

## Project Fiche – IPA National programmes / Component I

### 1 IDENTIFICATION

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|--|---|
| <b>Project Title</b>                             | EU Support to the Rule of Law (EU ROL)  |
| <b>CRIS Decision number</b>                      | 2012/023-582  |
| <b>Project no.</b>                               | 1   |
| <b>MIPD Sector Code</b>                          | 2. Justice and Home Affairs   |
| <b>ELARG Statistical code</b>                    | 01.23   |
| <b>DAC Sector code</b>                           | 15130 – legal and judicial development<br>15210 – security system management and reform |
| <b>Total cost<br/>(VAT excluded)<sup>1</sup></b> | EUR 3,635,000   |
| <b>EU contribution</b>                           | EUR 3,000,000   |
| <b>Management mode</b>                           | Direct Centralised Management   |
| <b>EU Delegation in charge</b>                   | Delegation of the European Union to Montenegro  |
| <b>Implementation management</b>                 | Delegation of the European Union to Montenegro  |
| <b>Implementing modality</b>                     | Stand alone project   |
| <b>Project implementation type</b>               | C01 – project type interventions  |
| <b>Zone benefiting from the action(s)</b>        | Montenegro  |

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<sup>1</sup> The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

## 2 RATIONALE

### 2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

This project aims to support rule of law reform in Montenegro line with EU standards and best practices. It was designed to address the issues identified during the TAIEX JLS peer review mission conducted in Q1 2012.

The main issues to be addressed are:

Need to enhance the efficiency, independence and accountability of the Judiciary. This includes: (a) the quality of management and organisational models; (b) the quality of judicial statistics, the IT system; (c) the management and distribution of human resources; (d) the monitoring of trials, and the internal remedies in case of violation of the right to a fair trial; (e) the professional evaluation of judges; (f) the system for disciplinary proceedings for judges and prosecutors; and (f) strengthening the capacity of the Judicial Training Centre.

Need to strengthen law enforcement authorities. This includes: (a) the strategic capacity of the Police, notably the Intelligence Led Policing (ILP) model; the (b) methodology for strategic analysis changed from OCTA to SOCTA; (c) strengthening the operational capacity of the police with the adoption of special investigative measures and the establishment of undercover operations targeting financial, corruption, serious and organised crime cases.

Need to improve inter-agency coordination, through the effective use of Joint Investigative Teams for financial, corruption and serious and organised crime cases and the implementation of MoUs and IT system to effectively exchange information among the Police, Prosecutors, Judges, Tax Authorities, Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing (APMLTF).

Need to enhance the management of the seized criminal assets.

Need to strengthen the anti-money laundering legal and regulatory framework and its enforcement system.

### 2.2 LINK WITH MIPD AND NATIONAL SECTOR STRATEGIES

Under Priority Axis 1, the **MIPD (2011-13)** emphasizes the need to improve the rule of law which included Judiciary reform, fight against organised crime and other criminal acts with special accent put on strengthening institutional capacity of the judiciary system included organisational, human and technical resources. The status of judges and prosecutors, upgrading the capacities, straightening the efficiency of judiciary and improving education of judges are essential elements. Strengthening of judiciary is a main priority in order to guarantee the rule of law.

These priorities are also outlined in the **national sector strategies**, namely (a) the National Program for Integration of Montenegro into the EU 2008-2012 (strengthening the administrative, technical and operational capacities of the judicial and law enforcement authorities); (b) the Strategy and Action Plan of the Reform of the Judiciary 2007-2012; (c) the Action Plan for the development and functioning of Police 2011-2013; (d) the Strategy (2012 -2014) and Action plan (2010 – 2012) for the fight against corruption and organized

crime; (e) the Strategy and Action plan for prevention and fight against money laundering and terrorist financing.

### **2.3 LINK WITH ACCESSION PARTNERSHIP (AP) / EUROPEAN PARTNERSHIP (EP) / STABILISATION AND ASSOCIATION AGREEMENT (SAA) / ANNUAL PROGRESS REPORT**

The **European Partnership (EP)** and **Stabilization and Association Agreement (SAA)** stress out the need to improve rule of law, judiciary independence and efficiency, improving the functioning of the police and other law enforcement authorities, providing adequate training and fighting corruption and organized crime.

The **European Partnership (EP)** stresses the need to strengthen judiciary independence, rationalize the court system, modernize proceedings and improve administration, provide adequate and sustainable financing for the judicial system, enhance the rule of law, improving the functioning of the police and other law enforcement authorities, providing adequate training for fighting corruption and organized crime. Within the framework of political criteria specific attention will be given to good management, justice reform, strengthening and implementation of the rule of law. The **Stabilisation and Association Agreement (SAA)** states, under Article 80, that in their co-operation on justice, freedom and security, the Parties shall attach particular importance to the consolidation of the rule of law, law enforcement and the administration of justice in particular. The article stresses that co-operation will aim at strengthening the independence of the judiciary and improving its efficiency. The Commission **Opinion** and **Progress Report** underline the importance to enhance the independence and efficiency of the judiciary, to strengthen law enforcement authorities and to establish a track record on organised crime and corruption cases.

### **2.4 PROBLEM ANALYSIS**

With a view to starting accession negotiations on Chapters 23 and 24, there is the need to strengthen the capacities of the Judiciary and law enforcement authorities. The Ministry of Justice, as a policy maker in the area of justice, needs to further improve knowledge on EU matters and skills regarding process of accession to EU. In this regard, topics as further judiciary reform practice, international legal assistance, financial assistance, mechanisms of monitor the effective implementation of laws etc. need to be further developed. Practice has shown the need to improve the IT equipment in The Ministry of Justice. Implementation of the legislation needs to be supported – through strengthening technical and administrative capacities of the prosecution offices and courts too.

In the context of approaching towards EU accession criteria, Montenegro is performing comprehensive reforms of the judiciary in terms of legislation, institutional and operational terms. Further work is needed in order to further demonstrate independence, accountability and efficiency of the judicial and prosecutorial system, notably by producing convincing results, including final decisions on corruption and organised crime cases at all levels.

It has proven necessary to have a systematic approach to training of judiciary members. Systematic training should be put in place, in particular on new legislation and EU law, for all judges and prosecutors. Current trainings are performed by Judicial Training Centre. Based on the recommendations of a pre-feasibility study conducted through TAIEX there is the need to support the Judicial Training Centre in its current functions with a view to establish a Judicial Academy in Montenegro.

The capacities of the Police Administration and the Administration for prevention of money laundering also need to be substantially strengthened. There is a need to enhance technical and operational capacities of these institutions, to be able to adequately follow all the requirements when it comes to successful fight against organized crime and corruption. Within the area of police reform, the Police Directorate of Montenegro faces big challenges when it comes to the fight against organized crime and corruption. Therefore, there is a tendency to establish a unique model at the whole territory of Montenegro in order to enhance fight against criminals, protect human rights and strengthen citizens confidence in the police through operational and strategic police activities, planned and focused predominantly on proactive work and on the prevention and investigation of current problems and threats. Also, in accordance with the 2011 Progress report, in the area of prevention of money laundering and financing of terrorism due to the lack of funds, professional training and upgrading of the IT systems remain incomplete. There are gaps and risks in the system for reporting suspicious transactions and the activities of supervisory authorities remain unfocused. Streamlining of the system for reporting suspicious transactions, backed up by a proactive approach by the FIU, are required for successful action in this field.

When it comes to managing seized and confiscated proceeds of crime, EC Analytical Report states that the legislative framework on seizure and confiscation of criminal assets has been improved. Still there is a need to effectively implement and manage of the assets. Therefore, support to the Public Property Agency which is institution currently managing the seized and confiscated proceeds of crime, would be of great significance. There is also the need to strengthen the capacity to manage seized and confiscated assets, including legislative framework and its implementation and the institutional capacity, in terms of EU best practices. There is also the need to strengthen the mechanisms of jurisdictions with regards to managing seized and confiscated assets between judiciary authorities (courts and prosecutor's offices) and State property agency in accordance with jurisdictions of these institutions defined by the Criminal Procedure Code.

## **2.5 LINKED ACTIVITIES AND DONOR COORDINATION**

In relation to the independence and efficiency of the judiciary the main donors are the European Union (CARDS, IPA, TAIEX), the United States, the United Nations (UNDP, UNICEF and UNODC), the Council of Europe, OSCE, the International Management Group, the Government of the Netherlands, the Government of Italy, the Government of Norway, GTZ.

The European Union continuously supports reforms in the justice area. Development of monitoring instruments for judicial and law enforcement institutions in the Western Balkans was implemented under CARDS Regional Programmes 2006. Also, development of a reliable and functioning judicial systems and enhancing of international judiciary cooperation was supported through CARDS 2003. Also, Advisory Support for prosecutors training, CARDS, Twinning light project under implementation was done by the Judicial Training Centre From 1 July 2008 until 31 December 2008. The project contributed significantly to the development of the draft strategy for the Montenegrin judiciary and the IPA 2012 EU ROL project will build upon its results as well by developing the action plan for the implementation of the mentioned strategy. EU support continued through IPA. **IPA 2007 Project "Justice Reform"**, and continued with **IPA 2009 Project "Support to the implementation of the new Criminal Procedure Code"**. IPA supported also the supply of equipment for the Courts and Prosecution office (200,000 €). **IPA 2009 Project 'Support to the penitentiary sector in Montenegro'** supported penitentiary reforms from January 2011 to January 2012.

Montenegro participates in **IPA Regional programme “Regional co-operation in fight against cybercrime in The South Eastern Europe”** (realized by EU and CoE).

In relation to law enforcement, the Police Directorate received support in the area of Intelligence led Policing, secret surveillance and undercover work: «**Enhancing the capacities of Intelligence led Policing in Montenegro**» (2007-2010) – the model was implemented at the central level and in two pilot regions, standard operative procedures in a form of a handbook for the police officers were developed and important results in the area of sustainability of trainings were achieved; **IPA2007** (2009-2010) **Fight against organized crime and corruption**) project contributed to strengthening of the Intelligence and Investigation service of the Criminal Police Directorate with the focus on use of SIMs (Special Investigative Measures), undercover officers and financial investigations; **IPA2009** (2011-2012 - **Strengthening the capacities of police administration**) – training was delivered for the operative technique in Germany and Montenegro and new working methods and techniques were adopted. 2011-2012, project IPA 2010 ”Strengthening border control, criminal intelligence and fight against drugs” was also implemented. **IPA2010** (2011 - **Support the implementation of the Intelligence-Led Policing (ILP) model**) – the first OCTA (Organized Crime Threat Assessment) was developed, as well as the Road Map for future implementation of ILP (Intelligence led Policing) for the 2011-2012. Also GIS solution for the visualization of criminal offences and other events in Montenegro was developed.

Taking into account the importance of the fight against organized crime and corruption, there is a constant need for the improvement of work via trainings and upgrade of existing equipment.

#### **Other projects:**

- East West Management Institute at this moment assists Judiciary through a project funded by USAID – Activity Assistance to Basic Court in Podgorica, which include joint work on enhancing Judiciary Informational System (PRIS) to enable the system to generate various statistical reporting. The Prosecution Office is also supported by the United States Government through purchasing the equipment.

- In the period 2009-2011, Ministry of Foreign Affairs of Luxembourg was supporting education in judiciary authorities of Montenegro. In this respect, European Institute of Public Administration (EIPA), in co-operation with The Judicial Training Centre, provided technical assistance – education and trainings of judicial institutions in the area of EU Law.

- Regional co-operation within the support to the independent and efficient judiciary in Montenegro is supported by the Government of Norway and International management group (IMG). The aim is to support The Judicial Council, reform of the misdemeanour system, help in developing ICT Strategy for the judiciary, rationalization of the judicial structure etc. Also, the Government of Norway and the Government of the Netherlands and the UNDP are supporting the reform of the judicial system in terms of creating effective and sustainable system of free legal aid.

- The Government of Norway in cooperation with the UNDP helps also to strengthen the capacities of the Ministry of Justice and Centers for Mediation, including work on Law on mediation, while UNDP with its own funds will be supporting development of the Judiciary Reform Strategy 2013-2018 and Action plan for its implementation as well as implementation of the Legal Aid Law including special focus on victims of domestic violence (UNDP and One UN funds).

- UNICEF supported Ministry of Justice in development of the Law on treatment of juveniles in criminal proceedings. The Law was adopted in December 2011. Support in development of the secondary legislation in parallel with trainings of professionals will be provided by IPA 2011 Grant to UNICEF. IPA 2011 will also support further strengthening of the System of execution of criminal sanctions through a Twinning Project.
- One of the main priorities - Fighting corruption and organised crime (judicial authorities) is also supported by UNDP and the governments of Norway and The Netherlands. This includes new criminal legislation, trainings of judges and prosecutors in this area and supplying equipment for judiciary authorities. These donors are also supporting through Project „Strengthening the capacities of Center for mediation and promotion of alternative sanctions“.
- UNODC supports the development of the monitoring instruments for the judiciary and law enforcement, promotion the rule of law and security in South East Europe, and the capacities for collecting and analysis of criminal data
- Support was given by OSCE in 2010 for drafting legislation procedures and trainings.
- Reform of enforcement procedure and international private law in Montenegro is realized with financial support of the Government of the Netherlands, and implemented by CILC, GTZ from 2008 to 2012.
- “Regional cooperation in the context of support to the independent and efficient judiciary in Montenegro“ International Management Group, 2008-2013
- “Strengthening the capacities of The Ministry of Justice”, UNDP, 2009-2010
- “Reform of the judicial system in Montenegro: creating of effective and sustainable system of free legal aid”, UNDP, 2008-2010
- Strengthening the capacities of fighting corruption and organised crime in the judiciary, UNDP, 2008-2011
- Strengthening the capacities of Centre for mediation and promotion of alternative sanctions, UNDP, 2010-2012
- IFC has implemented a project, with the financial support of the government of the Netherlands, on promoting Alternative Dispute Resolution. As part of this project three additional mediation centres in Montenegro were established, trainings organized and public awareness campaigns implemented in 2011.
- OSCE, with the financial support of the government of the Netherlands and Luxemburg, is currently implementing the third phase of a court monitoring project with the aim to improve the fair trial standards in Montenegro.
- Developing of monitoring instruments for judicial and law enforcement authorities in the Western Balkans 2009-2011, UNODC
- Regional program for promotion of Rule of law and security in SIE 2009-2011, UNODC
- GTZ Regional projects: Reform of the enforcement procedure in the Balkans; Open Regional Fund for South East Europe Legal Reform; Reform of the international private law.

- 2007-2010 SIDA and Swedish National Police Board 'Enhancing the capacities of the Intelligence led policing in Montenegro'.

## **2.6 Lessons learned**

### *Improved inter-agency and donor coordination:*

Improvement of efficiency of institutions is identified as a top priority within the Government's strategic documents. In order to achieve defined objective for full effectiveness, it must be supported by complementary development of institutional organization, upgrading of security equipment and a comprehensive training programmes. These elements have been addressed through previous EU and other donor's activities. The simultaneous presence of several donors (in particular non-EU donors) with sometime different agendas did not always lead to the necessary synergies. Therefore, further and better organized donor coordination is necessary.

### *Awareness-raising and engagement with the public:*

Need for raising awareness on the JHA reform process still exists and will be taken into consideration during the course of project implementation. It is essential to have a public awareness and to include civil society, competent NGO's, and private companies.

## **3. DESCRIPTION**

### **3.1 OVERALL OBJECTIVE OF THE PROJECT**

Support the reform of rule of law in line with EU standards and best practices.

### **3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT**

Strengthening the independence, efficiency and accountability of the Judiciary, and the fight against corruption and organised crime.

### **3.3 RESULTS**

#### **Component 1: Independence, Efficiency, and Accountability of the Judiciary:**

1.1. The capacity of the MoJ to plan, steer and implement judicial reform is strengthened in line with EU best practices. This includes an improved quality of management and organisational models.

1.2. The quality of judicial statistics is significantly improved. This includes the upgrade of the IT system (PRIS) to allow statistical reporting.

1.3. Independence and efficiency strengthened: This includes: (a) indicators for measuring judicial performance are prepared; (b) the rulebook on framework criteria is revised; (c) the

management and distribution of human resources within the Judiciary is enhanced and is based on the revised statistical indicators; (d) a system to monitor the duration of trials is established, and recommendations to enhance internal remedies in case of violation of the right to a fair trial are prepared and adopted; (e) a system for the professional evaluation of judges is established; (f) The system for disciplinary proceedings regarding judges and prosecutors is revised in line with EU best practices.

1.4. The capacity of the Judicial Training Centre is strengthened through capacity building/training support. This includes (a) Analysis of current legislation with recommendations; (b) planning and education programming capacities improved; (c) teaching methodologies are improved and protocols for the organisation, coordination, moderation and evaluation of training activities are prepared/ready to be adopted; (d) a network of trainers, speakers, mentors for initial and in-service training is established and functioning; (e) a regional contact points network is established and functioning; (f) the documentation department is strengthened; (g) a feasibility study and a strategy to transform the Judicial Training Centre into an independent Judicial Academy is prepared.

1.5. Capacity of IT system for the Justice sector (MoJ, courts, prosecutors) is enhanced.

### **Component II: Strengthening administrative, technical and operational capacities of the Police Directorate, Administration for prevention of money laundering and financing of terrorism and Public Property Agency**

2.1. The strategic capacity of the Police is strengthened. This includes: (a) the Intelligence-Led Policing (ILP) process is fully implemented at central, regional and local level; (b) the methodology for strategic analysis is developed from the Organised Crime Threat Assessment (OCTA) to the Serious and Organised Crime Threat Assessment (SOCTA); (c) the multi-annual strategic planning is enhanced.

2.2. The operational capacity of the Police is enhanced. This includes (a) the adoption of the latest techniques and technology in Special Investigative Measures; (b) the establishment of permanent and mobile command centres for Undercover Operations; (c) undercover investigations are successfully applied to financial, corruption, serious and organised crime cases; (d) improved case-building and safety of the field officers in the area of suppression and combating drug trafficking.

2.3 Improved law enforcement inter-agency coordination. This includes (a) the effective use of Joint Investigative Teams for financial, corruption and serious and organised crime cases; (b) inter-agency cooperation and the upgrade of the IT system to effectively exchange information among the Police, Prosecutors, Judges, Tax Authorities, Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing (APMLTF).

2.4. The effective management of the seized criminal assets is ensured. This includes the upgrade of the legal regulatory framework, the enhancement of the administrative capacity of the State property Agency in managing the criminal assets, the definition of a clear framework among courts and prosecutors and the State Property Agency. This will also result in strengthened mechanisms of jurisdictions of judiciary and Public property agency in accordance with the Criminal Procedure Code.

2.5. The anti-money laundering legal and regulatory framework and its enforcement system is strengthened. This includes (a) the legal and regulatory framework on anti-money laundering is in line with EU standards; (b) the management, organizational and IT capacity of the



APMLTF is enhanced; (c) enhanced cooperation between the APMLTF, the regulators/supervisory bodies and the obligated sector to enhance the enforcement of anti-money laundering legislation; (d) the supervisory bodies ensure effective supervision of the obligated sector and issue reprimands and sanctions to those obligated bodies which fail to apply adequate standards; (e) increased the awareness of the obligated sector to ensure adequate implementation of the anti-money laundering legal provisions.

### **3.4. MAIN ACTIVITIES**

#### **Component 1: Independence, Efficiency, and Accountability of the Judiciary:**

1.1. Supporting the Ministry of Justice in developing a management and organisational model in line with EU best practices.

1.1.2. Deliver training support for the Ministry of Justice officers on international relations, EU standards, EU procedures.

1.2. Support to upgrade the electronic system, called PRIS, to allow statistical reporting according to the above indicators.

1.3. Support the Ministry of Justice, the Judicial Council and Prosecutorial Council to identify the proper statistical indicators, in line with CEPEJ standards, to analyse and assess the functioning of the judicial system.

1.3.1 Support the Ministry of Justice, in cooperation with the Judicial Council and Prosecutorial Council, to establish objective criteria for a qualitative appraisal of judges, prosecutors, and judicial administrative staff work in accordance with international standards.

1.3.2. Supporting the Ministry of Justice, in cooperation with the Judicial Council and Prosecutorial Council, in analysing the functioning of court and prosecution offices network according to the EU standards and the principle of specialisation, and supporting the Ministry, in cooperation with the Judicial Council and Prosecutorial Council, in order to ensure an efficient allocation of human and financial resources and to provide adequate premises and technical equipment for judicial authorities.

1.3.3. Supporting the Ministry of Justice and courts in adopting procedures, in line with CEPEJ standards, to monitor the duration of trials.

1.4. Conduct an analysis of existing normative and institutional system of education in the judiciary and improve the legal/regulatory framework of the Judicial Training Centre.

1.4.1. Support the Judicial Training Centre in changing its organisation and its administrative chart to independently manage a comprehensive initial and in-service training and a functional documentation department.

1.4.2. Support the Judicial Training Centre in improving the procedure for the training needs collection and in enhancing the methodologies of annual and multi-annual planning of education programs.

1.4.3. Support the Judicial Training Centre in setting up, through transparent procedures, a network of teachers and mentors for initial training and of trainers and speakers for in-service training.

1.4.4. Support the Judicial Training Centre in improving training of trainer's methodology.

1.4.5. Support the Judicial Training Centre in establishing protocols for the organisation, coordination, moderation and in improving the methodology for the evaluation of training activities.

1.4.6. Support the Judicial Training Centre in setting up a network of judges and prosecutors acting as contact point for the organisation of training at regional level.

1.4.7. Support the Judicial Training Centre in setting up a documentation department, aimed at preparing, collecting and spreading out material and case law relevant for the training activity.

1.5. Prepare technical specification and supply equipment (list of equipment mentioned in annex 4).

**Component II: Strengthening administrative, technical and operational capacities of the Police Directorate, Administration for prevention of money laundering and financing of terrorism and Public Property Agency**

2.1. Conduct an overview mission for Intelligence Led Policing (ILP) to assess the current situation, training requirements and identification of IT supply specification.

2.1.1. Provision of Intelligence Led Policing (ILP) training and mentoring to police commanders in local units, transfer of best practice on site and/or study visits in member states.

2.1.2. Transferring Intelligence Led Policing (ILP) best practice coordination processes between central, regional and local command levels.

2.1.3. Overview mission and assessment of strategic documents in relation to introducing new EU policy cycle for serious and organized crime (Organized crime Threat Assessment -OCTA to Serious and organized Crime Threat Assessment- SOCTA).

2.1.4. Capacity building provision on site and in Member States to meet SOCTA standards, preparation of new methodology and drafting of SOCTA document.

2.1.5. Know how transfer in priority setting and Multi annual strategic planning (MASP) and Operational annual plans (OAP).

2.2. Organise two fact finding missions on site and in Member States to identify training requirements and identification of supply specification for Special Investigative Measures (SIMs).

2.2.1. Deliver training support on telecommunication and internet surveillance, operational techniques, observation, undercover and case building in relation to serious crime e.g. narcotics, and development of SIMs Standard operative procedures (SOP).

2.2.2. Establishment of fixed and mobile command centre for SIMs

2.3 Prepare recommendations and deliver workshops to enhance the mechanisms and tools for an effective law enforcement inter-agency coordination, including the coordination of the work of the Joint Investigative Teams and the effective multi-agency cooperation, and the exchange information among the Police, Prosecutors, Judges, Tax Authorities, Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing (APMLTF).

2.4. Support to upgrade the legal and regulatory framework on criminal assets seizure and confiscation, including support for the cooperation between courts and prosecutors and the State Property Agency.

2.4.1. Support to strengthen the processes needed for the identification, valuation, seizure, management and confiscation of the criminal assets.

2.4.2. Deliver training on criminal assets seizure and confiscation for the Public Property Administration/Ministry of Finance, Police Administration, Ministry of Justice, judges, and prosecutors.

2.4.3. Provide recommendations and deliver training on legal methodology of linking activities of both courts and prosecutors with State Property agency.

2.5. Prepare a gap needs analysis regarding the legal and regulatory framework on anti-money laundering and prepare recommendations to ensure compliance line with EU standards. On the basis of the gap needs analysis report, support to revise the legal and regulatory framework,

2.5.1 Prepare and deliver on-the job training programmes for the supervisory authorities to conduct AML inspections in the supervised institutions.

2.5.2. Prepare and conduct training workshops in the area of AML to increase the awareness of the obligated sector to ensure adequate implementation of the AML legal provisions, and to enhance cooperation between the APMLTF, the regulators/supervisory bodies and the obligated sector to enhance the enforcement of anti-money laundering legislation.

2.6. Prepare technical specification and supply equipment (list of equipment in Annex 4).

### **3.4 ASSESSMENT OF PROJECT IMPACT, CATALYTIC EFFECT AND CROSS BORDER IMPACT**

The project aims to deliver long-lasting and sustainable solutions and will provide a key contribution towards achieving overall objectives. The achievement of the project purpose will have a positive impact on the fight against corruption and organised crime.

Considering the transnational nature of the organised crime phenomena, this project will have also a cross border impact that will be measured by the successful joint police operations, and the building up of a solid track record of corruption and organised crime cases, including criminal assets seizure and confiscation.

### **3.5 SUSTAINABILITY**

The project will contribute to increase public trust in the work of judiciary and law enforcement authorities, and improvement of public perception of the judiciary in Montenegro. The goal of the projects is also the increase of horizontal cooperation within the Montenegrin judiciary system and to ensure more efficient supervision over the work of judicial authorities.

The Police Directorate has at its disposal adequate personnel who will continue to perform tasks in a high quality way also beyond the completion of the project. Implementation of the intelligence-led policing model will contribute to the overall efficiency of the fight against crime, provide protection of human rights and strengthen citizens' confidence in the police as a result of the operational and strategic activities of the police, planned and focused predominantly on proactive work such as the prevention and investigation of current problems and threats.

The sustainability of the projects results will be ensured through the national budget annual planning, having in mind that activities mentioned above represent continuum with regard to the strategic planning in the anti-money laundering area and that the Administration for prevention money laundering and terrorism financing will continue to perform its duties as the member of the National Commission. It is expected that this project will improve the standard of the institutions playing the key roles in the AML/CTF system and develop reporting standards and data exchange, enable more efficient data forwarding to other competent authorities and compliance with all international standards. Also, it will support the authorities to allow for sufficient resources available in the future to follow up on the results of the project and maintain the capacity of the system.

### **3.6 ASSUMPTIONS AND PRE-CONDITIONS**

Key assumptions are:

The Montenegrin authorities implement without significant delays the national strategy action plan 2012-2014 to fight corruption and organised crime, and justice reform.

Beneficiary institutions provide the necessary human, material and financial support to implement rule of law reform.

Good coordination among the main stakeholders.

Trained staff remain in service.

## **4 IMPLEMENTATION ISSUES**

As far as **IPA contribution** is concerned, this project will be implemented through one grant contract awarded through an open call for proposals restricted to the EU Member States or mandated bodies. The amount to be made available for the grant contract is Euro 3 million, of which Euro 2,4 million will be used for technical assistance, and Euro 0,6 million for the procurement of equipment to maximise the impact of capacity building training delivered under this action. The grant will be fully funded by the EU, and no co-financing from the EU MS will be required, being in the interests of the EU to be the sole donor of this action and to ensure EU visibility. Moreover, this project will contribute to the protection and upholding of fundamental rights.

As far as the **national contribution from Montenegro** is concerned, this project will be implemented through five supply contracts and three service contracts.

#### 4.1. INDICATIVE BUDGET (amounts in EUR)

| <i>PROJECT TITLE</i> |        |         | TOTAL EXPENDITURE   | SOURCES OF FUNDING |             |                           |             |                 |                        |              |                      |       |
|----------------------|--------|---------|---------------------|--------------------|-------------|---------------------------|-------------|-----------------|------------------------|--------------|----------------------|-------|
|                      |        |         |                     | IPA CONTRIBUTION   |             | NATIONAL CONTRIBUTION     |             |                 |                        |              | PRIVATE CONTRIBUTION |       |
|                      | IB (1) | INV (1) | EUR (a)=(b)+(c)+(d) | EUR (b)            | % (2)       | Total EUR (c)=(x)+(y)+(z) | % (2)       | Central EUR (x) | Regional/Local EUR (y) | IFIs EUR (z) | EUR (d)              | % (2) |
| Activity 1           |        |         | 3,635,000           | 3,000,000          | 82.5        | 635,000                   | 17.5        | 635,000         |                        |              |                      |       |
| 1 Grant contract     |        | X       | 600,000             | 600,000            | 100         |                           |             |                 |                        |              |                      |       |
|                      | X      |         | 2,400,000           | 2,400,000          |             |                           |             |                 |                        |              |                      |       |
| Supply contracts     |        | X       | 410,000             |                    |             | 410,000                   | 100         | 410,000         |                        |              |                      | –     |
| Service contracts    | X      |         | 225,000             |                    |             | 225,000                   | 100         | 225,000         |                        |              |                      | –     |
|                      |        |         |                     |                    |             |                           |             |                 |                        |              |                      |       |
| TOTAL IB             |        |         | 2,625,000           | 2,400,000          | 91.5        | 225,000                   | 8.5         |                 |                        |              |                      |       |
| TOTAL INV            |        |         | 1,010,000           | 600,000            | 59.5        | 410,000                   | 40.5        |                 |                        |              |                      |       |
| <b>TOTAL PROJECT</b> |        |         | <b>3,635,000</b>    | <b>3,000,000</b>   | <b>82.5</b> | <b>635,000</b>            | <b>17.5</b> |                 |                        |              |                      |       |

## 4.2 INDICATIVE IMPLEMENTATION SCHEDULE (PERIODS BROKEN DOWN BY QUARTER)

| Contracts                  | Start of Tendering/<br>Call for proposals | Signature of contract | Project Completion |
|----------------------------|---|-----------------------|--------------------|
| Grant Contract (IPA)       | Q1 2013                                   | Q3 2013               | Q1 2016            |
| Supply Contract N.1* (NF)  | Q2 2013                                   | Q4 2013               | Q3 2014            |
| Supply Contract N.2* (NF)  | Q2 2014                                   | Q3 2014               | Q2 2015            |
| Supply Contract N.3* (NF)  | Q1 2015                                   | Q2 2015               | Q2 2016            |
| Supply Contract N.4* (NF)  | Q2 2013                                   | Q4 2013               | Q2 2014            |
| Supply Contract N.5* (NF)  | Q4 2013                                   | Q1 2014               | Q3 2014            |
| Service Contract N.1* (NF) | Q2 2014                                   | Q3 2014               | Q3 2015            |
| Service Contract N.2* (NF) | Q3 2013                                   | Q1 2014               | Q1 2015            |
| Service Contract N.3* (NF) | Q4 2014                                   | Q1 2015               | Q2 2016            |

\* Contracts funded under national co-financing may be split into more contracts if needed.

## 4.3 CROSS CUTTING ISSUES

### 4.3.1 *Equal Opportunities and non discrimination*

Gender balance is applied. The reform of the judiciary and law enforcement sector will aim at providing equal opportunities for women in terms of access to employment, promotion, equal wages, and social benefits.

### 4.3.2 *Environment and climate change*

Environmental issues will be addressed through the purchasing and installing of any new equipment in line with environment protection and the new understanding of saving natural resources.

### 4.3.3 *Minorities and vulnerable groups*

The proposed project will, as far as is practicable, take the required steps to assure that the internal policies, structure or operating procedures of the beneficiary will conform with or promote minority issues. The project of reform the judicial and law enforcement system should assist in implementing mechanisms to ensure equitable representation of ethnic minorities so as to reflect the ethnic diversity of Montenegrin society

#### **4.3.4 *Civil Society/Stakeholders involvement***

Inputs from the civil society representatives have been taken into consideration during the problem analysis phase which was instrumental to produce the project design. Civil society will be involved during project implementation for instance within the framework of round table discussions, workshops and seminars.



## ANNEX 1: Logical framework matrix

|   |  |  |             |   |
|---|--|--|-------------|---|
| LOGFRAME PLANNING MATRIX FOR Project Fiche  |  | Project title and number: EU Support to the Rule of Law (EU ROL)   |             |   |
|   |  | Contracting period expires   |             | Execution period expires  |
|   |  | Total budget   | 3,635,000 € |   |
|   |  | IPA budget:  | 3,000,000 € |   |
| <b>Overall objective</b>  | <b>Objectively verifiable indicators (OVI)</b>   | <b>Sources of Verification</b>   |             |   |
| Support rule of law reform in line with EU standards and best practices.  | Reports from the Government of Montenegro, EU institutions, EU MS, national and international organisations confirming progress on the implementation of the national strategy to fight corruption and organised crime and justice reform.   | <ul style="list-style-type: none"> <li>-Reports prepared by the EU institutions and national and international human rights organizations.</li> <li>-Government reports</li> <li>-Official gazette</li> <li>-Articles in newspapers and/or websites</li> </ul>   |             |   |
| <b>Specific objective</b>   | <b>Objectively verifiable indicators (OVI)</b>   | <b>Sources of Verification</b>   |             | <b>Assumptions</b>  |
| Strengthening the independence, efficiency and accountability of the Judiciary, and the fight against corruption and organised crime. | <ul style="list-style-type: none"> <li>-Reports from the EU MS experts and TAIEX peer review missions confirming an enhanced legal and regulatory framework and enforcement capacity in the rule of law area.</li> <li>-A solid track record of organised crime and corruption cases (investigations, arrests, indictments, final convictions, seizure/confiscations of criminal assets) is consolidated.</li> <li>- Number of laws and regulations in line with EU acquis -</li> <li>-Speed of processing cases increased by 10% by project end in comparison to the situation at the beginning of the project.</li> <li>-Increased number of intelligence information (4x4)</li> </ul> | <ul style="list-style-type: none"> <li>-Project reports</li> <li>-Reports prepared by the EU institutions and national and international human rights organizations.</li> <li>-Government reports and related statistics.</li> <li>-Official gazette</li> <li>-Articles in newspapers and/or websites</li> </ul> |             | The fight against corruption and organised crime, and justice reform remain a high priority for the Government of Montenegro and is implemented without delays. |

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|  | <p>received and processed within Criminal Police Department by 10% by project end in comparison to the situation at the beginning of the project.</p> <ul style="list-style-type: none"> <li>- Increased number of operational reports made in terms of ILP (Intelligence led Policing) within Criminal Police Department by 10% by project end in comparison to the situation at the beginning of the project</li> <li>- Increased number of arrested persons attributed to use of SIMs by 5% by project end in comparison to the situation at the beginning of the project</li> <li>- Increased number of cases approved for the use of SIMs by 5% by project end in comparison to the situation at the beginning of the project</li> </ul>  |  |   |
| <b>Results</b>   | <b>Objectively verifiable indicators (OVI)</b>   | <b>Sources of Verification</b>   | <b>Assumptions</b>  |
| <p><b><u>Component 1: Independence, Efficiency, and Accountability of the Judiciary:</u></b></p> <p>1.1. The capacity of the MoJ to plan, steer and implement judicial reform is strengthened in line with EU best practices.</p> <p>1.2. The quality of judicial statistics is significantly improved.</p> <p>1.3. Independence and efficiency strengthened.</p> <p>1.4. The capacity of the Judicial Training Centre is strengthened through capacity building/training support.</p> | <ul style="list-style-type: none"> <li>-No. of training for the Ministry of Justice officers on international relations, EU standards, EU procedures.</li> <li>-Management and organisational model for the MoJ is established and operational</li> <li>-Statistical indicators to analyse and assess the functioning of the judicial system are established in line with CEPEJ standards.</li> <li>-The MoJ electronic system and Judicial Informational System (PRIS) are upgraded and statistical reporting is produced according to the indicators.</li> <li>-Objective criteria for a qualitative appraisal of judges, prosecutors, and judicial administrative staff work are established in accordance with international standards.</li> <li>-Analysis of the functioning of court and prosecution offices network is produced and human and financial resources are allocated accordingly maximising efficiency.</li> <li>-Procedures adopted by the MoJ to monitor the duration of trials.</li> <li>-Analysis of existing normative and institutional system of education in the judiciary</li> <li>-Enhanced legal/regulatory framework of the Judicial Training Centre.</li> <li>-Judicial Training Centre's organisation and administrative chart is prepared.</li> </ul> | <ul style="list-style-type: none"> <li>-Project reports</li> <li>-Government reports and related statistics.</li> <li>-Official gazette</li> <li>-Reports prepared by the EU institutions and national and international human rights organizations.</li> <li>-Articles in newspapers and/or websites</li> </ul> | <ul style="list-style-type: none"> <li>-The Montenegrin authorities implement without significant delays the national strategy action plan 2012-2014 to fight corruption and organised crime, and justice reform.</li> <li>-Beneficiary institutions provide the necessary human, material and financial support to implement rule of law reform.</li> <li>-Good coordination among the main stakeholders.</li> </ul> |

**Component II: Strengthening the capacities of the Police Directorate, Administration for prevention of money laundering and financing of terrorism and Public Property Agency**

- 2.1. The strategic capacity of the Police is strengthened.
- 2.2. The operational capacity of the Police is enhanced.
- 2.3 Improved law enforcement inter-agency coordination.
- 2.4. The effective management of the seized criminal assets is ensured.
- 2.5. The anti-money laundering legal and regulatory framework and its enforcement system is strengthened.

-Quality of the initial and in-service training by the Judicial Training Centre's

-Procedure for the training needs collection prepared.

-Methodologies of annual and multi-annual planning of education programs prepared

-A network of teachers and mentors for initial training and of trainers and speakers for in-service training and for the organisation of training at regional level is established

-Training of trainer's methodology prepared

-Documentation department aimed at preparing, collecting and spreading out material and case law relevant for the training activity is established

-Technical specifications prepared and equipment procured and installed (according to annex 4)

-Assessment report on the needs of the Intelligence Led Policing (ILP), including IT needs, is prepared.

-ILP system fully applied in central, regional and local command levels.

-Serious and organized Crime Threat Assessment (SOCTA) adopted and implemented.

-Multi annual strategic planning (MASP) and Operational annual plans (OAP) prepared.

-No. of capacity building events/trainings on ILP, SOCTA methodology, Under Cover (UC) operations and Special Investigative Measures (SIMs), telecommunication and internet surveillance, serious crime (e.g. drug trafficking).

-Technical specifications for the SIMs equipment prepared.

-SIMs Standard operative procedures (SOP) prepared and adopted.

-Fixed and mobile command centre for SIMs established.

-Effective law enforcement inter-agency coordination in place, including the coordination of the work of the Joint Investigative Teams and the effective implementation of multi-agency cooperation and the exchange information among the Police, Prosecutors, Judges, Tax Authorities, Customs Administration, the Administration for the

-Trained staff remain in service.

Prevention of Money Laundering and Terrorist Financing (APMLTF).

-No. of laws and by laws on criminal assets seizure and confiscation prepared

-Operating procedures for the identification, valuation, seizure, management and confiscation of the criminal assets adopted.

- Number of Recommendations of linking the activities of courts and prosecutors with Public Property Agency In managing seized and confiscated assets in accordance with The Criminal Procedure Code

-No of training on criminal assets seizure and confiscation.

-Gap needs analysis regarding the legal and regulatory framework on anti-money laundering prepared.

-No. of training for the supervisory authorities to conduct AML inspections in the supervised institutions.

-No. of training workshops in the area of AML to increase the awareness of the obligated sector to ensure adequate implementation of the AML legal provisions, and to enhance cooperation between the APMLTF, the regulators/supervisory bodies and the obligated sector to enhance the enforcement of anti-money laundering legislation.

-Significant increase of the No. of APMLTF reports sent to law enforcement agencies that result in new investigations.

- 70% of staff using software trained

-Number of new e-templates increased significantly by project end in comparison to the situation at the beginning of the project

- Significant increase in the speed of submitting reports on suspicious transactions (by institution obliged to report by the law).

-Technical specifications prepared and equipment procured and installed

| Activities to achieve results  | Means / contracts  | Costs   | Assumptions  |
|--|--|---|--|
| <p><b><u>Component 1: Independence, Efficiency, and Accountability of the Judiciary:</u></b></p> <p>1.1. Supporting the Ministry of Justice in developing a management and organisational model in line with EU best practices.</p> <p>1.1.2. Deliver training support for the Ministry of Justice officers on international relations, EU standards, EU procedures.</p> <p>1.2. Support to upgrade the electronic system, called PRIS, to allow statistical reporting according to the above indicators.</p> <p>1.3. Support the Ministry of Justice, the Judicial Council and Prosecutorial Council to identify the proper statistical indicators, in line with CEPEJ standards, to analyse and assess the functioning of the judicial system.</p> <p>1.3.1 Support the Ministry of Justice, in cooperation with the Judicial Council and Prosecutorial Council, to establish objective criteria for a qualitative appraisal of judges, prosecutors, and judicial administrative staff work in accordance with international standards.</p> <p>1.3.2. Supporting the Ministry of Justice, in cooperation with the Judicial Council and Prosecutorial Council, in analysing the functioning of court and prosecution offices network according to the above standards and the principle of specialisation, and supporting the Ministry, in cooperation with the Judicial Council and Prosecutorial Council, in order to ensure an efficient allocation of human and financial resources and to provide adequate premises and technical equipment for judicial</p> | <p>1 grant contract (IPA)</p> <p>1 Supply contract (N1)</p> <p>1 Service contract (N1)</p> <p>1 Supply contract (N2)</p> <p>1 Supply contract (N3)</p> | <p><b>3,000,000</b></p> <p>35,000</p> <p>25,000</p> <p>25,000</p> <p>50,000</p> | <p>-The Montenegrin authorities implement without significant delays the national strategy action plan to fight corruption and organised crime, and justice reform.</p> <p>-Beneficiary institutions provide the necessary human, material and financial support to the project.</p> <p>-Good coordination among the main stakeholders.</p> <p>-Trained staff remain in service.</p> |

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| <p>authorities.</p> <p>1.3.3. Supporting the Ministry of Justice and courts in adopting procedures, in line with CEPEJ standards, to monitor the duration of trials.</p> <p>1.4. Conduct an analysis of existing normative and institutional system of education in the judiciary and improve the legal/regulatory framework of the Judicial Training Centre.</p> <p>1.4.1. Support the Judicial Training Centre in changing its organisation and its administrative chart to independently manage a comprehensive initial and in-service training and a functional documentation department.</p> <p>1.4.2. Support the Judicial Training Centre in improving the procedure for the training needs collection and in enhancing the methodologies of annual and multi-annual planning of education programs.</p> <p>1.4.3. Support the Judicial Training Centre in setting up, through transparent procedures, a network of teachers and mentors for initial training and of trainers and speakers for in-service training.</p> <p>1.4.4. Support the Judicial Training Centre in improving training of trainer's methodology.</p> <p>1.4.5. Support the Judicial Training Centre in establishing protocols for the organisation, coordination, moderation and in improving the methodology for the evaluation of training activities.</p> <p>1.4.6. Support the Judicial Training Centre in setting up a network of judges and prosecutors acting as contact point for the organisation of training at regional level.</p> <p>1.4.7. Support the Judicial Training Centre in setting up a documentation department, aimed at preparing, collecting and spreading out material and case law relevant for the training activity.</p> <p>-1.5. Prepare technical specification and supply</p> |  |  |  |
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| <p>equipment.</p> <p><b><u>Component II: Strengthening the capacities of the Police Directorate, Administration for prevention of money laundering and financing of terrorism and Public Property Agency</u></b></p> <p>2.1. Conduct an overview mission for Intelligence Led Policing (ILP) to assess the current situation, training requirements and identification of IT supply specification.</p> <p>2.1.1. Provision of Intelligence Led Policing (ILP) training and mentoring to police commanders in local units, transfer of best practice on site and/or study visits in member states</p> <p>2.1.2. Transferring Intelligence Led Policing (ILP) best practice coordination processes between central, regional and local command levels.</p> <p>2.1.3. Overview mission and assessment of strategic documents in relation to introducing new EU policy cycle for serious and organized crime (Organized crime Threat Assessment - OCTA to Serious and organized Crime Threat Assessment- SOCTA).</p> <p>2.1.4. Capacity building provision on site and in member states to meet SOCTA standards, preparation of new methodology and drafting of SOCTA document.</p> <p>2.1.5. Know how transfer in priority setting and Multi annual strategic planning (MASP) and Operational annual plans (OAP).</p> <p>2.2. Organise two fact finding missions on site and in member states to identify training requirements and identification of supply</p> | <p>1 supply contract (N4)</p> <p>1 supply contract (N5)</p> <p>1 service contract (N2)</p> <p>1 service contract (N3)</p> | <p>250,000</p> <p>50,000</p> <p>100,000</p> <p>100,000</p> |  |
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| <p>specification for Special Investigative Measures (SIMs)</p> <p>2.2.1. Deliver training support on telecommunication and internet surveillance, operational techniques, observation, undercover and case building in relation to serious crime e.g. narcotics, and development of SIMs Standard operative procedures (SOP).</p> <p>2.2.2. Establishment of fixed and mobile command centre for SIMs</p> <p>2.3 Prepare recommendations and deliver workshops to enhance the mechanisms and tools for an effective law enforcement inter-agency coordination, including the coordination of the work of the Joint Investigative Teams and the effective implementation of multi-agency MoUs, and the exchange information among the Police, Prosecutors, Judges, Tax Authorities, Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing (APMLTF).</p> <p>2.4. Support to upgrade the legal and regulatory framework on criminal assets seizure and confiscation.</p> <p>2.4.1. Support to strengthen the processes needed for the identification, valuation, seizure, management and confiscation of the criminal assets.</p> <p>2.4.2. Provide recommendations and deliver training on criminal assets seizure and confiscation for the Public Property Administration/Ministry of Finance, Police Administration, Ministry of Justice, judges, and prosecutors.</p> <p>2.5. Prepare a gap needs analysis regarding the legal and regulatory framework on anti-money laundering and prepare recommendations to ensure compliance line with EU standards. On the basis of the gap needs analysis report, support</p> |  |  |  |
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| <p>to revise the legal and regulatory framework,</p> <p>2.5.1 Prepare and deliver on-the job training programmes for the supervisory authorities to conduct AML inspections in the supervised institutions.</p> <p>2.5.2. Prepare and conduct training workshops in the area of AML to increase the awareness of the obligated sector to ensure adequate implementation of the AML legal provisions, and to enhance cooperation between the APMLTF, the regulators/supervisory bodies and the obligated sector to enhance the enforcement of anti-money laundering legislation.</p> <p>2.6. Prepare technical specification and supply equipment.</p> |  |  |  |
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## **ANNEX 2: Description of Institutional Framework**

The Ministry of Justice manages, coordinates and monitor the implementation of justice reform. It prepares draft laws and secondary legislative acts, related to the judicial system and to the activities under the competence of the Ministry of Justice. The Ministry of Justice is responsible for the preparation of Strategy for Reform of the Judiciary, and its Action Plan. The Ministry of Justice includes also the Prison Administration and the Directorate for Anti-Corruption Initiative. Within the EU integration process, the Ministry of Justice has a leading role in relation to the adoption of Chapter 23 of the acquis.

The institutional framework of the judiciary system includes 15 basic courts, two high courts, two commercial courts, Appellate, Administrative and Supreme court. Cases of organised crime, corruption, terrorism and war crimes are under subject matter jurisdiction of Specialized Departments of High courts. Judicial Training Centre is an institution acting as a part of the The Supreme Court.

The State Prosecution is an independent state authority that performs the affairs of prosecution of the perpetrators of criminal offences and other punishable acts which are prosecuted ex officio. For the purpose of carrying out activities aimed at suppression of organised crime, corruption, terrorism and war crimes, the Department for Suppression of Organised Crime, Corruption, Terrorism and War Crimes headed by the Special Prosecutor was established and it performs its duties within the Chief State Prosecutor's Office.

The Law on Police (Official Gazette of RMNE No. 28/05) and Regulation on organisation and working procedures of the public administration (Official Gazette of RMNE No. 61/05) determine the Police Directorate basic competencies, scope of work, organization, police authorities and duties, police officers status and police work control. The Rulebook defines its scope of work and authorities. According to the Rulebook, tasks from the Police Directorate domain are undertaken in five departments (Criminal Police Department, General Police Duties Department, Border Police Department, and Department for Human Resources, Legal Matters, Telecommunications and Information Systems and Persons and Buildings Security Department).

The Public property Agency is body of state administration in composition of the Ministry of Finance, in charge of performing managing of assets/property which becomes the property of the State by the power of Law.

The Administration for prevention of money laundering and terrorism financing is the body of state administration in charge of collecting, analysing and forwarding to the competent authorities of data, information and documents necessary for discovering money laundering and financing of terrorism; develops methodology and mechanisms to develop policies, procedure and practice in tracking and recognising suspicious transactions etc.

The Project Steering Committee will include the Ministry of Justice, the Judicial Training Centre, the Courts and State Prosecution Offices, the Police, the Administration for Prevention of Money-Laundering and Financing of Terrorism, and the Public Property Agency/Ministry of Finance and the EU Delegation.

### **ANNEX 3: Reference list of relevant laws and regulations only where relevant**

- Criminal Code
- Criminal Procedure Code
- Law on Courts
- Law on Prosecution Office
- Law on Judicial Council
- Rulebook on Judicial Council
- Rulebook on the work of the Prosecutor's Council
- Law on education in judiciary authorities
- Law on Bar exam
- Law on Police
- Law on managing temporarily and permanently confiscated assets
- Law on prevention of money is laundering and terrorism financing

### **ANNEX 4: Details per EU funded contract**

As far as **IPA contribution** is concerned, this project will be implemented through one grant contract awarded through an open call for proposal restricted to the EU Member States or mandated bodies. The amount to be made available for the grant contract is Euro 3 million, of which Euro 2,4 million will be used for technical assistance, and Euro 0,6 million for the procurement of equipment to maximise the impact of capacity building training delivered under this action. The grant will be fully funded by the EU, and no co-financing from the EU MS will be required, being in the interests of the EU to be the sole donor of this action and to ensure EU visibility. Moreover, this project will contribute to the protection and upholding of fundamental rights.

As far as the **national contribution from Montenegro** is concerned, this project will be implemented through five supply contracts and three service contracts.

Under Component I (Independence, Efficiency, and Accountability of the Judiciary) the following contracts are foreseen:

- Supply contract N1 (35,000 EUR) for the procurement of IT equipment for the Ministry of Justice, Courts and Prosecutors (desktop computers, mobile computers, printers, scanners, multifunctional machines, multimedia equipment, network machines, copy machines)
- Supply contract N2 (25,000 EUR) for the procurement of for the procurement of IT equipment for the Ministry of Justice, Courts and Prosecutors (desktop computers,

mobile computers, printers, scanners, multifunctional machines, multimedia equipment, network machines, copy machines)

- Supply contract N3 (50,000 EUR) for the procurement of IT equipment for the Ministry of Justice, Courts and Prosecutors (desktop computers, mobile computers, printers, scanners, multifunctional machines, multimedia equipment, network machines, copy machines)
- Service contract N1 (25,000 EUR) to provide logistic support for the organization of workshops, seminars, conferences in 2014

Under Component II (Police Directorate, Administration for prevention of money laundering and financing of terrorism and Public Property Agency) the following contracts are foreseen:

- Supply contract N4 (250,000 EUR) for the procurement of the operative-tactical equipment for the surveillance of telecommunications.
- Supply contract N5 (50,000 EUR) for the procurement of office equipment for the mobile and permanent command centre.
- Service contract N2 (100,000 EUR) to provide logistic support for the organization of workshops, seminars, conferences in 2014.
- Service contract N3 (100,000 EUR) to provide logistic support for the organization of workshops, seminars, conferences in 2015.

#### **ANNEX 5: Project visibility activities**

The visibility activities will ensure that the beneficiary population is aware of the roles of the partner and of the EU in the activity and raise awareness among the Montenegro population or in Europe of the roles of the partner and of the EU in delivering aid in this particular area. (justice and home affairs) context (improving environmental protection

Activities will be realized through information campaigns including press releases, press conferences, leaflets, brochures and newsletters, web sites, photographs, audiovisual productions. For all activities relating visibility measures the organizers will contact the Press and Information Officer at the EU Delegation in Montenegro as the person is responsible for coordinating the overall EU communication strategy.