per year</p>	<p>The number of info sessions</p> <p>The number of materials distributed (posters, flyers and other forms of information material) available to migrants in reception centres, regional police administrations, and border crossings</p> <p>The percentage of migrants accommodated in centres which are provided with the information on possibilities of the Assisted Voluntary Return Program</p>	

1.4.6	Ensure the effective support for Assisted Voluntary Returns of irregular migrants	<b>Commissariat for Refugees and Migration</b> Ministry of the Interior	Continuously	<b>Project of the International Organization for Migration IOM - MADAD</b> Link: <i>Subchapter Asylum - Interim Benchmark 3</i>	Number of persons returned in the procedure of Assisted Voluntary Return, in relation to the number of applicants	
1.4.7	Participate in the European Initiative for Return Policy - EURINT meetings, as an observer	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration	Continuously	<b>Budget of the Ministry of the Interior</b> - 60 EUR per year - <i>daily allowance</i> / <b>Budget of the Commissariat for Refugees and Migration</b> 60 EUR per year - <i>daily allowance</i>  <b>Note:</b> <i>Cost of accommodation, aircraft tickets and other costs are going to be covered by the European Initiative for Return Policy - EURINT</i>	Number of participants and number of reports	
1.4.8	Participate in the European Return and Reintegration Network - ERRIN board meetings, as an observer	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration	Continuously	<b>Budget of the Ministry of the Interior</b> - 60 EUR per year - <i>daily allowance</i> / <b>Budget of the Commissariat for Refugees and Migration</b> 60 EUR per year - <i>daily allowance</i> <b>Note:</b> <i>Cost of accommodation, aircraft tickets and</i>	Return policy aligned with the Conclusion from ERRIN board meetings	

				other costs are going to be covered by the European Return and Reintegration Network - ERRIN		
1.4.9	Strengthen the institutional capacities for the implementation of the forced return mechanism of irregular migrants	<b>Ministry of the Interior</b> - Police Directorate Belgrade - Police brigade Border Police Directorate, Ombudsman, Ministry of Labour, Employment, Veteran and Social Policy	Continuously	<b>Note:</b> See activities No. 1.3.1, No. 1.3.2 and No. 1.3.3  <i>Other costs - depend on the number of returned persons</i>	A number of employees hired on forced return working posts and the number of person trained for the implementation of the forced return mechanism, in relation to the number of returned irregular migrants.  A number of training delivered	
1.4.10	Develop a clear mechanism of actions and coordination of police officers in the procedure of the forced return of the irregular migrants	<b>Ministry of the Interior</b>	II quarter of the year 2021	<b>Budget of the Ministry of the Interior</b> <i>regular work activities</i> 48.600 EUR for the year 2020	Standard operating procedures (Instruction) for efficient implementation of the procedure for the forced return of the irregular migrants developed	
1.4.11	Start with the initiative for improvement of cooperation with the diplomatic-consular missions of migratory high- risk countries to efficiently obtain documentation to implement the forced return of irregular migrants	<b>Ministry of Foreign Affairs</b> , in cooperation with the Ministry of the Interior	Continuously 2019 - 2020	<b>Budget of the Ministry of the Interior</b> 64.800 EUR for the year 2020 <i>regular work activities</i>	Number of initiatives for improvement of cooperation	

1.4.12	Improve the existing application in which data on irregular migrants, status and documents necessary for the realization of the forced return are recorded and their connection with the application for the record of the crossing of the state border.	Ministry of the Interior General Police Directorate Sector for Analytics, Telecommunication and Information Technologies	IV quarter of the year 2020	Ministry of the Interior 43.200 EUR for the year 2020 <i>regular work activities</i>  <i>Other costs - depend on the number of returned persons</i>	Efficient mechanism of monitoring of irregular migrants who left the country is established  A number of irregular migrants which have been forced returned	
1.4.13	Enable the effective transfer to Kosovo* of people returned to the Republic of Serbia.	Ministry of the Interior General Police Directorate	Continuously	Budget of the Ministry of the Interior— 100 EUR per person	The number of transferred persons to Kosovo* of people returned to the Republic of Serbia	

*\*This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence*

INTERIM BENCHMARK 5	OVERALL RESULT	INDICATOR OF IMPACT
The Republic of Serbia implements measures leading to a notable decrease in the numbers of its nationals submitting unfounded asylum applications in the EU. Serbia develops and implements awareness-raising and information campaigns, particularly among the main concerned local communities of origin and develops a parallel track of better social inclusion of these communities in Serbian society	In local communities units, regular measures are being taken, aimed at reducing the number of citizens of the Republic of Serbia who submit unfounded asylum applications in EU member states. Reduced number of unfounded asylum applications of citizens of the Republic of Serbia in EU member states. Cooperation with the local community units, regarding activities related to raising awareness and information, with the aim of reintegration of returners. The number of persons who are socially involved in Serbian society	A number of unfounded asylum applications of citizens of the Republic of Serbia in the EU member states decreased.  Implementation report on Strategy for reintegration of returnees

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.5.1	Provide funding for the local self-governments to implement activities aimed at the reintegration of returnees	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> 20.000.000 RSD per year, i.e 167.000 EUR* per year (*1EUR = 120 RSD)	Percentage of funds contracted and disbursed Number of realized projects Number of local self-government covered by activities  The percentage of families – returnees, which are, in accordance with the readmission agreements provided by assistance, related to the number of submitted requests	
1.5.2	Provide funding for the civil society organizations - CSO, that will implement awareness campaigns and information in local communities from which the majority of asylum seekers come	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget - Commissariat for Refugees and Migration</b> 500.000 RSD per year i.e 4.150 EUR* per year (*1EUR = 120 RSD)	Percentage of funds contracted and disbursed Number of realized projects Number of persons covered by activities	

INTERIM BENCHMARK 6	OVERALL RESULT	INDICATOR OF IMPACT
<p>The Republic of Serbia takes all necessary steps to ensure that further measures are put in place to enable law enforcement agencies to effectively target and dismantle organised crime groups responsible for migrant smuggling through its territory. Serbia demonstrates an initial track record of successful investigations, prosecutions and final convictions of people smugglers, including successful confiscation of their criminal assets.</p>	<p>The competent institutions of the Republic of Serbia effectively cooperate in the fight against smuggling of migrants, including fast data exchange and successful prosecuting organised criminal groups in the field of smuggling of migrants</p>	<p>The number of final convictions and seized assets</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
1.6.1	<p>Strengthen the capacities of Criminal Police Directorate, special sections and other competent institutions in combating smuggling of migrants</p>	<p><b>Ministry of the Interior</b> Republic Public Prosecutor's Office Commissariat for Refugees and Migration</p>	Continuously	<p><b>Budget of the Ministry of the Interior</b> 1.242 EUR per month for one officer <i>regular work activities</i> <b>Budget of the Republic Public Prosecutor's Office</b> 1.242 EUR per month for one officer <b>Budget of the Prosecutor's Office for Organised crime</b> 1.242 EUR per month for one officer <i>regular work activities</i> <b>Budget of the Commissariat for Refugees and Migration</b> 1.242 EUR per month for one officer</p>	<p>Knowledge and skills on strategies and approaches in combating of people smuggling and treatment in the work with smuggled persons improved (including translation issue) Delivered training courses, number of training, number of trained officers and other representatives</p>	



				<i>regular work activities</i>		
1.6.2	Prevent and counter-smuggling of migrants by enhancing cooperation to prevent, investigate, prosecute and penalise the smuggling of migrants	<b>Ministry of the Interior</b> Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime	Continuously	<i>Link with the activity No. 1.6.1</i> <b>Budget of the Ministry of the Interior</b> 1.242 EUR per month for one officer <i>regular work activities</i> <b>Budget of the Republic Public Prosecutor's Office</b> 1.242 EUR per month for one officer <i>regular work activities</i> <b>Budget of the Organised crime Prosecutor's Office</b> 1.242 EUR per month for one officer <i>regular work activities</i>	Strategic and operational cooperation on domestic, regional and international level enhanced (exchange of information, parallel investigation, JIT ,etc.) A number of final convictions and confiscation of property	

## ASYLUM

### State of play

### Normative framework

To order to align national normative framework with the European Union acquis, within the framework of the Twinning project "Support to the National Asylum System in the Republic of Serbia", an analysis of the normative framework in the area of asylum was carried out, after which the Draft Law on Asylum and Temporary Protection was prepared.

The final result of this Project was **a new Law on Asylum and Temporary Protection** (Official Gazette of the Republic of Serbia, No. 24/2018), as well as **strengthened law enforcement capacities therein.**

The Law on Asylum and Temporary Protection, in line with the provisions of Directive 2013/32/EU, Directive 2011/95/EC, Directive 2001/55/EC and Directive 2013/33/EC was adopted on March 22, 2018, its implementation commencing 60 days from the date of entry into force.

Pursuant to the Law on Asylum and Temporary Protection:

- 1. Rulebook on the manner and procedure for registration, and layout and content of the registration certificate issued to a foreigner who has expressed intent to seek asylum** (Official Gazette of the Republic of Serbia, No. 42/2018), adopted June 01, 2018, entered into force from June 09, 2018.
- 2. Rulebook on the content and layout of the asylum application form and content and layout of the forms for identity documents issued to an asylum seeker and person granted asylum or temporary protection** (Official Gazette of the Republic of Serbia, No. 42/2018), from June 01, 2018, on force from June 09, 2018.
- 3. Rulebook on the manner of keeping and the contents of records kept by the Commissariat for Refugees and Migration**, (Official Gazette of the Republic of Serbia No. 48/2018), adopted on June 22, 2018, entered into force June 30, 2018
- 4. Decree amending Decree on criteria for establishing priority accommodation of persons recognized the right to refuge or granted subsidiary protection and the conditions for the use of temporary housing** (Official Gazette of the Republic of Serbia, No. 56/2018), adopted July 18, 2018, on force from July 26, 2018
- 5. Regulation on amending the Decree on the manner of inclusion in the social, cultural and economic life of persons who have been granted the right to refuge** (Official Gazette of the Republic of Serbia, No. 56/2018), adopted July 18, 2018, on force from July 26, 2018.
- 6. Rulebook on medical examinations of asylum seekers upon admission to the asylum centre or other facility for accommodation of asylum seekers** (Official Gazette of the Republic of Serbia, No. 57/2018), adopted June 25, 2018, on force from July 03, 2018
- 7. Rulebook on home order in the Asylum Center and other facility for the accommodation of asylum seekers**, (Official Gazette of the Republic of Serbia, No. 96/2018), adopted December 11, 2018, on force from December 19, 2018
- 8. Decree on establishment of programs to support voluntary return of foreigners for the period from 2019- 2021** (Official Gazette of the Republic of Serbia, No. 10/2019) adopted February 15, 2019, on force from February 23, 2019

Besides the Law on Asylum and Temporary Protection (Official Gazette of the Republic of Serbia, No. 24/2018), the following normative acts also apply to the area of asylum

- **Law on General Administrative Procedure** (Official Gazette of the Republic of Serbia, No. 18/2016),
- **Law on Foreigners** (Official Gazette of the Republic of Serbia, No. 24/2018), **the Law on Administrative Disputes** (Official Gazette of the Republic of Serbia, No. 111/09), and
- **Law on Migration Management** (Official Gazette of the Republic of Serbia, No. 107/12)

**In the first phase**, harmonization with the relevant European Union *acquis* was done in the areas of:

- *Allowing access to asylum procedure in the Republic of Serbia in case a safe third country does not allow the applicant to enter its territory*
- *Defining the acts of persecution*
- *Defining persecution, grounds for exclusion*
- *Defining "safe country of origin", "first country of asylum", "safe third country", "inadmissible applications" (rejecting an application without considering its substance as prescribed by the Directive 32013L0032 EU) and "border procedure"*
- *Request for a formal termination in case of implicit withdrawal or cancellation of the procedure*
- *The rights of international protection beneficiaries, material reception conditions*

**In the second phase**, the Republic of Serbia will conduct activities to implement the Regulation (EC) No. 2725/2000 and Council Regulation (EC) No. 407/2002 on the establishment of the EURODAC System for the comparison of fingerprints, and implementing the Council Regulation (EC) No. 604/2013 on establishing the criteria and mechanisms for determining the Member State responsible for examining applications for international protection lodged in one of the Member States by a third-country national or a stateless person - **Dublin Regulation**.

## INSTITUTIONAL FRAMEWORK

The competences in the area of asylum in the Republic of Serbia are divided among several state institutions implementing the Law on Asylum and Temporary Protection.

### Ministry of the Interior – the Asylum Office

**The Ministry of the Interior** is responsible for conducting the **first instance asylum procedures**. The Government Conclusion, 05 no: 00-11/2015-1 of January 16, 2015, approved the Rulebook amending the Rulebook on internal organisation and job classification in the Ministry of the Interior, Conf. 01 no: 9681/14-8 of January 14, 2015. The amendments to the Rulebook on internal organisation and job classification in the Ministry of the Interior provided the establishment of the **Asylum Office**, instead of the Asylum Section within the Department for Foreigners in the Border Police Directorate, which reports directly to the Head of the Border Police Directorate.

The Asylum Office has **expanded its capacity with 23 new posts, and it is foreseen a total of 29 posts in accordance with new job classification**. Out of the above mentioned 29 posts, and other for four are intended for interpreters and others for officers handling asylum applications, collecting and documenting information about countries of origin of asylum seekers, registration of asylum seekers in asylum centres and administrative and technical affairs.

All vacancies were to be filled by redeploying employees within the Ministry of the interior, and **four posts for interpreters were to be filled by employing new staff**.

In the first half of 2017, an internal competition was announced, in order to fill in the vacancies with officers already employed in the Ministry of the Interior, since the decision banning employment in state authorities was still in force. After the open competition, **seven officers were employed in the first half of 2018, together**

*with the Deputy Head of the Asylum Office.* The competition for filling four interpreter posts was unsuccessfully completed because there were no filed applications, which was also the case with two posts for registration activities.

The open competition for the posts "*determining the right to asylum*" and "*collecting and documenting information on the country of origin*" was successfully completed and newly employed officers started working in August 2018, whereas the open competition for the post "*registration of asylum seekers in asylum centres*" was completed without success. Bearing in mind that no one applied for the competition for a place "Registration of asylum seekers in asylum centres" the competition is going to be announced again

Bearing in mind that two internal competitions for the posts of interpreters were completed without success, the Border Police Directorate announced an open competition in order to fill these vacancies. Although the Asylum Office is a part of the Border Police Directorate, employees of the Asylum Office registering asylum seekers, receiving applications, conducting interviews, and issuing decisions are not a uniformed part of the Border Police Directorate but perform their duties in plain clothes. Most of them graduated from the faculties of social and humanistic sciences - legal sciences. The budget of the Republic of Serbia provides funds for the smooth functioning of the Asylum Office.

This further enabled the unhindered implementation of asylum procedures. Apart from funds provided from the budget of the Republic of Serbia, during the year 2017, technical means necessary for the smooth functioning of the Asylum Office were provided through donations of the United Nations High Commissioner for Refugees and the Swiss Development Agency. The budget provides normal functioning of the Asylum Office and the Asylum Procedures.

By the new Rulebook on internal organisation and job classification in the Ministry of Interior adopted in 2018, beginning from January 01, 2019, *two sections were established within the Asylum Office:*

- *Section for determining the right to asylum*
- *Section for collecting and documenting information on countries of origin*

The number of employees in the Section for determining the right to asylum is increased from 11 to 13, and they will further contribute to the efficiency of the procedure. The total number of officers in the Asylum Office is 30.

The Asylum Office is responsible for processing the asylum applications, conducting interviews with asylum seekers and deciding upon filed asylum applications. First instance decisions may be appealed to the Asylum Commission of the Republic of Serbia. Upon Asylum Commission decisions, a lawsuit can be filed to the Administrative Court, which means that Court protection is provided.

#### **Asylum Commission**

Asylum Commission is an independent body of the Government of the Republic of Serbia, consisting of the president and eight members, representatives of the Ministry of Health, Commissariat for Refugees and Migration, Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Labour, Employment, Veteran and Social Affairs and two civil sector representatives.

It makes second instance decisions and through appellate process monitors the implementation of the Law on Asylum and Temporary Protection in the Republic of Serbia in terms of effective access to the asylum procedure and processing asylum applications of the first-instance authority. Following the second instance decisions, there is a possibility to institute an administrative proceeding by lodging a complaint before the Administrative Court of the Republic of Serbia.

#### **Ministry of Labour, Employment, Veteran and Social Affairs**

The Ministry of Labour, Employment, Veteran and Social Affairs, through the centres for social work, takes care of the implementation of the provision, which are prescribed by the Law on Asylum and Temporary Protection and which are related to the social protection, especially the appointment of a guardian of unaccompanied minors.

#### Ministry of Health

The Ministry of Health is responsible for medical examination of asylum seekers on admission to asylum centres and providing medical care and assistance to asylum seekers and persons who have been granted asylum through health centres.

#### Commissariat for Refugees and Migration

The Commissariat for Refugees and Migration provides material reception conditions for asylum seekers in accordance with the Law on asylum and temporary protection; provides temporary accommodation for persons who have been granted the right to asylum in accordance with regulations governing migration management; conducts voluntary return programs and integration programs for persons who have been granted asylum in accordance with regulations governing the area of migration management.

### IPA 2013 - twinning project - Support to National Asylum System in the Republic of Serbia and IPA II project Regional Support to Protection-Sensitive Migration Management in the Western Balkans and Turkey

#### Training delivered within the Project

Within the framework of IPA 2013 twinning project "Support to the National Asylum System in the Republic of Serbia", the following training were completed:

- *Training for collecting information on the country of origin (for 5 national trainers)*
- *Training on advanced interviewing techniques (for 3 national trainers)*
- *Training on interviewing vulnerable groups (for 4 national trainers)*
- *Training on interviewing children and unaccompanied minors (for 4 national trainers)*
- *Workshop on data collection in the process of determining refugee status, human memory and credibility assessment.*

#### Documents developed within the project

##### ➤ *Procedural guide*

Procedural guide on the asylum procedure of the Republic of Serbia – a practical guideline on asylum and reception procedures, based on the new Law of Asylum and Temporary Protection is developed with the aim to provide support to the border police, case and reception officers in their daily work with asylum applicants and facilitate implementation of the new Law. Staff was introduced with the Procedural Guidebook and trained for its implementation in June 2017.

##### ➤ *Manual for service providers dealing with unaccompanied minor asylum seekers in the Republic of Serbia*

Manual for service providers dealing with unaccompanied minor asylum seekers in the Republic of Serbia is developed. The manual is developed to provide practical guidance to officials in order to facilitate the implementation of the new Law on Asylum and Temporary Protection. The manual supports the Procedural Guide on the asylum procedure of the Republic of Serbia. Staff was introduced with the Manual and trained for its implementation in December 2017.

#### ➤ **Code of Conduct for Interpreters**

A **Code of Conduct for Interpreters** was drafted, on the basis of which three seminars were held for interpreters providing their services in dealing with migrants and within the asylum procedure. In addition to the training organised within the Twinning Project, the officers of the Asylum Office attended the training organised by the EU Asylum Support Office – EASO: **related asylum systems, interviewing techniques** - a total of 5 officers of the Asylum Office and Commissariat, **inclusion module** - a total of 5 officers of the Asylum Office and Commissariat, **interviewing asylum seekers belonging to vulnerable categories, reasons for exclusion, data collection on the country of origin**, as well as training organised within the framework of the project "Regional Support to Protection-Sensitive Migration Management in the Western Balkans and Turkey" - **Endangered groups - Identification of persons with special needs**, European Union Asylum Support Offices – EASO: **Regional training on interviewing techniques, Research on countries of origin, Training for managers, Assessment of evidence** - 15 officers from the Border Police and 5 officers from the Commissariat. All training has been organised as training for trainers.

Training under the Training Program are regularly held and based on the Program, and so far, **a total of 80 employees**, who are directly or indirectly in contact with asylum seekers have **undergone training**.

The first round of **module multiplication of the European Union's Asylum Support Office - EASO**, at the national level, was held in June 2018 including the training on **Inclusion**, while training on **Interviewing techniques, Inclusion** and **Assessment of evidence** for the officers of the Asylum Office and Commissariat for Refugees and Migration were held in September of the same year.

#### ➤ **Program for Integration Support Mechanisms /Curriculum for learning the Serbian language and script and an assessment of the possibilities for vocational training of the persons that have been granted protection**

Within the framework of IPA 2013 twinning project "Support to the National Asylum System in the Republic of Serbia", a **Program for Integration Support Mechanisms** was drafted together with a **Curriculum for learning the Serbian language and script and an assessment of the possibilities for vocational training of the persons that have been granted protection**. For persons who have been granted refuge, accommodation will be provided if necessary, **individual integration plans developed, the lessons of Serbian language and script organised, one-time financial assistance from the Commissariat for Refugees and Migration will be provided**, and other measures envisaged by the Decree. Funds are provided by the Law on the Budget for each year, in order to provide full support and access to the rights of persons who have been granted international protection (*integration programs*).

#### **Project Support to Strengthening Migration and Asylum Management in the Republic of Serbia**

Within the project **Support to Strengthening Migration and Asylum Management in the Republic of Serbia**, organised by the International Organization for Migration - IOM, Office in Belgrade, with the support of the United Kingdom Embassy in Belgrade, training was held on **Application of the Law on General Administrative Procedure to the Asylum Procedure** for the employees of the Asylum Office. Following the adoption of the Law on Asylum and Temporary Protection, in the first half of 2018, a training was held on the implementation of the newly adopted provisions of the Law for the police officers of regional police departments, presenting the norms of the Law, for the purpose of a uniform and efficient implementation of the law, especially with regard to the procedure for issuing Registration Certificates. The above-mentioned training was attended by 35 police officers.

Besides training attended by officers of the Asylum Offices and Commissariat for Refugees, during 2017 and 2018, training was also held **for the members of the Asylum Commission and judges of the Administrative Court**. Training for the members of Asylum Commission was held within the project Regional Support to

Protection-Sensitive Migration Management in the Western Balkans and Turkey and within Phase 1 and Phase 2 of the Project implemented by the IOM with the support of the UK Embassy Support to Strengthening Migration and Asylum Management in the Republic of Serbia", whereas the training for judges was held within the project: Regional Support to Protection-Sensitive Migration Management in the Western Balkans and Turkey. During 2018, 1 employee of the Asylum Office participated in training for trainers organised by EASO at the module "Fundamental Rights".

**In 2019, the employees from the Border Police Directorate attended the following training:**

- Training of health workers and police officers directly involved in working with migrants and refugees, organised by the International organisation for migration -IOM-two police officers
- mplementation of the Institute Safe Third Country, organised by the European Asylum Support Office - EASO-10 police officers
- In the organisation of the International Organization for Migration - IOM and the Embassy of the United Kingdom within the Project Support to the strengthening of the asylum system and migration management in the Republic of Serbia, the mentoring work was held on the topic "Making a decision after the application for asylum"-6 police officers
- A workshop on "Protection of Victims of Trafficking in Human Beings and the Asylum System" was held in the organisation of IOM-4 police officers
- A workshop on "Harmful customs and the attitude of society towards LGBTI people in countries of origin" was held in the organisation of IOM/CRPC-12 police officers
- Through the donation of the Swiss Cooperation Aid, a study visit to the competent Austrian authority for researching information on countries of origin ACCORD was held in Vienna, June 2-7, 2019, attended by officers of the Section for Country of Origin- 3 police officers
- "Standards and Practice of the European Court of Human Rights in the field of refugee protection organised by UNHCR- 7 police officers
- In the organisation of the International Organisation for Migration - IOM and the Embassy of the United Kingdom within the Project "Support to the strengthening of the asylum system and migration management in the Republic of Serbia" delivered online courses on the national and international legal framework in asylum – 6 police officers
- In the organisation of the International Organisation for Migration - IOM and the Embassy of the United Kingdom, within the Project "Support to the strengthening of the asylum system and migration management in the Republic of Serbia" is delivered national training on "Country of origin information collecting "and "Fundamental rights "-each training attended 12 officers
- "Cultural Mediation" - organised by the Internationa Organisation for Migration- IOM - 4 police officers
- Webinar organised by CEPOL - English course for police officers - 3 police officers
- Webinar organised by CEPOL - "Access to asylum procedures" - 8 police officers
- Country of Origin methodology conference within IPA 2 Regional Project, organised by European Asylum Support Office - EASO and ACCORD - 2 police officers
- Training on "Identification of Foreign Terrorist Fighters at Borders" organised by the Organisation for Security and Co-operation in Europe - OSCE - 6 police officers
- "Schengen provisions - asylum procedure in the transit zone" organised by the German government – 3 police officers
- In the organisation of the International Organisation for Migration - IOM a seminar on "Protecting Children in the Context of Migration Practice and Policies of Return" within the IPA Regional Project 2 Phase 2 was delivered - 1 police officer
- Within the framework of the IPA 2 Phase 2 Regional Project, regional workshop for Country of Origin (European Asylum Support Office - EASO) - 3 police officers
- In the organisation of the United Nations High Commissioner for Refugees - UNHCR - seminar on "Territorial Access and Transit Procedure - International Standards" - 5 police officers
- The Organization for Security and Co-operation in Europe OSCE Training on "Basic Training in Detecting Counterfeit and False Documents" - 2 police officers

**In 2019, judges of the Administrative Court took part in the following training:**

- *The Workshop on Protecting Human Rights and Preventing Discrimination in the Field of Migration and on Extradition / Prohibition of Return - 3 judges*
- *The Workshop on Country of Origin Information for Western Balkan Judges organized by the EASO - 3 judges*
- *The Workshop on Protecting Human Rights and Preventing Discrimination in Migration- 3 judges*

The Border Police Directorate, in cooperation with the Department for Police Education and Training of the Ministry of the Interior, has developed a Program for realising problem-oriented teaching curriculum within the integrated border management "Implementation of the Law on Asylum and Temporary Protection", which started at the end of 2018 and continued in 2019 for police officers of the Ministry of the Interior, based on the recognised needs, and particularly for police officers who are the first line of contact with potential asylum seekers. During 2019 there were 102 border police officers trained. The training will be delivered continuously.

➤ ***Program of Professional Training, following the methodology of the European Asylum Support Office***

In addition, the Border Police Directorate has initiated the adoption of the Program of Professional Training, following the methodology of the European Asylum Support Office, on the basis of which the officers of the Asylum Office would be trained on Common European Asylum System, Techniques for interviewing asylum seekers, Information on countries of origin, Assessment of evidence and Exclusion from the right to asylum.

The Program for the Professional Development of Police Officers of the Ministry of the Interior of the Republic of Serbia for 2019, provides for continuous training at all levels within the framework of continuous training - theoretical teaching in the field of asylum and temporary protection **Functioning of the Asylum System**. Besides public institutions, non-governmental organizations and the United Nations High Commissioner for Refugees are included in the national asylum system, as well.

Non-governmental organizations are dealing with the protection of asylum seekers rights and providing free legal and psychological assistance, while the United Nations High Commissioner for Refugees - UNHCR, in line with its mandate, monitors the implementation of the 1951 Convention, relating to the status of refugees and its 1967 Protocol, since the Republic of Serbia is a party to this Convention.

➤ ***The Decree on Criteria for Establishing Priority Accommodation of Persons Recognised the Right to Refuge or Granted Subsidiary Protection and the Conditions for the Use of Temporary Housing***

The Decree on Criteria for Establishing Priority Accommodation of Persons Recognised the Right to Refuge or Granted Subsidiary Protection and the Conditions for the Use of Temporary Housing was adopted in July 2015. In accordance with the new Law on Asylum and Temporary Protection, the Decree amending the Decree on Criteria for Establishing Priority Accommodation of Persons Recognised the Right to Refuge or Granted Subsidiary Protection and the Conditions for the Use of Temporary Housing was adopted in July 2018.

➤ ***The Decree on the Integration of Foreigners Granted Asylum in the Social, Cultural and Economic Life***

To support the integration of persons granted international protection, in addition to the Housing Regulation, the Decree on the Integration of Foreigners Granted Asylum in the Social, Cultural and Economic Life was adopted, in December 2016.

Following the new Law on Asylum and Temporary Protection, the Decree amending the Decree on the Integration of Foreigners Granted Asylum in the Social, Cultural and Economic Life was adopted in July 2018. This enabled the implementation of provisions of the Laws that guarantee assistance in the integration of persons that have been recognized the right to refuge and created conditions for implementation of Article 34 of Directive 2011/95/EU.



## Accommodation capacities

The Republic of Serbia has 5 **asylum centres**, whose capacities have been increased up to **1.770 places**. Since June 2015, accommodation capacities have increased by 75%.

Funds for regular accommodation of asylum seekers are provided following the Law on the Budget of the Republic of Serbia. In case of an extraordinary inflow of asylum seekers/migrants, funds are provided within the framework of the ***Response Plan in case of an increased inflow of migrants*** (*contingency planning*).

In accordance with the Law on Asylum and Temporary Protection, the Commissariat for Refugees and Migration provides material reception conditions for asylum seekers. Material reception conditions include accommodation, food, clothing and money for personal needs. Apart from material reception conditions, these facilities provide asylum seekers with recreational and educational activities, psychological and social support programs and free legal assistance. All persons accommodated in the centres are provided with healthcare, including a mandatory medical examination on admission.

***Asylum centres are of open type.*** Through already established mechanisms, the Republic of Serbia monitors the situation in the field of asylum, with special emphasis on available accommodation capacities compared to the needs and expected migration flows. Special attention is paid to ensuring sufficient administrative and institutional capacities under circumstances of increased migrants' inflows. Accommodation capacities for asylum seekers will be further improved by opening another asylum centre.

The Law on the Budget of the Republic of Serbia allocates funds for the smooth functioning of five asylum centres, which creates conditions for exercising the right of asylum seekers to accommodation throughout the asylum procedure, as well as for providing full support and access to the rights of persons who have been granted international protection. Special provisions concerning vulnerable persons, including unaccompanied minors, persons with disabilities, pregnant women, single parents, victims of torture, rape or other serious forms of psychological, physical or sexual violence, are observed.

**Coordination meetings between relevant institutions are regularly held at the operational level.** Meetings of asylum and reception centres managers are held regularly to better coordinate activities. The Commissariat coordinates its activities with other bodies, with particular attention being paid to the provision of health care, inclusion of children in the regular education system and care for unaccompanied minors. In cooperation with the Ministry of Education, Science and Technological Development, regular meetings are organised on the education of migrant and asylum seekers children, with the Ministry of Health regarding the health care, while with the Ministry of Labor, Employment, Veterans' and Social Affairs meetings are held on monitoring of the situation in the field of protection a minor. In addition, the working group has been set up to regularly address the mental health of migrants/asylum seekers, to address current problems more effectively and to strengthen the coordination and cooperation of all relevant actors.

The Ministry of the Interior and the Commissariat for Refugees and Migration regularly exchange information, meet and work on implementing activities within the projects they jointly implement.

## IPA 2014 Project Expansion of existing capacities for the accommodation of asylum seekers

Funds necessary for reconstructing and furnishing of a new asylum centre are provided under IPA 2014 "Expansion of existing capacities for the accommodation of asylum seekers". Project will improve the accommodation conditions in the part of the existing reception centre in Obrenovac and provide sufficient capacities for the accommodation of asylum seekers in compliance with the EASO standards.

## Statistical data

The Republic of Serbia has been facing a significant increase in the number of persons expressing their intent to seek asylum in the Republic of Serbia, especially since 2015, while statistic data for the period 2016 -2018, shows an increase in the number of expressed intentions in relation to the period before the crisis.

Most of these persons leave the territory of the Republic of Serbia in a very short time, but they nevertheless pose significant pressure for the national asylum system. The latest data on expressed intentions for seeking asylum is as follows:

#### **2015**

In 2015, 579.518 certificates on expressed intention to seek asylum were issued, out of which 11.358 persons were placed in asylum centres. Out of that number, 669 persons were registered, 586 asylum applications were lodged, 98 interviews were conducted and 584 decisions were delivered for 827 persons. During 2015, 15 decisions were delivered upholding asylum application and granting shelter for 16 persons, 9 decisions were delivered granting subsidiary protection for 14 persons. Additionally, 6 decisions were delivered refusing asylum applications for 11 persons, 19 decisions rejecting asylum applications for 29 persons, and 451 decisions of discontinuation (suspension) the procedure for 546 persons.

#### **2016**

In 2016, there were 12,811 foreign nationals who expressed intention to seek asylum in the Republic of Serbia, 900 asylum seekers were registered, 577 asylum applications were lodged, 160 interviews were conducted, 508 decisions were delivered for a total of 1,019 persons: 13 decisions upholding asylum applications and granting shelter for 19 persons, 13 decisions upholding asylum applications and granting subsidiary protection for 23 persons, 49 decisions rejecting asylum applications for 64 persons, 16 decisions refusing asylum application for 49 persons and 267 decisions of discontinuation (suspension) the procedure for 491 persons.

#### **2017**

In 2017, 6,195 certificates on expressed intention to seek asylum were issued, out of which 3,556 persons were placed in asylum centres. Out of that number, 244 persons were registered in accordance with the provisions of the Law on Asylum, 235 asylum applications were lodged, 106 interviews conducted and 225 decisions were delivered for a total of 353 persons. In 2017, 3 decisions were rendered upholding asylum applications and granting refuge for 3 persons, 3 decisions upholding asylum applications and granting subsidiary protection for 11 persons. Also, 9 decisions were rendered refusing asylum applications for 11 persons, 42 decisions on rejecting asylum applications for 53 persons, as well as 112 decisions to discontinue the procedure for 159 persons.

#### **2018**

In 2018, 3.298 certificates on expressed intention to seek asylum were issued and 5.112 certificates of registration of a foreigner who expressed his intention to seek asylum in the Republic of Serbia, asylum applications were lodged, 176 interviews conducted 301 decisions were delivered for a total of 478 persons.

In 2018, 11 decisions were delivered upholding asylum applications and granting refuge for 11 persons, 6 decisions upholding asylum applications and granting subsidiary protection for 14 persons. Also, 21 decisions were delivered refusing asylum applications for 25 persons, 34 decisions on rejecting asylum applications for 45 persons, as well as 126 decisions of discontinuation (suspension) the procedure for 178 persons.

#### **2019**

In 2019, 12.935 certificates of registration of foreigners who expressed his intention to seek asylum in the Republic of Serbia were issued. 251 asylum applications were lodged, 178 interviews conducted and 304 decisions were delivered for a total of 443 persons.

In 2019, 13 decisions were delivered upholding asylum applications and granting refuge for 17 persons, 12 decisions upholding asylum applications and granting subsidiary protection for 17 persons. Also, 56 decisions were delivered refusing asylum applications for 80 persons, 10 decisions on rejecting asylum applications for 15 persons, as well as 131 decisions of discontinuation (suspension)the procedure for 163 persons.

All presented decisions refer to the merits of the asylum application.

#### Mechanism for early warning, preparedness and crisis management

The Republic of Serbia has developed a **mechanism for early warning, preparedness and crisis management**. The Ministry of the Interior and the Commissariat for Refugees and Migration has signed a **Protocol on the collection and exchange of information on migration flows relevant for launching a crises response mechanism**.

Based on the Law on Migration Management, the Commissariat analyzes data and proposes appropriate measures to the Government. **The Response plan concerning the increased inflow of migrants** defines the indicators based on which these mechanisms are being launched.

The Republic of Serbia has defined a series of activities that correspond to processes that are an integral part of a mechanism for early warning, preparedness and crisis management, and in accordance with the purpose of Article 33 of EU Regulation no. 604/2013, and provide answers to three key questions: **what launches mechanism, why is it launched and what is the definition of the act?**

*A Protocol on Cooperation and Information Exchange was signed between the Ministry of the Interior and the Commissariat for Refugees and Migration*, in May 2018 with the aim to establish a mechanism for early warning, preparedness and crisis management.

The purpose of this mechanism is to ensure the smooth functioning of the national asylum system under all circumstances. Under this Protocol, the Ministry of the Interior and the Commissariat for Refugees and Migration shall be obliged, under their jurisdiction, to collect process and systematize information, exchange them, and based on them to undertake activities and measures aimed at the functioning of the national asylum system.

**For the purpose of operational functionality of the Mechanism**, the line ministries and the Commissariat for Refugees and Migration have jointly produced the Emergency Response Plan defining the specific activities to be undertaken, or indicators on which these mechanisms are being initiated. The plan is drawn up once a year and can be amended, if necessary. Based on the Law on Migration Management, the Commissariat coordinates preparation of the document and proposes agreed measures to the Government.

#### Other activities

The activities aimed at raising awareness in communities receiving migrants and asylum seekers are carried out continuously.

The Commissariat supports awareness-raising activities in communities receiving migrants in two ways:

- *by providing support to the civil society organizations*
- *by providing support to the local self-government units*

Funds are regularly allocated in the budget to support civil society organizations that carry out activities aimed at raising awareness of the local communities that host migrants (*11 NGO projects in the area of migration and asylum were supported during the year 2019 in the total amount of 3 million RSD*). Regulation on the establishment of incentive programs for LSGs for the implementation of measures and activities necessary to achieve the set goals in the area of migration management is being adopted on an annual basis. In order to strengthen tolerance during the year 2019, *5million RSD were allocated to local self-government units*.

*One LSG was financially supported in the amount of 2.5 million RSD.* For the activities aimed at building the capacity of local self-government units to solve the problems of migrants located in their territory 5 million RSD, were allocated to local self-government units in 2019. Two LSG were financially supported in the amount of 1.25 million RSD).

The amount of these funds and the manner of their distribution is regulated by the Decree on the establishment of incentive programs for the implementation of measures and activities necessary for reaching the set goals in the area of migration management in local self-government units and is adopted annually.

Within the EU Support to Migration Management in Serbia, social cohesion activities are being carried out continuously in order to connect the local and migrant population in all the communities where migrants are located. These activities have been backed and intensified with the national media campaign (June-August 2019). The campaign has encompassed TV spot showed on 17 national and local TV stations, radio jingle broadcast on 17 national and local radio stations, and 21 billboards placed in 15 different municipalities and cities throughout Serbia. In addition, workshops with the media representatives were held in June 2019, aimed at improving the cooperation between the local media, local self-governments and the central government institutions for more efficient migration management.

Based on regular reports on work of competent authorities, primarily the Asylum Office and the Asylum Commission, the situation in the area of asylum has been successfully monitored, with particular reference to the efficiency of the first instance and second instance body. The Republic of Serbia actively participates in all activities organised by the Regional Initiative for Migration, Asylum and Refugees - MARRI and the International Centre for the Development of Migration Policy - ICMPD.

After exchanging the letters of understanding, the Republic of Serbia has become actively engaged in numerous activities of the European Asylum Support Office - EASO (training, meetings), and also has an observer status in the EASO Reception Network. The Republic of Serbia has received the **status of an observer within the European Reintegration Instrument Network - ERIN, as well as within the European Integrated Return Management Initiative - EURINT, making it the first non-EU country and the first country in the region with this status.**

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>The Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of asylum.</p> <p>In particular, the Republic of Serbia develops a robust mechanism for early warning, preparedness and crisis management and correctly implements it in crisis situations. Serbia establishes an adequate capacity to register and determine whether displaced persons are in need of international protection or not.</p>	<p>Improved early warning, preparedness, and crisis management mechanism, and is properly implemented in crises. Improved system of registration and referral to the asylum procedure of persons in need of international protection.</p>	<p>The Republic of Serbia responds to crisis situations in a timely and effective manner. Persons in need of international protection are provided with access to the asylum procedure.</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
2.1.1	Improve the Early warning, preparedness and crisis management mechanism	<b>Commissariat for Refugees and Migration</b> Ministry of the Interior	IV quarter of the year 2020	<b>IPA 2016 - twinning project:</b> Strengthening the capacities of the Commissariat for Refugees and Migration of the Republic of Serbia and other relevant institutions for the implementation of the migration and asylum policies and procedures in accordance with the acquis	Improved early warning, preparedness and crisis management mechanism. Contingency plan aligned with the methodology of the European Asylum Support Office - EASO	
2.1.2	Regular updating of the Response plan to the increased number of migrants on the territory of the Republic of Serbia	<b>Commissariat for Refugees and Migration</b> Ministry of the Interior Ministry of Labour, Employment, Veteran and Social Affairs	Continuously	<b>The costs of implementation are contained and presented in the document <u>Response plan to the increased number of migrants on the territory of the Republic of Serbia</u></b>	The Response plan in the event of an increased number of migrants on the territory of the Republic of Serbia <b><u>updated</u></b>	

2.1.3	Deliver training courses for the first-line control officers, in accordance with the Handbook " <u><i>The access to asylum procedure</i></u> "	<b>Ministry of the Interior</b> – Border police Directorate - Asylum Office Commissariat for Refugees and Migration	Continuously	<b>Regional project</b> Support to the migration management and refugees protection in Wester Balkans countries and Turkey	Number of conducted training courses, number of trained officers -100 percentage of the first-line control officers	
2.1.4	Deliver training courses for the first-line control officers, in accordance with the adopted Program content for realisation of problem-based learning " <i>Application of the Law on Asylum and Temporary Protection</i> "	<b>Ministry of the Interior</b> – Border police Directorate - Asylum Office Commissariat for Refugees and Migration	Continuously	<b>Budget of the Ministry of the Interior</b> 558.900 EUR per year, for 300 police officers, for 30 days of trainings <i>regular work activities</i> <b>Budget of the Commissariat for Refugees and Migration</b> 1.863 EUR for the year 2020 – per one officer, for 30 days of training	Number of conducted training courses, number of trained officers / 100 percentage/	

INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia adopts and implements a new Law on Asylum which is to the maximum extent aligned with the relevant EU acquis and which provides the basis for establishing an initial track record on implementing an EU compliant asylum procedure ensuring:</p> <ul style="list-style-type: none"> <li>▪ unhindered access to the procedure</li> <li>▪ a reasonable length of handling asylum requests</li> <li>▪ an improved quality of the decisions taken, recognition rates comparable to the EU average</li> <li>▪ sufficient accommodation capacities and assistance for asylum seekers, and integration of asylum seekers (including vulnerable categories) into society,</li> <li>▪ effective measures to prevent possible misuse of rights by migrants, including swift appeal procedures</li> <li>▪ effective and rapid return of rejected applicants to the country of origin or third-country of transit</li> <li>▪ appropriate legal and immigration provisions for failed asylum applicants or irregular migrants that cannot be quickly removed from Republic of Serbia.</li> </ul>	<p>The Law on Asylum and Temporary Protection aligned with the relevant acquis.</p> <p>A mechanism for monitoring asylum legislation has been established.</p> <p>A system of initial records on the implementation of the asylum procedure was established, in line with the acquis.</p> <p>Improved quality of decisions issued on the basis of requests for asylum.</p> <p>Provided adequate accommodation capacities and assistance for asylum seekers, especially taking into account vulnerable categories.</p> <p>Provided effective measures to prevent possible misuse of rights by migrants.</p> <p>Quick and timely mechanism for return of persons who were denied asylum applications in country of origin or transit country established.</p> <p>Provided relevant provisions and decisions for persons that cannot be quickly removed from the Republic of Serbia.</p>	<p>The Law on Asylum and Temporary Protection is fully implementing, in line with provisions of the Law</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
2.2.1	Draft by-laws and other regulation, in line with the Law on Asylum and Temporary Protection	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration Ministry of Foreign Affairs	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 10.800 EUR per by laws – for the year 2020 <i>regular work activities</i> <b>Budget of the Commissariat for Refugees and Migration</b> 5.400 EUR per by – law – for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of Foreign Affairs</b> 2.700 EUR per by laws – for the year 2020 <i>regular work activities</i>	By-laws drafted Rulebook on travel document /Ministry of the Interior/ IV quarter of the year 2020 Rulebook on terms for the provision of material reception conditions and procedure for their reduction or withdrawal/Commissariat for Refugees and Migration/ IV quarter of the year 2020 The list of the safe third countries/Ministry of Foreign Affairs/IV quarter of the year 2020	
2.2.2	Adopt by-laws and other regulation, in line with the Law on Asylum and Temporary Protection	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration Ministry of Foreign Affairs	II quarter of the year 2021	<b>Budget of the Government of the Republic of Serbia</b> 633 EUR per by-law, for the year 2021 <i>regular work activities</i>	By-laws adopted Rulebook on travel document /Ministry of the Interior/ IV quarter of the year 2019 Rulebook on terms for the provision of material reception conditions and procedure for their reduction or withdrawal/Commissariat for Refugees and Migration/ IV quarter of the year 2020 A list of the safe third states/Ministry of Foreign Affairs/- IV quarter of the year	



					2020	
2.2.3	Draft a proposal for amendments of the Law on Asylum and Temporary Protection - additional alignment with provisions of Directive 2013/32 /EU, Directive 2011/95/E3, Directive 2001/55/EC and Directive 2013/33/EC	<b>Ministry of the Interior</b>	I quarter of the year 2021	<b>Budget of the Ministry of the Interior</b> 24.300 EUR for the year 2021 <i>regular work activities</i> <b>Budget of the Commissariat for Refugees and Migration</b> 14.580 EUR for the year 2021 <i>regular work activities</i> <b>Budget of the Ministry of Foreign Affairs</b> 9.720 EUR for the year 2021 <i>regular work activities</i>	Amendments of the Law on Asylum and Temporary Protection drafted	

2.2.4	Adopt the Law on amendments of the Law on Asylum and Temporary Protection - additional alignment with provisions of Directive 2013/32 /EU, Directive 2011/95/E3, Directive 2001/55/EC and Directive 2013/33/EC	<b>National Assembly</b> Government of the Republic of Serbia Ministry of the Interior	III quarter of the year 2021	<b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <i>regular work activities</i> <b>Budget of the National Assembly</b> 40.008 EUR for the year 2021 <i>regular work activities</i>	Amendments of the Law on Asylum and Temporary Protection adopted. Normative framework, that will enable the Republic of Serbia to align with the EU acquis, especially with regard to the implementation of special forms of procedure, the rights of asylum seekers – related to the directives stated within the activity adopted	
2.2.5	Draft a proposal for amendments of the Law on Asylum and Temporary Protection - the second phase- full harmonisation with provisions of Regulation EC 2725/2000 and Regulation of the European Council 407/2002 on the establishment of a EURODAC fingerprint comparison system and implementation of the Regulation of the European Council 604/2013 on the introduction of criteria and mechanisms for the determination of the Member State in charge of processing requests for international protection which a third-country national or a non residence persons/stateless person to one of the Member States - <i>Dublin Regulation.</i>	<b>Ministry of the Interior</b>	two years prior accession	<i>Costs currently unknown</i>	Amendments of the Law on Asylum and Temporary Protection <b><u>drafted.</u></b>	

2.2.6	Adopt the Law on amendments of the Law on Asylum and Temporary Protection - the second phase- full harmonisation with provisions of Regulation EC 2725/2000 and Regulation of the European Council 407/2002 on the establishment of a EURODAC fingerprint comparison system and implementation of the Regulation of the European Council 604/2013 on the introduction of criteria and mechanisms for the determination of the Member State in charge of processing requests for international protection which a third-country national or a non residence persons/stateless person to one of the Member States - <i>Dublin Regulation</i> .	<b>Ministry of the Interior</b>	two years prior accession	<i>Costs currently unknown</i>	Amendments of the Law on Asylum and Temporary Protection <b><u>adopted</u></b> .  Normative framework that will enable the Republic of Serbia to align with the EU acquis, especially with provisions which regulate establishment of the EURODAC	
2.2.7	Deliver training courses for employees who will provide technical assistance to the users of the EURODAC system	<b>Ministry of the Interior – Border police Directorate</b>	IV quarter 2022	<b>Project IPA 2014 -</b> Regional support to the migration management on Western Balcan and Turkey <b>IPA 2016 - Sector Budget Support - complementary support:</b> Support to the preparation for participation in EUROSUR network	Delivered training courses <sup>7</sup>	

<sup>7</sup>*The number and percentage of the trained officers is not available at this moment*

				and EURODAC system - 1.000.000 EUR		
2.2.8	Define procedures to be set up for the purpose of smooth data exchange with the EURODAC system	<b>Ministry of the Interior</b> Border Police Directorate	IV quarter 2022	<b>IPA 2016 - Sector Budget Support - complementary support:</b> Support to the preparation for participation in EUROSUR network and EURODAC system - 1.000.000 EUR	Procedures to be set up for the purpose of smooth data exchange with the EURODAC system <b>defined</b>	
2.2.9	Strengthen the capacities of the Commissariat for Refugees and Migration, in the field of integration	<b>Commissariat for Refugees and Migration</b>	II quarter of the year 2019 and continuously	<i>Link Subchapter Migration - Interim Benchmark 1</i>	Rulebook on internal organisation and sistematization of workplaces in the Commissariat for Refugees and Migration adopted	
2.2.10	Implementation of the integration programs	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> 4.000.000 RSD* per year (*1 EUR = 120 RSD)	The proportion/percentage of persons who received assistance in the integration process in relation to the number of persons who applied for assistance, the number of persons who need additional support for integration, the number of persons from sensitive categories who are supported and received assistance	
2.2.11	Provide effective support for assisted voluntary return - AVR	<b>Commissariat for Refugees and Migration</b>  Ministry of the Interior	Continuously	<b>Project of the International Organization for Migration - IOM / MADAD</b> <i>Link Subchapter Migration - Interim</i>	The proportion/percentage of persons in AVR, in relation to the number of persons who applied for the AVR	

				<i>Benchmark 4</i>		
2.2.13	Strengthen the administrative capacities for the implementation of the AVR mechanism	<b>Commissariat for Refugees and Migration</b> Ministry of the Interior	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> 298.080 EUR per year	Number of staff engaged on AVR -20 officers Number of trained staff in the area of AVR in relation to those in need of training 20 officers 100%	
2.2.14	Strengthen the institutional capacities for implementation of forced return of rejected applicants, in third country or transit country	<b>Ministry of the Interior</b> – Border Police Directorate	Continuously	<i>Link Subchapter Migration - Interim Benchmark 4</i>	Number of officers engaged on forced return Number of training delivered  <i>Subchapter Migration - Interim Benchmark 4</i>	
2.2.15	Strengthen the National system for monitoring and evaluation of the implementation of legislation in the area of asylum	<b>Ministry of the Interior</b>  Commissariat for Refugees and Migration	IV quarter of the year 2020	<b>Projects: SDC and IPA II - Regional project:</b> Support to the migration management and refugees protection in WB countries and Turkey	Standardised and regularly published reports of the implementation of the normative framework in the field of asylum	
2.2.16	Eliminate the deficiencies identified in the implementation of the Law on Asylum and Temporary Protection based on the recommendations of the Ombudsman and the National Preventive Mechanism for further improvement of the national asylum system	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration	Continuously	<b>Budget of the Ministry of the Interior</b> 44.712 EUR per year <i>regular work activities</i> <b>Budget of the Commissariat for Refugees and Migration</b> 29.808 EUR per year <i>regular work activities</i>	Implementation of Ombudsman recommendations  Implementation of the National Preventive Mechanism recommendations	

INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia substantially strengthens its institutional capacity to effectively handle asylum claims and ensures the financial sustainability of institutions concerned, including relevant administrative and judicial authorities at local and national level. In particular: the capacity of the Asylum Office to adequately and timely handle asylum requests is strengthened through hiring extra staff and ensuring their comprehensive training, development and regular assessment. The capacity of the Commissariat for Refugees is further upgraded in line with identified requirements, including through regular training. Judicial authorities in charge of handling asylum and immigration appeals receive relevant training. Serbia develops the ability to further increase its accommodation capacity based on a continued monitoring of migration trends and the needs of irregular migrants on its territory.</p>	<p>Strengthened the administrative and institutional capacities of the Republic of Serbia, necessary for the implementation of the asylum procedure, primarily the Asylum Office. Provided funds by the Law on the Budget of the Republic of Serbia for institutions involved in asylum procedures, at the local level and at the level of the Republic of Serbia as a whole</p>	<p>The number of employees and trained officers The number of training courses held. Funds provided following the Law on the Budget of the Republic of Serbia on the sections of the competent institutions.</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
2.3.1	Provide funds in the budget in accordance with the needs the Asylum Office	<b>Ministry of the Interior</b>	Continuously	<b>Budget of the Ministry of the Interior</b> 4.000.000 RSD* for each year (*1EUR = 120 RSD) <i>regular work activities existing staff</i>	Funds in the Budget of the Republic of Serbia provided	
2.3.2	Provide funds in the budget in accordance with the needs the Commissariat for Refugees and Migration	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> 480.000.000 RSD* per year(*1EUR = 120 RSD)	Funds in the Budget of the Republic of Serbia provided	

2.3.3	Deliver training courses for officers of the Asylum Office, in line with the Program of the specialised training courses according to the Methodology of the European Asylum Support Office on the following topics: <u>Common European system of Asylum, technics for interviews with asylum seekers, information about countries of origin, assessment of evidence, exclusion from the right to asylum</u>	<b>Ministry of the Interior</b>	Continuously	<u>All costs are going to be covered by the EASO</u>	Common European system of Asylum - 30% Interviews technics with asylum seeker- 90 % Information about countries of origin - 90% Assessment of evidence-90% Exclusion from the right to asylum-20% Fundamental rights - 10%	
2.3.4	Deliver training courses for officers in the Commissariat for Refugees and Migration and for staff who are in direct or indirect contact with asylum seekers	<b>Commissariat for Refugees and Migration</b>	Continuously	EU funded project “ <i>Support to information management, communications and planning capacities in migration management in the Republic of Serbia</i> “ implemented by IOM SEM project - <b>Support to migration management in Serbia</b>  IPA 2016 Twinning project - Support for strengthening migration management and the asylum system	The number of training courses held, in accordance with the Training Program The number of trained officers <i>50 percentage</i>	

2.3.5	Continuous improvement and monitoring of standards in asylum centres in accordance with the standards of the European Union Office for the Support of the Asylum System - EASO and the United Nations High Commissioner for Refugees - UNHCR, and the maintenance of facilities that can be used in the short term to accommodate asylum seekers in the event of their mass influx	<b>Commissariat for Refugees and Migration</b>	Continuously	<b><u>Special measure 6 International Organization for Migration - IOM contract - reconstruction and maintenance</u></b> component - 900.000EUR	Accommodation of asylum seekers is in line with the European Union Office for the Support of the Asylum System - EASO standards	
2.3.6	Open the new asylum centre and providing equipment in line with the European Union Office for the Support of the Asylum System - EASO standards	<b>Commissariat for Refugees and Migration</b>	I quarter of the year 2021	<b>Project IPA 2014 - Action document: Support to the Internal Affairs Sector</b> <b><u>Total value</u></b> <b><u>3.240.000 EUR</u></b> <b><u>Total budget of the activity</u></b> 1) <i>buildings</i> 10.262.000 RSD 2) <i>buildings</i> 92.357.000 RSD 3) <i>contracted services</i> 5.856.000 RSD	The new asylum centre opened	
2.3.7	Conduct awareness-raising activities in communities receiving asylum seekers and migrants	<b>Commissariat for Refugees and Migration</b>	Continuously	<b>Budget of the Commissariat for Refugees and Migration</b> 5.000.000 RSD per year or 41.700 EUR	The number of civil society organizations (CSO) and local self-governments (LSG) supported through the public Calls of the Commissariat for Refugees and Migration	



2.3.8	Deliver training courses for members of the Asylum Commission	<b>Ministry of the Interior</b> Commissariat for Refugees and Migration Asylum Commission Administrative Court	Continuously	<b>IPA II Regional Project:</b> Support to the migration management and protection of refugees in WB counties and Turkey IOM Project:”Support to the migration management and asylum in the Republic of Serbia	The number of training conducted The number of trained members of Asylum Commission - <i>60 percentage</i>	
2.3.9	Deliver training courses for judges of the Administrative Cours	<b>Ministry of the Interior</b> Asylum Commission Administrative Court	Continuously	<b>IPA II Regional Project:</b> Support to the migration management and protection of refugees in WB counties and Turkey IOM Project:”Support to the migration management and asylum in the Republic of Serbia	The number of trained judges The number of training courses conducted <i>50 percentage</i>	
2.3.10	Continue with the regular coordination meetings between the Commissariat for Refugees and Migration, the Ministry of the Interior and other relevant institutions,in order to consider the overall situation in the field of asylum and migration,with the special emphasis on the available accommodation capacities, in relation to the needs and expected migration flows	<b>Commissariat for Refugees and Migration</b>	Continuously At least quarterly, more often in case of need	<b>Budget of the Commissariat for Refugees and Migration</b> 310 EUR per meeting <i>regular work activities</i>	The number of meetings The number of decisions adopted	

## VISA POLICY

### STATE OF PLAY

The visa policy normative framework consists of:

- **Law on Foreigners** (Official Gazette of the Republic of Serbia, No. 97/08 and No. 24/2018),
- **Law on Travel Documents** (Official Gazette of the Republic of Serbia, No. 90/2007, 116/2008, 104/2009, 76/2010, 62/14)

and sub-normative 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,**
- **Decree on detailed conditions for refusing entry of aliens to the Republic of Serbia and**
- **Instructions for visa application processing within the Visa Information System.**

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.

Visa regime of the Republic of Serbia 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:

1. *Armenia*
2. *Azerbaijan*
3. *Bahrain*
4. *Belarus*
5. *Bolivia*
6. *Burundi*
7. *PR of China*
8. *Cuba*
9. *Chad*
10. *Dominican Republic*
11. *Kuwait*
12. *Guinea Bissau*
13. *India*
14. *Indonesia*
15. *Jamaica*
16. *Kazakhstan*
17. *Qatar*
18. *Kyrgyz Republic*
19. *Mongolia*

20. *Oman*
21. *Russian Federation,*
22. *Suriname*
23. *Tunisia*
24. *Turkey*

Whereas with regard to **the positive EU list** contained in **Annex II** to the Decision an entry visa is required for nationals of:

1. *Brunei Darussalam*
2. *Guatemala*
3. *Honduras*
4. *Kiribati*
5. *Malaysia*
6. *Marshall Islands*
7. *Mauritius*
8. *Micronesia*
9. *Nauru*
10. *Federation of Saint Christopher and Nevis*
11. *Nicaragua*
12. *Panama*
13. *Palau*
14. *Santa Lusia*
15. *El Salvador*
16. *Samoa*
17. *San Marino*
18. *Solomon Islands*
19. *East Timor*
20. *Tonga*
21. *Tuvalu*
22. *Vanuatu*
23. *Venezuela*

Before its accession to the European Union, the Republic of 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 also include efforts aimed at administrative capacity building. Within the framework of these activities, a visa regime needs to be re-established with third countries for which there are a visa requirement to enter the EU.**

## The Visa-Issuing System

The visa-issuing system **is largely harmonised with the provisions of EC Decision 810/2009-Visa Code**. To eliminate weaknesses in administrative and technical capacity steps are being taken to amend legal regulations and approximate them to the EU visa policy legislation<sup>8</sup>.

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, normative 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 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 a residence permit in the countries of the Schengen area, EU or the United States of America**.<sup>9</sup> The said categories of foreign nationals, under the Decision which took effect on November 8, 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.

## Visas issued at the border

**The Republic of Serbia has decreased 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 sports 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, 190 visas in 2014 and 80 visas were granted in 2015. During 2016, 63 visas were issued, during 2017, 101 visas were issued, while, during 2018, 108 visas were issued. In 2019, a total of 63 visas were issued at the border.

More than 95% of visas have been issued to participants of international sporting events, and the issue of such visas have 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.**

More than 95 per cent of visas have been issued to participants of international sporting events, and the issuing of such visas has not been systematic but the result of an urgent need or specific situation. **The trend of reduction in 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 keep decreasing the number of visas issued at the border, cooperation will be improved and intensified with organisers of big sporting events so that visas can be timely granted at the Serbian diplomatic or consular missions.

On June 21, 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.

In terms of document security and visa characteristics, the highest possible level of harmonisation has been ensured, 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 into 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

<sup>8</sup> EU Regulation 539/2001, Visa Code

<sup>9</sup> 30 October, 2014

Manufacturing Banknotes and Coins. Full harmonisation 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 focus on further improvements in this segment and building capacity for receiving classified information on security details of travel documents and visa format and their practical application.

### National VIS

A national VIS was put in place in 2012 on the basis of the model applied in the EU Member States, and it linked Serbian diplomatic and consular missions with the Ministry of Foreign Affairs and Ministry of the Interior and is located within the Ministry of Foreign Affairs.

The VIS has been operational in 90 of 91 diplomatic and consular missions of the Republic of Serbia throughout the world and it will also be installed in Tehran.

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 and consular missions, 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 diplomatic and consular missions of the Republic of Serbia in foreign countries, which are linked to the VIS. Once an in-depth expert and technical analysis have been completed, further IT and technical imperfections will have to be eliminated and standardized software used to allow links to other databases.

In this segment, any professional, expert and material-technical support and assistance by the EU and its Member States is welcomed. All planned measures will be implemented within the Schengen Action Plan.

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of visa policy. In particular, Republic of Serbia conducts a comprehensive needs assessment as a basis for the relevant parts of the required Schengen Action Plan. Republic of Serbia ceases issuing visas at the borders and brings its visa policy in line with EU requirements in this respect.</p>	<p>The normative framework of the Republic of Serbia is largely harmonised with the EU acquis.</p> <p>The visa policy of the Republic of Serbia has been implementing following the requirements of the European Union.</p> <p>Visa regime of the Republic of Serbia, largely aligned with the visa regime in force in the Member States of the European Union</p>	<p>The number of visas issued at the border has been reduced.</p> <p>Defined capacities, deadlines and instrumentations for harmonisation of the visa regime.</p> <p>Strengthened human resources capacities for the implementation of the visa policy - trained staff</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
3.1.1	Draft a proposal of the Visa Regime Harmonisation Plan following the EU Visa Regime	<b>Ministry of Foreign Affairs</b>	IV quarter of the year 2021	<b>Budget of the Ministry of Foreign Affairs</b> 32.400 EUR for the year 2020 <i>regular work activities</i> 64.800 EUR for the year 2021 <i>regular work activities</i>	The Plan that defines capacities, deadlines and instruments for harmonisation of Visa regime <u><i>drafted</i></u>	
3.1.2	Adopt the Visa Regime Harmonisation Plan following the EU Visa Regime	<b>Government of the Republic of Serbia</b>	I quarter of the year 2022	<b>Budget of the Government of Republic of Serbia</b> 633 EUR for the year 2022 <i>regular work activities</i>	The Plan that defines capacities, deadlines and instruments for harmonisation of Visa regime <u><i>adopted</i></u>	
3.1.3	Align the bilateral agreements on visa exemption which will be concluded and make decisions on Visa regimes toward third countries, having in mind EU Regulation 539/2001	<b>Ministry of Foreign Affairs</b> Ministry of the Interior	Not later than 6 months prior to accession of Republic of Serbia to the EU	<b>Budget of the Ministry of Foreign Affairs</b> 64.800 EUR per year <i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 32.400 EUR per year <i>regular work activities</i>	Bilateral agreements <u><i>concluded</i></u>  Decisions have been made regarding Visa regime with third countries	
3.1.4	Improve the technical and administrative capacities necessary for the implementation of the harmonised Visa Regime	<b>Ministry of Foreign Affairs</b> Ministry of the Interior	6 months prior to the accession of Republic of Serbia to the EU	<u><i>Note:</i></u> <i>Redistribution from the procured resources</i>	IT equipment provided and administrative capacities enhanced through delivering training courses for staff of the Ministry of Foreign Affairs, as well as the Ministry of the Interior (Border Police Directorate”	

3.1.5	Initiate and conduct diplomatic activities in accordance with the International Law and practice, toward third countries with which there are bilateral agreements of unilateral decisions on visa exemption, to align the Visa Regime with Regulation 539/2001	<b>Ministry of Foreign Affairs</b> Ministry of the Interior	6 months prior to the accession of Republic of Serbia to the EU	<b>Budget of the Ministry of Foreign Affairs</b> 64.800 EUR per year <i>regular work activities</i> <b>Ministry of the Interior</b> 16.200 EUR per year <i>regular work activities</i>	Decisions of the Government of the Republic of Serbia published (Visa Regime 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	
3.1.6	Provide adequate technical and logistic preparation and provide capacity concerning receipt of classified information on the security features of travel documents and visa format and their application in practice	<b>Ministry of the Interior</b> Border Police Directorate Ministry of Foreign Affairs Institute for Manufacturing Banknotes and Coins of the Republic of Serbia	6 months prior to the accession of Republic of Serbia to the EU	<b>Note:</b> <i>Costs are currently unknown</i>	Capacities strengthened for reception of classified information regarding security features of travel documents and visa format, as well as their implementation in practice	
3.1.7	Draft a proposal for the new Law on Foreign Affairs in accordance with the EU acquis	<b>Ministry of Foreign Affairs</b>	IV quarter of the year 2021	<b>Budget of the Ministry of Foreign Affairs</b> 16.200 EUR for the year 2020 <i>regular work activities</i> 81.000 EUR for the year 2021 <i>regular work activities</i>	The Law on Foreigners <i>drafted</i> in accordance with the acquis	

3.1.8	Adopt the new Law on Foreign Affairs in accordance with the EU acquis	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	I quarter of the year 2022	<b>Budget of the National Assembly</b> 40.008 EUR for the year 2022 <i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2022 <i>regular work activities</i>	The Law on Foreigners <b><i>adopted</i></b> in accordance with the EU acquis	
3.1.9	Draft a proposal for the new Law on Foreigners in accordance with the acquis	<b>Ministry of the Interior</b> Border Police Directorate Ministry of Foreign Affairs	IV quarter of the year 2020	<b>Note:</b> <i>See activity No. 1.2.1 – Subchapter 1 - Migration</i>	The Law on Foreigners <b><i>drafted</i></b> in accordance with the with the EU acquis	
3.1.10	Adopt the new Law on Foreigners following the acquis  <i>See activity No. 1.2.2 – Subchapter 1 - Migration</i>	<b>National Assembly</b> Government of Republic of Serbia	II quarter of the year 2021	<b>Note:</b> <i>See activity No. 1.2.2 – Subchapter 1 - Migration</i>	The Law on Foreigners adopted in accordance with the acquis	
3.1.11	Conduct an analysis of financial, administrative, legal and procedural measures and necessary infrastructure for the implementation of Visa Information System – VIS, to achieve full alignment with the EU VIS	<b>Ministry of Foreign Affairs</b> Ministry of the Interior	I quarter of the year 2021	<b>Budget of the Ministry of Foreign Affairs</b> 129.600 EUR for the year 2020 <i>regular work activities</i> 32.400 EUR for the year 2021 <i>regular work activities</i>	Analysis carried out and recommendations for strenghtening of administrative capacities and infrastructure are defined	



3.1.12	Provide the necessary equipment and a new software and hardware, which will allow electronic connection between competent authorities (MFA, MI, consulates etc.)	<b>Ministry of Foreign Affairs</b> Ministry of the Interior	Continuous task up to 6 months prior to Serbia's accession to the EU	<b><u>Note:</u></b> <i><u>Costs are currently unknown</u></i>	VIS established	
3.1.13	Deliver training to the consular staff, in accordance with the VIS requirements	<b>Ministry of Foreign Affairs</b>	Regular task following the needs	<b>Budget of the Ministry of Foreign Affairs</b> 6.480 EUR per year – for one trained person <i>regular work activities</i>	Number of delivered training courses Training evaluation report	

## EXTERNAL BORDERS AND SCHENGEN

### State of play

The Republic of Serbia covers a territory of 88.361 km<sup>2</sup> and has the state border with Hungary, Romania, Republic of Bulgaria, Republic of Croatia, Bosnia and Herzegovina, Montenegro, the Republic of North Macedonia, and Republic of Albania.

**The total length of the state border is 2.361,86 km.** Main responsible authority for border control is the Border Police Directorate within the Ministry of the Interior.

## NORMATIVE FRAMEWORK

### The Law on Border Control and the Law on Foreigners

The Law on Border Control (Official Gazette of the Republic of Serbia, number 24/2018) adopted during March 2018, is the basic legal act for controlling the state border of the Republic of Serbia and is largely aligned with the European Union standards regarding border control rules - Schengen border code, i.e. Regulation 399/16.

Provisions of the Law on Border Control and the Law of Foreigners (adopted during March of the year 2018) are aligned with the provisions related to the conditions of entry, authentication of travel documents, relieved entry of persons (due to humanitarian reasons, national interests or international obligations), issuing visas at the border, exception of the border control regime, detailed border checks, first and second control lines, surveillance of the state border by mobile and fixed devices, special rules for specific types of traffic and crossing of the border of certain categories of persons, border crossing points management, travel of minors, compensatory measures, refusal to enter the territory of the Republic of Serbia, possibilities for opening common border crossing points, length of stay (90 days during 6 months). In addition, the Law on Asylum and Temporary Protection was adopted in March 2018.

Current legal framework presents a good 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 EU acquis.

Recommendations of the Schengen Catalogue, regarding organization and competence of unique 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.

Bylaws were adopted for the implementation of these laws. On the basis of the Law on Border Control, 12 rulebooks and 2 regulations were adopted:

1. **Rulebook on the shape, content and manner of installation of special signs, boards and signalization to mark the vicinity of the state border, border crossing point, working hours of the border crossing point and the border crossing area** (Official Gazette of the Republic of Serbia, No. 65 of 24 August, 2018);
2. **Rulebook on border police procedure for identifying and resolving border incidents and state border violations** (Official Gazette of the Republic of Serbia, No. 42 of 1 June, 2018);
3. **Rulebook on the layout and content of the form and manner of reporting open and closed hunting near the border line** (Official Gazette of the Republic of Serbia, No. 63 of 17 August, 2018);

4. **Rulebook on the layout and content of the application form for border permit, the border permit and the manner of issuance of the border permit** (Official Gazette of the Republic of Serbia, No. 42 of 1 June, 2018);
5. **Rulebook on the manner of submitting request for approval of spatial development near the state border** (Official Gazette of the Republic of Serbia, No. 65 of 24 August, 2018);
6. **Rulebook on the manner of submitting the request and the procedure for issuing approval for construction, setting up facilities, change of their purpose, as well as setting up installations, equipment and devices in the border crossing area and granting prior consent for the commencement of works in the the border crossing area** (Official Gazette of the Republic of Serbia, No. 104 of 28 December, 2018);
7. **Rulebook on the contents of requests for issuance, manner of issuance and confiscation, layout and content of documents stipulated by the Law on Border Control** (Official Gazette of the Republic of Serbia, No. 104 of 28 December, 2018);
8. **Rulebook on the manner of state border surveillance and manner of issuance, layout and content of documents drafted by police officers performing the tasks of state border surveillance** (Official Gazette of the Republic of Serbia, No. 65 of 24 August, 2018);
9. **Rulebook on the manner of state border surveillance and manner of issuance, layout and content of documents drafted by police officers performing the tasks of state border surveillance** (Official Gazette of the Republic of Serbia, No. 104 of 28 December, 2018);
10. **Rulebook on the content, the layout of the stamp and the manner of entering data on the transfer of weapons and ammunition across the state border into a travel document** (Official Gazette of the Republic of Serbia, No. 48 of 22 June, 2018);
11. **Rulebook on the contents and layout of stamps and special markings and the manner of entering entry and exit data and refusal of entry and exit, as well as other information of importance for the border check in the travel document** (Official Gazette of the Republic of Serbia, No. 105 of 29 December, 2018);
12. **Rulebook on the layout and content of the certificate of entry into or exit from the Republic of Serbia and special document** (Official Gazette of the Republic of Serbia, No. 65 of 24 August, 2018);
13. **Regulation on the conditions and procedure for opening and closing of border crossings, their categorisation, working hours and manner of crossing the state border** (Official Gazette of the Republic of Serbia, No. 98 of December 14, 2018);
14. **Regulation on the conditions for determining a temporary border crossing point** (Official Gazette of the Republic of Serbia, No. 98 of December 14, 2018).

The drafting of the Regulation on the requirements that must be met at a border crossing point regarding the premises, devices, equipment, infrastructure, sufficient number of employees and other material and technical means necessary for the functioning of the border crossing point, is in progress.

In addition to these activities, to harmonize regulations in the field of border controls, in the implementation of the Action Plan for the accession to the Schengen area, will be fully harmonize the regulations with the European Union.

## INSTITUTIONAL FRAMEWORK

Border management has pyramidal structure: central, regional and local level. At central level, there is a headquarters of Border Police Directorate as the main managing body, at regional level there are **7 regional centres**, and at the local level there are 40 **border police stations**<sup>10</sup>.

Following the last amendment of the Rulebook of internal organisation and jobs classification of the work places in the Ministry of the Interior, at central level, a new organizational structure has been established with the following organizational units:

- *Service for Borders*
- *Service for Foreigners*
- *Department of Professional Standards and Police Skills*
- *Department of Operational Support and Equipping,*
- *Unit for Implementation of Compressive Measures*
- *Risk Analysis Department*
- *Department for Prevention of Cross-Border Crime*
- *Department for Cross-Border Cooperation and Operations*
- *Operational Center*
- *Asylum Office*

while, at the local level border police stations for border security and stations for border control have been joined in one unit.

There are **83 border crossings in the Republic of Serbia**, on 76 which are in function, traffic is going on, and 7 on which there is no traffic.

## Shelter for foreigners in Padinska Skela

See Subchapter 1 Migration

## EQUIPPING OF THE BORDER POLICE DIRECTORATE

Border crossing points have been equipped with basic IT equipment, passport readers, **the first line control devices** (*UV lamp, retro check lamp and magnifier*) and **devices used for contra diversion control** (*Buster, CO2 detector, hand held metal detector, radiation detection device, endoscope camera*)

The most important border crossing points have been equipped with *the second line devices* Projectina Docubox and Heartbeat detectors, narcotics and explosive detectors, specialized device for inspection of motor vehicles - Zitros.

For river and lake surveillance, border police uses 18 patrol boats, **which are positioned in 11 border police station**.

**65% of border crossing points are connected with the Interpol data base.** (*it is important to note the fact that 95% of cross-border traffic takes place precisely through these crossings*).

During the year 2018, the Border Police Directorate started using **drones in border security**. Besides, during the year 2018, border police station have been equipped with **day and night binoculars, battery lamps and inspection mirror sets**.

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<sup>10</sup>From January 01, 2019

#### Equipment provided in 2017

- digital video endoscope - 13 pieces
- detector of explosives and narcotics - 6 pieces
- passenger motor vehicle - 36 pieces
- off road vehicle - 55 pieces
- vans - 15 pieces
- mini bus - 8 pieces
- bus - 1 piece
- device for contra diversion examination ZISTOS - 1 piece
- computer - 94 pieces
- printer - 66 pieces
- assembly facility of container type - 22 pieces
- air conditioners - 5 pieces
- mobile phone - 31 piece
- hand radio station TETRA - 17 pieces
- day binoculars - 28 pieces
- manual flashlight - 50 pieces
- stationary reader of travel documents - 11 pieces
- reflector - 11 pieces
- manual thermal imaging camera - 9 pieces
- furniture for the Regional Center towards the Republic of Bulgaria
- different equipment for the reception of migrants
- protective vest - 50 pieces
- protective helmet - 50 pieces
- power generator - 1 piece

#### Equipment provided in 2018

- digital video endoscope - 5 pieces
- video surveillance camera - 60 pieces
- device of material density change - Buster - 14 pieces
- device for contra-diversion examination Zitros - 5 pieces
- UPS devices - 16 pieces
- mobile phone - 40 pieces
- office furniture
- day binoculars - 100 pieces
- stationary reader of travel documents - 55 pieces
- hand battery lamp - 100 pieces
- night binoculars - 30 pieces
- heartbeat detectors - 2 pieces
- power generator - 1 piece
- off road vehicle - 20 pieces
- passenger motor vehicle - 9 vehicles

- off road vehicle - 1 piece
- lap top - 50 pieces
- detector of explosives and narcotics - 5 pieces
- protective vests – 50 pieces
- protective helmet - 50 pieces
- accumulator for patrol boats - 32 pieces
- mechanism of seals for travel documents - 164 pieces
- UPS devices - 25 pieces
- desk top for the Border Police Station Horgoš -15 pieces
- printers for Border Police Station Horgos - 5 pieces
- stationed travel document reader - 15 pieces
- drone - 2 pieces
- multi gas detector - 4 pieces
- catheter for multi gas detectors - 150 pieces
- metal detectors - 20 pieces
- set of inspection mirrors - 20 pieces
- mobile travel document readers - 12 pieces
- android application for mobile travel document readers
- new uniforms, footwear and belts
- replacement parts, necessary for thr repair of the patrol boats

#### Equipment provided in 2019

- mobile phones - 50 pieces
- printers - 20 pieces
- container for housing people with equipment in the form of furniture - 8 pieces
- stationary cameras- 310 pieces
- mobile travel document readers - 23 pieces
- stationary travel document readers 40 pieces
- human accommodation container for SGP Plandiste- 48 pieces
- container for accommodation of personnel with equipment for SGP Dimitrovgrad- 48 pieces
- heartbeat detector - 2
- device for night observation "Discovery 5x Hdi" - 30 pieces
- drones "DJI Inspire 1 V 2.0 EU – 2 sets
- Phantom 4 Advance Plus – 1 set
- detectors for the presence of carbon dioxide "Drager" – 2 pieces
- ATV Polaris sportsman touring 1000 EPS – 1 piece and 2 batteries
- Dacia Duster vehicles – 10 vehicles
- Toyota Yaris vehicles – 10 vehicles
- 204 „Rainer D28B“ Stamps
- Dokubox HD“ projectina – 1 piece
- PAG 800 Stereo Microscope – 1 piece
- Doculus Lumus 15x Optical Zoom – 16 pieces
- Doculus Lumus 22x Optical Zoom – 1 piece

- 1 handheld magnifier with light source "APIS S35", 100 „Regula Devices Compact 1.019 devices
- IT equipment
- office furniture

#### **Border crossing Rastina-Bačsentđerđ**

Border crossing Rastina-Bacsentjerdj was built in the territory of Hungary, as a joint border crossing. This is the 8th border crossing point at the border with Hungary, and the entire construction was funded by Hungary. Equipping the offices of the border police of the Republic of Serbia was funded from the regular budget of the Republic of Serbia.

#### **Border Police Station Srem**

For the purposes of the Border Police Station Srem, a new container facility was built, from the MADAD project, funded by the EU. Equipping with the necessary equipment and office furniture is going to be financed from this fund. The total funds intended for the construction and furnishing of this facility are in the amount of 70.000 EUR. The building was built and connected to the infrastructure.

#### **Border crossing Bajmok**

The construction and equipping of the border crossing Bajmok has been completed. The construction is funded from the EU grant, through Sector budget support.

#### **Border crossing Golubac**

The ferryboat border crossing was opened in December 2019.

#### **Border crossing Kotroman**

Reconstruction this border crossing began in April 2019, funded by the European Union, through Sector budget support.

#### **Border crossing Gostun**

The reconstruction of the border crossing has been started in February 2019, funded by the Republic of Serbia.

#### **Border crossing Preševo - Tabanovce**

In August 2019, the border crossing Presevo and Tabanovce merged. It is now a common border crossing point between the Republic of Serbia and the Republic of Northern Macedonia.

#### **Bordercrossing Nakovo**

The Nakovo border crossing was upgraded from cross-border IPA funds, in September 2019

#### **Border crossing Sot**

Construction of the border crossing Sot has been started in March 2019, with funds of budget of Republic of Serbia.

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Based on the protocols signed with the Republic of Northern Macedonia, Bosnia and Herzegovina and Montenegro, a system has been established for holding regular operational meetings at the local, regional and central level. Joint border control is carried out at the border with the Republic of Northern Macedonia and Hungary. The border crossing Backi Vinogradi-Ashothalom, at the Serbian-Hungarian border, was opened during the year 2013. In this way, the border police show a high level of operational and procedural compliance with the standards of the European Union. The joint border crossing: Horgos 2 - Reske (in the territory of Hungary), was opened in August 2015.

On April 3, 2018, a new border crossing Rastina-Bacsentdjerdj was put into operation, where the Hungarian side built a complete infrastructure on the joint location, while the construction of the road was conducted by the Serbian side.

Raba - Kibekhaza border crossing, opened as a joint border crossing in the territory of Hungary, and started operating on 11.10.2019.

The delegation of the Republic of Serbia and Bosnia and Herzegovina agreed and initialled an Agreement between the Council of Ministers and the Government of the Republic of Serbia on the border crossing and initiated the procedure for signing the Agreement (expected to be signed) establishing a new joint border crossing Ljubovija - Novi Most - Bratunac - Novi Most. Pursuant to the Agreement between the Government of the Republic of Serbia and the Government of the Republic of Northern Macedonia on the establishment of joint controls at the border crossing for international road traffic Presevo - Tabanovce, the joint control began on August 26, 2019.

#### Service for citizens – Current state of play at the border crossing“

In cooperation with the Automobile and Motorcycle Association of the Republic of Serbia, a project Service for citizens – **Current state of play at the border crossing** was launched, and by now, at 4 the most frequent border crossing points, through website of the Ministry of the Interior and the Automobile and Motorcycle Association of the Republic of Serbia as well as through android application, citizens are enabled to be informed the state of traffic at border crossings, in order to use alternative border crossing points or routes. Further activities on the establishment of services at other border crossings will be carried out by the competent organisational units of the Ministry of the Interior.

#### INTERNATIONAL COOPERATION

International cooperation is conducted based on the Police Cooperation Convention and several bilateral/ multilateral agreements with neighbouring, as well as with third countries.

The Republic of Serbia has signed the Agreements, as well as the implementation protocols on the establishment of joint patrols with all neighbouring countries. Joint patrols are conducted along the common border with Montenegro, the Republic of Bulgaria, the Republic of Northern Macedonia, Hungary, Bosnia and Herzegovina and the Republic of Romania.

#### Agreements between the Government of the Republic of Serbia and the Government of Montenegro

- **Agreements between the Government of the Republic of Serbia and the Government of Montenegro on border crossings and the regime of cross-border traffic**, which were initialled and whose adoption in the Assembly of the Republic of Serbia is expected
- **Agreements between the Government of the Republic of Serbia and the Government of Montenegro on the international road border crossing Gostun (Republic of Serbia)- Dobrakovo (Montenegro)**



- Agreements between the Government of the Republic of Serbia and the Government of Montenegro on the international road border crossing Jabuka (Republic of Serbia)- Ranče (Montenegro)
- Agreements between the Government of the Republic of Serbia and the Government of Montenegro on the international road border crossing Špiljani (Republic of Serbia)- Dračenovac (Montenegro)
- Agreements between the Government of the Republic of Serbia and the Government of Montenegro on the international railway crossing Vrbnica-Prijepolje (Republic of Serbia)- Bijelo Polje (Montenegro)
- Agreements between the Government of the Republic of Serbia and the Government of Montenegro on opening a border crossing Granice (Republic of Serbia) - Čemerno (Montenegro) - for international road traffic
- Agreements between the Government of the Republic of Serbia and the Government of Montenegro on opening a border crossing Godovo (Republic of Serbia) - Vuča (Montenegro) - for international road traffic
- Protocol between the Ministry of the Interior of the Republic of Serbia and the Ministry of the Interior of the Montenegro on conduction of the joint border control and covering of the costs of the joint border cross,at the border cross in Republic of Serbia and in Čemerno on the territory of Montenegro, in Čemerno
- Protocol between the Ministry of Interior of the Republic of Serbia and the Ministry of the Interior of the Montenegro on conduction of the joint border control and covering of the costs of the joint border cross,at the Godovo Border cross on the territory of the Republic of Serbia and Vuča, on the territory of Montenegro, in Godovo
- Agreement between the Government of the Republic of Serbia and the Government of Montenegro on the regulation of the border traffic regime

#### Joint patrols – statistics- 2015-2018

##### **Hungary**

In 2017, a total number of joint patrols are 429, in 2018 a total number are 366, while 2019, a total number were 518

##### **Bulgaria**

In 2017, a total number of joint patrols are 272, in 2018 a total number are 383, while in 2019, a total number were 309

##### **Northern Macedonia**

During 2017, a total number of joint patrols are 108 while in 2018 a total number are 108, while in 2019, a total number were 108

##### **Romania**

In 2017, a total number of joint patrols are 176 while in 2018 a total number are 167, while in 2019, a total number were 456

##### **Montenegro**

In 2017, a total number of joint patrols are 216, while in 2018 a total number are 219, while in 2019, a total number were 210

#### **Bosnia and Herzegovina**

In 2017, a total number of joint patrols are 139, while in 2018 a total number are 611, while in 2019, a total number were 148

#### **Croatia**

##### ***Protocol on the Joint patrols with Croatia***

In December 2017 and January 2018, two meetings of representatives of border police of two countries were held. The training necessary for the functioning of joint patrols were held. The launch is expected to begin.

Following the signing of the Protocol between the Ministry of Internal Affairs of the Republic of Serbia, the Police Directorate and the Ministry of the Interior of the Republic of Croatia, the Police Directorate on the implementation of mixed patrols along the common state border, and the training for police officers working in mixed patrols, all preconditions for the beginning of work and functioning were created.

On June 03, 2019, a working meeting was held at the Bajakovo border crossing (Republic of Croatia) between the border authorities of the Republic of Serbia and the Republic of Croatia, where it was concluded that all the necessary steps, including the training of police officers, for the implementation of joint patrols, had been carried out, and that it was necessary at the regional level to make plans and to specify the commencement of the implementation of joint patrols. Representatives of the Croatian Ministry of Interior proposed to amend Article 10 of the Protocol on the Implementation of Joint Patrols, by adding a new paragraph 3.

After considering the proposal to amend the Protocol, the Croatian side was informed that it was not currently acceptable and proposed to draw up Plans for the implementation of mixed patrols that is, as soon as possible, the realization of them begins. It was suggested to the Croatian side that as much as possible after the commencement of the functioning and operation of the mixed patrols, the need to amend the Protocol would be indicated, possibly analyzing all events and facts on the basis of which the amendments would be proposed, in order to improve their operation and functioning.

Please note that the commencement of operations and the operation of mixed patrols depends solely on the Croatian side.

#### **Joint patrols - statistics *previous periods***

#### **Hungary**

During the year 2015, a total number of joint patrols were 323, while during the year 2016, total number were 473

#### **Bulgaria**

During the year 2015, a total number of joint patrols were 190, while during the year 2016, total number were 252

#### **Northern Macedonia**

During the year 2015, a total number of joint patrols were 119, while during the year 2016, total number were 114

#### **Montenegro**

During the year 2015, a total number of joint patrols were 326, while during the year 2016, total number were 267

#### **Bosnia and Herzegovina**

During the year 2015, a total number of joint patrols were 135, while during the year 2016, total number were 121

## COMMON CONTACT CENTERS

Common Contact Centers had been established with the following countries: Hungary, Croatia, Bulgaria, Romania, the Republic of Northern Macedonia and Trilateral Center with Montenegro and Bosnia and Herzegovina.

### Northern Macedonia

During the year 2017, a total of 61 requests were exchanged, during the year 2018, a total of 376 requests were exchanged, during 2019, a total of 703 requests were exchanged.

### Hungary

During the year 2017, a total of 161 requests were exchanged, during the year 2018, a total of 331 requests were exchanged during 2019, and a total of 311 requests were exchanged.

### Bulgaria

During the year 2017, a total of 61 requests were exchanged, during the year 2018, a total of 246 requests were exchanged during 2019, and a total of 617 requests were exchanged.

### Republic of Croatia

During the year 2017, a total of 51 requests, during the year 2018 a total of 62 requests were exchanged, during 2019, a total of 151 requests were exchanged.

### Romania

During the year 2017, a total of 51 requests were exchanged, during the year 2018, a total of 62 requests were exchanged, during 2019, a total of 686 requests were exchanged.

### Trilateral Center with Montenegro and Bosnia and Herzegovina

During the year 2017, a total of 319 requests were exchanged, during the year 2018, a total of 525 requests were exchanged, during 2019, a total of 850 requests were exchanged.

## COMMON CONTACT CENTERS

### *previous periods 2015-2016*

### Northern Macedonia

In 2015, a total of 63 requests were exchanged, while, in 2016, a total of 70 requests were exchanged.

### Hungary

In 2015, a total of 355 requests were exchanged, while, in 2016, a total of 327 requests were exchanged.

### Bulgaria

In 2015, a total of 110 requests were exchanged while, in 2016, a total of 118 requests were exchanged.

### Croatia

In 2015, a total of 91 requests were exchanged, while, in 2016, a total of 67 requests were exchanged.

### Romania

In 2016, a total of 74 requests were exchanged.

### Trilateral Center with Montenegro and Bosnia and Herzegovina

In 2016, a total of 74 requests were exchanged

## Cooperation with the European Border and Coast Guard Agency

### Working Arrangement on Establishing Operational Cooperation between the Republic of Serbia and the European Border and Coast Guard Agency

The current Working Arrangement on Establishing Operational Cooperation between the Republic of Serbia and the European Border and Coast Guard Agency was signed in February 2009.

Cooperation with the European Border and Coast Guard Agency is implemented in the following areas:

- *Western Balkan Risk Analyze Network - WB RAN*
- *Joint Operations*
- *Joint education*

### Western Balkan Risk Analyze Network - WB RAN

During November 2008, the Memorandum of understanding on establishing of information exchange system on irregular migration and participation in the regional system of early warning among border police of the WB states was adopted, by which, unique forms for keeping of statistic data exchange on irregular migration, in accordance with the EU acquis were introduced.

Starting from January 2009, the Border Police Directorate performs their obligations, stipulated the Memorandum, in terms of regular exchange of statistics on illegal migration. Data sharing was done through the Internet. Such data exchange has created the basis for making a regional risk analysis of illegal migration.

During the year 2009, the Western Balkan Risk Analyze Network was formed.

Essentially, forms for data exchange have remained the same, because they have already been aligned with EU standards, but the data is exchanged via a secure internet platform of the European Commission ([www.circa.europa.eu](http://www.circa.europa.eu)). Data is uploaded to this internet platform on a monthly basis.

In 2019 police officers from Border Police Directorate participated in the following activities:

- Western Balkans Annual Analytical Review meeting held in Warsaw in January.
- Expert Risk Analysis Network meeting held in Warsaw in March.
- First Risk Analysis Network meeting for third countries – Air Borders held in Warsaw in May.
- WB - RAN END of Year and a Joint WB-RAN – CTI Network Meeting held in Ljubljana in November.

### Joint Operations

#### Coordination points -Land 2018

Based on the adopted Operational Plan, the formation of the Coordinating point is stipulated, at BCP Mali Zvornik and BCP Trbušnica, on the border with Bosnia and Herzegovina, in period July 5 – October 25, 2018, were presented officers from the following countries - Romania, Finland, Slovenia, Germany, France and

Lithuania. According to this act, visiting officers from the EU countries, worked together with members of the Border Police Directorate, during the control of the crossing of the state border, in order to increase the capacity and quality of work on the mentioned activities, as well as exchange of experiences and best practices.

#### **Coordination points Air 2018**

Contact points air 2018, from March 14 - November 30, 2018. The aim of the joint action is to improve within the framework of which a foreign visiting mid-ranking officer is sent to the border police station Belgrade in order to establish and exchange common examples best a practice that should influence the improvement the exchange of information, border security and operational cooperation, as well as identify potential threats to air traffic, of practical cooperation.

#### **JO Flexible operational activities – information 2018**

The objective of the operation is combating illegal migration and other forms of cross-border crime at the EU external borders. The Border Police Directorate participates in this activity with two officers as observers, in the part of the operation that takes place on the Hungarian-Serbian border. Regular shifts are made every 30 days in the period February 2, 2018 – Januar 30, 2019.

In addition, in this activity, two representatives of the Ombudsman - the National Mechanism for Prevention of Torture was participated too.

#### **JO Flexible operational activities – information 2019**

This activity is reflected in the help of local authorities in patrols and surveillance of the state border, assisting in the detection of irregular migrants, as well as exchange of experiences and information in order to improve cooperation. The Border Police Directorate participates in this activity with two officers as observers, in the part of the operation that takes place on the Hungarian-Serbian border: Segedin and Kiskunhalas/Hungary/. Regular shifts are made every 30 days in the period February 28, 2019- January 29, 2020.

#### **Coordination points Air 2019**

Contact points Air 2019 which implies deployments of border police officers at various airports inside and outside the European Union, in order to improve IBM and to strength operational cooperation on external borders of the European Union, as well as the establishment of system of the permanent contact point. The objective of the operation is combating illegal migration and other forms of cross-border crime at the EU external borders. The aim of the joint action is to improve the exchange of information, border security and operational cooperation, as well as identify potential threats to air traffic. Within the operation, visiting EU officers are deployed at the airport "Nikola Tesla" as observers in 2019 in the period January 30, 2019 – January 29, 2020. In the first half of 2019, visiting officers are from Germany and France while in the second half of 2019, visiting officers were from Austria, Germany and Slovenia.

#### **Coordination points -Land 2019**

Contact points Land 2019 – based on the adopted Operational plan, at the border toward BiH, during the year 2017, the Contact point was officially opened, on the state border Mali Zvornik as well as state border Trbusnica. Following the mentioned document, visiting officers working with the representatives of the Border Police Directorate, in order to improve first and second state border control line, in the part of more efficient profiling and performing detailed border checks on the 2nd line using certain expert knowledge, in the areas of control of passenger vehicles, documents and persons and establishment of the procedure related to the practice of the EU member state and Schengen. The realization of the activity Land 2019 was carried out from July 17 until November 6, 2019, officers from Italy, Portugal and Slovenia participated in it.

## Joint education

### Activities in 2018

- *Meetings and workshops on the implementation of the Common Core Curriculum (CCC) on basic border police training in the EU countries*
- *Conferences of national training coordinators within the European Border and Coast Guard Agency*
- *Conferences of airport heads*
- *Stakeholder Conferences on capacity building within the European Border and Coast Guard Agency*
- *Specialised courses for detecting forged documents*
- *Training for instructors in return operations*
- *Specialised training for trainers courses in the detection of stolen motor vehicles,*
- *Meetings on the evaluation of the application of the virtual aule (a computer program displaying information on border police forces of the EU countries and associated countries),*
- *Meetings on the financing of joint operations within the European Border and Coast Guard Agency - courses and training for trainers in the field of trafficking in human beings*

### Activities in 2019

- *Meetings and workshops on the implementation of the Common Core Curriculum for EU Mid-Level Border Guards(CCC ML)*
- *Nominations of national training coordinators within the European Border and Coast Guard Agency*
- *Conferences of airport heads*
- *Specialized courses for detecting forged documents and Regional Refresher Training for Multipliers on Detection of Falsified Documents (ALDO training)*
- *Course for Forced Return Escort Leaders in Joint Return Operations and Regional refresher training for escort officers' national multipliers*
- *National Conference on Biometrics for Borders-morphing and detection methods*
- *Courses and training for trainers in the field of trafficking in human beings*
- *Course for IBM strategy advisers*
- *Meetings of the Policy Developments Working Group of the Joint INTERPOL - Frontex Project FIELDS*
- *Annual bilateral negotiations with third countries*
- *European Course for Advanced Profiles Trainers for IPA beneficiaries*
- *Conferences and meetings on evaluation and planning of further cooperation with Frontex, meeting with the deputy director of Frontex*

## Agreement between the Republic of Serbia and the European Union, on actions carried out by the European Border and Coast Guard in the territory of the Republic of Serbia

Based on the Regulation No. 2016/1624 of September 14, 2016, of the European Parliament and of the Council on the European Border and Coast Guard, which entered into force on October 6, 2016, The Republic of Serbia initialized Status Agreement between the Republic of Serbia and the European Union, on actions carried out by the European Border and Coast Guard in the territory of the Republic of Serbia, in September 2018, thus creating the possibility of engaging members of the Agency on the territory of the Republic of Serbia. The Agreement has been signed during the Ministerial Forum for Justice and Home Affairs, which was held in Skopje, on November 19, 2019. In the coming period, before the entry into force, ratification of the Agreement by both parties is expected.

Cooperation with third countries has been recognized as a key element in ensuring the effective management of the external borders of the European Union, pursuant to which, the European Border and Coast Guard Agency encourages and facilitates technical and operational cooperation between the Member States of the European Union and third countries.

Cooperation between the European Border and Coast Guard Agency with third countries aims to assist third countries in managing their borders and migration flows.

## STATE OF PLAY AND ACTIVITIES ON THE PREVENTION OF ILLEGAL MIGRATION

On January 01, 2020, there are 5.436 migrants in an asylum, and reception centres, the existing organisational framework and human resources of the Ministry of the Interior are fully able to fulfil all measures and activities to prevent the existing migratory pressure.<sup>11</sup>

### Blocking of Roads Suitable for Illegal Crossing of the State Border

#### Bosnia and Herzegovina

Based on the signed Elaborate on Blocking of Roads Suitable for Illegal Crossing of the State Border with Bosnia and Herzegovina, the blocking of all envisaged locations by the Elaborate was carried out, and the Republic of Serbia and Bosnia and Herzegovina fulfilled their obligations from the Elaborate (all 11 locations were blocked - 5 by the Republic of Serbia and 6 by Bosnia and Herzegovina).

#### Montenegro

The Elaborate on Blocking foresees the blocking of road routes suitable for the illegal crossing of the state border with Montenegro, and three locations were blocked on the side of the Republic of Serbia.

Considering that new Agreement on the opening of border crossings with Montenegro was signed with Montenegro, as well as the Agreement between the Government of the Republic of Serbia and the Government of Montenegro on the regulation of the border traffic regime, it was determined that certain locations envisaged for state border crossing coincide with the locations envisaged for blocking by the above-mentioned Study. Due to the fact mentioned above, at the meeting held with the representatives of the Montenegrin border police, it was agreed to form mixed working groups and that in the course of 2019, a revision of the Study dating from 2015 will be made, or a new Elaborate on the Blocking of Roads for the Illegal Crossing of the State Border.

On February 06, 2019, by a decision of the Minister of the Interior, a Working group was formed to revise and draft a new Elaborate on the blocking of roads, transits and locations suitable for illegal crossing of the state border of the Republic of Serbia and Montenegro. Thereafter, on March 13. in 2019, in the Bjelo Polje (Montenegro), the members of the combined working group audited the Elaborate on prevention. The new Study forecast the blocking of a total of 29 locations (16 on Serbian and 14 on the Montenegrin side, noting that 1 location is blocked on both sides and the Montenegrin side). On March 19, 2019, in Podgorica, a new Elaborate for the blocking of roads, roads and locations suitable for illegal crossing of the state border of the Republic of Serbia and Montenegro was signed in Podgorica by the Heads of Border Police of the Republic of Serbia and Montenegro.

Then, the Ministry of the Interior made a draft Conclusion on Obstruction which was forwarded to the Government of the Republic of Serbia. On October 17, 2019, The Government of the Republic of Serbia issued a Conclusion regarding the enforcement of road, traffic communications and locations for the purpose of preventing the illegal crossing of the state border between the Republic of Serbia and Montenegro. The Conclusion was submitted to the Republic Property Directorate of the Republic of Serbia for realisation. On December 20, 2019, the Government of the Republic of Serbia adopted the Decision on modification of the Conclusion on the provision of funds for the execution of works on obstruction of locations on the state border of the Republic of Serbia and Montenegro suitable for illegal crossing of the state border. The conclusion was submitted for the realisation to the Republic Property Directorate of the Republic of Serbia.

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<sup>11</sup> *On January 01, 2019, on the territory of Republic of Serbia there are about 4.200 migrants and the existing organizational framework and human resources of the Ministry of the Interior are fully able to fulfil all measures and activities to prevent the existing migratory pressure.*

## INTEGRATED BORDER MANAGEMENT

The Cooperation Agreement in the field of IBM was signed by the Ministry of Interior - Border Police Directorate, Ministry of Finance - Custom Administration, Ministry of Agriculture, Forestry and Water Management - (Veterinary and Phyto-Sanitary Inspection) and the Ministry of Construction, Transport and Infrastructure - Port Authorities. The Border Police Directorate - the Ministry of Interior is the main authority of the Coordination body in charge for the implementation of the Integrated Border Management (IBM) Strategy.

The Integrated Border Management Strategy and the Action plan for the implementation of the Strategy, which are fully aligned with the five-dimensional EU Integrated Border Management model from 2006, were adopted during the year 2017. The Strategy foresees coordination mechanism for monitoring of the implementation of the Strategy and the Action Plan. **The revised Action Plan was adopted in January 2020.**

An annual report on the implementation of the Integrated Border Management Strategy and the Action Plan has been conducted for each year, after the end of the year to which the report relates.

The first constitutive meeting, during which the Operational Group for Monitoring and Implementation of the Integrated Border Management Strategy and the Action Plan was established, was held in January 2018. The Coordination Body also adopted the Joint Training Plan for all institutions involved in integrated border management. The Coordination Body also established a Working Group for the development of a Common Risk Analysis for all institutions involved in IBM. Also, a Task Force was formed in order to train all Departments within the Integrated Border Management System, as well as Subgroups at the regional level.

The Operational group is the central body for coordination of the activities within the Sectoral Budget Support<sup>12</sup>. In accordance with the Strategy, regular meetings of all representatives of the authorities involved in the IBM has been foreseen regularly, at the local, regional and central level. At the meeting of the Coordination body for border crossing points, held on November 11, 2018, the Working group in charge for training was formed, in order to conduct joint trainings of all institution involved in the IBM. Through the work of the Operational group and monitoring of the envisaged activities the Action plan for IBM has continuously been implemented, and the targets from the Sector budget support have been fulfilled.

In accordance with the authorisations and obligations established by law and regulations adopted on the basis of the law, for the purpose of improving security, preventing all kinds of criminal activities, faster movement of people, goods and capital, efficient collection of customs and other import duties, excise duties and taxes, preventing the spread of quarantine diseases of animals and plants, preventing corruption and ensuring the integrity of officers, with the aim of achieving economic stability and economic development of the country, as well as improving the efficiency of business the Agreement on Cooperation in the Field of Integrated Border Management was signed.

Also, on the basis of the Agreement on Cooperation in the Field of Integrated Border Management, a Protocol on the exchange of data and information between the services involved in the Integrated Border Management System was signed.

The objective of the aforementioned Protocol is to identify ways of exchanging data and information between the services involved in the Integrated Border Management System, which will contribute to the enhancement of national security as well as to more efficient operation of the services. The exchange takes place between the Parties to the Protocol in order to promote and strengthen interagency cooperation, as well as to coordinate joint action and work necessary for the effective functioning of Integrated Border Management.

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<sup>12</sup> *The project, which is in progress, started during December 2017, when Sector Reform Treaty with the European Union was signed for the budget support for realisation of activities foreseen in the Action plan.*



A training program for the Task Force on the implementation of a new level of control activity in the implementation of by-laws was adopted and training for the members of the Task Force was conducted. The formation of a Working Group on Finance was agreed.

## RISK ANALYSIS

A National risk analysis model has been developed in the form of the annual Strategic Analysis for 2016. A model that the Border Police Directorate implements in the risk analysis process is CIRAM 2.0 -Common Integrated Risk Analysis Model. Department for Risk Analysis regularly produce daily, weekly and monthly situation reports, so as quartal and yearly risk analysis based on this model. The same model is implemented at regional level (7 regional centres of Border Police and 37 border police stations). Risk profiles are regularly produced and delivered to the local level, which implements them during everyday work, i.e. border control. Besides this, the Department for Risk Analysis has developed Common Integrated Risk Analysis Model for joint risk analysis of four services included in integrated border management (Border Police, Customs, Veterinary and Phytosanitary Inspection). The first Common Integrated Risk Analysis of IBM services was produced in December 2019. CIRAM 2 methodology is used.

The Handbook for the Risk Analysis at the Border Police Directorate and the Handbook for the Risk Analysis at the local level have been prepared, which are fully aligned with the CIRAM 2.0 model and distributed at the regional and local level, in order to efficiently implement the risk analysis in border management, at all levels. On the other hand, an assessment is needed to create the capacity to join the EUROSUR network - the European External Border Surveillance System.

In 2019, secure web platform for the exchange of information between IBM services is established in order to improve cooperation and to enhance joint risk analysis <https://ibm.ite.gov.rs/>

## FIGHT AGAINST CORRUPTION

The Border Police Directorate implements the measures from the National Strategy for Fight against Corruption and the relevant Action Plan. The National Strategy for Fight against Corruption, in part related to the Ministry of the Interior, was revised by the Working Group of the Ministry of the Interior, together with the Anti-Corruption Agency of the Republic of Serbia.

Following the Law on Anti-Corruption Agency of the Republic of Serbia, the Article Number 8, Guidelines for developing and implementing an integrity plan, the Decision on the Development of the Integrity Plan, of the Border Police Directorate, a **Working Group for the development of an Integrity Plan was formed**. The coordinator of the Working group has been appointed, and members have been selected. In addition, the preparation of the second cycle of the Integrity Plan 2014-2019 had been started.

Following the Article No. 17 Guidelines for the preparation and implementation of the Integrity Plan, Head of the Border Police Directorate, on September 25, 2017, was adopted a **Decision on the adoption of the Integrity Plan**. Also, a person in charge of the monitoring of the implementation of the Integrity Plan has been appointed. On the other side, the Risk Assessment of Corrupt Behaviour, the Risks Related to Employees of Relevant Institutions of Integrated Border Management" with the Report on Recommendations have been made.

On January 12, 2015, an inter-institutional Working Group for the implementation of the "The Risk Assessment of Corrupt Behaviour, the Risks Related to Employees of Relevant Institutions of Integrated Border Management was established ", and on May 29, 2017, a new **Decision was made on the establishment of the Working Group**.

Each service in the Integrated Border Management System has developed its own Plan for the Prevention of Corruption<sup>13</sup> with defined mechanisms for monitoring the implementation, followed by the Joint Plan for the Prevention of Corruption of the Border Police Directorate, the Customs Administration, the Plant Protection

<sup>13</sup> Border Police Directorate, Customs Administration, Plant Protection Directorate and Veterinary Directorate

Directorate and the Veterinary Directorate, adopted by the inter-institutional Working Group for the implementation of activities "The Risk Assessment of Corrupt Behaviour, the Risks Related to Employees of Relevant Institutions of Integrated Border Management" which will also monitor its implementation.

The Border Police Directorate has also developed a Plan of Implementation of the Measures foreseen by the Plan for the Prevention of Corruption of Border Police and established mechanisms for monitoring and evaluation of the implementation of measures. The Agreement on Cooperation in the field of prevention and suppression of corruption was signed between the Republic Public Prosecutor's Office, the Ministry of the Interior and the Ministry of Finance, which defined the areas of cooperation, as well as the activities that will be undertaken in order to combat corruption at the borders.

In April 2019, Ministry of the Interior formed a Working group that will conduct a new risk analysis of corruption in the Border Police Directorate, bearing in mind that in accordance of the Police Law Internal Affairs Sector gained competence to conduct a risk analysis of corruption for every working position and organizational unit in MoI. The Manual for Methodology for Conducting Risk Analysis of Corruption that was adopted in December 2018 and implementation of the Manual started in January 2019.

The Agreement also sets out, among other things, the possibility of forming anti-corruption joint investigation teams by the police, prosecution and customs. The Republic of Serbia is and shall remain fully committed to further normalization of relations with Kosovo\*<sup>14</sup> and to the implementation of all the agreements reached within the dialogue, including the cooperation with EULEX, as necessary. This applies in particular to the IBM Agreement.

The Republic of Serbia will fully implement the IBM Agreement. The Republic of Serbia will establish an equal level of police control and security at the crossings between Kosovo<sup>15</sup>.\*

The Republic of Serbia like at other crossings and in accordance with the European Union standards in that area, with strict adherence to the requirements regarding status neutrality, and these standards will be applied through the IBM Agreement. At the crossings between Kosovo\*[3] and Serbia, there will be no members of the Border Police Directorate, but the regular police members who act in accordance with the Agreement on Cooperation in the field of IBM.

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<sup>14</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo declaration of independence

<sup>15</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo declaration of independence

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of Schengen and external borders. In particular, Republic of Serbia adopts a Schengen Action Plan (SAP) which will allow it to effectively prepare the steps needed (including as regards investment in infrastructure and equipment, staffing and training needs, institution building needs and legal steps) to implement the relevant parts of the Schengen acquis upon accession or where relevant upon accession to the Schengen area. Serbia secures upon adoption of the SAP the necessary funds for its implementation.</p>	<p>Harmonisation of the normative, administrative and institutional framework with the standards of the European Union and the Schengen acquis            Coordination of the capacities of all relevant institutions with the standards of the European Union and the Schengen acquis</p>	<p>Improved normative, administrative and institutional framework            Harmonised technical, infrastructural and human capacities            Improved level of training, efficiency and quality of work of employees</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
4.1.1	<p>Conduct the analysis of the alignment of the normative framework with the Schengen Convention and the Schengen catalogue</p>	<p><b>Ministry the of Interior</b>            General Police Directorate- Border Police Directorate, sectors of the Ministry and all institutions involved in development of the Action plan for accession to the Schengen area</p>	<p>Following the initial plan within the Twinning Project Schengen Action Plan - the component 2             IV quarter of the year 2020</p>	<p><b>IPA 2014 Schengen Action plan</b> – Action document            Support to the internal affairs            - total budget 1.500.000 EUR for Twinning</p>	<p>The analysis of the legislative framework approved and its alignment with the Schengen Code and recommendations for alignment with the Schengen standards</p>	

4.1.2.	Conduct the analysis of the organisational framework and human resources of the Border Police Directorate, for the purpose of implementation of activities under the Schengen Action Plan	<b>Ministry of the Interior</b> General Police Directorate- Border Police Directorate, Sector for Human Resources	Following the initial plan within the Twinning Project Schengen Action Plan - the component 4  by the end of the year 2020 and continue the activity, in accordance with the deadlines stipulated in the SAP	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <b>- total budget</b> 1.500.000 EUR for Twinning	The analysis of the organisational framework and human resources of the Border Police Directorate, for the purpose of implementation of activities under the Schengen Action Plan approved by the Government of the Republic of Serbia	
4.1.3	Strengthen internal and inter-institutional cooperation between relevant institutions in charge of the Schengen normative framework related to effective border control and the establishment of a regular mechanism for risk analysis and information exchange with neighbouring countries	<b>Ministry of the Interior</b> with all relevant institutions involved in the IBM	Following the initial plan within the Twinning Project Schengen Action Plan - the component 3  <i>by the end of the year 2020.</i>	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <b>- total budget</b> 1.500.000 EUR for Twinning	Amended and adopted acts/documents related to efficient internal and inter-institutional cooperation between relevant institutions in charge of the Schengen normative framework related to effective border control and the establishment of a regular mechanism for risk analysis and information exchange with neighbouring countries	

4.1.4	Identify and conduct the analysis of the comprehensive recommendations and needs related to IT infrastructure in accordance with the standards that need to be fulfilled, to gain positive evaluation and to create a roadmap for their achievement	<b>Ministry of the Interior</b> Sector for analytics, telecommunication and information technologies General Police Directorate	Following the initial plan within the Twinning Project Schengen Action Plan - the component 6 <i>by the end of the year 2020</i>	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <b>- total budget</b> 1.500.000 EUR for Twinning	Approved analysis of the existing IT systems, which are being used for the border control. The Road Map for the amendment, in line with the recommendations for alignment with the Schengen standards	
4.1.5	Conduct the analysis of the training system of the Border Police Directorate and model of the professional development with recommendations for alignment with the Schengen requirements	<b>Ministry of the Interior</b> Sector for human resources, General Police Directorate - Border Police Directorate	Following the initial plan within the Twinning Project Schengen Action Plan by the end of the year 2020 and continue the activity, in accordance with the deadlines stipulated in the SAP	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the Internal affairs <b>- total budget</b> 1.500.000 EUR for Twinning	The analysis of the training system of the Border Police Directorate, recommendations for improvement of the model of the professional development adopted	

4.1.6	Strengthen the level of professional capacity of border police officers in charge of border management and requirements related to the Schengen normative framework	<b>Ministry of the Interior</b> Sector for Human Resources, General Police Directorate - Border Police Directorate	Following the initial plan within the Twinning Project Schengen Action Plan - the component 5 <i>by the end of the year 2020</i> and continue the activity, in accordance with the deadlines stipulated in the SAP	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <i>- total budget</i> 1.500.000 EUR for Twinning	The number of ToT/ Training for police officers of Border Police Directorate delivered/ the number of police officers trained  The number of ToT in relation to Training Plan/The number of Trainers trained in relation to Training Plan/The number of Police officers trained in relation to Training Plan”	
4.1.7	Implement the modification of the Border Police Training Plan, in accordance with Schengen legislation	<b>Ministry of the Interior</b> Sector for Human Resources General Police Directorate Border Police Directorate	Following the initial plan within the Twinning Project Schengen Action Plan - the component 5 <i>by the end of the year 2020</i> and continue the activity, in accordance with the deadlines stipulated in the SAP	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <i>- total budget</i> 1.500.000 EUR for Twinning	Drafted and adopted Training Plan, in accordance with the Schengen requirements.	

4.1.8	Deliver training courses for the border police officers in accordance with the CCC training program of the European Border and Coast Guard Agency	<b>Ministry of the Interior</b> Sector for Human Resources General Police Directorate Border Police Directorate	Following the initial plan within the Twinning Project Schengen Action Plan <i>by the end of the year 2021</i> and continue the activity, in accordance with the deadlines stipulated in the SAP	<b>Budget of the Ministry of the Interior</b> 6.400.000 RSD or 53.333 EUR <sup>16</sup> for the year 2020	Number of trained police officers - <u><i>in accordance with the CCC training plan</i></u> <sup>17</sup>	
4.1.9	Conduct the analysis of the measures taken in components for drafting a proposal of the Schengen Action Plan.	<b>Ministry of the Interior</b> General Police Directorate, Border Police Directorate, sectors and all relevant institutions involved in the development of the Action plan	Following the initial plan within the Twinning Project Schengen Action Plan - component 1 <i>IV quarter of the year 2020</i>	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs - <b>total budget</b> 1.500.000 EUR for Twinning	Analysis in accordance with the Schengen evaluation mechanism for the purpose of adoption of the Schengen Action plan for accession to the Schengen area by the Government.	

<sup>16</sup> 1 EUR – 120 RSD

<sup>17</sup> The CCC is an educational tool for lowest level of border police conducting border checks and surveillance. Note that the staff shall be trained in accordance with their competence and performed tasks. Perhaps this can be added instead: CCC introduced in basic educational training and staff trained on Schengen legislation (see however general comment on training); Mid-level training for leaders in line with the Common Mid-level Curriculum (CMC) introduced.

4.1.10	Draft a proposal of the Schengen Action Plan for accession to the Schengen area, in accordance with the Schengen evaluation mechanism for the purpose of its adoption by the Government.	<b>Ministry of the Interior</b> General Police Directorate, Border Police Directorate, sectors and all relevant institutions involved in the development of the Action plan	Following the initial plan within the Twinning Project Schengen Action Plan - component 1 <i>IV quarter of the year 2020</i>	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <i>- total budget</i> 1.500.000 EUR for Twinning  <b>Budget of the Ministry of the Interior</b> 162.000 EUR for the year 2020 <i>regular work activities</i>	The proposal of the Schengen Action Plan for accession to the Schengen area drafted	
4.1.11	Adopt the Action Plan for accession to the Schengen area	<b>Ministry of the Interior</b> General Police Directorate, Border Police Directorate, sectors and all relevant institutions involved in the development of the Action plan	IV quarter of the year 2020	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <i>- total budget</i> 1.500.000 EUR for Twinning  <b>Budget of the Ministry of the Interior</b> 162.000 EUR for the year 2020 – <i>the same as for the previous activity</i> <i>regular work activities</i>  <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020 <i>regular work activities</i>	Action Plan for accession to the Schengen area adopted	



4.1.12	Evaluate the necessary steps for joining the EUROSUR network	<b>Ministry of the Interior</b> Sector for human resources, General Police Directorate - Border Police Directorate Sector for analytics, telecommunication and information technologies	IV quarter of the year 2020	<b>IPA 2016 - Sector Budget Support - complementary support,</b> in total 1.000.000 EUR	Assesment report ( <i>administrative and technical issue</i> ) adopted	
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INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia adopts and implements an amended Integrated Border Management (IBM) Strategy in line with the EU IBM concept. Serbia pays particular attention to improving information exchange, coordination among border agencies and further develops its risk analysis capacity within the border police.	The Republic of Serbia is consistently implementing Integrated Border Management Strategy and achieves a high level of coordination and cooperation of all institutions involved in Integrated Border Management	Action by the Border Police Directorate in accordance with the European Union Integrated Border Management concept. Analytical products for IBM area, in accordance with EBCG standards. Improved information exchange of all institutions involved in IBM, as a result of implementation of the Action Plan

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
4.2.1	Implement the Strategy for the Integrated Border Management 2017-2020 and the Action plan	<b>Ministry of the Interior-</b> Border Police Directorate- Ministry of Finance Customs Administration Ministry of Agriculture, forestry and water management / Veterinary and Phyto-sanitary Inspection/ /Ministry of European Integration and Directorate for the Property of the Republic of Serbia	Continuously, by the end of the year 2020	<b>Note:</b> Costs for implementation of the Strategy and Action Plan for the Integrated Border Management presented in the relevant documents, adopted in February and April 2017 and December 2019	Report on the implementation of the Strategy and Action Plan for the Integrated Border Management	
4.2.2	Strengthen the human resources and administrative capacities of the Border Police Directorate for risk analysis and information exchange	<b>Ministry of the Interior-</b> General Police Directorate Border Police Directorate, Sector for Human Resources	In accordance with the initial plan within the Twinning Project Schengen Action Plan, <i>by the end of the year 2020 and continue the activity in accordance with the deadlines provided by the SAP</i>	<b>IPA 2014 Schengen Action plan</b> – Action document Support to the internal affairs <b>- total budget</b> 1.500.000 EUR for Twinning	Administrative and personnel capacities increased. The number of trained police officers for the risk analysis. The number of analytical products developed	
4.2.3	Conduct the analysis of the activities foreseen in Strategy for the Integrated Border Management, for the period 2017-2020	<b>Ministry of the Interior</b> Border Police Directorate Ministry of Finance Customs Administration Ministry of the Agriculture, forestry and water management, /Veterinary and Phyto-sanitary Inspection/	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 24.300 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Custom Administration</b>	The analysis of the activities foreseen in the Strategy for the Integrated Border Management, for the period 2017-2020 conducted	

		<p>Ministry for European Integration,  Directorate for the Property of the Republic of Serbia</p>		<p>24.300 EUR for the year 2020  <i>regular work activities</i>  <b>Budget of the Ministry of the Agriculture, forestry and water management - Veterinary Inspection</b>  12.150 EUR for the year 2020  <i>regular work activities</i>  <b>Budget of the Ministry of the Agriculture, forestry and water management - Phyto-sanitary Inspection/</b>  12.150 EUR for the year 2020  <i>regular work activities</i>  <b>Budget of the Ministry of European Integration</b>  6.070 EUR for the year 2020  <i>regular work activities</i>  <b>Budget of the Directorate for the Property of the Republic of Serbia</b>  6.070 EUR for the year 2020  <i>regular work activities</i></p>		
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4.2.4	Draft a proposal of the Strategy for the Integrated Border Management, for the period 2021-2025, in line with the EU acquis	<b>Ministry of the Interior</b> Border Police Directorate Ministry of Finance Customs Administration Ministry of the Agriculture, forestry and water management,/Veterinary and Phyto-sanitary Inspection/ Ministry of European Integration Directorate for the Property of the Republic of Serbia	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 48.600 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Customs Administration</b> 48.600 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of the Agriculture, forestry and water management - Veterinary Inspection</b> 24.300 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of the Agriculture, forestry and water management - Phyto-sanitary Inspection/</b> 12.150 EUR for the year 2020 <i>regular work activities</i>	The Working group formed.  The Strategy for the Integrated Border Management <i><b>drafted</b></i> , for the period 2021-2025	

				<b>Budget of the Ministry of European Integration</b> 6.070 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Directorate for the Property of the Republic of Serbia</b> 6.070 EUR for the year 2020 <i>regular work activities</i>		
4.2.5	Adopt the Strategy for the Integrated Border Management, for the period 2021-2025, in line with the EU acquis	Government of the Republic of Serbia, on the proposal of the <b>Ministry of the Interior</b>	I quarter of the year 2021	<b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020 <i>regular work activities</i>	The Strategy for the Integrated Border Management, for the period 2021-2025 <u><i>adopted</i></u>	
4.2.6	Draft a proposal of the Action plan for the implementation of the Strategy for the Integrated Border Management, for the period of 2021-2025, in line with the EU acquis	<b>Ministry of the Interior</b> Border Police Directorate Ministry of Finance Customs Administration Ministry of the Agriculture, forestry and water management, /Veterinary and Phyto-sanitary Inspection/ Ministry of European Integration Directorate for the Property of the Republic of Serbia	IV quarter of the year 2020	<b>Budget of the Ministry of the Interior</b> 48.600 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Custom Administration</b> 48.600 EUR for the year 2020 <i>regular work activities</i> <b>Budget of the Ministry of the Agriculture,</b>	The Action plan for implementation of the Strategy for the Integrated Border Management, for the period 2021-2025 <u><i>drafted</i></u>	

				<p><b>forestry and water management - Veterinary Inspection</b>  24.300 EUR for the year 2020  <i>regular work activities</i></p> <p><b>Budget of the Ministry of the Agriculture, forestry and water management - Phyto-sanitary Inspection/</b>  12.150 EUR for the year 2020  <i>regular work activities</i></p> <p><b>Budget of the Ministry of European Integration</b>  6.070 EUR for the year 2020  <i>regular work activities</i></p> <p><b>Budget of the Directorate for the Property of the Republic of Serbia</b>  6.070 EUR for the year 2020  <i>regular work activities</i></p>		
4.2.7	Adopt the Action plan for the implementation of the Strategy for the Integrated Border Management, for the period 2021-2025, in line with the EU acquis	<b>Government of the Republic of Serbia</b>	I quarter of the year 2021	<p><b>Budget of the Government of the Republic of Serbia</b>  633 EUR for the year 2021  <i>regular work activities</i></p>	Action plan for the implementation of the Strategy for the Integrated Border Management, for the period 2021-2025 <u><i>adopted</i></u>	

INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia makes good progress with the modernisation of infrastructure and equipment at border crossing points as well as in between them, in particular those borders most affected by smuggling of goods and persons	The Republic of Serbia manages the border more efficiently ( <i>faster traffic flow, enhanced quality border control, effective surveillance of the so-called green border</i> ) and successfully prevents all forms of cross-border crime.	The infrastructure and the technical capacities of the Republic of Serbia in line with the EU standards and the risk analysis

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
4.3.1	Develop the Plan of needs and financing of technical equipment at border crossings	<b>Directorate for the Property of the Republic of Serbia</b>  Ministry of the Interior Sector for material - financial affairs General Police Directorate Border Police Directorate  <i>and all services involved in the IBM</i>	Continuously, starting from the year 2020	<b>Budget of the Directorate for the Property of the Republic of Serbia</b> 19.000.000 RSD or 159.000 EUR for the year 2020 - <i>procurement of the equipment</i>	The Plan of needs and financing of technical equipment at border crossings developed	
4.3.2	Equipping of the border police based on the assessment of technical and infrastructural needs for achieving an appropriate level of compliance with the EU standards and the Schengen acquis, prior to accession in the EU membership, in accordance with the priorities from the analysis	<b>Directorate for the Property of the Republic of Serbia</b> Ministry of the Interior Sector for material - financial affairs General Police Directorate Border Police Directorate	Continuously, starting from the year 2019	<b>Budget of the Directorate for the Property of the Republic of Serbia</b> 19.000.000 RSD or 159.000 EUR for the year 2020 - <i>procurement of the equipment</i>  It is expected to be realized through the <b>IPA 2016</b>	Improved capacities of all border services/institutions	

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INTERIM BENCHMARK 4	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia steps up operational cooperation with all its neighbours for effectively preventing illegal crossings and, in particular, takes steps to clarify the status of all alternative roads with its neighbours either by preventing passage or by formalising these border crossing points through the conclusion of local border crossing agreements</p>	<p>Bilateral and multilateral operational cooperation is strengthened and established at the level of mutual cross-border cooperation and border control is in line with the standards of the European Union</p>	<p>The new international agreements (protocols) signed. Revision of the existing international agreements (protocols) conducted. Operational cooperation on national, regional and local level improved. Local border traffic regulated and measures in line with the requirements of the EU implemented. Illegal traffic, through alternative routes, which are not in line with the EU standards prohibited</p>



No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
4.4.1	Start with the realisation of the Joint patrols, with the border service of the Republic of Croatia	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate	IV quarter of the year 2020	<b>No additional costs required</b> - the employees work within regular work activities <b>Equipment</b> - reallocation of existing resources	Implementation of the existing Protocol Agreed and implemented the practical arrangements, Realisation of the Joint patrols	
4.4.2	Perform the more intensive cooperation and exchange of information with neighboring countries, in the field of security of the border ( <i>risk analysis products, discovered false/ falsified documents descriptions, cross-border crime issues</i> )	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate Criminal Police Directorate, Directorate for international operational police cooperation	Continuously	<b>Budget of the Ministry of the Interior</b> 298.080 EUR per year <i>regular work activities</i>  <i>Travel cost/ for 3 representatives of the Ministry of the Interior/ - for the year 2020 – for daily allowance</i> 90 EUR 900 EUR - <i>for aircraft tickets</i> 350 EUR - <i>for accommodation</i>	The number of information exchanged (common contact centres and other)  The number of meetings held with the relevant state bodies of the neighbouring countries The number of early warnings exchanged	

4.4.3	Update joint Elaborate (Republic of Serbia and Montenegro) which will define places and manner of blocking routes suitable for illegal crossing of the state border with Montenegro	<b>Directorate for the Property of the Republic of Serbia</b> Ministry of the Interior Ministry of Foreign Affairs	Continuously <i>in line with the activities of the representatives of Montenegro</i>	<b>Budget of the Directorate for the Property of the Republic of Serbia</b> 7.452 EUR per year – regular work activities <b>Budget of the Ministry of the Interior</b> 7.452 EUR per year – regular work activities	The Joint Elaborate updated	
4.4.4	Implement measures for blocking the routes suitable for illegal crossing of the state border with Montenegro, in accordance with the Elaborate	<b>Directorate for the Property of the Republic of Serbia</b> Ministry of the Interior Ministry of Foreign Affairs	Continuously <i>in line with the activities of the representatives of Montenegro IV quarter of the year 2020</i>	<b>Budget of the Directorate for the Property of the Republic of Serbia</b> 9.557.856 RSD or 79.650 EUR for the year 2020	Routes suitable for illegal crossing of the state border with Montenegro blocked, in accordance with the Elaborate	
4.4.5	Strengthen the cooperation with the European Union Agency for Border and Coast Guard	<b>Ministry of the Interior</b> General Police Directorate - Border Police Directorate	Continuously	All cost is going to be covered from the <b>EU Agency for Border and Coast Guard funds</b>	The number of common risk analysis - WBRAN. The number of joint actions. The number of training delivered and conducted. The number of meetings	

INTERIM BENCHMARK 5	OVERALL RESULT	INDICATOR OF IMPACT
The Republic of Serbia addresses the twin-threats of corruption and organised crime at its borders through the implementation of a dedicated anti-corruption plan at the borders and provides an initial track record of an adequate follow up of detected cases.	The Republic of Serbia effectively implements the planned activities in order to prevent corruption at the borders.	A higher level of efficiency in implementing measures for improving the fight against corruption at the border A higher level of intolerance towards conflict of interest Enhanced quality of the surveillance, for the prevention of the corruption. Decreased number of compliances on corruption

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
4.5.1	Conduct the joint training courses, in the field of prevention and combating all forms of corruptive behaviour within all services in the system of the Integrated Border Management	<b>Ministry of the Interior</b> Internal Control Sector Border Police Directorate Ministry of Finance Internal customs control Ministry of Agriculture, forestry and Water Management/Veterinary and Phyto-sanitary Inspection/ Republic Public Prosecutor's Office Anti Corruption Agency	Continuously	<i>regular work activities of all institutiins</i> <b>Budget of the Ministry of the Interior</b> <b>See activity No. 4.1.8</b> 1.242 EUR for one officers for 20 days of training – <b>Note:</b> <u><i>Within the Specialist training for border police, training is being conducted on the topic of Professional Ethics, which contains the topic Values and Ethics of Border Police Officers in the EU "</i></u> <b>Budget of the Ministry</b>	<sup>18</sup> The number of trainings conducted in accordance to the Program for combating of the corruption, for police and other officers from the Integrated Border - Management -100 %	

<sup>18</sup>Within the Specialist training for border police, training is being conducted on the topic of *Professional Ethics, which contains the topic Values and Ethics of Border Police Officers in the EU "*

				<p><b>of Finance</b>  <b>Customs Administration</b>  1.242 EUR for one one officers for 20 days of training</p> <p><b>Budget of the Ministry of Agriculture, forestry and Water Management/Veterinary and Phyto-sanitary Inspection/</b>  2.484 EUR for one one officers for 20 days of training</p> <p><b>Budget of the Republic Public Proceusor's Office</b>  1.242 EUR for one one officers for 20 days of training</p> <p><b>Budget of the Anti Corruption Agency</b>  1.242 EUR for one one officers for 20 days of training</p>		
4.5.2	Conduct preventive and control activities in order to combat corruption at the border	<b>Ministry of the Interior</b> Internal Control Sector Border Police Directorate	Continuously	<b>Project IPA 2015 -</b> Strengthening the Capacities of the Internal Control Sector in the fight against Corruption within the Ministry of Interior, <b>total value</b> 1.000.000 EUR	The number of conducted preventive activities The number of investigations conducted - <i>criminal and disciplinary procedures</i>	
4.5.2.	Improvethethe cooperation of the related services of internal control, for prevention and combating of the corruption at the borders	<b>Ministry of the Interior</b> Internal Control Sector Border Police Directorate	Continuously	<b>Project IPA 2015 -</b> Strengthening the Capacities of the Internal Control Sector in the fight against Corruption within the Ministry of Interior, <b>total value</b> 1.000.000 EUR	The number of agreements on cooperation signed The number of conducted joint activities The number of meetings held The number of workshops held	

					The number of projects realized	
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## JUDICIAL COOPERATION IN CIVIL, COMMERCIAL AND CRIMINAL MATTERS

### STATE OF PLAY

#### Normative framework

The normative framework on judicial cooperation in civil and commercial matters in the Republic of Serbia consists primarily of national legislation such as the **Law on Resolution of Conflict of Laws with Regulations of Other Countries**, the **Law on private international law** and procedural laws:

- *Law on the Organisation of Courts*
- *Law on Civil Procedure*
- *Law on Enforcement and Security*
- *Law on Non-Contentious Procedure*
- *Court Rules of Procedure*

Apart from that, the Republic of Serbia is bound by **25 multilateral treaties** in this area as well as **33 bilateral treaties with 24 countries**, out of which 14 are the EU member states.

The Republic of Serbia ratified the Hague Convention on the jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children, from 1996, in November 2015.

Judicial cooperation in civil and commercial matters is also addressed in national strategic documents, such as the National Programme for Adoption of the Acquis.

The existing normative framework provides a basis for good judicial cooperation in this area. However, to fully comply with the European Union standards and harmonize with the acquis, it is necessary to adopt necessary amendments to certain laws, following the impact assessment analysis.

In the near future, the Republic of Serbia is planning to enhance judicial cooperation in civil and commercial on a bilateral basis and conclude treaties on judicial cooperation in civil and commercial matters with the United Arab Emirates, Republic of Kazakhstan, Argentine Republic, United Mexican States and the Federative Republic of Brazil.

#### INSTITUTIONAL FRAMEWORK

The institutional framework for judicial cooperation in civil and commercial matters consists of:

- *courts*
- *Ministries of Justice*
- *Ministry of Labour, Employment, Veteran and Social Policy (family matters)*
- *Ministry of Finance*
- *Office for Human and Minority Rights*

Basic and commercial courts and Administrative court are competent for providing judicial cooperation in civil and commercial matters. The Ministry of Justice – the Department for International Legal Assistance is the central authority of communication for most bilateral and multilateral treaties in this field.

#### Software program Luris

Regarding the collection of statistics, in 2011 the Ministry of Justice has implemented the program Luris, (donation of the Ministry of Foreign Affairs of the Kingdom of the Netherlands) which enables data collection and statistical reports on various parameters (such as the number of requests per state, per treaty, per type of legal assistance etc.).

To improve the current system for more accurate statistics on judicial cooperation, on the request of the Department for International legal assistance, the Ministry of Foreign Affairs of the Kingdom of the Netherlands provided (through the Dutch organization "Center for International Legal Cooperation") a new donation for improvement of Luris. This improvement was finished in 2015, and it enabled a more efficient process of dealing with requests since it provides generating patterns (templates), i.e. that automatically solve cases per click.

This is especially important because of the large number of requests for common types of legal assistance coming from the countries of former Yugoslavia. Also, improvement of Luris allows better monitoring and the possibility to identify the causes for a backlog. It is possible to produce reports based on different criteria. Any additional improvements related to statistical data collection will be upon impact assessment analysis. The impact assessment analysis, prepared by EU expert in June 2019 is a good starting point on how the future direct cooperation could be monitored and facilitated from the IT and statistics field.

The current administrative capacities are insufficient for quality and timely execution of requests. Therefore, it is necessary to increase the number of staff dealing with such requests in the Ministry of Justice and especially in the courts (bearing in mind that the future will bring the direct court to court communication). This matter will also be addressed in an impact assessment analysis which is foreseen in the activities. It is to be noted, however, that there is a considerable language barrier with countries outside the region, which can not be tackled immediately—considering a large number of requests for legal assistance in civil and commercial matters.

Furthermore, judges and court staff are not sufficiently familiar with the EU legislation on judicial cooperation in civil and commercial matters. It is, therefore, necessary to develop a consistent and effective training program. Bearing in mind the process of harmonization with the legislation of the European Union and numerous novelties that will be introduced into our legal system, it is necessary to enhance the existing curriculum and organise a more systematic training. Training needs will also be subject to an impact assessment analysis.

In addition to the normative framework, which includes:

- *Law on International Legal Assistance in Criminal Matters*
- *Criminal Procedure Code*
- *Criminal Code, Law on Court Organisation*
- *Law on Organisation and Jurisdiction of State Authorities in the Suppression of Organised Crime, Terrorism and Corruption*
- *Law on Organisation and Jurisdiction of State Authorities in War Crimes Proceedings*
- *Law on Seizure and Confiscation of the Proceeds from Crime, Law on the Execution of Criminal Sanctions*

the normative framework for judicial cooperation in criminal matters includes 24 Council of Europe Conventions and protocols regulating judicial cooperation in criminal matters, as well as the Conventions of United Nations and its organizations, 57 bilateral agreements regulating all or some of the forms of international assistance in criminal matters with 32 states. When it comes to the EU, the Republic of Serbia has signed 33 bilateral agreements with 19 Member States that regulate various forms of mutual judicial cooperation in criminal matters. Judicial cooperation in criminal matters is found in national strategic documents such as the National Program for the Adoption of the European Union acquis.

The current normative framework provides an adequate basis for judicial cooperation in this field, with minor changes needed to be made to comply with the current Criminal Procedure Code. However, in order to fully align the legal framework in this area with the EU acquis, the adoption of a new law on international legal assistance with the EU Member States is being considered as well as amendments to other regulations mentioned above, in accordance with the results of the impact

assessment analysis for harmonization of national legislation with EU legislation in the field of judicial cooperation in criminal matters (including the European Arrest Warrant), which was prepared by the experts of the EU Member States at the end of 2015. In the near future, the Republic of Serbia is planning to expand cooperation on a bilateral basis, by signing agreements on judicial cooperation in criminal matters with the United Arab Emirates, Mexico, Brazil and others.

#### ADMINISTRATIVE CAPACITIES

The institutional framework of judicial cooperation in the criminal matters consists of courts and prosecutions offices of the Ministry of Justice (central body, through which, the judicial cooperation in the criminal matters operates), the Ministry of Foreign Affairs and the Ministry of the Interior.

Bearing in mind the number of requests existing administrative capacities are not sufficient for the quality and timely fulfilment of obligations in this field. It is, therefore, necessary to increase the number of staff dealing with requests in courts and prosecutors' offices (having in mind the planned introduction of direct communication). This issue will also be considered in the impact assessment. However, it should be noted that there is a significant language barrier to countries outside the region and that it is not possible to address the problem immediately.

Further needs in terms of training programs and collecting statistics for judicial cooperation in criminal matters are similar to both civil and commercial matters, that is, they will be the subject of an impact assessment.

#### Agreement with the European Union's Judicial Cooperation Unit - EUROJUST

In order to conclude an agreement with EUROJUST, the National Assembly of the Republic of Serbia adopted a new Law on Personal Data Protection at a session held on November 7, 2018. Also, training for prosecutors and judges is needed on this topic. More information regarding training could be found in Chapter 23: Judiciary and Fundamental Rights, Subchapter 3: Fundamental rights.

The representative of the EUROJUST visited the Republic of Serbia on a fact-finding mission in September 2019 and concluded that all necessary requirements for the signing were fulfilled. The Agreement on cooperation between the Republic of Serbia and EUROJUST **was signed on November 12, 2019, in Belgrade**. The Law on ratification of the Agreement on cooperation between the Republic of Serbia and EUROJUST was ratified on December 9, 2019. The Agreement entry into force on December 10, 2019, and it is in **application since December 11, 2019**.

#### Other activities

The High Judicial Council, the Supreme Court of Cassation and the Republic prosecutors Office, the Ministry of Justice and the 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, Network of the General Prosecutors of the Supreme Judicial Courts of the EU и Network for Legislative Cooperation between the Ministries of Justice of the European Union Regarding necessary infrastructure, all relevant data are provided within Chapter 23: "Judiciary and Fundamental Rights", Subchapter 1: Judiciary – Current state of play.

The 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 for its judicial authorities, upon the accession of the EU, to act on the demands of the judicial authorities of the Member States of the EU and take care of proper statistics.



The observer status for the 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.

The Republic of Serbia recognizes that judicial cooperation in civil and criminal matters is a part of the legal acquis in Chapter 24. Activities in this area will continue to be discussed in the framework of the dialogue on normalization between Belgrade and Pristina in accordance with the acquis and monitoring of their implementation will be carried out under Chapter 35.

Some progress has been achieved. On March 07, 2013, the Government of the Republic of Serbia adopted the Conclusion, adopting the text of procedures of mutual legal assistance envisaged by the IBM Technical Protocol. The Conclusion entered into force on March 20, 2013.

On November 15, 2013, the Minister of Justice adopted the Directive on the Manner of Implementing the Government Conclusion of March 07, 2013, by civil servants at the Ministry of Justice and Public Administration and office of the Administration for Joint Services of the Republic Bodies. Serbia will achieve the same level of judicial cooperation in civil and criminal matters with Kosovo\* envisaged by European standards in this area, with strict adherence to the requirements of status neutrality.

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of judicial co-operation in civil, commercial and criminal matters. Republic of Serbia conducts a comprehensive impact assessments covering judicial co-operation in civil, commercial and criminal matters and on that basis amends its action plan providing, a clear sequencing of steps needed to align with the acquis in this area, an overview of staffing and training needs, details on the costs and sources for financing these reforms</p>	<p>The field of judicial cooperation in the Republic of Serbia, in civil, commercial and criminal matters is aligned with the requirement of the EU, regarding the implementation of the EU acquis, in these fields</p>	<p>The handling judicial cooperation on requests shortened strengthened HR and material capacities of the Ministry of Justice and courts, for the implementation of the EU acquis</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
5.1.1	<p>Prepare an impact assessment resulting in precise timeline and measures for harmonisation of national legislation with the all relevant EU acquis in the field of judicial co-operation in civil and commercial matters and international private law, including administrative, budgetary, staff and training needs. The assessment will also look into: - Steps for improvement of statistics to monitor the efficient handling of international requests in</p>	<p><b>Ministry of Justice</b>, in cooperation with courts, Republic Public Prosecutor's Office and Judicial Academy</p>	<p>IV quarter of the year 2021</p>	<p><b>Project of the Kingdom of Sweden:</b> Supporting the Strategic Management and EU Integration Capacity Development of the Serbian Ministry of the Interior</p>	<p>Prepared impact assessment in civil and commercial matters <i>(the whole document, which includes normative part and part related to the administrative, budgetary, staff and training requirement)</i></p>	

	<p>this area</p> <ul style="list-style-type: none"> <li>- A comprehensive training programme</li> <li>- Prioritising direct cooperation</li> </ul>					
5.1.2	Develop the analysis of the administrative, budgetary and training needs	<p><b>Ministry of Justice</b>, in cooperation with courts          Republic Public Prosecutor's Office and          Judicial Academy</p>	IV quarter of the year 2021	<p><b>Project of the Kingdom of Sweden:</b>          Supporting the Strategic Management and EU Integration Capacity Development of the Serbian Ministry of the Interior</p>	See the activity number 5.1.1	
5.1.3	Adopt the necessary amendments of the relevant laws ( <i>determined in the normative part of the impact assessment, for judicial cooperation in civil and commercial matters</i> )	<p><b>Ministry of Justice</b>, in cooperation with courts and          Judicial Academy          National Assembly of the Republic of          Serbia          Government of the Republic of          Serbia</p>	IV quarter of the year 2021	<p><i>regular work activities of all institutions</i>  <b>Budget of the Ministry of Justice</b>          111.780 EUR per year  <b>Budget of the Judicial Academy</b>          55.890 EUR per year  <b>Budget of the National Assembly of the Republic of Serbia</b>          40.008 EUR for the year 2021  <b>Budget of the Government of the Republic of Serbia</b>          633 EUR for the year 2021</p>	Amendments of the relevant laws in the field of judicial cooperation in civil matters: the Law on resolving conflicts of laws with the regulations of other countries, the Law on Civil Procedure, the Law on Out-of-Court Proceedings, the Law on Enforcement and Security, the Court Rules of Procedure	
5.1.4.	Adopt the necessary amendments of the relevant laws ( <i>established in the normative part of the analysis of the impact assessment for judicial cooperation in criminal matters</i> )	<p><b>Ministry of Justice</b>          National Assembly of the Republic of          Serbia          Government of the Republic of          Serbia</p>	IV quarter of the year 2021	<p><i>regular work activities of all institutions</i>  <b>Budget of the Ministry of Justice</b>          111.780 EUR for the year 2020  <b>Budget of the Judicial Academy</b>          55.890 EUR for the year 2020  <b>Budget of the</b></p>	Amendments of the relevant laws, in the field of judicial cooperation in criminal matters adopted: the Law on judicial cooperation in criminal matters, with the EU member states, the Criminal Code Procedure Law etc	

				<b>National Assembly</b> 40.008 EUR for the year 2020 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020		
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INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia recruits and trains an adequate number of experts, both in the Ministry of Justice as well as in courts and prosecutorial offices in line with the set objectives of ensuring quality and a timely handling of requests for judicial cooperation in civil, commercial and criminal matters.	In the field of judicial cooperation in civil and criminal matters, there is an adequate number of experts in courts, prosecutors and at the Ministry. Judicial cooperation requests in civil and criminal matters are being resolved timely	Appropriate number of experts trained. Requests are resolved timely

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
5.2.1	Increase the number of employees ( <i>in charge of judicial cooperation in civil matters</i> ) in courts, Ministry of Justice, Ministry of Labour, Ministry of Labour, Employment, Veteran and Social Policy, the Ministry of Finance, Office for Human and Minority Rights, by reorganisation from current institution staff or hiring new employees ( <i>determined in the impact analysis, which refers to administrative, budgetary, staff as well as training needs</i> )	<b>Ministry of Justice</b> Ministry of Labour, Employment, Veteran and Social Policy, Ministry of Finance, Office for Human and Minority Rights, courts	Starting from IV quarter of the year 2021 after the Impact assessment	<b>Costs are currently unknown</b> -will be available after the <i>Impact assessment</i>	Number of employees in the field of judicial cooperation, in line with the recommendation contained in results of the Impact assessment, which refers to the administrative, budgetary, staff and training needs	

5.2.2	Develop the training programme and deliver training courses for judges, court staff and civil servants ( <i>determined in the impact analysis, which refers to administrative, budgetary, personal as well as training needs</i> )	<b>Judicial Academy</b> , in cooperation with courts, Ministry of Justice Ministry of Labour, Employment, Veteran and Social Policy,	Starting from IV quarter of the year 2020 - <i>after the Impact assesment</i>	<b>Costs are currently unknown</b> - <i>will be available after the Impact assessment</i>	Training program drafted Judges, prosecutors and civil servants prepared to implement the EU acquis upon accession	
5.2.3	Increase the number of employees( <i>in charge of judicial cooperation in civil matters</i> ) in courts, prosecutors offices, Ministry of Justice, by reorganization from current institution staff or hiring new employees ( <i>determined in the impact analysis, which refers to administrative, budgetary, personal as well as training needs</i> )	<b>Ministry of Justice</b> , Republic Public Prosecutor's Office	Starting from III quarter of the year 2021 - <i>after the Impact assesment</i>	<b>Costs are currently unknown</b> - <i>will be available after the Impact assessment</i>	The number of employed and deployed staff, in the field of judicial cooperation, following the Impact assessment	

INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia adopts the necessary amendments to the relevant laws herewith aligning its legislation to the maximum extent to the EU acquis in the area of judicial co-operation in criminal, civil and commercial matters and ensures that the material conditions are in place to ensure a proper implementation.	By adopted amendments of laws, the normative framework is to the maximum extent aligned to the EU acquis By adopted legislative, which regulates the budget, the material conditions for the implementation of the legislation are provided	Laws adopted Funds for acting in judicial cooperation cases provided

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
5.3.1	Adopt the necessary amendments of the relevant laws in civil matters ( <i>determined in the normative part of the Impact assessment, for judicial cooperation in civil and commercial matters - see the Activity No. 5.1.3</i> )	<i>See the Activity No 5.1.3</i>	IV quarter of the year 2021	<i>See the Activity No 5.1.3</i>	<i>See the Activity No 5.1.3</i>	
5.3.2	Draft a proposal of the new Law on judicial cooperation in criminal matters with the EU member states ( <i>determined in the normative part of the Impact assessment, for judicial cooperation in civil and commercial matters - see the Activity No. 5.1.4</i> )	<i>See the Activity No 5.1.4</i>	IV quarter of the year 2021	<b>Note:</b> <i>The same WG as for the Activity No. 5.1.4</i>	The Law, which will regulate judicial cooperation with the EU member states adopted <i>See the Activity No. 5.1.4</i>	
5.3.3	Adopt the new Law on judicial cooperation in criminal matters with the EU member states ( <i>determined in the normative part of the Impact assessment, for judicial cooperation in civil and commercial matters - see the Activity No. 5.1.4</i> )	<i>See the Activity No 5.1.4</i>	I quarter of the year 2022	<b>Note:</b> <i>The same WG as for the Activity No. 5.1.4</i>	The Law, which is going to regulate judicial cooperation with the EU member states adopted. <i>See the Activity No. 5.1.4</i>	

5.3.4	Adopt of the necessary amendments of the existing laws, in criminal-law matters, ( <i>determined in the normative part of the Impact assessment, for judicial cooperation in civil and commercial matters - see the Activity No. 5.1.4</i> )	<i>See the Activity No 5.1.4</i>	IV quarter of the year 2021	<b>Note:</b> <i>The same WG as for the Activity No. 5.1.4</i>	The relevant laws, in the field of criminal law matter adopted. <i>See the Activity No 5.1.4</i>	
5.3.5	Draft a proposal of the new Law on international law assistance with the EU member states - <i>determined in the Impact assessment</i>	<i>See the Activity No 5.1.3</i>	IV quarter of the year 2021	<b>Note:</b> <i>The same WG as for the Activity No. 5.1.3</i>	<i>See the Activity No 5.1.3</i>	
5.3.6	Adopt the new Law on international law assistance with the EU member states - <i>determined in the Impact assessment</i>	<i>See the Activity No 5.1.3</i>	I quarter of the year 2022	<b>Note:</b> <i>The same WG as for the Activity No. 5.1.3</i>	<i>See the Activity No 5.1.3</i>	

INTERIM BENCHMARK 4

OVERALL RESULT

INDICATOR OF IMPACT

**THE INTERIM BENCHMARK IS FULFILLED AND COMPLETED**

Republic of Serbia concludes a co-operation agreement with Eurojust for which a data protection law in line with the EU acquis needs to be adopted and implemented.	The Agreement with the European Union Judicial Cooperation Unit - EUROJUST concluded. Cooperation and exchange of information, with the Republic of Serbia, enabled	Signed agreements. Funds necessary for the implementation of the Agreements provided. Liaison officer deployed to the EUROJUST
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INTERIM BENCHMARK 5	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia provides an initial track record of efficiently handling judicial co-operation requests in civil and criminal matters and applying multilateral conventions and bilateral agreements in this area.	The established statistical data collection enables timely reporting on work efficiency	The number of cases resolved, in the field of judicial cooperation

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
5.5.1	Prepare a report on track record tables in the area of judicial cooperation in civil and criminal matters	<b>Ministry of Justice</b> Ministry of Finance Office for Minority and Human Rights	Continuously – semiannual	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 2.484 EUR per year <b>Budget of the Ministry of Finance</b> 1.242 EUR per year <b>Budget of the Office for Minority and Human Right</b> 1.242 EUR per year	The number of cases, in the field of judicial cooperation, resolved	



## Police cooperation and fight against organised crime

### POLICE COOPERATION

#### 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: multilateral international –Interpol, Europol and Selec, as well as 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 120.000 data exchanges take place via the Interpol channel annually, 50.000 of which represent the number of messages exchanged with police forces of the EU Member States.

Regarding cooperation via the Europol channel, the number of messages increases from year to year, and in accordance with that, during the year 2016, a total of 6.615 messages were exchanged via SIENA, *in 2017, a total of 7.391, in 2018, and in 2019 a total of 8.452 messages were exchanged.*

All standard methods of work of the European police services are used in daily police work, as well as the following:

- *Apprehensions based on international notices in the country and abroad*
- *Parallel investigations*
- *Controlled deliveries*
- *Operations with undercover agents with the joint investigation teams*

The Ministry of the Interior enters the data into the Interpol database of persons for whom a search has been issued, stolen motor vehicles, documents, works of art and other, and performs operational cooperation on the basis of concluded bilateral<sup>19</sup> and multilateral police cooperation agreements<sup>20</sup> as well as the operational cooperation on the basis of 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 such cooperation, based on precisely defined subjects and communication channels of Interpol, Europol and domestic and foreign liaison officers.

**The Single Point of Contact - SPOC** represents a possibility to acquire data “*all in one*”, in the area of international police cooperation, which operates on 24/7 basis, through which, after the accession of the Republic of Serbia to the European Union, **it will set up its SIRENE bureau**, through which a National contact point for cooperation with the European Union Agency for Law Enforcement Cooperation –Europol and the Interpol National Central Bureau have already been established, where cooperation with national and foreign liaison officers has been established and where there are contact points for other channels.

<sup>19</sup> 20 international agreements on police cooperation with the Third Countries are currently in force, including the 15 EU Members States

<sup>20</sup> The Republic of Serbia has ratified more than 25 UN and Council of Europe Conventions

In the area of police cooperation, the legal framework of the Republic of Serbia is defined with the view of harmonization with the acquis, respectively, in the field of information exchange and intelligence among the law enforcement agencies in the EU Member States, in the field of combating violence at sporting events and protection of public figures and in the field of suppression of criminal offences related to motor vehicles with cross-border implications.

The Republic of Serbia cooperates with the Europol, pursuant to the Law on the Ratification of the Agreement on Operational and Strategic Cooperation between the Republic of Serbia and Europol (Official Gazette of the Republic of Serbia, No. 8/14 - *International Agreements*) which came into force in June 2014, together with the Memorandum of Understanding on Data Assurance and Confidentiality between the Republic of Serbia and EUROPOL and the Bilateral Agreement between the Republic of Serbia and Europol for the establishing of the interconnection between computer networks.

**The Rulebook on Establishing a List of Psychoactive Controlled Substances** has been published in the Official Gazette of the Republic of Serbia No. 111/17 of December 11, 2017, and it contains *19 new psychoactive substances*. An Early Warning System Protocol was developed in the Republic of Serbia. Information on newly identified psychoactive substances is continuously submitted to Europol.

#### Joint Investigation Teams

**The Republic of Serbia has formed a total of 9 (nine) Joint Investigation Teams**, i.e. investigation teams which are set up for a certain period of time, in accordance with the bilateral and multilateral agreements, in order to conduct an investigation related to the organised crime cases.

#### INSTITUTIONAL FRAMEWORK

Institutional framework for law enforcement exists, and the police operate at the optimal level in accordance with its purview and capacities in relation to the tasks entrusted by law. The legal framework for the Prüm Decision implementation has been partially aligned.

The efficiency of the institution is monitored on the basis of the number of the data exchanged with Interpol and Europol, as well as on the participation in the Europol Analysis Projects.

Serbian Europol National Unit has appropriate spatial and technical work conditions which need to be improved in the field of safety and data confidentiality.

In 2015 in the International Operational Police Cooperation Department, a Europol expert conducted an analysis on the implementation of standards in the field of security and data confidentiality, based on which a ***Report with recommendations for measures for improving the situation regarding the physical and technical security and data confidentiality*** was drafted, suggesting the modernization of the existing video surveillance system, as well as the access control systems and the alarm system.

**A GAP analysis was conducted regarding the necessary human resources, the legal and institutional framework for efficient international police cooperation**, as well as the availability, attainability and reciprocity of data for the implementation of the Swedish Initiative.

On this occasion, Swedish experts were hired, who recommended raising the level of knowledge of foreign languages and reducing the formalities of the controlling activities of managers in terms of the following: overcoming the necessity of verifying official memos with the seal of the organizational unit and leaving out the obligation to sign all the documents intended for official correspondence.

The existing National Contact Point for data exchange in the organizational structure within the International Operational Police Cooperation Department was assessed as ***apactical example of the implementation of the Swedish Initiative's idea***. Recommendations are mostly implemented. Most employees have the necessary knowledge of a foreign language for independent communication with foreign partners.

The International Operational Police Cooperation Department functions *as a single point of contact*. All officers have attended the necessary training to use the system for secure information exchange in accordance with the Training Plan on International Operational Police Cooperation". Direct searches in the Interpol ASF database are enabled at all border crossings in Serbia and all local police departments.

An analysis of the current situation, from the aspect of the implementation of the standards, in the field of security and data confidentiality was carried out. In accordance with the results of the analysis, the Republic of Serbia is taking further steps towards the realization of the IPA 2015 project. The security zones were defined at the premises of the Department for International Operational Police Cooperation, which will be declared as an administrative zone in its entirety. The places where access control and anti-burglar systems will be installed were identified as well as the method of functioning of the alarm system in case of a fire breakout, and other elements of physical and technical protection, which will rely on the security assessment made by the Unit for Close Protection of VIPs and Facilities in November 2017.

The adaptation and construction of the interior and exterior of the building, financed from the budget of the Ministry of the Interior had been completed. In December 2018, a tender was published for the purchase of equipment for installation of access control system, video surveillance of facilities and anti-burglary system, as well as other elements of physical and technical protection, which is financed from the project IPA 2015, but there were no applicants for the tender.

In terms of strengthening the capacity of the National Contact Point for Cooperation with Europol, based on the conducted internal competition, the **Head of the Division was elected and** all nine working places envisaged by the Rulebook on internal organization and job classification in the Ministry of Internal Affairs have been filled.

#### Strengthening administrative capacity through training

The institutional capacities are constantly improved through training programs for employees. A number of trainings were already conducted, such as the following:

- *Training on the use of SIENA – Secure Information Exchange Network Application*
- *Training on cross-border cooperation and the Swedish Initiative*
- *Interpol training on the use of stolen motor vehicle databases*
- *Europol training on its services and products*
- *Interpol training on motor vehicles*

To proper handling of personal data and familiarizing all the employees dealing with these data in their day-to-day work with the rules of conduct, the **Rulebook on the Form and Content of Personal Data was adopted**, which contains the procedures for handling personal data and a personal data protection plan, and the obligation to organise continuous training for SPOC officials.

To this end, the **Training Plan on International Police Cooperation was adopted**, which includes training on personal data processing. A total of 68 SPOC officials were trained, and the training will be conducted continuously - meaning that all new SPOC officials will attend it. This plan also includes training on the use of the SIENA application in order to strengthen the administrative and technical capacities of the National Contact Point for Cooperation with Europol, which will also be attended by all the employees of other organizational units of the Ministry of the Interior, who should be allowed direct access to the SIENA application, in order to encourage the dissemination of SIENA application to the competent authorities in accordance with the Law on the Confirmation of the Agreement on Operational and Strategic Cooperation between the Republic of Serbia and Europol, with the aim of more efficient actions.

All officers of the National Contact Point for Cooperation with Europol have been trained in the use of the SIENA application, as well as the officers of the On-call Service who are active 24/7. Strengthening of administrative capacities through training of officers will continue non-stop until the Republic of Serbia is admitted into the EU membership.

Also, the **Guidelines on International Operational Police Cooperation** defining the operational procedures were adopted, in compliance with which the International Operational Police Cooperation Department has been designated the single point of contact. This document also prescribes the procedures for automated simultaneous checks in national and Interpol databases of stolen motor vehicles, which contain a new instruction on the method to check whether a vehicle was stolen abroad, as well as the procedures and methodology for exchanging additional information according to the generated hit.

#### AP/Focal Points

Regarding the implementation of the signed working arrangements for joining Europol analysis groups, and in line with the changes in the organizational structure of Europol, 'Focal Points' changed their name to 'Analysis Projects'. The National Contact Point for Cooperation with Europol has direct access to all national databases. It represents a contact point for *EMPACT-EU* and it has participated in the coordination of work in more than 30 international police actions at the national level since the entry into force of the Operational Agreement with Europol. It also participates in the coordination of the process of joining Europol Analysis Projects, previously known as Focal Points.

**The Republic of Serbia has joined a total of 16 Europol Analysis Projects** (13 within the Analysis Work File for Combating Serious and Organised Crime and 3 within the Analysis Work File for Combating Terrorism).

Europol has adopted a new simplified procedure for joining analysis projects, according to which working arrangements are no longer concluded, but it is sufficient for a country simply to apply for the association to a particular analysis project and it is considered to have become its formal member from the moment Europol receives notification that all countries which were associated to this analysis project have given their consent for the applicant to join. According to this new procedure Serbian police joined three new analysis projects in 2018 (*AP EnviCrime*, *AP Smoke* and *AP Furtum*). Regular data exchange with analysis projects takes place through the Europol channels. In accordance with Europol rules, the Ministry of the Interior is currently associated to the following analysis projects:

- **AP Twins** – online sexual exploitation childrent
- **AP Migrant Smuggling** – illegal immigration
- **AP Phoenix** - THB
- **AP Cyborg** - Cyber Crime
- **AP Synergy** - synthetic drugs
- **AP Cola** - cocaine
- **AP Hydra** - radical Islamist and extremist groups
- **AP Travellers** - foreign terrorist fighters
- **AP Soya** - counterfeiting of money
- **AP Weapons and Explosives** – illicit firearms trafficking
- **AP Smoke** – tobacco
- **AP Cannabis** - cannabis
- **AP Heroin** - heroin
- **AP EnviCrime** - environmental crime
- **AP Furtum** – property crime
- **AP Check-the Web** - pre-empt terrorist abuse of online tools

In terms of activities related to the signing of working arrangements with the Europol, which have been implemented continuously as of June 2015, the already signed working arrangements for joining Europol analysis groups are implemented continuously, which is reflected in the number of contributions (the most important data stored in Europol databases, for further analysis and cross-checks), which is constantly increasing.

In terms of the contributions of Ministry of the Interior in the framework of the European Analysis Work File for Serious and Organised Crime, there is constant progress, as in 2014 there was a total of 145 contributions, in 2015, a total of 489, in 2016, a total of 554, in 2017, a total of 614 and in 2018 a total of 641 contributions. However, there has been no sharp rise in 2019, in which the Serbian police had the total of 644 contributions.

In the field of fight against terrorism, via Europol channels, there has been a significant decline in the number of contributions over the last three years, as in 2014 in Analysis Work File for Counter-Terrorism one contribution was accepted, during the year 2015, a total of 35, during the year 2016, a total of 59, during the year 2017, a total of 45, in 2018, a total of 25 contributions, and in 2019, again the total of 25 contributions.

In the field of fight against terrorism, via Europol channels, a total of 877 messages (307 messages via SIENA and 570 via CT SIENA) were exchanged in 2018, of which a total of 25 sent messages was accepted as contribution in the Analysis Work File for Counter-Terrorism (9 in the AP Hydra and 14 in the AP Travellers). In 2019, the number of exchanged messages in this field rose, so the total of were exchanged 936 (272 via SIENA and 664 via CT SIENA), out of which 25 sent messages were accepted as contributions to the EUROPOL CT databases (2 in AP Check the Web, 4 in AP Dolphin, 7 in AP Hydra, 8 in AP TFTP and 4 in AP Travellers).

Although the number of exchanged messages in the field of fight against terrorism has significantly increased compared to the previous year, there has been a significant decline in the number of contributions compared to the previous year. However, the reason for this is the fact there were not many cases or persons related to terrorism in Serbia to be reported, while the national FTF list has already been provided to Europol and is regularly updated.

As for previous years, during the year 2014, one (1) contribution was accepted, during the year 2015 a total of 35, during the year 2016, a total of 59, during the year 2017, a total of 45, and, as mentioned above, during both 2018 and 2019, a total of 25, on the occasion of which an internal meeting with contact persons for AP was held, in order to clarify the role, the importance of cooperation with Europol and services and products that it offers and to encourage them to deliver more contributions and not only in response to queries, but also in the form of a query. At the same time, it was agreed that such meetings should be held four times a year, in order to monitor progress.

The Ministry of the Interior has been invited to participate as an observer at the meetings of heads of Europol National Units - HENU. The National Unit, in cooperation with the Ministry of Health and the Criminal Police Directorate, regularly submits information on newly identified psychoactive substances through SIENA application. Another continuous activity involves participation in joint investigation teams in various crime areas, in connection with which the mechanism for providing information about the number and status of established joint investigation teams was set up with the Prosecutor's Office for Organised Crime.

## THE SWEDISH INITIATIVE

The normative framework of the Republic of Serbia is defined with the view on harmonization with provisions of the Council Framework Decision 2006/960/JHA, on simplifying the exchange of information and intelligence between law enforcement agencies in the EU Member States - the Swedish Initiative. A framework of institutions for the implementation of the standards of the Swedish Initiative was established.

These institutions have sufficient executive powers to carry out entrusted tasks.

The Republic of Serbia carries out police cooperation respecting the Interpol and Europol standards in the treatment of information requests sent by the police of foreign countries. Serbian SPOC (Single Point of Contact - SPOC) was established within the framework of the regional IPA project of the International Law Enforcement Coordination Unit (ILECU) and it already applies the standards stipulated by the Swedish Initiative, including the principle of "equivalent access" and

sends information (to the interested Member State) requested bilaterally through the SIENA application or via the 24/7 Interpol system, under conditions that are not stricter than those applied at the national level in accordance with national laws.

The Department for International Operational Police Cooperation (*SPOC or ILECU Unit*) was established in 2011 within the General Police Directorate of the Ministry of the Interior, and currently, **76 of the total number of 84 posts** have been filled here. In its composition are the National Central Bureau of Interpol and the National Contact Point of the Republic of Serbia for Cooperation with Europol.

To accelerate exchange data with other Interpol National Central Bureau, as well as more efficient use of the available Interpol databases, established the border crossing control system enables the integrated use of the service for access to Interpol databases. Services are available at all border crossings on which they are used, a system for controlling the crossing of persons and vehicle which is connected to the Intranet network. **The access to this system has about 500 employees of the Ministry of the Interior.**

In addition to the Interpol National Central Bureau for Serbia in Belgrade and the Europol National Unit, within the national SPOC there is a 24/7 On-call Service and Department for cooperation with foreign liaison officers. And there is a plan to open the SIRENE bureau until the admittance of the Republic of Serbia to the EU membership, after which coordination with national liaison officers appointed abroad will take place.

The Ministry of the Interior currently has liaison officers in five countries and three international organisations (Migration, Asylum Refugees Regional Initiative – Marri, SELEC and Europol). The coordination of the national liaison officers as one of the instruments of police cooperation will be defined by the Regulation on liaison officers of the Republic of Serbia sent abroad, the drafting of which is underway. SPOC has direct access to national databases so that it can efficiently handle requests from foreign police forces. Provisions and principles contained in the Swedish Initiative will be incorporated into national legislation through the proposed activities.

SPOC posts have been continuously filled in starting from 2011, and the filling of posts will be continued in accordance with the systematisation, which stipulates the necessary number of police officers.

The National Contact Point for Cooperation with Europol has **a total of 9 posts**, all of which have been filled. Within the 24/7 On-Call Service, all 9 posts that are stipulated by the systematisation were filled. Training for the work of employees will be continued until the entry into the EU as well as afterwards. **The Guidelines on Operational International Police Cooperation** were adopted and passed, stipulating the operational procedures for the data exchange based on different EU police cooperation instruments, will be adopted and constantly updated until entry into the EU and later.

**The Guidelines** define procedures for data exchange regarding public peace and order, terrorism, the implementation of joint operations and other forms of cross-border cooperation as a unique procedure for international police cooperation.

**Certain safety standards**, in accordance with the recommendations based on the analysis of a Europol expert in 2015, as well as in accordance with the system-specific recommendations for security of Europol, Europol Data Protection Booklet and Europol safety guidelines are met. All standards will be met through the above mention project funded from the IPA 2015 pre-accession funds in the amount of 50.000 EUR, which refers to strengthening raising physical and information security, within which the security zones and specification of necessary equipment were defined, and the realisation of which all standards will be met.

The operational capacities of the National Contact Point for cooperation with Europol have been strengthened through the recruitment of new officers, who have been trained on Europol's services and products and the data exchange through standard channels for secure data sharing. Training on the use of SIENA was attended by the officers of the Financial Investigation Unit of the Service for Combating Organised Crime, the FAST Team of the Service for Special Investigative Methods, the Drug Combating, Service for Combating Terrorism and the Division for Combating Organised Drug Smuggling of the Service for Combating Organised Crime of the Criminal Police Directorate, which were allowed direct access to SIENA.

It is necessary to deliver training in the field of international operational police cooperation and officers of other organisational units of the Serbian MoI, in particular the Criminal Police Directorate, the Border Police Directorate and the regional police departments, with whom the Directorate for International Operational Cooperation most closely cooperates regarding the requirements of foreign police forces in the framework of international operational police cooperation.

In order to develop its capacities and improve its work as well as the functioning of the Serbian Liaison Bureau at Europol Headquarters in the Hague and enable it to cooperate more effectively with other Liaison Bureaux at Europol and Europol itself, the Europol National Contact Point of Serbia launched a joint project with the Kingdom of Norway (*Result 5 of the Project entitled "The Support of the Kingdom of Norway to the Ministry of the Interior of the Republic of Serbia"*), the aim which is also to enhance the knowledge and raise awareness of the products and services in the international operational cooperation among the organisational units of the Ministry of the Interior with which the SPOC cooperates most closely through several seminars and workshops in Belgrade and two study visits abroad.

The project also aims at creating all the technical preconditions for the Liaison Officer at Europol to be enabled with the direct access to the national police databases. The project is funded by the Ministry of Foreign Affairs of the Kingdom of Norway, and it is worth 60.000 EUR, while the implementing partner is the UN Office for Project Services.

Three project activities were implemented in 2019, and the remaining four project activities are to be implemented by the first half of 2020. Namely, two seminars were held for around 40 representatives of the Serbian police (Criminal Police Department, Border Police Department, International Operational Police Cooperation Department) and the Customs on the Europol strategic and operational products and services and on the instruments of the international operational police cooperation, the role of Europol, Interpol and SELEC and the liaison officers network (the work methodology and differences).

Moreover, the 6-member delegation from Serbia, composed of the representatives of the Police Directorate, International Operational Police Cooperation Department and IT Sector visited the Norwegian KRIPOS/NCIS with a view to acquainting with the work of this service, which comprises the unit responsible for international operational police cooperation as well as getting insight into how the technical solution this unit applied to enable direct access to the national databases of the Norwegian police to its Liaison Bureau at Europol Headquarters.

To improve the technical capacities of the Department for Europol Affairs, which functions as the Europol National Contact Point, have been strengthened owing to the donation of ten (10) computers and ten (10) printers, in 2017.

## THE PRÜM DECISION

The Republic of Serbia has achieved partial alignment with the EU legal framework as regards the Prüm Decision. The institutions operate at an optimal level within their purview and capacities.

ICT support to the workflow of the Ministry of the Interior is provided, via **the Unique information system of the Ministry of the Interior** (so-called JIS). Segments of this system include data and information that may be subject of international police cooperation, especially in the domain of the Prüm Decision.

The established AFIS system in the Ministry of the Interior supports the use of the standard NIST format, which is extremely important for the exchange of fingerprints data. Bearing in mind that full implementation of the Prüm Decision requirements and compliance with the technical preconditions, further improvements and adjustments to the existing ICT infrastructure is needed. Having in mind that within the framework of the Prüm Decision is envisaged the exchange of information on public order, terrorism, conducting joint operations and other types of cross-border cooperation, via SPOC. For these areas, the **national contact points were defined**, in accordance with national laws and by-laws.

One of the preconditions for full implementation of the Prüm Decision is the access and the use of the communication network infrastructure and data transfer services among the EU public administrations TESTA-ng: The *Trans European Services for Telematics between Administrations/new generation*.<sup>21</sup> Bearing in

<sup>21</sup> Previously known as: *sTESTA*

mind that this is an automated exchange of DNA data, fingerprint data on vehicle registration data, in accordance with the normative framework of the EU with which we are harmonizing, it is necessary to provide 24/7 support to the work and availability of services and systems related to data exchange within police cooperation.

Other institutions and government bodies of the Republic of Serbia also have the need to establish the connection and enable the use of this communication infrastructure. There is an ongoing initiative on national level related to determination and appointment state body which will be the primary national contact point for connection to TESTA-ng network for enabling the exchange of electronic data between administrations in the European Union in a safe, reliable and efficient way.

It is dedicated to supporting the data exchange administration requirements while guaranteeing the appropriate level of performance and security, enabling efficient cooperation among public administrations, one way of connecting is also by attaining participation in the ISA2 program that supports the development of digital solutions which enable the public administration, business sector and citizens in Europe to use interoperable public services, regardless of the borders and the public administration sector.

In the framework of preparations for the implementation of the Prüm Decision, the analysis found that it is necessary to establish an approach to each objective for automated data exchange (DNA data which can be done CODIS, dactiloscopic data with upgraded AFIS system and vehicle registration data to exchange with the EUROCARIS system). In the past period, through the implementation of activities supported by the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX instruments of the EU, cooperation with representatives of the EU member states was realized and information and experiences of good practice in this area were exchanged. The EU experts from Croatia and Austria provided recommendations on the basis of which it will continue to work on capacity strengthening intensively.

Based on the analysis of the situation, it was decided to continue with the gradual implementation of the Prüm decision, and for this are determined technical and informational preconditions.

There is partial alignment with the EU regulations regarding the exchange of DNA analysis results. In this context, after the adoption of the Law on DNA register, it is planned to adopt the **Regulation stemming from this law**, in which the relevant EU legislation will be transposed. Through the previous Technical Assistance and Information Exchange instrument of the European Commission - TAIEX, it now opens the possibility of technical negotiations with both DG DIGIT and DG HOME in order to determine the precise steps towards introducing the necessary systems for data exchange.

The analysis showed that it is necessary to fully establish a national DNA register and form a national focal point within the Ministry of the Interior for the future exchange of DNA data. It is also necessary to establish national contact points for dactyloscopic databases and data on registered motor vehicles.

The previous precondition is the establishment of the „**a chain of evidence tracking**”, over traces and the materials on which they have located fingerprints and DNA data isolated at the scene of the crime for the whole territory of Republic of Serbia, in line with the international standard ISO 17020 and national legislation, which will strengthen capacities of the Serbian police in the area of fight against organised crime, in the framework of international police cooperation.

Following the above, carry out activities on the normative framework alignment with the acquis, in order to prepare all legal requirements for the implementation of technical data exchange systems through the TESTA network directly negotiated with DG-DIGIT or by accession to the ISA2 program, which would ultimately lead to integration into the trans-European secure network for automated exchange in the domain of the Prüm Decision.

Through analysis of the normative and institutional framework and information and technical capacity, it was established that it is necessary to improve the national information system for stolen motor vehicles and data on vehicle owners, in order to strengthen the capacity for data exchange with international and EU databases in terms of data entry/cancellation on stolen motor vehicles, in order to protect the real owners and prevent the smuggling of motor vehicles with cross-border implications.



## MOTOR VEHICLE THEFT

The national normative framework is partially aligned with the European Union acquis in the field of vehicle theft. The institutional framework has been established, and institutions operate within their purview and capacities at an optimal level in relation to the set tasks.

A system **that works to check the first owner when registering a vehicle, through Interpol has been established**, but while this check is in progress, the vehicle is temporarily registered to the current owner, thus, in case the check on the vehicle through the INTERPOL ASF gives a positive result, the vehicle may be seized from its owner.

Through activities defined in the Action Plan, will be an upgrade of the national information system of the Ministry of the Interior in order to synchronize the national database with the Schengen/INTERPOL SMV<sup>22</sup>, which will allow data entry/cancellation of stolen motor vehicles.

To align with the provision of Article No. 8, paragraph 1 of the Council Decision No. 2004/919 EC on the suppression of crime related to motor vehicles with cross-border effects, the provision of Article No. 9 of the Regulation on Registration of Motor Vehicles and Trailers, which provides that, in the event of total damage to the vehicle, a traffic license is retained in the vehicle dossier. This amendment to the Regulation on Registration of Motor Vehicles and Trailers was published in the Official Gazette of the Republic of Serbia No. 65/2015 of July 24, 2015.

The TAIEX workshop on the strengthening the capacities for combating international vehicle trafficking took place in the period from 16 to June 17, 2015, in Belgrade, Republic of Serbia, through the exchange of experience and best practice and conclusions made, were influenced on the expansion of mutual cooperation between the competent national authorities at the national level in combating cross-border stolen vehicle trafficking, especially in the field, given that the recommendations given during this workshop are applied in practice with the aim of faster and more efficient work of the police.

## Cooperation with the EU Agency for Law Enforcement training - CEPOL

The Ministry of the Interior and the European Union Agency for Law Enforcement Training – CEPOL **signed a Working Arrangement on September 01, 2017. The Working Arrangement was ratified on March 27, 2018.**

Following the Working Arrangement, three national functions were nominated:

- *National Contact Point for Cooperation with The European Union Agency for Law Enforcement Training*
- *National Exchange Coordinator.*
- *National E-Net manager*

Cooperation Plan (*Operational Plan*) for 2019-2020 was signed on July 02, 2019. This Plan enables free participation in training for 5 employees from the Republic of Serbia. The Cooperation plan stipulates the priority needs for training of the Republic of Serbia and is adopted for a period of two years.

Cooperation with the European Union Agency for Law Enforcement Training– CEPOL is reflected in participation in residential training, online courses and webinar, as well as exchange program (by 2017, this program was named EPEP, and since 2017 it is named CEP).

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<sup>22</sup> Stolen motor vehicles – a part of ASF database

<b>EPEP number of participants from the Ministry of the Interior</b>
2014: 8
2015: 3 + 1 –study visit to Europol
2016: 4 + 1 study visit to Europol
<b>CEP</b>
2017: a total of 15 - 8 from the Ministry of the Interior, 5 from the Criminal Police University, 2 from the Ministry of Finance
2018: a total of 8 - 5 officers from the Ministry of the Interior, 3 from the Ministry of Finance
2019 : a total of 8 - 1 from the Criminal Police Academy, 4 prosecutor's offices, 3 from the Ministry of the Interior
<b>Residential CEPOL courses</b>
➤ 2014: 2 officers from the Ministry of the Interior and 2 officers from the Ministry of Finance
➤ 2015: /
➤ 2016: 3 officers from the Ministry of the Interior
➤ 2017: 3 officers from the Ministry of the Interior
➤ 2018: 8 officers from the Ministry of the Interior
➤ 2019: 10 courses and the total of 16 officers – 4 from the Ministry of the Interior, 3 judges, 3 Ministry of Finance, 6 from Prosecutor's Offices
2015: 1 expert from the Republic of Serbia made classes on CEPOL course
<b>CEPOL webinars</b>
➤ 2014: 6 officers from the Ministry of the Interior
➤ 2015: 9 officers from the Ministry of the Interior
➤ 2016: 56 officers from the Ministry of the Interior
➤ 2017: 74 officers from the Ministry of the Interior
➤ 2018: a total of 195 - 136 officers from the Ministry of the Interior -a, 48 officers from the Ministry of Justice and 11 officers from the Ministry of Finance – Custom Administration
➤ 2019: 60 webinars and 133 participants - 89 from the Ministry of the Interior, 38 from Prosecutor's Offices, 1 from the Law Academy, 5 from the Ministry of Finance
<b>CEPOL online courses</b>
➤ 2017: 2 officers from the Ministry of the Interior
➤ 2018: /
➤ 2019: 9 courses and 26 participants, 6 from the Ministry of the Interior, 17 from Prosecutor's Offices, 3 from the Ministry of Finance

## EULEX and UNMIK

The Republic of Serbia respects the fact that police cooperation and the fight against organised crime are elements of the EU acquis under this chapter. In this regard, the first meeting between the General Director of the Police of the Republic of Serbia and the Director of the Police in Kosovo\*<sup>23</sup> was held on March 10, 2015, under the auspices of EULEX, when the necessity of cooperation and improvement of cooperation at the operational level in all aspects police work was confirmed, especially when it comes to the fight against organised crime, as well as all developments regarding security breaches along the administrative line. There is an emphasis on the need for intensifying mutual cooperation in the coming period.

At present, international operational police cooperation through the protected Interpol channel is used to exchange information between the Unmik unit in Pristina and the Interpol National Central Bureau in Belgrade.

During the year 2015, between NCO Interpol Belgrade and UNMIK were exchanged a total of 461 messages (144 messages were received, and 317 messages were sent), while during the year 2016, a total of 396 messages were exchanged (141 received, 252 sent). During the year 2017, a total number of the exchanged messages were 356, out of which, 147 were received, and 209 were sent.

Regarding the year 2018, a total of 495 messages were exchanged (186 received, 309 sent) and, in 2019, 367 messages were sent, and 194 were received.

Regarding the cooperation through Siena, the agreement with the authorities from Kosovo\*<sup>24</sup>, is not signed, so in accordance with that, Kosovo\*<sup>25</sup> has no access to the Siena.

However, cooperation with the competent authorities in Kosovo\*<sup>26</sup> was realised during the implementation of four international operations which were organised under EMPACT and in line with the EU Policy Cycle. The competent authorities in Kosovo\*<sup>27</sup>, participated in those operations through the intermediation of the Kingdom of Sweden. Out the four operations mentioned above, three of them were implemented in the field of fight against illicit firearms trafficking, in 2017 and 2018 and one of them was implemented in the field of combating illegal immigration.

## Europol Liaison Officer

The Law on the Ratification of the Agreement on the Deployment of the Europol Liaison Officer had entered into force, in November 2019.

## The Law on the Ratification of the Agreement on the Amendments to the Agreement on Operational and Strategic Cooperation between the Republic of Serbia and European Police Office

<sup>23</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence

<sup>24</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence

<sup>25</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence

<sup>26</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence

<sup>27</sup> This designation is without prejudice to the status and in accordance with Security Council Resolution 1244 and the opinion of International Court of Justice on the Kosovo\* declaration of independence

The Law on the Ratification of the Agreement on the Amendments to the Agreement on Operational and Strategic Cooperation between the Republic of Serbia and European Police Office had entered into force. The latter law enabled the broadening of the Annex I to the Agreement with four new criminal offences in Europol's mandate in line with the Europol Regulation

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of police co-operation and the fight against organised crime</p> <p>Republic of Serbia conducts a comprehensive analysis and on that basis amends its action plan providing: a clear sequencing of steps needed to align with the EU police co-operation instruments, an overview of staffing and training needs, including, where relevant, steps to address critical gaps, clarifying procedures for operational co-operation between various departments in the Ministry of the Interior and with Intelligence Services, ensuring the material conditions for smooth and secure exchange of relevant data; cost details and sustainable financial sources required for effectively implementing these reforms, detailed steps for establishing robust safeguards to ensure that the police integrity is strengthened and that police services are operationally independent from political interests and shielded from criminal influence.</p>	<p>Full harmonization with the acquis, in the field of international operational police cooperation; All capacities have been filled and staff trained for performing in the field of international operational police cooperation and fight against organised crime</p> <p>All organizational units of the Ministry of the Interior and intelligence units are clearly familiar with the procedures for operational cooperation based on internal documents</p> <p>All systems for unhindered and safe exchange of operational and strategic data have been established; Costs and stable sources of funding defined and reforms implemented; Established protective measures and the independence of police services from political interests and the impact of crime</p>	<p>More effective and successful international operational police cooperation; Effective prevention and suppression of organised crime, terrorism and other forms of international criminal activities through unhindered and safe exchange of operational data between the Republic of Serbia and foreign partners; Availability of acts defining the procedures of international operational police cooperation; Curricula and police training programs developed; Training reports; Provided funds for the unhindered implementation of all activities; New and enhanced existing organizational, information and personnel capacities; Enabled independent police work.</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.1.1.1	<p>Conduct the analysis of the normative framework, technical and HR capacities for the establishment of the SIRENE Bureau</p> <p><i>in line with the Action Plan for the Schengen area</i></p>	Ministry of the Interior	IV quarter of the year 2021	<p><b>Twinning Project:</b>  <i>Support in preparation of the SIRENE Bureau in the Republic of Serbia - in total 1.000.000 EUR</i></p>	Verified / approved / analysis with the recommendations given on the basis of the realized project entitled "Support in the preparation of the SIRENE Bureau in the Republic of Serbia"	
6.1.1.2	<p>Strengthen the cooperation with EUROPOL European Counter-terrorism Centre - ECTC, European Centre for Migrant Smuggling - EMSC and European Centre for Combating Cyber Crime - EC3 through:</p> <p>1. More intensive exchange of information in these areas and participation in international operations and parallel investigations  2. Connecting officials of competent organizational units to the EUROPOL Platform for Experts -EPE</p>	<p><b>Ministry of the Interior-</b>  General Police Directorate  Directorate for International Operational Police Cooperation, Criminal Police Directorate  Border Police Directorate</p>	Continuously	<p><i>regular work activities</i>  <b>Budget of the Ministry of the Interior</b>  268.272 EUR per year –</p>	<p>The number of exchanged information and contributions in the field of terrorism, illegal migration, computer and cyber crime  The number of initiated requests to the National Forensic Centre  The number of initiated requests to Europol in the field of illegal migration, cyber crime and terrorism;  The number of international operations in which the Serbian police took part in the coordination or with the support of the mentioned Euroool centers  The number of</p>	

					<p>Europol Centres publications that were forwarded to the relevant organizational units of the Ministry of the Interior;</p> <p>Participation in the creation of Europol products; Number of created accounts for the Serbian police officers for the access to the Europol Platform for Experts (EPE); Number of operational meetings organised by Europol centers where Serbian police took part; Number of exchanged information via the CT Siena platform</p>	
6.1.1.3	<p>Active participation in Europol analysis projects, selection of contact points for coordination of communication and coordination of Serbian police participation in Europol analysis projects in order to check contributions and data through the databases of analysis projects, co-operation in joint/parallel investigations and participation in joint operational meetings and international operations, and projects; training contact persons for cooperation with Europol</p>	<p><b>Ministry of the Interior-</b> Directorate for International Operational Police Cooperation, Criminal Police Directorate, Border Police Directorate</p>	<p>1. Continuously, 2. IV quarter of the year 2019 - ratification of the Agreement on the deployment of liaison officers of Europol to the Republic of Serbia,</p>	<p><b>Budget of the Ministry of the Interior</b> 149.040 EUR per year <i>regular work activities of all institutions</i></p> <p><i>liaison officers of Europol to the Republic of Serbia,</i> 350.000 RSD for the year 2019 - <i>completed</i></p>	<p>The number of messages exchanged through SIENA, by the crime area.</p> <p>The number of contributions of the Serbian police to the APs and the number of initiated requests and cases by the Serbian police according to the analysis projects to which Serbian police is associated, the number of held operational meetings and reports, the number of operations, in</p>	

	analysis projects; <i>Joining new analysis projects in accordance with the needs of other organizational units of the Ministry of the Interior</i>				coordination of Europol AP, in which, the Serbian police is participating and reports on operations , reports on results of the cross-checks through Europol databases; Act on selected contact persons for coordination of cooperation with analysis projects; the number of police officers trained for cooperation with the APs of the Europol, in line with Teaching Programme on International Operational Police Cooperation; Europol notifications on joining in the AP	
6.1.1.4	Adopt a Regulation on National Liaison Officers – an internal document specifying the roles, commitments, tasks and obligations of the national liaison officers	<b>Ministry of the Interior-</b> Sector for international cooperation, EU affairs and planning, in cooperation with Secretariat of the Ministry	I quarter of the year 2021.	<b>Budget of the Ministry of the Interior</b> <i>Cost of deployment of National Liaison Officers –</i> <b>675.000 EUR</b> <i>per year</i> <b>117.000 EUR</b> for the year 2021 – <i>cost of the establishment of the secure links</i>	The Regulation on National Liaison Officers adopted	

6.1.1.5	<p>Strengthen cooperation with the following:</p> <p>1. Liaison bureaux at the headquarters of Europol, through the liaison officers of the Republic of Serbia at EUROPOL</p> <p>2. the liaison officer of the Europol deployed in the Republic of Serbia, based on a jointly drafted annual cooperation plan defining the activities of the Europol liaison officer posted to the Republic of Serbia and relating to the promotion of Europol services and products and the intensive involvement of the Serbian police in projects under the EU policy cycle for serious international and organised crime ( EMPACT).crime (auspices of EMPACT)</p>	<p><b>Ministry of the Interior</b>  General Police Directorate  Directorate for International Operational Police Cooperation - Liaison Officer of the Republic of Serbia at Europol  Criminal Police Directorate,  Border Police Directorate  Sector for international cooperation, EU affairs and planning</p>	<p>Continuously,</p> <p>IVquarter of the year 2020 - ratification of the Agreement on the deployment of liaison officers of Europol to the Republic of Serbia</p> <p>II quarter of the year 2021- adoption of an annual cooperation plan between the Europol liaison officer and the Ministry of the Interior</p> <p>IV quarter or the year 2020</p>	<p><b>Note:</b>  Budgeted within the Activity No. 6.1.1.3and No. 6.1.1.4</p>	<p>Reports on the work of the liaison officer of the Republic of Serbia in Europol;  Reports from bilateral and multilateral meetings held at Europol headquarters;  Agreement on the deployment of liaison officers of Europol to the Republic of Serbia signed and ratified  Annual plan for cooperation between Europol Liaison Officers in the Republic of Serbia and the Ministry of the Interior of the Republic of Serbia developed and adopted  The number of held presentations on Europol services and products  Reports on participation in EMPACT activities and projects  Number of actions in accordance with the operational action plans and European Union Policy Cycle in which the Serbian police took part and reports on the results</p>	
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6.1.1.6	Participate in joint investigation teams	<b>Republic Public Prosecutor's Office</b> Ministry of the Interior Prosecutor's Office for Organised Crime, Ministry of Justice	Continuously	<i>regular work activities of all institutions</i> <b>Budget of the Republic Public Prosecutor's Office</b> 134.136 EUR <b>Budget of the Ministry of the Interior</b> 67.068 EUR per year <b>Budget of the Prosecutor's Office for Organised Crime,</b> 33.534 EUR <b>Budget of the Ministry of Justice</b> 11.178 EUR per year	Information on established joint investigation teams Reports on the results and activities implemented within joint investigation teams	
6.1.1.7	Provide information to Europol, on new identified psychoactive substances	<b>Ministry of the Interior</b> General Police Directorate Directorate for International Operational Police Cooperation Criminal Police Directorate, Ministry of Health	Continuously	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 74.520 EUR per year <b>Budget of the Ministry of Health</b> 14.904 EUR per year	Reports on new psychoactive controlled substances drafted and submitted by Criminal Police Directorate and the Ministry of Health Records on SIENA and in the information system of the International Operational Police Cooperation Department on received reports from the competent state bodies, submitted to the Europol	

6.1.1.8	<p>Improve human resources capacity by conducting training in the field of international operational police cooperation, in line with the recommendations from the conducted GAP analysis regarding the necessary human resources, <i>normative and institutional framework for effective international police cooperation, as well as in terms of availability, and reciprocity of data to implement the Swedish Initiative</i>, which was conducted by Swedish experts</p>	<p><b>Ministry of the Interior</b> General Police Directorate Directorate for International Operational Police Cooperation</p>	<p>Continuously</p>	<p><i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 134.136 EUR per year</p>	<p>100% of officers of the Directorate for International Operational Police Cooperation to be trained The training program on the use of databases and Europol and Interpol channels related to the systems for secure exchange of information with international and European agencies as well as the training programme on the standards relating to information security and personal data protection implemented,</p>	
6.1.1.9	<p>Capacity building of the National Contact Point for cooperation with the Europol :</p> <ol style="list-style-type: none"> <li>1. Strengthening HR capacity through the recruitment of new employees and training</li> <li>2. Strengthening of</li> </ol>	<p><b>Ministry of the Interior</b> General Police Directorate Directorate for International Operational Police Cooperation</p>	<p>Continuously, until IV quarter of the year 2021.  IV quarter of the year 2020</p>	<p><b>Donation of the Kingdom of Norway</b> - total value 60.000 EUR for the Project: Capacity building in order to optimize the organization</p>	<p>1. All workplaces filled (in total 9 workplaces) in the National contact point for cooperation with the Europol ;  All newly employed officials trained, accordance with the adopted Teaching</p>	

	<p>material and technical capacities in order to increase the level of physical and technical protection of the facility</p>			<p>and work of the Europol National Unit and the Office of the Liaison Officer in Europol</p> <p><b>Project</b> Strengthening capacity to fight organised crime in accordance with the AP for Chapter 24: Conducting the concept Intelligence-led police operations"the introduction of the National Criminal Intelligence System and the strengthening of international police cooperation (<i>in accordance with Europol standards</i>)</p>	<p>Program on International Police Cooperation";</p> <p>The number of meetings of Heads of national units of Europol - HENU (in accordance with the annual plan of the HENU Secretariat of the Europol) attended by the representative of the National Contact Point;</p> <p>Number of seminars, workshops, study visits and training attended by officials of the Europol National Contact Point;</p> <p>Standard operating procedures, which define obligations and duties of NCP Serbia for cooperation with Europol and the Office of the Serbian liaison officer adopted technical conditions for direct access of the Liaison Officer of the Republic in Serbia at Europol to national databases met ;</p> <p>Improved level of physical and technical protection</p>	
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					of the building 75% of officers the Directorate for International Operational Police Cooperation to be trained	
6.1.1.10	Update and implement the Additional Training Plan for employees for the use of the SIENA application, in order to strengthen the administrative capacities of the National Contact Point for cooperation with the Europol	<b>Ministry of the Interior</b> General Police Directorate Directorate for International Operational Police Cooperation, Criminal Police Directorate	Continuously	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 11.178 EUR for one month	Training plan updated and implemented  9 police officers of the NCP for the cooperation with the Europol and police officers of other units of the Ministry which have direct access to the SIENA trained  Outcome of the training and positive effects on the operation	

6.1.1.11	<p>Improve HR capacities of 24/7 duty service for the purpose of international operational police cooperation, in accordance with recommendations from the GAP analysis, regarding necessary human resources, normative and institutional framework for efficient international police cooperation, as well as regarding availability, accessibility and reciprocity of data in order to implement the Swedish Initiative,, which was conducted by Swedish experts through the recruitment of new staff and training</p>	<p><b>Ministry of the Interior</b> Directorate for International Operational Police Cooperation</p>	<p>IV quarter of the year 2020</p>	<p><i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 134.136 EUR per year</p>	<p>9 work positions filled in accordance with the Rulebook on Internal Organization and Job Classification in the Ministry of the Interior</p> <p>Reports on delivered trainings of the employees, in accordance with the Teaching Program on International Operational Police Cooperation 100% of officers the Directorate for International Operational Police Cooperation to be trained</p>	
6.1.1.12	<p>Strengthen the administrative and operational capacities, to ensure preconditions for implementation of Prum Decision (<i>establishment of the technical preconditions, in the whole territory of the Republic of Serbia, for the reliable collection and use of forensic material evidence</i>)</p> <p>Create technical preconditions for the exchange of information on registered vehicles</p>	<p><b>Ministry of the Interior</b> General Police Directorate Directorate for International Operational Police Cooperation Criminal Police Directorate- National Center for Criminal Forensics, Directoratefor Administrative Affairs Sector for Analytics, Telecommunication and Information Technologies Sector for Human Resources Secretariat of the</p>	<p>Continuously , by the IV quarter of the year 2022 for preparation of the project</p> <p>Other activities <i>until the Republic of Serbia accession to the EU membership and after joining the membership</i></p>	<p><b>Proposed for IPA 2019 and IPA 2020</b> 9.000.000 EUR in the multifaceted project, from adaptation, to equipping and maintenance, both forensic center in several locations, as well as 27 police administrations, with twinning, <b>Proposed for IPA 2021</b> – 5.000.000 EUR</p>	<p>Detailed project proposal developed. Correct processing of "chain of evidence tracking" established Adopted procedures and bylaws (Rulebook, instructions, SOP). Employed additional officers in different lines of work for the application of the Prum Decision,after assessment and implementation of item 6.1.1.14 and reports from the previous TAIEX assistance</p>	

		Ministry Working group		to upgrade or procure a new AFIS system applicable for connection to the s-Test system, <b>Swedish Bilateral Assistance</b> 1.000.000 EUR	Established or upgraded AFIS system, which is applicable to the regime of Prum. Established technical precondition for data exchange of registrated vehicles 100% of officers the Directorate for International Operational Police Cooperation to be trained	
6.1.1.13	Establish the new accredited forensic methods and maintenance the accreditation of established, methods following the Prum Decision and related documents of the EU and the international standards ISO/IEC 17025 and 17020  <i>(following the Framework Decision of the Council 2009/905 /JHA, conclusions of the Council on vision for the European forensic until 2020)</i>	<b>Ministry of the Interior</b> Criminal Police Directorare, National Center for Criminal Forensics, Accreditation Body of Serbia international laboratories and bodies of the OUN ENFSI (European Network of Forensic Science Institutes)	Continuously , each year supervisory visit, every fourth re-accreditation of the new and established methods	<b>Budget of the Ministry of the Interior</b> 37.000 EUR per year	Certificates on accreditation of established – forensically determined forensic methods of work and correlations with international standards and announcements on the ATS website Certificates or reports from reference laboratories or bodies that confirm the competence and performance of proficiency tests Reports on international activities and official report of the ENFSI	

6.1.1.14	Evaluate the forensic capacities and the necessary improvements	<b>Ministry of the Interior</b> - Criminal Police Directorare, National Center for Criminal Forensics, Sector for International Cooperation, EU affairs and planning, in cooperation with the Ministry of Finance.	I quarter of the year 2021	pre-accession funds - Framework Contract „Analysis of the capacity of the National Criminal and Technical Center for the future implementation of activities under the Action Plan for negotiation chapter 24, IPA, <i>unallocated funds</i>	Report - Assesment analysis of the forensic capacities, by the EU experts, with recommendation(IPA program, Consorciium IBF)	
6.1.1.15	<p>Implement recommendation following the Analysis</p> <p>Draft a proposal of the by-law, which arises from the Law on national DNA register,</p> <p>Draft a proposal of amendments of other laws, and define procedure for establishment of the National DNA register</p> <p>Establish the Codis (FBI) system, or other system, which will be ready for automatic data exchange.</p>	<b>Ministry of the Interior</b>	<p>I quarter of the year 2021. - <i>for proposal of the by-law</i></p> <p>II quarter of the year 2020 <i>for the establishment of the DNA register and procedures establishment of the CODIS system or other system - during the year 2019 and after</i></p>	Hardware for the CODIS Budget of the <b>Ministry of the Interior</b> 45.000 EUR for the year 2020 TAIEX- Assistance - training for implementation of the Prum Agreement 22.000 EUR per year, upon the accession	Draft version of the by law document is prepared. By laws adopted Amendments of the Law adopted Decree for the implementation of the Prum Decision adopted The relevant internal procedures adopted DNA register established and Focal point for exchange of the additional information, after matching within the DNA data	

6.1.1.16	<p>Implement recommendation following the Analysis:</p> <p>Align normative framework related to the exchange of dactyloscopic data and prepare technical precondition for enabling data and information exchange in line with Prum Decisions</p>	<b>Ministry of the Interior</b>	<i>Upon the accession to the EU membership / application for participation in the Prum and Testa ng system</i>	<p>TAIEX- Assistance - training for implementation of the Prum Agreement 22.000 EUR per year, upon the accession</p> <p>Assistances for exchange of the dactyloscopic data</p>	Normative framework aligned Roadmap for achievement of technical precondition and needed upgrading existing system to be Prum ready defined	
6.1.1.17	<p>Implement recommendation following the Analysis:</p> <p>Align normative framework related to the exchange of vehicle registration data and accessing and using EUCARIS</p>	<b>Ministry of the Interior</b>	<i>Upon the accession to the EU membership / application for participation in the Prum and Testa ng system</i>	<p>TAIEX- Assistance - training for implementation of the Prum Agreement 22.000 EUR per year, upon the accession</p> <p>2x5 TAIEX Assistances for the EUROCARIS</p>	Normative framework aligned Agreement for asession EUCARIS prepared and approved Roadmap for achievement of technical precondition and needed upgrading existing system to be Prum ready defined	
6.1.1.18	<p>Prepare and implement the normative and technical preconditions for conection with TESTA ng network.</p>	<b>Ministry of the Interior Other state bodies and institutions</b>	<i>Upon the accession to the EU membership / application for participation in the Prum and Testa ng system</i>	<p>2 TAIEX Assistances for the Testa-ng - until accession</p> <p>3</p>	State body for primary connection determined, Agreement for accession to TESTA-ng prepared and approved Technical precondition achieved	



6.1.1.19	<p>Implementation of the recommendation of the analysis - regarding development of the IT solutions for automatic data exchange, in accordance with the normative framework and EU standards - The analysis and planning of the technical capacities development, in accordance with the standards and technical requirement for the implementation of the Prüm Decision - <i>Link see the Activity No. 6.1.14</i></p>	<p><b>Ministry of the Interior</b>  Head of the Working group Criminal Police Directorate  National Centre for Criminal Forensics,  Department for Administrative Affairs,  Sector for Analytics,  Telecommunication and Information Technologies,  Secretariat of the Ministry Sector for Human Resources</p>	Until to accession to the EU membership	TAIEX Assistance (by the scope of the Prüm Decision) / Pre-Accession Assistance - IPA Framework Agreement	<p>Selection of one Member State by type of data, which will act as a partner in support for implementation. Equipment and Software procured and operated Ensured technical preconditions for recording data entry in the national data base of the finger prints, vehicle registration and DNA. Recording of inquiries regarding completed checks in the database. Recording of overlaps, contact points for DNA data, dactyloscopic data and vehicle registration data selected</p>	
6.1.1.20	<p>Implement recommendation of the analysis - regarding development of the IT solutions for automatic data exchange, in accordance with the normative framework and EU standards</p> <p>The analysis and planning of the technical capacities development, in accordance with the standards and technical requirement for the</p>	<p><b>Ministry of the Interior</b>  Head of the Working group Criminal Police Directorate  National Centre for Criminal Forensics,  Directorate for Administrative Affairs,  Sector for Analytics,  Telecommunication and Information Technologies,  Secretariat of the Ministry Sector for</p>	Until to accession to the EU membership	TAIEX Assistance (by the scope of the Prüm Decision) / Pre-Accession Assistance - IPA Framework Agreement	<p>Selection of one Member State by type of data, which will act as a partner in support for implementation. Equipment and Software procured and operated Ensured technical preconditions for recording data entry in the national data base of the finger prints, vehicle registration and</p>	

	implementation of the Prüm Decision - <i>Link see the Activity No. 6.1.14</i>	Human Resources			DNA. Recording of inquiries regarding completed checks in the database. Recording of overlaps, contact points for DNA data, dactyloscopic data and vehicle registration data selected	
6.1.1.21	Implementation of the recommendations of the analysis: <i>improve the training capacity (sustainability)-see the Activities No 6.1.14</i>	<b>Ministry of the Interior</b> Head of the Working group Criminal Police Directorate Directorate for Administrative Affairs Sector for analytic, telecommunication and Information Technologies Sector for Human Resources Secretariat of the Ministry	Continuously , until the accession	TAIEX assistance - 15.000 EUR for the ToT After ToT, <b>Budget of the Ministry of the Interior</b> <i>140.000 RSD per each year regular work activities</i>	Training plan and program related to the exchange of DNA data, dactyloscopic data and data on registered motor vehicles has been developed, adopted and implemented. Reports and confirmations on conducted training 120 police officers trained <i>(40 from the each field - ToT)</i>	
6.1.1.22	Establish technical preconditions to enable access and verification in national database and other databases on stolen motor vehicles	<b>Ministry of the Interior</b> – Criminal Police Directorate	In accordance with the agreement within the Ministry of the Interior SIS – after accession to the EU membership	<i>Costs are currently unknown</i>	Number of checks related to stolen motor vehicles Number of passenger motor vehicles founded, based on searches for stolen passenger motor vehicles in the country and abroad	

6.1.1.23	<p>Improve the state of public order, at the sports events, through:  capacity building of the National Football Information Point -NFIP, -  by the analysis of the legislation implementation effects, which regulates the field of the sport events,  -through the realization of training for police officers  - through participation in the work of domestic and international working bodies,  - by coordination of the police performance in the field of preventing violence at the sports events .</p>	<p><b>Ministry of the Interior</b>  Uniformed Police Directorate,  Department for the monitoring and combating the violence at the sports events</p>	Continuously	<p><b>Budget of the Ministry of the Interior</b>  1.490.400 EUR per year  <i>regular work activities</i></p>	<p>An optimal state of safety at sports events achieved  Analysis of the effects of legislation implementation conducted  Reports and evaluation of training courses delivered  Reports from participation in working bodies delivered</p>	
6.1.1.24	<p>Implement the Agreement signed with the European Union Agency for Law Enforcement Training-CEPOL</p>	<p><b>Ministry of the Interior</b>  Sector for Human Resources, Sektor for international cooperation, EU affairs and planning,  General Police Directorate</p>	Continuously	<p><b>Budget of the Ministry of the Interior -</b>  811.323 RSD for the year 2020  <i>Other cost is going to be covered from the European Union Agency for Law Enforcement Training - CEPOL funds</i></p>	<p>The number of training courses conducted  The number of trained police officers, following the Program of the European Union Agency for Law Enforcement Training - CEPOL (through e - network, e - net seminars, workshops, exchange of experience and knowledge in fields of common interest and other forms of training),  Participation in the CEP program  The National Contact Point for the</p>	

					<p>implementation of the following tasks:</p> <ol style="list-style-type: none"><li>1) Contributing and promoting the program of work, annual calendars, and the CEPOL website among the officials of the law enforcement agencies in the Republic of Serbia,</li><li>2) Timely and transparent organization and coordination of the appointment of appropriate participants and experts for activities at the national level</li><li>3) Enabling communication and coordination</li><li>4) Coordination of the implementation of activities and meetings in the Republic of Serbia</li><li>5) Appointing an exchange coordinator and providing support in the formulation and implementation of the program of the exchange of law enforcement officers,</li><li>6) Appointment of E-Net Managers and promotion of the use of CEPOL's electronic network for the training of law enforcement officers.</li></ol>	
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6.1.1.25	Implement the measures to strengthen the integrity of the organizational units and employees of the the General Police Directorate	<b>Ministry of the Interior</b> General Police Directorate Sector for Human Resources Sector of Internal Control	Continuously	<b>Project</b> "Regional cooperation and integrity building on the Western Balkans"- DCAF	The number of training courses delivered The number on training courses on the topic: Integrity Building conducted The Number of implemented control measures and the number of disciplinary procedures conducted Number of procedures developed Number of implemented preventive activities by the Sector of Internal Control	
6.1.1.26	Draft a proposal of the amendments of the Law on national DNA register	<b>Ministry of the Interior</b>	I quarter of the year 2021	<b>Budget of the Ministry of the Interior</b> 7.452 EUR for the year 2020 1.863 for the year 2021 <i>regular work activities of all institutions</i>	Draft of the amendments of the Law on national DNA register drafted	
6.1.1.27	Adopt the Law on the amendments of the Law on national DNA register	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021 <b>Budget of the Government of</b>	The Law of the amendments of the Law on national DNA register adopted	

				<p><b>the Republic of Serbia</b>  633 EUR for the year 2021  <b>Note:</b> <u>Costs of the implementation of the Law of the amendments of the Law on national DNA register are going to be defined prior to adoption</u></p>		
6.1.1.28	Study visit to the Austrian police, regarding the connection of national databases with DNA bases, based on the expert's recommendation	<b>Ministry of the Interior</b>	III quarter of the year 2021	TAIEX study visit 3.000 EUR for the year 2021	Delivered report from the study visit	

## FIGHT AGAINST ORGANISED CRIME

### Normative framework

The Republic of Serbia has significantly improved its normative and institutional framework for the fight against organised crime. The Republic of Serbia is continuously working to harmonise its national legislation, to enhance its effectiveness, efficiency and cost-effectiveness, with the development of a proactive approach, in the detection and prosecution of perpetrators of organised crime offences.

The most important activities in this field are the following:

- *Enlarging of the efficiency of competent institutions*
- *Improving the record-keeping and exchanging of information at both national and international level*
- *Further promotion of the regional and international cooperation, through the achievement of results, the implementation of the activities stipulated in the regional and international projects for implementation of international principles and standards, in this field.*

The normative framework, in addition to the Constitution of the Republic of Serbia, is primarily comprised of the following laws:

- *Criminal Code*
- *Criminal Procedure Code*
- *Law on Organisation and Jurisdiction of Government Authorities in the Suppression of Organised Crime, Terrorism and Corruption*
- *Law on the Bases Regulating Security Services of the Republic of Serbia*
- *Law on Police*
- *Law on Security-Information Agency*
- *Law on Military Security Agency and Military Intelligence Agency*
- *Law on the Protection Programme for Participants in Criminal Proceedings*
- *Law on Seizure and Confiscation of the Proceeds from Crime*
- *Data Secrecy Law*

Responsible authorities in this field are:

- *Service for Combating Organised Crime within the Ministry of the Interior*
- *Prosecutor's Office for Organised Crime*
- *Special Department at the Higher Court in Belgrade*
- *Special Department for Organised Crime at the Appellate Court in Belgrade.*

**The detection of organised crime** is under the jurisdiction of the Ministry of the Interior, the Service for Combating Organised Crime, which, under the management of the Prosecutor's Office for Organised Crime.

**The Ministry of the Interior conducts pre-investigative proceedings**, while **the Prosecutor's Office for Organised Crime conducts the investigation**, but also other state authorities are involved in the detection of criminal offences, such as:

- *the Security-Information Agency*
- *the Tax Police*
- *Military Security Agency*
- *Customs authorities, etc.*

**The Criminal prosecution for organised crime** is under the jurisdiction of the Prosecutor's Office for Organised Crime, while trials of the first instance are under the jurisdiction of Higher Court in Belgrade (Special Department). In contrast, hearings of the second instance are under the jurisdiction of Appellate Court in Belgrade (Special Department for Organised Crime).

**The jurisdiction of these bodies in the fight against organised crime relates to the whole territory of the Republic of Serbia.** Pursuant to the new Criminal Procedure Code, **the public prosecutor manages the pre-investigative proceedings and conducts the investigation.** Under Article 285 of the Criminal Procedure Code (CPC), it is prescribed that the prosecutor leads the pre-investigation proceedings. Also, the public prosecutor may assign to the police the undertaking of specific actions aimed at detecting criminal offences and locating suspects. The police are required to execute the order of the public prosecutor and to inform him regularly about actions undertaken.

**The procedure for seizure and confiscation of property arising from crime** includes financial investigation, seizure of the proceeds of crimes committed by natural and legal entities and management of such assets.

The Financial Investigation Unit of the Ministry of the Interior, according to the order of the public prosecutor, carries out **the financial investigation.** At the same time, in the procedure itself, based on the decision of the court, it is possible to temporarily and permanently seize the proceeds of crimes committed by natural and legal entities. The Directorate for the Administration of Seized and Confiscated Assets within the Ministry of Justice conducts the management of seized assets.

Bylaws relating to **record-keeping of the seized assets** and the **administration of the seized assets** were drafted and adopted in the first quarter of 2018:

- *Instruction on the content and drafting requirements of seized assets reports*
- *Guidelines on the sales method of temporarily seized movable assets*
- *Rules of Procedure for the assessment of the value of seized assets*

The capacity of the Directorate for the Administration of Seized and Confiscated Assets arising from criminal offences was improved by the purchase of **appropriate software for keeping records of seized assets**, which was installed, became operational and for the use of which users were trained.

In almost all organised crime cases initiated by the Prosecutor's Office for Organised Crime, **a financial investigation was conducted in parallel with criminal investigations.** However, there is a need for the Financial Investigation Unit of the Ministry of the Interior to be involved in pre-investigative actions as soon as possible to make the investigation more proactive and more efficient.

Cooperation in the fight against organised crime among different government bodies takes place based on existing legal provisions. However, this cooperation will be improved if a secure platform for communication among various authorities is established, and automatic data exchange on perpetrators of organised crime is enabled.



## THE PROSECUTOR'S OFFICE AND THE POLICE

The Prosecutor's Office for Organised Crime has a total of 70 employees: **Prosecutor for Organised Crime, 20 Deputy Prosecutors, 20 Assistant Prosecutors, and 29 Administrative and Technical Staff members.**

To strengthen the administrative capacities of the Prosecutor's Office for Organised Crime, in 2017, three deputy public prosecutors and one assistant prosecutor were referred to work to this Prosecutor's Office. However, although the organisational capacities were provided for 25 deputy prosecutors, five posts are vacant.

On March 1, 2018, when the new Law on Organisation and Jurisdiction of Government Authorities in the Suppression of Organised Crime, Terrorism and Corruption came into force, the Service for Financial Forensics was formed within the Prosecutor's Office for Organised Crime, with two forensic practitioners, and one place is already filled, whose work is coordinated by the Deputy Prosecutor for Organised Crime. In this Service, from the very beginning, a financial forensic practitioner was engaged, who has undergone appropriate training to work on these jobs.

The present number of employees is not sufficient for the Prosecution to conduct its work, especially given the complexity of organised crime cases. Regarding the lack of building capacities, there hadn't been any changes in the number of prosecutors or other employees. There is a plan to build a separate building for Prosecutor's Office for Organised Crime, and when it is built there are going to be changes in the number of prosecutors and therefore changes in the number of other employees.

New responsibilities entrusted to the Serbian Prosecutor's Office and the emergence of new complex forms of organised crime, terrorism and high-level corruption cases require a compulsory and timely exchange of data among relevant institutions at the national and international level.

Although the employees of the Prosecutor's Office for Organised Crime continuously undergo advanced training on organised crime, financial and economic crime, money laundering, terrorism, international cooperation, etc. it is necessary to continue with the specialisation due to the constant emergence of new forms of organised crime and how these crimes are committed.

### *SAPO case management software*

**When it comes to the equipment**, the Prosecutor's Office for Organised Crime has been using the **SAPO case management software** since the mid-2016, which is used by the public prosecutors' offices of general jurisdiction, and which was implemented for them within the IPA project.

### *SIDDA/SIDNA document management system*

In order to conduct investigations more efficiently, the Prosecutor's Office for Organised Crime uses a highly efficient and specialised **SIDDA/SIDNA document management system**, also used for visual-investigative analysis. This advanced system is used to track cases, document storage, search, and analytical processing of all data contained in prosecutorial cases. One of the main advantages of this system is the possibility to install visual investigation analysis modules that facilitate the analysis of complex criminal actions and the detection of links among different cases.

It provides an opportunity to link to databases of other institutions involved in the fight against organised crime, including the SAPO Case Management Software and the Criminal Intelligence System.

At a more advanced stage, this case management system and information system can be a platform/gateway for data exchange with other countries in order to establish an integrated information exchange system in the region and with the EUROJUST.

The Ministry of the Interior, the Criminal Police Directorate - Service for Combating Organised Crime, increased its capacities, from 214 to 241 employees, while, the total number of stipulated work positions is 253.

The employment conditions are defined in the Rulebook on internal organisation and job classification in the Ministry of the Interior, where special attention is paid to working experience, competences and education, in accordance with the Regulation on Career Development of Police Officers.

## PROACTIVE INVESTIGATIONS

The majority of investigations over the last five years were led proactively, and they were targeted at organised criminal groups active in the Republic of Serbia, the region and the Western Europe countries.

To establish a uniform practice and records, on January 20, 2014, the Republic Public Prosecutor issued an Instruction defining proactive investigations. Proactive investigations, according to the definition provided by the Republic Public Prosecutor, are the investigations conducted before or during the period of perpetrating the criminal offence. This term refers to pre-trial proceedings and investigations, as a phase in criminal proceedings.

The pre-trial, or, investigation are both initiated upon the initiative of the prosecutor and the police and can be based on, for example, the use of special evidentiary actions, intelligence, the results of evidence in other investigations, media reports or reports of government or non-government organisations.

Since 2014, public prosecution offices have, along with existing, **special records on proactive investigations in relevant registries marked with the additional code "PRI"**. Since May 2016, the Prosecutor's Office for Organised Crime has been keeping a register of proactive investigations. During 2019, 27 proactive investigations against 158 persons have been conducted.

These special records of proactive investigations contain information on the defendant, the injured party, the criminal offence, the undertaken actions and the public prosecutorial and judicial decisions, thus aiming to improve the reporting regarding the number and results of the conducted proactive investigations. The records of proactive investigations, as additional records, are kept with a clear reference to the main case the records of which are in written and in electronic form. Data from the records of this Prosecutor's Office is entered through applications of the case management system used by the Prosecutor's Office for Organised Crime.

### Proactive investigation statistics

In 2019, the Prosecutor's Office for Organised Crime initiated investigations against 180 persons in 35 cases, out of which against 158 persons in 27 cases proactive investigations were conducted. It means that more than 77% of the investigations in organised crime cases were proactively conducted.

For more efficient processing of the cases of organised crime, economic and financial crime, and money laundering, it is necessary to implement a multidisciplinary approach along with the proactive approach. This means the involvement of various government authorities at the earliest stages of the procedure through the exchange of information, joint meetings, and the formation of task forces. Therefore, it is necessary to improve the mechanisms of coordination, communication and the exchange of information between government authorities, first of all, Service for Combating Organised Crime, the Prosecutor's Office for Organised Crime, the Administration for the Prevention of Money Laundering and the Tax Police to more efficiently initiate and conduct criminal proceedings.

This can be done most effectively by signing a Memorandum of Cooperation between government authorities regulating more closely the relations and information exchange, especially in the pre-trial investigation and investigation, but also through work of impact groups and joint investigation teams, and designating contact points for the cooperation between different government bodies.

**The Financial Investigation Strategy**, for the period - 2015 -2016, and the new **Law on Organization and Jurisdiction of Government Authorities in the Suppression of Organised Crime, Terrorism and Corruption** (which began to be applied on March 1, 2018) both stipulate the formation of *task forces* managed by a public prosecutor, to work on the *detection and prosecution of criminal offenses* that are the subject of the work of the task force, as well as the designation of contact persons in each state body the jurisdiction of which is such that they deal with facts related to financial crime, which can be evidence in criminal proceedings or lead to evidence.

In April 2016, a **Memorandum of Cooperation** was signed between the **Ministry of the Interior and the Republic Public Prosecutor's Office**, aiming to set the **conditions for efficient work of the police and the prosecutor's office in order to suppress the human smuggling, conducting intelligence-led investigations on human smuggling and parallel conducting of financial investigations at the same time, as well as intensifying the exchange of information with the police in the region and EUROPOL.**

This Memorandum also provides for the **establishment of task forces**, as one of the mechanisms for coordinating the work of police and Public Prosecutor's Office during investigations.

In 2017, a **Memorandum** was signed between the **Republic Public Prosecutor's Office and the Administration for the Prevention of Money Laundering** on cooperation in the area of prevention and detection of money laundering and the financing of terrorism, setting out the conditions and methods of cooperation between these two bodies, the manner of forming teams for working on certain cases, as well as the designating contact points for dealing with money laundering and terrorism financing cases.

## FINANCIAL INVESTIGATIONS

Recognising that 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 Republic of Serbia adopted the **Financial Investigation Strategy for the Period from 2015 through 2016**. The Action Plan for this Strategy has been drafted and is in the process of being adopted.

Besides, a comparative normative analysis on efficient mechanisms for seizure and confiscation of assets has been prepared, and all recommendations have been incorporated in the Law on Amendments to the Law on the Seizure and Confiscation of the Proceeds from Crime. The Law was adopted on November 24, 2016, while the bylaws referring to the field of recording the evaluation of the value and the management of confiscated assets were made in March 2018.

By conducting a parallel financial investigation with a criminal investigation, the Prosecutor's Office for Organised Crime in each pre-trial and investigative proceedings within the framework of a criminal investigation collects data on the financial profile of the defendants, including data on their income, movable and immovable property, as well as data on cash flows related to the execution of concrete actions of a criminal offence, in order to determine the specific property benefit/damage caused by perpetrating a criminal offence so that it could be confiscated upon the decision of the court as the proceeds of crime because under the Criminal Code, no one is allowed to keep such proceeds<sup>28</sup>.

In practice, as part of a criminal investigation, during the pre-trial and investigative proceedings, the authorisations relating to the investigation of financial and cash flows pursuant to Articles 143-146 of the Criminal Procedure Code are used to determine the links between the organisers and members. Check-out of an account or suspicious transactions involves obtaining information, monitoring of suspicious transactions, and temporarily suspending a suspicious transaction. In addition, the proceeds are also confiscated when they are the goal of committing a criminal offence, or the means of committing a criminal offence.

For example, in 2017, the Prosecutor's Office for Organised Crime used the institute of seizure and confiscation of proceeds from crime to the maximum extent and only based on final judgments and based on concluded agreements on the guilt admittance of a criminal offence in 2017, **the value of confiscated assets was in the**

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<sup>28</sup> Article 91 of the Criminal Code of the Republic of Serbia

**amount of 89.790 EUR and 220.347.260,46 RSD (cca 1.926.000 EUR), as well as nine vehicles and dozens of mobile phones.** The amount of confiscated assets only during the year 2017 is equivalent to the annual budget of the Prosecutor's Office for Organised Crime.

**In 2018, based on final judgments and based on concluded agreements on the guilt admittance of a criminal offence, the value of confiscated assets was 241.461EUR, 2.590 CHF, 9.000 Hungarian forints, 50 Convertible Marks, 300 USD u 15 vehicles. In 2019, based on final judgments and based on concluded agreements on the guilt admittance of a criminal offence, the value of confiscated assets was in the amount of 197.663,52 EUR, 50 apartments, business spaces and lots, such as six vehicles.**

In addition, financial investigation mainly refers to the Law on Seizure and Confiscation of the Proceeds from Crime, that is, to the extended confiscation of assets, and the investigation is initiated against an owner in a case when there are grounds for suspicion that he possesses significant assets resulting from a criminal offence.

In financial investigations, collected evidence refer to the assets, legal income, manner and costs of the life of the defendant, the associate of the defendant or a bequeathed, evidence of assets inherited by a legal successor, or evidence of assets and compensation for which the assets were transferred to a third party.

This law stipulates that, when it submits to the public prosecutor criminal charges for a criminal offence, the police are obliged to submit data on the assets of the suspect and third-person collected in the pre-trial proceedings.

As regards the so-called extended confiscation of assets through the application of the Law on Seizure and Confiscation of the Proceeds from Crime, the total amount of confiscated proceeds from crime is still low.

By extending the jurisdiction of the Financial Investigation Unit to perform the function of the Asset Recovery Office - ARO will lead to the improvement, of the work on the exchange of information in order to detect the property arising from the criminal offence, in accordance with Article 6 of the Law on Seizure and Confiscation of the Proceeds from Crime.

In this area, several meetings were held within the Ministry of the Interior and other institutions (the National Bank of Serbia, the Ministry of Finance), for the availability and expansion of their databases.

Appointment of persons in other state institutions that will be in charge of communication with the future ARO office (Ministry of Justice as the second contact point for MLA, Directorate for the management of confiscated property, Administration for the prevention of money laundering - Ministry of Finance etc.) is continuous.

In addition, the establishment of a mailbox SIENA within the Financial Investigation Unit, a secure channel for communication and information exchange with other Asset Recovery Offices (in cooperation with the Department for International Cooperation and the Sector for analytics, telecommunication and information technologies in the Ministry of the Interior) has been provided.

Procurement of IT equipment for the Financial Investigation unit has been completed, providing necessary furniture for the ARO Office. An Initiative was sent to the Ministry of Justice, to amend the Law on confiscation of property arising from the criminal act, related to creating the possibility for the Financial Investigation Unit to keep the necessary records of the information provided and received which is one of the conditions for the establishment of the Asset Recovery Office.

In 2019, Financial Investigation Unit has implemented 125 Order on the prohibition of disposing of movable and immovable property proceeds from crime. Also, in 2019, a significant exchange of information has been realised through international police cooperation (Interpol, CARIN Network and Liaison Officer) and through the established SIENA channel, eight requests were received from ARO offices, to carry out certain checks. Police officers of the Financial Investigation Unit attended 23 seminars in 2019.

## ADMINISTRATION FOR THE PREVENTION OF MONEY LAUNDERING

The Republic of Serbia is a party to all relevant United Nations and Council of Europe conventions on combating money laundering and terrorism financing.

Its normative framework for anti-money laundering and combating terrorist financing transposes relevant EU regulations, including the third and fourth Anti-Money Laundering Directive. Further alignment with the fifth Anti-Money Laundering Directive began with the adoption of amendments and supplements to the AML/CFT Law in December 2019, which has become effective as of January 1, 2020.

Regarding international cooperation in the field of prevention and fight against money laundering, the normative framework of the Republic of Serbia is in line with the Council Decision (2000/642/JHA) concerning the modalities of information exchange between the financial intelligence services of the Member States with regard to the exchange of information.

The Republic of Serbia has established an institutional framework for the suppression of money laundering and terrorism financing. The Republic of Serbia established the Financial Intelligence Service, within the Ministry of Finance, **members of the Egmont Group**.

The Republic of Serbia is also a member of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism - Moneyval

Regarding compliance with the FATF recommendations, the Republic of Serbia has **made significant progress since its latest report in 2016 on the mutual evaluation of Moneyval of the overall improvement of the anti-money laundering and terrorism financing system by adopting numerous laws, by-laws, guidelines and a number of other documents.**

In addition, the Government of the Republic of Serbia, on May 31 2018, **adopted the Risk Assessment of Money Laundering and the Risk Assessment of Terrorism Financing**, while, on July 17 2018, **Coordination Body for combating money laundering and terrorism financing** was formed, chaired by Deputy Prime Minister and Minister of the Interior, PhD. Nebojsa Stefanovic. The purpose of the Coordination Body is to coordinate activities aimed at achieving effective cooperation and coordination of the work of the competent authorities in the field of combating money laundering and terrorism financing. The Coordination Body is now chaired by the Minister of Finance, as of July 2019.

In this regards, the Coordination Body aligns activities, coordinates activities aimed at meeting the FATF recommendations, as well as obligations from the Action Plan for implementation of the recommendations from the Risk Assessment of Money Laundering and the Risk Assessment of Terrorism Financing.

Also, in December 2019, the Republic of Serbia commenced drafting of the new the **National Strategy for the Fight against Money Laundering and the Financing of Terrorism, and the Action Plan for the implementation of this Strategy (2020-2024).**

## MONEY LAUNDERING AND FINANCING OF TERRORISM

The Republic of Serbia has invested serious efforts to remedy all technical compliance issues and improve the overall effectiveness of the anti-money laundering and countering the financing of terrorism.

In the normative section, the Republic of Serbia has adopted inter alia the following laws

- *Law on Freezing of Assets with the Aim of Preventing Terrorism, with 10 relevant by-laws*
- *Criminal Code Law*
- *Law on Organisation and Competences of State Authorities in Suppressing Organised Crime, Terrorism and Corruption*
- *Law on Factoring*
- *Law on Accounting*
- *Law on Auditing*
- *Law on Foreign Exchange Operations*
- *Law on Games of Chance*
- *Law on Intermediation in the Trade and Lease of Real Estate*
- *Law on Centralised Records of Beneficial Owners*
- *Law on the Prevention of Money Laundering and the Financing of Terrorism*<sup>29</sup>
- *the Law on the seizing assets arising from the criminal offences*
- *the Law on International Restrictive Measures*

Along with these laws, a **significant number of decisions, decrees, recommendations and other relevant documents was created and adopted.**

In the policy section, on May 31, 2018, the Money laundering and terrorist financing national risk assessment was adopted, which has been developed in accordance with the methodology of the World Bank. In order to ensure that risks are effectively mitigated or eliminated, the Government of the Republic of Serbia on July 12, 2018, adopted the Action Plan for the implementation of recommendations from the National Risk Assessment of Money Laundering and the Risk of Financing Terrorism<sup>30</sup>

A comprehensive National Risk Assessment was carried out according to the World Bank methodology through four thematic divided entities, encompassed through 8 modules:

- *Assessment of the threat of money laundering*
- *Vulnerability from money laundering at the national level*
- *Assessment of the threat of financing terrorism*
- *The part relating to sectoral vulnerability: Financial System banks, the vulnerability of the capital market, insurance sector, exchange offices, pension fund management companies, financial leasing. Entities outside the financial sector accountants, lawyers, auditors, public notaries, real estate sector, games on chance*

Vulnerability assessment included: the comprehensiveness of the normative framework, the effectiveness of supervision, availability of administrative and criminal sanctions, system regulation in terms of operating licenses and licensing, the integrity of employees, the level of knowledge regarding the policy implementation and recognition of the suspicious transactions, effectiveness of the compliance function, monitoring and identifying suspicious transactions and persons, the availability of information on the beneficial owner, the availability of information on the identification of clients and the availability of independent sources of information.

Assessment of the risk of financing terrorism is based on consideration of the threat of terrorism, the impact on the threat of financing of terrorism, terrorist financing threats and terrorist financing vulnerability, within which the non-profit sector has also been analysed, from the aspect of vulnerability to terrorist financing.

<sup>29</sup>The National Assembly of the Republic of Serbia adopted the Law Amending the Law on the Prevention of Money Laundering and Terrorism Financing on 23 December 2019. The Law was published in the Official Gazette of RS, no 91/19 of 24 December 2019 and becomes effective on 1 January 2020.

<sup>30</sup>**link:** Subchapter 6 2: Fight against organised crime, title: „ADMINISTRATION FOR THE PREVENTION OF MONEY LAUNDERING“

Following the adoption of the above documents, at the session of the Government of the Republic of Serbia, held on July 12, 2018, the Government's conclusion was established Coordination Body for combating money laundering and terrorism financing was formed, chaired by Deputy Prime Minister and Minister of the Interior, PhD. Nebojsa Stefanovic, and which includes all state authorities, relevant ministries, agencies competent in the issues, as well as the National Bank of Serbia. So far, the Coordination Body met eight times.

At the session of the Government of the Republic of Serbia, held on July 04, 2019, with the Government's conclusion Sinisa Mali, Minister of Finance, was appointed chairman of the Coordinating Body.

In addition, on September 07, 2018, the Ministry of Finance - Administration for the Prevention of Money Laundering adopted the Guidelines for Assessing the Risk of Money Laundering and Terrorist Financing in Audit Companies, Entrepreneurs and Legal Persons engaged in Providing Accounting Services and Factoring Companies.

In terms of strengthening institutional capacity, following the adoption of the 3 Law on Organisation and Competences of State Authorities in Suppressing Organised Crime, Terrorism and Corruption, four (4) anti-corruption departments were established within the prosecutor's office, courts and police and four (4) new regional anti-corruption centres within higher prosecutors' offices in Belgrade, Kraljevo, Nis and Novi Sad, competent for the same offences for which the Prosecutor's Office for Organised Crime, which is, on the other side, competent for the highcorruption (value higher than 200.000 RSD).

The Administration for the Prevention of Money Laundering moved to new business premises<sup>31</sup>, size 625m<sup>2</sup>. The realization of the IPA 2015 Project has been officially launched to improve the quality and quality of reporting on suspicious activities and capacity of the Administration on November 13, 2018. In this introductory phase (*Inception phase*) meetings were held with all participants in the system, they are met with the objectives and activities of the project, the project team received a list of needs related to the capacity building of all bodies in the system, in order to adapt the planned activities to the highest possible extent to the needs of the stakeholders.

In the area of targeted Financial Sanctions, Republic of Serbia has a framework for implementing the targeted financial sanctions for terrorism, but also creating its own list of designated persons, and for proposing persons to be listed.

Also, the Administration for the Prevention of Money Laundering in cooperation with the Institute "Mihajlo Pupin – Computer Systems has developed *the browser related to the list of persons*, according to which sanctions of the United Nations are applied, that is, to "*designated persons*".

The Browser allows all interested parties to quickly and easily check whether they have contacts or business cooperation with the mentioned category of persons, to timely implement measures and actions prescribed by the Law on Freezing of Assets, with the Aim of Preventing Terrorism and the proliferation of weapons of mass destruction.

By developing the software, it is possible to directly search the list of designated persons of United Nations Security Council, related to the Resolution 1267 (1999), 1989 (2011) and 2253 (2015), regarding ISIL, Al-Qaeda and related natural persons, groups of persons, business entities and other entities, the Resolution 1718 (2006) and successor resolutions related to DPR Korea, as well as Resolution 1988 (2011) in relation to the Taliban, related individuals, groups of persons, commercial and other entities.

The Law on the Prevention of Money Laundering and Terrorist Financing improved the penal system. The main improvement relates to the fact that the National Bank of Serbia may impose sanctions on its supervised entities and its responsible persons, for violation of the Law on the Prevention of Money Laundering and Terrorist Financing based on its sectoral laws (laws regulating the operation of banks, voluntary pension fund management companies, financial leasing, insurance, payment services). For instance, the NBS may impose fine to the bank for serious misconduct up to 10% of the bank's total revenue recorded in the previous business year.

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<sup>31</sup> Resavska Street, Belgrade, November 19, 2018

Moreover, this Law lays down sanctions for each group of misdemeanours and economic offences, whereby, apart from imposing a sanction on a legal person, a fine may also be imposed on a person employed in a legal entity.

For the violation of the provisions of the subject Law, a fine in the amount of **750.000 RSD** shall be imposed on the accounting agency and a fine in the amount of **1.200.000 RSD to the exchange office**, which is a result of good coordination of activities at the national level in combating money laundering and terrorist financing, where, in order to further strengthen the sanctioning system in this area, the Supreme Court of Cassation directly involved in the discussions on how to improve the system efficiency in practice.

This new system has already yielded results: two of the latest examples include a fine to a book-keeping agency in the amount of 750,000 dinars and a fine of 1.2 million RSD to an exchange office, which is considered absolute deterrence in Serbian environments. Also, the National Bank of Serbia issued fines for the irregularities found in the supervisory activities in banks in the amount of 2.050.000,00, 1.000.000,00 and 1.100.000,00 RSD. This is also a result of good national coordination against money laundering and terrorism financing, and the Supreme Court of Cassation also participates in national-level discussions on how to improve the efficiency of the sanctioning system in this area.

Also, on December 20, 2018, the Government of the Republic of Serbia passed the Decision on adding more persons to the List of marked persons, in accordance with the Law on the Freezing of Assets with the aim of Preventing Terrorism and Proliferation of Weapons of Mass Destruction. In addition to this, a list of high-risk countries in the field of money laundering and terrorism financing has been identified.

In the area of the non-profit sector, the **Working Group for Monitoring and Supervision of Non-Profit Organizations** was established based on the Decision of the Coordination Commission for Inspection Supervision of October 9, 2018, and it includes representatives of all bodies relevant for the supervision of the non-profit sector. On the other hand, on September 18, 2018, the Coordination Commission established a Joint Team for Non-Profit Sector Supervision.

Central Record of Beneficial Owners has been established. The Law on Central Record of Beneficial Owners, as well as two by-laws, were adopted in December 2018, which regulate the process of recording of beneficial owners. In order to provide a legal basis for a more efficient sanctioning regime, the Law was amended in December 2019.

In addition, to demonstrate efficiency in this area, the Republic of Serbia has provided examples proving that law enforcement authorities are able to receive accurate information on beneficial ownership on time.

On October 24, 2018, the Coordination Body for Combat against Money Laundering and Terrorism Financing established an expert team to develop Guidelines for determining a real owner - entrepreneurs and other legal entities in the Republic of Serbia.

The abovementioned by-laws, as well as the Guidelines for determining the real owners, are available on the website of the Serbian Business Registers Agency and the Ministry of Economy. The central registry has been operational since January 2019. The Serbian Business Registers Agency manages the Central Record of Real Owners.

Sustainable supervision of law firms and public notary offices has been established since April 01, 2018. The year began with the dissemination of questionnaires to law firms in the territory of the Republic of Serbia. On a sample of 29 public notary offices in the Republic of Serbia, over 20 were directly supervised, and seven of them, with respect, eliminated the shortcomings in their work.

## **Strategic framework**

*See Subchapter 7. Fight against terrorism*



## THE INTELLIGENCE POLICE MODEL - ILP

In the period 2014-2018, the Ministry of the Interior conducted a large number of activities on the establishment of the normative, organisational, administrative, and technical capacities, necessary for the establishment of the Police Intelligence Model – ILP. At the beginning of 2018, implementation of the Police Intelligence Model in the practical work of all organisational units of the Ministry began.

### *Normative framework*

To improve the normative framework, the Republic of Serbia adopted the Law on Police which stipulates, in Article No. 34 that, the police implement the ILP model, in performance of police works.

In Article No. 24 and No. 25 of the Law on Police, it is stipulated that the General Police Directorate, through Methodology of the ILP model provides Public Security Strategic Assessment.

**Serious and Organised Crime Threat Assessment-SOCTA** is a component of this document. Based on Public Security Strategic Assessment, Strategic leading group of the General Police Directorate adopted the Strategic Police Plan. Regional Police Directorates develop Public Security operative assessments and provide operative police plans.

**The Law on Records and data processing in the field of internal affairs** was adopted. Law stipulates the provisions on data collection, development of the criminal-intelligence information and records, relevant for the ILP model.

**The Rulebook on the manner of performing of the separate police works** was adopted in August 2018. This Rulebook closely regulates the basic elements of the ILP model.

The ILP model is based on a model of developed police systems, but in total is adjusted to the specificity of the police system in the Republic of Serbia.

The ILP model is described in the *Handbook: Intelligence-Led Policing* (adopted in 2016), which in structural and functional forms describes all elements of the Serbian ILP. This Handbook has received international recognition acknowledgement from the OSCE, which was, *in the Handbook named "Intelligence Led Policing", presented the Serbian Police Intelligence Model as an example of good practice and recommendation to all member states of this organization.*

### *Organisational structure*

**The Rulebook on internal organisation and job classification** was adopted in June 2018, to improve the organisational structure of the Ministry of the Interior, strengthening the analytical capacities at the national, regional and local levels, in the PD Belgrade in terms of the number of analytical working positions, as well as in terms of the establishment of analytical sections and groups in regional police administrations.

**The function of the ILP coordinator was also introduced** in each organisational unit of the Police Directorate, which directly applies the ILP.

It is important to note that, within the Ministry, holders of the criminal intelligence (collection, processing and analysis) are the Service for criminal analytics and the Service for criminal intelligence affairs, from the General Police Directorate and the Department for police analysis and the Department for the statistical analyst, within the Sector for analytics, telecommunication and information technologies.

The Strategic leading group is formed within the General Police Directorate (chaired by the Police Director) and Operative groups in four administrations at the national level in the Headquarters of the Ministry, and within all 27 regional Police Directorates at the regional level. Those groups operate according to the ILP methodology and represent the most important conditions for the quality implementation of the ILP model.

#### *Administrative capacities*

In order to improve the human resources capacities, sustainable training systems have been created on principle “*training of trainers*”, for handlers and controllers of informants and analytical methods **OIAT, AnalystNotebook, RiskAnalysis and develop capacities for Strategic analyses according to Europol methodology.**

In the regular Program of education police officers, the ILP topics were introduced, both for executives/managers as well as for employees. Training programs of the Centre for Police Education and the Criminal Police University as well, in the field of criminalistics included these topics.

#### *Technical capacities*

To improve the technical capacities, as a support to the implementation of the policies in this field, the application “**Operational report**” started with implementation in February 2019. This application enables to all police officers of the Ministry, directly input the collected data and information into a unique and centralised application.

Within the project IPA 2015, 2.500.000 EUR is provided for the development of software for integration of databases, relevant for the ILP, software for supporting document management whole ILP process as well as for procurement of 1.000 computers for direct data entry.

#### *The most important results in implementation of the ILP*

The first **Public Security Strategic Assessment for period 2017-2021, identified eight priorities and one of them is organised crime. SOCTA 2015-2019 described an area of organised and serious crime. Also, General Police Directorate created new SOCTA document for period 2020-2023, and a Strategic Plan of the Police for period 2018-2021, with annual revision**, contains strategic goals and concrete activities for the realisation of priorities.

The unique electronic application Strategic Plan of police was established, which continuously monitors and reports on all the priorities and objectives.

Police units produced about 300 criminal intelligence information, which identified and analysed current security problems, based on which, decisions on which the competent police units acted on purpose were made, in accordance with the methodology of the ILP. From the beginning of the implementation of the ILP, the number of committed crimes significantly decreased, and a percentage of solving the crime offences increased. The ILP implementation has contributed to a large degree to these quality results.

Police units also produced various security assessment for high-risk events, with a special focus on threat assessment and risk analysis.

A large number of activities on the establishment of the ILP, were implemented in the period 2014-2020 through two projects of the Kingdom of Sweden and the Republic of Serbia, and cooperation in this field will continue.

## THE NATIONAL CRIMINAL INTELLIGENCE SYSTEM - NCIS

Cooperation of state bodies and institutions carried out within the framework of positive normative regulations in the Republic of Serbia. State bodies and institutions competent for the fight against organised crime developed their capacities related to the ICT support of the working processes and automated collection and processing and data exchange.

Following the comprehensive analysis of independent experts, it was found that the level of usage of the ICT support is different. Following the mentioned above, recommendations for defining priority institutions for inclusion in the first phase of the introduction of a secure platform were given, to further strengthen the capacity for more effective and efficient exchange of information and data of competent state bodies for law enforcement, cooperation and technical-technological improvement needs to improve the work process.

The normative framework for keeping records and using information consists of the following laws:

- *the Law on Police*
- *the Law on records and data processing in the field of the internal affairs*
- *the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption (the Article No. 20)*

Following the joint proposal of the Inter-agency Working Group (made of representatives of competent state bodies and institutions), the NCIS is defined by the Law on Police, in Article 34 paragraph 1 and 2 (changes and amendments of this Law, Official Gazette of the Republic of Serbia number 6/2016, 24/2018 and 87/2018), as follows: *"Platform for secure electronic communication, data and information exchange among state authorities, special organisational units of state authorities and institutions with the aim of preventing organised crime and other forms of serious crime, is set up within a special information and communication system in the Ministry in compliance with regulations arranging registries and data processing in the area of internal affairs, as well as technical capabilities". "Platform referred to in paragraph 1 of this Article represents the basis for establishing national criminal-intelligence system".*

In addition, agreements on cooperation between the Ministry of the Interior, the Ministry of Finance, the Customs Administration, the Tax Administration, the Tax Police, the Anti-Corruption Agency, the Commission for the Protection of Competition and the Ministry of Justice were signed (*The Protocol on Electronic Data Interchange of July 31, 2017, and the Agreement on Mutual Co-operation between the Ministry of Justice and the Ministry of the Interior*).

Protocols on cooperation were signed between the Republic Geodetic Authority and the Agency for Business Registers. This Protocol can serve as a basis for further development of the normative framework, which will enable the exchange of data and information, through a secure data exchange platform. The mentioned will strengthen and concretise the cooperation of relevant state bodies.

By creating preconditions for the establishment of the National Criminal Intelligence System – NCIS, the exchange of all types of data between state authorities, in the fight against organised and other forms of serious crime will be improved. Through this system, the idea is to develop a unique platform for secure electronic communication and data exchange. The objective is to exchange data in real active time, to raise the level of operability to a higher level. Also, the objective of the safe National Criminal Intelligence System – NCIS platform is to develop and raise the level of trust between state institutions. In the previous period, several memoranda and protocols on cooperation were signed.

Participants of the first stage of establishing the National Criminal Intelligence System – NCIS, are the following state bodies and institutions:

- *Ministry of the Interior*
- *Ministry of Justice*

- *Republic Public Prosecutor's Office*
- *Prosecutor's Office for Organised Crime*
- *Office of the National Security Council and Secret Data Protection*
- *Ministry of Finance (Customs Administration, Administration for the Prevention of Money Laundering, Tax Administration)*
- *Anti-Corruption Agency*

**The Unified Information System – JIS** has been implemented in the Ministry of the Interior. This system covers all areas under the jurisdiction of the Ministry of the Interior. The Unified Information System - JIS is a centralised system, which means that data entry and usage are available throughout the territory of the Republic of Serbia and to all organisational units of the Ministry of the Interior, authorised police officers following their competencies. However, further development of information systems and the ICT infrastructure of all law enforcement bodies is necessary, to enable efficient and secure access to a single platform for electronic data and information exchange between different investigative and prosecuting authorities.

Intelligence-led policing - ILP and the National Criminal Intelligence System - NCIS have a direct link in creating of an information system for connecting the database in JIS, which will include the data obtained through the National Criminal Intelligence System - NCIS. For this purpose, a **Conceptual Model** was created.

#### *Conceptual Model*

Implementation of the project IPA2015, which refers to the establishment of a secure platform for electronic data exchange and information between the state authorities and the institutions, is in progress. The implementation started in third quarter of 2019. What should also be emphasised is that the establishment of the NCIS is closely linked to the application of the ILP, since this field is closely linked to the process of collecting and analysing data within the Ministry itself.

The implementation of the Twinning light project finished, Strengthening Capacities for the Implementation of the National Criminal Intelligence System "- within the implementation of the IPA 2015 Project, together with the Ministry of the Interior of Lithuania.

Also, together with the Ministry of the Interior of Lithuania, the analysis was conducted of the situation in the Republic of Serbia and the European Union in this field and implementation of recommendations related to the selection of the conceptual model in connection with the establishment of the National Criminal Intelligence System.

Through the project verification, the proposed *Conceptual model was conducted and contained in Final report as well as other general and specific recommendations, and the strengthening of coordination mechanisms for the establishment of the NCIS. Experience and capacity building exchanged with all competent state authorities, future NCIS users.*

The Agreement on cooperation on the establishment and development of NCIS was signed on September 16, 2019, between the Ministry of the Interior, the Ministry of Justice, the Republic Public Prosecutor's Office, the Prosecutor's Office for Organised Crime, the Ministry of Finance, the Anti-Corruption Agency, the Office of the National Security Council and the Protection of Classified Data. The first meeting was held on November 25, 2019, with the conclusion to draft an Action Plan for the next period, to form interdepartmental working groups for operational support and to define technical preconditions (common communication infrastructure) for all institutions.

## THE SERIOUS AND ORGANISED CRIME THREAT ASSESSMENT – SOCTA

The Law on Police, in the Article No. 24, prescribes that the General Police Directorate, through the Methodology of the ILP, develops **the Strategic assessment of public safety and the Strategic Plan of the Police**. The Strategic assessment of public safety of the General Police Directorate is designed to identify key security threats and risks, which define strategic security priorities in the police work, in the next five years, giving prominence to proactive treatment.

For each priority, the Strategic assessment of public safety, gives a projection of movement and recommendations in terms of improving the normative framework and practical work, strengthening of institutional and professional capacities, developing operational procedures and improving prevention and co-operation at the national, regional and international level.

**The first Strategic assessment of public safety** identified eight priorities, taking into account other strategic documents of the Ministry of the Interior, as well as other state bodies and international institutions such as, for example, the Work Program of the Government of the Republic of Serbia, priorities of the Ministry of the Interior, the Development Strategy of the Ministry of the Interior, strategic documents of the European Union –**SOCTA, OCTA**, the European Agenda on Security and others. Its ultimate goals are the development and improvement of citizens' safety. The Strategic Assessment of Public Safety is published on the website of the Ministry of the Interior, [www.mup.gov.rs](http://www.mup.gov.rs), in Serbian and English.

Priorities in the fight against organised crime, are identified in a multidisciplinary approach, through co-operation with other competent state authorities and relevant institutions, and confirmed by the responsible prosecutor's offices and the police, during the drafting of the Serious and Organised Crime Threat Assessment - SOCTA, for the period 2015-2019 and the Strategic assessment of public safety, for the period 2017-2021. The Serious and Organised Crime Threat Assessment - SOCTA is an integral part of the Strategic Assessment of Public Safety and was the basis for the review and analysis of organised crime. Part of the Strategic Plan of the Police regarding the work priority "Organised Crime" is Chapter III Annex "Action Plan for the Assessment of Threats from Serious and Organised Crime - SOCTA.

Theafter the expiry of the Strategy for Combating Organised Crime, for the period 2009-2014, in December of 2015, the first Serious and Organised Crime Threat Assessment - SOCTA was drafted, in accordance with the Europol Methodology.

The Serious and Organised Crime Threat Assessment – SOCTA is one of the basic criminal intelligence information, through which, the proactive approach of the police and the prosecutor's office is fully evident in fight against organised crime, through the identification of the holders of these criminal activities, as well as identification of prevention measures, which are necessary for the fight against organised crime.

By this document, based on the analysis of the current situation in the field of serious and organised crime, assesses future threats and risk analysis, and accordingly sets strategic priorities in police work in this field.

Experts from the Europol were hired, as mentors, and they participated in the process of drafting of the Serious and Organised Crime Threat Assessment – SOCTA document. Through education of police officers in the Ministry, preparation steps were conducted, for the implementation of **Guidelines for recording, classification and monitoring of the organised criminal groups in the Republic of Serbia**.

**The Serious and Organised Crime Threat Assessment – SOCTA** is a base for defining priorities in the policy of the prosecution of organised crime, including economic and financial crime and money laundering. The Prosecutor's Office for Organised Crime and the Service for Combating Organised Crime of the Ministry of the Interior will accordingly decide on the topics to be paid special attention to annually, such as, for example, trafficking in human beings, drugs and firearms, as well as which specific criminal groups will be prosecuted.

The public version of document is published on the web site of the Ministry of the Interior, [www.mup.gov.rs](http://www.mup.gov.rs).

A mid-term review of this document was made and an evaluation of the current state, in the field of the fight against organised crime was conducted.

### **The Serious and Organised Crime Threat Assessment – SOCTA for period 2020 - 2023**

The Serious and Organised Crime Threat Assessment – SOCTA is adopted, and its publication on the website of the Ministry of the Interior is in progress.

### **STATISTICS**

The data contained in the automated records of the Ministry of the Interior are statistically processed within the *JIS* -at the monthly and cumulative level (with regard to areas of work, public security and territorial principles, starting from the lowest organisational territorial units - police stations throughout the Uniformed Police Directorate to the Ministry as a whole).

Pursuant jurisdiction, statistical data are submitted in accordance with the general statistical reporting requirements. In the Republic of Serbia, the police, prosecutors' offices and courts use different systems for recording and monitoring procedures related to criminal offences, in accordance with its competencies.

The police keep statistical records based on the number of reported criminal offences; public prosecutor's office according to the number of registered persons; while court statistics are conducted based on the number of court cases. In order to improve the collection of uniform statistics on crimes, as well as to draft, adopt and implement the methodology of statistical monitoring of collection and reporting on criminal offences in the field of organised crime, cooperation with all institutions that are in charge of fighting organised crime is in progress.

### **THE UNITED NATIONS OFFICE ON DRUGS AND CRIME - UNODC INTERNATIONAL CLASSIFICATION OF CRIME FOR STATISTICAL PURPOSES**

The International Classification of Crime for Statistical Purposes- ICCS has been translated.

The working group was formed with representatives of the competent authorities. Based on the decision of the Expert Collegium of the Statistical Office of the Republic of Serbia from April 9, 2019, the Intersectoral Working Group for the Implementation of the International Classification of Crime for Statistical Purposes - ICCS was formed.

Working group, besides two representatives of the Statistical Office of the Republic of Serbia, as the primarily responsible authority for this activity, consists of representatives of the following institutions:

- *Ministry of the Interior*
- *Republic Public Prosecutor's Office*
- *Ministry of Justice*
- *Administration for the Execution of Penitentiary Sanctions*
- *University of Belgrade – the Faculty of Law*

The working group developed the first version of the **Code of Criminal Offences** for criminal offences according to the Criminal Code and beyond, according to the International Classification of Crime for Statistical Purposes -ICCS

## INTELLIGENCE SERVICES IN CRIMINAL INVESTIGATION

Data Retention in the Republic of Serbia is aligned with the best practice of the European Union Member states. Currently, there are binding standards which regulate the legal interception of electronic communications in the European Union. Access to saved data and the legal interception of electronic communications in the Republic of Serbia is possible only based on a court decision and for a limited time.

There are two separate systems of access to retained data and the legal interception of electronic communications in the Republic of Serbia, which differ in terms of the legal basis and purpose for which the results are intended:

- **To protect national security** (results can not be directly used as evidence in criminal proceedings)
- **To prevent, detect and record the criminal offences**, following the Criminal Procedure Code and the results can be used as direct evidence in criminal proceedings.

Duration is limited to a maximum of 12 (twelve) months. The competent authorities are: the Ministry of the Interior, the Security Information Agency and the Military Intelligence Agency. The Ministry of the Interior and the Military Intelligence access retention data completely individually and independently from the Tracking Center of the Security Information Agency.

Currently, the Republic of Serbia does not own material resources which would enable the existence of two or more separate centres for monitoring of the intercepted electronic communications. The Action Plan provides an analysis of the role and practice of security services and the police in the implementation of certain special investigative measures at the stage of a criminal investigation.

Analysis of the existing model in the Republic of Serbia, as well as proposals for specific changes, is completed. To review existing models in implementation of the special investigative technics in criminal investigations of the certain Member States of the European Union and to introduce with the normative framework of the European Union in this field, TAIEX mission was conducted, in 2017.

Then, only one model that is similar to the so-called Serbian model has been presented. Therefore, to prepare for possible amendments to the existing model or finding a new model of application of special investigative technics in criminal investigations in the Republic of Serbia, with the assistance of the TAIEX instrument, it is planned to organise a workshop whereby European Union experts will display other models of solutions in the implementation of special investigative technics in criminal investigations in accordance with the EU acquis and positive practices in the EU, including the latest amendments in Directive 2006/24 / EC of the European Parliament and the Council (*retention of data*)

## TRAFFICKING OF HUMAN BEINGS

On August 04, 2017, the **Strategy of prevention and fight against** the trafficking of human beings, especially women and children and protection of victims, for the period 2017-2022 with the Action plan for the implementation of the Strategy was adopted (Official Gazette of the Republic of Serbia, No. 77/2017).

On October 06, 2017, following the Government Conclusion, **the National Coordinator for THB was appointed**. The National Coordinator for THB is appointed as Head of the Office for Coordination of Activities in Combating Trafficking in Human Beings, at the same time, and he started work on the Headquarters of the General Police Directorate of the Ministry of the Interior, on September 01, 2017.

On October 12, 2017, the Government of the Republic of Serbia adopted the **Decision on establishment of the Council for the fight against THB**. In addition, on December 07, 2017, the **first Session of the Council was held**. On this meeting, three conclusions were adopted: *conclusion regarding implementation of the Strategy, conclusion regarding the strengthening of capacities on the local level, in the field of fight against THB and a symbol of the fight against THB was adopted.*

The task of the Office is to monitor, coordinate and direct the implementation of measures and actions aimed at combating THB with a multidisciplinary approach, to monitor, coordinate and direct the implementation of the Strategy of prevention and fight against THB, especially women and children and protection of victims the Republic of Serbia for the period 2017-2022, with the accompanying Action Plan, as well as to prepare the sessions of the Council for the fight against THB and at the operational level, implement the Council's decisions.

On October 17, 2017, the Chair of the Anti-Trafficking Council and Interior Minister Nebojša Stefanović, PhD, passed the Decision on establishing the Special Working Group for the Implementation and Monitoring of the Strategy for the Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children, and for the Protection of Victims 2017-2022.

In coordination with the Office for Cooperation with Civil Society, on September 29, 2017, the Public Call was announced for the selection of five civil society organisations which will participate in the process of monitoring, reporting and evaluation of the implementation of the Strategy. On November 29, 2017, following an efficient and transparent procedure of selection of civil society organisations, it was established that only two out of four applicant organisations met the criteria under the Public Call, namely the citizens' association "Atina" and the citizens' association "Astra".

On November 30, 2017, the Special Working Group held its first meeting, as well as an extraordinary meeting, on December 27, 2017, to present the printed edition of the Strategy, links between the Strategy and Action Plan and migration (regular and irregular), and the new Serbian symbol against trafficking in human beings, which was approved by the Anti-Trafficking Council.

Following the adopted conclusions of the first session, the Council established the Inter-Sectoral Working Group, on December 22, 2017, tasked with adjusting the existing mechanisms for cooperation between competent authorities and establishing new ones applying a proactive approach. The Inter-Sectoral Working Group is made up of representatives of the Ministry of the Interior, Ministry of Justice, Ministry of Labour, Employment, Veterans and Social Affairs - Labour Inspectorate, Republic Public Prosecutor's Office, Organised Crime Prosecutor's Office and Criminal Police University.

Inter-Sectoral Working Group developed **Functional analysis of existing cooperation mechanisms for fight against THB**, with the recommendation for alignment of the existing cooperation mechanism of the competent authorities, in accordance with the proactive approach.

Following with the Conclusion and recommendations of the Anti-Trafficking Council, in 17 cities and municipalities in the Republic of Serbia, local self-government authorities are setting up and making *functional local anti-trafficking teams* (Pancevo, Kikinda, Sombor, Novi Pazar, Sabac, Smederevo, Pozarevac, Leskovac, Pirot, Prokuplje, Nis, Novi Sad, Sremska Mitrovica, Kraljevo, Kragujevac, Vranje and Subotica). During the period October 30-31, 2018, the first meeting of the Local teams was held in Belgrade, with the aim of their more efficient functioning.

During 2018, five meetings of the Special Working Group for implementation and monitoring of the Strategy were held. During the meetings, the evaluation of the progress in implementation was conducted, and proposals for the improvement were provided.

On March 22, 2018, the Law on Foreigners was adopted, which, among other things regulates the temporary residence permit for the presumed victims of human trafficking (Reflection Period) and the temporary residence permit for the victims of human trafficking, as well as the new Law on Asylum and Temporary Protection, which stipulates, through the provision of Article No. 10 that the protection and safety of a minor shall be taken into account when assessing the best interests of a minor, especially if there is a suspicion that he or she is a victim of trafficking.

In order to more successfully combating human trafficking and protecting the rights of victims of trafficking, on June 28, 2018, the Protocol on cooperation between the Ministry of the Interior, the Ministry of Labor, Employment, Veteran and Social Affairs and Republic Public Prosecutor's Office was signed.



The Protocol represents a step towards improving the cooperation of parties to combat human trafficking better and protect the rights of victims of trafficking in human beings and protecting the rights of victims of trafficking.

The Protocol defines the mutual rights and obligations of the parties in fields of identification of victims of trafficking in human beings, assistance and protection of victims' safety, prevention of trafficking in human beings, and statistical reporting in order to investigate the phenomenon of human trafficking.

A number of prosecutors working in public prosecutor's offices have specialised for the prosecution of trafficking in human beings, whereby contact points for trafficking in human beings cases have been appointed in all higher public prosecutor's offices across Serbia (25). These specialised prosecutors attended a series of training sessions on topics relevant to human trafficking

These specialised prosecutors attended a series of training sessions on topics relevant to human trafficking. Also, the Republic Public Prosecutor's Office of Serbia was among the first in the region to sign a Memorandum of Understanding with CSOs that provide legal representation, support and assistance to victims of trafficking in human beings. The first SOCTA (Serious and Organised Crime Threat Assessment) for the Republic of Serbia was published on the website of the Ministry of the Interior on December 30 2015. This document, prepared under the EUROPOL methodology, provides a strategic overview of serious and organised crime in the country and includes strategic assessment and recommendations in the field of trafficking in human beings. According to conclusions of the Anti-Trafficking Council of December 07 2017, recommendations of the Inter-Sectoral Working Group, and SOCTA recommendations for combating trafficking in human beings, Director General of Police issued an order on March 15, 2018, that police teams tasked with combating human trafficking be established in the General Police Directorate, all regional police directorates, City of Belgrade Police Directorate and Criminal Police Directorate - Service for Combating Organised Crime.

In 2016, 2017 and 2018, the twinning contract with partners from Slovenia financed under the IPA 2103 resulted in increased capacities of the police and the prosecutor's offices through training and seminars for specialised police officers and prosecutors working on trafficking cases which were organised in cooperation with civil society organisations. A total of 55 police officers, 12 public prosecutors, one CSO representative and two representatives of the Centre for Human Trafficking Victims Protection attended basic and specialist training (over five sessions).

Namely, the adoption of the new Rulebook on Internal Organisation and Job Classification in the Ministry of the Interior has brought some changes at the operational level concerning organisational units dealing with the suppression of human trafficking. By changing a job classification, the competence to act in cases of trafficking in human beings has been transferred from the Border Police Directorate to the Criminal Police Directorate, which meant that organisational capacities of the Criminal Police Directorate in the fight against human trafficking had been improved.

Therefore, as of January 01, 2019, there is the Department for the Suppression of Human Trafficking and Smuggling within the Service for the Fight against Organised Crime, having three sections: Section for Coordination, Analysis and Prevention of Human Trafficking, Section for the Suppression of Human Trafficking and Section for the Suppression of Human Smuggling. In the City of Belgrade Police Directorate - Criminal Police Directorate - Department for the Suppression of Violent, Sexual, Traffic and Human Trafficking Offences and in regional police directorates of Novi Sad and Niš, sections for the suppression of human trafficking and smuggling have been established. Depending on their categorisation, other regional police directorates have either established groups for combating trafficking in human beings or appointed crime investigators tasked with dealing with human trafficking.

In order to coordinate national activities in combating trafficking in human beings and harmonisation of the actions of competent authorities and other organisations that are important for combating trafficking in human beings, on January 25, 2019, the second conference of Council for combating trafficking in human beings was held. At the conference, a Standard operative procedure for acting with victims of trafficking in human beings was adopted, with a purpose to improve identification, help and protection for the victims of trafficking in human beings, through a partnership of all relevant stakeholders on the local, national, regional and international level. Also, recommendations for improvement of the proactive system for detection cases of combating trafficking in human beings, efficient criminal processing all types of perpetrators and legal protection for victims of trafficking in human beings was adopted. Also, on the same conference, recommendations of Council of Europe, GRETA experts, has been adopted, for implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

In past years, the normative framework in the field of combating trafficking in human beings has been improved. Normative amendments have prescribed stricter penalties for trafficking in human beings, a more comprehensive list of forms of exploitation, also stipulating as a criminal offence abusing the position of a trafficking victim for his/her exploitation. In April 2012, in accordance with the Law on Social Protection, the Government of the Republic of Serbia established the Centre for Human Trafficking Victims Protection, which aims to provide assistance and support to victims of trafficking in human beings, including children. The Centre has two organisational units: Agency for Coordination of Protection of Trafficking Victims and Shelter for Trafficking Victims.

Shelter for emergency accommodation of victims of trafficking in human beings was established on February 3, 2019. The capacity of the shelter is up to six beneficiaries from the age of sixteen, and it is available 24h.

The work on identification, coordination and urgent sheltering of trafficking victims fall within the scope of work of this institution. The Centre has, together with other competent institutions, developed criteria for preliminary identification of trafficking victims for three systems: police, social workers and educational workers, and provided relevant training.

Following the decision of the Government on the establishment, the Center directly provides assessment, planning, counselling, and social-educational services and services for the victims of trafficking in human beings. The Center coordinates the provision of services to victims of trafficking in human beings in recovery and integration, including in the provision of services of the institution and organisation of systems and providers of services from the NGO sector, which provide specialised programs such as housing with support for victims of trafficking in human beings, alternative accommodation, reintegration programs, SOS number for victims, SOS number for missing children and other programs for the development of life skills and personal capacities of victims. Financing of these services and programs is provided from the budget of the state, municipalities, donations and project funds.

A special working group for combating trafficking in human beings for implementing and monitoring national Strategy held four meetings in 2019. On the March 14 and June 6, in order to introduce participants with adopted conclusions from the second conference of Council for combating trafficking in human beings, introducing new participants to each other, presenting work of the local teams for combating trafficking in human beings and also the issue of media reporting about cases of trafficking in human beings. On September 5 and December 5, to present the main findings and recommendations of the Study of the harmonisation of the Republic of Serbia Law with EU acquis, prepared by the Astra NGO and to present proposals for updates of the Standard operating procedures for the treatment of victims of trafficking.

At a Government session on July 11, 2019, the Action plan for the Strategy to prevent and suppress human trafficking, especially trafficking in women and children and victims protection for 2019 and 2020, was adopted.

On October 18, 2019, organised by the National academy of public administration, the first national training under the Government employees training program for 2019 was held, entitled "Improving prevention and suppression of trafficking at the national level", attended by 21 representatives of state authorities.

On November 7, 2019, in Nis, a regional conference "Strengthening the capacity of Ombudsman - increasing the accessibility of institutions to all citizens" was held and it was attended by ombudsmen from the countries of the region, as well as representatives of relevant state institutions, international organisations, local government bodies and NGOs from Serbia. Special attention was paid to the panel "Independent monitoring of activities against trafficking in human beings". At the conference, the Law on the Protector of Citizens was amended in Northern Macedonia, and that the institution will now carry out independent monitoring of the fight against trafficking in human beings and the role of the National Rapporteur on combating trafficking in human beings. One conclusion of the conference was to establish capacities for independent monitoring of activities in the fight against human trafficking at the institution of the Protector of Citizens in the Republic of Serbia.

On December 11-12, 2019, in Kragujevac, following the conclusion of the Council for combating trafficking in human beings, concerning the promotion of the work of the local anti-trafficking teams, the Second annual meeting of the local teams on the topic of "The Power of local responses for combating trafficking in human beings" was held.

On December 16, 2019, a conference titled "Improving the professional procedure for identification of victims of trafficking in human beings in Serbia" was held in the House of the National Assembly of the Republic of Serbia.

On December 16, 2019, in Skopje, Northern Macedonia, an Agreement was signed between the Government of the Republic of Serbia and the Government of the Republic of Northern Macedonia about cooperation in the field of combating trafficking in human beings.

Also, on December 16, 2019, a conference entitled "Improvement of the professional procedure for identification of victims of trafficking in human beings in Serbia" was organised in the House of the National Assembly of the Republic of Serbia, attended by representatives of the police, prosecutor's office and social work centres, education, NGOs, Commissariat for Refugees and Migration of Republic of Serbia, IOM, Republican Secretariat for social protection, local government bodies, members of the National Assembly of the Republic of Serbia and others.

Implementation of the project "Procurement of equipment required for combating trafficking in human beings" from IPA 2014 (value 840.000 EUR), consisting of 4 lots (LOT 1 - vehicles, LOT 2 - procurement of office furniture, LOT 3 - procurement of IT equipment, LOT 5 - procurement of equipment for surveillance). The Ministry of Interior received 15 vehicles, office furniture, IT equipment and three servers and surveillance equipment. The mentioned equipment was distributed to the police units that deal with the suppression of human trafficking in the Criminal Police Directorate, the Service for the Fight against Organised Crime, the Police Administration for the City of Belgrade, the Police Administration in Nis, the Police Administration in Novi Sad and regional police units. In addition to the above, the Centre for the Protection of Trafficking in Human Beings received one vehicle. The project was successfully completed in September 2019. The procured equipment contributed to the improvement of the work of the criminal police in combating trafficking in human beings, and more effective protection of victims of trafficking in human beings was achieved, in accordance with the Conclusions and recommendations of the Council for Combating Trafficking in Human Beings.

New Twinning Project "Strengthening Capacity to Fight Against Human Trafficking", from the IPA 2014 program in the amount of 1.000.000 EUR, whose beneficiary is the General Police Directorate, Criminal Police, Directorate started on September 28, 2018, with the grand opening of a conference in Belgrade. The twinning partners are the EU member states, Austria and Slovenia. The overall objective of the project is to contribute to the fulfilment of EU accession criteria and the implementation of Action plans for the Chapter 23 and the Chapter 24, through strengthening the capacity of relevant institutions to combat all forms of trafficking in human beings in line with EU best practices. The objective of the Project is to improve the detection of trafficking cases, as well as the prevention and protection of victims, through the strengthening of capacities of the Criminal Police Directorate for efficient coordination with other relevant institutions (Center for Protection of Victims of Trafficking of human beings- Ministry of Labor, Employment, Veteran and Social Affairs and Republic Public Prosecutor's Office)

In cooperation with the Council of Europe, the Ministry of the Interior implemented the project "Prevention and Combating Trafficking in human beings in Serbia" within the framework of the Horizontal Facility for Western Balkans and Turkey. Within the project, a report on trafficking in human beings for work exploitation was prepared and recommendations for trade unions, employment agencies and companies were drafted, a pocket guidebook was created for labour inspectors for detection and preliminary identification of victims of trafficking for labour exploitation. Also, informational material (flyer) were made on compensation for victims of trafficking, consisting of practical information for victims of trafficking in connection with their right to seek compensation.

Multidisciplinary workshops were organised, and it is particularly significant that about 50% of labour inspectors completed training on trafficking for labour exploitation, and all 240 labour inspectors received pocket guidebooks for detection and preliminary identification of victims of trafficking for labour exploitation. Also, as part of the project, on May 7, 2018, a roundtable was held in Belgrade for participants of the private sector in preventing and combating trafficking in human beings for labour exploitation. Representatives of state stakeholders, private companies, employment agencies, trade unions, civil society and international organizations participated in the round table. The roundtable provided a forum for professional exchange of experiences in combating trafficking in human beings through business and presented good practices from Denmark, Finland and Bulgaria.

Also, within the component related to the Transnational Referral Mechanism-TRM and revision of national standard operating procedures (SOPs), a workshop was organised for key entities to strengthen transnational cooperation in combating trafficking in human beings. Particularly important is training on trafficking in human

beings for about 60 diplomatic and consular representatives, Ministry of Foreign Affairs of the Republic of Serbia, in order to act in accordance with transnational operational procedures, i.e. the newly adopted Standard Operating Procedures for the Treatment of Victims of Trafficking, in cases of transnational trafficking.

The Ministry of the Interior, in cooperation with the Council of Europe, continues to implement the second phase of the project "Preventing and combating trafficking in human beings in Serbia" within the framework of the Horizontal Facility for the Western Balkans and Turkey. The project will continue activities aimed at raising awareness of trafficking in human beings for labour exploitation, especially labour inspectors and market inspectors, as well as all other stakeholders that contribute multidisciplinary to the fight against trafficking in human beings (police, prosecution, Centre for protection trafficking victims, civil society organizations and other). In addition, phase two aims to raise awareness of trafficking and trafficking in human beings for labour exploitation, work with the media, especially to sensitize and report responsibly trafficking cases, and train health and education workers to recognize trafficking cases and respond appropriately. The project is worth 750,000€ and is planned to run from May 2019 to May 2022 (3 years).

On January 6, 2020, the Memorandum on cooperation was signed between the Ministry of the Interior, NGO ATINA and NGO ASTRA about cooperation in the field of combating trafficking in human beings.

## FIGHT AGAINST CYBER CRIME

**The Government of the Republic of Serbia on September 14, 2018, adopted the Strategy for the fight against Cyber Crime with the Action plan for implementation of Strategy.** The Law on the Organization and Competencies of Government Authorities in Combatting Cybercrime enabled the Republic of Serbia to establish the **Special Cyber- Crime Department within the Ministry of the Interior and the Special Prosecutor's Office for Cyber - Crime.**

**At the court level** (Higher Court in Belgrade), there is no longer a Specialised cybercrime Department. In 2009 the Republic of Serbia ratified the **Convention on Cybercrime of the Council of Europe, and national legislation is mostly in line with Directive 2013/40/EU on attacks against information systems.** To fully transpose the EU acquis, certain laws need to be amended, particularly regarding sanctions an expert of the Technical Assistance and Information Exchange Office - TAIEX performed an analysis and produced relevant recommendations. Namely, Technical Assistance and Information Exchange -TAIEX Expert Mission was held in the Republic Public Prosecutor's Office, during the period March 30 – 31, 2016, to determine the level of harmonisation of the national normative framework with the European Union acquis.

The analysis has been performed in cooperation with the representatives of the Republic Public Prosecutor's Office, Prosecutor's Office for Cyber- Crime, Ministry of the Interior, Ministry of Justice and the Ministry of Trade, Tourism and Telecommunications, on which occasion recommendations have been given to amend relevant legislation, to align with the EU acquis.

By-laws relating to the expansion of systematisation to improve the capacities of the Prosecutor's Office for Cyber- Crime will be amended. In this regard, by the decision of the Republic Public Prosecutor, from May 08, 2017, two deputy public prosecutors were redeployed to the Special Prosecutor's Office for High-Tech Crime. At this moment, **there are four deputy public prosecutors and one special prosecutor.** As far as the administrative staff is concerned, by redeployment of employees, two prosecutorial assistants were assigned to this prosecutor's office, and now there are five of them. Also, the remaining three positions for administrative staff are expected to be filled in with officers in charge of reference registers.

**Regarding the equipment,** for the needs of the Prosecutor's Office for Cyber- Crime, it will be provided from the IPA 2017 project.

Training for public prosecutors and deputy public prosecutors on cybercrime is organised in accordance with the curriculum of the Judicial Academy. Additionally, within the iProceeds project, to train and strengthen the capacities of state authorities in charge of combating cybercrime in the Republic of Serbia and countries in the region, regarding the seizure procedures in cybercrime cases, several training courses and professional meetings were held for the representatives of the Special Prosecutor's Office for Cybercrime.

In cooperation with the organization "Save the Children", a **Guidebook for judges and prosecutors on the topic of cybercrime and protection of minors in the Republic of Serbia** has been produced, including clear instructions and guidelines, the first response to electronic evidence, international standards in this area, the national legal and institutional framework, as well as the protection of children in criminal proceedings.

**When it comes to the Ministry of the Interior**, the Department for the fight against Cyber Crime expanded its capacities. Two new sections are formed, Section for e-banking, e-commerce and payment card crime on the Internet and Section for illicit and harmful content on the Internet. On September 23, 2019 amendments to the Rulebook on Internal Organization and Systematization of Jobs in the Ministry of the Interior was amended, which further increased the staffing capacity of the Department for the fight against Cyber Crime, and now the Department has a total of thirty (30) police officers.

During the year 2019, the Department for the fight against Cyber Crime participated in more than 40 international activities (training courses, conferences, workshops, etc.) organised by international organizations. Within the OSCE Project "Strengthening the Capacity of State Bodies in the Republic of Serbia for Cybercrime", training on topic Documentation of Data on the Internet was held for a total of ten (10) police officers. Also, trainers of the Department for the Fight against Cybercrime held training for police officers from the regional police directorate, for 100 police officers. The project is continued during the year 2020.

Within the iProceeds project, the first phase of implementation of this project was completed in December 2019, and since January 2020, the second phase of project implementation began, which will last until June 2023.

## ILLICIT TRAFFICKING IN WEAPONS

Within the Criminal Police Directorate of the Ministry of the Interior, there is a unit specialised for investigations in the area of organised weapons, ammunition and mine-explosive devices.

The Unit comprises a total of **7 police officers, i.e., one manager and six investigators**. Weapons smuggling, in particular, its organised forms are a problem at the regional level.

Therefore, information exchange (primarily with countries in the region) is a daily task in this unit. In order to strengthen regional cooperation and improve intensity and quality of information exchanged with countries of the region, the Republic of Serbia will further intensify its engagement in regional expert networks and regional expert teams set up to step up cooperation between the EU Member States and countries of the Western Balkans.

In that sense, national training will also be organised in order to introduce all relevant national actors in the country with opportunities for cooperation through such skilled and specialised teams and networks. Engaging all available domestic resources and using regional and international cooperation in this area, together with the adoption and implementation of the new Law on Weapons and Ammunition in line with EU standards, will contribute to the overall improvement of prevention and fight against trafficking in weapons.

The Ministry of the Interior, as one of the priorities, in addition to other forms of organised crime, focuses on the fight against smuggling and trafficking in weapons, ammunition and mine-explosive devices. Firstly, with the aim to protect the security of all citizens of the Republic of Serbia and the security of the region as well.

The greater number of seized and subsequently destroyed weapons means a lower number of weapon-related criminal offences. In support to our commitment and regional cooperation stands the fact that weapon smuggling is recognised in the first Serious and Organised Crime Threat Assessment that the Republic of Serbia has developed according to the EUROPOL's methodology -SOCTA, as well as in the text of the Regional Threat Assessment, developed in cooperation with colleagues from Montenegro and the Republic of Northern Macedonia.

The Ministry's commitment to this area resulted in a number of reform laws, primarily the Law on Weapons and Ammunition, which is mostly in line with the EU regulations in this area. On June 13, 2019, the Strategy for Control of Small Arms and Light Weapons for the period 2019-2024 with the Action Plan for the implementation of the Strategy for the period 2019-2020 was adopted. SEESAC experts conducted the Analysis of the alignment of the Law on weapons and

ammunition, with the EU acquis, and presented to the members of the working group on drafting a law governing the field of weapons and ammunition at the Workshop held in September 2019 in Belgrade.

Within the Joint Committee EU - Southeastern Europe, in the field of combating illicit trade of the firearms, in the previous period, three meetings were held, on which, representatives of the Ministry took part.

Among other topics, the topic of the last meeting was the discussion on the Action Plan on Smuggling of Arms between the EU and the Western Balkan Countries (2015-2019), as well as preparations for the adoption of a new Action Plan.

Police officers of the Ministry of the Interior, in the previous period, took an active part in the implementation of the Joint Operational Action "Joint Days of Action in the Balkans" of Europol, including the JAD in September 2019, supported by the EU Member States.

The purpose of implementing such actions is primarily the exchange of information and intelligence in real-time by the participating countries (Western Balkans) as well as member states of the EU, supported by Empact and Europol.

In October 2015, after a study visit to the Italian Ministry of the Interior, based on the practice and experience with deactivated weapons in this country, the Rulebook on Weapons Deactivation was produced entirely in line with the EU Regulation establishing deactivation standards. In the forthcoming period, with the support of the OSCE, an analysis of the existing normative framework and further harmonisation in accordance with EU regulations will be carried out.

The Ministry of the Interior, immediately after the entry into force of the Law on Arms and Ammunition, **drafted and adopted the following rulebooks:**

- *Rulebook on Conditions and Manner of Weapon Deactivation*
- *Rulebook on Training in Handling Firearms, Repair and Conversion of Weapons and Trade in Weapons and Ammunition*
- *Rulebook on the Spacial and Technical Conditions for Safe Storage and Keeping of Weapons and Ammunition*
- *Rulebook on the Records Kept by the Competent Authority as prescribed by the Law on Weapons and Ammunition*
- *Rulebook on the Procedure for Issuing Documents, the Layout and Content of Forms required stipulated by the Law on Weapons and Ammunition*
- *Rulebook on Records Kept by Legal Entities and Entrepreneurs*
- *Rulebook on the Weapon Loaning Procedure*
- *Rulebook on determining the physical fitness of natural persons for possessing and carrying weapons*
- *Rulebook on the content, appearance and manner of using the private security officer identification document*
- *Rulebook on business premises for conducting detective activity, physical and technical measures for storing databases and other records*
- *Rulebook on the training programme for conducting detective activities, the manner of conducting training and taking the professional exam for detectives*
- *Rulebook on the content, appearance and manner of using the private security officer identification document*
- *Rulebook on the use of force in performing private security*
- *Rulebook on the manner of taking the professional exam for performing private security activities, amount of expenses for organizing and conducting exams and the content and manner of keeping records*
- *Rulebook on the manner of performing technical protection and use of technical means*
- *Rulebook on the colour and essential components of the uniform of security officers*
- *Rulebook on programmes and manner of conducting the training for performing private security activities*
- *Rulebook on detailed conditions that must be fulfilled by legal entities and natural persons for conducting professional training for performing private security activities*
- *Rulebook on the manner of keeping the register of entities authorized to conduct the export and import of weapons and military equipment, brokerage services and technical*

**The Criminal Code of the Republic of Serbia was amended regarding the criminal offences of unlawful manufacture, possession, carrying and trade in weapons and explosive substances (Article No. 348),** and came into force on June 1, 2017. This amendment refers to the convertible (starting, gas and signal weapons) and deactivated weapons, and for this criminal offence, prison sentence has been increased. Depending on the manner of execution and the quantity of weapons, it ranges from six months to five years, and for carrying weapons as well as for a larger quantity of weapons, sentences range from two to 12 years of imprisonment with a fine and a measure of the seizure of weapons.

**In 2018, a total of 1.898 weapons of various types and 49,380 pieces of ammunition of different calibre were seized.**

In 2019, a total of 1.680 pieces of firearms of various types and calibre 30.960 pieces of ammunition of different calibre, two hand rocket launcher, 133 bombs, 45 kg of explosives and 207 of explosive devices were seized.

So far, 126.077 pieces of weapons have been destroyed in the Republic of Serbia, thereby positioning the Republic of Serbia as a regional leader in the fight against organised crime.

Only in 2019, the Ministry of the Interior organised destruction of surplus stockpiles of firearms, ammunition and explosives, thus keeping the trend of the continuous destruction of surpluses alive. Thus, the Republic of Serbia remained a regional leader in terms of the destruction of firearms and ammunition.

On August 16, 2019, a Standard Letter of Agreement on the Destruction of Ammunition between the Ministry of the Interior and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) was approved and signed, ensuring the donation of approximately EUR 50,000 for the destruction of ammunition. Accordingly, based on a government conclusion and the above Letter, a total of 54,111 pieces of ammunition were destroyed at the Technical Overhaul Institute NH "Đurđe Dimitrijević-Đura" in Kragujevac on December 17, 2019.

Based on the Serbian Government Conclusion from December 2019 and a Standard Letter of Agreement on the Destruction of Firearms between the Ministry of the Interior and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) of December 18, 2019, 15,430 firearms were destroyed at the Recycling Centre in Zeleznik, Belgrade, on December 23, 2019.

From 2003 until late 2019, a total of 141,507 firearms were destroyed. Owing to the results achieved over the last few years and efforts made by the Ministry to make citizens safe and to fulfil the assumed international obligations in this area, the Republic of Serbia remains positioned as a regional leader, at the same time continuing to fight organised crime and terrorism.

In March 2015, acting upon the recommendations from the Action Plan for Chapter 24, in the area of organised crime, the Minister of the Interior passed a decision to establish the Permanent Team for the Suppression of Weapons Smuggling at National and International Level within the Ministry of the Interior, including two members from each police directorate as well as from directorates at the Ministry's headquarters.

After several joint meetings, a **Memorandum on Establishment of a South-East Europe Firearms Expert Group – SEEFEG** was signed in Ohrid, the Republic of Northern Macedonia, in October 2015. The Group meets to present the cases of good practice and exchange relevant information in this field. The Ministry of the Interior also actively participates in the work of the South East Europe Firearms Expert Network (SEEFEN) where apart from the members of the Ministry of Interior, the representatives of the Customs Administration and Prosecutor's Office are also engaged. In September 2016, in Paris, France, a Protocol was signed between the Ministry of the Interior of the Republic of Serbia and the Ministry of the Interior of the French Republic, concerning the establishment of a permanent Serbian-French criminal intelligence unit to combat international smuggling of arms and explosive materials.

The signing of the Protocol mentioned above enabled the direct exchange of operational data and thus simplified the implementation of procedures for international data exchange. By using this mode, two joint investigations were carried out resulting in successful deprivation of liberty of persons who committed this criminal offence in the territory of the Republic of Serbia and the Republic of France and the seizure of a large quantity of weapons.

#### **Firearms Focal point**

**The Ministry of the Interior takes all necessary steps to establish a Firearms Focal Point (FFP).** In this regard, with the support of the UNDP - SEESAC, analysts passed four necessary training for system work and data exchange: April 23 - 27, 2018, in Tirana, Albania, June 11-15, 2018, in Belgrade, Republic of Serbia, July 9-13, 2018, in Skopje, Northern Macedonia and October 8-12, 2018, in Tirana, Albania.

Also, the following donations were obtained: two licenses for connecting relevant weapons bases to one point (**IBM i2 Analyst's Notebook, IBM iBase**), ballistic cloning equipment, as well as the donation of SQL hardware, which would be the support of the Contact Point.

Adoption of the Strategy and setting up of the Team enabled the formal and legal establishment of the FFP. Firearms Focal Point is now in the process of being established operationally. The Ministry of the Interior is committed to this process, which is mostly underway. Steps taken towards the establishment of the FFP are reflected in linked databases, so it could be said that initial functionality is in place. Also, Decision from December 19, 2019, by which the Minister of the Interior established a Team for implementation, monitoring and exchange of all operational information related to firearms (Firearms Focal Point - FFP) was made.

In the process of combating illegal possession, misuse and trafficking of small arms and light weapons in the Western Balkans in the framework of the Berlin Process, a compromise document was drafted, **Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons -SALW and their ammunition in the Western Balkans by 2024**, which was adopted at the Western Balkans Summit on July 9, 2018, in London, United Kingdom.

In accordance with the above, the Strategy for the Control of Small Arms and Light Weapons in the Republic of Serbia for the period 2019-2024 contains the basic mechanisms foreseen in the Roadmap, established in the fight against the prevention of illegal possession and misuse of firearms, ammunition and explosive materials for civilian use in the Western Balkans.

As part of the Roadmap implementation monitoring process and with the support from SEESAC, on November 8, 2019, the Republic of Serbia organised the Second Local Coordination Meeting at which the most significant results achieved in the first half of 2019 were presented. Also, the Republic of Serbia participated in two Regional Coordination Meetings in 2019, first in Sarajevo, Bosnia and Hercegovina and the second, in Tirana, Republic of Albania.

The Republic of Serbia adopted the **Law on Testing, Stamping and Marking of Weapons, Devices and Ammunition** (Official Gazette of the Republic of Serbia, No. 87/18) in order to improve the control of small arms and light weapons.

Adoption of this Law is a prerequisite for initiating the procedure for submitting a request from the Republic of Serbia for admission to C.I.P.

The law regulates the testing, stamping, marking of weapons, basic parts of weapons, devices and ammunition, rights and obligations of manufacturers, importers, authorized sellers, authorized repairers and owners of weapons, basic parts of weapons, devices and ammunition and elements of ammunition, rights and obligations of authorized legal persons for examination, stamping and marking of weapons, devices and ammunition.

At the beginning of 2017, the Ministry of the Interior signed a working arrangement on joining experts from the Republic of Serbia to the activities of the analytical group - **Focal Points of Europol - Weapons and Explosives**.



## Storage capacities of the Ministry of the Interior

In 2017, and then in 2018, a need to improve additional storage capacities of the Ministry of the Interior, i.e. the "Bošnjaci" Warehouse Complex on Avala was identified. For this purpose, SEESAC initially secured financial resources for the initial works and raising technical storage quality. As those funds were insufficient, the Office of Weapons Removal and Abatement, the US Department of State's Bureau of Political-Military Affairs, provided additional financial resources for sustained and long-term improvement of warehouse conditions.

The project of improving the conditions at the mentioned location included improving the security of the entire infrastructure: construction of a new security fence with two entrance gates (for vehicles and pedestrians); installation of external lighting, video surveillance of the whole location (24 cameras and 24-hour surveillance (CCTV system)); new security doors and access control for both storage units (automatic access tracking); work on equipping inside both warehouse units and equipping the main access road.

Within the framework of the EU and the USA support project, reconstruction and adaptation of the warehouse units of the Ministry of the Interior were conducted, including the central "Ateks" Warehouse (access control, video surveillance, as well as current investment arrangements) and the evidence room of the Police Station Eukarica, Police Directorate for the City of Belgrade (video surveillance, metal cabinets for weapons storage, as well as current investment arrangements).

In accordance with the proposal of donor support, the cooperation with the Government of the United States, the Department of State Bureau of Political-Military Affairs Office of Weapons Removal and Abatement – PM/WRA and the Ministry of the Interior was approved with the aim to improve the "Duvaniste" Warehouse Complex near Smederevo. Funding of 1,000,000 US dollars was approved by the US Government, while the project was launched in the third quarter of 2019, with the technical support of SEESAC. The funds provided would also finance advanced training on physical security and stockpile management of weapons and ammunition to be attended by 20 to 25 employees of the Ministry of the Interior. This project is expected to be launched in the third quarter of 2019.

## ESTABLISHMENT OF A PERMANENT CRIMINAL INTELLIGENCE UNIT

### Agreement on Police Cooperation between the Republic of Serbia and the French Republic

On November 18, 2009, in Paris, the Government of the Republic of Serbia and the Government of the French Republic signed **the Agreement on Police Cooperation between the two countries.**

In order to strengthen cooperation in the field of fight against organised crime, mainly the fight against illicit trade in firearms, ammunition and explosives, and as a continuation of the administrative arrangement on establishing a permanent criminal intelligence unit between the Ministry of the Interior and the Minister of the Interior of the French Republic, **the Protocol on the Establishment of a Permanent Criminal Intelligence Unit was signed on September 15, 2016, in Paris.**

The Protocol established a Serbian-French Permanent Criminal Intelligence Unit whose main task *is to prevent and combat the smuggling of arms* intended for France.

This unit, inter alia, aims to collect relevant information on organised criminal groups in the territory of the Republic of Serbia and the French Republic, to identify their organisers and accomplices, and to establish joint operational activities aimed at breaking up organised criminal groups and the seizure of weapons and proceeds from crime.

The Permanent Criminal Intelligence Unit has been set up under one authority, as follows:

- **from the Serbian side** under the authority of the Head of the Criminal Police Directorate of the Ministry of the Interior of the Republic of Serbia
- **from the French side** under the authority of the Central Director for the French Criminal Police

Based on the abovementioned, on July 15, 2019, **Agreement on the donation of a mobile ballistic identification system, worth 280.000 EUR** was signed. Aim of the Agreement is to strengthen the cooperation between the two partners in the field of internal security, as well as to support the Republic of Serbia in the field of identification, monitoring and management of small arms and light weapons.

The abovementioned donation, in addition to the equipment, includes **delivery and installation of the Ballistic Identification System – Evofinder** and training which will be provided by experts in order to facilitate the operational use of this system.

The Ballistic Identification System consists of the following components:

- **data collection station, located in Belgrade**, which contains a scanner with four different directions of illumination and an accompanying computer equipped with application software with four interfaces and a server with database management software;
- **three consultation stations, located in the cities of Nis, Novi Sad and Uzice**, which contain a computer and a consultation software, which is connected to the network with wire /Lan network/.

#### WITNESS PROTECTION

Although the witness protection, including general procedural measures prescribed by the Criminal Procedure Code and implemented by judicial authorities and non-procedural measures, applicable in a war crime, organised crime and trafficking in human beings cases prescribed by the Law on the Protection Programme for Participants in Criminal Proceedings and implemented by a Witness Protection Unit of the Ministry of the Interior (hereafter: the WPU), are essential for ensuring witness safety, the victim/witness support is also significant to ensure victims/witnesses constructive participation in criminal proceedings and successful conducting of criminal proceedings.

The expert analysis in the field of witness protection, covered by the activities of the Action Plan for Chapter 23 - Judiciary and Fundamental rights – Subchapter Was Crimes, has shown that the Witness Protection Unit of the Ministry of Interior needs to be improved in different aspects, including strengthening its human resource capacities by introducing transparent selection criteria, developing joint working procedures in cooperation with the prosecutor's office and providing adequate staffing, training and equipment.

Furthermore, the analysis showed that the protection system needs procedures that would enable effective identity change.

#### Victims / Witness Support

As mentioned in expert reports, there is a grey area for witnesses who are not in the Witness Protection Program but still need extra care and support before, during and after the court proceedings.

**Victims/witnesses of organised crime and trafficking in human beings need material, social and psychological support** during, but also before and after criminal proceedings. During the court proceeding and trial, this support is provided by the Special Department of the Higher Court in Belgrade for witnesses in war crime cases and witnesses in organised crime cases, upon the request of the judge. This court service, however, is limited in capacity.

Furthermore, the Court Victim/Witness Support Service can not provide support in the investigative phase, which is led by the prosecutor's office, and the support out of criminal proceeding is only available for witnesses under the Witness Protection Program. The OSCE Mission in the Republic of Serbia provided support for the

establishment of the Victim/Witness Support Services at the Higher Court in Serbia, and the UK Embassy in Belgrade supported, as a pilot project, the establishment of Victim/Witness Support Services at the Public Prosecutor's Office, with a prospect to expand the project to include also other major towns in Serbia.

**Within this project, the Victim/Witness Information Service at the Higher Public Prosecutor's Office in Belgrade started operating on April 10, 2014, and during 2015, at the Higher Public Prosecutor's Offices in Nis, Kragujevac and Novi Sad.**

These services were established to provide victims and witnesses, as early as the investigation starts (i.e. before the trial), with information on their rights and obligations and the ways to enforce them, as well as information on support services provided by Civil Society Organizations (CSOs) and government institutions, in order to help them overcome the consequences and enable them to constructively participate in criminal proceedings, which would then increase efficiency and quality of criminal proceedings.

For this purpose, the Victim/Witness Information Service at Higher Prosecutor's Office in Belgrade provided a separate **phone-line and e-mail address and leaflets which are handed to victims/witnesses together with a call to testify**, containing the information on the Service and fundamental rights and obligations of victims/witnesses in criminal proceedings.

One of the key partners in this project is the Victimology Society of Serbia, with whom the Republic Public Prosecutor's Office signed the **Memorandum of Understanding** on February 20, 2015, which enabled mutual referral of victims. Although these projects are a good starting point, a comprehensive analysis needs to be done to assess deficiencies and needs in the field of witness and victim support during all stages of the criminal proceeding.

The Expert Analysis of March 13, 2015, performed after the expert mission regarding the Chapter 23 - Judiciary and Fundamental Rights - Subchapter War crimes, has shown that the Victim/Witness Support Service at the Special Department of Belgrade Higher Court needs to be improved, including by providing adequate staffing, training and equipment and developing joint working procedures with the prosecutor's office. On February 1, 2017, the Victim/Witness Information and Support Service was established within the Criminal Department of the Prosecutor's Office for Organised Crime.

This service takes measures and activities to ensure that, during the proceedings, the victims/witnesses of criminal offences under the jurisdiction of the Prosecutor's Office for Organised Crime can effectively enforce their right to information and the right to access support services, in order to facilitate their participation in the proceeding and higher efficiency of the proceedings. For the needs of the Victim/Witness Information and Support Service, a special phone line and a special e-mail address are provided for victims and witnesses.

Also, a **special link is posted on the website of the Prosecutor's Office** providing information on victim' s/witness's rights, information brochures of the Information Service at the Prosecutor's Office, as well as information on organisations that assist women and children, victims of violence. In order to better inform the witnesses about their role in criminal proceedings and available means of protection and support, the Prosecutor's Office for Organised Crime delivers leaflets together with a call to testify to inform victims/witnesses of their rights and obligations and the ways to exercise them.

Within the Ministry of the Interior – General Police Directorate, **new official premises have been adapted** and fully adapted to the needs of the Witness Protection Unit.

**By adopting the Regulation on special and special units of the police**, positions in the WPU were systematised, cataloguing was done, general and special conditions for the filling of these positions were determined, and job descriptions were also made for each workplace.

Following the by-laws, the procedure for employment in the WPU includes the obligation of selection testing, and the completion of specialist training. In the future period, in accordance with the procedure, prescribed in by-laws mentioned above, i.e. the Law on Police, fulfilment of work positions in the WPU will be conducted, in the Department for operative procedures, for direct work with the protected persons.

During the first quarter of 2020, **one police psychologist and one social worker were employed within the Witness Protection Unit.** Conditions have been created for the Witness Protection Unit, completely independently, to carry out activities related to psychological and social support to witnesses. Upon completion of the project WINPRO, the WPU continued to train police officers in accordance with the Program of professional training and development.

Since the Project WINPRO I, WINPRO II and WINPRO III had been officially finished, WPU officers had an opportunity to attend other professional courses and study visits within the OSCE Mission in the Republic of Serbia. The OSCE Mission in the Republic of Serbia implements the project "**Support and Monitoring of Domestic War Crimes Trials (Phase 2)**", and within that Project, nine WPU officers attended the course "Out-of-court protection of witnesses" which was held in Belgrade December 23-24, 2019. Within the same Project in the period September 2-6, 2019, the study visit was organised, in The Hague, the Kingdom of Netherlands. Attending such professional courses in the field of witness protection as well as visiting specialised institutions enables WPU members to expand their knowledge and skills.

Procurement of the material-technical equipment will be organised and funded from the budget of the Ministry of the Interior, and foreign donations as well. It is also necessary to implement all the recommendations of the analysis that has been completed in order to meet all the necessary conditions for the improvement of the WPU and the protection of victims and witnesses. As already mentioned, protection and support to witnesses is also an important element in organised crime and human trafficking cases. Further development of the capacity of the Information and Assistance Service for Victims and Prosecutors in the Prosecutor's Office for Organised Crime, as well as the Victim/Witness Information Service at the Higher Public Prosecutor's of the Special Department of the Higher Court in Belgrade, and will be part of the proposed activities in the Action Plan for Chapters 23 – Judiciary and Fundamental Rights and Chapter 24 – Justice, Freedom and Security. |

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia implements its operational agreement with Europol in a satisfactory manner and applies effectively the EU Serious and Organised Crime Threat Assessment – SOCTA, methodology to develop a strategic picture of risks and threats related to the organised crime situation on its territory. Serbia is using the SOCTA to define and act on priorities in its security policy.</p>	<p>Priorities have been defined Decisions on the strategic level and performance of the operative services are directed to priorities (<i>organised criminal groups and crime areas</i>)</p>	<p>Confirmed priorities defined in the document</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.1.1.	<p>Monitor the implementation and report on the Action Plan for the implementation of the Serious and Organised Crime Threat Assessment-SOCTA</p> <p><i>Note:</i> <u>Subchapter III of the Police Strategic Plan</u></p>	<p><b>Ministry of the Interior</b> General police Directorate - Criminal Police Directorate, cooperation with other competent institution</p>	<p>Continuously starting from the end of IV quarter of the year 2020 <u>semiannual reporting</u></p>	<p><b>Budget of the Republic of Serbia</b> 83.835 EUR for the year 2020 <i>regular work activities</i></p>	<p><b>Fulfilment</b> of the Subchapter III of the Police Strategic Plan</p>	

INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
<p>Based on the outcome of a planned analysis of relevant bodies, Republic of Serbia amends the Law on the Organisation and Jurisdiction of State Authorities in the fight against organised crime, corruption and other particularly serious offences and strengthens its institutional capacity through: ensuring effective co-ordination and productive cooperation between the police and the prosecutors in line with Criminal Procedure Code which clearly defines their respective roles, duties and responsibilities, filling the remaining vacancies in the Prosecutor's Office for Organised crime (POOC) and the Department for Combating Organised Crime (DCOC) in the Ministry of the Interior, ensuring that training needs of staff of the POOC and the DCOC are clearly defined and addressed, improving the material conditions for the POOC, in particular through a modern case management system, new analytical software and making IT systems interoperable with data bases of other relevant institutions, ensuring a more coherent approach within the Police for collecting and sharing intelligence, including through modernising IT tools, ensuring in practice a smooth co-operation and a safe platform for information exchange between POOC and DCOC as well as with other relevant agencies.</p>	<p>The implementation of the Intelligence Police Model, as a model of police performance, based on criminal intelligence has been improved, throughout the General Police Directorate and its sustainability has been ensured.</p> <p>Full co-operation between the prosecution and the police has been ensured.</p> <p>The police and the prosecution are trained to implement the best practices to conduct proactive and financial investigations.</p> <p>The human resources of the Public Prosecutor's Office for Organised Crime are strengthened.</p> <p>The Methodology of work and establishment of the Task Forces is made.</p> <p>Strengthened capacities through the establishment of the interdisciplinary groups.</p> <p>Interoperability of the IT system is enhanced.</p>	<p>The coordinator for the ILP model has been <b><i>appointed</i></b></p> <p>Work of strategic and operational groups, at all levels <b><i>have been improved</i></b></p> <p>The application of the ILP model, in the prevention and fight against organised crime, terrorism, corruption and other forms of serious crime <b><i>has been improved</i></b></p> <p>Conditions for the functional use of the IT platform for the ILP model <b><i>have been created</i></b></p> <p>The capacity of human resources (officers) to implement the ILP model <b><i>has been improved</i></b></p> <p>inter-agency cooperation and coordination of all entities involved in the fight against organised crime <b><i>have been improved</i></b></p> <p>Human resources, professional and material-technical capacities of the Prosecutor's Office for Organised Crime and other competent state bodies in the fight against organised crime,</p>

corruption, and other particularly serious crimes *have been improved*

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.2.1	Draft the by-law prescribed within the Article No.16, paragraph No. 4, of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism, which will regulate the deadlines, the manner of conduct and the manner of official communication between the police and the public prosecutor's office, in organised crime cases and corruption	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime	IV quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 27.945 EUR for the year 2020 55.890 EUR for the year 2021 <b>Budget of the Ministry of the Interior</b> 13.972 EUR for the year 2020 27.945 EUR for the year 2021 <b>Budget of the Republic Public Prosecutor's Office</b> 2.795 EUR for the year 2020 5.589 EUR for the year 2021 <b>Budget of the Prosecutor's Office for Organised Crime</b> 2.795 for the year 2020 5.589 EUR for the year 2021	The By-Law prescribed within the Article No.16, paragraph No. 4, of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism <i>drafted</i>	

6.2.2.2	Adopt the by-law prescribed within the Article No.16, Paragraph No. 4, of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism, which will regulate the deadlines, the manner of conduct and the manner of official communication between the police and the public prosecutor's office, in organised crime cases and corruption	<b>Government of the Republic of Serbia</b> Ministry of Justice Ministry of the Interior Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime	IV quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021	The By-Law prescribed within the Article No.16, paragraph No. 4, of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism <i>adopted</i>	
6.2.2.3	Strengthening the capacity of the Prosecutor's Office for Organised Crime the special departments for combating the corruption of Higher Public Prosecutor, through training on implementation of the new mechanism prescribed by the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption- <i>liaison officers, task force, financial forensic service</i>	<b>Judicial Academy</b> Prosecutor's Office for Organised Crime - special departments of higher prosecutors offices for combating corruption	Continuously	<b>Project IPA 2013 -</b> Prevention and fight against corruption	Percentage of employees trained concerning those in need of training	



6.2.2.4	Strengthen the capacity of the police, through training on implementation of the new mechanism, prescribed by the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption <i>liaison officers, the task forces groups, financial forensic service</i>	<b>Ministry of the Interior</b> - Centre for Basic Police Training	Continuously	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 1.242 EUR per year, <i>for 20 days of training courses, per one officer</i> <b>Budget Ministry of the Interior</b> 1.242 EUR per year, <i>for 20 days of training, per one police officer</i>	Percentage of employees trained concerning those in need of training	
6.2.2.5	Develop the Methodology of the performance and the establishment of the task forces groups	<b>Republic Public Prosecutor's Office</b> Public Prosecutor's Office for Organised Crime Ministry of the Interior Ministry of Justice	I quarter of the year 2021	<b>Project IPA 2013</b> - Prevention and fight against corruption	The Handbook on Methodology of the performance and the establishment of the task forces group developed and published	
6.2.2.6	Strengthening the capacity of the Financial Forensics Services in the Prosecutor's Office for Organised Crime and other bodies through training regularly	<b>Ministry of Justice</b> Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime	Continuously starting from IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 1.242 EUR per year, <i>for 20 days of training courses, per one officer</i> <b>Budget of the Republic Public Prosecutor's Office</b> 1.242 EUR per	The team of economic forensic experts in the Prosecutor's Office for Organised Crime <b><u>established</u></b>  Training of the Economic forensic experts <b><u>delivered</u></b>  Reports on delivered training	

				<p>year, <i>for 20 days of training courses, per one officer</i></p> <p><b>Budget of the Prosecutor's Office for Organised Crime</b></p> <p>1.242 EUR per year, <i>for 20 days of training courses, per one officer</i></p>		
6.2.2.7	<p>Conduct the assessment of the human resources capacities of the Public Prosecutors Office for Organised Crime and adopt the new Rulebook on the systematization of workplaces in the POOC, following the assessment</p>	<p><b>Ministry of Justice</b>  Prosecutor's Office for Organised Crime, Republic Public Prosecutor's Office, State Prosecutorial Council</p>	<p>IV quarter of the year 2020</p>	<p><i>regular work activities of all institutions</i></p> <p><b>Budget of the Ministry of Justice</b></p> <p>11.178 EUR for the year 2020</p> <p><b>Budget of the Prosecutor's Office for Organised Crime</b></p> <p>8.384 EUR for the year 2020</p> <p><b>Budget of the State Prosecutorial Council</b></p> <p>2.795 EUR for the year 2020</p>	<p>The assessment of the human resources capacities conducted</p> <p>Amendments of the Rulebook on the systematization of workplaces in the Prosecutor's Office for Organised Crime adopted</p>	

6.2.2.8	Filling workplaces, following the Rulebook on the systematization of the workplaces in the Prosecutor's Office for Organised Crime	<b>Prosecutor's Office for Organised Crime</b> State Prosecutorial Council Ministry of Justice	IV quarter of the year 2020	<b>Budget of the Prosecutor's Office for Organised Crime</b> 14.904 EUR per year, <i>for one employees regular work activities of all institutions existing staff</i>	The Administrative capacities of the Prosecutor's Office for Organised Crime filled following the Rulebook on the systematisation of the workplaces in the Prosecutor's Office for Organised Crime	
6.2.2.9	Conduct the needs analysis for technical equipment in the Prosecutor's Office for Organised Crime	<b>Ministry of Justice</b> Prosecutor's Office for Organised Crime	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 8.384 EUR for the year 2020 <b>Budget of the Prosecutor's Office for Organised Crime</b> 5.589 EUR for the year 2020	The needs analysis for technical equipment conducted	
6 2 2 10	Procure the technical equipment for the Prosecutor's Office for Organised Crime, following the analysis	<b>Ministry of Justice</b> Prosecutor's Office for Organised Crime	IV quarter of the year 2021	<b>Donation of the International partners</b> total value: 500.000 EUR	The technical equipment for the Prosecutor's Office for Organised Crime procured and its' functioning assessed positively	
6 2 2 11	Conduct the analysis of the training needs in the Prosecutor's Office for Organised Crime, on security aspects of data collection and exchange through the modern IT tools	<b>Judicial Academy</b> Ministry of Justice Prosecutor's Office for Organised Crime	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Judicial Academy</b> 8.384 EUR for the year 2020	The analysis of the training needs in the POOC, with clearly defined needs of employees conducted	

6.2.2.12	Deliver training for employees in the Prosecutor's Office for Organised Crime, on security aspects of data collection and exchange through the modern IT tools, following the needs defined in the analysis	<b>Judicial Academy</b> Ministry of Justice Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime	Continuously, starting from I quarter of the year 2020	Costs currently unknown  <i>will be available after analysis – after IV quarter of the year 2020</i>	Training delivered Reports on delivered training  2/3 of employees trained concerning those in need of training	
6.2.2.13	Conduct the analysis of the operation of the case-management as well as SIDDA/SIDNA systems in the Prosecutor's Office for Organised Crime	<b>Ministry of Justice</b> Prosecutor's Office for Organised Crime Republic Public Prosecutor's Office	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 12.420 EUR for the year 2020 <b>Budget of the Prosecutor's Office for Organised Crime</b> 9.315 EUR for the year 2020 <b>Budget of the Republic Public Prosecutor's Office</b> 9.135 EUR for the year 2020	Report on the analysis of the operation of the case- management and SIDDA/SIDNA systems in the Prosecutor's Office for Organised Crime	
6.2.2.14	Improve the working conditions of the Prosecutor's Office for Organised Crime, to effectively conduct the proactive investigations, through increasing spatial capacity/construction of the new building, in which the Prosecutor's Office for Organised Crime is going to be accommodated, following the needs of an increased number of employees	<b>Ministry of Justice</b>	II quarter of the year 2021	<b>Funds from the European Investment Bank - EIB loan:</b> <i>total value</i> 4.500.000 EUR	The Report on the extension of premises/construction of premises for the Prosecutor's Office for Organised Crime	

6.2.2.15	Evaluate the effects of the implementation of the new Rulebook on internal organisation and systematisation of workplaces in the Ministry of the Interior, in the field of the ILP model	<b>Ministry of the Interior</b> General Police Directorate Sector for Material and Financial Affairs Sector for Human Resources	I quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 12.450 EUR for the year 2020 6.210 EUR for the year 2021	Report on evaluation of the effects of the new organization structure conducted	
6.2.2.16	Develop a recommendation for further amendments of the organizational structure, following conclusions of the conducted analysis	<b>Ministry of the Interior</b> General Police Directorate Sector for Human Resources	II quarter of the year 2021	Budgeted within the Activity No.6.2.2.15	Recommendation for the further amendments of the organizational structure developed	
6 2 2 17	Ensure the technical preconditions in the Ministry of the Interior, for the establishment of the safe platform for the exchange of data and information between state bodies and institutions, bearing in mind the commitments which are prescribed by the Law on Personal Data Protection regarding the protection of data integrity.	<b>Ministry of the Interior</b> Office of the Organised crime Prosecutor	IV quarter of the year 2020	<b>Project IPA 2015 - „Strengthening capacities for the implementation of the national criminal intelligence system“</b>	The safe platform for the exchange of data and information between the Ministry of the Interior and the Prosecutor’s Office for Organised Crime and other state bodies and institutions established	
6 2 2 21	Develop the Standard operating procedures for the use of a safe platform of the National Criminal Intelligence System	<b>Ministry of the Interior</b> - Sector for analytics, telecommunication and information technologies IT units of other relevant state bodies involved in the NCIS	IV quarter of the year 2020	<b>The Swedish Police Assistance Program- <u>Development of the Ministry of the Interior, within SPAP 3, for the period 2019-2020 - total amount 1.650.000 EUR</u></b>	The Standard operating procedures and the Instruction for the users developed	

6 2 2 22	Adopt the Standard operating procedures for the use of a safe platform of the National Criminal Intelligence System	<b>Ministry of the Interior</b> - Sector for analytics, telecommunication and information technologies IT units of other relevant state bodies involved in the NCIS	I quarter of the year 2021	<b>The Swedish Police Assistance Program -</b> <i>Development of the Ministry of the Interior, within SPAP 3, for the period 2019-2020 -</i> <b><u>total amount</u></b> <b><u>1.650.000 EUR</u></b>	The Standard operating procedures and the Instruction for the users adopted	
6 2 2 23	Deliver training for the establishment and the functioning of the National Criminal Intelligence System.	<b>Ministry of the Interior</b> - Sector for analytics, telecommunication and information technologies, IT units of other relevant state bodies involved in the NCIS Inter-departmental WG	IV quarter of the year 2021	<b>The Swedish Police Assistance Program -</b> <i>Development of the Ministry of the Interior, within SPAP 3, for the period 2019-2020 -</i> <b><u>total amount</u></b> <b><u>1.650.000 EUR</u></b> <b>EURIPA 2015 - twinning light "</b> <i>Strengthening capacities for the implementation of the national criminal intelligence system</i>	The number of trainings conducted (following the Plan). The number of trained officers	
6 2 2 24	Adapt/Adjust the normative framework following the needs of the establishment and implementation of the ILP, in the field of management of the police performance	<b>Ministry of the Interior</b> - Minister Secretariat of the Ministry General Police Directorate Ministry of Justice Government of the Republic of Serbia National Assembly of the Republic of Serbia <b><u>Working Group</u></b>	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 15.215 EUR for the year 2020 7.608 EUR for the year 2021 <b>Budget of the Ministry of Justice</b> 8.694 EUR for the	The Mandatory instruction on operative work/performance of the police amended	

				<p>year 2020 8.347 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021</p>		
6.2.2.25	Develop the Platform of integrated information communication technology - ICT of the Ministry of the Interior, available to all users	<p><b>Ministry of the Interior</b> Sector for analytics, telecommunication and information technologies General Police Directorate Working group</p>	IV quarter of the year 2021	<p><b>Project IPA 2015</b> – <i>total value</i> 2.500.000 EUR <i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 17.388 EUR for the year 2020 and the year 2021</p>	<p>Application Operative reports are in use in all organizational unit of the General Police Directorate and available to all police officers</p> <p>Equipment procured</p> <p>Improved system of data protection and IT systems;</p> <p>All databases, which are available for the ILP model are integrated</p>	

6.2.2.26	Develop a sustainable training system for the ILP model	<b>Ministry of the Interior</b> Sector for Human Resources General Police Directorate	IV quarter of the year 2020	<b>Project of the Republic of Serbia and the Kingdom of Sweden</b> - trainings will be determined later as well as SNPB program for the period 2019-2020 <i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 17.388 EUR for the year 2020	The curriculum and the Risk analysis program adopted The curriculum and the Program for the analytical method Analyst Notebook adopted The curriculum and Program for the Strategic Analysis adopted	
6.2.2.27	Deliver training following the developed sustainable system for the ILP model  <i>Link with the previous activity</i>	<b>Ministry of the Interior</b> Sector for Human Resources General Police Directorate	Continuously	<b>Project of the Republic of Serbia and the Kingdom of Sweden</b> - trainings will be determined later as well as SNPB program for the period 2019-2020 <i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 17.388 EUR for the year 2020	Reports on delivered trainings  Number of delivered trainings  Number of police officers trained – 100% involved police officers	
6.2.2.28	Develop crime mapping in the Ministry of Interior	<b>Ministry of the Interior</b> General Police Directorate Sector for analytics, telecommunication and information technologies	IV quarter of the year 2021	<b>Proposed for <u>Project IPA 2019</u></b>	Crime mapping is in use in the Ministry of Interior and it's available to all level of police	



INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia establishes a system of regular collection of unified crime statistics with reference to the UNODC International Classification of Crime for Statistical	System of statistical data collection on criminal offenses aligned with the UNODC international standards	International harmonization in data collection on crime. More accurate statistics of crime offenses

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.3.1	Conduct a mapping of criminal offenses - the Codebook	<b>Statistical Office of the Republic of Serbia</b> – <i>in cooperaton with the Working group / Ministry of the Interior Republic Public Prosecutor`s Office Ministry of Justice Administration for the Enforcement of Penal Sanctions</i>	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Statistical Office of the Republic of Serbia</b> 3.726 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 3.726 EUR for the year 2020 <b>Budget of the Republic Public Prosecutor`s Office</b> 2.484 EUR for the year 2020 <b>Budget of the Ministry of Justice</b> 2.484 EUR for the year 2020 <b>Budget of the Administration for the Enforcement of Penal Sanctions</b> 2.484 EUR for the year 2020 <b>Budget of the University of</b>	Developed the Codebook of the criminal offenses /the Criminal Code of the Republic of Serbia and the criminal offenses out of the Criminal Code/ following the International classification of crimes for statistical purposes - ICCS	

				<b>Belgrade – Faculty of Law</b> 2.484 EUR for the year 2020		
6.2.3.2	Deliver the Codebook to the UNODC, to obtain their opinion and approval	<b>Statistical Office of the Republic of Serbia</b>	II quarter of the year 2021	<u><i>No cost required</i></u>	Conclusion of the Government accepting Information on the alignment of the Codebook with the UNODC methodology - after sending and confirmation by UNODC/ Confirmation from the UNODC obtained	
6.2.3.3	Adopt and implement the Codebook	<b>Statistical Office of the Republic of Serbia</b>	IV quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021	Government Conclusion by which the Classification is adopted and implemented	

INTERIM BENCHMARK 4	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia redefines the role of the intelligence service in the criminal investigation procedure to ensure a clear separation of the mandates and regulations concerning interception of communications for criminal investigation, on the one hand, and for security purposes on the other and put in place a robust oversight mechanism so as to avoid any abuses</p>	<p>Separate mandates and regulations related to interception of communications for criminal investigation, from the mandates and regulations relating to the interception of communications for security purposes.</p>	<p>Total capacities of the competent authorities for the implementation of interception of communication regulated by the Law, as one of the special investigative actions following the normative framework and good practices of the European Union in this field.</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.4.1	Define the areas and aspects of the comparative analysis and issues of interest for the analysis (HR, technical, institutional, financial and other aspects of different models for the implementation of the special investigative techniques, as well as the Proposal of the of financing of the Project of the implementation of the comparative analysis	<b>Office of the Council for National Security and Protection of Secret Data</b> , in cooperation with: Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent units of the Ministry of the Interior and the Ministry of Finance	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Office of the Council for National Security and Protection of Secret Data</b> 1.242 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 1.242 EUR for the year 2020 <b>Budget of the Ministry of Justice</b> 621 EUR for the year 2020 <b>Budget of the Security Information Agency</b> 621 EUR for the year 2020 <b>Budget of the Ministry of Defence</b> 315 EUR for the year 2020 <b>Budget of the for Military Security Agency</b> 315 EUR for the year 2020 <b>Budget of the Ministry of Finance</b> 315 EUR for the year 2020	Work plan, objectives and tasks of the inter-departmental Working Group defined and developed	

6.2.4.3	Conduct the Comparative analysis of the role and practice of the security services and police of the EU member states in the implementation of the special investigative technics in criminal investigations.	<b>Office of the Council for National Security and Protection of Secret Data</b> , in cooperation with: Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent units of the Ministry of the Interior and the Ministry of Finance	III quarter of the year 2021	<p><b>Project of Kingdom of Sweden:</b>  <u>Supporting the Strategic Management and EU Integration Capacity Development of the Serbian Ministry of the Interior</u></p> <p><i>regular work activities of all institutions</i></p> <p><b>Budget of the Office of the Council for National Security and Protection of Secret Data</b>  2.484 EUR for the year 2020  2.484 EUR for the year 2021</p> <p><b>Budget of the Ministry of the Interior</b>  2.484 EUR for the year 2020  2.484 EUR for the year 2021</p> <p><b>Budget of the Ministry of Justice</b>  1.242 EUR for the year 2020  1.242 EUR for the year 2021</p> <p><b>Budget of the Security Information Agency</b>  1.242 EUR for the year 2020  1.242 EUR for the year 2021</p> <p><b>Budget of the Ministry of Defence</b>  621 EUR for the year 2020</p>	The Comparative analysis conducted	
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				621EUR for the year 2021 <b>Budget of the Military Security Agency</b> the year 2020 621EUR for the year 2021		
6.2.4.4	<p>Draft a proposal of the Implementation Plan based on the recommendations of the Bureau (Ministry of Defense: Proposal of revising the legislation following The Government Implementation Plan.</p> <p>Security Information Agency: Costs assessment following the Implementation Plan.</p> <p>Ministry of the Interior and Public Prosecutor Office: Draft an Assessment of Capacity and plan of the required funds following the <i>Implementation Plan</i>.</p> <p><i>Office of the Council for National Security and Protection of Secret Data</i></p> <p><i>Draft Conjoint Assessment of Capacity and Costs Plan and representation to The Bureau of coordination security services), which will contain a clear concept and defined activities with deadlines for implementation and evaluation.</i></p>	<p><b>Office of the Council for National Security and Protection of Secret Data</b>, in cooperation with: Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent units of the Ministry of the Interior and the Ministry of Finance</p>	IV quarter of the year 2021	<p><i>regular work activities of all institutions</i></p> <p><b>Budget of the Office of the Council for National Security and Protection of Secret Data</b></p> <p>2.484 EUR for the year 2020 7.452 EUR for the year 2021</p> <p><b>Budget of the Ministry of the Interior</b></p> <p>2.484 EUR for the year 2020 7.452 EUR for the year 2021</p> <p><b>Budget of the Ministry of Justice</b></p> <p>1.242 EUR for the year 2020 3.726 EUR for the year 2021</p> <p><b>Budget of the Security Information Agency</b></p> <p>1.242 EUR for the year 2020 3.726 EUR for the year 2021</p> <p><b>Budget of the Ministry of Defence</b></p> <p>621 EUR for the year</p>	The Implementation Plan adopted by the Government	

				2020 1.863 EUR for the year 2021 <b>Budget of the  Military Security  Agency</b> 621 EUR the year 2020 1.863 EUR for the year 2021		
6.2.4.5	Implementation of the Government Conclusion which will contain a clear concept and defined activities with deadlines for implementation and evaluation of the plan	<b>Office of the  Council for  National  Security and  Protection of  Secret Data</b> , in cooperation with: Ministry of Justice, Security Information Agency, Ministry of Defence, Military Security Agency and other competent units of the Ministry of the Interior and the Ministry of Finance	Starting from IV quarter of the year 2021	<i>regular work activities</i> <b>Budget of the  Government of the  Republic of Serbia</b> 633 EUR for the year 2021	Government Conclusion adopted	

INTERIM BENCHMARK 5	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia brings its legislation in line with the 40 FATF recommendations, implements its financial investigation strategy, including providing the necessary training on the concept of financial investigation and systematically conducts financial investigations in parallel with criminal investigations into corruption and organised crimes</p>	<p>Capacities of the Financial Investigation Unit improved, through training and material and technical investments. The analysis of the alignment of the national legislation with the FATF recommendations conducted, along with the selection of the model necessary for the achievement of full alignment</p>	<p>Increased number of parallel financial investigations, particularly in cases of corruption and organised crime. The normative framework for the fight against money laundering and terrorist financing improved</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.5.1	<p>Strengthen professional capacities, through continuous training of police officers, prosecutors and judges, related to performing of the complex financial investigations in parallel with criminal investigations, and the procedures for temporary and permanent seizure of property, arising from the criminal offenses</p> <p><b>Note:</b> To promote the activities related to harmonization of the case-law of confiscation of property, the Judicial Academy initiated in 2019 drafting of the second, more comprehensive manual for the judiciary</p>	<p><b>Judicial Academy</b> Ministry of the Interior - Criminal Police Directorate</p>	Continuously	<p><b>Project IPA 2013 -</b> Prevention and fight against corruption</p>	<p>Training delivered</p> <p>Study visit conducted</p> <p>A comparative review of data of all state institutions conducted</p> <p>Training to conduct complex financial investigations, in parallel with criminal investigations delivered</p> <p>Meetings that have defined the problems about harmonization of judicial and prosecutorial practice in cases of seizure of property held</p>	.

6.2.5.2	Strengthen professional capacities, through continuous training of police officers, prosecutors, and judges, related to performing of the complex financial investigations in parallel with criminal investigations, to achieve synergy in proactive actions	<b>Judicial Academy</b> Ministry of the Interior - Criminal Police Directorate	in line to the deadlines listed in the Strategy	<b>Twining Project IPA 2013: Fight Against Organised Crime</b> - total value 1.500.000 EUR	Training delivered Study visit conducted  A comparative review of data of all state institutions conducted  Training to conduct complex financial investigations, in parallel with criminal investigations delivered	
6.2.5.3	Strengthen the administrative capacities of the Financial Investigation Units of the Ministry of the Interior, which will perform the function of the Asset Recovery Office - ARO office, based on the results of the performed analysis	<b>Ministry of the Interior</b> - Criminal Police Directorate Service for Combating Organised Crime Financial Investigation Units and others	IV quarter of the year 2020	Equipment from existing resources <b>Proposed for IPA 2017</b> 1.500.000 EUR for the equipment	The number of employees in the Financial Investigation Units increased - from 60 to 65 police officers.  Trainings delivered Equipment procured	
6.2.5.4	Conduct the analysis of the fulfillment of the Financial Investigation Strategy	<b>Ministry of Justice</b> Directorate for the Property of the Republic of Serbia Ministry of the Interior	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 13.973 EUR for the year 2020 6.210 EUR for the year 2021	Analysis of the fulfillment with recommendations conducted	



6.2.5.5	Draft a Proposal of the new Financial Investigation Strategy	<b>Ministry of Justice,</b> Directorate for the Property of the Republic of Serbia Ministry of the Interior	II quarter of the year 2022	<i>regular work activities of all institutions</i>  <i>3.105 EUR per year for one representative of the WG, for 50 working days</i>	Proposal of the new Financial investigation Strategy drafted	
6.2.5.6	Adopt the new Financial Investigation Strategy	<b>Ministry of Justice,</b> Directorate for the Property of the Republic of Serbia Ministry of the Interior, Government of the Republic of Serbia	III quarter of the year 2022	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2022	New Financial investigation Strategy adopted	

INTERIM BENCHMARK 6	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia adopts new legislation on asset recovery in line with – but preferably going beyond the EU acquis, establishes an Asset Recovery Office (ARO), which should also be in a position to properly manage these assets and is adequately resourced in terms of staff, equipment and budget. Serbia provides an initial track record of an increased number of cases and higher amounts of criminal assets confiscated, in particular in cases of organised crime and money laundering	Establishment of the Asset Recovery Office in the Financial Investigation Units, in full administrative and HR capacity The ARO Office capacitated to exchange information for all criminal offenses listed in the Decision 2007/845 and to keep official records of the exchanged information through this channel	Establishment of the new channel for the exchange of information on property arising from the criminal offense. The significant increase of the number of received and sent requests, with the aim of identifying property resulting from a criminal offense, for the purpose of its temporary and permanent confiscation, at the country and abroad.

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.6.1	Establish the electronic database on temporarily and permanently confiscated assets managed by the Directorate with evaluations of the value of the property and the possibility of a database of the various types of criteria	<b>Ministry of Justice</b> Directorate for the Administration of Seized Assets	IV quarter of the year 2020	<b>Budget of the Ministry of Justice</b> 40.000 EUR for the year 2020	Established and fully operable database that enables case management in the Directorate for the Administration of Seized Assets	
6.2.6.2	Establish the inter-departmental working group, which will analyze the normative framework, in the field of assets recovery and the alignment with the <i>acquis</i> in this field	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime Department of the High court in Belgrade, Supreme Court of Cassation - Commercial Court in Belgrade	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	Regular meeting of the working group, reports from meetings, report on the analysis of the alignment if the normative framework with the EU <i>acquis</i> in the field of assets	

6.2.6.3	Draft the amendments of legislation or carrying out other measures needed for further harmonization of the legal framework in line with the analysis	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime Department of the High court in Belgrade, Supreme Court of Cassation - Commercial Court in Belgrade	IV quarter of the year 2021	<i>regular work activities of all institutions</i> 3.105 EUR per year for one representative of the WG, for 50 working days	The Amendments of the normative framework, in the field of assets recovery <u><i>drafted</i></u>	
6.2.6.4	Adopt the amendments of legislation or carrying out other measures needed for further harmonization of the normative framework in line with the analysis	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Prosecutor's Office for Organised Crime Department of the High court in Belgrade Supreme Court of Cassation - Commercial Court in Belgrade	IV quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021	The Amendments of the normative framework, in the field of assets recovery adopted	

6.2.6.5	Improve functionality of the ARO Office, through the amendments of the Law of Seized Assets arising from criminal offenses	<b>Ministry of the Interior</b> Government of the Republic of Serbia National Assembly of the Republic of Serbia	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 17.388 EUR for the year 2020 8.694 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021	The ARO Office capacitated to exchange information for all criminal offenses listed in the Decision 2007/845 and to keep official records of the exchanged information through this channel	
6.2.6.6	Improve the international cooperation, by signing contracts with regional directorates and the EU member state directorates	<b>Ministry of Justice</b> Directorate for the Administration of Seized Assets	Continuously	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 44.712 EUR per year <b>Budget of the Directorate for the Administration of Seized Assets</b> 29.808 EUR per year	The number of contracts signed with the regional directorates and the EU member state directorates	
6.2.6.7	Conduct the needs assessment for the adoption of public policy documents in the field of organised crime and high corruption	<b>Ministry of Justice</b> Ministry of the Interior Anti-corruption Agency Republic Public Prosecutor's Office, courts	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 4.968 EUR for the year 2020 2.434 for the year 2021 <b>Ministry of Justice</b> 6.210 EUR for the year 2020 3.105 EUR for the year 2021 <b>Budget of the Anti-corruption Agency</b> 2.484 EUR for the year 2020	Needs assessment conducted	

				1.242 EUR for the year 2021 <b>Budget of the PPO</b> 1.242 EUR for the year 2020 612 EUR for the year 2021		
6.2.6.8	Draft proposals for relevant public policy documents in the field of organised crime and high corruption, following the results of the needs assessment	<b>Ministry of Justice</b> Ministry of the Interior, Anti-corruption Agency, Republic Public Prosecutor's Office, courts	I quarter of the year 2022	<i>Costs currently unknown</i>	Proposals of the public policy documents in the field of organised crime and high corruption <i>drafted</i>	
6.2.6.9	Meet with the best practice on the seizure of non-condemnation property and conduct the analysis of the existing normative framework	Ministry of Justice Ministry of the Interior, Anti-corruption Agency Republic Public Prosecutor's Office, courts	II quarter of the year 2021 and continuously	TAIEX assistance 3.000 EUR	Reports from TAIEX visits and mission, analysis of normative framework developed	
6.2.6.10	Conduct the analysis of the technical equipment and needs of the Criminal Police Directorate, to conduct special Evidentiary Actions	Ministry of the Interior	II quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 2.484 EUR for the year 2020 1.242 EUR for the year 2021	Analysis conducted	

6.2.6.11	Procure the technical equipment for the Criminal Police following the analysis	<b>Ministry of the Interior</b>	IV quarter of the year 2021	<i>Donations/Project/Budget Cost currently unknown</i>	Technical equipment procured	
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INTERIM BENCHMARK 7	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia steps up the fight against money laundering, in line with the recent recommendations of MONEYVAL in its evaluation report on Serbia and provides an initial track record of an increasing number of suspicious transactions reported to the Financial Intelligence Unit (FIU) and ensures these are pro-actively used in criminal investigations</p>	<p>The Republic of Serbia has improved the system for combating money laundering and terrorist financing, following the recommendation from Moneyval Report from the year 2016 and</p> <p>The initial record of an increased number of reports of suspicious transactions reported to the Financial Intelligence Service of the Republic of Serbia improved and provided (the Administration for the prevention of money laundering) and ensures that they are proactively used in criminal investigations.</p>	<p>Report of Moneyval and FATF on improvement of the Republic of Serbia to meet Moneyval's recommendations, annual and other reports on the work of the Coordination Body for the Prevention of Money Laundering and Financing of Terrorism, the Republic Public Prosecutor's Office, the Ministry of Internal Affairs and the Anti-Money Laundering Administration..</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.7.1	Deliver training for institutions involved in the proactive investigation in the field of organised crime, economic and financial crime, as well as for criminal offense money laundering, in order, to proactively acted with reports on suspicious transactions	<b>Judicial Academy</b> Ministry of the Interior Republic Public Prosecutor's Office, Supreme Court of Cassation, Ministry of Finance - Administration for the prevention of money laundering, and other law enforcement institutions	Continuously, in accordance with deadlines defined within projects	<i>regular work activities of all institutions</i> <i>62 EUR per one officer, for one day of training</i>	Program and Plan of training adopted.  Reports on delivered trainings	
6.2.7.2	Regularly update the Register of Beneficiary Owners, following the Law on central register of beneficiary owners, Official Gazette of the Republic of Serbia, No. 41/2018 and 91/2019	<b>Serbian Business Registers Agency</b>	Continuously through 2019	<i>regular work activities</i> <b>Budget of the Serbian Business Registers Agency</b> 59.616 EUR per year	Beneficiary Owners Registry established, as a new type of registry within the Business Registers Agency Registration Reports.	

6.2.7.3	Perform regular, integrated and direct control of non-profit organizations in the Republic of Serbia	<b>Ministry of Public Administration and Local Self-Government</b> Administrative Inspection Ministry of Finance - The Tax Administration	Continuously	<i>regular work activities</i> <b>Budget of the Ministry of Public Administration and Local Self-Government Administrative Inspection</b> 149.090 EUR per year	Reports on conducted direct control of non-profit organizations	
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INTERIM BENCHMARK 8	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia adopts and implements a strategy and action plan in line with the EU Strategy Against Trafficking in Human Beings and respecting human rights based approach. Republic of Serbia brings its legislation in line with the relevant EU acquis, strengthening its operational capacity, ensuring a more pro-active attitude of investigative authorities, focusing prevention efforts also on vulnerable groups such as children and Roma, preventing re-victimisation during investigation, prosecution or trial and provides training on the above to all relevant organisations and services, including to services that can help on the early identification of victims and/or potential victims.	Prevention system for assistance and protection of victims, including vulnerable groups, such as children and Roma improved, by functional linking and institutional capacity building of all partners.  Operational capacities have been improved as well as the proactive approach of the investigative authorities with the respect and protection of human rights, as the response to human trafficking.	National referral mechanism for the referring of victims of trafficking has been improved  Increased number of investigatons  Increased number of the identified victims of THB increased.  Increased number of discovered cases of THB, as the result of investigation



No	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.8.1	Implementation of the Strategy of prevention and fight against THB, especially women and children and protection of victims, for the period 2017-2022	<b>Ministry of the Interior</b> General Police Directorate, Office for coordination of the activities in fight against trafficking of human beings, in cooperation with the all state bodies and the OCD. - members of the special working group for the implementation and monitoring of the implementation of the Strategy	Continuously, starting from II quarter of the year 2018.	<b>Note:</b> <i>Costs are listed in the Action plan for the Strategy of prevention and fight against THB, especially women and children and protection of victims, for the period 2017-2022</i>	Activities from the Action plan <b>implemented</b>	
6.2.8.2	Report on the implementation of activities from the Action plan for the Strategy of prevention and fight against THB, especially women and children and victims protection, for the period 2017-2022	<b>Ministry of the Interior</b> - General Police Directorate, Office for coordination of the activities in fight against trafficking of human beings	Continuously, starting from II quarter of the year 2018.	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 89.424 EUR per year	Report on the Action plan, following the indicators stipulated in the Action Plan for the Strategy of prevention and fight against THB, especially women and children and victims protection in the Republic of Serbia for the period 2017-2022	

6.2.8.3	Draft a proposal of the Action plan for the Strategy of prevention and fight against THB, especially women and children and victims protection, for the period 2021-2022	<b>Ministry of the Interior</b> - General Police Directorate - Office for coordination of activities in fight against trafficking of human beings, in cooperation with the all state bodies and the OCD. - member of the special working group for the implementation and monitoring of the implementation of the Strategy and the Action for for prevention and fight against THB, especially women and children and victims protection, for the period 2017-2022	IV quarter of the year 2020	<i>regular work activities of all institutions</i>  <i>2.205 EUR per one member of the Special Working group, for the year 2020</i>	A proposal of the Action plan for the Strategy for prevention and fight against THB, especially women and children and victims protection, for the period 2021-2022 <b>drafted</b>	
6.2.8.4	Conduct the comprehensive analysis of the alignment of the national legislation with the EU acquis, in the field of fight against trafficking of human beings, with the focus on Directive 2011/36/EU, 2011/92/EU on the fight against sexual violence and exploitation of children as well as child pornography, including Communication of the European	<b>Ministry of Justice</b> Ministry of the Interior - General Police Directorate - Office for coordination of activities in fight against trafficking of	III quarter of the year 2021	<i>regular work activities of all institutions</i>  <i>2.205 EUR per one member of the Special Working group, for the year 2020</i>  <i>1.890 EUR per one member of the</i>	The analysis with the recommendation for Directive 2011/36/EU and Communication of the European Commission to the European Parliament and Council conducted The report on the steps taken about the EU Strategy towards the	

	Commission of 04 December 2017 and the system Amber Alert	human beings, in cooperation with the all state bodies and the OCD. - member of the special working group for the implementation and monitoring of the implementation of the Strategy and the Action for for prevention and fight against THB, especially women and children and victims protection, for the period 2017-2022		<i>Special Working group, for the year 2021</i>	Eradication of trafficking in human beings and identifying further concrete action COM/2017/0728 The analysis with the recommendation for Directive 2011/92/EU conducted  The analysis with a recommendation regarding the Amber Alert System	
6.2.8.5	Align the normative framework, following the results of the analysis	<b>Ministry of Justice</b> Public Prosecutor Office Ministry of the Interior	III quarter of the year 2022	<i>regular work activities of all institutions</i>  <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2022  <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2022	The normative framework aligned	

6.2.8.6	Conduct an external evaluation of the implementation of the Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children and Protection of Victims 2017-2022	<b>Ministry of the Interior</b> - General Police Directorate - Office for coordination of activities in fight against trafficking of human beings	IV quarter of the year 2021	<i>Deutsche Gesellschaft für Internationale Zusammenarbeit - GIZ and Migration, Asylum, Refugees Regional Initiative – MARRI</i> Regional Project "Prevention and Combating Trafficking in Human Beings". <b>Total value of the project: 5.000.000 EUR</b>	Evaluation in line with the indicators foreseen in the Strategy for Prevention and Suppression of Trafficking in Persons, Especially Women and Children and Protection of Victims 2017-2022	
6.2.8.7	Draft a new National Strategy for the eradication of trafficking in human beings in the Republic of Serbia for the period 2023-2028. with the accompanying Action Plan for the period 2023-2025	<b>Ministry of the Interior</b> - General Police Directorate - Office for coordination of activities in fight against trafficking of human beings, in cooperation with the all state bodies and the OCD. - member of the special working group for the implementation and monitoring of the implementation of the Strategy and the Action for for prevention and fight against THB, especially	IV quarter of the year 2022	<i>Deutsche Gesellschaft für Internationale Zusammenarbeit - GIZ and Migration, Asylum, Refugees Regional Initiative – MARRI</i> Regional Project "Prevention and Combating Trafficking in Human Beings". <b>Total value of the project: 5.000.000 EUR</b>  <i>Support is also expected under the Migration Partnership for Switzerland.</i>	New National Strategy for the eradication of trafficking in human beings in the Republic of Serbia for the period 2023-2028. with the accompanying Action Plan for the period 2023-2025 drafted	

		women and children and victims protection, for the period 2017-2022				
6.2.8.8	Strengthen the human resources capacities of the human trafficking investigation units, which are within the Criminal Police Directorate- Services for Combating Organised Crime and Regional Police administration, on the crime prevention activities and prosecutors for investigation of all types of THB, in particularly in the field of labor exploitation, following the best practice in the EU, to effectively process individuals and legal entities	<b>Ministry of the Interior</b> - General Police Directorate - Criminal Police Directorate - Service for Combating Organised Crime Republic Public Prosecutor's Office Ministry of Labour, Employment, Veteran and	Starting from I quarter of the year 2019 - continuously	<b>Twinning Project IPA 2014</b> - Support for strengthening fight against trafficking in human beings" total value 1.000.000 EUR	Training of police officers, prosecutors, officers in the Center for Protection of Victims of Trafficking of human beings, Labor Inspectorate, Administration for the prevention of money laundering and terrorism financing, social institution and others	
6.2.8.9	Improve the capacity of the police and prosecutors offices, through the organization of the basic training and seminars, in cooperation with the OCD, for police officers and prosecutors, which may come into the first contact with presumed victims of human trafficking	<b>Ministry of the Interior</b> - General Police Directorate - Criminal Police Directorate - Service for Combating Organised Crime Republic Public Prosecutor's Office	IV quarter of the year 2020	<b>Twinning Project IPA 2014</b> - Support for strengthening fight against trafficking in human beings" total value 1.000.000 EUR	The 60% of police officers from the unit for investigations of THB  The number of police officers/prosecutors trained /in total and related to the type of training/ Training courses conducted with the aim of improvement of prevention and protection of victims of THB and establishment of the Early warning system, in cooperation	

					with the OCD	
6 2 8 10	Improve the process of identification and protection of the victims of THB, including the vulnerable groups, such as Roma and children, at all stages of the preliminary identification to full reintegration, as well as through criminal procedure, in line with the EU standards	<b>Ministry of Labour, Employment, Veteran and Social Policy</b> Ministry of the Interior Public Prosecutor Office	IV quarter of the year 2022	<b>Twining Project IPA 2014</b> -Support for strengthening fight against trafficking in human beings” <i>total value 1.000.000 EUR</i>  <i>Deutsche Gesellschaft für Internationale Zusammenarbeit - GIZ and Migration, Asylum, Refugees Regional Initiative – MARRI</i> Regional Project "Prevention and Combating Trafficking in Human Beings" <i>Total value of the project: 5.000.000 EUR</i>	The number of identified victims, The number of victims with the status: sensitive witness The number of charges The number of convictions Signed memorandums are being implemented	
6 2 8 11	Implement recommendations following the results of the Functional analysis of existing	<b>Ministry of the Interior</b> Public Prosecutor	IV quarter of the year 2022	<b>Twining Project IPA 2014</b> -Support for	Report of the Inter-Sectoral Working group for alignment of the	

	cooperation mechanisms, with the recommendation for alignment of the existing cooperation mechanism of the competent authorities, following the proactive approach	Office, Ministry of Labour, Employment, Veteran and Social Policy		strengthening fight against trafficking in human beings” total value 1.000.000 EUR	existing mechanism of cooperation of the competent bodies and establishment of the new mechanism, following the proactive approach	
6 2 8 12	Deliver Multidisciplinary training for local police, prosecutors, social services, Center for the Protection of Trafficking Victims, Commissariat for Refugees and Migration, Health Services and others on recognizing victims of trafficking among vulnerable categories of migrants (young women, children, unaccompanied minors, victims of trafficking), especially those who in the chain of smuggling of migrants.	<b>Ministry of the Interior</b> - General Police Directorate - Criminal Police Directorate - Service for Combating Organised Crime Public Prosecutor Office Ministry of Labour, Employment, Veteran and Social Policy	Continuously, starting from III quarter of the year 2020.	<i>Costs and the required funds listed in the Action plan for the implementation of the Strategy.</i>	The number and type of conducted training  The 60% of police officers from the unit for investigations of THB, prosecutors, social services, Center for the Protection of Trafficking Victims, Commissariat for Refugees, Health Services, and others.  The number of identified victims among vulnerable migrants (young women, children, unaccompanied minors, victims of trafficking)	
6 2 8 13	Appoint the National Rapporteur on Trafficking in Human Beings at the institution of the Ombudsman	<b>Ministry of State Administration and Local State bodies and Ministry of Interior, General Police Directorate, National anti-trafficking coordination office.</b>	I quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Ombudsman</b> 14.904 EUR per year	Law on the Ombudsman adopted The Ombudsman institution has established capacities for independent monitoring of activities in the fight against trafficking in human beings, especially with a focus on the rights of victims of trafficking and the protection of human rights.	

INTERIM BENCHMARK 9	OVERALL RESULT	INDICATOR OF IMPACT
<p>The Republic of Serbia prepares, adopts and implements a strategy and action plan to effectively address cyber criminality in line with the EU strategic and operational approach against cybercrime. Serbia strengthens its operational capacity (in terms of staffing and equipping the High Tech Crime Unit) to deal with cyber criminality and aligns its legislation with the relevant EU acquis, including as regards on-line child sexual abuse, provides specialised training and raises the awareness among civil servants and the public on cyber criminality.</p>	<p>Implementation of the Strategy and the Action Plan for fight against Cyber Crime in the Republic of Serbia.</p> <p>Administrative and technical capacities of state bodies incharged for fight against organised crime improved</p> <p>Full alignment with the european legislation, in the field of Cyber Crime, especially regarding sexual abuse of children on the Internet; Improved level of awareness of public and civil servants in the field of the Cyber Crime</p>	<p>An effective fight against Cyber Crime in line with the strategic and operational approach of the EU.</p> <p>Improved level of knowledge and quality of work of all employees.</p> <p>Improved mechanisms for combating all forms of high-tech crime, in line with EU standards.</p> <p>Improved level of efficiency of state authorities in the fight against Cyber Crime crime and sexual exploitation of children;</p> <p>Workshops and tribunes on Cyber Crime crime.</p>



No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6 2 9 1	Implement the Strategy and Action plan for fight against Cyber Crime in the Republic of Serbia	<b>Ministry of the Interior</b> Ministry of Justice Republic Public Prosecutor's Office Ministry of Trade, Tourism and Telecommunication, Regulatory Agency for Electronic communication and postal services - RATEL Security Information Agency, Ministry of Defence	For the period 2019-2023	<i>Costs of the responsible authorities and/or participants in the AP</i>	Activities implemented following deadlines prescribed in the Action plan	
6 2 9 2	Report on the implementation of the Strategy and the Action plan for fight against Cyber Crime	<b>Ministry of the Interior</b> Ministry of Justice Republic Public Prosecutor's Office Ministry of Trade, Tourism and Telecommunication, Regulatory Agency for Electronic communication and postal services - RATEL Security Information Agency Ministry of Defence	For the period 2019-2023	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 89.424 EUR per year	Report following indicator stipulated in the AP for implementation of the Strategy for the fight against Cyber-Crime in the Republic of Serbia	

6 2 9 3	Strengthen the capacity of the Special Prosecutor's Office for Cyber Crime	<b>Ministry of Justice</b> Special Prosecutor's Office for Cyber Crime State Prosecution Council	Continuously	<b>Budget of the Special Prosecutors Office for Cyber Crime –</b>  8.200.000 RSD per year  (1EUR = 120 RSD)	Systematization extended by 2 deputy public prosecutors, 5 prosecutors' assistants 5 administrative staff members Adequate material and technical conditions created	
6 2 9 4	Strengthen the capacity of the Special Prosecutor's Office for Cyber Crime, Department for the fight against Cyber Crime in the Ministry of the Interior, judges and other relevant institutions, through trainings	<b>Judicial Academy</b> Ministry of the Interior - Sector for Human Resources	Starting from the year 2015 ,continuously	<b>Project CE – iProceeds</b> , for South-Eastern Europe and Turkey, who deals with property resulting from a criminal act committed via the Internet. Total value 5.560.000 EUR, for the period 1 January 2016 - 30 Jun 2019.	Trainings delivered  Reports on delivered trainings	

6 2 9 5	Strengthen the human resources capacities of the Section for investigations of the credit card, e-commerce, and e-banking abuses and the Section for combating of illicit and harmful content on the internet, of the Ministry of the Interior, Service for Combating Organised Crime - Department for the fight against Cyber Crime in accordance with the new Rulebook on internal organization and jobs classification in the Ministry	<b>Ministry of the Interior</b> Criminal Police Directorate Service for Combating Organised Crime Sector for Human Resource	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 74.520 EUR per year, per one Section	Workplaces of the Section for investigations of the credit card, e commerce and e-banking abuses, and the Section for combating of illicit and harmful content on the internet fulfilled. 5 police officers hired in each section	
6 2 9 6	Conduct the analysis of the existing normative framework, to determine the level of alignment with the Council of Europe Convention on cybercrime ( <u><i>Budapest convention - ETS 185</i></u> ), Additional Protocol to the Convention (ETS 189) and Directive 2013/40/EU of the European Parliament and of the Council on attacks against information systems	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Ministry of trade, tourism and telecommunicati	IV quarter of the year 2020	<i>iProceeds Project</i> of the EU and the Council of Europe	Analysis conducted	

6.2.9.7	Draft a proposal of laws and by-laws, following the analysis	<b>Ministry of Justice</b> Ministry of the Interior Republic Public Prosecutor's Office Ministry of Trade, Tourism and Telecommunication	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Justice</b> 34.776 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 24.840 EUR for the year 2020 <b>Budget of the Republic Public Prosecutor's Office</b> 14.904 EUR for the year 2020 <b>Budget of the Ministry of trade, tourism and telecommunication</b> 9.936 EUR for the year 2020	Proposal of the new laws and by-laws <b><i>drafted</i></b> / Instruction on the Contact Point 24/7 of the Council of Europe Convention on Combating Cyber Crime	
6.2.9.8	Adopt the proposal of laws and by-laws, following the analysis	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	I quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly</b> 40.008 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021	Proposal of the new laws and by-laws <b><i>adopted</i></b> / Instruction on the Contact Point 24/7 of the Council of Europe Convention on Combating Cyber Crime	

6.2.9.9	Continuously raising awareness of the professional and general public on dangers of cybercrime, its impact to the society, objectives of the special and general prevention, the need for proactive action by the competent state authorities and institutions in this field, but also the need for autonomous protection against the dangers of this type of crime, learn about upcoming trends in the commission of offenses in this field	<b>Public Prosecutors Office</b> Ministry of the Interior Ministry of Justice	Continuously	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 14.904 EUR per year	Signed cooperation agreements regarding the implementation of a part of the activities with relevant institutions academic and civil organizations	
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INTERIM BENCHMARK 10	OVERALL RESULT	INDICATOR OF IMPACT
<p>Republic of Serbia steps up the fight against the storage, sale and ownership of illegal firearms (in particular linked to terrorist activities), implements the new Law on Weapons and Ammunition and adopts and implements its future Strategy and Action Plan on Small Arms and Light Weapons for the period 2016 – 2021. Serbia steps up its operational capacity (including intelligence collection, analysis and exchange of information), further aligns its legislation with the relevant EU acquis, establishes a centralised system to register seized arms and exchanges information on it and ensures secure storage and destruction of confiscated weapons.</p>	<p>Implementation of the Strategy for small arm and light weapons control and its Action plans adopted in accordance with the Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024. Further alignment of normative framework with the EU acquis and international protocols. Improved and upgraded storages, warehouses and evidence rooms in accordance to the EU standards to step up the illegal activities linked to weapons misuse, organised crime and terrorist activities. Improved Crime scene management of the Ministry of the Interior in the field of custody chain, crime scene investigations, ballistic laboratory technical equipping and accreditation. Administrative capacities building to conduct criminalistic investigation based on intelligence in the country and with the partners in the region and in EU. All relevant law enforcement officers in the area of small arms and light weapons control trained to fight against illicit trafficking, possession of the weapons, ammunition and explosives.</p>	<p>Percentage of the implemented activities of the Strategy and accompanied APs; performed activities within the 14 KPIs and 7 goals of the Roadmap for SALW; number of improved storage warehouse / evidence room; number of seized, confiscated, surrendered and destroyed weapons; number of incidents, criminal offences and convictions in regards to the weapons, ammunition, explosives and explosives devices; number of exchanged information; number of trained officers; number of trainings / workshops</p>

6 2 10 1	Implementation of the Strategy for the period 2019-2024 and the accompanied Action plans for Small Arms and Light Weapons Control	<b>Ministry of the Interior</b> and other relevant state authorities	Continuously	Cost of the Strategy will be listed within the Strategy and accompanied Action plans for its implementation	Percentage of realization of the goals of the Strategy and the Action Plan / Reports of the Special Working group for Strategy implementation and monitoring of the implementation	
6 2 10 2	<p>Monitor and report the implementation of the Action Plan based on 14 key indicators from the Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024</p> <p>Implementation and reporting on the regional Roadmap for SALW based on 14 Key Performance Indicators (KPIs)</p>	<b>Ministry of the Interior</b>	Continuously 2019 – 2024	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 18.630 EUR per year	Progress Report on the implementation of the regional Roadmap for sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024 which shows indicating the number of aligned normative and strategic documents, with the EU acquis; number of seized, confiscated, surrendered and destroyed weapons; number of incidents, criminal offences and convictions in regards to the weapons, ammunition, explosives and explosives devices; number of exchanged information; state of play on storage warehouse/evidence room improvement	

6 2 10 3	Organization of the Local Coordination Meeting on progress in the implementation of the regional Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024	<b>Ministry of the Interior</b> Sector for International Cooperation, EU Affairs and Planning	Continuously, twice a year /II and IV quarter/	Funds are provided by the <b>SEESAC/UNDP</b>	Meeting organised and held Participation to the Regional meeting. Report on participation to the Regional meeting with adopted conclusions for further steps	
6 2 10 4	Participation in the Regional Coordination Meeting on progress in the implementation of the regional Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024	<b>Ministry of the Interior</b> Sector for International Cooperation, EU Affairs and Planning General Police Directorate, Republic Public Prosecutor's Office	Continuously, twice a year /II and IV quarter/	Funds are provided by the <b>SEESAC/UNDP</b>	Participation to the Regional meeting. Report on participation to the Regional meeting with adopted conclusions for further steps	
6 2 10 5	Conduct the Analysis of the alignment of the Law on weapons and ammunition, with the EU acquis	<b>Ministry of the Interior</b>	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 16.146 EUR for the year 2020 <u>Supported by the UNDP – SEESAC</u>	Conducted Analysis of the alignment of the Law on weapons and ammunition, with the EU acquis	

6 2 10 6	Draft a proposal of f the new Law on weapons and ammunition, following the analysis	<b>Ministry of the Interior - Intersectoral working group</b>	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 11.924 EUR for the year 2020 <b>Budget of the Ministry of Health</b> 9.936 EUR for the year 2020 <b>Budget of the Ministry of Trade, Tourism and Telecommunication</b> 7.949 EUR for the year 2020 Budget of the <b>Ministry of Foreign Affairs</b> 3.975 EUR for the year 2020 <b>Budget of the Ministry agriculture, forestry and water management</b> 5.962 EUR for the year 2020 <b>Budget of the Ministry of Defense</b> 3.975 EUR for the year 2020 <b>Budget of the Ministry of Youth and Sports</b> 3.975 EUR for the year 2020 <b>Budget of National Arms Association of Serbia</b> 1.987 EUR for the year 2020 <b>Budget of the Serbian</b>	Proposal of the new Law on weapons and ammunition drafted	
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				<b>Chamber of Commerce</b> 1.987 EUR for the year 2020 <b>Budget of the Hunters Association of Serbia</b> 1.987 EUR for the year 2020 <u>Supported by the UNDP - SEESAC</u>		
6 2 10 7	Adopt the new Law on weapons and ammunition	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	I quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021	Adopted and published Law on weapons and ammunition	
6 2 10 8	Strengthen the capacity of the Ministry of the Interior through training of staff on implementation of the new Law on weapons and ammunition	<b>Ministry of the Interior</b>	Continuously starting from 2021	It is expected to be realized through the international donations	Trainings of 100% of the police officers in the field of the implementation of the new Law on weapons and ammunition delivered	
6 2 10 9	Alignment of the Deactivation legislative framework including analyses of the national legislative and technical equipment and its practical implementation	<b>Ministry of the Interior, Proof House in the Republic of Serbia</b>	II quarter of the year 2021	<b>OSCE unknown budget (TBC)</b>	Analysis of the national normative framework and Analysis of the technical equipment and tools conducted. Proposal of the new Rulebook on deactivation by the Working group drafted. New Rulebook adopted and published. Necessary deactivation equipment provided. Training	

					of the deactivation experts conducted.	
6.2.10.10	Establish the Council for the control of small arms and light weapons	<b>Ministry of the Interior</b> Government of the Republic of Serbia	I quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the Ministry of the Interior</b> 9,315 EUR for the year 2020	Government Decision of the establishment of the Council for the control of small arms and light weapons	
6.2.10.11	Establish the Focal point for Firearms in the Ministry of the Interior	<b>Ministry of the Interior</b> General Police Directorate	I quarter of the year 2021	<u><i>No costs required</i></u>	The Focal point for Firearms in the Ministry of Interior established and operating  Information exchanged (number of exchanged information with the partners in the region; number of exchanged information with EU member states / other nFFPs)	
6.2.10.12	Conduct the Functional analysis of the performance related to weapons ammunition, explosives and hazardous materials smuggling, to improve the operational efficiency through the change of the organizational structure of the Ministry of Interior	<b>Ministry of the Interior</b> General Police Directorate Criminal Police Directorate Service for Combating Organised Crime	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 49,860 EUR for the year 2020	The Functional analysis of the performance related to weapons ammunition, explosives and dangerous materials smuggling conducted. Operational efficiency through the change of the organizational structure of the Ministry of Interior increased.	

6.2.10.13	Strengthen capacities of the Criminal Police Directorate to design and implement evidence- based SALW control in the area of illicit trafficking and possession of weapons	<b>Ministry of the Interior</b> General Police Directorate Criminal Police Directorate Service for Combating Organised Crime Sector for Human Resources	II quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Note:</b> <i>Budget of the Ministry of the Interior depends on the results of the Functional analysis of the performance related to weapons, ammunition, explosives and dangerous materials</i>	Analysis of capacities of the Criminal Police conducted; SOPs for Criminal police developed; equipment for Criminal police, and training for usage of equipment provided; thematic trainings / workshops for Criminal police organised	
6.2.10.14	Participation in the exchange of information, within the Agreement, signed with the Focal Point for firearms of the Europol	<b>Ministry of the Interior -</b> General Police Directorate Criminal Police Directorate Service for Combating Organised Crime Directorate for International Operational Police Operation	Continuously	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 932 EUR for one working day	The number of information sent to the central point of EUROPOL for firearms by the Criminal Police Directorate through EUROPOL (contribution) <b><u>Increased number of information exchanged via SIENA.</u></b>	
6.2.10.15	Conduct the GAP analysis of the normative framework as well as the proposal of amendments of the normative framework, to establish a centralized database of seized, stolen, missed and found firearms	<b>Ministry of the Interior</b> General Police Directorate, Criminal Police Directorate, Sector for analytics,	I quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 17.388 EUR for the year 2020 <b>Budget of the Government of the</b>	The Analysis <b><u>conducted.</u></b> Normative framework amended to establish a centralized database of seized, stolen, missed and found firearms	

		telecommunication and information technologies		<b>Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly</b> 40.008 EUR for the year 2021 <u>Supported by the UNDP - SEESAC</u>		
6.2.10.16	Improve the established centralized database of seized, stolen, missed and found firearms, in accordance with the analysis	<b>Ministry of the Interior</b> General Police Directorate, Criminal Police Directorate, Sector for analytics, telecommunication and information technologies,	I quarter of the year 2021	Note: <i>Negotiations with the donor in progress / evaluation of the value of the investment will be known after completion of the analysis of the normative part</i>	Data base established. The number of data exchanged, in the field of seized, stolen, missed and found firearms increased  Established data base improved. The number of data exchanged, in the field of seized, stolen, missed and found firearms increased. Number of exchanged information	
6.2.10.17	Strengthen capacities of the Border Police Directorate to design and implement SALW control in the area of illicit trafficking and possession of weapons	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate Sector for Human Resource		Supported by SEESAC/UNDP	Upon conducted Analysis of capacities of the Border Police SOPs <b>developed</b> ; equipment for Border police, and training for usage of equipment <b>provided</b> ; thematic trainings / workshops for Border police <b>organised</b>	

6.2.10.18	Building and improving the capacities of the Ministry of the Interior in strengthening of K-9 capabilities in detecting weapons and explosives	<b>Ministry of the Interior</b> General Police Directorate	I quarter of the year 2021	<i>Supported by Organization for Security and Co-operation in Europe - OCSE</i>	Assessment of the existing K-9 capability conducted; Plan for the improvement of the K-9 developed; Working Group for the improvement of the K-9 established; Specialised vehicles, and assistance in refurbishing/constructing veterinary infrastructure provided	
6.2.10.19	Upgrade and improve the storage spaces/warehouse/evidence rooms for the safe storage of surrendered and seized weapons	<b>Ministry of the Interior</b> Sector for material - financial affairs	II quarter of the year 2021	<i>Funds are provided by the SEESAC/UNDP Total value of the Project: 1.000.000 USD</i>	A storage space/warehouse equipped in accordance with the EU standards Storage spaces/warehouses/evidence rooms in accordance with the EU standards improved and equipped	
6.2.10.20	Strengthen the criminal justice response against weapons trafficking by: 1. Conducting the Analysis of the alignment of the legislation with the UN Firearms Protocol and; 2. Capacity building for law enforcement and prosecution to detect, investigate and prosecute illicit trafficking of weapons in connection to other criminal offences; 3. Supporting the criminal justice data harmonisation	<b>Ministry of Justice</b> Republic Public Prosecutor's Office Ministry of the Interior	Continuously starting from 2020	<i>Funds are provided by the United Nations Office on Drug and Crime – UNODC</i>	Analysis of the alignment of the legislation with the UN conducted  Capacities of the law enforcement and prosecution upgraded through participation in specialized training courses  Criminal justice data collection enhanced through participation in specialized meetings	

6.2.10.21	Enhancement of the capacity of the Ministry of the Interior, in the field of custody chain, crime scene investigations and the ballistic laboratory in the field of trafficking of firearms through the accreditation of the ballistic laboratory, technical equipment and trainings in the field of ballistic identification	<b>Ministry of the Interior</b> - General Police Directorate – Criminal Police Directorate	I quarter of the year 2021	<i>Funds are going to be provided by the UNDP and NABIS</i>	SOPs for ballistic laboratory <b>developed</b> ; Ballistic laboratory <b>accredited</b> ; Technical equipment <b>provided and functioned</b> ; training for usage of equipment and ballistic identification <b>provided</b>	
6.2.10.22	Strengthen the administrative capacity of the Ministry of the Interior, through trainings, in the field of ballistic identification, monitoring and control of the small arms and light weapons - SALW <sup>32</sup>	<b>Ministry of the Interior</b> General Police Directorate – Criminal Police Directorate, PA in the city of Belgrade, PA in the city of Uzice, PA in city of Nis PA in the city Novi Sad	Starting from the I quarter of the year 2021	Funds are going to be provided by the Ministry for Europe and Foreign Affairs of France, in accordance with the Agreement on Donation of the Automated Ballistic Identification system - Evofinder	100 percentage of the Evofinder users in 4 towns in the Republic of Serbia trained to use the Automated Ballistic Identification system- Evofinder	
6.2.10.23	Reduce risk and increase safety in the area of small arms and light weapons misuse in domestic violence context	<b>Ministry of the Interior</b> Ministry of Justice	II quarter of the year 2021	Funds will be provided by the UNDP in the amount of 294.462 USD	Legal and institutional measures in the context of domestic, partner and gender based violence addressed;  Number of cases in the context of domestic, partner and gender based violence reduced Staff capacity and special services for the victims of violence improved	

<sup>32</sup> *Agreement on Donation of the Automated Ballistic Identification system - Evofinder*

6.2.10.24	Plan, design and implement the awareness raising campaigns on the dangers of SALW and the improved SALW control	<b>Ministry of the Interior</b>	I quarter of the year 2021	Funds will be provided by the Organization for Security and Co-operation in Europe - OCSE in the amount of 351.163 EUR	<p>Working Group for analysis, planning, design and implementation of the awareness raising campaigns established</p> <p>Campaign(s) under the auspices of the Working Group designed and implemented</p> <p>Partnership of the Ministry of the Interior, with the civil society established</p> <p>Social Media Platform for campaigns on prevention of SALW proliferation established</p>	
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INTERIM BENCHMARK 11	OVERALL RESULT	INDICATOR OF IMPACT
Based on the results of an impact assessment, Serbia provides extra staff, training and equipment to the Witness Protection Unit in the Ministry of the Interior	More efficient implementation of the Protection Program, by trained and equipped members of the Witness Protection Units, as well as providing psychological support by specialized experts in the field of psychology and social protection.	The highest level of the witness protection system, which is being implemented by the Witness Protection Unit and adequate implementation of all measures imposed, which are prescribed by the Law on the Protection Programme for Participants in Criminal Proceedings

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
6.2.11.1	Implement measures to improve the status and capacity of the Witness Protection following the results of the analysis (report)	<b>Ministry of the Interior</b> - Witness Protection Units	IV quarter of the year 2020	<b>Link:</b> the Activity prescribed in the Action Plan for the Chapter 23 - Judiciary and Fundamental Rights - Subchapter War Crimes	All recommendations implemented	
6.2.11.2	Strengthen the HR capacity of the Witness Protection Unit by increasing the number of staff and involving experts in psychology and social sciences from other police departments	<b>Ministry of the Interior</b> Witness Protection Units	I quarter of the year 2021	<i>regular work activities existing staff</i> <b>Budget of the Ministry of the Interior</b> 14.904 EUR per year for police psychologists 89.424 EUR per year for 6 police officers in charge for the implementation of Programme	Deployed employees in the Witness Protection Units / police psychologist and 6 police officers in charge for the implementation of Programme	



6.2.11.3	Improve material-technical capacities of the Witness Protection Unit, with the focus of procurement of the adequate vehicles with the communication devices, as well as continuously modernization of other IT and technical equipment	<b>Ministry of the Interior</b> Witness Protection Units	Continuously, <i>after conducting the analysis</i>	<i>Link</i> the Activity prescribed in the Action Plan for the Chapter 23 - Judiciary and Fundamental Rights - Subchapter War Crimes redistribution of existing equipment in the Ministry	Improved equipment of the Witness Protection Unit ( <i>vehicles with communication devices, security tactical equipment and IT equipment</i> )	
6.2.11.4	Draft a proposal of the adequate by-laws, for the efficient implementation of the protection measures of the Change of Identity, in accordance with the Article No. 45, of the Law on the Protection Programme for Participants in Criminal Proceedings	<b>Ministry of Justice</b> and all relevant state bodies Public Prosecutors Office, in cooperation with the Witness Protection Unit Ministry of Interior	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 10.867 EUR for the year 2020 <b>Budget of the Ministry of Justice</b> 10.867 EUR for the year 2020 <b>Budget of the Public Prosecutors Office</b> 5.434 EUR for the year 2020	<i>Link</i> The same activity is stipulated within the Action plan for the Chapter 23 - Judiciary and Fundamental Rights - <i>subchapter War Crimes</i>  Adequate by-laws, for the efficient implementation of the protection measures of the Change of Identity, in accordance with the Article No. 45, of the Law on the Protection Programme for Participants in Criminal Proceedings drafted	
6.2.11.5	Adopt the adequate by-laws, for the efficient implementation of the protection measures of the Change of Identity, in accordance with the Article No. 45, of the Law on the Protection Programme for Participants in Criminal Proceedings	<b>Government of the Republic of Serbia</b>	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	<i>Link</i> The same activity is stipulated within the Action plan for the Chapter 23 - Judiciary and Fundamental Rights - <i>subchapter War Crimes</i>  Adequate by-laws, for the efficient implementation of the protection measures of the Change of Identity, in accordance with the Article No. 45, of the Law on the Protection Programme for	

					Participants in Criminal Proceedings adopted	
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INTERIM BENCHMARK 12	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia establishes an initial track record of efficient and effective investigation, prosecution and convictions in organised crime cases, including the confiscation of criminal assets.	Increased efficiency and effectiveness of overall criminal legal procedures in the area of organised crime.	Number of final convictions percentage of trained staff, confiscated criminal asset

6.2.12.1	Establish the Working Group composed of representatives of the prosecution, courts, police, lawyers and higher education institutions - Faculty of Law, University of Belgrade, which will deal with the analysis of all parts of the criminal legal procedure, to identify and eliminate the weaknesses and deficiencies of the criminal-legal procedure	Working group-chairman /Ministry of Justice/, the Republic Public Prosecutors Office, courts, Ministry of Interior Faculty of Law, University of Belgrade, Bar Association of Serbia	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020 <b>Note:</b> <i>All other costs related to the work of the Working group will be available after the establishment</i>	Working group for analysis of all parts of criminal legal procedure formed Tasks of the Working group defined/ analysis, identification of weaknesses and deficiencies of the criminal legal procedure, proposed measures for elimination of identified weaknesses and deficiencies	
6.2.12.2	Conduct a comprehensive analysis of the effectiveness of the criminal legal system, based on completed cases, with a particular focus on the confiscation of criminal assets	Working group-chairman /Ministry of Justice/, the Republic Public Prosecutors Office, courts, Ministry of Interior Faculty of Law, University of Belgrade, Bar Association of Serbia	<b>III quarter of the year 2021</b>	All other costs related to the work of the Working group will be available after the establishment	Conducted analysis of normative, organizational framework, personnel and technical capacities Adopted recommendations of the analysis for elimination of the deficiencies identified in the normative and organizational framework, personnel and technical capacities of all participants in the criminal legal procedure	
6.2.12.3	Following the results of analysis and identified weaknesses and deficiencies of the	<b>Working group-</b> chairman /Ministry of Justice/, the	IV quarter of 2021	<i>Cost currently unknown</i>	Number of detected weaknesses and deficiencies Number of realized activities	

	criminal legal procedure, conduct activities for its elimination	Republic Public Prosecutors Office, courts, Ministry of Interior Faculty of Law, University of Belgrade, Bar Association of Serbia			Number of eliminated weaknesses and deficiencies	
6.2.12.4	Draft the Proposal of the Joint plan and program of trainings of participants in criminal legal procedure, in accordance with the recommendations of the analysis	Working group Judicial Academy University of Criminal Investigation and Police Studies	IV quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Judicial Academy</b> 14.904 EUR for the year 2021	The Proposal of the Joint plan and program of trainings <u><i>drafted</i></u>	
6.2.12.5	Adopt the Joint plan and program of training of participants in criminal legal procedure	"Working group Judicial Academy University of Criminal Investigation and Police Studies	I quarter of the year 2022	<i>No costs required</i>	Joint plan and program of training of participants in criminal legal procedure <u><i>adopted</i></u>	

6.2.12.6	Implement the Joint plan and program of training of participants in criminal legal procedure	<b>Judicial Academy</b> University of Criminal Investigation and Police Studies	Continuously, from the beginning of the year 2022	<i>Costs currently unknown</i>	Number / percentage of trained court staff, number / percentage of trained prosecutorial staff, number / percentage of trained police officers	
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## FIGHT AGAINST TERRORISM

### STATE OF PLAY

The Republic of Serbia has significantly improved its normative and institutional capacities in the field of combating terrorism. The Republic of Serbia reaffirms its commitment to combating terrorism and international cooperation by continuous and active participation in numerous international organisations and bodies.

#### Normative and strategic framework

The Republic of Serbia is currently a signatory of a total of 15 international legal instruments (*conventions*) on combating terrorism, which makes it one of the top countries of the United Nations, by the number of ratified universal anti-terrorism instruments.

Normative framework of the Republic of Serbia is mostly harmonized with the European Union acquis and international standards.

The most important laws and by-laws in this field are:

- *the Law on Organization and Jurisdiction of Government Authorities in Suppression of Organised Crime, Terrorism and Corruption*
- *the Criminal Code*
- *the Criminal Procedure Code*
- *the Law on Liability of Legal Persons for Criminal Offenses*
- *the Law on Execution of Criminal Sanctions*
- *the Law on International Restrictive Measures*
- *the Law on Seizure and Confiscation of Proceeds of Crime*
- *the Law on Freezing of Assets with the Aim of Preventing Terrorism and Financing of Proliferation*
- *the Law on Prevention of Money Laundering and Financing of Terrorism*

As regards strategic-doctrinal documents, the fight against terrorism in the Republic of Serbia is covered by the

- *National Security Strategy of the Republic of Serbia*
- *National Strategy Against Money Laundering and Financing of Terrorism*
- *National Strategy for the Prevention and Countering of Terrorism*

In December 2016, the Ministry of the Interior adopted the *Manual on the way of acting of organisational units of the Ministry in case of terrorist threats*. The Manual defines levels of security challenges, risks and threats from terrorism, the way of acting of organisational units of the Ministry, and the way of planning and managing in these situations.

In 2018, at the level of the Ministry of the Interior, a Working Group was formed to develop a document on directing and coordinating the work of the competent authorities in case of terrorist threats and other unpredicted events. This document is of the inter-ministerial charter, and it is developed to clearly define the tasks of state authorities, not only in case of terrorist attacks but also in case of natural disasters. This document will be adopted by the Government of the Republic of Serbia, as an instructive act.

## National Strategy against Money Laundering and the Financing of Terrorism

The National Strategy and the Action plan against Money Laundering and Financing of Terrorism (2015-2019) are no longer valid.

The Coordinating Body for Combating Money Laundering and Financing of Terrorism passed the Decision of establishing the Working Group for drafting new National Strategy against Money Laundering and Financing of Terrorism on December 02, 2019.

Proposed National Strategy against Money Laundering and Financing of Terrorism has been published on the APML website for public consultation in the period December 27, 2019 - January 16, 2020.

The Analysis of the implementation of the existing National Strategy and the Action plan against Money Laundering and Financing of Terrorism was adopted in October 2019 by the Coordinating Body.

Following the report, out of 109 activities from the Action plan, 87 (80%) are implemented continuously, 12 (11%) activities are partially implemented, and 10 (9%) activities are not implemented.

## Committee on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism – MONEYVAL

In April 2015, the Government of the Republic of Serbia made a decision on establishing the **Standing Coordination Group (SCG)** for monitoring the implementation of the National Strategy, which is a mechanism for coordinating state authorities involved in the system of combating money laundering and terrorism financing.

This coordination body was to monitor the implementation of the National Strategy and propose to the Government measures to improve the system for combating money laundering and financing of terrorism, manage the process of drafting a national risk assessment of money laundering and terrorist financing, and to manage the process of adoption and implementation of the activities according to the identified risks.

In June 2016, the Committee on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism – MONEYVAL published a Mutual Evaluation Report on Anti-Money Laundering and Counter-Terrorist Financing Measures in the Republic of Serbia, in which certain issues were raised, one of them being that a Standing Coordination Group was not efficient enough. Therefore, in October 2017, the Government of the Republic of Serbia decided to reduce the number of existing and appoint new members of the SCG, so that the issue of cooperation and coordination between state authorities would be raised to the highest level of priorities. Representatives of state authorities in the SCG are persons holding high positions within these bodies for the purpose of ensuring smooth and efficient implementation of the conclusions and activities of the coordination body.

Due to the issues raised in MONEYVAL's report as well as in the First Report on Enhanced Monitoring of September 2017, in November 2017, the Government of the Republic of Serbia adopted an Action Plan for the implementation of MONEYVAL's recommendations in order to eliminate shortcomings at the level of technical compliance and the level of effectiveness in the system of money laundering and financing of terrorism. For this reason, the SCG is focused on implementing MONEYVAL's recommendations and reporting on the implementation of these recommendations. The activities related to the implementation of MONEYVAL's recommendations are complementary to the activities of the National Strategy since the implementation of the MONEYVAL's recommendations also affects the implementation of certain measures and activities defined by the National Strategy.

In February 2018, the Government of the Republic of Serbia established a **Coordination Body for Combating Money Laundering and Terrorism Financing**, chaired by the Minister of Finance, tasked to direct and coordinate all activities of state authorities and other stakeholders envisaged by the National Strategy, as well as to coordinate all activities of state authorities and other stakeholders in meeting the obligations arising from the 2016 MONEYVAL report.

This has shown the highest political will and commitment of the Government of the Republic of Serbia to solving issues from the system of combating money laundering and financing of terrorism at the highest strategic and operational level. Serbia has fully implemented all FATF Action Plan items, and in many areas went a step further than requested in the FATF's Action Plan of February 2018.

This was acknowledged by ICRG's Europe-Eurasia Joint Group (EEJG) in their January 2019 Report to the ICRG by recommending an onsite assessment mission (which took place on May 27-28, 2019).

Also, at the plenary session, held in December 2018, the MONEYVAL assessed that the Republic of Serbia fulfilled as many as 10 FATF recommendations.

In June 2019 FATF Plenary decided to **remove Serbia from "grey list"**. By delisting Serbia FATF reaffirmed the significant progress Serbia had made in improving AML/CFT and counter-proliferation financing system and emphasized that the country had strengthened mechanism in this field, and had made efforts in implementing the FATF Action Plan for addressing both technical deficiencies (having regulations in place) and effectiveness issues (implementing the regulations in place).

During the plenary session, on December 2-6, the MONEYVAL **upgraded ratings on three more Recommendations, i.e. 6, 8, 18.**

#### National Strategy for the Prevention and Countering of Terrorism

**On a session held in October 2017, the Government of the Republic of Serbia adopted** The National Strategy for the Prevention and Countering of Terrorism 2017-2021, with the Action Plan.

The National Strategy defines the fundamental and lasting commitments, values and objectives of the policy of the Republic of Serbia in the field of prevention and countering of terrorism, and establishes a strategic-doctrinal framework of a comprehensive response to this threat, with an emphasis on the prevention of possible attacks with the support and participation of a wider social community. During the development of the National Strategy, generally accepted international standards and undertaken international legal obligations were used, in particular those established by the UN Charter, the UN Global Counter-Terrorism Strategy and the Council of Europe Convention on the Prevention of Terrorism. The National Strategy supports the objectives and values of the EU Counter-Terrorism Strategy, as well as other basic international instruments for countering terrorism. The National Strategy and the Action Plan are in line with Directive 2017/541 of the European Parliament and of the Council of March 15, 2017.

The National Strategy and the Action Plan are based on four principles of the European Union: **Prevention, Protection, Prosecution and Response**. Prevention implies a developed protection system enabling timely identification and reducing potential causes of radicalization and violent extremism; at the same time discouraging an individual or a group from resorting to violence or otherwise support terrorists. In the context of this Strategy, **protection** from terrorism implies a built system with defined procedures, activities and measures of responsible stakeholders, whose implementation will reduce the threat from a terrorist attack, i.e. prevent a concrete terrorist attack through detection and removal of weaknesses in the system of protection and limiting the possibilities of an individual or a group to commit a terrorist attack. **Criminal prosecution of terrorists** implies a developed system of conducting investigations on acts of terrorism and bringing to trial those who are responsible for committing criminal acts of terrorism, or crimes related to terrorist organizations and terrorist activities, which features fairness and efficiency. **The response** to a terrorist attack is to prepare institutions and systems that provide vital services to citizens, and citizens themselves, to manage and mitigate the consequences of terrorist attacks, including the provision of assistance to victims of attacks.

#### Critical infrastructure

The Republic of Serbia has already taken steps towards further harmonization of the normative framework with Directive 2008/114/EC on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection.



To learn about the international practice and normative framework in this field, the Ministry of the Interior took various activities, after which, a comprehensive and complex comparative GAP analysis, in the field of protection of the Critical infrastructure in the Republic of Serbia has been conducted.

After, inter-departmental Working group, established by the Government of the Republic of Serbia, was drafted a proposal of the Law on Critical Infrastructure, which was **adopted on the National Assembly session**, held on November 09, 2018. Also, an inter-ministerial working group was established for the drafting of by-laws on the basis of this Law.

## INSTITUTIONAL CAPACITIES

The Republic of Serbia has respectable institutional capacities, ready to respond to current security challenges in the field of terrorism.

The key public authorities in this area are Service for Combating Terrorism of the Ministry of the Interior, security intelligence services, i.e. Security Information Agency, the Military Security Agency and the Military Intelligence Agency, Prosecutor's Office for Organised Crime and Prosecutor's Office of special competence; Special Department of the Higher Court in Belgrade; Special Department of the Appellate Court in Belgrade; Administration for the Prevention of Money Laundering of the Ministry of Finance and other ministries and organizational units within those ministries, such as the Customs Administration and the Tax Administration of the Ministry of Finance, and Administration for Criminal Sanctions of the Ministry of Justice. Furthermore, institutions in charge of governing, coordinating, overseeing and controlling the work of the enforcement authorities of the security system in the Republic of Serbia have a significant role in this plan: the National Assembly, the President of the Republic, the Government of the Republic of Serbia, the judicial system, independent state institutions and monitoring bodies, as well as the Office of the National Security Council and Classified Information Protection.

The Republic of Serbia has several multi-sectoral working bodies, that is, groups dealing with coordination and cooperation, including the exchange of information in the area of prevention and combating terrorism.

By Decision of the Government of the Republic of Serbia dated April 18, 2019, National Coordination Body for Prevention and Fight against Terrorism (NCB) was formed and National Coordinator for Prevention and Fight against Terrorism was appointed. One of NCB tasks is to secure efficient implementation, monitoring, assessment and reporting on the implementation of the National Strategy for the Prevention and Countering of Terrorism 2017-2021, with the Action Plan.

In the previous period, alone or in cooperation with European and international partners, the Republic of Serbia has made significant efforts and taken a number of steps to improve institutional capacities in the field of combating terrorism, thus achieving their better coordination and increased operational efficiency.

To develop the operational capacities, the Service for Combating Terrorism is continuously investing efforts in improving its HR capacities, with the aim of more efficiently performing tasks within the scope of its competence. Bearing in mind the new trends and challenges faced by the Republic of Serbia in order to more efficiently perform the tasks and duties within its competence, the Rulebook on Internal Organisation and Job Classification in the Ministry of the Interior of the Republic of Serbia envisages the establishment of two new sections within the Service for Combating Terrorism: Section for the Prevention of Abuse of Public Sources -Internet, and the Section for International Exchange of Intelligence Operational Data. The HR capacities of the Service for Combating Terrorism are also strengthened, given that the number of police officers involved in combating terrorism and extremism has been increased by 23. As of 2019, the Service for Combating Terrorism has a total of 69 full-time police officers.

In order to enhance capacities to participate in possible joint investigation teams, during 2017 and 2018, the Service for Combating Terrorism police officers attended two training seminars, TAIEX study visit on the topic "Joint Investigation Teams – Terrorism-Related Criminal Offenses" and CEPOL Training "Joint Investigation Teams", within which four police officers were trained, who transferred the acquired knowledge and experience to other Service for Combating Terrorism officers. In order to improve the HR, material and technical capacities of the Service for Combating Terrorism, members of the Service for Combating Terrorism participated in a total of 62 international activities in 2017 and 2018, such as seminars, training seminars, workshops, etc., which were held both abroad and in the Republic of Serbia.

During 2019 police officers of the SCT participated in a total of 54 international activities (training, courses, seminars, workshops and study visits) which have served the professional development and advancement of human capacities such as.

The above activities were organised by: the Secretariat of the Police Cooperation Convention for Southeast Europe (PCC SEE), CEPOL, the French liaison officer responsible for combating terrorism in the Western Balkans and the German police liaison officer in Belgrade, International Law Enforcement Academy - ILEA, the US Embassy in Belgrade, the International Cooperation Program of the US Department of Justice - OPDAT, the US Department of Defense's Office for Military Cooperation in Belgrade, the Office for Cooperation with Civil Society, the OSCE Mission, Rosfinmonitoring, i.e. Federal Financial Monitoring Service from Russia, the Federal Investigation Bureau (FBI), the ICITAP Office in Belgrade and the Government of India, CEPOL, Metropolitan Police Counter Terrorism Command SO15, "George Marshall" Center, Swedish Police Directorate, UNDOC, TAIEX, International Civil Aviation Organization (ICAO), German Federal Criminal Police Office (BKA), International Organization for Migration (IOM), German Society for International Cooperation (GIZ), Embassy of the Netherlands and the Embassy of Germany in Belgrade, EUROPOL, DEVCO, EEAS, Regional Cooperation Council (RCC), Egypt's General Intelligence Service (GIS), International Institute for Justice and the Rule of Law (IJJ), RACVIAC, United Nations Office of Counter-Terrorism (UNOCT) and INTERPOL.

Participation in the aforementioned international activities has strengthened the Service for Combating Terrorism operational capacity in terms of acquiring new knowledge and skills: law enforcement and management skills development, internet investigations, international legal assistance and high-tech crime in counter-terrorism cases, fight against violent extremism and crisis management, joint investigation teams, criminal profiling, comprehensive security responses to terrorism, legal aspects of defence support of civil authorities and the role of forensic science in the fight against terrorism. The most important activities, in which representatives of the Service for Combating Terrorism were directly engaged in 2017 are following: ten police officers of the Service for Combating Terrorism attended training on human rights organised by the International Criminal Investigative Training Assistance Program (ICITAP); five police officers from the Service for Combating Terrorism attended a two-week Seminar on Cybercrime Investigations held in PR China; ten SBPT police officers attended training on combating violent radicalisation: detection, assessment and fight against foreign terrorist fighters and 14 police officers from the Service for Combating Terrorism attended training on Prevention of Radicalism.

The strengthening of the operational capacity in terms of professional development continued throughout 2018 and 2019 and police officers of the Service for Combating Terrorism took part in a number of international activities, the most important being: seminar on "Internet Investigations", training on "International Legal Assistance and High-Tech Crime in Cases of Combating Terrorism" during which six police officers of the Service for Combating Terrorism were trained and training on "The role of forensics in combating terrorism" in Gujarat, India, as a part of a seminar organised by the Government of India through Indian Technical and Economic Cooperation Programme for the school year 2018/2019, Study Visit on the topics Preventive Gateway Assessment (PGA) and Dynamic Investigation Framework (DIF), one police officer of the Service for Combating Terrorism participated in the "Program on Terrorism and Security Studies (PTSS 19-07)", one police officer of the Service for Combating Terrorism participated in a TAIEX Study Visit "Improving operational cooperation in the field of the fight against organised crime and terrorism", and six police officer of the Service for Combating Terrorism participated in a presentation of the topic "Measures and Investigation after the Terrorist Attack"

Regarding regional cooperation, since 2011, the Service for Combating Terrorism participates continuously in the work of the International Police Co-operation Initiative in the field of counter-terrorism activities in the Western Balkans (Western Balkan Counter-Terrorism Initiative - WBCTi). To date, representatives of the Service for Combating Terrorism have participated in all 12 working meetings, held with a goal to share experiences and information on the prevention and fight against terrorism, as well as information on experiences, challenges and means to advance joint operational work. Regarding this, in 2017, representatives of the Service for Combating Terrorism participated in two meetings (Sarajevo, Bosnia and Herzegovina, March 30-31, 2017, and The Hague, The Netherlands, December 11-12, 2017), during 2018 at a meeting organised in Portorož, Slovenia, October 23-25, 2018. During 2019, two meetings were organised: from 7 to 8 May 2019 in Belgrade (hosted by the Criminal Police Directorate of the Ministry of Interior of the Republic of Serbia) and from 25- 27 November 2019 in Ljubljana, Republic of Slovenia.

In June 2018, the regional project "First Line Practitioners Dealing with Radicalisation Issues – Awareness Raising and Encouraging Capacity Building in the Western Balkan Region" was initiated by Slovenia, and was funded by the European Commission. The project aimed at creating conditions for establishing a network of people who in their daily work have direct contact with citizens (health workers, teachers, social workers, police officers in direct contact with citizens), who would be trained to recognise initial indicators of radicalisation, according to the EU RAN model. In April 2018 four police officers of the Service for Combating Terrorism took part in the workshop organised within this project in Belgrade. The mentioned project was completed in June 2018.

Since 2018, the Service has been participating in the work of the Regional Network of National P/CVE Coordinators, and on this occasion, representatives of the Service for Combating Terrorism took part in working meetings held in Prague, the Czech Republic in June 2018 and in Budva, Montenegro in October 2018. During 2019, representatives of the Service for Combating Terrorism continued to participate in the meetings of the Regional Network of National Coordinators (RNNC). In this regard, two police officers of the Service participated in the Third Meeting, organised by the Integrative Internal Security Governance (IISG) from 23 to 25 April 2019, held in Tirana, R. Albania, as well as at the Fourth RNNC meeting, organised by IISG and the European Commission from 2 to 4 December 2019 in Skopje, Northern Macedonia.

In 2018, technical capacities were increased and police officers the Service for Combating Terrorism enabled direct access to Interpol ASF databases. In addition, since June 2019, the Service has established direct access to the Europol Platform for the secure exchange of information in the field of counter-terrorism CT SIENA (The Secure Information Exchange Network Application). Also, five police officers of the Service for Combating Terrorism have been designated as contact points to participate in Europol's Expert Platform SIRIUS.

In 2017 and 2018, the Service for Combating Terrorism received five offices, as well as 11 motor vehicles.

In the same period, IT equipment, in value of 38.5171 USD has been received from the Department of State (United States of America), throughout the cooperation with the ICITAP. Donation of Federal Republic of Germany has been in the form of information processing equipment, wherein the Service for Combating Terrorism donated 10 computers with associated computer equipment (monitors, printers)

Besides the strengthening of the HR capacities, in 2017 and 2018, through cooperation with foreign partners, equipment that contributed to the improvement of technical capacities was donated to the Service for Combating Terrorism. In October 2017, IT equipment in the amount of USD 3,436.17 was donated by ICITAP. In January 2018, donation of the Federal Republic of Germany in the form of IT equipment to the Ministry of the Interior of the Republic of Serbia was realised, the Service for Combating Terrorism being donated ten computers with accompanying IT equipment (monitors, printers). In April 2018, Criminal Analytics Department and the Service for Combating Terrorism were donated IT equipment by the US Government through the International Criminal Investigation Training Program (ICITAP) in the amount of USD 380.135.00, which substantially improved the material and technical capacities of the Service for Combating Terrorism. The material capacities of the Service for Combating Terrorism during 2019 reinforced through a donation of a Skoda Octavia motor vehicle, in the amount of RSD 2,117,340.00, donated by the German Federal Criminal Police Office (BKA) in cooperation with the Embassy of the Federal Republic of Germany in Belgrade.

The Republic of Serbia shall remain committed to improving the institutional capacities in the field of combating terrorism, their better coordination and increased performance. Certain steps have already been taken to establish a single national database on combating terrorism in order to improve the exchange of information in that area between the competent state authorities. At the initiative of the Ministry of Justice, the Government of the Republic of Serbia adopted the Decision on Forming the Working Group for the Establishment of a National Database on Combating Terrorism. Based on comparative legal solutions analysis and good European practices for establishing a unique terrorism-related national database and enhancing the capacities for effective information exchange, as well as a specific model for establishing a unified national database and exchange of information related to terrorism, the Working Group has drawn up the Draft Law on the National Database for Preventing and Combating Terrorism, which has gone through the phase of the public hearing.

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
<p>The Republic of Serbia enhances its efforts to ensure compliance with EU requirements in the field of antiterrorism Serbia adopts and implements a new Strategy to prevent and fight terrorism in line with the EU Counter-Terrorism Strategy, aligns its legislation to the maximum extent with the relevant EU acquis, continues to develop its operational capacity, deploys effective efforts to prevent radicalisation and extremism and steps up practical co-operation and information exchange with specialised services in the EU and its Member States</p>	<p>Achieving goals, defined by strategic documents of the EU and international standards, through the improvement of the normative framework, organisational and HR capacities, as well as through implementation of the public policies in the Republic of Serbia</p>	<p>Efficient and effective policy, in the field of combating terrorism, including the prevention of violent extremism and radicalisation that leads to terrorism. Progress reports prepared by the European Commission.</p>

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
7.1.	<p>Implementation of the National Strategy and the Action plan for the prevention and countering of terrorism.</p>	<p>State bodies listed in the Action plan, as responsible authorities</p>	<p>5 years from adoption of the National Strategy</p>	<p><u>Note:</u> Costs and funds are presented within the Strategy and the Action Plan</p>	<p>Planned activities implemented in accordance with the Action plan and internal action plans, in the prescribed deadlines</p>	
7.2.	<p>Coordinate, monitor, evaluate and report on the implementation of the National Strategy and the Action plan for the prevention and countering of terrorism.</p>	<p>National Coordination Body</p>	<p>Coordination and monitoring - continuously. Evaluation and reporting on the annual basis, beginning from the year 2019</p>	<p><i>regular work activities of all institutions</i> Budget of the Ministry of the Interior 3 413 EUR per year Budget of the Office of the National Security Council and Classified Information Protection 2 981 EUR per year</p>	<p>Coordination, monitoring, evaluation and reporting conducted, within the prescribed deadlines</p>	

				<p><b>Budget of the Security Information Agency</b> агенција 4.471 EUR per year</p> <p><b>Budget of the Ministry of Foreign Affairs</b> 2.981 евра годишње</p> <p><b>Budget of the Prosecutor's Office for Organised Crime</b> 1.490 EUR per year</p> <p><b>Budget of the Republic Public Prosecutor's Office</b> 1.490 EUR per year</p> <p><b>Budget of the Military Security Agency</b> 2.981 EUR per year</p> <p><b>Budget of the Military Intelligence Agency</b> 1.490 EUR per year</p> <p><b>Budget of the Custom Administration</b> 1.490 EUR per year</p> <p><b>Budget of the Administration for the prevention of</b></p>		
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				<b>money laundering</b> 2.981 EUR per year		
7.3	Implementation of the National Strategy and the Action plan for fight against money laundering and terrorism financing	State bodies listed in the Action plan, as responsible authorities	5 years form adoption of the National Strategy, starting from the 2020	<b>Note:</b> Costs and funds are presented within the Strategy and the Action Plan	Planned activities implemented in accordance with the Action plan and internal action plans, in the prescribed deadlines.	
7.4	Draft a proposal of by-laws, for the implementation of the Law on Critical Infrastructure	<b>Ministry of the Interior</b>	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 55.890 EUR for the year 2020	By-laws, for the implementation of the Law on Critical Infrastructure <i>drafted</i>	
7.5	Adopt by-laws, for the implementation of the Law on Critical Infrastructure	<b>Government of the Republic of Serbia</b>	II quarter of the year 2021	<b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	By-laws, for the implementation of the Law on Critical Infrastructure adopted	
7.6	Draft a proposal of the amendments of the Criminal Code	<b>Ministry of Justice</b>	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Ministry of Justice</b> 12.420 EUR for the year 2020	The Law on Amendments of the Criminal Code <i>drafted</i>	

7.7	Adopt the amendments of the Criminal Code	<b>National Assembly of the Republic of Serbia</b>	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly</b> 40.008 EUR for the year 2020 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	The Law on Amendments of the Criminal Code <b><i>adopted</i></b>	
7.8	Draft a proposal of the amendments of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption	<b>Ministry of the Interior</b>	IV quarter of the year 2020		The Law on Amendments of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption <b><i>drafted</i></b>	
7.9	Adopt the Law on the Amendments of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption	<b>National Assembly of the Republic of Serbia</b>	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly</b> 40.008 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021	The Law on Amendments of the Law on the Organisation and Jurisdiction of Government Authorities on the Suppression of Organised Crime, Terrorism and Corruption <b><i>adopted</i></b>	

7. 10	Draft a proposal of the Law on National Data Base for the fight against terrorism	<b>Working group</b> for the establishment of a National Database Ministry of Justice	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Working group for establishment of a National Database</b> 55.890 EUR for the year 2020	The Law on National Data Base for fight against terrorism <i>drafted</i>	
7. 11	Adopt the Law on National Data Base for fight against terrorism	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<b>Budget of the National Assembly</b> 40.008 EUR for the year 2020 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	The Law on National Data Base for fight against terrorism <i>adopted</i>	
7. 12	Set up a single National database for fight against terrorism, including the training of its users	<b>Working group</b> for the establishment of a National Database Security Information Agency	IV quarter of the year 2021.	<b>Budget of the Republic of Serbia</b> <i>Assesment of the costs:</i> Total of 112.000 EUR for administrator and users <i>Relocation of the costs will be applicable ASAP</i>	National database for fight against terrorism established  Training of its users delivered	
7. 13	Enhance the capacity of the Ministry of the Interior for combating of the violent extremism that leads to terrorism in cooperation with representatives of the local community, through training and other forms of professional development.	<b>Ministry of the Interior</b> Criminal Police Directorate-Service for Combating Terrorism	IV quarter of the year 2021	<b>International donation/OSCE project</b>	Raised level of awareness about the importance of preventing radicalisation and violent extremism leading to terrorism  Conducting training for future trainers, as well as training for members of local security	



					councils. Conducting training for police officers, educators and social workers. Developed manuals and brochures.	
7. 14	Improve the capacities of the Service for Combating Terrorism, through ToT to identify forms of terrorism and related criminal offences, especially regarding the prevention of Internet abuse by terrorists.	<b>Ministry of the Interior</b> Criminal Police Directorate-Service for Combating Terrorism	IV quarter of the year 2021	<b>International donation/OSCE project</b>	The best practices of partner services met (Italia, Germany and Estonia). Procurement of the software Training for software conducted	
7. 15	Improve the capacities of the Service for Combating Terrorism, through trainign of the police officers on the manner of conducting interviews with members of extremist and terrorist groups.	<b>Ministry of the Interior</b> Criminal Police Directorate-Service for Combating Terrorism	IV quarter of the year 2021	<b>IPA 2016 project</b>	Trained and certified police officers.	
7. 16	Improve the HR and material- technical capacities of the Service for Combating Terrorism, by increasing the number of systematized workplaces, training and procurement of IT and telecommunication equipment.	<b>Ministry of the Interior</b> Criminal Police Directorate-Service for Combating Terrorism	IV quarter of the year 2021	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 1.028.376EUR per year 149.040 EUR per year – <i>for 10 new officers - deployment</i>  <i>Donation from international partners</i>	Systematized new jobs Conducted training. Procured IT and telecommunication equipment.	

## COOPERATION IN THE FIELD OF DRUGS

### STATE OF PLAY

#### Normative and strategic framework

Normative framework of the Republic of Serbia is based on **5 UN Conventions**, including the 1961 Single Convention on Narcotic Drugs, Protocol amending the 1961 and 1972 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, the 1988 UN Convention on Illicit Traffic in Narcotic Drugs and Psychotropic Substances with additional protocols, the UN Convention against Transnational Organised Crime and additional protocols. Serbia is a party to the main international and Council of Europe conventions on drugs.

The Serbian normative framework is based on **the Criminal Code** (Official Gazette of the Republic of Serbia, 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 the Republic of Serbia, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 and 55/2014), **the Law on Organisation and Jurisdiction of State Authorities in Suppression of Organised Crime, Terrorism and Corruption** (Official Gazette of the Republic of Serbia, 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 the Republic of Serbia, No. 101/2005, 63/2009 - CC decision and 92/2011), **the Law on Health Records** (Official Gazette of the Republic of Serbia, No. 14/81, 24/85, 26/85, 6/89 and Official Gazette of the Republic of Serbia, No. No. 44/91, 53/93, 67/93, 48/94 and 101/2005 – amended Law), **the Law on Psychoactive Controlled Substances** (Official Gazette of the Republic of Serbia, No. 99/2010 was adopted on December 27, 2010), **the Law on Amendments on Law to Psychoactive Controlled Substances** (Official Gazette of the Republic of Serbia, No. 57/2018) was adopted by the Serbian parliament on June 24, 2018 and includes the new psychoactive substances (NPS) definition, used in Regulation (EU) 2017/2101 and Directive (EU) 2017/2103, as well as, the following EU regulations: Regulation (EC) No 1920/2006 of the European Parliament and of the Council of December 12, 2006, on the European Monitoring Centre for Drugs and Drug Addiction (recast), Council Decision of May 28, 2001, on the transmission of samples of controlled substances (2001/419/JHA) and Council Recommendation of March 30, 2004, regarding guidelines for taking samples of seized drugs (2004/C 86/04), **the Law on Substances Used in Illegal Manufacture of Narcotic Drugs and Psychotropic Substances** (Official Gazette of the Republic of Serbia, No. 107/05) **the Law on Amendments on Law on substances that are used in illegal production of drugs and psychotropic substances** (Official Gazette of the Republic of Serbia, 25/19) was adopted by the Serbian parliament on April 3, 2019.

The normative framework of the Republic of Serbia is aligned with Joint Action 96/750/JHA regarding the harmonisation of the laws and practices with the EU Member States in combating drug abuse and preventing and combating illegal drug trafficking.

The Criminal Code includes provisions from the Council Framework Decision 2004/757/JHA prescribing the minimum provisions on the constituent elements of criminal offences and penalties in the field of illicit drug trafficking.

Within the framework of cooperation with the European Center for Drugs Monitoring and Drug Addiction, the Ministry of Health has established an **Early Warning System on new psychoactive substances**.

**The Early Warning System Protocol** defines a network of institutions and a way of sharing information about new psychoactive substances. The Ministry of Health, in collaboration with EMCDDA, has drafted a EWS country profile and this document is published on the official EMCDDA website. At the annual EU EWS meeting of 2019, Serbia was invited to access to the EU NPS Database (EDND).

A Special Mortality Registry has been adopted that is fully harmonised with the EMCDDA standards, and it was agreed that in the future period, the priority in cooperation with the EMCDDA is the harmonisation of the drug supply indicators with the EMCDDA standards.

Regarding the harmonisation with Joint Action 96/698/JHA on cooperation among customs authorities and business organisations in the fight against drug trafficking, the Customs Administration concluded a Memorandum of Understanding with public enterprises and companies dealing with the fight against drug trafficking, which partially transposes the mentioned Joint Action. On January 23, 2015, the Memorandum of Understanding among the Ministry of Finance, the Customs Administration and the Ministry of the Interior was signed, to enhance the efficiency in operation, coordination of specific activities, undertaking actions when necessary in cooperation and joint work on the implementation and realisation of specific activities within this scope of work.

### Strategy for Drug Abuse Suppression

Chapter 23 of the Criminal Code of the Republic of Serbia refers to offences against public health. These provisions are largely aligned with Joint Action 96/750/JHA regarding the harmonisation of the laws and practices of the EU Member States in combating drug abuse and preventing and combating illegal drug trafficking.

The Republic of Serbia is implementing parts of the Council recommendations regarding recommendations for taking samples of seized drugs, which relate to the prevention and reduction of harm to health caused by drug addiction, and to the exchange of information and improved investigation methods.

The full implementation of these recommendations has been envisaged in the new Strategy for Drug Abuse Suppression, for the period 2014–2021.

On December 27, 2014, the Government of the Republic of Serbia adopted the Strategy for Drug Abuse Suppression in the Republic of Serbia (2014–2021) and the Action plan (2014–2017) for its implementation, both published in the Official Gazette, No. 1/2015. This strategic document is in line with the EU Drugs Strategy (2013–2020) and the EU Action Plan on Drugs (2013–2016). It also reflects the main objectives of the renewed (2013) EU-Western Balkans Action Plan on Drugs, focusing on strategic planning, legislation and institution building, demand reduction, law enforcement and judicial cooperation, money laundering and precursor control. Serbia's new Strategy and Action Plan set out evaluation mechanisms.

Based on the analysis, drug consumption in Serbia has been on the increase in the past few years. Therefore, it is recognised that drug abuse prevention is very significant. The new Strategy and Action Plan stipulate a number of activities in the field of drug demand reduction and drug abuse prevention, including awareness-raising campaigns in higher education institutions, secondary and primary schools, nursery schools and other places especially interesting for the adolescent population. In the evaluation report on the first part of AP, it is recommended that all institutions strengthen drug abuse prevention programs.

In the field of prevention activities, the Ministry of the Interior implements the educational-informative program on the topic **"Prevention and protection of children from drugs"**, within the project **"Basics of Child Safety"**, in cooperation with the Ministry of Education, science and technological development, with which a Memorandum of Cooperation was signed.

The project **"Family Enhancement Program"** is also being realised "in cooperation with the Ministry of Education, Science and Technological Development and UNODC. For the first time, the Ministry of the Interior implements prevention programs, aligned with the international standards and based on evidence that produces good results.

The project **"Support to preventive action of the police in schools in protecting pupils/children from psychoactive substances"**, in cooperation with the other organisational units of the Ministry and OSCE in Belgrade is being implemented.

Expected results of the project are trained school police officers for the preventive treatment and protection of children against the abuse of psychoactive substances. Training on topic Improvement of knowledge in the field of drugs abuse prevention has been held, in order to improve knowledge and skills in the area of prevention and attended by police officers dealing with prevention of PA in Serbia. The participants were police officers performing the duties of school police officers. By an act of the Minister, number 01- 10434/18-2 from May 10, 2019 the extension of project implementation was approved. Lecturers in the project are representatives of the Police Directorate within the MoI, UNODC and OSCE as well as delegated representatives of the Ministry of Education, Science and Technological

Development. Since the beginning of the project implementation, six training seminars have been held during 2018 and 2019. Eight more training courses are planned to be held in the upcoming period, five of which are planned for police officers in schools and three for management level.

Government of the Republic of Serbia has established **Commission to Fight Drug Addiction in Schools**, in which all the relevant ministries and the Office for Combating Drugs were involved. The Minister of Health is the President of this Commission, and by the decision of the Government, the Ministry of Health coordinates the work of the Commission. During the 2018/2019 school year, the Commission conducted a series of activities in which it delivered interactive lectures for 40,000 students, 7,000 teachers and 3,000 parents. Also, the Commission conducted a series of campaigns at the sporting events and EXIT music festival. Amendments to the Criminal Code were adopted on the proposal of the Commission, introducing penalties for drug traffickers and using minors in drug trafficking.

#### Institutional framework for supply reducing

The Ministry of the Interior – the Criminal Police Directorate and The Uniformed Police Directorate, as well as the Prosecutor's Office for Organised Crime, are the main departments tasked with the fight against drug trafficking. Apart from them, the following bodies are also involved in this field: Office for Combating Drugs of the Government of the Republic of Serbia, the Ministry of Health, Institute of Public Health of Serbia, "Milan Jovanovic Batut", and the Commission for Psychoactive Controlled Substances.

#### Ministry of the Interior

With the aim of developing institutional and administrative capacities in the fight against drug-related crime, the Drugs Combatting Service was established within the Ministry of the Interior, tasked with undertaking preventive and repressive measures to fight against drugs. HR staffing of all organisational units in charges for the fight against drugs its full capacity (100% level) in relation to the staffing stipulated by the Rulebook on Internal Organization and Job Classification in the Ministry of the Interior.

On November 01, 2019, according to Rulebook on Job Classification in the Ministry of the Interior, within the Drugs Combatting Service, three new Sections were established, Section Nis, Section Novi Sad and Section Kragujevac. Each of these three sections has the function of a Regional Centre.

The Service will, quarterly, assess the possibility to expand its administrative capacities, and based on such analyses, it will propose initiatives for expanding the HR plan, technical capacities and other. Communication systems among the relevant persons in the organisational units have been established, as well as the communication coordination systems with the aim of joint action. Police cooperation in the field of narcotics 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, EMCDDA, SELEC, and bilateral). 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).

As part of comprehensive drug control activities, **so-called 'spot' tests** for the preliminary field identification of psychoactive controlled substances were obtained for the needs of the Ministry of the Interior. A sufficient number of tests have been purchased to enable rapid screening and drug detection. The necessary training courses for police officers were conducted, and a certain number of crime police officers were trained. After using the tests, an analysis was carried out which determined that the application of the tests is only useful in the operative sense, since the Criminal Procedure Code, as well as the Law on Psychoactive Controlled Substances, does not recognise this test as the evidence.

The Law on Psychoactive Controlled Substances states that a particular substance would be identified as a psychoactive controlled substance, it is necessary to find an expert's opinion and expertise, that is, the expertise of the substance in question. Given that tests allow detection, but not expertise, they can not be taken as evidence in the trial.

The National Criminal Forensic Centre has been authorised by the Law on Police to conduct all types of forensic expertise generally, and in relation to the Amendments to the Law on Psychoactive Controlled Substances, it conducts expertises of psychoactive substances for the largest amounts of psychoactive substances that are seized on the territory of the Republic of Serbia. The Center also identifies new psychoactive substances and informs the National Early Warning System of new substances in an already established manner. In accordance with the international requirements of the European Network of Forensic Science Institutes –ENFSI and the conclusions of the Council of the European Union on the vision of forensic science by 2020, 33 the National Criminal Forensic Centre of the Ministry of the Interior has been the only accredited centre according to the international standard ISO/IEC 17025: 2006, for the area of psychoactive substance expertise since 2014, and since 2018 it has been re-accredited, which is one of the requirements for full membership in ENFSI. Also, according to these conclusions, the Center acts in terms of cooperation with the ENFSI, considers it as a priority in its field and actively participates in the work of a large number of working groups that have been established to prescribe the working methodology in each individual forensic field. The most intensive activity of The National Criminal Forensic Centre in the area of the ENFSI Drugs Working Group is through the position of vice-chairman of the Group.

#### Office for Combating Drugs

Regarding institutional capacities, the Government of the Republic of Serbia adopted the Regulation of July 24, 2014, on the establishment of the Office for Combating Drugs. The said authority of the Government of the Republic of Serbia is responsible for carrying out all professional, administrative and operational actions to meet the requirements set by the Government, to coordinate the work of state bodies, to participate in the drafting of strategies and rules, to monitor the implementation of projects, to analyse the current state regarding drugs, to carry out international cooperation and to prepare annual reports for international organisations. The Director of the Office for Combating Drugs was elected on November 1, 2015, while the Rulebook on Internal Organisation and Job Classification in the Office adopted on February 10, 2016, stipulating a total of three employees. The Office has established a network of contact persons from the institutions responsible for the implementation of activities in the Action Plan for the implementation of the Strategy.

In 2018, the Office for Combating Drugs hired two officers and in 2020 plans to hire more officers, as well as a new organisational structure. In accordance with the Strategy in 2018, a Memorandum of Cooperation with CSOs was signed, in order to improve the cooperation of civil society and the state, in this field.

#### Ministry of Health

The Ministry of Health deals with the prevention and health needs of the population, including the production and resale of narcotic drugs, psychotropic substances and precursors. The Republic of Serbia has established a Commission for Psychoactive Controlled Substances acting as an intersectoral body the members of which are experts in the field of psychoactive controlled substances and representatives of ministries relevant in this field. The competences of the Commission for Psychoactive Controlled Substances do not overlap with the activities of the Office for Combating Drugs.

The legal basis for cooperation with the European Center for Drugs Monitoring and Drug Addiction - EMCDDA, is defined in Article 93 of the Law on Psychoactive Controlled Substances governing international cooperation of the Ministry of Health.

The Ministry of Health has appointed a **National Contact Point for cooperation with the European Center for Drugs Monitoring and Drug Addiction – EMCDDA**, in accordance with the Amendments of the Law on Psychoactive Controlled Substances (Official Gazette of the Republic of Serbia, No. 99/2010 of December 27, 2010, and 57/2018). The Rulebook defines the performance of the National Contact Points on Internal Organization and Job Classification in the Ministry of Health.

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33 Council conclusions on the vision for the European Forensic Science 2020 including the creation of the European Forensic Science Area and the development of forensic science infrastructure in Europe

The Ministry of Health has established a **Working Group on Drug Monitoring and Drug Addiction**, with the task of determining all the necessary indicators until the establishment of a drug monitoring unit at the Ministry of Health. The Working Group adopted the Action Plan for Drug Monitoring and Drug Addiction for the period from December 2015 to June 2017.

All the knowledge gained from the projects, funded by the European Union in the field of drugs, has been applied. The Ministry of Health has signed a Memorandum of Cooperation with institutions that participated in projects funded by the European Union to support the sustainability of all activities of these projects - the Ministry of the Interior and the Institute for Public Health of Serbia "Milan Jovanovic Batut".

Implementing the recommendations from the twinning project, the basics for the collection of all significant data related to the supply and demand of drugs in the market are created. The collection and analysis of data are in line with the needs and expectations of the European Center for Drugs Monitoring and Drug Addiction – EMCDDA. **Data are collected in accordance with the EMCDDA Protocols and include five key** epidemiological indicators: drug abuse in the general population, mortality related to drugs abuse, infectious diseases related to drug abuse, risky drug use and an indication of the need for treatment of drug addicts), as well as indicators of drugs supply (seizures, crime related to drug abuse, drug purity).

National Contact Point reports EMCDDA on the situation in the field of drugs, through annual reports on all indicators. This type of information would allow a better view of the current situation and easier analysis of threats. Also, it will be possibly better to understand the situation at the European Union level.

By implementing the project, the standards of the destruction of narcotics (psychoactive controlled substances) are improved, which was achieved through the development of Guidelines for handling and destroying seized drugs, their storing and preparation for destruction.

Also, improvement of the work of leading institutions through the implementation of internationally recognized examples of good practice in the field of drug abuse prevention and the fight against drug production, sale and distribution is noticeable.

One of the visible results is the establishment of the Platform for administration and experts in the Republic of Serbia for communication-related to drug policy in the absence of a coordination body and mechanism at the national level. In this regard, the top priority should be the implementation of the coordination structure and mechanisms and the development of the narcotics monitoring system, as well as the adoption of policy and strategic documents for the fight against narcotics, in order to give them the greatest importance in the coming period. Continuous political support is vital to ensure adequate capacity and financial resources in this area.

#### List of drugs and precursors

The Republic of Serbia possesses a list of drugs and precursors. The list is updated with INCB lists, as well as with EU lists, through the Early Warning System on new psychoactive controlled substances. The Commission for psychoactive controlled substances is in charge of monitoring, risks assessment and proposing the List of the Psychoactive Controlled Substances to the Minister of Health, in accordance with the Law on Psychoactive Controlled Substances. The Commission for Psychoactive Controlled Substances meets regularly and according to the information from the Early Warning System for new psychoactive substances carries out a risk assessment and proposes a new List of Psychoactive Controlled Substances. The list is regularly updated in line with information on new psychoactive controlled substances at the national and EU level. In this way, a flexible administrative mechanism has been established, which enables rapid updating of the list, based on the proposal of the Ministry of Health or the Ministry of the Interior. According to the current legislation, the Ministry of Health drafts a proposal for amendments to the laws related to psychoactive controlled substances, in cooperation with the ministries listed in the Action Plan. Activities carried out by the Criminal Police Directorate related to drugs are prescribed by the Criminal Code and the Criminal Procedure Code, and no changes are envisaged in this regard.

## Destruction of drugs

Existing quantities of seized narcotics have been continuously destroyed twice a year. Destruction is conducted by incineration in a thermal power plant, according to a previously developed environmental impact study. The processes of destruction are carried out twice a year. In 2017, the Government of Republic of Serbia appointed new President and members of the Commission for the control of the destruction of the psychoactive controlled substances. From that moment, the Commission started its effective work.

Since then, **a total of 7.210.236,04 grams of drugs have been destroyed in 9 (nine) destructions** and will continue to be carried out continuously twice a year.

Improving the capacity of the Ministry of the Interior, for the purposes of sampling, storage and destruction of the seized quantities of psychoactive controlled substances

For safe storage and destruction, the Republic of Serbia developed a project "**Improving the capacity of the Ministry of the Interior for sampling, storage and destruction of the seized amounts of psychoactive controlled substances**" approved by the Embassy of the Kingdom of Norway.

To expected result, a proposal of the Standard Operating Procedures (SOP) for the treatment, packaging, transport and storage of PACS of confiscated psychoactive substances was drafted in the Ministry of the Interior, modelled on the example of the EU Member States. Accordingly, on January 14, 2020, **the Instruction on Procedures for the Confiscation of Psychoactive Controlled Substances and Their Diluents** was issued.

Besides, to safe storage, containers have been installed at 5 locations in the Republic of Serbia, and supporting material (bags, safety tapes, etc.) has been purchased.

INTERIM BENCHMARK 1	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia enhances its efforts to ensure compliance with the EU requirements in the field of cooperation in the field of drugs. Republic of Serbia continues to implement the Strategy for Drug Abuse (2014 – 2021) and the Action Plan (2014 – 2017) and monitors the quality and effects of their implementation.	A systematic drug control mechanism established in accordance with European standards. The Strategy for Drug Abuse is being conducted unobstructed and continuously	The normative framework that has the effect of reducing the level of crime in the field of drugs improved.

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
811	Draft a proposal of the new Action Plan 2019-2021 in accordance with the Strategy for Drug Abuse Suppression, for the period 2014-2021	<b>Office for Combating Drugs</b> with representatives of ministries which, according to the Strategy, are responsible for implementation of the Action Plan.	III quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Office for Combating Drugs</b> 1.863 EUR for the year 2020 <b>Budget of the Ministry of Health</b> 4.658 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 3.726 EUR for the year 2020	Action plan for the Strategy for Drug Abuse Suppression <i><b>drafted</b></i>	



8.1.2.	Adopt the new Action Plan 2019-2021 for the Strategy for Drug Abuse Suppression, for the period 2014-2021	<b>Government of the Republic of Serbia</b>	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	Action plan for the Strategy for Drug Abuse Suppression <u><i>adopted</i></u>	
8.1.3	Conduct an analysis of the level of improvements within the normative framework since the beginning of the negotiation	<b>Office for Combatting Drugs</b> with representatives of ministries Ministry of the Interior  Ministry of Health  Ministry of Justice  Ministry of Agriculture, Forestry and Water Management  Ministry of Finance - Customs Administration	IV quarter of the year 2020.	<i>regular work activities of all institutions</i> <b>Budget of the Office for Combatting Drugs</b> 5.589 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 13.973 EUR for the year 2020 <b>Budget of the Ministry of Health</b> 13.973 EUR for the year 2020 <b>Budget of the Ministry of Justice</b> 11.179 EUR for the year 2020 <b>Budget of the Ministry of Agriculture, Forestry and Water Management</b> 5.589 EUR for the year 2020 <b>Budget of the Customs Administration</b> 5.589 EUR for the	Conducted analysis	

				year 2020		
8.1.4	Align the normative framework, following the analysis (see 8.1.3)	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<b>Budgeted within the Activity No.8.1.3</b>  <b><u>Possible amendments of the relevant Laws</u></b> <i>regular work activities of all institutions</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021	The Amendments of the relevant laws drafted and adopted, in accordance with the results of the assessment	

INTERIM BENCHMARK 2	OVERALL RESULT	INDICATOR OF IMPACT
The Republic of Serbia takes measures aimed at increasing the operational capacity of bodies involved in the fight against drugs trafficking, in particular the Drugs Combating Service in the Ministry of the Interior which should be fully staffed and trained, allowing it to systematically conduct pro-active investigations	Effective work and cooperaton of the law enforcement and judicial authorities in the prevention and combating of drug abuse, trough the implementation of modern methods and a unique methodology of work.	The number of trained staff, filled capacities, development and improvement of preventive programs, communication and cooperation between law enforcement bodies presented through records and reports.

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
8.2.1	Improve the national capacities for the fight against drugs through the strengthening of the Drugs Combating Service.	<b>Ministry of the Interior</b> Criminal Police Directorate	I quarter of the year 2021	<p><b>OEBS Project:</b> <i>Strengthening Families Program</i></p> <p><b>Project:</b> <i>Support to preventive action of the police in schools in protecting pupils from psychoactive substances</i></p> <p><b>Budget of the Ministry of the Interior</b> 968.760 EUR per year – <i>regular work activities</i></p>	<p>Improved horizontal cooperation and communication of law enforcement bodies and the establishment of a clear chain of command.</p> <p>More pro-active investigations based on risk analysis through the national SOCTA</p> <p>Equivalent practice and Methodology on the fight against drugs on the whole territory of the state.</p> <p>Centralization and standardization of records and processing of statistics.</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>	
8.2.2	Analyse the situation in police administrations by the line of drug use	<b>Ministry of the Interior</b> Criminal Police Directorate	I quarter of the year 2021	<p><b>Budget of the Ministry of the Interior</b> 447.120 EUR per year – <i>regular work activities in regional centres and headquarters in Belgrade</i></p>	Regional centers established	

8.2.3	Track information on specific CEPOL training models for applying special investigative techniques	<b>Ministry of the Interior,</b> Criminal Police Directorate,	Continuously	<i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 6.700 EUR per year  <i>Other costs will be covered by CEPOL</i>	Training delivered Report on delivered training	
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INTERIM BENCHMARK 3	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia ensures that there is a smooth cooperation between the various bodies responsible for prevention of drug abuse and the overall coordination of the national policy against drugs. It ensures that there are no overlapping mandates	List of drugs harmonized at the international and European level, as well as in accordance with the situation on the ground	Absence of the difference between European and domestic list of psychoactive controlled substances

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
8.3.1	Develop and implement a program for the prevention of the use of psychoactive substances based on scientific evidence in accordance with international standards.	<b>Ministry of the Interior</b> Criminal Police Directorate, in cooperation with the Ministry of Health, Ministry of Education, Science and Technological Development and other relevant subjects	IV quarter of the year 2020.	Family Empowerment Project - POP-10-14 Budget of the Ministry of the Interior 100.000 RSD <sup>34</sup> per year /834EUR for the year 2020	Number of projects and programs, the number of program beneficiaries	

<sup>34</sup>1 EUR = 120 RSD

8.3.2	Cooperation with the United Nations Office on Drugs and Crime - UNODC	Ministry of Health Office for Combating Drugs Ministry of the Interior	Continuously	Cost of conferences and meetings - will be covered by the United Nations Office on Drugs and Crime - UNODC	Number of conferences and meetings held Number of officers participating in conferences Report on meeting objectives Number of International Collaborative Exercises for testing the competencies of the National Center for Forensic Crime Laboratory for the analysis of psychoactive controlled substances.	
8.3.3	Establish integrated software for monitoring of seizures procedures of psychoactive controlled substances, diluents and precursors treatment, the status of the seizure, as well as generating of the data on those substances, for reporting and data exchange with European organisations.	Ministry of the Interior	IV quarter of the year 2021	TBD	Software established and functional in terms of monitoring seizure and content reporting according to the United Nations Office on Drugs and Crime - UNODC and EUROPOL.	
8.3.4	Cooperation with the ENFSI in order to continuously meet the requirements and recommendations of the Working Group on Drugs in the field of sampling and analysis of psychoactive controlled substances the use of databases of mass and infrared spectra necessary for the identification of new psychoactive controlled substances, the exchange of information on new substance abuse trends and different/new analytical techniques used in the analysis of these substances, as well as the maintenance of the quality control system and	Ministry of the Interior - Criminal Police Department, National Centre for Forensic Crime	Continuously	IPA 2019 and IPA 2020 Bilateral Assistance of Kingdom of Norway	National center for forensic crime re-accredited for the analysis of psychoactive substances according to an international standard 17025:2006. Laboratories of the National Centre for Forensic Crime identify substances and actively cooperate with member states in the subject area in terms of exchanging information on new drug structures, smuggling trends and analytical techniques used in substance analysis.	

	accreditation status according to the ISO/IEC 17025 standard: 2006 as a necessary condition for ENFSI membership.					
8.3.5	Regularly update the list of PACS in line with INCB	Commission for psychoactive controlled substances of the Government of the Republic of Serbia Ministry of Health	Continuously	<i>regular work activities of all institutions</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR per year <i>Other institutio</i> 1.266 per institution, yearly	PACS list updated and adopted	

INTERIM BENCHMARK 4	OVERALL RESULT	INDICATOR OF IMPACT
Republic of Serbia ensures smooth cooperation with the European Monitoring Centre for Drugs and Drug Addiction – EMCDDA, through the National Monitoring Centre for Drugs within the Ministry of Health and reports to EMCDDA on a regular basis.	A system of cooperation with the European Monitoring Centre for Drugs and Drug Addiction EMCDDA established	Regular cooperation with the European Monitoring Center for Drugs and Drug Addiction -EMCDDA, the fulfilled HR and financial capacities of the Republic of Serbia

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
8.4.1	Sign the <b>Agreement with the European Monitoring Centre for Drugs and Drug Addiction – EMCDDA</b>	<b>Ministry of the Interior</b> – Director of police	II quarter of the year 2021	<i>No costs required</i>	Agreement with the European Monitoring Centre for Drugs and Drug Addiction – EMCDDA signed	
8.4.2	Establishing common software that aligns with the EMCDDA standards and shows indicators offer.	Ministry of Health Ministry of the Interior, Office for combating drugs of Government of Republic of Serbia	IV quarter of the year 2021	<b>IPA 7</b> Instrument for Pre-accession Assistance - 7	Software aligns with EMCDDA standards	

8.4.3	Development of the National report for the European Monitoring Centre for Drugs and Drug Addiction - EMCDDA	<b>Ministry of Health</b> , in cooperation with relevant ministries and Office for Combating drugs of Government of Republic of Serbia	Continuously  <i>Note:</i> The national drug report is going to be drafted every two years.	<i>regular work activities of all institutions</i> <b>Budget of the Republic of Serbia</b> 11.178 EUR <i>per institution, yearly</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR – <i>adoption of the Report</i>	National Report adopted and regularly submitted to the European Monitoring Center for Drugs and Drug Addiction	
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INTERIM BENCHMARK 5		OVERALL RESULT			INDICATOR OF IMPACT	
The Republic of Serbia provides an initial track record of an increase of drugs seizures and ensures secure storage and effective destruction of confiscated drugs and precursors in line with EU standards. Serbia ensures that final convictions for drugs trafficking are systematically accompanied by decisions to confiscate unlawfully gained assets of convicted criminals.		Systematically storage of seized drugs and precursors is ensured			Quantity of seized / stored / finally treated precursors and drugs	
No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
8.5.1	Fully implement the WEB application for keeping records and statistics on seized drugs.	<b>Ministry of the Interior</b>	IV quarter of the year 2021	<b>No costs required</b>	The quantity of seized drugs on a quarterly, semi-annual and annual basis.	
8.5.2	Adopt the Decree related to the procedure for storing and destruction of seized	<b>Ministry of Health</b> Ministry of the	IV quarter of the year 2020.	<i>regular work activities of all institutions</i> <b>Budget of the Ministry</b>	Adopted Regulation in accordance with the Law of psychoactive controlled	



	psychoactive controlled substances	Interior Ministry of the Justice courts		<b>of Health</b> 5.589 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 5.589 EUR for the year 2020 Budget of the Ministry of Justice 1.863EUR for the year 2020 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	substances, which specifies a procedure for storing and destruction of seized psychoactive controlled substances	
8.5.2	Adopt the Standard Operative Procedures (SOPs) for the treatment, packaging, transport and storage of PACS and their dilutents in the Ministry of the Interior - Internal act	<b>Ministry of Interior</b> Criminal Police Directorate	II quarter of the year 2021	<b>Project</b> <i>Capacity building of the Ministry of the Interior to manage the seized quantities of psychoactive controlled substances</i>  <u><i>with the support of the Kingdom of Norway</i></u>	Adopted of 4 instructions for the treatment, packaging, transport and storage of PACS and their dilutents, which define procedures of police officers in the respective areas.	
8.5.3	Modify national normative framework related to the procedure of storage and the destruction of seized precursors, as well as the adoption of the Regulation for destruction of precursors	<b>Ministry of Health</b> <b>Ministry of the Interior</b> Ministry of Justice National Assembly of the Republic of Serbia Government of the Republic of	IV quarter of the year 2021.	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Health</b> 27.945 EUR for the year 2020 37.260 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 16.767 for the year 2020	Normative framework amended. The Law on precursors adopted, as well as the Regulation in line with the Law.	

		Serbia		22.356 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 1.266 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021		
8.5.4	Prepare the Plan for destruction of PCS, in accordance with records of Higher courts and police directorates	<b>Commission for the Control of Destruction Procedures</b> Government of Republic of Serbia Ministry of Justice, in cooperation with the Ministry of the Interior and the Ministry of Health	IV quarter of the year 2020 and continuously	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 1.863 EUR per year <b>Budget of the Ministry of the Health</b> 1.863 EUR per year per year <b>Ministry of Justice</b> 1.242 EUR per year	Plan for destruction of PCS, in accordance with records of Higher courts and police directorates adopted by Commission for the Control of Destruction Procedures	
8.5.5	Destruction of psychoactive controlled substances confiscated on the basis of final judgments - <i>historical destruction</i>	<b>Ministry of the Interior</b> Ministry of Health	Continuously	<b>Budget of the Ministry of the Interior</b> 5 EUR per kg	Amount/Quantity of destroyed PACS on the basis of final judgments - historical destruction	

8.5.6	Continuous destruction of seized PACS	<b>Ministry of the Interior</b> , by order of the competent courts in cooperation with the Ministry of Health	Continuously	<b>Budget of the Ministry of the Interior</b> 5 EUR per kg	Amount/Quantity of destroyed PACS	
8.5.7	Prepare a Plan for the destruction of precursors	<b>Ministry of Health</b> Ministry of the Interior Ministry of Justice Ministry of Finance - Customs Administration Ministry of Agriculture, Forestry and Water Management University of Belgrade - Faculty of Chemistry	I quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 1.266 EUR for the year 2020 <b>Other institution</b> 633 EUR for the year 2020	Plan for the destruction of precursors adopted	
8.5.8	Final treatment of seized precursors	<b>Ministry of the Interior</b> Ministry of Health Ministry of Justice Ministry of Finance - Customs Administration Ministry of Agriculture, Forestry and Water Management	Continuously	<i>Note</i> <i>Budgeted within the Action Plan 2019-2021 in accordance with the Strategy for Drug Abuse Suppression, for the period 2014-2021</i>	Amount of precursors disposed of and destroyed	

		University of Belgrade - Faculty of Chemistry				
8.5.9	Procure storage (container) for psychoactive controlled substance in accordance with the procedures for the treatment of psychoactive controlled substances	<b>Ministry of the Interior</b> Criminal Police Directorate	II quarter of the year 2021	<b>Project</b> <i>Strengthening the capacities of the Ministry of the Interior of Serbia for the needs of sampling, storage and destruction of the psychoactive controlled substances</i>	Number of procured containers by area in the Republic of Serbia	
8.5.10	<b>Amend the Criminal Procedure Law, for procedure of destruction of psychoactive controlled substances</b>	<b>Ministry of Health</b> Ministry of the Interior Ministry of Justice Ministry of Finance - Customs Administration Ministry of Agriculture, Forestry and Water Management	IV quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of Health</b> 9.315 EUR for the year 2020 <b>Budget of the Ministry of the Interior</b> 7.452 EUR for the year 2020 <b>Budget of the Ministry of Justice</b> <b>13.041</b> EUR for the year 2020 <b>Budget of the Custom Administration</b> 1.266 EUR for the year 2020 <b>Budget of the Ministry of Agriculture, Forestry and Water Management</b> 633 EUR for the year 2020	The Criminal Procedure Law, in part related to the destruction of psychoactive controlled substances, right after seizure <b>amended</b>	

				<b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020 <b>Budget of the National Assembly</b> 40.008 EUR for the year 2020		
8.5.11	Establish the National contact point for the transmission and analysis of samples of psychoactive controlled substances	<b>Ministry of the Interior</b> Criminal Police Directorate Ministry of Health	IV quarter of the year 2020	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 14.904 EUR per year – <i>national contact point</i> 55.890 EUR for the year 2020 – <i>preparation of the by law on establishment of the NCP</i> <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2020	Adopted the by law on establishment of the National contact point for transmission and analyses of samples of psychoactive controlled substances in the National Centre for Forensic Crime of the Ministry of the Interior. The National Contact point listed in the List of National Contact Points and information published in the Official Journal of the EU by the European Council	
8.5.12	Adopt the Rulebook which regulates work of the National contact point for transmission and analyses of samples of psychoactive controlled substances	<b>Ministry of the Interior</b> General Police Directorate Border Police Directorate	IV quarter of the year 2020	<i>See activity No. 8.5.11</i>	The Rulebook which regulates work of the National contact point for transmission and analyses of samples of psychoactive controlled substances <i>adopted</i>	

## CUSTOMS COOPERATION

### STATE OF PLAY

The normative framework of the Republic of Serbia 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 European Commission suggested an improvement of the system.

To include all the necessary elements in Customs Administration's IT strategy for the period 2011 – 2020, information was exchanged with experts from Slovenia, Croatia, and Austria regarding customs information system and use of AFIS application, which are 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 it is planned that AP provides a basis for its use through the amendment of the IT strategy and training, for which the Customs Administration already has necessary IT infrastructure and employees.

Update of the IT Strategy 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 the capacity of the Customs Administration, strengthen control function at the border as well as to improve CA fight against illegal migration.

An important objective will be to ensure the 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 is 6.7 million euros, where the European Union contribution is 5.807.500 euros.

**One of the first activities within part of Component 1 - Service Contract** is the IT Strategy update which is to be done by incorporating the CIS Convention creating the conditions for full implementation of the CIS Convention after Serbia access to the European Union. The implementation of the entire IT strategy is much broader than the creation of conditions for the application of the CIS Convention.

The implementation is to include the creation of conditions for the application of all electronic customs systems, which will be necessary before 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 have prepared Terms of Reference for Service Contract. Terms of Reference are in the final phase of finishing. Having in mind 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) conducts a tender process with an expected minimum duration of 9 months and two ex-ante controls. The arrival of consultants and implementation of Component 1 of the IPA 2013 project is expected in the 2-3 months, after signing the contract.

The implementation period is 24 months. Following the Decision 2009/917/JHA on the use of information technology for customs purposes each Member State is obliged to submit data to the customs information system, we want to emphasize that the Customs Administration developed Base-Register of offences since May 1, 2015. The deadline for adopting the IT strategy is aligned with the implementation of the 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 Component 1 of this project. No extra equipment will be necessary for carrying out these activities.

The next step refers to the implementation of a strategy, or part of the strategy for the implementation of the CIS Convention included training as detailed under activity 9.1.2. The training plan has been developed by the Customs Administration and implemented by experts, through the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX. To apply the Decision 2009/917/JHA, Customs Administration has the required IT infrastructure and staff, while the basis for the implementation of AFIS application will be provided through the IT strategy amendment and the customs officers will be trained for using this application on.

Before accession to the European Union, the Republic of Serbia has to be prepared for the implementation of the "Naples II Convention", The Naples II will be ratified upon accession.

The Screening Report has shown that the Republic of Serbia is generally aligned with the acquis. Besides, the report indicated that the Republic of Serbia is not aligned related to the form of central coordination unit, special forms of cooperation, and powers of customs officers.

Customs 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, temporarily detain the goods or means of transport.

Cooperation and exchange of information with border agencies is the priority of Customs Administration, and the CA has signed several memoranda of understanding, protocols, and agreements with other state agencies, among which are the Directorate for Prevention of Money Laundering, Tax Administration, Security Information Agency, Ministry of the Interior and other. The plan is to amend the Criminal Procedure Code. Law on Customs Service was adopted on December 7, 2019. Amendments to the Criminal Procedure Code do not depend on the Customs Administration.

Training has been delivered for authorized customs officers from the Sector for Control of the Application of Customs Regulations: the Customs Investigation Departments and the Department for the Suppression of Smuggling, which consisted of new investigative powers of the authorized customs officers. The above-mentioned customs officers were trained by experts from the Austrian Customs Administration to enter into the property without orders and joint investigative teams, following the Naples II Convention.

## **Strategy and Action plan for Integrated Border Management**

*See subchapter External Border and Schengen*

## **Naples II Convention**

After the accession to the EU, the Republic of Serbia will have to ratify the "Naples II Convention" and prepare for its implementation. The Screening process 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 Central Coordination Unit, the Customs Investigations Department (operating under the Enforcement Division) is responsible for the 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, the combat of smuggling and customs investigations. The Intelligence Department also exchanges information with other Customs administrations.

After the ratification of the "Naples II Convention", the tasks of the central coordination unit will be performed by the organizational units of the Enforcement Division, considering that exchange of information is already carried out following Protocol no.6 of the SAA with the EU Member States and that there is no need to create a special organizational unit to perform these tasks.

Customs Administration has recognized the need concerning special forms of cooperation which be implemented upon ratification of the "Naples II Convention" - hot pursuit, cross-border surveillance, controlled deliveries, and joint special investigation teams, while the covert investigation will be conducted by the Ministry of the Interior.

As part of the Enforcement Division, the Anti-Smuggling Department has ten 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. 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 following the 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.

A European Union expert conducted the planned training of trainers under the Customs Administration plan (training 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 detecting and prosecuting customs violations and customs-related crimes and five officers from the Ministry of the Interior - Criminal Police Directorate and Border Police Directorate). The training was implemented through the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX, in December 2019.

In addition to authorized customs officers, the training was also attended by the Ministry of the Interior officials. After completion of these training courses, the trained customs officers will carry out training continuously, according to the Customs Administration needs and in cooperation with officers of the Ministry of the Interior - Criminal police Directorate and Border Police Directorate who have also undergone training. Training will be conducted until Serbia's admission to the European Union.

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 AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
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9.1.1.	Amendment of the Customs Administration IT Strategy	<b>Ministry of Finance - Customs Administration</b>	IV quarter of the year 2020	<b>IPA 2013 Project</b> <i>Support to Further Modernization of the Customs Administration and Improved Border Management in the Republic of Serbia</i> <b>Budget of the Customs Administration</b> 83.835 EUR for the year 2020	Customs Administration IT Strategy adopted	
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>Ministry of Finance - Customs Administration</b>	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Customs Administration</b> 12.420 for the year 2020	Training plan developed, adopted and implemented  <b><i>10 customs officers</i></b> from the Enforcement Division and IT Division capacitated for using the AFIS application	

9.2. RECOMMENDATION: 2	OVERALL RESULT	INDICATOR OF IMPACT
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	1. Investigative powers of customs officers in criminal proceedings are broadened 2. Access to the Border Police IT application, better cooperation and exchange of information with this agency is in place	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 AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
9.2.1.	Draft a proposal for amendments of the Law on amendments of the Criminal Procedure Code and Law on Customs Service	<b>Ministry of Justice</b> Ministry of finance - Customs Administration National Assembly of the Republic of Serbia Government of the Republic of Serbia	IV quarter of the year 2020	<i>regular work activities</i> <b>Budget of the Custom Administration</b> 27.945 EUR for the year 2020	Laws amending the Criminal Procedure Code and Law on Customs Service drafted	

9.2..	Adoption of the Law on amendments of the Criminal Procedure Code and the Law of Customs Service	<b>National Assembly of the Republic of Serbia</b> Government of the Republic of Serbia	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR per Law, for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR per Law, for the year 2021	Laws amending the Criminal Procedure Code and Law on Customs Service adopted	
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9.3.RECOMMENDATION 3	OVERALL RESULT	INDICATOR 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 AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
9.3.1.	Conduct a procedure for the ratification of the Naples II Convention	<b>Ministry of Finance - Customs Administration</b>	Upon accession	<u><i>Costs are currently unknown</i></u>	Procedure for the ratification of the Law on Ratification of the Naples II Convention conducted	

## 10. COUNTERFEITING OF THE EURO

The normative framework of the Republic of Serbia, in the field of counterfeiting of the euro (*penal aspect*), consists of the following laws:

- *Criminal Code*
- *Criminal Procedure Code*
- *Law on the responsibility of legal persons for criminal offences*
- *Law on the National Bank of Serbia*
- *Law on police*
- *Law on organisation and competencies of state authorities in suppression of organised crime, corruption and serious criminal offences*

Bearing in mind that these normative acts are almost completely aligned with the European Union acquis, the short-term priority will be full harmonization with Directive SOM2013 / 42.

The Directive is aimed at strengthening of euro protection and fights against its counterfeiting. The alignment will be provided through amendments of the Criminal Code, regarding the definition of money. Namely, the amended definition of money foresees that money also represents money that is not put in circulation but is signed and marked by the competent state authorities as money.

The Government of the Republic of Serbia, at the Session held on February 25, 2016, adopted a Conclusion, which ratified the 1929 Counterfeit Counterfeit Convention - Geneva Convention. By ratifying the Convention, the Republic of Serbia assumed the obligation to establish the National central office - NCO, which will fully comply with the Convention's obligations, and the obligation of amendments to the Criminal Code, related to the definition of money. At a Government, Session held on December 27, 2018, the Government adopted the Conclusion of the establishment of the National central office.

## INSTITUTIONAL FRAMEWORK

### Ministry of the Interior

Within the Ministry of the Interior in the Criminal Police Directorate, the Service for combating organised crime and the Service for crime suppression is responsible for the fight against counterfeiting of the Euro.

In order to implement the European Union standards, the following study visits have been organised by the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX: a study visit to the Slovenian Anti-counterfeiting euro Office, and study visit to the National Central Office of Austria. The most significant results of these activities are strengthening of the capacities of the Criminal Police Directorate, to the establishment of the National Central Office and education of police officers in the area of euro counterfeiting

Following the analysis and organisation of the national central offices for suppression of counterfeiting of money from Slovenia, Austria, Great Britain, and Bulgaria, the draft model of the National Central Office of the Republic of Serbia was made, The Draft stipulates that the function of the National Central Office performs the Section for suppression of counterfeiting of money and other means of payment, from the Criminal Police Directorate.

**The National Central Office for combating euro counterfeiting was formed on June 13, 2018, by the adoption of the Rulebook on Internal Organisation and Systematization of workplaces in the Ministry of the Interior. The National Central Office became operational after the adoption of the Government Conclusion on the establishment of this Office by the Government of the Republic of Serbia.**

Further to the strengthening the capacities of the Ministry of the Interior in the field of euro counterfeiting, after the adoption of the Rulebook on Amendments to the Rulebook on Internal Organisation and Systematization of workplaces in the Ministry of the Interior, in September 23, 2019, the capacity of the Section for suppression of counterfeiting of money and other means of payment was expanded for two workplaces.

In the field of international cooperation, the Ministry of the Interior signed the working agreement SOYA, with the Europol, on September 15, 2016, when the Ministry of the Interior formally joined AP SOYA counterfeiting money.

The Republic of Serbia has intensive cooperation with the EU member states. This operation refers to continuous data exchange, through Europol, Interpol, European Central Bank, through bilateral cooperation, and liaison officers of the EU member states. Furthermore, international cooperation is being realised through JIT with the EU member states.

One of the most significant results of such international cooperation in the fight against counterfeiting of money, therefore in the field of protection of the euro counterfeiting, was international action - "Franklin". Realisation of the action was in 2015 in cooperation with the Czech and Austrian police. And for which the police officers of the Ministry of the Interior have been awarded the SELEC award for the best case of that year.

#### **National Bank of Serbia**

Within the National Bank of Serbia, in the Cash Department, there are a Counterfeits and Currency Analysis Division. This division fully performs the functions of NCC, CNAC, and NAC, according to Decision 2001/887/JHA, following Council Regulation 1338/2201 from June 28, 2001. On January 4, 2019, Agreement on the treatment of money which is suspected as counterfeited, signed between the Ministry of the Interior and the National Bank of Serbia in April 2013, has been amended.

#### **Ministry of Finance -the Anti-fraud coordination service -AFCOS**

The organisational unit of the Ministry of Finance in this area is the **Anti-fraud coordination service –AFCOS**. To improve cooperation with the AFCOS Office of the Ministry of Finance, the Network for combating irregularities and fraud in the area of administration of the EU funds has been formed and consists of representatives of the National Bank of Serbia, the Ministry of the Interior, the Ministry of Finance, the Ministry of Justice, Public Prosecutor Office, State Audit Institution, Anticorruption Agency, Audit Office of the European Union Asset Management System.

Furthermore, several meetings and workshops have been organised by the Technical Assistance and Information Exchange instrument of the European Commission - TAIEX, to continuously strengthen the capacities of the state authorities of the Republic of Serbia.ublic of Serbia in combating fraud in the handling of financial resources of the European Union.

10.1. RECOMMENDATION: 1	OVERALL RESULT	INDICATOR OF IMPACT
Alignment of the national legislation with the EU acquis in this area, including with the Geneva Convention, Decision 887/2001/JHA, Directive 2014/62/EU of the European Parliament and of the Council	Full alignment with the acquis	The administrative system established for the suppression of counterfeiting currency is compatible with the European standards ( <i>level of compatibility of the Serbian administrative system with the European standards</i> )

No.	ACTIVITIES	RESPONSIBLE AUTHORITY	DEADLINE	REQUIRED FUNDS / SOURCE OF FINANCING	INDICATOR OF RESULT	STATE OF IMPLEMENTATION
10.1.1.	Align national legislation with Directive 2014/62 / EU of the European Parliament and the Council.	<b>Ministry of the Interior</b> National Assembly of the Republic of Serbia Government of the Republic of Serbia  <u>Proposed by the Ministry of Justice</u>	II quarter of the year 2021	<i>regular work activities of all institutions</i> <b>Budget of the Ministry of the Interior</b> 7.763 EUR for the year 2020 3.881 EUR for the year 2021 <b>Budget of the Government of the Republic of Serbia</b> 633 EUR for the year 2021 <b>Budget of the National Assembly of the Republic of Serbia</b> 40.008 EUR for the year 2021	The Law on amendments of the Criminal Code/Law amending the Criminal Code, the definition of money from Article 112, paragraph 23 of the Criminal Code is changed	

10.1.2.	Strengthen the capacity through training of police officers - guide dogs and procure dogs specialized in finding hidden money	<b>Ministry of the Interior</b>  <i>in cooperation with the Ministry of Finance - Custom Administration</i>	IV quarter of the year 2021	<i>Negotiations with the donor in progress</i>  <i>regular work activities</i> <b>Budget of the Ministry of the Interior</b> 29.808 EUR per year	Training report Number of procured dogs	
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10.2.RECOMMENDATION : 2	OVERALL RESULT	INDICATOR OF IMPACT
Propose measures to strengthen capacity to enhance cooperation with DG ECFIN, Europol and the European Central Bank in this area	Full alignment with the European Union 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	STATE OF IMPLEMENTATION
10.2.1	Education of police officers engaged in the suppression of the criminal offence counterfeiting money in police departments of the Ministry of the Interior. Police officers education in charged in the National Central Office will conduct	<b>Ministry of the Interior</b>	Continuously	<b>Budget of the Ministry of the Interior</b> 44.712 EUR per year <i>regular work activities</i>	The number of delivered training Training report	

10.2.3	Exchange of information and establishment of joint investigation teams with Member States of the European Union in the field of counterfeit money	<b>Ministry of the Interior</b> Republic Public Prosecutor's Office	Continuously	<b>Budget of the Ministry of the Interior</b> 44.712 EUR per year <i>regular work activities</i> <b>Budget of the Republic Public Prosecutor's Office</b> 29.808 EUR per year <i>regular work activities</i>	Number of exchanged information  Number of established joint investigation teams	
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