



UNODC

United Nations Office on Drugs and Crime



Montenegro-UNODC Strategic Partnership Framework (2024-2029)

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Introduction

The United Nations Office on Drugs and Crime (UNODC) is committed to achieving health, security and justice for all by tackling threats from illicit drugs, organized crime and terrorism worldwide.

In South-Eastern Europe, UNODC presence is ensured by the Regional Office for South-Eastern Europe (ROSEE) and a network of field offices across the region. The overarching strategic framework under which UNODC provides technical assistance is the Regional Programme for South-Eastern Europe (RPSEE). The current RPSEE is aligned with the strategic goals set by the UN Sustainable Development Cooperation Framework for Montenegro 2023-2027 (UNSDCF) to which UNODC is a signatory.

The UNODC Regional Office for South-Eastern Europe (ROSEE), based in Istanbul (Türkiye), covers Albania, Bosnia and Herzegovina, Kosovo,¹ Montenegro, North Macedonia, Serbia and Türkiye. ROSEE has no physical footprint in Montenegro.

In 2022, the UN Resident Coordinator (UNRC) in Montenegro, the Permanent Mission of Montenegro to the United Nations (Vienna), and national counterparts, including the Ministry of Interior, recommended enhanced UNODC engagement in the country, including through the possible establishment of a physical presence in Podgorica.

Considering the launch of the 2023-2027 UNSDCF, in January 2023 the UNRC invited UNODC to undertake a programme development mission aimed at aligning UNODC's engagement in Montenegro with the current and emerging national sustainable development needs and priorities as per the UNSDCF. In March 2023, the Ministry of Interior sent a letter through the Permanent Mission of Montenegro in Vienna, welcoming enhanced UNODC engagement. This was followed by additional consultations with representatives of the Montenegrin Ministry of Foreign Affairs in Vienna and Brussels.

UNODC designed, planned and undertook a first programme development mission from 18-22 September 2023. During this period, UNODC met with national counterparts from the Supreme State Prosecutor's Office, Ministry of Justice, Ministry of Interior, Police Directorate, Ministry of Education, and Ministry of Health, as well as with a range of international partners from the UN and the diplomatic community present in Podgorica.

A second programme development mission took place from 10-15 December 2023. During this second mission, UNODC presented the main elements of the future cooperation framework to national counterparts and collected their input. Representatives from the Ministry of Foreign Affairs, Special State Prosecutor's Office, Ministry of Interior/Police Directorate, and Ministry of Health attended this briefing.

The UNODC team also presented the outcomes of the program development mission and discussed UNODC's engagement in Montenegro with members of the UN Country Team (Resident Coordinator's Office, UNICEF, UNDP and IOM). Finally, the team met with the Director of Studies/Program Manager of the Western Balkans Cyber Capacity Centre and OSCE colleagues responsible for security cooperation and governance.

¹ All references to Kosovo should be understood to be in the context of United Nations Security Council resolution 1244 (1999).

Based on these consultations, and an analysis of i.a. Montenegro's Common Country Analysis (CCA), the 2023-2027 UNSDCF and the latest European Commission's progress reports on Montenegro's preparation for EU accession, UNODC has drafted a Montenegro-UNODC Strategic Partnership Framework (MUSPF or Strategic Partnership Framework) to cover the period from 2024-2029.

This summary of the MUSPF and overview of preliminary findings is accompanied by a more extensive analytical report. The MUSPF will feed into the new cycle of the RPSEE, which will be launched in 2024.

Strategic Goals

The Montenegro-UNODC Strategic Partnership Framework will serve as a comprehensive blueprint for UNODC's engagement, collaboration, and partnership with Montenegrin national counterparts over the next five years at the national and regional level.

The objective of the Strategic Partnership Framework is to contribute towards a safe and resilient society in Montenegro free from threats of organised crime, drugs, corruption, and terrorism in line with the country's national sustainable development priorities and the 2030 Agenda for Sustainable Development.

The MUSPF recognizes the importance of coordinated efforts in achieving the Sustainable Development Goals (SDGs) and is designed to complement and enhance the implementation of Montenegro's UNSDCF.

The framework seeks to support the implementation of key national policies in areas covered by UNODC's mandate. These i.a. include:

- Strategy for Integrated Border Management 2020-2024
- Strategy for Suppressing Illicit Possession, Misuse and Trafficking in Small Arms and Light Weapons 2019-2025
- Human Resource Management Strategy of the Police Directorate 2019-2024
- Strategy for Combating Trafficking in Human Beings 2019-2024
- Strategy for Cyber Security of Montenegro 2022-2026
- Strategy for Preventing and Suppressing Terrorism, Money Laundering and Financing of Terrorism 2022-2025
- Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
- Strategy for Prevention and Suppression of Radicalization and Violent Extremism 2020-2024
- Programme for the Development of Information-Communication Technologies within the Judiciary 2021-2023

The MUSPF intends to contribute to new or upcoming strategies in UNODC-mandated areas, such as those related to organized crime, anti-corruption, judicial and penal reforms. In doing so, the Strategic Partnership Framework will contribute to the following strategic priorities set out in Montenegro's UNSDCF:

- Strategic priority 2 – Human capital development, reducing vulnerability and social inclusion
- Strategic priority 3 – Social cohesion, people-centered governance, rule of law and human rights

The SPF is also aligned with the requirements of the European Union acquis, in particular as it relates to chapters 23 on judiciary and fundamental rights, 24 on justice, freedom and security and 28 on consumer and health protection.

Proposed interventions are divided into five key thematic areas (TA), which cover UNODC mandates:

- 1) Drug use prevention, treatment and care
- 2) Preventing and countering organized crime
- 3) Anti-corruption and asset recovery
- 4) Preventing and countering terrorism and violent extremism
- 5) Crime prevention and criminal justice

During the programme development missions, national counterparts, the UN Resident Coordinator and the donor community continued encouraging UNODC to consider establishing a physical presence in Podgorica, either through the placement of a representing officer or by opening an office to coordinate the implementation of UNODC actions in close partnership with national counterparts and in synergy with UN and other international partners on the ground. UNODC is seeking financial support and resources to achieve this goal.

TA 1: Drug Prevention, Treatment and Care

UNODC will:

- Assist in development and implementation of drug prevention and treatment policies
- Promote prevention, including the further roll out and institutionalization of life and family skills programs
- Support development of capacity to implement evidence-based treatment programs

The programme development missions and desk review identified various challenges in the area of drug policy. There is currently no national strategic document related to drug prevention and control. Legislation can still be brought further in line with international standards and the EU acquis, particularly as it relates to operationalising a national drug information system. The Ministry of Health is national focal point in the drug area, coordinating implementation of drug legislation. The Ministry is currently cooperating with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) to strengthen monitoring and reporting on drug use and other drug-related matters. Prevention, treatment and harm reduction programs require more investment. Inclusion of HIV/AIDS-related work in the MUSPF is deemed useful, given its prevalence among drug users.

In support of these priorities, the Strategic Partnership Framework’s aims are threefold: first, to enhance Montenegro’s adherence to international drug policy commitments; second, to improve evidence-based drug use prevention and treatment systems, aligning them with international standards and using a comprehensive, multi-sectoral approach; and third, to build capacity for drug research and data collection.

Proposed interventions will build on existing regional initiatives, on which UNODC and Montenegro have successfully cooperated already. Further support could include legal advice to further develop the regulatory framework for drug control, prevention, treatment and care. UNODC could assist in the preparation and adoption of a new drug strategy and support its implementation with the roll out and institutionalization of life-skills, family strengthening, and other programs aimed at drug prevention and building resilience of young people to drugs and crime.

UNODC also proposes to support introduction of evidence-based treatment programs (e.g., addressing and treating users of new drugs like fentanyl), training medical staff, social workers, psychologists and other practitioners in globally standardized treatment programs, including on HIV AIDS, and raising public awareness to reduce stigma and discrimination.

Additionally, in synergy with existing support from EMCCDA and other partners, the Framework would allow for support to strengthen Montenegro’s research and reporting mechanisms and to facilitate the development of evidence-based, human rights-compliant, and gender-sensitive policies and programs, depending on evolving needs. This could include monitoring drug use and estimating the number of users.

TA 2: Preventing and Countering Transnational Organized Crime

UNODC will:

- Provide advisory support to align national laws and policies with the UN Convention against Transnational Organized Crime and its protocols on addressing trafficking in persons, smuggling of migrants, and firearms
- Facilitate capacity building on investigation, prosecution and adjudication of organized crime, including through special investigative measures and cross-sectoral cooperation
- Support national efforts in border control through effective cooperation with countries affected by illicit trafficking along the Balkan route
- Support proper conservation, storage and destruction of seized drugs and other contraband
- Assist in the development of a communications plan to raise public awareness about the new strategy against transnational organized crime that is currently being developed
- Address cybercrime, money laundering and the illicit use of new technologies and cryptocurrencies, including through fostering regional collaboration between the Center for Cybersecurity Capacity Building in the Western Balkans and the Global Cyber Security Capacity Centre

Montenegro remains a transit country on the Balkan route for illicit drug trafficking. According to the UN’s Common Country Analysis for Montenegro drug trafficking and related organized crime significantly hamper SDG implementation.

The current track record of investigations, prosecutions, and final convictions in cases of organized crime requires improvement. As per consultations with relevant practitioners and review of relevant analytical reports, courts are not using the full range of sentences and tend to impose lighter sanctions based on plea bargains.

The legal framework on preventing and countering organized crime can still be further improved, in particular as it comes to ensuring consistent sentencing and improving procedures for the storage and destruction of seized drugs. A new strategy against transnational organized crime is under development.

To address these challenges, the MUSPF proposes to provide legal and policy advice to ensure full alignment of national legislation with international drug conventions, the UN Convention against Transnational Organized Crime and its protocols on trafficking in persons, smuggling of migrants and firearms.

Specific interventions can focus on enhancing the ability of law enforcement and criminal justice institutions to conduct thorough investigations and successfully prosecute and adjudicate various forms of organized crime, including through special investigative measures, joint operations and international cooperation measures, whilst providing assistance to facilitate evidence and case management by the prosecution services. The MUSPF is expected to assist in forming cross-sectorial teams involving prosecution, customs, police, and other relevant entities. It is suggested to support the proper conservation, storage and destruction of confiscated assets, particularly drugs.

Under this thematic area, UNODC will build on existing partnerships established within the framework of the RPSEE and continue fostering Montenegro's participation in relevant UNODC programmes related to passenger and border control, anti-trafficking in persons and smuggling of migrants, as well as firearms trafficking

It is also suggested to strengthen law enforcement and criminal justice capacity to handle cybercrime cases, fostering effective cooperation with regional and international stakeholders in cybercrime-related matters. Partnership with the Center for Cybersecurity Capacity Building in the Western Balkans, recently established in Podgorica, is recommended for this purpose, as well as linking up with the Global Cyber Security Capacity Centre in Qatar.

TA 3: Anti-Corruption and Asset Recovery

UNODC will:

- Provide advisory support to develop and implement laws and policies to counter and prevent corruption, especially legislation in corruption-vulnerable areas, for example legislation to regulate State-owned enterprises
- Strengthen capacity to conduct financial investigations and recover proceeds of crime
- Contribute to the application of investigative techniques and standards in line with EU and other good practices when dealing with money laundering
- Facilitate mutual legal assistance and international cooperation through the Regional Platform for fast-tracking UNCAC implementation and the GlobE network
- Enhance the capacity of the Agency for the Prevention of Corruption and other anti-corruption practitioners and stakeholders through targeted training on prevention, awareness raising, whistle-blower protection, and oversight of political party financing to strengthen integrity and transparency

Montenegro is a State Party to the UN Convention against Corruption and participates in its Implementation Review Mechanism. Montenegro is an active participant in UNODC's regional platform for fast-tracking UNCAC implementation (through the Regional Anti-Corruption and Illicit Finance Roadmap) and the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network).

Key institutions include the Special State Prosecution Office, which is responsible for prosecuting perpetrators of organized crime, high corruption, and money laundering among others, as well as the Agency for the Prevention of Corruption. A new national anti-corruption strategy has been under development. UNODC is invited to support its development and implementation.

UNODC could also support legislative development when it comes to the Law against Corruption and amendments to the Criminal Procedure Code to facilitate the trial phase in organized crime cases, which currently often get bogged down.

Challenges noted during the programme development missions include the need to further work on the legal and institutional framework and to ensure the effective use of financial investigations and asset seizure and confiscation. According to the conducted consultations and desk review, rent seeking through public procurement contracts, infrastructure projects and privatization of public enterprises is not sufficiently addressed.

The MUSPF should therefore be used to facilitate the transfer of expertise in combatting illicit finance, corruption, and economic crime whilst assisting Montenegro in gaining a deeper understanding of the scope, dynamics, and risk factors related to corruption.

The Framework will also contribute to the application of investigative techniques and standards in line with good European and other practices when dealing with money laundering, emphasizing non-conviction-based asset recovery wherever feasible. Targeted risk assessment and dedicated action for the sectors most vulnerable to corruption is also recommended, as well as continued deepening of regional and international cooperation, including through UNODC's regional UNCAC platform and GlobE network.

TA 4: Preventing and Countering Terrorism and Violent Extremism

UNODC will:

- Provide advice to strengthen legal frameworks to prevent and counter terrorism
- Facilitate capacity development of criminal justice practitioners to effectively address the investigation and prosecution of violent extremism motivated by xenophobia, racism and other forms of intolerance, or in the name of religion or belief
- Support measures to address terrorist content online, combat hate speech and respond to emerging issues, including the use of advance passenger information systems
- Support policies and programs aimed at addressing root causes with a view to preventing terrorism, radicalization to violence (also in prison and probation settings) and the use of new technologies to promote violent extremism and recruitment among youth

Montenegro faces a relatively low threat of terrorism and violent extremism. However, there appears to be a growing concern around polarization along ethnic lines, as well as the dissemination of disinformation, ethno-nationalism, and hate speech, in particular online.

Challenges identified during the programme development missions and based on desk review include vulnerability to cyber-attacks that can incapacitate the functioning of public administration, and legal gaps, such as the need to align legislation with the EU’s Anti-Money Laundering Directives and to adopt a law on the processing of data concerning passengers in air transport. The presence of online content of a right-wing extremist nature is deemed a risk.

Based on these challenges, it is suggested that the Strategic Partnership Framework will focus on strengthening Montenegro’s criminal justice system to counter and prevent terrorism while upholding human rights principles, supporting the alignment of Montenegro’s legal frameworks with international legal instruments against terrorism, and enhancing mechanisms for countering terrorism financing. Measures to respond to emerging terrorism-related issues, including the further development and use of passenger data systems, can be supported.

Proposed interventions will concentrate on supporting Montenegro in implementing comprehensive programs focused on risk assessment, disengagement, rehabilitation, and reintegration of at-risk groups, including through support for prison and probation services to prevent radicalisation to violence among offenders. The MUSPF will also work with Montenegro’s authorities to enhance their capacity to effectively tackle online terrorist and extremist content. This entails intensifying efforts to report such content to internet companies and empowering civil society to create impactful counter-narratives. Cooperation with relevant partners to prevent violent extremism, particularly among youth, is recommended to address root causes of radicalization to violence.

TA 5: Crime Prevention and Criminal Justice

UNODC will:

- Support measures to strengthen the criminal justice system
- Promote community and intelligence-led policing as well community-based crime prevention
- Promote prison reforms and development of probation services
- Assist in preventing and addressing violence against women and children
- Facilitate measures to strengthen international judicial cooperation and mutual legal assistance on transnational organized crime

Montenegro’s judicial reform strategy expired in 2022. It is reported that public confidence in the prosecution and judiciary remains low. Family and other forms of gender-based violence remain of concern, as noted during the programme development missions. Legislation against domestic violence, discrimination, hate crimes and hate speech does not provide sufficient protection.

To address these concerns, this thematic area is focused on facilitating steps towards a more effective, humane, transparent and accountable criminal justice system. This can include support for strengthening legal aid systems, community and intelligence-led policing, improved capacity of prosecution offices and courts, prison reforms and strengthening of probation services.

The MUSPF will facilitate the development and implementation of comprehensive interventions aimed at preventing and addressing violence against women, involving collaboration with relevant sectors and civil society partners. It will provide legal advisory services to ensure alignment of legislation, policy, and institutional frameworks on violence against women with international standards. Activities will focus on enhancing the capacity of the police department and prosecution offices to prevent and proactively respond to violence against women, fostering improved cross-sectoral communication. Efforts to achieve a better gender balance within the law enforcement and criminal justice sector, with a particular emphasis on decision-making and managerial roles, can also be a focus area, whilst enhancing the gender responsiveness of the justice sector as a whole.

Additionally, the Strategic Partnership Framework will provide support for amending existing legislation related to international judicial cooperation, particularly in alignment with the EU agenda (chapter 24), and support capacity building to strengthen the criminal justice response to various types of existing and emerging forms of crime, including cybercrime, and facilitate related mutual legal assistance.

It is also suggested to address risk factors for involvement of youth in crime by implementing various life skills programs and other measures to support social partnerships between government, police, civil society and local communities on crime prevention.

Indicative Budget

Sustainability of UNODC engagement in Montenegro depends on extrabudgetary contributions. The tentative minimum amount for the entire implementation period of the Strategic Partnership Framework is USD 1.5 million.

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