



Fiscalía General del Estado Reino de España

MEMORANDUM OF UNDERSTANDING BETWEEN THE SUPREME STATE PROSECUTOR'S OFFICE OF MONTENEGRO AND THE GENERAL PROSECUTOR'S OFFICE OF THE KINGDOM OF SPAIN.

BASED on the principles of state sovereignty, good faith, mutual respect, and reciprocity of benefits;

ATTRIBUTING special importance to efforts to protect human rights and fundamental freedoms;

RECOGNIZING the importance of further strengthening the development of cooperation between both institutions in the fight against serious crime and organized crime;

MOTIVATED by the will to strengthen and consolidate democratic rule of law institutions and improve the quality of services provided to the citizens of both States;

BASED on the mutual desire to promote effective cooperation on matters of common interest;

The Supreme State Prosecutor's Office of Montenegro and the General Prosecutor's Office of the Kingdom of Spain, hereinafter referred to individually as a "Party" and collectively as the "Parties",



HAVE REACHED THE FOLLOWING UNDERSTANDING:

I

Scope

The purpose of this Memorandum (hereinafter referred to as the "MoU") is to consolidate and strengthen the relations of friendship and cooperation within the scope of the Parties' respective competencies, based on equality, respect, and mutual benefit, by establishing a stable framework for direct communication and relations. This shall be without prejudice to, and taking into account, the domestic legislation of each State and the international commitments undertaken through the signing and ratification of Conventions and Agreements entered into by both States.

II

Objectives

The Parties shall maintain cooperative relations in accordance with the provisions of this MoU and within the scope of their respective competencies, by mutual agreement ensuring fluid communication and holding meetings as deemed necessary, both in-person and virtually, in order to exchange knowledge, best practices, and experiences of mutual interest within the scope of their functions. Namely:

1. To enhance international judicial cooperation as one of the key pillars in the fight against organized crime in all its forms. In particular, this includes terrorism, corruption, the illegal trafficking of weapons, drugs, narcotic and psychotropic substances, human trafficking, illegal immigration, organ trafficking, as well as economic crime, fraud, cybercrime, money laundering, and other offenses that pose a serious threat to our society.



DRŽAVNO TUŽILAŠTVO
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The scope of judicial cooperation shall always be understood in full respect of and in compliance with their national legislation, as well as the commitments arising from the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, done at Strasbourg on November 8, 2001 (ETS No. 182), ratified by both States.

2. To organize activities aimed at facilitating the training and capacity building of members of the Public Prosecutor's Office and officials of both Parties.
3. To jointly undertake scientific research, promoting the participation of members of the Public Prosecutor's Office from both Parties in conferences and seminars on matters of mutual interest.

III

Cooperation Actions

To achieve the objectives set forth in this MoU, the Parties shall promote:

1. Exchange of information on the status and trends of crime, as well as on the protection of human rights and procedural safeguards.
2. Exchange of information on the legal systems and laws of both countries and on measures to strengthen law enforcement within the respective areas of competence of the Parties, and, if necessary, concerning experience and knowledge in international cooperation.
3. Consultations on general legal matters, in particular promoting such exchanges of information, when necessary, during the preparation, analysis, and execution phases of international legal cooperation requests in criminal matters; always in compliance with personal data protection legislation.
4. Joint studies of mutual interest, expert meetings, and seminars on topics related to the activities of both Parties.
5. Visits by experts to promote mutual understanding and the exchange of experience and knowledge of common interest.



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6. Establishment of working groups to enhance the effectiveness of collaboration, design shared strategies to combat organized crime, or prepare joint investigative operations.

IV

Working language

Communications, documents, and reports exchanged in the implementation of this Memorandum shall not require translation, and if translation is ever necessary, it shall be carried out by the receiving institution.

V

Confidentiality

The Parties shall guarantee the confidentiality of the documents and information shared between them under this MoU.

Each Party shall be subject to the legislation of its respective State and shall maintain the level of confidentiality required by the other Party.

VI

Financial provisions

The Parties shall implement this MoU in accordance with their respective budgetary and organizational capacities.

The Parties shall not request reimbursement of expenses arising from the implementation of this MoU, unless otherwise mutually agreed in each specific case.

This MoU shall not generate any additional costs for the Parties.



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VII

Implementation of the Memorandum

For the purposes of this MoU, the Parties shall communicate directly.

The Parties shall exchange information that contributes to better cooperation through the following points of contact:

- a) By the Supreme State Prosecutor's Office of Montenegro: The International Cooperation Department.

Address: Slobode Street 20, 20000 Podgorica, Montenegro

Phone: +382 20 230 624

emial: vdtcgint@tuzilastvo.me

- b) By the General Prosecutor's Office of the Kingdom of Spain: the International Cooperation Unit.

Address: c/. Ortega y Gasset, 57. 28006. Madrid

Tel: +34 91 423 11

Fax: +34 91 423 08 21

email: internacional.fge@fiscal.es

The Parties shall promptly notify each other of any changes to the above-mentioned contact details.



VIII

Applicability

1. This MoU shall begin its application from the date of its signature and shall remain in effect for an indefinite period of time.
2. Either Party may terminate its application at any time by written notification to the other Party. In such case, the MoU shall cease to apply 30 days from the receipt of such a notification.
3. After termination, the Memorandum of Understanding will continue to apply to activities that may still be in progress at that time until their completion.

IX

Final provisions

1. The signing of this MoU does not constitute a source of international legal obligations for the Kingdom of Spain or for the State of Montenegro, nor does it affect the rights and obligations arising from the international treaties to which both are parties. In this regard, this MoU is not legally binding and is not subject to international law.
2. All matters of interpretation and implementation of this MoU shall be resolved by the Parties through consultations, based on the principles of good faith, understanding, and mutual respect.
3. Either of the signatory institutions may propose in writing to the other the total or partial revision of this MoU, which shall only take effect after being signed by the representatives of the Parties.



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Language, copies and registry

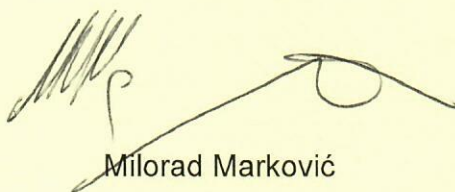
This MoU has been drawn up in tree copies of equal value, in Spanish, Montenegrin and English language, all of which are considered authentic. In case of disagreement in interpretation of the provisions of this MoU, the English text shall prevail.

The original text of the MoU, written in the Montenegrin language, will be deposited at the Cabinet of the Supreme State Prosecutor of Montenegro.

Once signed, a copy will be sent by The General Prosecutor's Office of the Kingdom of Spain to the Ministry of Foreign Affairs, European Union and Cooperation of Spain for registration in the register of non-regulatory international agreements.

Signed in Madrid, the 28th of May 2025.

On behalf of the Supreme State
Prosecutor's Office of Montenegro



Milorad Marković

Supreme Prosecutor of the State

On Behalf of the General Prosecutor's
Office of the Kingdom of Spain



Alvaro García Ortiz

General Prosecutor

