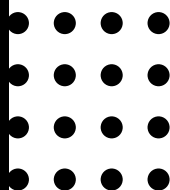
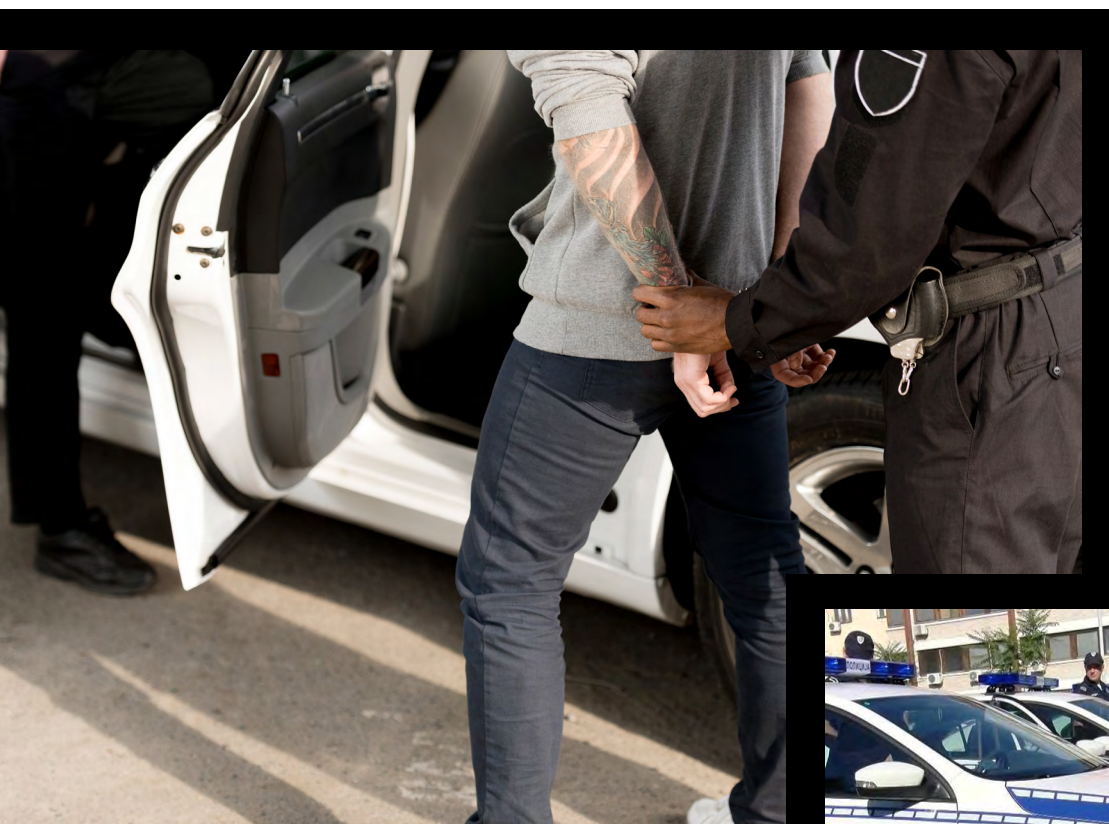


COOPERATION BETWEEN SERBIA AND MONTENEGRO IN THE FIGHT AGAINST ORGANISED CRIME

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Content

Summary	4
The path to signing bilateral agreements	5
Cooperation between the police forces of Serbia and Montenegro	7
Cooperation between the prosecutor's offices of Serbia and Montenegro	11
The case of Svetozar Marović	13
Conclusion with recommendations	15
Endnotes	16
Annex	18

Organised criminal groups (OCGs) from Serbia and Montenegro play a significant role in the life of crime in the Western Balkans. When the conflict between the Montenegrin clans 'Škaljari' and 'Kavač' started in 2014, greatly impacting the Serbian criminal underworld, everyone expected a more intensive cooperation between the competent institutions of these two countries. Although the necessary international agreements were already signed, at the beginning a certain level of mistrust between the institutions prevented cooperation. In this sense, we analysed the cooperation between the police forces and the prosecutor's offices of Serbia and Montenegro in the fight against organised crime (OC). Namely, the fight against OC occupies a high place on the political agenda of state officials of both countries. This is supported by the meetings of their ministers of interior affairs/police directors, which are held at least once a year, while operational meetings of police representatives are organised several times per year. The law enforcement authorities of Montenegro address their Serbian colleagues more frequently in connection with cases related to OC, and in that aspect it is possible to improve the cooperation between the prosecutor's offices. To conclude, cooperation is continuous, but there are still cases whose solution depends on political will.

The path to signing bilateral agreements

After the formal separation in 2006, cooperation between the law enforcement authorities of Serbia and Montenegro was rather difficult. Interstate agreements, as a prerequisite for such cooperation, were not yet signed. One of the first bilateral agreements concluded between Serbia and Montenegro is related to the provision of legal assistance in civil and criminal matters; it was signed in May 2009 and entered into legal force in June 2010. The Agreement on Mutual Enforcement of Court Decisions in Criminal Cases was signed the same day.¹

The signing of these agreements defined the concrete forms of cooperation. When it comes to international legal assistance in criminal matters, some of the general types of assistance refer to the execution of procedural actions (such as the delivery of summonses and court documents, hearing the accused, examination of witnesses and experts, on-site investigation, and so on), application of measures such as controlled delivery, recording of telephone conversations, engagement of undercover investigators, submission of documents from criminal cases, establishment of joint teams, handover of persons for the purpose of questioning, as well as many others.²

The first test of the implementation of the signed bilateral agreements was the international police action called “Balkan Warrior”, which began in October 2009. With the support of international partners, representatives of the Serbian Prosecutor’s Office for Organised Crime and the Security Intelligence Agency seized 2.1 tonnes of cocaine. Darko Šarić, a Serbian citizen born in the Montenegrin town of Pljevlja, was suspected, and later accused, of being the leader of this OCG, which smuggled cocaine from South America to Europe. In January 2010, Serbia issued an international arrest warrant against him. It was during that period that he requested to be released from his Serbian citizenship because he was allegedly promised a Montenegrin one.³ Meanwhile, the police in Montenegro was checking his buildings. At that time, Šarić’s associates against whom the Serbian authorities had already launched an investigation were detained in Montenegro, but they were soon released with the explanation that, as Montenegrin citizens, they cannot be extradited to another country. Montenegro then explained that the prosecution had not been provided with evidence from Serbia, and that there was therefore no legal basis to initiate criminal proceedings against them in Montenegro. On the other hand, the Serbian prosecutor’s office responded that they would submit evidence only after the conclusion of the proceedings that were pending in Belgrade.⁴ So, despite the signed agreements, there was still some mistrust when it comes to the cooperation of competent institutions in the fight against OC.

At the insistence of the then opposition, a session of the Parliamentary Committee for Security and Defence was held in Montenegro on 23 February 2010. The subject of the session was the control hearing of the heads of security services regarding the action

“Balkan Warrior”. The Committee unanimously concluded that the coordination of the competent state authorities in the “Šarić” case was not of sufficient quality, which is why it insisted on greater involvement of the competent state authorities, mutual coordination and elimination of omissions.⁵

This was followed by the signing of new bilateral agreements. The extradition agreement between Montenegro and Serbia was signed in October 2010.⁶ The states undertook to extradite to each other persons who were being prosecuted for a criminal offence or were wanted for the purpose of enforcing a final prison sentence. In the official announcement that followed the signing of the agreement, it was stated that the agreement would be applied from the moment of its signing, and that it was signed earlier than it was originally planned due to operational investigations that were already ongoing and on the basis of which some people were already arrested. On the first day of implementation of the agreement, seven persons were arrested in Serbia and five in Montenegro. Darko Šarić’s associates were among them.⁷ The Agreement between the Government of Montenegro and the Government of the Republic of Serbia on police cooperation was signed in March 2011.⁸ In addition to general provisions on strengthening cooperation in the field of security and the prevention and investigation of criminal acts, it also envisaged the possibility of establishing joint police teams.⁹

Cooperation between the police forces of Serbia and Montenegro

Bilateral meetings of state officials of Serbia and Montenegro in charge of internal affairs, i.e. the police, were held on average once per year. The exception was the year 2016, when, according to publicly available information, there were no meetings between the officials of these two countries. Another exception was 2018, when the ministers of the interior, the ministers of justice and the directors of the police forces met as well. The messages after the meetings went in the direction of confirming that Montenegro and Serbia have a high-quality and intensive cooperation, that they will continue to exchange all sorts of information, and that they will endeavour to strengthen operational cooperation in the fight against OC. The topic of discussion at one of the meetings of the ministers of justice was the problem of non-fulfilment of the obligations stipulated by international agreements regarding extradition.¹⁰

Year	2014		2015		2016	2017
Meeting date	26.06.	30.06.	17.03.	28.07.	/	05.06.
Participants	Police directors	Ministers of justice	Minister of justice and Minister of the Interior	Ministers of the Interior	/	Ministers of the Interior
Meeting venue	Podgorica	Podgorica	Podgorica	Podgorica	/	Beograd

Year	2018			2019		2020	2021
Meeting date	15.04.	02.10.	12.10.	02.10.	05.11.	31. 01.	24.05.
Participants	Ministers of justice	Ministers of the Interior	Police directors	Ministers of the Interior	Ministers of justice	Ministers of the Interior	Police directors
Meeting venue	Podgorica	Tivat	Podgorica	Cetinje	Beograd	Berlin	Beograd

Table 1 – Overview of the meetings of state officials of Serbia and Montenegro at which they discussed, among other things, the topic of OC. The table was prepared based on publicly available data from [the institutions' official websites](#).

The establishment of permanent investigative teams to deal specifically with OCGs that operate in the territory of these two countries while simultaneously fighting each other was announced at one of the meetings in 2017. They were to include representatives of the police, the prosecutor's office and other security agencies.¹¹ The establishment of these teams was announced earlier, in 2013, at a meeting between the Minister of Justice of Montenegro and the Minister of Defence of Serbia,¹² but it is unknown whether such teams were ever actually formed.¹³

On the other hand, operational meetings between representatives of the police forces of Montenegro and Serbia were held on several occasions. From 2019 to August 2022, a total of 16 such meetings were held in connection with the implementation of joint actions and investigations in the fight against OC. Six of them were organised in 2019, two in 2020, and six in 2021, while representatives of the police forces of the two countries met twice in the first half of 2022. From the data that were submitted by the Montenegrin police, it is not possible to conclude whether there were no operational meetings in the period from 2010 to 2019, or whether there is no information available for that period, as the fields in the table that was submitted for these years were left blank.¹⁴

In the period from 2010 to mid-2022, the police forces of Montenegro and Serbia conducted 21 joint actions related to OC. There was one joint action in 2015 and one in 2017, while most of them took place in 2020 (four investigations). As for the international investigations that involved the police forces of both countries, there were 21, most of them conducted in 2011 and 2020 (three). It is important to note that a number of joint/international investigations were conducted over a long period of time (one or more years) or are still ongoing, and that those investigations were statistically shown in the data provided by the Montenegrin police for only one year.¹⁵

Year	2010	2011	2012	2013	2014	2015	2016
Number of joint investigations with Serbia	2	0	0	2	3	1	0
Number of international investigations in which both police forces participated	1	3	0	2	2	1	1

Year	2017	2018	2019	2020	2021	2022	Total
Number of joint investigations with Serbia	1	2	2	4	2	2	21
Number of international investigations in which both police forces participated	1	2	2	3	1	2	21

Table 2 – Number of joint and international investigations in which the police of both countries participated¹⁶

Engagement of undercover investigators and collaborators is one of the secret surveillance measures that can be applied in crimes with elements of OC. In the reply that was sent to us by the Police Administration of Montenegro, it was stated that the police of Montenegro, in the part that refers to undercover investigators, continuously achieves various forms of cooperation with partner countries in the region, as well as with other countries. We were not able to determine to what extent undercover investigators are being used, that is, whether they were exchanged between Serbia and Montenegro, because this constitutes high-risk police work and the related data - even the statistical data - are marked as confidential.¹⁷ Also, it is important to say that

the use of some secret surveillance measures, including the engagement of undercover investigators and collaborators, was prevented in Montenegro from February 2018 due to the decision of the Constitutional Court, and that these measures were reinstated only at the end of 2021. Although Serbia and Montenegro are connected by six border crossings, and both countries are located on routes that are used for the distribution and smuggling of various things in an illegal organised manner, the police of Serbia and Montenegro did not jointly carry out controlled deliveries (a secret surveillance measure that can also be ordered in case of acts that have to do with OC).¹⁸

One of the activities provided for by bilateral agreements in connection with international legal assistance is the provision of assistance, that is, the implementation of specific measures for the protection of witnesses. In the period from 2010 to mid-2022, at the request of colleagues from Serbia, the Department for Witness Protection of Montenegro provided a total of 6 assistances in proceedings related to OC - one each in 2011, 2012, 2014 and 2019, and two in 2013. On the other hand, the Witness Protection Unit of the Republic of Serbia provided one such assistance upon request in 2022.¹⁹

Since the police of Serbia and Montenegro cooperate through the National Central Bureaus (NCB) of Interpol, whose headquarters are located in Belgrade and Podgorica, we analysed police cooperation that takes place via this organisation. According to records on communication with foreign partner services, in the period from 2017 to 25 July 2022, NCB Podgorica and NCB Belgrade exchanged a total of 14,310 pieces of communication.²⁰ It is important to emphasise that the above statistical data refer exclusively to persons who were deprived of liberty and extradited for criminal offences related to OC. A certain number of persons considered to be members of OCGs were arrested and extradited based on Interpol arrest warrants (in both directions), but the crimes for which they were wanted internationally did not belong to the field of OC.²¹

Year	2017	2018	2019	2020	2021	2022 (until 25 July)	Total
Number of communications exchanged between the Interpol NCB in Podgorica and the Interpol NCB in Belgrade	2.557	3.101	2.381	1.998	2.871	1.402	14.310

Table 3 – Number of communications exchanged between NCB Interpol Podgorica and NCB Interpol Belgrade²²

From 2013 to 25 July 2022, a total of 4 persons were deprived of liberty on the territory of Montenegro based on arrest warrants that were issued by the Serbian police for acts related to OC. On the other hand, during the same period, 13 persons were arrested for the above criminal acts in the territory of Serbia, based on warrants issued by the Montenegrin police. During the above mentioned period, Serbia extradited 6 persons to Montenegro in connection with acts of OC, while Montenegro extradited 3 persons to Serbia. Regarding the period 2010-2013, the Police Administration of Montenegro provided us with statistical data for all criminal acts, not only those that were related to OC (marked in gray in the table).²³

Year	2010	2011	2012	2013	2014	2015	2016
Number of persons arrested in Montenegro based on arrest warrants from Serbia	16	16	20	1	0	2 (search for one person has been abandoned, while extradition was refused in the case of another)	0
Number of persons arrested in Serbia based on arrest warrants from Montenegro	20	26	25	1	0	0	1

Year	2017	2018	2019	2020	2021	Until 25 July 2022
Number of persons arrested in Montenegro based on arrest warrants from Serbia	0	0	0	0	0	1
Number of persons arrested in Serbia based on arrest warrants from Montenegro	2 (requests for extradition were refused in case of both persons)	0	2 (for one person, the extradition process is under way)	3	2 (extradition was refused in the case of one person, while the other is awaiting extradition)	2 (both persons are awaiting extradition)

Table 4 – Number of persons arrested based on warrants issued by NCB Podgorica and NCB Belgrade²⁴

Year	2010	2011	2012	2013	2014	2015	2016	2017
Number of persons extradited from Serbia to Montenegro	18	17	24	1	0	0	1	0
Number of persons extradited from Montenegro to Serbia	14	23	13	2	0	0	0	0

Year	2018	2019	2020	2021	Until 25 July 2022	Total 2013-2022
Number of persons extradited from Serbia to Montenegro	0	1	2	1	0	6
Number of persons extradited from Montenegro to Serbia	0	0	0	0	1	3

Table 5 – Number of persons mutually extradited between Serbia and Montenegro²⁵

Targeted search implies the use of all available resources and the focusing of police actions on the search for persons against whom international warrants were issued because they had committed criminal acts.²⁶ Active targeted search refers to persons sought by domestic law enforcement authorities in other countries, while passive targeted search refers to persons sought by foreign law enforcement authorities. In the last five years, i.e. in the period from 25 July 2017 to 25 July 2022, Montenegro received one request from the NCB of Interpol in Belgrade to conduct a passive targeted search for a person who committed an act from the field of OC. In the same period, Montenegro submitted 20 requests to the same bureau to implement an active targeted search, on the basis of which nine such searches for persons wanted in connection with OC were conducted on the territory of Serbia.²⁷

Cooperation between the prosecutor's offices of Serbia and Montenegro

Police cooperation represents the first, while the cooperation of prosecutors represents the second level of cooperation between institutions in the fight against OC. The cooperation of the competent prosecutor's offices takes place based on the above-mentioned Agreement on the provision of legal assistance in criminal and civil matters. In the period from 2011 to August 2022, the Prosecutor's Office for Organised Crime of the Republic of Serbia submitted a total of 47 requests for assistance to the Montenegrin law enforcement authorities: 34 were submitted directly, and 13 indirectly, through the Ministry of Justice. The largest number of directly submitted requests for assistance was submitted in 2013 (eight), while most of those that were submitted indirectly were submitted in 2013 and 2018 (four).²⁸

Year	2011	2012	2013	2014	2015	2016	2017
Number of requests for assistance submitted directly	0	3	8	6	4	4	6
Number of requests for assistance submitted indirectly through the Ministry of Justice	1	0	4	0	0	1	1

Year	2018	2019	2020	2021	2022	Total
Number of requests for assistance submitted directly	0	0	0	1	2	47
Number of requests for assistance submitted indirectly through the Ministry of Justice	4	0	1	1	0	13

Table 6 – Number of requests for the provision of international legal assistance in connection with cases of OC submitted by the Prosecutor's Office for Organised Crime of the Republic of Serbia to the law enforcement authorities of Montenegro by year²⁹

On the other hand, the law enforcement authorities of Montenegro directly submitted a total of 102 requests for assistance in the same period. Most of them were submitted in 2017 (18), while two were submitted in 2012. Therefore, the representatives of Montenegrin institutions directly submitted three times more requests for assistance to the Prosecutor's Office for Organised Crime of the Republic of Serbia than the other way around.³⁰

Year	2011	2012	2013	2014	2015	2016	2017
Number of requests for assistance submitted directly	8	2	3	8	10	6	18

Year	2018	2019	2020	2021	2022	Total
Number of requests for assistance submitted directly	10	11	10	7	9	102

Table 7 – Number of requests for assistance submitted by the law enforcement authorities of Montenegro to the Prosecutor's Office for Organised Crime of the Republic of Serbia by year³¹

However, the annual reports of the Republic Public Prosecutor's Office of Serbia show different statistical data compared to the reply that the Prosecutor's Office for Organised Crime of the Republic of Serbia submitted to us based on the request for access to information of public importance. Although the aggregate data are different, looking at both sources it can be concluded that the number of requests for assistance from Montenegro to Serbia was higher than the number of such requests from Serbia to Montenegro.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Prosecutor's Office for Organised Crime of Serbia to the law enforcement authorities of Montenegro	13	6	4	5	8	4	0	2	2	44
Law enforcement authorities of Montenegro to the Prosecutor's Office for Organised Crime of Serbia	7	8	11	6	20	12	13	9	7	93

Table 8 – Number of requests for assistance submitted between the Prosecutor's Office for Organised Crime of the Republic of Serbia and the law enforcement authorities of Montenegro, by year, according to the annual reports of the Republic Public Prosecutor's Office of Serbia³²

One of the objectives of this analysis was to show what the specific requests for assistance that the prosecutor's offices submitted to each other referred to. The Special State Prosecutor's Office of Montenegro and the High Court of Montenegro (which are responsible for criminal acts of OC) refused to reply to our requests for access to information of public importance.³³ The Ministry of Justice of Montenegro (which manages the electronic system for keeping track of the cases that required international criminal assistance - Luris) did the same, stating that it is not possible to search the electronic system by criminal offence. The Ministry, however, referred us to the Special State Prosecutor's Office in connection with requests for assistance that had to do with OC. In response to our letter, the Ministry of Justice submitted an overview of all the requests for assistance that were related to extraditions, transfers and requests for submission of evidence from criminal records for all offences from 2017 to October 2022 (shown in the Annex).³⁴

The case of Svetozar Marović

The case of Svetozar Marović shows that obligations from international agreements are not always fulfilled, and that they sometimes depend on political will. In 2017, Montenegro issued the arrest warrant for Svetozar Marović, former high-ranking official of the Democratic Party of Socialists and former President of the State Union of Serbia and Montenegro, so that he would serve his prison sentence. Svetozar Marović was sentenced in 2016, after he signed a plea agreement admitting that he was the leader of an OCG whose malfeasances defrauded the city of Budva of millions. According to the agreement, Marović was to serve a prison sentence of three years and nine months, return approximately EUR 1.1 million to the municipal coffers, and pay EUR 100,000 for humanitarian purposes. The day after he signed the agreement and was released from detention, Marović left Montenegro and moved to Belgrade. He was granted a three-month suspension of the prison sentence once, while the second postponement, requested by his defence attorney, was declined. Soon after, the arrest warrant was issued as well. The very act of issuing an international warrant created the legal preconditions for Serbia to detain him in order to extradite him to Montenegro. However, two years after the warrant was issued, the Serbian authorities are yet to arrest Marović, although he has been moving freely and appearing in public venues throughout Serbia. In April 2019, the Ministry of Justice of Montenegro sent a request to the Ministry of Justice of the Republic of Serbia for the extradition of Svetozar Marović, so that he would serve the prison sentence to which he was sentenced in a final judgment in Montenegro.³⁵

Although more than four years have passed since the first request for assistance was sent, the decision in this case has not yet been made, nor has feedback been provided regarding the request itself. At the end of 2020, Montenegro renewed its request for the extradition of Marović. At that time, it was emphasised that two urgent requests were also submitted after sending the first letter of request.³⁶ In connection with the repeated request, Montenegro submitted a new urgent request in January 2022,³⁷ repeating it three months later along with guarantees that Marović will be provided with adequate medical treatment. In the official announcement, the Ministry of Justice of Montenegro stated that it is a precedent for the request for extradition to be repeated in a period of less than half a year, especially having in mind that the request was renewed several times and that no response was ever received, adding that cooperation in all other subjects was proceeding in a timely and efficient manner.³⁸

The agreement between Montenegro and the Republic of Serbia on the provision of legal assistance in civil and criminal matters envisages that all disputed issues related to the implementation of this agreement will be resolved by diplomatic means, which in this case has yet to yield any results.³⁹ The case of Svetozar Marović was the subject of numerous talks between the officials of these two countries, during which the representatives of Montenegro reminded Serbia of its obligation to extradite persons

based on international treaties. At the meetings of the highest officials of Serbia and Montenegro that were held in 2021, it was concluded that there is no specific legal or political reason for Marović's non-extradition, and that it is up to the judicial authorities to do it. However, the response from the judicial authorities is still not forthcoming. The fact that the deadlock in this matter was not caused by legal, but political issues, was confirmed during the last official visit to Serbia by the Prime Minister of Montenegro, Dritan Abazović, at the end of 2021. After the official meeting with the Prime Minister of Serbia, Ana Brnabić, Abazović said that there were some opposing views on the above-mentioned issue and that not everything can be resolved immediately, in one meeting. The message that Marović should be extradited to Montenegro also came from international addresses,⁴⁰ and the fact that Serbia has not yet officially responded to requests in this case found its way into the European Commission's 2020 and 2021 reports on Serbia.⁴¹

Conclusion with recommendations

Although bilateral agreements have been signed and are serving as the legal basis for cooperation, there are still cases when political will is necessary to implement them. This indicates that politics plays an important role in the fight against OC in Serbia and Montenegro and that it is in fact the factor that creates the fight. If we exclude the case of Svetozar Marović, we can conclude that the cooperation between the police forces and the prosecutor's offices of these two countries is continuous, and that until now it was mostly of a formal nature. Essential cooperation between the police and the judicial authorities is actually insufficient, as there is a lack of cooperation in the investigation phase in cases of OC, including parallel investigations. Additionally, monitoring the cooperation of these two countries in this area is made impossible by the different records of prosecution organisations and the inability to search existing records by type of international legal assistance, i.e. by type of criminal offence. It is necessary for the employees of those institutions to become more engaged, in order to enable cooperation of a higher quality. If this does not happen, the conclusion that criminals from the region cooperate better than state institutions do will continue to stand. The state authorities of Serbia and Montenegro certainly do act against OCGs, but the conclusion is that data is not exchanged to a sufficient extent and that the institutions do not cooperate in real time, which could be a consequence of mistrust, but also of political circumstances between these two countries.

- Cooperation between the police forces and the prosecutor's offices of Serbia and Montenegro should be continued and continuously strengthened in order to reduce the scope of OC.
- Serbia should act on the request of Montenegro and extradite Svetozar Marović, so that this case does not become an obstacle for the provision of international legal assistance in other cases from the area of OC.
- In order to constantly work on suppressing and preventing the activities of OCGs, Serbia and Montenegro should form permanent joint investigation teams. Legal prerequisites for the establishment of such teams have already been created.
- Montenegro and Serbia should improve their cooperation in the part related to the use of secret surveillance measures, i.e. the use of undercover investigators, and - if the circumstances of the operational investigation allow it - should jointly carry out controlled deliveries and other activities of importance for the investigation in cases from the field of OC.
- The Prosecutor's Office for Organised Crime/Republic Public Prosecutor's Office of the Republic of Serbia should keep better, that is, identical records so that the statistical data in the annual reports can be comparable and relevant for comparative analysis.
- The Ministry of Justice of Montenegro should improve the electronic records of international legal assistance so as to increase the number of parameters for searching cases (by type of criminal offence, by type of assistance, etc.).

- 1 The Minister of Justice of Montenegro Miras Radović and the Minister of Justice of the Republic of Serbia Snežana Malović signed the agreements on 29 May 2009 in Podgorica.
- 2 Agreement between Montenegro and the Republic of Serbia on legal assistance in civil and criminal matters, "Official Gazette of Montenegro - International Agreements", no. 4/09, Article 33, Paragraph 1.
- 3 Stevan Dojčinović and Bojana Jovanović, "Key moments of the Šarić case", *KRIK*, 10 July 2015, <https://bit.ly/3xVzvCu>
- 4 MANS, "Šarić, cocaine and Montenegro: The untold story", YouTube, 6 March 2017, 19th minute, <https://bit.ly/3yP5MM5>
- 5 MANS, "Šarić, cocaine and Montenegro: The untold story", 20th minute
- 6 The agreement on extradition between the two countries, which provides for the extradition of own citizens, was signed on 29 October 2010 in Belgrade by the then Minister of Justice of Serbia, Snežana Malović, and Igor Jovičić, the Ambassador of Montenegro to Serbia.
- 7 Radio-Television of Vojvodina, "Serbia and Montenegro signed the extradition agreement, the first arrests began", 30 Oct 2010, <https://bit.ly/3dMp6SZ>
- 8 The agreement on police cooperation between these two countries was signed by the then ministers of the interior, Ivan Brajović on behalf of the Government of Montenegro, and Ivica Dačić on behalf of the Government of the Republic of Serbia, on 17 March 2011 in Budva.
- 9 Agreement between the Government of the Republic of Serbia and the Government of Montenegro on police cooperation, Article 1, <https://bit.ly/3gqGJbR>
- 10 Editorial board of Pobjeda, "Pažin insists that Svetozar Marović be extradited to Montenegro", *Pobjeda*, 15 Nov 2019, <https://bit.ly/3CGe4Hj>
- 11 Ministry of Interior of the Republic of Serbia, "Stefanović and Nuhodžić: Joint cooperation in the fight against all types of crime", 5 June 2017, <https://bit.ly/3BRDUJi>
- 12 Dragana Babović, "Joint teams of Serbia and Montenegro to fight crime and corruption", *Vijesti*, 8 Apr 2013, <https://bit.ly/3fJbRTM>
- 13 On 13 October 2022, the Directorate for International Operational Police Cooperation of the Ministry of Internal Affairs of the Republic of Serbia responded to the request for access to information of public importance. In that answer, the Directorate stated that records on the number of joint investigative teams formed between the police forces of Serbia and Montenegro are under the jurisdiction of the Ministry of Justice and the Prosecutor's Office for Organized Crime.
- 14 The response of the Ministry of Internal Affairs of Montenegro to the request for free access to information of public importance, dated 7 Sept 2022.
- 15 *Ibid.*
- 16 *Ibid.*
- 17 The Police Administration of Montenegro pointed out that the data on the engagement of undercover investigators and the operations in which they were engaged are marked as confidential, so any publication of such data, including statistical data, would represent a violation of the concept of security, and that these standards are also applied in intelligence-security sectors of other countries.
- 18 The response of the Ministry of Interior of Montenegro to the request for free access to information, dated 7 Sept 2022.
- 19 *Ibid.*

20 The Police Administration of Montenegro pointed out that, due to the passage of time, they only have in their electronic records precise records of communications with foreign partner services for the period from 2017 onwards.

21 Response of the Ministry of Internal Affairs of Montenegro to the request for free access to information, dated 7 Sept 2022.

22 *Ibid.*

23 For this period, statistical data were submitted for all criminal offences, since, due to the passage of time, the electronic records do not contain information on criminal offences for which persons were deprived of liberty under international warrants. The decision of the Ministry of Internal Affairs of Montenegro number UPI-037/22-3594/4, dated 7 Sept 2022.

24 The response of the Ministry of Interior of Montenegro to the request for free access to information, dated 7 Sept 2022.

25 *Ibid.*

26 "Interpol Podgorica issues 91 arrest warrants", *Mondo*, 26 Nov 2017, <https://bit.ly/3Fr7jfu>

27 Response of the Ministry of Interior of Montenegro to the request for free access to information, dated 7 Sept 2022.

28 Response of the Prosecutor's Office for Organised Crime of the Republic of Serbia to the request for access to information of public importance, dated 23 Aug 2022.

29 *Ibid.*

30 *Ibid.*

31 *Ibid.*

32 Republic Public Prosecutor's Office of the Republic of Serbia, Work of public prosecutor's offices to suppress crime and protect constitutionality and legality, 5 Oct 2022, available at: <http://www.rjt.gov.rs/sr/informacije-o-radu>. Annual reports from 2013 are available on the website of the Republic Public Prosecutor's Office.

33 The response of the Special State Prosecutor's Office of Montenegro to the request for free access to information dated 28 July 2022 (that providing the data would require the creation of new information) and the response of the High Court in Podgorica to the request for free access to information dated 5 August 2022 (that it has no special records that would contain all the requested data).

34 The response of the Ministry of Justice of Montenegro to the letter from the Alternativa Institute, dated 14 Oct 2022.

35 Ministry of Justice of Montenegro, "Once again, Montenegro asks Serbia to make it possible for Svetozar and Miloš Marović to serve their prison sentences", 26 Apr 2019, <https://bit.ly/3C9PP43>

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38 Ministry of Justice, Human and Minority Rights of Montenegro, "The Ministry of Justice, Human and Minority Rights once again sent an urgent request to the Ministry of Justice of the Republic of Serbia regarding the extradition of Svetozar Marović", 12 Apr 2022, <https://bit.ly/3M9OKxN>

39 Agreement between Montenegro and the Republic of Serbia on legal assistance in civil and criminal cases, "Official Gazette of Montenegro - International Agreements", no. 4/09, Article 48.

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41 European Commission, "Report on Serbia 2020", 5 Oct 2022, <https://bit.ly/3SFMmBo> and "Report on Serbia 2021", 5 Oct 2022, <https://bit.ly/3e3AxWF>

Overview of all requests exchanged between Serbia and Montenegro related to extraditions, transfers and requests for extracts from criminal records, for all crimes, for the period from 2017 to 2022.

Number of extradition requests exchanged between Montenegro and the Republic of Serbia (2017-2022)

Year	From Montenegro to Serbia	From Serbia to Montenegro	Total number of cases
2017	12	12	24
2018	6	26	32
2019	14	18	32
2020	8	6	14
2021	11	8	19
1 Jan -7 Oct 2022	9	7	16
Total	60	77	137

Number of requests for transfer (relocation) exchanged between Montenegro and the Republic of Serbia (2017-2022)

Year	From Montenegro to Serbia	From Serbia to Montenegro	Total number of cases
2017	12	8	20
2018	4	2	6
2019	9	7	16
2020	6	9	15
2021	1	4	5
1 Jan – 6 Oct 2022	2	5	7
Total	34	35	69

Number of requests for an extract from the criminal records (2017-2022)

Year	From Montenegro to Serbia	From Serbia to Montenegro	Total number of cases
2017	24	25	49
2018	13	13	26
2019	16	11	27
2020	19	7	26
2021	10	2	12
1 Jan – 7 Oct 2022	8	8	16
Total	90	66	156



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