

24 Annex - Justice, freedom and security

**183. AGREEMENT ON MUTUAL COOPERATION IN
INTEGRATED BORDER MANAGEMENT**

Pursuant to Article 65 of the Law on Public Administration (Official Gazette of Montenegro 38/3 and Official Gazette of Montenegro 22/8), and in accordance with the Strategy for Integrated Border Management and its Action Plan, aiming at improving mutual cooperation and increasing effectiveness, the Ministry of Interior and Public Administration, Police Directorate, Customs Administration, Veterinary Administration and Phytosanitary Administration have concluded the following

**AGREEMENT
ON MUTUAL COOPERATION IN INTEGRATED
BORDER MANAGEMENT**

Article 1

Aims

This Agreement establishes basic principles of cooperation in performing duties within the scope of one's competences regarding border and border crossings between: **Ministry of Interior and Public Administration, Police Directorate, Customs Administration, Veterinary Administration and Phytosanitary Administration** (hereinafter referred to as: Signatories to the Agreement), cooperation referred to in paragraph 1 of this Article shall concern the following in particular:

- harmonization of work and improvement of cooperation between bodies that control crossing of the state border and protect border,
- joint risk analysis;
- establishment of joint working teams,
- conducting joint actions and other activities,
- offering technical support and assistance and joint use of equipment,
- joint education and professional development,
- cooperation with other bodies and international cooperation,
- data exchange and telecommunication networking.

Article 2

Harmonization of work and improvement of cooperation

Signatories to the Agreement on mutual cooperation in integrated border management of Montenegro (hereinafter referred to as: the Agreement) shall mutually harmonize the activities within the scope of their competences aiming at improving work efficiency and enhancing inter-department activities, transparency, efficiency and economy.

Article 3

Joint risk analysis

Signatories to the Agreement shall prepare the joint risk analysis at least once a year that will be basis for integrated border management and for planning and carrying out joint activities.

Risk analysis referred to in paragraph 1 of this Article shall be compiled based on analytical and statistical parameters for a specific period, regarding border control, border security, protection of human lives and health , prevention and detection of criminal acts and offences, undertaken measures and achieved results in their implementation.

Article 4

Joint working teams

Signatories to the Agreement shall establish joint task teams with the task to ensure coordination of activities of mutual interest in integrated management and control on border crossings, monitor implementation of regulations, analyse and evaluate undertaken activities, joint risk analysis, infrastructure, equipment and information technology, intensify cooperation and solving of issues that might occur in case of violation of this Agreement.

Article 5

Joint actions

In accordance with joint risk analysis, and operational needs, aiming at operations and optimal utilization of existing human and technical resources, signatories to the Agreement shall plan and carry out joint actions that are important for ensuring integrity and prevent and eliminate activities that endanger the state border, and particularly regarding customs supervision and protecting health of human beings, plants and animals.

Article 6

Technical assistance and support

Aiming at improving efficiency, operationability and rationalisation in carrying out tasks, as well as tasks of mutual interest and in joint actions and other fields of cooperation, Signatories to the Agreement shall offer technical assistance and support to each other.

When necessary, aiming at performing official tasks, Signatories to the Agreement shall give each other technical and other equipment to be utilized, provided that it does not hinder performance of regular tasks of the signatory giving the equipment.

Signatories to the Agreement may procure technical equipment, in order to utilize it jointly.

Article 7

Education and professional development

Signatories to the Agreement shall cooperate in the field of education and professional development and aiming at this they shall:

- consider plans and curricula for education and professional development;
- carry out joint education, seminars, professional development and exchange of lecturers;
- exchange experience and information about work methods and modalities;
- train experts for different fields of action, and
- jointly carry out other activities.

Article 8

Cooperation with other bodies and organizations

Signatories to the Agreement in performing their joint activities shall cooperate with other competent authorities of the state administration, public companies and other legal persons.

Signatories to the Agreement shall act in coordination within the field of international cooperation.

Article 9

Data exchange

Signatories to the Agreement in performing their tasks and joint activities shall exchange data from the official registers.

Data exchange may be conducted through informatic networking, direct or indirect access to data bases.

Signatories to the Agreement shall provide efficient protection of data subject to their exchange, particularly personal data, in order to prevent unauthorized access, change or disclosure of personal data, and in accordance with rules of separate regulations regulating data protection.

Article 10

Coordination and reporting

Signatories to the Agreement shall appoint coordinators and deputy coordinators in every local unit.

Coordinators shall hold meetings at least once in three months aiming at reviewing and analysing cooperation and other matters of mutual interest, exchange information and initiate joint actions, and establish other forms of cooperation.

Coordinators shall submit periodical reports about their work to the Signatories to the Agreement who appointed them and to the Inter-Department Commission for implementation of the Strategy for integrated border management and Action plan for its implementation.

Signatories to the Agreement shall exchange information in line with legal competences that are important for the implementation of this Agreement.

Inter-Department Commission for implementation of the Integrated Border Management Strategy and its Action Plan shall monitor and coordinate implementation of the Agreement, analyse and indicate at liabilities resulting from the Agreement.

Article 11

Funds

Funds for procurement of joint equipment, and costs of utilization and maintenance of the joint and given equipment, and any other cost resulting from this Agreement shall be shared onto equal parts between every beneficiary or Signatory to this Agreement.

Article 12

Separate agreements

For some forms of cooperation, Signatories to the Agreement may conclude separate agreements which will be an integral part of this Agreement.

Article 13

Amendments to the Agreement

This Agreement may be subject to amendments with consent of every Signatory to the Agreement.

Article 14

Settlement of disputes

Signatories to the Agreement shall settle any dispute arising in implementation of this Agreement. Where Signatories to the Agreement are unable to settle disputes they shall inform the Inter-Department Commission for Implementation of the Integrated Border Management Strategy about the matter without any delay.

Article 15

Entering into force

This Agreement shall enter into force on the day of its signing, and is made in 5 (five) copies, each Signatory shall keep 1 (one) copy.

IN PODGORICA 03 February 2008

**MINISTRY OF INTERIOR AND
PUBLIC ADMINISTRATION**

POLICE DIRECTORATE

**MINISTER
Jusuf Kalamperović**

**DIRECTOR
Veselin Veljović**

CUSTOMS ADMIN. VETERINARY ADMIN. PHITOSANITARY ADMIN.

DIRECTOR

DIRECTOR

DIRECTOR

Miodrag Radusinović

Ivan Popović
