

LIST OF ABBREVIATIONS

AFIS	Automated Fingerprint Identification System
BC	Beneficiary Country
CAR	Criminal Asset Recovery Project
CFCU	Central Finance and Contracting Unit
ENFSI	European Network of Forensic Science Institutes
EWS	European early warning system
EXBS	Export Control and Related Border Security
FATF	Financial Action Task Force
FIU	Financial Investigation Unit
IBM	Integrated border management
ICITAP	International Criminal Investigative Training Assistance Program
IPA	Instrument for pre-accession assistance
IPA CBC	IPA Cross border cooperation
KRIPOS	National Criminal Investigation Service
MB IPA	Multi Beneficiary IPA
MIPD	Multi-annual Indicative Planning Document
MoF	Ministry of Finance
MoH	Ministry of Health
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoU	Memorandum of Understanding
MS	Member State
NCTC	National Crime Technical Center
NGO	Non-governmental organization
NPAA	National Plan for the Adoption of the Acquis
NPI	National Programme for Integration
OCTA	Organised Crime Threat Assessment
PAO	Programme Authorising Officer
PL	Project Leader
PPO	Public Prosecutor's Office
PSC	Project Steering Committee
RTA	Resident Twinning Advisor
SCOC	Service for Combating Organized Crime
TF	Twining Fiche
THB	Trafficking in human beings
UN GIFT	Global Initiative to Fight Human Trafficking
USDOJ	United States Department of Justice
WINPRO	Witness Protection in the Fight against Serious Crime and Terrorism

STANDARD TWINNING PROJECT FICHE

1. Basic Information

1.1 Publication notice reference: EuropeAid/ 137-110/IH/ACT/RS

1.2 Programme: National programme for Serbia under the IPA – Transition Assistance and Institution Building Component for the year 2013 (Indirect Management mode)

1.3 Twinning Number:SR 13 IB JH 05

1.4 Title: Fight against organised crime (Human trafficking, drugs trafficking, illicit arms trafficking, financial investigation)

1.5 Sector: Home Affairs /Justice and Home Affairs

1.6 Beneficiary country: The Republic of Serbia

2. Objectives

2.1 Overall Objective(s):

The overall objective is to contribute to Serbian's efforts to harmonise national policies within the home affairs sector in line with EU standards and the acquis.

2.2 Project purpose:

1. To strengthen law enforcement institutions' (Criminal Police Directorate and Prosecutors office) capacities to investigate (police) lead investigations and prosecute organised crime (prosecutor's office).
2. Build capacity of investigation techniques in solving cases of crime (organised and others) by improvement of the efficiency and working conditions, of the physical-chemical and toxicological laboratories of the Ministry of the Interior in accordance with EU standards (ISO/IEC 17025:2006) and initiate the process of the Laboratory accreditation to EU standards.

2.3 Contribution to National Development Plan / Cooperation agreement / Association Agreement / Action Plan Stabilisation and Association Agreement

According to the **Stabilisation and Association Agreement**, Article 6, (page 13): "Serbia commits itself to continue to foster cooperation and good neighbourly relations with the other countries of the region including an appropriate level of mutual concessions concerning the movement of persons, goods, capital and services as well as the development of projects of common interest, notably those related to border management and combating organised crime, corruption, money laundering, illegal migration and trafficking, including in particular in human beings, small arms and light weapons, as well as illicit drugs. This commitment constitutes a key factor in the development of the relations and cooperation between the Parties and thus contributes to regional stability, Article 80, page 81: "In their cooperation on justice, freedom and security, the Parties shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, improving the functioning of the police

and other law enforcement bodies, providing adequate training and fighting corruption and organised crime.” Article 86, (page 86): “The Parties shall cooperate on combating and preventing criminal and illegal activities, organised or otherwise, such as:

(a) smuggling and trafficking in human beings; (b) illegal economic activities, and in particular counterfeiting of cash and non-cash means of payments, illegal transactions on products such as industrial waste, radioactive material and transactions involving illegal, counterfeit or pirated products; (c) corruption, both in the private and public sector, in particular linked to non-transparent administrative practices; (d) fiscal fraud; (e) identity theft; (f) illicit trafficking in drugs and psychotropic substances; (g) illicit arms trafficking; (h) forging documents; (i) smuggling and illicit trafficking of goods, including cars; (j) cyber-crime. Regional cooperation and compliance with recognised international standards in combating organised crime shall be promoted.”

According to the **European Partnership**, (page 11), Fight against organised crime: “- Adopt outstanding legislation, develop the capacity to seize assets, implement a national strategy against organised crime and strengthen criminal intelligence. - Continue the fight against trafficking of human beings, including implementation of the strategy for prevention of trafficking and provision of adequate assistance and protection to victims. - page15, “Fighting organised crime: - Ensure that an effective system of witness protection is in place, improve regional cooperation, reinforce the fight against economic and financial crime (including money laundering and counterfeiting of currencies), fraud and corruption, facilitate the placement of liaison officers, seconded from EU Member States, in the relevant state bodies involved in the fight against organised crime and implement the Palermo Convention on transnational organised crime. - Strengthen capacity at the Ministry of Interior (in particular the Department for organised crime) and develop procedures and the capacity to share intelligence between agencies.”

National Programme for Adoption of the Acquis (2014-2018) (the NPAA) which contains a plan of measures for the period 2014 – 2018, following measures for implementation of priorities in the field of the fight against organised crime are identified: amendments of Criminal Code, Criminal Procedure Code, Law on recovery of the proceeds of crime and Law on electronic communication; strengthening capacity of Prosecutor office for Hi-tech crime; strengthening inter-agency cooperation; development of unique system of records in field of organised crime; keeping records of proactive investigations.

The EC Progress Report 2014 for Serbia state (page 12) “Serbia actively participated in regional law enforcement cooperation, which led to effective results in the fight against organised crime and in particular to a high-profile arrest in connection with organised crime groups. However, there is no overarching strategic threat assessment of organised crime in the country and final convictions remain rare. Additional efforts are needed to systematically carry out financial investigations in parallel with complex criminal investigations. Intelligence-led policing based on crime mapping and systematic use of threat assessments remain to be developed.”

In line with the **Stockholm Programme - Protection against serious and organised crime**, the process of fight against organised crime in the Union is identified in chapter 4.4. “The fight against these criminal phenomena will involve systematic exchange of information, widespread use of the Union agencies and investigative tools and, where necessary, the development of common investigative and prevention techniques and increased cooperation with third countries.”

INDICATIVE STRATEGY PAPER FOR SERBIA (2014-2020) (adopted on 19.8.2014.) states that in Serbia the legal and institutional framework on organised crime is generally in place. Regional and international cooperation has led to a number of high profile investigations into organised crime groups. Capacity for intelligence-led policing, particularly intelligence analysis, and inter-agency cooperation needs to be however enhanced, especially in order to improve information flow and exchanges between law enforcement agencies, and to ensure prosecution.

There is a need for a centralised criminal intelligence system together with harmonised statistical data. Serbia is on the main Balkans drug trafficking routes, which requires sustained efforts by the customs administration to detect and seize narcotics at the borders. Cooperation between law enforcement bodies needs to be improved. As concerns trafficking in human beings, Serbia remains a country of origin, transit and destination. The procedures for the identification and handling of identified victims remain weak and the protection of victims needs to be improved. As concerns money laundering, there is lack of analytical capacities to systematically identify suspicious cases, and a need for an effective system for monitoring and analysing cash transactions.

3. Description

3.1 Background and justification:

The Police, including the gendarmerie, is in charge of internal security and the prevention and suppression of all forms of crime. The Police is organized/managed through the General Police Directorate at central level, the City of Belgrade Police Directorate, regional police directorates and police stations at municipal level. It includes Border Police that is responsible for the protection and control of the state border. The reform of the police is based on the 2005 Law on Police and the development strategy for the Ministry of Interior for the period 2011-2016. The accountability of the police is enforced through the work of the Sector for Internal Control, which has established close working relations with the State Ombudsman.

Further steps are being taken to modernise police work and improve internal coordination, as well as international and regional cooperation. Additional efforts toward coordination within police structures and with other ministries have contributed to the adoption of several key strategies and laws and the establishment of specialised inter-ministerial structures, such as the Commission for Inter-ministerial Coordination in the field of Justice and Home Affairs. Also the agreement concerning the improvement of the cooperation in fight against crimes was signed between Ministry of Interior, Ministry of Finance and Economy and Ministry of Justice and Public Administration in September 2010. This agreement is the result of ILECU project. The fight against organised crime has been intensified, resulting in several major operations in suppressing international drug smuggling channels and regional criminal networks, with the intensive cooperation of prosecution and police structures with counterparts in neighbouring countries, EU MS, USA and Latin America.

The entry into force of the Law on the organisation and responsibilities of the State institutions in suppressing organised crime, corruption and other severe criminal offences in January 2010 extended the powers of the Prosecutor for Organised Crime. The Prosecutor is primarily responsible for cases of organised crime and high-level of corruption. As the court of first instance, the Higher Court in Belgrade deals with organised crime, and with high-level corruption cases for the whole of Serbia. In the second instance, such cases are dealt with by the Appellate Court in Belgrade. This specialisation increases the expertise of the players involved. Police capacity for investigating financial crimes was improved by setting up a financial investigation unit within the Service for Combating Organised Crime in Ministry of Interior. Specialised units have been established within the police forces, including on cyber-crime and drug smuggling, allowing greater specialization and expertise.

Most common forms of organized crime in Serbia are as follows: organized narcotics crime, organized financial crime, trafficking and human smuggling, smuggling and trafficking in firearms, organized property crime, organized forms of cyber-crime, corruption and money laundering.

According to data of Service for Combating Organised Crime for 2014, 45.919,881 gr heroin and 309.979,78 gr marijuana were seized. With the criminal charged submitted to Prosecutor's Office 12 organized criminal groups were covered. Two of these criminal groups were connected with organized financial crime. Regarding the fight against organized human trafficking one criminal

charge was submitted to Prosecutor's Office against five persons. Concerning the seized weapons, statistic of the Service is following: 11 guns, 7 shotguns, 1 hunting rifle, 1 revolver, 804 pieces of ammunition of different calibres, 4 frames for guns.

In the Republic of Serbia 5.698 criminal charges were submitted for criminal offence concerning narcotics (article 246, 246a and 247. Criminal Code) during 2014. Total number of committed criminal offences during 2014 was 6.204 and total number of seizures was 6.870. In these seizures 3.621.548,39 g of narcotics were confiscated. Quantity of confiscated narcotics during 2014 is as follows: heroin 193.054,72 g, marijuana 2.786.229,41 g, cocaine 4.107,33 g, hashish 6.271,32 g, ecstasy 39.883,96 g, pieces of ecstasy 1.956, pieces of LSD 52, amphetamine 22.625,08 g, pieces of amphetamine 453, other 569.376 g, 90.387 pieces and 6.733 ml.

According to the EC Progress Report on Serbia 2014 in the field of trafficking in human beings, Serbia remains a country of origin, transit and destination for trafficking in human beings, for all forms of exploitation, in particular sexual and labour exploitation. Police capacity to efficiently combat trafficking in human beings needs to be ensured, and enforcement to be improved. Training modules for the police, including the border police, regarding trafficking in human beings need to be enhanced.

It may be noted that, in previous period, the MoI has taken extensive measures and activities in the fight against all forms of organized crime with the strategic orientation aimed at improving international police cooperation as a precondition for achieving effective results in this area. Although criminal investigations have been launched in a number of organised crime cases, final convictions remain rare. Capacity to carry out complex, in particular financial investigations needs to be built up. The level of inter-agency cooperation, information flow and exchanges between law enforcement agencies need to be improved. A centralised criminal intelligence system has not been established and there is a lack of harmonised statistical data. Risk assessments and crime mapping need to be used more broadly and intelligence-led policing needs to be developed. The dependence of the police on the security intelligence agency to carry out certain special investigative measures in criminal investigations is not in line with EU standards.

Development **Strategy for the MoI 2011-2016**, was adopted on January 2011. Action plan for its implementation was adopted in September 2012. This strategy focuses on the area of police reform, capacity building and further specialisation within the police force, modernisation of police work and improvement of international and regional cooperation, which is the rationale for such an intervention not to be included in the scope of the present twinning fiche. In this Strategy four areas of work that are of strategic importance to the future development are identified: Organization and management, Safety of the individual, the community and the state, Partnerships at national, regional and international level, Internal and external oversight systems and operational transparency.

In the second area - Safety of the individual, the community and the state: Developed criminal police capacity for effective and efficient action and developed efficient and effective Integrated Border Management System are identified, among others, as strategic goals for implementation of this strategic area.

Within the first goal - Developed criminal police capacity for effective and efficient action emphasizes that:

“All forms of proactive work need to be developed in partnership with other government authorities and representatives of civil society; the Crime Prevention Strategy needs to be adopted in line with the Initial Framework of the National Crime Prevention Strategy. All mechanisms of assistance and protection of the victims of crime, especially violent crimes, should be further developed.

Further development of the National Crime Technical Center's capacities will ensure the level of work, which enables the use of evidence according to the EU standards. Sustainable development of forensic capabilities needs to be ensured, in line with the progress in the relevant scientific fields".

In the second goal, efficient and effective Integrated Border Management System has been developed and emphasizes that:

"Integrated border management (IBM) is a precondition for the overall level of security in the country and contributes to the fight against crime by creating the conditions for cooperation with countries from the region, as well as for European integration processes. IBM will enable the long-term development of border security and create borders open for free flow of people and goods, while at the same time being safe from all forms of trans-border crime.

A master plan is needed for the equipping and development of infrastructure on the border crossings, as well as for formulating training plans for border police officers. The implementation of the Integrated Border Management Strategy, through further strengthening of agencies involved in that process, as well as through the enforcement of the cooperation agreement in the area of IBM, will ensure interagency cooperation that will, in turn, establish a more efficient system of uncovering illegal migration and illegal drugs trade.

The development of migration management capacities needs to be further enhanced and the capacity for combating illegal migration and human trafficking must be advanced, in accordance with the already adopted strategies, plans and international standards. To enhance the efficient prevention and fight against organised crime, Serbia has adopted the National Strategy for the Fight against Organised Crime in 2009. The Strategy, foresees the long-term trends and directions of functioning of the organised crime structures, as well as the capacities of the Republic of Serbia for prevention and its reduction to the lowest possible rate.

The Integrated Border Management (IBM) Strategy, which was adopted on 8th November 2012, is a document by which the Republic of Serbia determines the policy regarding establishing a system of integrated border management. It sets a framework for the elaboration of harmonised and synchronised sector strategies and for implementation plans, defines roles and responsibilities of the state authorities and relevant border services, identifies strategic goals, and decides on basic directions for actions during the process of establishing and implementing the long-term sustainability and stability of the established system of integrated boarder management.

Serbia has a Strategy for Fight against Trafficking in Human Beings. This Strategy was valid until 2013, and a new strategy and action plan are still in preparation. Public debate for Draft of Strategy for the prevention and fight against Trafficking in Human Beings is ongoing. European Commission recommends strengthening cooperation and support for civil society active in the field of fight against human trafficking. In September 2012, the Republic Prosecutor's Office signed the Memorandum of Understanding with a national NGO ASTRA defining mutual cooperation in the area of data collection and information and communication in cases of human trafficking in order to enhance the rights of victims of human trafficking. In October 2012, the specialisation for prosecution of trafficking in human beings has been made within the public prosecution service in Serbia, by appointing contact points for prosecution and coordination of trafficking in human beings cases at all Higher Prosecutor's Offices in Serbia. The initial training of the specialised prosecutors was conducted in November 2012, with the assistance of ASTRA, Republic Public Prosecutor's Office, Judicial Academy and the Embassy of Republic of France in Belgrade. Other training courses for specialised prosecutors were held in February 2013 (focusing on approach to victims) and in October 2013 (focusing on financial investigation). Furthermore in October 2013, the Republic Prosecutor's Office signed the Memorandum of Understanding with a national NGO ATINA also defining mutual cooperation in the area of data collection and information and communication in cases of human trafficking in order to enhance the rights of victims of human trafficking. Further training of the newly appointed contact persons at prosecutor's office is needed,

in particular on forced labour human trafficking and on impunity of victims, as well as their enhanced cooperation with other law enforcement agencies and NGOs. Based on the findings of the civil society, shared by the NGO at hand, the main shortcomings of the national referral mechanism in Serbia is the weakness of the procedures, both for identification and for further handling of identified victims, so that the identification and recognition of a victim status often depends on the decision of only one state officer in charge; victims are expected to report the crime and witness before the court, but their protection and their safety need to be improved. In addition, trials are lengthy and victims are summoned to give statements over a long period of time, which is a serious obstacle for their putting the trafficking experience behind and moving on; sentences for traffickers are around prescribed minimum and a small number of them end in jail.

The support envisaged within the scope of this IPA 2013 TF will help to reduce the secondary victimisation. Secondary victimisation is recognized as a problem in many documents of EU and UN. Especially it is underlined in Strategic project on Eurojust's action against trafficking in human beings - Final report and Action plan, where national authorities were asked to list main problems during investigation and prosecution of trafficking in human beings (THB) cases. Evidentiary difficulties in THB cases appear to be the biggest issue. Based on questionnaire and on information which were gathered on experts meeting big problem appears to be summoning for trial and securing their presence before courts. Based on Directive 2011/36/EU and EU Strategy towards the eradication of trafficking in human beings 2012-2016 there is a need to bring instructive act that will combine the work of all authorities and direct their jurisdiction when there is a case of trafficking in human beings; enhance prosecution and adjudication as well as victims' protection in human trafficking cases through communication and cooperation between all involved actors and introduction of new criminal offences in accordance with EU standards.

Furthermore, there are some new legal developments in Serbia, requiring assistance with implementation. Under the new Criminal procedure code (effective October 1, 2013 for general jurisdiction institutions and from 15 January 2012 for organised crime), prosecutors are now in charge for conducting investigations, and will play a key role in the fight against human trafficking. The new code also introduces the concept of "sensitive witness", very important institute for human trafficking cases, which provides new tools for judges and prosecutors in examination of sensitive witnesses that requires special skills and training. One of the issues which appears in police work when there is THB case, is that within 27 Police Directorates in Republic of Serbia there is lack of knowledge by police officers in situations when it is necessary to recognize victim of THB, lack of criminalization under the Criminal Code and lack of knowledge about measures which have to be undertaken to prevent further exploitation of victim. Beside good cooperation on national level there is a need to extend and improve cooperation at regional level in order to achieve faster reaction when first information is received. This is a standard which has been established within the EU Directive 36/2011 (which replace Frame Work Decision 2002/629/JHA) and Council of Europe Convention 197.

Based on the Europol Report 2013 Member States continue to be affected by weapons trafficked from the Western Balkans. In particular Serbia and Bosnia and Herzegovina are source countries for arms and ammunition for criminal groups in the EU.

According to the number of submitted request for legal possession of weapon, Republic of Serbia is positioned on a sixth place in the world. In past period there were 17 000 requests submitted and 70% of them received permission for weapon possession. Overall number of registered weapon which are in possession of civilians is 1200000 and there is presumption that in Republic of Serbia 3000000 of weapons are not registered. Therefore, public awareness concerning this fact is first crucial thing. Having in mind this situation and the recommendation from Stockholm Programme, better cooperation between state authorities is needed.

Based on Serbia 2014 Progress Report submitted by the European Commission, additional efforts are needed to systematically carry out financial investigations in parallel with complex criminal investigations. Lack of internal capacity and expertise in financial investigations and asset recovery, together with a lack of technical equipment for special investigative measures, hamper the effectiveness of the investigations. Inter-institutional cooperation between law enforcement agencies has improved to a certain extent, but needs to be developed further. The independence of all investigative and judicial bodies dealing with investigations into corruption need to be strengthened.

There is also a need to improve capacities in Criminal Police Directorate and Public Prosecutor's Office to investigate and prosecute organized crime. Therefore, training of staff is needed in following areas: application of special investigative techniques specific for investigations of trafficking in human beings, illicit arms trafficking, proactive organized crime cases related to financial investigations, drugs cases with prominent use of Internet as crime commission tool, etc. all of them in line with international standards; recognizing criminal offences concerning human trafficking; improving proactive financial investigation as a tool for evidence gathering in fight against human beings, illicit arms trafficking, drugs smuggling, and other forms of organized crime; collecting and analysing statistics with regards to the criminal cases of human trafficking as well as improvement of the reporting system in Public Prosecutor's Office; investigating and prosecuting human trafficking in a manner decreasing secondary victimisation, to mention some of them.

As a result of Criminal Asset Recovery Project (CAR), which began in April 2010 and was completed in March 2013, a new Law on Criminal Asset Recovery was drafted (RS Official Gazette no 32/13). CAR Project was funded by Council of Europe and EU, the main beneficiary institution was Directorate for Recovered Asset Management and Ministry of Interior was beneficiary institution. New Law included measure "lifestyle analysis". This measure is based on Financial Action Task Force (FATF) document, which presents the best practice on confiscation (Recommendations 4 and 38) and framework on ongoing work on asset recovery. Recommendation 4 states that countries should consider adopting measures which require an offender to demonstrate the lawful origin of the property alleged to be liable to confiscation, to the extent that such a requirement is consistent with the principles of their domestic law. Mentioned recommendation 4 offers also two examples showing how such measures may be structured. Therefore it is needed to train police officers who work in Financial Investigation Unit (SCOC) and to introduce them with best practice of EU MS.

Due to the current economic crisis, individuals are being recruited to serve as couriers or money mules in the drugs trafficking business. There is evident need to raise awareness regarding this issue, by organizing seminars and to introduce police officers with this phenomenon. The Council Resolution of 29 November 1996 on measures to address the drug tourism problem within European Union prescribes measures which can be undertaken.

According to Europol OCTA 2011, in a chapter under the name Synthetic drugs, it is noted that there is a dynamic relationship between the reduction in ecstasy production and the emergence of so-called "designer drugs" and "legal highs". These kinds of drugs are offered via internet and the rate of new drugs which were reported to European early warning system (EWS) has increased. Therefore it is needed to educate police officers regarding this threat and to introduce them with methods of selling the drugs via Internet.

The NCTC is the key forensic provider in the Serbian criminal proceeding system. The result of the Center's work is a large number of physical evidences that are necessary for criminal proceedings. Acting in the area of security and justice, NCTC is the national key provider of forensic expertise and physical evidences for the judicial system of Serbia. One of the key segments of NCTC's work is the analysis and expertise of drugs, both from seized material and from biological samples. Also, a very important area of work in NCTC is forensic medicine. Every year around 300 autopsies are

performed by NCTC's forensic doctors, where a continuous increase in need of analysing drugs, medicaments, poisons etc. from biological material is present. This type of analysis is also resulting in physical evidences needed for criminal proceedings. Therefore, in line with improving criminal justice there is a need to improve the existing limited capacity of the Ministry of Interior for efficient investigative procedures, which are crucial for establishment of an effective prosecution-led investigation. The MoI's Criminal Police Directorate faces significant obstacles to carry out duties in the field of expertise analysis and laboratory testing of crime related evidences. The department within the Directorate responsible for this area is the National Crime-Technical Centre (NCTC). The centre is responsible for: a) forensic chemistry expert analysis and b) forensic toxicological expert analysis. It performs forensic testing by providing expertise and vast majority (90%) of material evidence for judicial prosecution of all crimes committed in the country. In this context NCTC processed about 20,000 cases per year and is a unique crime-procedural-evidentiary resource for the Serbian judiciary. During the past five years, the number of the performed analyses in the laboratories has increased by approximately 25 % per year. In accordance with the Crime Investigation Law, it is important for the expertise to be completed in a relatively short period of time (48 hours). However, the current laboratory doesn't have preliminary conditions required for the beginning of the accreditation process and introducing the standard ISO/IEC 17025. The European Network of Forensic Science Institutes (ENFSI) is authorised by the EU to conduct regulations related to forensics provides procedures and accreditation criteria in this respect. NCTC of the MoI doesn't have laboratory for toxicological analysis and expertise. For this type of analysis the Ministry depends on the service of another institution (Military Medical Academy) for which the MoI has to pay a regular fee. On the territory of Belgrade the samples are sent in most cases to Military Medical Academy, but in other parts of Serbia samples are sent to laboratories for forensic medicine which work within faculties of medicine. The referent laboratory was opened in December 2013 at the Institute for Forensic Medicine. Toxicological tests and expertise are essential to the forensic medical expertise in terms of determining the lethal outcome caused by excessive intoxication of psychoactive substances, drugs or other toxic substances. The current equipment and performance of laboratory of the Military Medical Academy is far below the level of a modern toxicology laboratory. All these obstacles result in the practice where the lack of quality and presentation of evidence lead to dismissal of criminal investigation or dismissal of court case leaving perpetrators unpunished and Serbian citizens suspicious about their personal security and impartiality of law enforcement agencies.

During decades of performing in a very wide range of forensic areas National Criminalistics Technical Centre (NCTC) has conducted forensic analysis and expertise in accordance with the Law on Police and the Criminal Procedure Code. The result of this work is a large number of physical evidences necessary for criminal proceedings. Acting in the area of security and justice, NCTC is the national key provider of forensic expertises and physical evidences for the judicial system of Serbia. One of the key segments of NCTC's work is the analysis and expertise of drugs both from seized material and from biological samples. Also, a very important area of work in NCTC is forensic medicine. Every year around 300 autopsies are performed by NCTC's forensic doctors, where a continuous increase in need of analysing drugs, medicaments, poisons etc. from biological material is present. This type of analysis is also resulting in physical evidences needed for criminal proceedings.

Considering the steady increase in number and complexity of above described analysis and expertise, the capacity improvement in relevant laboratories is necessary, which resulted in the project proposal.

The NCTC's position as the key forensic provider in the Serbian criminal proceeding system is completely in line with the practice of majority of forensic institutes which are member of ENFSI (European Network of Forensic Science Institutes), being the referent European association of forensic institutes. As the only representative from Serbia, NCTC is the full member of ENFSI.

ENFSI's mission is to create European standards in the field of forensics. Improvements in all areas of NCTC's work are planned and conducted in accordance with these standards. In organization of ENFSI a project for accreditation of forensic laboratory is currently conducted where NCTC is participating. Accreditation is a process of harmonizing the work of laboratory with certain standards. In the case of NCTC it is standard ISO17025. Standard has certain requirements that laboratory has to fulfil and when it happens the laboratory receives accreditation. Accredited laboratory has to "move forward" every year and to introduce new methods that will be validated (checked according to standard requirements). NCTC has initiated accreditation process for two methods for drugs analysis. However, the process of development of new methods and their validation for all fields of forensic chemistry is long-lasting. In the future, the process will be facilitated by this project.

NCTC strongly supports the existence of other laboratories that operate in accordance with international standards, especially the laboratories mentioned, which are outside of security and justice sector and are operating in health care sector. In accordance with the Criminal Procedure Code, on demand of authorized bodies (prosecutor, judge), these laboratories perform certain number of analysis, and they can have a very important role as second-opinion and control mechanism. Every accused may be unsatisfied with the result of the analysis completed in any laboratory, even in NCTC. Accordingly, he/she has the right to ask for so called second opinion, i.e. to request that another laboratory repeats analysis of the same samples that have already been made for example in NCTC. Like in many other European countries, in addition to forensic labs in NCTC (which is the national key forensic provider in Serbia), it is useful to have other similar labs outside security sector (health care, education, scientific sector) which are, beside their basic scope of performance, able to do some forensic analysis (DNA, drugs, flammable liquids, explosives, ballistics, documents, etc.).

In accordance with the Criminal Procedure Code ("RS Official Gazette", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 and 55/2014), when NCTC receives an official order for a certain analysis/expertise (which is the main scope of NCTC's activities – around 18,000 cases a year), the analysis/expertise has to be done by the forensic experts of NCTC in NCTC's laboratories, so there is no possibility of sub-contracting other labs or redirecting the material using some inter-institutional agreement.

Under IPA 2012 Programme - Support to the Rule of Law System, component Adaptation of space for improving investigative techniques and forensics support is foreseen in making the laboratory space up to international standards. Equipment/instruments for testing and analysis will be procured through a supply contract under IPA 2013. Staff training in international methods for faster, more accurate, more precise and reliable determination of the abuse of drugs, pesticides and their metabolites in biological materials (blood, urine, organs, and hair) is envisaged by this twinning project. That is essential for the elucidation of crime, which is in many cases carried out under the influence of psychoactive substances (drugs, medicaments and alcohol) and for the expertise required by the judicial authorities of the Ministry of Justice of the Republic of Serbia. Also, it is requirement for all standards on the quality of the model of the EU ISO/IEC 17025:2006.

3.2 Linked activities (*other international and national initiatives*):

EU funded projects:

Within **IPA 2007** national programme for Serbia, Ministry of Interior implemented project "**Improving Border Control Standards**". Main objective of this project was to create higher control standards at Serbian borders in line with the Integrated Border Management Strategy and the purpose of this project was to introduce EU standards of Border Security and Management at

Serbian borders and enhance the flow of commerce, trade and persons and reduce criminal activities.

As a result of the EC funded project **“Criminal Asset Recovery Project (CAR)”**, IPA 2009, which began in April 2010 and was completed on March 2013, a new Law on Criminal Asset Recovery was drafted and entered into force (RS Official Gazette no 32/13). The main beneficiary institution was Directorate for recovered asset management and MoI was beneficiary institution. New Law included measures directed to “lifestyle analysis”.

IPA 2010, “Establishment of efficient system for prevention and suppression of illegal migrations on the territory of the Republic of Serbia” covers database for illegal migrants and exchange of data between relevant institutions and it also covers fight against high tech crime through twinning component of the project. The project is finished in September 2014.

Twinning component of the Project **“Implementation of Strategy for fight against drugs -supply and demand reduction component”** IPA 2010, which ended in July 2014, had a purpose to upgrade the system for the prevention of drug abuse and to fight production, trafficking and distribution of drugs in Serbia in accordance with EU standards.

IPA 2012 project, “Police reform and migration management” which started in March 2014, has the aim of putting in place a system for monitoring legal migration by establishing a Central database on foreigners to be used for the purposes of the MoI and Ministry of Foreign Affairs as well as for the external users. In connection with this, this (IPA 2013) proposed project is expected to connect the Border Police Directorate, Asylum Office with Regional Police Directorates, Regional Border Police Centres, Asylum Centres and Reception Centre for Foreigners. A link would be made with the already existing AFIS Data Base containing data on asylum seekers and illegal migrants which was upgraded through IPA 2010.

IPA 2012 project, “Implementation of the New Serbian Code of Criminal Procedure” started in 2014, with the aim to provide training to judges, prosecutors, police and attorneys to better implement new Criminal Procedure Code, as well as audio-video recording equipment to prosecutors to successfully implement prosecutor-led investigation, stipulated by this Code, and to raise awareness on victims’ rights and victims protection under the new Code. The training within the project started in April 2014 and is on-going.

Several Multi Beneficiary IPA projects address relevant issues within Home Affairs sub-sector. Witness Protection in the Fight against Serious Crime and Terrorism (WINPRO), MB IPA 2008 programme (budget 4,210,526 €, project duration 2009-2012) and Witness Protection in the Fight against Organized Crime and Corruption (WINPRO II) MB IPA 2012 programme (budget 7,000,000 €, project duration 2012-2016) with a purpose to promote a coordinated and harmonized use of witness protection procedural and non-procedural measures, at regional and European level, to combat organised crime and corruption through reinforcing institutional capacity of Witness Protection Units and other relevant agencies. Fight against organized crime and corruption: Strengthening the Prosecutors' Network, MB IPA 2010 programme (budget 5,000,000 €, project duration 2010-2013) aims to strengthen the operational capacity and capabilities of the Public/State Prosecutors' Offices in the Beneficiaries in order to prosecute and investigate cross-border organized crime and linked cases of economic and financial crime and corruption.

Besides that, MoI implemented two CBC projects. The first one is IPA CBC Bulgaria-Serbia Project **“Strengthening the forensic capacities of the organised cross border crime prevention in the field of narcotics trafficking”**, whose main goals and tasks were defined by the necessity for strengthening Serbian police capacity for implementing its activities in the field of conducting police investigation, development of the capacity of forensic expert and enhancement of their capacity for collecting evidences in accordance with European best practices. The other project is **IPA CBC Hungaria – Serbia “Novi Sad – Szeged cross – border cooperation in development**

of harmonized methods and production of common database for the analysis of designer drugs”, who’s overall objective was organized crime prevention and border safety maintenance.

The last implemented IPA CBC project was **Bulgaria - Serbia “Prevention of crime through improvement of capacities for crime scene investigation and analysis of biological and other traces”**. The main aim of this project was to contribute to the fight against crime in the region, and attaining of international standards (ENFSI) in the field of forensic science in the Republic of Serbia and Bulgaria. The project ended in January 2015.

Other donors

Project **“Strengthening of Laboratory Examinations and Crime Scene Investigations in the Serbian Ministry of Interior’s Criminal Technical Centre in Uzice”** financed by Norwegian Government has been completed.

Improving the forensic and crime scene operations in the Police Unit in Novi Sad - The project was supported by the Norwegian Government and consisted of actions aimed to supply the necessary equipment for forensic expertise and crime scene investigation as well as the education training conducted by the experts from Norwegian forensic centre in Oslo-KRIPOS.

Establishment of the Center for forensic training and improvement of forensic crime scene processing (inspection) funded by the Government of the Kingdom of Sweden - The content and objective of this project is focused on crime scene processing as opposed to physical, chemical and toxicological analyses that would come subsequently after collection of crime scene evidence. So, this project complements the investigative capacities of law enforcement in Serbia.

In January 2011 started a project financed by OSCE Mission to Serbia, aimed at training professionals working in the field of human trafficking and enabling continuance of development in accordance with the highest standards of skills, knowledge and attitudes. The Police officers attended trainings in the field of combating against trafficking in human beings and victims’ protection – Training of Trainers programme in the field of trafficking in human beings. The project ended in December 2012.

This twinning project will not duplicate trainings provided within this programme; however, experience from this project will be used to upgrade knowledge and expand it for criminal police officers, since insufficient number of criminal police officers underwent trainings within this programme. Both groups of police officers will receive proper certificates (basic or advanced level).

Many efficient projects have been implemented in Serbia with regards to human trafficking issues. The UN GIFT Joint Programme, which is finished in October 2012, aimed at operationalizing the National Action Plan through its different components. One component had aimed to enhance institutional cooperation and strengthen its sustainability.

In addition to the above-mentioned EU IPA projects, the public prosecution service has benefited from the assistance rendered in issue-based projects by the OSCE, USDOJ and World Bank, as well as the projects of the foreign Embassies to Belgrade, such as the UK, French and German Embassy. These projects address current issue-based needs, such as USDOJ-OSCE2011-2012 training on the new Criminal Procedure Code and on financial crime investigations, 2012-2013 USDOJ OPDAT and ICITAP and U.S. State Department EXBS border anti-corruption initiative – JACI, 2012 OSCE expert assistance with drafting and public presentation of Disciplinary Rules, Code of Ethics, etc.

The MS Twinning partner shall ensure full complementarities between ongoing projects and this twinning through the twinning work plan. The work plan will also take on board and consider the principal conclusions and recommendations of the above mentioned projects as far as possible. The work plan will make certain that work already undertaken will not be repeated under this twinning.

3.3 Results:

The results of this project should contribute to the achievement of the following higher level objectives:

At sector objective level indicators are:

- Ratio between planned and implemented NPI/NPAA activities/measures for Chapter 24 at annual level
- Level of fulfilment of New Strategy and the action plan for fight against human trafficking (2013-2018) on annual level

At sector support objective level indicators are:

- Increase in the effective usage of special investigative measures as compared to total number of measures envisaged in agreements;
- Increased no. of detected THB perpetrators in police crime reports;
- Increased no. of indicted THB perpetrators;
- Increased no. of detected organized crime perpetrators in police crime reports;
- Increased no. of indicted organized crime perpetrators;
- Increased ratio of solved cases compared to number of cases received;
- Increased number of submitted requests for accreditation per method (out of total number of approximately 40 methods);

Result 1.1 Improved capacities of Criminal Police Directorate and Public Prosecutors Office to investigate and prosecute organised crime concerning the trafficking in human beings, illicit arms trafficking, drug trafficking, financial investigation

The expected result indicators are:

- Increased application of provisions of Art. 103 of new Criminal Procedures Code (measured by number of motions for victims of THB to be treated as especially sensitive witnesses in criminal procedures);¹
- Increased number of charges in cases of illicit arms trafficking;
- Ratio of police force using internet as an investigative tool increased;
- Usage of proactive investigations within the Financial Investigation Unit within the Service for Combating Organized Crime - Criminal Police Directorate increased;
- Total number of court rulings granting requests for permanent assets seizure increased on annual basis;

Result 1.2. Raised awareness with regard to trafficking in human beings and combating of illicit weapons trafficking

The expected result indicators are:

¹ This legal tool became available with the Criminal Procedure Code of 2011, which is applied in organized crime cases as of 15.1.2012, and will be applied in general jurisdiction cases as of 1.10.2013. The data for 2012 reflect only the data from the authorities suppressing organized crime.

- Increased total number of calls through-out years, by potential victims of trafficking in human beings;
- Increased number of requests for legal weapon possession;

Result 1.3. Current legal framework completed and upgraded covering all aspects of trafficking in human beings (regarding Serbian victims and others in transit through Serbia), and improving the legal base/standards covering new areas in drug trafficking. Criminal Asset Recovery to include analysis of lifestyle

The expected result indicators are:

- Legal framework concerning trafficking in human beings and drug trafficking completed and implemented (Criminal Code amendments, adoption of by-laws);
- Increased number of MoI signed bilateral agreements concerning THB and drug trafficking;
- Increased number of MoUs concerning THB between law enforcement agencies (police, prosecutor's office) and NGOs signed and implemented;

Result 1.4. Increased international cooperation and coordination in fight against human trafficking, illicit weapons trafficking, trafficking of drugs, financial investigations

The expected result indicators are:

- Increased number of joint investigations between countries in the region and EU MS concerning fight against organised crimes;
- Increased number of requests for prosecutorial cooperation and legal assistance with EU MS through EUROJUST and with third countries on basis of bi-lateral and multi-lateral agreements;

Result 2.1. Analysed/mapped existing capacities and developed roadmap for laboratory accreditation in accordance with EU standards

The expected result indicators are:

- Roadmap adopted by MoI and operational;

Result 2.2. Trained professional personnel in the physical-chemical laboratories (for analysis of: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and toxicological laboratory and acquire necessary experience to work with EU standards

The expected result indicators are:

- Number of trained personnel using new methods of laboratory examination necessary for accreditation;²
- Reduced average time spent to analyse samples;
- Increased number of samples analysed on daily basis;

Result 2.3: Process of accreditation started: Validated methods of analysis which will be applied in the physical-chemical laboratories (for analysis of: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and the toxicological laboratory

The expected result indicators are:

- Number of Forensic investigation techniques harmonized with ENFSI;

²For this indicator data shall be disaggregated by gender, in accordance with Project training reports

- Number of analysis methods validated;
- Ratio/Degree of fulfilment of international standards (ISO/IEC 17025:2006);

3.4 Activities:

The below activities are the minimum indicative requirements to achieve the above results. The MS will take these into account when developing its own methodology and complement them with its own and other relevant best practise experience and examples so that the above results can be sustainably achieved.

The numbers provided are equally indicative and result of a first assessment notably of the number of primary recipients of capacity building measures. The information serves to guide the Member State as to the anticipated geographic distribution and scale of the operation notably as regards training activities.

Activities related to Result 1.1:

- 1.1.1. Conduct analysis of the operational capacities of the Criminal Police Directorate and Public Prosecutors Office and formulate recommendations for implementation as well as support their implementation in the form of procedures, revision of legislation and draft the document based on analysis and recommendations;
- 1.1.2. Carry out training needs analysis for staff (MoI and Prosecutors), and other relevant organisations (particularly concentrating on joint training programmes with MoI and PPO);
- 1.1.3. Based on previous training need analysis, prepare training plan and programme for staff of MoI and Prosecutors and for relevant NGOs and deliver trainings;
- 1.1.4. Prepare Training of Trainers programme and deliver trainings;
- 1.1.5. Enhance the communication and cooperation between NGOs and respective prosecutor's offices in preparation for trials on the basis of signed MoUs;
- 1.1.6. Organize study visit/s to competent institutions (at least 1 study tour with at least 7 participants in order to cover different areas of fight against organized crime);

Activities related to Result 1.2:

- 1.2.1. Prepare a communication and awareness plan for the media professionals and the general public on the trafficking in human beings and combating of illicit weapons trafficking;
- 1.2.2. Implement the communication and awareness plan;

Activities related to Result 1.3:

- 1.3.1. Review existing legislation and assist in drafting new legislation or amendments to fill any gaps in covering all aspects of trafficking in human beings, drugs trafficking, illicit arms trafficking, asset forfeiture;
- 1.3.2. Review existing legal mechanisms and procedures for implementation of measures against human trafficking, and measures against drugs tourism problem within the EU; introduce new criminal offences and standards in line with EU and international standards;

1.3.3. Draft operational procedures according to the previously prepared review of existing practices and identified issues with regards to the identification of THB victims, and draft bylaws pertaining to inter-institutional co-operation according to made needs assessment; new operational procedures will lead to increased number of MoUs between competent national authorities and NGOs;

Activities related to Result 1.4:

1.4.1. Conduct needs analysis, create training plan and deliver training for staff to apply special investigative techniques in line with Palermo Convention, formation of joint investigation teams with the neighbouring countries;

1.4.2. Make assessment of actual practice of regional law enforcement co-operation and formulate recommendations for its improvement, particularly in the light of bilateral agreements on law enforcement co-operation and best practice in line with EU standards;

1.4.3. Ensure cooperation with specialized NGO's and international organizations by enhanced joint activities relevant for the Twinning Project objective and, where appropriate, by MoU on co-operation with NGOs; also extend practice of mutual experience exchange relevant in fields of organized crime covered by this Twinning Project;

Activities related to Result 2.1:

2.1.1. Conduct analysis of the existing capacities and prepare roadmap for laboratory accreditation in accordance with EU standards;

2.1.2. Carry out on-the-spot verification of the concrete implementation of legislation (Criminal Procedure Code, Law on the police, Law on psychoactive controlled substances), methodological tools applied by the National Criminal Technical Centre (NCTC) and a report with recommendations for improvement;

Activities related to Result 2.2:

2.2.1. Conduct training for professional staff in the physical-chemical laboratories (for analysis: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and the toxicological laboratory;

2.2.2. Conduct study/working visits in order to gain the necessary experience to operate according to EU standards (two study visits for at least three employees of NCTC in duration of six days each);

Activities related to Result 2.3:

2.3.1. Compare different methods for the analysis of drugs, explosives and traces of fire, micro trace fibre and micro-marking paint and toxicological analysis and choosing the best suited;

2.3.2. Validation of the selected methods for the analysis of drugs, explosives and traces of fire, micro trace fibre and micro-marking paint and toxicological analysis;

Two visibility events will be organized in the course of the implementation of the project; Kick-off meeting at the start of the implementation and the Final meeting at the end of the implementation of the project activities. The MS will propose additional visibility actions as stand-alone or associated

with training workshop etc. and as may be deemed appropriate to create awareness of ACA specific work and promote the activities foreseen under this twinning.

3.5 Means/ Input from the MS Partner Administration:

The Project Leader and RTA (Resident Twinning Adviser) shall provide support to the responsible Serbian authorities in strengthening their capacities as well as in implementation of this project. During the implementation of this project RTA will be positioned in the premises of the Ministry of Interior.

3.5.1 Profile and tasks of the Project Leader:

The MS Project Leader will manage the project team of selected member state(s) and co-ordinate the implementation of activities.

Tasks of the Project Leader:

- Overall management and coordination of the project with MS, MoI, other partners and stakeholders;
- Project reporting;
- Ensuring backstopping and financial management of the project in the MS;
- Ensuring timely, effective and efficient implementation of the project and achievement of results, through proposed activities;
- Coordination of deployment of short-term experts;
- Coordination with RTAs, from the Member State side, the Project Steering Committee meetings, which will be held in Serbia every three months;
- Participation at the Steering Committee meetings (every three months);
- Assuring compatibility with EU requirements;

Profile of the Project Leader:

Requirements:

- University degree in the field relevant for this project;
- High-ranking official currently working in the MS administration;
- At least 7 years of professional experience in the area relevant to the project;
- Project management experience;
- Fluency in English language;
- Computer literacy;

Assets:

- Experience with twinning rules and procedures;
- Experience in managing or assisting in management in at least 1 project in the area of Fight against organised crime;
- Experience in transition countries in Europe;

3.5.2 Profile and tasks of the RTA

The RTA (Resident Twinning Adviser) shall provide support to the implementation of the project to the relevant responsible Serbian governmental authorities.

The RTA works on a daily basis with the BC staff to implement project, support and coordinate activities in the beneficiary country.

RTA must have broad knowledge and experience in the area of fight against organized crime which will enable him/her to organise interdisciplinary team for successful implementation of the project. RTA will be in charge for managing the day-to-day coordination and progress of the activities. He/she is responsible for as well as mutual collaboration in the course of successful achievement of the project results. He/she will liaise with the BC Project Leader and will report to the MS Project Leader.

At the position of RTA he/she will coordinate project activities with police and prosecutor's offices organizational units at different levels.

The RTA will also be responsible for ensuring that experts input and distribution of their working days will be used in the most efficient and effective way and in line with the agreed work plan to enable timely completion of project results. Duration of his/her secondment will be 18 consecutive months.

Tasks of the RTA:

- Responsible for monitoring project implementation and proposing corrective management actions if required;
- Project management and coordination of the activities of the team members in line with the agreed work plan to enable timely completion of project results and delivery of outputs;
- Selection, mobilisation and supervision of the short-term experts, together with the Project Leader;
- Facilitation of the contacts with peer institutions in EU member states in order to stimulate a proper exchange of information, data and experience;
- Organization of visibility events (kick-off and final event);
- Advice on related EU policies, regulation and best practice;
- Establish and maintain cooperation with all beneficiaries involved in the implementation of the project and other related projects (ensuring the avoidance of overlapping), in close coordination with the Project Leader;
- Responsible for organisation of the Project Steering Committee meetings and reporting on the project progress in cooperation with the Project Leader;
- Identifying and reporting to the Contracting authority, at the early stage, all difficulties that may jeopardize the implementation of the project and the achievement of its results.

Profile of the RTA:

Requirements:

- A university degree in Law or other relevant field;
- At least 5 years of general professional experience in the field of fight against organised crime;
- At least 3 years of specific professional experience in drafting or implementing legislative related to the fight against organized crime;
- Proven contractual relation to public administration or mandated body, as defined under twinning manual 5.4.5;
- Fluency in English language;
- Computer literacy;

Assets:

- Experience as team leader/RTA/key expert of at least one project, preferably in the field of fight against organised crime;
- Experience in working with prosecutor's offices;
- Experience in conducting trainings;

3.5.3 Profile and tasks of the short-term experts

The twinning partners will decide on the profile, number and involvement of short-term experts during the drafting of the project work plan. STEs should be identified by the Project Leader/RTA and have to be agreed with the beneficiary institutions in the course of designing and delivery of the expected projects outputs. Selection procedures shall be transparent and based on pre-defined criteria, including detail professional qualifications, and work experience. Each expert will have individual Terms of Reference, including the expert profile requirements and outputs to be produced which will be endorsed by the beneficiary institutions. Following the endorsement by the beneficiary institutions, the terms of reference and selected experts are subject to final approval.

Tasks of the short- term experts:

STEs will provide specialized know-how for the individual tasks in this project. Therefore, the experts should have a relevant professional experience in administration and minimum qualifications required, as well as specific skills needed for individual task. As a general approach, the STEs will take the responsibility for the implementation of the Project and the achievement of the results, each for his/her individual mission tasks, as defined by individual ToR. They will also prepare the required reports and the output described.

Detailed profiles and tasks of short - term experts and including the duration of their assignments will be provided in the Twinning Work Plan.

Regarding result 1 STE should provide expertise in the relevant field such as:

- Fight against trafficking in human beings, particularly organized forms of THB;
- Fight against illicit arms trafficking, particularly its organized forms;
- Suppression of organised forms of drug smuggling;
- Life style analyses and proactive financial investigations;
- Implementation of FATF standards;

Profile of the short- term experts related to Result 1

Requirements:

- University degree in the relevant field;
- At least 3 years of the specific professional experience in the field of Fight against organised crime;
- Law enforcement experience (in the capacity of police officer or public prosecutor) in one of the fields of Fight against organised crime;
- Experience in the EU policies and standards;
- Experience in conducting trainings;
- Fluency in English;

- Computer literacy;

Regarding result 2 STE should provide expertise in the relevant field such as:

- (for NCTC) Field 1 - analysis of drugs by using Gas Chromatography with and without Mass Spectrometry, Liquid Chromatography with and without Mass Spectrometry; Samples Preparation, Quantification of psychoactive substances, Validation of Quantitative Methods;
- (for NCTC) Field 2 - analysis of flammable liquids and traces of fire and explosion-identification of flammable substance or explosives traces in the samples from the crime scene by using different instrumental methods (GC-MS, LC-MS, HPLC); interpretation of results;
- (for NCTC) Field 3 - analysis of micro traces of paint and fibres; comparison of questioned and non-questioned samples by methods of Microscopy (Stereo-, Scanning Electron- and Polarization-), Micro spectrophotometry; interpretation of results;
- (for NCTC) Field 4 – toxicology analyses of biological samples on the presence of drugs; determination of alcohol in blood;

Profile of the short- term experts related to Result 2

Requirements:

- University degree in the relevant field;
- At least 5 years of general professional experience in the field of forensic chemistry and/or forensic toxicology;
- At least 3 years of specific professional experience in the field depending of the area of expertise;
- Experience in introducing the ISO 17025 in the laboratory, as well as in validation of methods for drugs analyses and for analyses of micro traces;
- Experience in conducting trainings;
- Fluency in English;
- Computer literacy;

Assets:

- PhD degree in the field of chemistry for the fields 1, 2 and 3 will be consider as an asset;
- PhD in the field of medicine or toxicology for the field 4 will be consider as an asset;

4. Institutional Framework

Within the Ministry of Interior, the responsible organisational unit for the human trafficking component will be Criminal Police Directorate, Service for Combating organised crime, Department for Suppression of Classic Organised Crime – Section for Trafficking in Human Beings (HB) and HB Smuggling Suppression. This Section consists of nine professionals.

The organisational unit for weapons smuggling suppression is the Section for weapons and explosive materials smuggling suppression within the Classic organized crime suppression department in Service for combating organized crime.

Financial investigations unit is under the Service for combating organized crime and it has two departments: Department for financial investigations in organised crime cases and Department for planning and coordination of financial investigations.

Department for Drug Smuggling Suppression within the Service for combating organized crime is in charge of drug suppression. Department have Heroin, Cocaine, Marijuana and Cannabis

Smuggling Suppression Section, Synthetic Drugs Smuggling and Precursors Misuses Suppression Section and Section for coordination, information and operational data exchange.

In accordance with the Law on state administration, Article 64, the Ministry of Interior cooperates with other institutions to successfully carry out their duties.

Ministry of Interior consists of the following units:

- Police Internal Affairs Sector
- General Police Directorate
- Finance, HR and Joint Affaires Sector
- Emergency Situations Sector
- Sector for Analytics, Telecommunications and IT

Within the General Police Directorate there is a Criminal Investigations Directorate. Criminal Investigations Directorate has in its organisational structure several sub-units dealing with various types of crime. Among other specialized departments, Service for Combating Organized Crime has one specialized for the area of drugs suppression encompassing three sections. In addition to the Service for Combating Organised Crime, regional police administrations in Serbia deal with repression of drugs on a daily basis. The Ministry of Interior also cooperates with the Customs Administration of the Ministry of Finance within Service for Combating Organised Crime there are Department for drugs smuggling suppression, Department for financial organised crime suppression, Department for classic organised crime suppression, Department for high tech crime suppression, Department for operational communications and Financial investigation unit. The implementation of twinning project **Modern concept of Human Resources Management in the Ministry of Interior of the Republic of Serbia, IPA 2012**, started in February 2014. Under result 1.2. of this project modern HRM organisational units should be restructured and supported in line with HRM strategic documents, i.e. strategy and action plan and supported by new HR IT system. The project also envisages introduction of basic criteria of international standards regarding HRM system.

Within the Public Prosecutor's Service, the responsible organisational unit for implementation of this project will be Republic Public Prosecutor's Office International Cooperation and Legal Assistance Department, who will represent the Republic Public Prosecutor's Office, manage this project on behalf of the Republic Public Prosecutor's Office, coordinate and supervise the implementation of this project and organize the participation of the competent public prosecution offices on different topics (Organised Crime Prosecutor's Office on organised crime offences, Higher Prosecutor's Offices on trafficking in human beings, etc).

The Project Steering Committee (PSC) will be established for the direct control and supervision of the project implementation. The PSC will be responsible for the overall quality of project implementation and provide strategic direction. The Committee will ensure that the project outputs and goals are met in time, approve work plans and reports, offer guidance and advise on project activities.

The role and main functions of the Project Steering Committee will be:

- a. to assess project progress and monitor all activities of the project;
- b. to guide the project implementation on all technical matters, review and make comments on all reports, including submitted technical and working papers;
- c. to endorse the Inception, Interim and Final reports and other reports;
- d. to jointly discuss any critical points, risks or bottlenecks of project implementation and to propose and discuss remedies in case of problems;

- e. to guide the development and monitor the implementation of experts' schedules and project work plans;
- f. to ensure close co-operation among the relevant stakeholders;
- g. to closely coordinate with other EU projects related to this field and with other relevant donors' projects to promote synergies and integration.

The exact composition of the Project Steering Committee will be defined in the Twinning Contract. However, the following persons should at least be a member: BC Project Leader, MS Project Leader, BC Counterpart to the RTA and key experts, Prosecutor's Office, CFCU, Ministry of Interior and Serbian European Integration Office. EU Delegation will be invited as an observer. The PSC will be chaired by the BC Project Leader. The PSC will meet on quarterly basis.

Project will ensure the secretariat function of the Project Steering Committee, including organization of meetings, preparing and circulating the agenda, writing and distributing PSC minutes to all members. Project Steering Committee meetings should be announced at least two weeks before the actual date and any materials should be distributed one week before the meetings to the PSC members.

5. Budget

The total budget for this Twinning project is 1.500.000 EUR.

Fight against organised crime (Human trafficking, drugs trafficking, illicit arms trafficking, financial investigation)	EU Contribution	National Co - Financing	TOTAL
Twinning contract	EUR 1.425.000	EUR 75.000	EUR 1.500.000

The co-financing requirement foreseen under IPA will be considered fulfilled according to the provision of the relevant Financing Agreement.

The beneficiary will provide the MS twinning partner with adequate office space for RTA and experts, meeting rooms and equipment necessary for relevant everyday activities and training foreseen in twinning fiche.

It is recommended that the costs for the project translation will cover not more than 6% of the budget of the project, which should be calculated in the twinning working plan budget.

6. Implementation Arrangements

6.1 Implementing Agency responsible for tendering, contracting and accounting including contact person and full contact details:

Ministry of Finance,
 Department for Contracting and Financing of EU Funded Programmes (CFCU)
 Sremska Street, No. 3-5
 SRB – 11000 Belgrade

Mrs. Natasa Šimšić, Programme Authorising Officer (PAO) / Head of CFCU

Mr Darko Vasić, Quality Control Officer and Twinning National Contact Point

Phone: +381 11 2021 412

E-mail: twinning@mfin.gov.rs

6.2 Main counterpart in the BC

Senior Programme Officer (SPO):

Mr Željko Kojić, Advisor to Minister

Bulevar Mihaila Pupina 2

SRB – 11070 Belgrade

Phone: +381 64 892 7277

E-mail: zeljko.kojic@mup.rs

Project Leader Counterpart:

The BC Project Leader will manage a project team at the Serbian side and will assure that the decision makers at the national level will be informed properly on the implementation of the project. He will ensure close co-operation and overall steering and coordination of the project. He will be also responsible for drafting reports and other documents, related to project management at the Serbian side and will chair Steering Committee meetings.

Mr. Slaviša Sovtić,

Head of Service for Combating Organized Crime, Criminal Police Directorate, Ministry of Interior

Boulevard Mihaila Pupina 2

SRB-11070 Belgrade

RTA counterpart:

Ms. Ana Djurić,

Financial Investigation Unit, Service for Combating Organized Crime, Criminal Police Directorate, Ministry of Interior

Boulevard Mihajla Pupina 2

SRB-11070 Belgrade

6.3 Contracts

This project will be implemented through a Twinning contract.

7. Implementation Schedule (indicative)

7.1 Launching of the call for proposals (Date): April 2015

7.2 Start of project activities (Date): January 2015

7.3 Project completion (Date): June 2017

7.4 Duration of the execution period (number of months): 18+3 months

8. Sustainability

Strengthening the capacity and efficiency of the services and institutions responsible for fight against organised crime will play an important role in Serbia's EU integration process. Institutional building through this project, supported by an up-grade of equipment, will be a major step in fight against crime.

By creating a framework and implementation mechanisms in relevant institutions, a sustainable support systems will be created. The results of the legislative analysis and recommendations thereafter shall be accepted and used as a base for further strengthening of this area in crime control citizen's safety.

The developed regulations and procedures will become integral part of operations while equipment, which is to be purchased through supply contract IPA 2013, will be maintained from the beneficiary's budget.

Results shall be sustained by regular joint trainings, which will be made possible through the ToT programme.

Twinning has been chosen for the support because it is expected that twinning will enable exchange of experience with MS and maintain further cooperation between the beneficiary institutions and the twinning partner.

9. Crosscutting issues

9.1 Equal Opportunities and non-discrimination

Policy of equal opportunities and non-discrimination will be taken as one of the overall principles in support to fight against organised crime in the Republic of Serbia. The project will promote high standards of equality and gender mainstreaming both in strengthening the relevant legislative framework in line with international and EU standards as well as in its training component, especially encouraging active participation of the female staff in all activities. In the reporting, a gender disaggregated data will be kept and followed. The Project will be implemented in a non-discriminatory manner with equal opportunities observed and firm guarantees that distinctions will not be drawn on the basis of sex, race, ethnicity, religion or other possible grounds in any regard. Gender equity principles will be respected in the implementation of all Project activities.

9.2 Environment and climate change

The project will equip and train technicians to carry out laboratory analysis of various samples. There is need for proper handling of the material, sample, chemicals, wastes, etc. The laboratory staff will be trained in handling and disposal techniques in line with EU standards, and efforts shall be made to avoid negative effects on the environment.

9.3 Minorities and vulnerable groups

Standards of ethnic balance in specific multi ethnic communities and MoI in all will be maintained and improved within the scope of this project by developing a transparent system for investigation and prosecution of organised crime concerning human trafficking, drugs trafficking of illicit weapons and financial investigation as well as for protection of victims and witnesses. As in the case of gender issues above, the alignment with relevant legislative framework will provide additional care and pay special attention to women and children issues.

9.4 Civil Society/Stakeholders involvement

Civil Society in the area of Rule of law is represented by the following organisations: Belgrade Centre for Security Policy, Belgrade Centre for Human Rights, Group 484, ASTRA, ATINA...

Interested organisations actively participated in the identification of priority areas for preparation of the document Needs Assessment, in cooperation with the Ministry of Interior and Ministry of Justice, through the consultation process organised and coordinated by SEIO. During project preparation, the organisations provided constructive comments of the proposals, which contributed to balance and better project fiche.

During implementation, the civil society will be invited for meetings, and they may suggest improvement of implementation, within the framework of EU project implementation regulations.

The Ministry of Interior will make sure its objectives, policies and interventions have a positive impact on and are in line with the main principles of gender equity, social inclusion and on environment.

10. Conditionality and sequencing

Necessary preconditions for project implementation are:

- Satisfactory level of completion of works related to the National Crime Technical Centre required to enable proper installation of one part of the equipment from IPA 2013 Supply contract which needs to be installed while the reconstruction is still ongoing

The goal of establishing and ensuring the sustainability of an efficient system for fight against organised crime requires coordination of all stakeholders which has to be secured during all stages of project implementation.

ANNEXES TO PROJECT FICHE

ANNEX I: Logical framework matrix in standard format

ANNEX II: Reference to laws, regulations and strategic documents

ANNEX III: Organizational charts of Criminal Police Directorate and Public Prosecutor's Office

ANNEX I: Logical framework matrix in standard format

Fight against organised crime (Human trafficking, drugs trafficking, illicit arms trafficking, financial investigation)

Contracting period expires 3 years after the signing of the Financing Agreement

Execution period expires 5 years after the signing of the Financing Agreement

		Total budget: EUR 1.5m	IPA budget: EUR 1.425.000
Overall objective	Objectively verifiable indicators	Sources of Verification	
The overall objective is to contribute to Serbian's efforts to harmonise national policies within the home affairs sector in line with EU standards and the acquis	<ul style="list-style-type: none"> • Ratio between planned and implemented NPI/NPAA activities/measures for Chapter 24 at annual level • Level of fulfilment of New Strategy and the action plan for fight against human trafficking (2013-2018) on annual level 	<ul style="list-style-type: none"> • Reports of the Serbian European Integration Office on implementation of NPAA • MoI reports 	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>1 To strengthen law enforcement institutions' (Criminal Police Directorate and Prosecutors office) capacities to investigate (police) lead investigations and prosecute organised crime (prosecutor's office).</p> <p>2 Build capacity of investigation techniques in solving cases of crime (organised and others) by improvement of the efficiency and working conditions, of the physical-chemical and toxicological laboratories of the Ministry of the Interior in accordance with EU standards (ISO/IEC 17025:2006) and initiate the process of the Laboratory accreditation to EU standards.</p>	<ul style="list-style-type: none"> • Increase in the effective usage of special investigative measures as compared to total number of measures envisaged in agreements; • Increased no. of detected THB perpetrators in police crime reports; • Increased no. of indicted THB perpetrators; • Increased no. of detected organized crime perpetrators in police crime reports; • Increased no. of indicted organized crime perpetrators; • Increased ratio of solved cases compared to number of cases received; • Increased number of submitted requests for accreditation per method (out of total number of approximately 40 methods); 	<ul style="list-style-type: none"> • MoI Reports, Project reports, Reports on implementation of bilateral agreements and agreements signed with neighbouring countries • Annual Report of Republic Prosecutor's Office • Report of Republic Prosecutor's Office • Annual Report of Republic Prosecutor's Office • Report of Republic Prosecutor's Office • MoJ reports • Project reports, ENFSI report, MoI report 	<ul style="list-style-type: none"> • Political and economic stability; • Serbia's EU integration orientation

Results	Objectively verifiable indicators	•	Assumptions
Result 1.1. Improved capacities of Criminal Police Directorate and Public Prosecutors Office to investigate and prosecute organised crime concerning the trafficking in human beings, illicit arms trafficking, drug trafficking, financial investigation.	<ul style="list-style-type: none"> • Increased application of provisions of Art. 103 of new Criminal Procedures Code (measured by number of motions for victims of THB to be treated as especially sensitive witnesses in criminal procedures)³; • Increased number of charges in cases of illicit arms trafficking; • Ratio of police force using internet as an investigative tool increased; • Usage of proactive investigations within the Financial Investigation Unit within the Service for Combating Organized Crime - Criminal Police Directorate increased; • Total number of court rulings granting requests for permanent assets seizure increased on annual basis; 	<ul style="list-style-type: none"> • Republic Public Prosecutor's Office Report • Project reports, MoI report, RPPO Reports • Project reports, MoI report • Project reports, MoI report • Annual Report of Republic Prosecutor's Office 	<ul style="list-style-type: none"> • Political will to fight against crime • Cooperation of all relevant institutions • Active participation of citizens
Result 1.2. Raised awareness with regard to trafficking in human beings and combating of illicit weapons trafficking	<ul style="list-style-type: none"> • Increased total number of calls through-out years, by potential victims of trafficking in human beings; • Increased number of requests for legal weapon possession; 	<ul style="list-style-type: none"> • Statistics provided by the Centre for protection of victims of trafficking • MoI reports 	
Result 1.3. Current legal framework completed and upgraded covering all aspects of trafficking in human beings (regarding Serbian victims and others in transit through Serbia), and improving the legal base/standards covering new areas in drug trafficking. Criminal Asset Recovery to include analysis of lifestyle	<ul style="list-style-type: none"> • Legal framework concerning trafficking in human beings and drug trafficking completed and implemented (Criminal Code amendments, adoption of by-laws); • Increased number of MoI signed bilateral agreements concerning THB and drug trafficking; • Increased number of MoUs concerning THB between law enforcement agencies (police, prosecutor's office) and NGOs signed and implemented; 	<ul style="list-style-type: none"> • MoJ reports, National Assembly web-site • Official Gazette • MoI reports, Annual Report of Republic Prosecutor's Office 	

³ This legal tool became available with the Criminal Procedure Code of 2011, which is applied in organized crime cases as of 15.1.2012, and will be applied in general jurisdiction cases as of 1.10.2013. The data for 2012 reflect only the data from the authorities suppressing organized crime.

Result 1.4. Increased international cooperation and coordination in fight against human trafficking, illicit weapons trafficking, trafficking of drugs, financial investigations.	<ul style="list-style-type: none"> • Increased Number of joint investigations between countries in the region and EU MS concerning fight against organised crimes; • Increased number of requests for prosecutorial cooperation and legal assistance with EU MS through EUROJUST and with third countries on basis of bi-lateral and multi-lateral agreements; 	<ul style="list-style-type: none"> • Project reports, MoI reports, Regional Cooperation Council reports • Project reports, MoI/MoJ reports, Annual Report of Republic Prosecutor's Office, EUROJUST report 	
Result 2.1. Analysed/mapped existing capacities and developed roadmap for laboratory accreditation in accordance with EU standards.	<ul style="list-style-type: none"> • Roadmap adopted by MoI, and operational; 	<ul style="list-style-type: none"> • MoI reports, Project reports 	
Result 2.2. Trained professional personnel in the physical-chemical laboratories (for analysis of: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and toxicological laboratory and acquired necessary experience to work with EU standards	<ul style="list-style-type: none"> • Number of trained personnel using new methods of laboratory examination necessary for accreditation⁴; • Reduced average time spent to analyse a sample; • Increased number of samples analysed on daily basis; 	<ul style="list-style-type: none"> • MoI report, Project reports • MoI report • MoI report 	
Result 2.3. Process of accreditation started: Validated methods of analysis which will be applied in the physical-chemical laboratories (for analysis of: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and the toxicological laboratory	<ul style="list-style-type: none"> • Number of Forensic investigation techniques harmonized with ENFSI; • Number of analysis methods validated; • Ratio/Degree of fulfilment of international standards (ISO/IEC 17025:2006); 	<ul style="list-style-type: none"> • Project reports, MoI report in comparison to ENFSI and UNODC reports • MoI Reports, Project Reports • Project reports, ENFSI report, MoI report, Serbian Accreditation body 	

⁴ For this indicator data shall be disaggregated by gender, in accordance with Project training reports

Activities	Means / Costs	Assumptions
<p>Activities related to Result 1.1</p> <p>The below activities are the minimum indicative requirements to achieve the above results. The MS will take these into account when developing its own methodology and complement them with its own and other relevant best practise experience and examples so that the above results can be sustainably achieved.</p> <p>1.1.1. Conduct analysis of the operational capacities of the Criminal Police Directorate and Public Prosecutors Office and formulate recommendations for implementation as well as support their implementation in the form of procedures, revision of legislation and draft the document based on analysis and recommendations;</p> <p>1.1.2. Carry out training needs analysis for staff (MoI and Prosecutors), and other relevant organisations (particularly concentrating on joint training programmes with MoI and PPO);</p> <p>1.1.3. Based on previous training need analysis, prepare training plan and programme for staff of MoI and Prosecutors and for relevant NGOs and deliver trainings;</p> <p>1.1.4. Prepare Training of Trainers programme and deliver trainings;</p> <p>1.1.5. Enhance the communication and cooperation between NGOs and respective prosecutor's offices in preparation for trials on the basis of signed MoUs;</p> <p>1.1.6. Organize study visit/s to competent institutions (at least one study tour with at least seven participants in order to cover different areas of fight against organized crime);</p> <p>Activities related to Result 1.2</p> <p>1.2.1. Prepare a communication and awareness plan for the media professionals and the general public on the trafficking in human beings and combating of illicit weapons trafficking;</p> <p>1.2.2. Implement the communication and awareness plan;</p> <p>Activities related to Result 1.3</p> <p>1.3.1 Review existing legislation and assist in drafting new legislation or amendments to fill any gaps in covering all aspects of trafficking in human beings, drugs trafficking, illicit arms trafficking, asset forfeiture;</p> <p>1.3.2. Review existing legal mechanisms and procedures for implementation of measures against human trafficking, and measures against drugs tourism problem within the EU; introduce new criminal offences and standards in line with EU and international standards;</p> <p>1.3.3. Draft operational procedures according to the previously prepared review of existing practices and</p>	<p>Twining contract: EUR 1.5m</p>	

Activities	Means / Costs	Assumptions
<p>identified issues with regards to the identification of THB victims, and draft bylaws pertaining to inter-institutional co-operation according to made needs' assessment; new operational procedures will lead to increased number of MoUs between competent national authorities and NGOs;</p> <p>Activities related to Result 1.4</p> <p>1.4.1. Conduct needs analysis, create training plan and deliver training for staff to apply special investigative techniques in line with Palermo Convention, Formation of joint investigation teams with the neighbouring countries;</p> <p>1.4.2. Make assessment of actual practice of regional law enforcement co-operation and formulate recommendations for its improvement, particularly in the light of bilateral agreements on law enforcement co-operation and best practice in line with EU standards;</p> <p>1.4.3. Ensure cooperation with specialized NGOs and international organizations by enhanced joint activities relevant for the Twinning Project objective and, where appropriate, by MoU on co-operation with NGOs; also extend practice of mutual experience exchange relevant in fields of organized crime covered by this Twinning Project;</p> <p>Activities related to Result 2.1</p> <p>2.1.1. Conduct analysis of the existing capacities and prepare roadmap for laboratory accreditation in accordance with EU standards;</p> <p>2.1.2. Carry out on-the-spot verification of the concrete implementation of legislation (Criminal Procedure Code, Law on the police, Law on psychoactive controlled substances) , methodological tools applied by the National Criminal Technical Centre (NCTC) and a report with recommendations for improvement;</p> <p>Activities related to Result 2.2</p> <p>2.2.1. Conduct training for professional staff in the physical-chemical laboratories (for analysis: drugs, explosives and traces of fire, micro trace fibre and micro-marking paint) and the toxicological laboratory;</p> <p>2.2.2. Conduct study/working visits in order to gain the necessary experience to operate according to EU standards (two study visits for at least three employees of NCTC in duration of six days each);</p> <p>Activities related to Result 2.3</p> <p>2.3.1. Compare different methods for the analysis of drugs, explosives and traces of fire, micro trace fibre and micro-marking paint and toxicological analysis and choosing the best suited;</p> <p>2.3.2. Validation of the selected methods for the analysis of drugs, explosives and traces of fire, micro trace fibre and micro-marking paint and toxicological analysis;</p>		

ANNEX II

Reference to laws, regulations and strategic documents:

Relevant National documents:

Strategic documents:

National Programme for Integration of Serbia into the EU (NPI)

Strategy for Fight against Drugs in the Republic of Serbia

Integrated Border Management Strategy

Poverty Reduction Strategy

Legislation

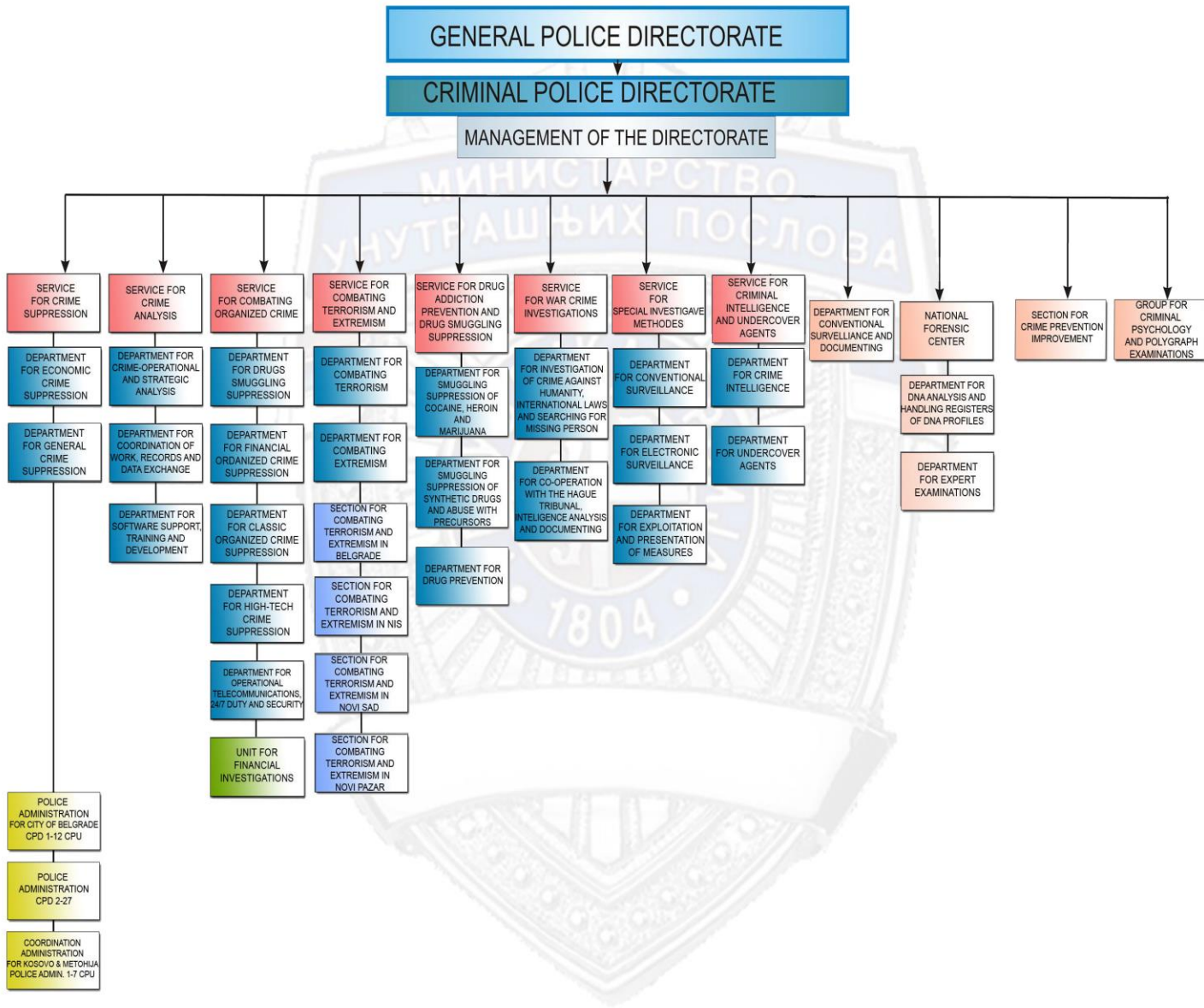
- Law on Substances used in Illicit Production of Narcotic Drugs and Psychotropic Substances (RS Official Gazette no. 107/05)
- Law on psychoactive controlled substances (RS Official Gazette no 99-2010)
- Law on Medicines and Medical Products (RS Official Gazette no.30/10 and 107/12)
- Criminal Code (RS Official Gazette no. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012/ and 104/2013)
- Criminal Procedure Code (RS Official Gazette no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 and 55/2014)
- Law on Organisation of Courts (RS Official Gazette no. 116/2008, 104/2009, 101/2010, 31/2011, 78/2011, 101/2011 and 101/2013)
- Law on Public Prosecution (RS Official Gazette no. 116/2008, 104/2009, 101/2010, 78/2011, 101/2011, 38/2012, 121/2012 and 101/2013)
- Law on the Police (RS Official Gazette no. 101/2005, 63/2009, 92/2011)
- Law on Organisation and Competences of Government Agencies in suppression of Organised Crime (RS Official Gazette no. 42/2002, 27/2003, 39/2003, 67/2003, 29/2004, 58/2004, 45/2005, 61/2005, 72/2009, 72/2011, 101/2011, 32/2013)
- Law on Crime Proceeds Seizure (RS Official Gazette no. 32/2013)

Republic of Serbia ratified the following key international conventions which envisage international cooperation in this area:

- United Nations Convention against Transnational Organised Crime (the Palermo Convention);
- United Nations Convention Against Illegal Traffic in Narcotic Drugs and Psychotropic Substances;

ANNEX III

Organizational chart of Criminal Police Directorate:



Organizational chart of Republic Public Prosecutor's Office:

