

**Memorandum of Understanding**  
**between the**  
**Ministry of Justice of the Republic of Serbia**  
**and the**  
**OSCE Mission to Serbia and Montenegro**

The **Ministry of Justice of the Republic of Serbia** represented by **Zoran Stojkovic,**  
**Minister of Justice** and,

The **OSCE Mission to Serbia and Montenegro** represented by **Ambassador**  
**Maurizio Massari, Head of Mission (Hereinafter: the parties),**

*In accordance with* the Decision of the OSCE Permanent Council establishing the OSCE Mission and subsequent decisions extending its mandate;

*With reference to* the Decisions of the OSCE Ministerial Council of 1 and 2 December 2003 as well as the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century and the Statement on South-Eastern Europe as a Region of Co-operation adopted at the above Ministerial Council,

*With the intent to* provide assistance to the Ministry of Justice of the Republic of Serbia in the field of rule of law facilitating Serbia and Montenegro's further integration into European and Euro-Atlantic structures,

*Bearing in mind* that the OSCE principles and commitments are the basis for close cooperation between the Ministry of Justice and the OSCE,

**Have agreed** on the following:

1. The OSCE Mission to Serbia and Montenegro shall provide assistance to the Ministry of Justice of the Republic of Serbia in the following agreed areas of priority:
  - I. Criminal justice system and civil legal system reform including the revision of the Serbian criminal code, criminal procedure code, and civil procedure code;
  - II. Fight against organized crime, implementation of the Serbian Action Plan on Fighting Organized Crime, and promotion of regional judicial cooperation;
  - III. Development of a law on witness protection and support in the implementation of a witness protection program;
  - IV. Judicial reform focused on strengthening the independence of the judiciary through development of a constitutional framework and legislation on the judiciary and training;
  - V. Fight against trafficking in human beings and protection of victims of trafficking in human beings;

- VI. Implementation of the Law on Organization and Jurisdiction of Government Authorities in Prosecuting Perpetrators of War Crimes, and capacity building of the relevant institutions of the Republic of Serbia ;
  - VII. Efforts to combat terrorism including the development of legislation implementing Serbia's obligations as provided by international treaties and agreements entered into by Serbia and Montenegro;
  - VIII. Transfer of authority from military courts and prosecutors' offices to the courts and prosecutors' offices of the Republic of Serbia as provided by the Constitutional Charter of Serbia and Montenegro;
  - IX. Prison Reform including the reform of the law on the execution of criminal sanctions and related by-laws and support to the establishment of a Prison Training Institute;
  - X. Any other relevant area requested by the Ministry of Justice and agreed between the parties.
2. Each party shall appoint one liaison officer to monitor the progress of the cooperation.
  3. The methods of cooperation between the parties and the assistance to the Ministry of Justice in each of the above areas of priority shall be further defined in subsequent agreements and may include:
    - I. Expert assistance in drafting and implementing legislation;
    - II. Capacity building and training;
    - III. Facilitating cooperation between the Ministry of Justice and Non-Governmental Organizations;
    - IV. Organizing workshops, seminars and conferences;
    - V. Establishing joint working groups.
  4. This Memorandum of Understanding has been concluded in two identical copies in both Serbian and English language. Each party shall receive one original copy in each language. Both the Serbian and English versions are valid for all official purposes.
  5. This Memorandum of Understanding shall come into force upon signature.

Belgrade 21 May 2004

For the Ministry of Justice  
of the Republic of Serbia

  
Zoran Stojkovic

For the OSCE Mission to Serbia and  
Montenegro

  
Ambassador Maurizio Massari