I. REGIONAL STRATEGIC DOCUMENT (RSD) ON JUSTICE AND HOME AFFAIRS, 2011 - 2013

A.ASSESMENT OF THE REGIONAL COOPERATION IN JHA

B.MAIN REGIONAL PRIORITIES

> **B.1.**FIGHTING TRANS-BORDER ORGANIZED CRIME

> **B.2.**ANTICORRUPTION

> **B.3.** MIGRATION, ASYLUM, REFUGEES

> **B.4.** FUNDAMENTAL RIGHTS AND COOPERATION IN CIVIL MATTERS

> > **B.4.1.1.**PROTECTION OF CHILDREN

C.HARMONIZATION OF ACTIVITIES IN THE REGION

> **C.1.** POLICE AND LAW ENFORCEMENT COOPERATION

> **C.2.** COURTS' AND PROSECUTORS' OFFICES JUDICIAL COOPERATION

II. ACTION PLAN FOR THE IMPLEMENTATION OF THE REGIONAL STRATEGIC DOCUMENT 2011 - 2013

III. ANNEXES

1. Benchmarks and indicators for monitoring and evaluating of the regional cooperation in JHA area
2. Regional stakeholders and activities
3. Regional technical assistance
4. List of Strategic Documents for Regional Cooperation

18 March 2011, Budva, Montenegro

I. REGIONAL STRATEGIC DOCUMENT (RSD) ON JUSTICE AND HOME AFFAIRS, 2011 - 2013

A. ASSESMENT OF THE REGIONAL COOPERATION IN JHA

A.1. There are *two main forms of cooperation* in *criminal matters: law enforcement cooperation - police, custom, border police, specialized agencies -, and judicial cooperation - prosecutors and judiciary-*. Overall, regional police cooperation is relatively advanced, while judicial cooperation has still to be enhanced and improved into a number of different areas.

A.1.2. Regional cooperation has improved in the areas of information pooling, exchange and collection of cross-border intelligence (ILECU's projects), risk and threats analysis (OCTA-SEE), legislative harmonization (SELEC, PCC-SEE, UN legislative framework), cross-border operations (SECI Centre, PCC-SEE Secretariat, SEEPAG, WB Prosecutors 'Network)) and in policing (SEPCA, OSCE). *SECI Regional Center for Combating Trans-Border Crime has been recognized by the European Commission "as a facilitator of the exchange of information on trans-border crimes between the law enforcement agencies in the region as well as a coordinator of joint law enforcement regional operations"*[1]. Nevertheless, the lack of coordination at the level of projects implementation needs to be addressed.

A.1.3. In the areas of fighting *corruption* and management of *migration* there are positive results of the regional initiatives.

A.1.4. Cooperation in the areas of the protection of fundamental rights and of private, civil or administrative law is the least developed. National and regional activities are often not connected and uncoordinated. A comprehensive approach to the rule of law sector (justice, prosecution, police and prisons) together with a judicial and democratic control of regional actions is needed. Positive developments in the area of personal data protection, including mutual evaluations, could be seen as role model for cooperation.

A.1.5. In June 2010 the RCC Secretariat ambitious Strategy and Work programme for 2011-2013 were endorsed in Istanbul by the Declaration of the SEECP Heads of States and Governments. The RCC has been entrusted with important tasks regarding the strategic coordination and monitor of the level of regional cooperation in justice, home affairs and security priority areas.

A.1.6.The Communication of the Commission[2] on Enlargement Strategy underlines the RCC's key role in guiding and monitoring regional cooperation. The dialogue amongst the European Commission, RCC, Beneficiaries and other relevant stakeholders is of crucial importance, since it aims to guarantee that IPA and other financial resources from international and bilateral donors reflect regional priorities. The RCC Secretariat and the

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[1] 2010 EU-Western Balkans Ministerial Forum on Justice and Home Affairs
[2] COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Enlargement Strategy and Main Challenges 2010-2011, Brussels, 9.11. 2010 COM(2010) 660

European Commission have a shared commitment in promoting initiatives that increase regional cooperation and help Western Balkans countries to align their judicial systems and law enforcement structures to international and EU standards. Through the support of RCC Secretariat, all relevant regional organizations are increasingly involved in regional initiatives. The Working Groups on IPA Multi-Beneficiary programmes ensure a more transparent participatory approach of the countries from the region in shaping a coordinated strategic planning. The Communication mentioned that '*the Regional Cooperation Council strives to enhance cooperation between the police, prosecution services and the judiciary.'*

A.1.7. Regional cooperation is seen as an *integrated, coherent* and *transparent* process and to this aim the 1st objective of the present Regional Strategic Document[3] (RSD) is to provide a synthetic guidance on the existing programs or plans focusing the South East Europe, and to help the harmonization of the donor's activities, avoiding overlapping and duplication.

A.1.8. RSD converges and integrates the most relevant, strategic targets and activities of several programmatic documents (strategies, action plans or policies), from the region, *inter alia*[4]: *EU* five year's *"Stockholm Program"*; *EU* Strategy for the Danube Region' and its Action Plan; *EU IPA* Multi-beneficiary Multi-annual Indicative Planning Document 2011 – 2014 (MB MIPD), *EU Draft Action Plan on drugs* between EU and the Western Balkans countries (2009-2013); *EU*'s Internal Security Strategy; *Europol* Strategy on SEE; documents issued during periodic justice and home affairs ministerial meetings, such as EU-WB, Salzburg Forum, Brdo Process; documents of SEECP's ministerial meetings; *UNODC* Regional Programme (2009-2011) *"Promoting the Rule of Law and Human Security in South Eastern Europe";* INTERPOL Strategy for European Region; *RCC Secretariat* Strategic Work Programme; *MARRI, RAI, SEEPAG, PCC-SEE work programmes or road maps; IOM's Regional Strategy for the Western Balkans 2011-2013;* Council of Europe, OSCE, OECD projects, documents and activities; Building Migration Partnerships in the framework of the Forum of Budapest.

A.1.9.RSD focuses on the identified regional needs and priorities and is supported by a clear Action Plan with precise implementation indicators based on sectoral analysis. A mechanism of periodic reporting on regional activities and participants – countries, international organizations, donors - and a regional monitoring tool to assess the level of regional cooperation within JHA area have to be in function, and RCC Secretariat organizational platform fits best to that.

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[3] RSD text has been drafted under the coordination of the RCC Secretariat and stands on the principles, main priorities and threats identified during the Sarajevo Regional Coordination Conference held in December 2009, as well as on the answers given during 2009 and 2010 to the written questionnaires by the national authorities. The text has been amended several times throughout the 2010 coordination and steering group meetings and the written procedure conducted by the RCC Secretariat. The participants involved in the drafting process were the representatives of national judicial and home affairs institutions from South East Europe, (heads of the international cooperation structures within the ministries of justice, ministries of interior, public prosecutors' offices and high judicial councils) regional organizations, European Union (EU) institutions and agencies, international organizations, national and international experts, non-governmental organizations and professional associations.

[4] The list of main strategic documents can be found in Annex 4.

A.10.The implementation progress of the RSD and its Action Plan, together with the regional priorities will be periodically assessed.

B. MAIN REGIONAL PRIORITIES
B.1. FIGHTING TRANS-BORDER ORGANIZED CRIME
There have been indentified the following main **targets** for the SEE region:
   a) *Trafficking in human beings, and sexual exploitation of children*
   b) *Illegal/ irregular migration and smuggling of migrants*
   c) *Trafficking and smuggling of goods, hazardous materials and arms*
   d) *Money laundering*
   e) *Drugs trafficking*
   f) *Terrorism and its links with organized crime*
   g) Recovery of the assets related to illegal activities.

B.1.1.The forms of *trans-national organized crime* have a direct negative impact on the lives, safety, and well-being of the citizens. The common history of the SEE countries, their linguistic and cultural similarities, the family contacts and the complex connexions influence and favour the relations among organised criminal groups. Organized criminality in the form of *illegal migration* is the main threat from the external border of the region. Illegal migration is exacerbated in size and seriousness by the growing involvement of organized crime groups and the emerging trend of 'combining' several traditional criminal activities, like cross commodity smuggling. *Trafficking in human beings* is closely tied to other illicit trades. They function the same way, by means of highly effective, decentralised mobile networks, they feed on each other region's geographical position and they ensure connections between the Middle East, Asia and Europe. *'Human trafficking is a serious crime against human rights. The fight against human trafficking must mobilize all means of action, bringing together prevention, law enforcement, and victim protection.'*[5] The SEE EU members, as well as the candidate or potential candidate countries, from the highest political levels, should continue to place the combating of organised illegal immigration as a priority crime area together with terrorism, money laundering, counterfeiting currency, drugs trafficking and trafficking of human beings.

B.1.2. In close connection with this matter is also the efficient coordination of systems between the countries of the region to combat money laundering and terrorist financing in accordance with relevant international standards. In order to expand the scope of mutual legal assistance in connection with the investigation and criminal proceedings coordination shall cover the seizure of proceeds of crime, including information on financial transactions, taking of evidence and testimony, facilitating the voluntary appearance of persons in order to provide evidence of the requesting states and the identification, freezing, seizure, and confiscation of assets with provenience from crime. In this context the creation of a

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[5] COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, An area of freedom, security and justice serving the citizen, COM (2009) 262/4, pg. 20

Standard Order for the region, for the confiscation of assets, proceeds of money laundering would be very effective.

B.1.3. As **emerging forms** of serious criminality have been recognized: cyber crime and card frauds, environmental crimes, financial and economic crime, frauds against EU funds. Particular attention should be paid to the development of legislative, institutional and other responsive measures addressing emerging types of crime.

B.1.4. **Forms of regional cooperation**
Activities of regional initiatives and organizations are coherent, although some of the national and international projects have an overlapping tendency, as a result of the development of some individual donor's activities. The main international actors are EU and its specialised agencies (EUROPOL, EUROJUST, EJN, OLAF, EUPM, EMCDDA) United Nations Counter Terrorism Implementation Task Force (CTITF), United Nations Office on Drugs and Crime (UNODC), OSCE, Council of Europe, DCAF, INTERPOL, IOM and ICMPD.

B.1.5. A range of regional activities and structures[6] have been developed in the past years with varying success and impact. These include:
- *Southeast European Cooperative Initiative, Regional Centre for Combating Trans-border Crime – SECI Centre/Southeast European Law Enforcement Centre – SELEC*;
- *Police Cooperation Convention for South East Europe – PCC -SEE*
- *Southeast Europe Police Chiefs Association – SEPCA*
- *Southeast European Prosecutors' Advisory Group – SEEPAG*
- *Regional Anti-Corruption Initiative – RAI*
- *Migration, Asylum, Refugees Regional Initiative – MARRI*
- *South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons - SEESAC*
- *Centre for Security Cooperation – RACVIAC*
- *DCAF – Border Security Programme*

B.1.6. Furthermore, EU has launched a number of actions aimed at strengthening the regional dimension of the rule of law. These include in particular the *Prosecutors' Network of the Western Balkans*, creating direct linkages among the prosecutorial services, and the setting up of the *International Law Enforcement Coordination Units - ILECUs*, strengthening national platforms for international police and law enforcement cooperation.

B.1.7.The States of Southeast Europe should further enhance cooperation and coordination among national agencies combating terrorism by increasing information sharing relating to terrorist activities. Regional cooperation in countering terrorism should inter alia be based on the UN Global Counter-Terrorism Strategy, on the international legal framework to combat terrorism, especially the universal legal instruments against terrorism and the relevant counter-terrorism UN Security Council resolutions. The related technical assistance

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[6] The complete chart of regional stakeholders and activities in presented in Annex 2

activities will be implemented by the relevant UN bodies including the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in cooperation with the relevant international and regional organizations.

B.1.7. Among the *tools* to address regionally organized crime, terrorism and other forms of serious criminality based on the implementation of the existing legal framework and organizational network are: joint investigation teams, intelligence exchange, information share, bilateral – multilateral meetings, experts meetings, conferences, and workshops.

Since 2003, the UNODC - Terrorism Prevention Branch (TPB) has been delivering counter-terrorism technical assistance to the SEE states through its project on the Strengthening the Legal Regime against Terrorism. TPB will continue to provide assistance on counter-terrorism to the region in accordance with its mandate in assisting States to become parties to and implement the relevant international conventions and protocols relating to terrorism and in strengthening international cooperation mechanisms in criminal matters as well as national capacity building.

B.1.8.To reduce the available capital that organized crime use to finance its activities, regional strategies and instruments should be in place *to trace, freeze and seizure proceeds and assets of crime.*

B.1.9. Implementation of the Roadmap endorsed by the Committee of Ministers of the PCC SEE shall bring a full set of tools and it shall be used for suppressing of trans-border organized crime.

B.1.10. Examples of **indicators** considered as relevant for assessing the level of regional cooperation in fighting against organized crime and serious forms of criminality are listed in **Annex 1, Table (I).**

B.2. CORRUPTION

Corruption in general and public officials' corruption in particular, is still one of the main threats not only for the countries in the region, but also at international level. Corruption has a complex and insidious nature, it's connected with a large variety of economic and financial crimes and corruption trials are confronted with the significant difficulties, cases involving high level officials. Corruption alters public trust in the political class, government authorities, justice and it also affects the private sector and regional economies. To this respect, legal solutions need to be identified in order to ensure full *liability of legal persons for acts of corruption*. Increased attention should be paid to anti-corruption measures in a number of areas of the *acquis* (public procurement, financial control, etc).[7]

B.2.1. **Regionally vs. locally approach**

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[7] COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, An area of freedom, security and justice serving the citizen, COM (2009) 262/4, pg. 21

Corruption should be addressed form *both perspectives, regionally and locally*. The regional approach should in particular envisage cooperation and exchange of best practices on the corruption links with organized crime and money laundering, assets recovery and proceeds of crime confiscation. Nonetheless, it is of outmost importance to tackle corruption also at national level and to develop anticorruption policies, in consultation with all relevant stakeholders (including civil society and private sector). Either way, corruption should be addressed strategically and the focus should be put on the impact of the measures.

B.2.2.The specific **targets** which need priority attention for regional cooperation on anticorruption are:

    a)*High level corruption investigation, prosecution and trial*
    b)*Seizure and confiscation of the criminals' assets – assets recovery*
    c)*Public officials' assets declarations or disclosure*
    d)*Integrity and resistance to corruption of the public system*

B.2.3. **Forms of regional cooperation**
The regional solutions and tools to enhance efficiency of cooperation on anticorruption:

a) SEE states have to intensify the cooperation in the *RAI framework*
b) Further enhancement of RAI's Secretariat capacity to focus on:
    i. Establishment and strengthening of functional networks among homologous bodies in the region specialized in the preventing, detecting and countering corruption, in areas such as assets declaration, public procurement and assets recovery, bringing together external assistance and support and better involvement and commitment through a coordinated approach;
    ii. Exploring the possibility to enlarge RAI scope on money laundering, financial and economic crime, sharing of best practices from operational networks as EGMONT Group of financial intelligence units, Financial Action Task Force (FATF) and MONEYVAL;
c) Organize the two annual RAI steering group meetings, preferably back to back with thematic expert level events;
d) Twinning type activities and summer school for junior magistrates – judges and prosecutors from SEE;
e) Developing a Catalogue of Regional best practices in the area of integrity, anti-corruption and administrative measures against organized crime in SEE (similar with the one developed at EU level in 2008);
f) Consolidate the cooperation with international organizations like EU Commission, agencies - as OLAF -,UNODC, OECD and GRECO, establishing close contacts with RESPA, and newly established International Anticorruption Academy in Luxemburg;
g) Joint working meetings of the representatives of the national anticorruption units in the countries of the region, in order to exchange information on newly identified forms of corruption.

B.2.4. Integrated anticorruption strategies, the coordination between national and regional approach and anticorruption on border police are very important. Pilot projects could start on judicial cooperation and anti-corruption. Main international actors are EU and its

specialised agencies (EUROPOL, EUROJUST, EJN, OLAF, EUPM), UNODC, UNDP, OSCE, OECD, CoE, DCAF, and INTERPOL.

B.2.5. Examples of **indicators** considered as relevant for assessing the level of regional cooperation in the anticorruption field are listed in **Annex 1, TABLE (II).**

B.3. MIGRATION, ASYLUM AND REFUGEES

For the Western Balkans countries, regional cooperation on migration, asylum and refugees it is a cornerstone in the Stabilisation and Association Process and of high importance on the road towards EU membership. Regarding the EU MS, Stockholm Program[8] explicitly recognises that the formulation of common policies, the responsibility and the solidarity in immigration and asylum issues are fundamental for EU's economic performance, Europe's internal security and external policy. Thus EUMS have to actively work to step up dialogue and partnership with countries and regions outside the Union that involves the countries of origin, destination and transit, and South-Eastern Europe remain a priority.

Since in administrative disputes dealing with minimum standards for asylum seekers the interpretation of substantial and procedural law by administrative courts and tribunals are binding for the administrative authorities, the exchange of knowledge, expertise, experiences and information between administrative judges of the region in collaboration with the judicial networks within the Association of the European Administrative Judges (AEAJ) is useful.

B.3.1. None of the three, migration, asylum, or refugee issues, is related to one country isolated from its neighbours and from the region. Common threats and challenges must be tackled through common tools and common policies. Both, legal and irregular migrations, through or originating from the countries of the region, demand a regional approach. Regional cooperation may allow for more effective responses to management of population movements as well as preventing human smuggling and trafficking in human beings. The cooperation is particularly important to: exchange information and experiences, to prevent and fight irregular migration, trafficking in human beings and smuggling, balance inflows of asylum seekers and migrants, compare and harmonise certain aspects of legislation in the framework of the European Acquis Communautaire.

B.3.2.A better managed migration and common rules in the asylum procedures, ensuring that minimum standards for asylum seekers are guaranteed should constitute the main focus for law-enforcement cooperation. Enforcing return procedures needs special attention at regional level; cooperation on identifying illegal immigrants is an essential part of the return process to their countries of origin.

B.3.3. Illegal immigration is a continuously growing problem for European Union. Since the list of nationalities trying to enter the EU illegally is endless, the social, economic and political consequences of this smuggling are likely to be the more serious concerns for the

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[8] COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, An area of freedom, security and justice serving the citizen, COM (2009) 262/4, pg. 23 - 24

EU. The majority of illegal immigrants entering the EU are not in possession of genuine identity documents. The facilitation networks also assist the illegal immigrants with the provision of fraudulent travel documents (counterfeited, stolen or altered) to conceal the illegal immigrants' true identity. In some cases, facilitators take back bogus documents to re-use them later.

B.3.4. Prevention and counteraction of illegal migration and use of counterfeited ID documents is extremely important. Countries of the region should develop further their integrated border management strategies and enhance their cooperation with Frontex in order to increase their capacity to respond more effectively to changing migration flows.

B.3.5. **Forms of regional cooperation**
Regional and international dialogue and systematic exchange of information help to prevent illegal migration, to collect data and to analyze migration trends. Exchange of information on accepted travel documents and detection of false or falsified documents are taking place. Harmonization of *migration information systems* facilitates the regional understanding of migration and asylum statistics.

B.3.6. Making use of all the instruments in the legal framework established at regional level and an in-depth analysis of the collected information and statistical data, complemented by a comprehensive risk analysis, may bring an added value in identifying the migration pressure, the specific migration routes and the trends of illegal immigration, thus better addressing the needs of our law-enforcement.

B.3.7. To design an immigration policy viable, the member states of EU, as well as candidate or potential candidate countries must have an effective system for managing migration flows, carrying out checks at its external borders and preventing illegal immigration. In line with this, regional capacities like MARRI, SECI Centre, PCC-SEE Secretariat and WB Risk Analyses Network should be better used. Experience of UNHCR, IOM and ICMPD should supplement these efforts.

B.3.8. The most efficient forms/methods of regional cooperation include:
   a) Cooperation and partnership between the countries of origin, transit, and destination;
   b) Facilitating consultations on visa regime and consular issues;
   c) Exchange of information pursuant to Art.8 of PCC SEE (Regular Information Exchange to Combat Illegal Migration);
   d) Cross-border regional cooperation dealing with joint operational activities and/or cross-border risk assessments, such as Common Contact centres for Police and Customs Cooperation;
   e) Designation of main responsible authorities and officials for international and regional cooperation;
   f) Establishment of regional working groups linking officials specialized in a certain topic with their colleagues from the other countries of the region; additionally work it is necessary to enhance the joint capacity building activities;

g)Establishment of a simple network of working level contacts such as a phone list with relevant contacts and focal points for all relevant, regularly updated;

h)Regular involvement of the law-enforcement authorities in addressing the operational issues and identifying joint solutions based on the existing European and regional legal framework;

i)Common standards and procedures for a better management of immigration;

j)Exchange of data and producing statistics on illegal migration, readmission, exchange of Country of Origin Information (COI);

k)Voluntary return and reintegration programmes;

l)Implementation of removal decisions;

m)Consular cooperation and representation;

n)Further implementation of trans-national referral mechanism (TRM) for trafficked persons in SEE;

o)Cooperation on (temporary) labour migration between the countries;

p)Since under the international law standards decisions of administrative authorities on asylum application and/or returns of rejected asylum seekers and illegal immigrants, including decisions on their detention, have to be effectively reviewed by independent and impartial tribunals or courts in due process, it is envisaged the opportunity to require a professional support and expertise from the international associations of judges and its networks for the purpose of capacity building (training, workshops, peer reviews, expert evaluations) of judges and courts in SEE.

B.3.9. Activities dedicated to combating illegal/irregular migration presents common patterns but facing serious gaps and constrains of different nature. A cluster approach should be used, and periodic meetings between countries of origin, transit and destination should be convened. Periodic profiling of regional migration has to be done. Ensuring *access to rights and regional response to asylum and refugees facing serious problems in establishing the identity of asylum seekers, their country of origin and citizenship; to overcome part of this problem in the region a solution could be the improvement of capacities of the already existing MARRI network which could be further expanded.*

Main international actors are EU and its specialised agencies, UNODC, OSCE, CoE, DCAF, IOM, ICMPD, UNHCR, and Council of Europe.

B.3.10.The **indicators** considerer relevant for assessing the level of regional cooperation in this field, are listed in **Annex 1, TABLE (III).**

B.4. FUNDAMENTAL RIGHTS; COOPERATION IN CIVIL AND ADMINISTRATIVE MATTERS
Protection of fundamental rights is a specific issue which forms an inseparable part of adjudication in every sort of legal dispute. In terms of the ECHR and Charter of Fundamental Rights of the EU protection of fundamental rights is a matter of obligatory application from the part of administrative authorities and courts 'ex officio', since all the countries have their constitutions with sections on human rights and all countries of the region are signatories to the ECHR. Taking into account the growing freedom of movement of people, goods and services in the SEE the states of the region can and should develop a coherent human rights policy.

B.4.1.An efficient fight against organised crime and terrorism needs to take into account fundamental rights, notably rights pertaining to liberty and security, access to justice, right to a fair trial and to a due process, free legal aid, alternative dispute resolutions, assistance and redress mechanisms for crime victims. Enhancing the security of the citizens has to be balanced with the strengthening and safeguarding the rights and freedoms of citizens. [In legal procedures the fundamental rights have to be taken into consideration not only for victims of crime, but also for the perpetrators.

B.4.2. It is in the best interest of the people of the region, that the judicial dimension of the protection of fundamental human rights, minorities and vulnerable groups become a part of enhanced regional cooperation. In partnership with civil society, regional organizations have to be active in political advocacy, networking and supporting the implementation of the legal framework on human rights issues connected with justice and judicial reforms.

B.4.3. Comprehensive treatment and reduction of drug demand and drug abuse should be more efficient in order to shift the focus from drug trafficking, which is the end of chain.

B.4.4. Need to improve prison system, prisons administration, system of transfers of sentenced persons. Development and implementation of integrated strategy on prisons is crucial.

B.4.5. The region should be engaged in the exchange of best practices and lessons learnt on cooperation in private and civil law matters and in the protection of fundamental rights, within JHA area in close cooperation with relevant European and international institutions (European Commission, United Nations Office on Drugs and Crime - UNODC, Council of Europe, INTERPOL and EUROPOL etc).

B.4.1.1. PROTECTING THE CHILDREN

Countries are encouraged to adopt relevant documents for the protection of children (see annex 4) and to incorporate them into national legislation.

Criminal acts committed to the detriment of children set the necessity of stronger protection and promotion of children's rights. Due to serious consequences, criminal offences of sexual exploitation and sexual abuse require to further the capacity building of all competent government agencies, NGOs and business sector and exchange of best practice. Capacity building should be enhanced especially in the area of sexual abuse of children through the Internet. The fact that offenders sexually exploit and abuse children using computers and mobile phones with Internet connections for grooming, contributes strongly to the complexity of the work of relevant authorities. Countries of the region should ensure that their legal systems contain different medical, psychological, social and financial measures to protect children when they are victims of criminal offences such as trafficking, sexual exploitation and sexual abuse.

There are situations where children are also party in administrative procedure and later on in administrative dispute before a court. A child can be a party in a legal administrative or civil procedure when a centre for social work or civil courts decide upon rights of a child to privacy, family life or contacts with their parents after their separation; children can be parties in administrative procedure in immigration and asylum disputes. In this respect, judges would take part in training on how to identify whether a child in a procedure shows some signs of eventual sexual abuse or that he/she might be victim of a human trafficking.

Special attention should be given to the implementation of the EU Directive on the returns of the illegally staying third country nationals which inter alia regulates the conditions for detention of children in administrative matters. This is one of the most problematic issues in the border countries which are Members of the EU.

B.4.1.2. Reform of juvenile justice system

Legislative reforms should be primary aimed at ensuring the full respect of the rights of the child during the criminal procedure. There is a need of enhancing coordination among actors involved in the juvenile justice as well as a necessity to strengthen the mechanisms and the policies for the prevention of juvenile delinquency. Separate detention facilities for juveniles need to be established along with the effective mechanisms for the registration and impartial investigation of complaints for children victims of ill treatment during imprisonment. The adoption and concrete implementation of alternative, non custodial and diversionary measures should be promoted, since deprivation of liberty in the region is frequently not used as a measure of last resort. In addition, transparent and functioning systems of data collection and data sharing should be developed.

C. HARMONIZING REGIONAL ACTIVITIES

C.1. POLICE AND LAW ENFORCEMENT COOPERATION

C.1.1. The adoption multilateral conventions, SELEC in 2009 and SEE-PCC in 2006, the ongoing process of consolidating regional institutional capacities (SECI Centre transformation in SELEC, establishment of the PCC-SEE Secretariat, the positive evolutions of ILECU's and PROSECO projects), periodic Western Balkans justice and home affairs ministerial meetings (Brdo Process, Salzburg Forum, EU-WB Forum, SEECP meetings), qualify the cooperation in police and law enforcement as the most dynamic one.

C.1.2. Law enforcement authorities must have the ability to work effectively across borders and jurisdictions. The exchange of information on concrete cases, but also on criminological aspects (e.g. new modus operandi, assessments of criminal phenomenon) is critical for preventing and combating crime in the region. It is important to have an efficient mechanism for coordination at operational level. In addition to operative data exchange, regional cooperation has also to include: technical assistance and sharing of experiences, joint actions (task-forces), police cooperation, specific training and acceleration of the

information flow, overstepping the existent boundaries at the level of law enforcement institutions in different countries.

C.1.3. The countries that are part of this strategy are aware that international police cooperation needs special attention to the strengthening of national oversight mechanisms to reinforce police accountability, as an essential element of democratic policing. Since police cooperation is based on trust the countries will endeavour its efforts to continue building trust among police officers and law enforcement institutions.

C.1.4. As has been mentioned before, special attention should be paid to countering terrorism, drug trafficking, corruption, trafficking in human beings, smuggling of persons and of excise goods, and trafficking in arms. Illegal possession of small arms and light weapons represents a threat for the region, which is why SEESAC experience has to be better used. Moreover, some of those fields are subject to special interest paid by the EU to the SEE region (AOP on Trafficking in Human Beings adopted by JHA Council on 30 November 2009, Joint Declaration on Enhancing the Security of Explosives in the Western Balkans adopted at the EU-WB Ministerial Forum on 17 November 2009, EU Action Plan on Explosives, EU Action Plan on Drugs, etc.)

C.1.5. Police and law enforcement cooperation should continue to give priority to countering all forms of organised crime, including financial and economic crimes, banking cards frauds, counterfeiting of money and money laundering in particular.

C.1.6.The activities of the Secretariat of the SEE Police Cooperation Convention (SEE-PCC), SECI Centre/SELEC, SEEPAG, SEPCA, EU ILECU's and PROSECO projects, UNODC regional program, RCC Secretariat and other organization have to be integrated, making sure that the proposed programs, projects or actions are harmonized and are not overlapping. Therefore, through RCC Secretariat all regional organizations have to be connected and aware of all regional projects. Also, the states from the region should consider not getting involved in new projects that have similar results with ongoing initiatives. Through communication, synergy and cooperation RCC Secretariat will serve in avoiding overlapping and harmonizing the activities of the main actors involved in countering criminality both at international and regional level[9].

C.1.7.The awareness of the links between local crime and trans-national crime and its complex cross-border dimensions is increasing. All States should develop different methods to prevent crime, to share experiences and best practices and, in so doing, add to general knowledge and its respective effectiveness and efficiency, avoiding the duplication of work.

C.1.8. **Level of regional cooperation**
The main gap identified in the regional cooperation is essential and it's a part of broader conceptual issues which has to receive a solution: how to integrate law enforcement and

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[9] COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Enlargement Strategy and Main Challenges 2010-2011, Brussels, 9.11. 2010 COM(2010) 660

judicial cooperation. Gathering criminal intelligence, collecting evidence, investigation, prosecution are the sequences of the unique criminal process which is finalized through trial, adjudication and sentencing. Therefore it is very important to properly chose and design the completion of the existing law enforcement regional structures and legal instruments (PCC-SEE, SELEC/SECI, even ILECU's Project) with the prosecutorial and judicial dimension.

C.1.9. Regional solutions and **tools** for harmonizing police and law enforcement cooperation are:
a) Full implementation of the SEE-PCC of the signed bilateral and multilateral agreements in the field of crime counteraction, and full use of the modern forms and methods of cooperation provided (i.e. cross-border surveillance, hot pursuit, controlled deliveries, joint investigation teams Enhanced and regional harmonized cooperation with the ILECU project;
b) Secondment of liaison officers and home affairs attachés;
c) Compatibility of communication systems and other equipment;
d) Common Cooperation Centers;
e) Other forms of police - custom cooperation such as the establishment of joint maritime surveillance space;

f) Conclusion of operational arrangements;
g) Common quality standards within the forensic field, inter alia to develop best practice for crime scene investigations;
h) To consider the establishment of common databases for all the countries in the region in accordance with national legislation;
i) Defining and implementing common priorities based on the conclusions outlined in the periodic SEE OCTA reports;
j) Exchange of good practices between the law enforcement structures within the region;
k) Exchange of information for prevention and investigation;
l) Enhance the capacity of SECI/SELEC Centre as a regional organisation for countering organised crime in SEE;
m) Enhance the coordination among the implementation of SEE-PCC and the activities of SEPCA, SECI/SELEC, SEEPAG, WB Prosecutor's Network and ILECU's project.

C.1.10. **Regional cooperation mechanisms on border management**
As stated in the Ministerial Declarations on Border Security in South - East Europe (SEE) 2006 - 2010, the main aim of the SEE countries is to achieve full compliance with the European Union/Schengen border security related standards and the implementation of EU best practices. Regional solutions and **tools:**
a) Implementation of the relevant national strategies, linked to the Integrated Border Management, as defined for Southeast Europe region;
b) Harmonization of the legal framework with the EU standards;
c) Harmonization of the internal procedures for border checks and surveillance;

d) Regulatory background for risk analysis, criminal intelligence and investigation activities related to the illegal border crossings, document counterfeiting, trafficking and smuggling of human beings;

e) Development of information management system for planning, organizing and controlling the service on tactical, operational and strategic level, as well as the facilitation of exchange of data and information between the relevant national and international actors. That system will also enable, and subsequently facilitate, all necessary collection, organization, flow, processing and dissemination of information in the border management infrastructure of SEE countries;

f) The development of professional network for the pooling of experts, programmes, exchange and experience-sharing in the framework of a consortium of national education and training establishments;

g) Facilitation of further implementation of bilateral and multilateral agreements, signed during Ministerial Conferences in Budva 2008 and Belgrade 2009;

h) Continuous implementation of the agreed Regional Action Plans for 2010 – 2012 containing specific goals and objectives in the field of legal reform, leadership and management, logistical support, EU integration, education and training, and risk analysis, criminal intelligence and investigation;

i) Active participation of the Western Balkans countries in the European initiatives regarding standardization, frequency spectrum and planning networks for public safety;

j) Establishment of efficient and cost-effective direct communication links and improvement of the radio coverage in border areas for joint patrolling and other joint operations;

k) Making an optimal use of the available forms of foreign assistance (pre-accession instruments, bilateral and other technical assistance);

l) Strategic planning and preparations for EU integration within relevant strategies and action plans leading to the a facilitated development of the Schengen action plans in the respective countries;

m) Strengthening of the practical managerial knowledge and skills of border police station commanders and regional commanders, with a specific focus on the planning, organization, leading and control of the border police services, according to the EU philosophy and best practices.

Main international actors are EU and its specialised agencies (FRONTEX, SIRENE) and other organizations like: DCAF, UNODC, OSCE, INTERPOL and Council of Europe.

C.1.11.The **indicators** considered relevant for assessing the level of regional police and law enforcement cooperation, are listed in **Annex 1, TABLE (IV).**

C.2. COURTS' AND PROSECUTORS' OFFICES JUDICIAL COOPERATION

In the case of trans-national crimes, it is essential to obtain valid cross-border evidence admissible in other countries, in order to prosecute, establish the responsibility and sentence a person. A thorough judicial cooperation is the only way to obtain the admissible evidence.

C.2.1. The specific domains requesting priority attention from the courts and prosecutors are the improvement of mutual legal assistance through complete implementation of concluded bilateral agreements, ratified conventions and EU instruments, protection of rights of the victims' and witnesses', use of IT in the proceedings (e-Justice), uniform or standardised judicial statistics, cooperation of specialised courts and prosecutors. The tools of judicial cooperation are specific to different categories of offences and depend on the applicable law (treaties, conventions or agreements: EU instruments, conventions concluded on the behalf of the Council of Europe and UN, bilateral treaties).

C2.2.Regarding the E-Justice, an important element is to establish electronic communication in connection with the exchange of information, rogatory letters and documents organized in a manner similar to the European Judicial Network (EJN).

C2.3**.** In the framework of mutual legal assistance it is necessary to take concrete agreed actions to improve coperation between judicial bodies (state attorneys and courts) by further developement of various bilateral instruments and other elaborated legal platforms in order to facilitate common interest in law enforcement and judicial cooperation in the region.

C.2.4. **Level of cooperation:**
The best possible regional solution and tools to enhance courts and prosecutors cooperation consist in further building and improving the existing networks.

C.2.5.The following regional forms of cooperation have been identified as necessary:

National institutions	NO	YES	Forms of regional cooperation
Central Authorities/MoJ		X	Periodic meeting
Presidents of the Supreme Courts		X	Annual meetings
High or Superior Judicial/Prosecutorial/Magistracy Councils		X	Regional periodic meetings
Training Institutes for Judges and Prosecutors		X	Regional Periodic meetings
Training Institutes for Judicial Clerks		X	Regional Periodic meetings
General Prosecutors		X	Regional Network

C.2.6. Periodic regional meetings on selected issues are efficient solution for harmonization; they can help in enhancing the contacts between representatives of the RCC SEE members, regional and international organizations. The elaboration and updating of a list of contact points of central authorities from each RCC MS which could be made available to all the countries involved is a useful tool. Regular regional meetings on various topics comprising all the categories involved the in the international judicial cooperation could be a plus, as personal contacts are also very important in urgent cases.

C.2.7.The exchange of liaison magistrates might be explored also for improving judicial cooperation at regional level.

C.2.6. Relevant importance should be given to the mutual recognition and enforcement of the civil courts decisions, to the problem of excessive length of court trials and excessive long court hearing lists.

C.2.8.The relevant **indicators** for assessing the level of regional cooperation in this field are listed in Annex 1, Table (V).

II. ACTION PLAN FOR THE IMPLEMENTATION OF THE REGIONAL STRATEGIC DOCUMENT 2011 - 2013

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
A.1.7. Monitoring the implementation of the Regional Strategic Document (RSD) and the Action Plan	a) Under RCC Secretariat coordination, SGRS will establish a reporting mechanism on regional activities, and a regional monitoring tool to assess the level of regional cooperation within JHA area have to be in function b) Relevant stakeholders working to identify lessons learned, gaps, projects and programs overlapping	a) A sustainable, coherent, transparent and coordinated regional cooperation b) Providing periodic reports on regional cooperation progress, circulating and assessing information, facilitating cooperation among regional actors, donors' better coordination and raising the visibility of regional organisations.	Regional Organisations RCC SEE Member States International Organisations NGO's Professional Associations Donors	Periodic meetings of the Steering Group on Regional Strategy (SGRS) on the implementation of the Regional Strategic document 2011 – 2013 back to back with Coordination Meetings of the Regional and International Organizations Monitoring and reporting on RSD implementation with RCC administrative support 2011 – 2013

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
B.1. Fighting trans-border organized crime	a) Strengthen the cooperation especially for preventing and combating the main threats for the region: • Trafficking in human beings, and sexual exploitation of children • Illegal/ irregular migration and smuggling of migrants • Trafficking and smuggling of goods, hazardous materials and arms • Money laundering • Drugs trafficking • Terrorism and its links with organized crime b) Use of financial instruments and the	To create an effective regional cooperation framework, by consolidating the existing regional legal instruments (PCC-SEE, SELEC) and networks, rather than setting up new ones.	Regional Organisations RCC SEE Member States International Organisations NGO's Professional Associations Donors	

	criminal liability of the legal persons o combat organized crime and corruption c) Investigation of assets that connect to organized crime, trafficking, acts of terrorism and money laundering civil forfeiture order of them out and despite the criminal proceedings.		CARIN-(Confiscation Assets Recovering International Network). National authorities	
B.1.2. Combating emerging forms of serious criminality	Strengthen the cooperation in preventing and combating: a) Cyber crime and card frauds; b) Environmental crimes c) Financial and economic crimes d) Frauds against EU funds	Eliminate the legislative gaps in the field of cyber crime and reduce the criminal's earnings, raise the level of inter-agencies cooperation.	Regional Organisations RCC SEE Member States International Organisations NGO's Professional Associations Business environment Donors	

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
B.2. Support existing regional initiatives in the area of fight against corruption	a) Support RAI in assessing regional anticorruption field, identifying gaps and needs of anticorruption agencies and ensuring coordination with other operative bodies/networks. b) Support RAI in assisting SEE countries in the implementation of GRECO recommendations. c) Exploring the possibility of expanding RAI's capacity on money laundering and economic crime, and enhancing cooperation with other actors (e.g. GRECO, OLAF, MONEYVAL, FATF). d) Support RACVIAC in dealing with security and defence public procurement	Improved and extended functioning of RAI, resulting in more regionally coordinated and efficient fight against corruption Consolidate RAI cooperation with international organizations EU Commission, EU agencies - as OLAF -, UNODC, UNDP, OECD and GRECO	Regional Organisations RCC SEE Members, RAI, EC, CoE, UNODC, UNDP, OECD, OSCE	The meeting of anticorruption specialised agencies and decisions adopted 2011 Proceeding 2011 – 2013 with RCC administrative support

18 March 2011, Budva, Montenegro

| B.2.2. *Focus anti-corruption regional cooperation on specific targets* | Priority will be given to prevent and combat:
a)High level corruption investigation, prosecution and trial
b) Seizure and confiscation of the criminals' assets – assets recovery
c) Public officials' assets declarations or disclosure
d) Integrity and resistance to corruption of the public system

d) Develop a Catalogue of Regional best practices in the area of integrity, anti-corruption and administrative measures against organized crime in SEE (similar with the one developed at EU level in 2008). | Establishment of functional networks among homologue bodies in the region specialized in anti-corruption, bringing together external assistance and support and better involvement and commitment through a coordinated approach.

Establishment of the Integrity Experts Network | | Organize the two annual RAI steering group meetings, preferably back to back with thematic expert level events. |
| | | | RCC, RAI Secretariat and the Albanian High Inspectorate of Declaration and Audit of Assets (HIDAA). | Two integrity experts and practitioners activities 2011
An annual conference on the occasion of handing over the chairmanship-in-office of the network among involved agencies; 2011/2012
Preparation, publication and distribution of a Compendium of tools |

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
B.3. Focus the cooperation on a better managed migration and common rules in the asylum procedures	B.3.4. Prevention and counteraction of irregular migration and use of counterfeited ID documents B.3.8. Support MARRI in organising operational meetings and cooperation activities on irregular migration and the periodic meetings of the Heads of Consular Sections of the SEEECP countries	Improved and extended functioning of MARRI, resulting in more regionally coordinated and efficient management of migration issues	Regional Organizations RCC SEE Members IOM, ICMPD UNHCR UNODC EU Interpol, Europol and Frontex	Initiate in 2010 First meetings in 2011 Proceeding 2011 – 2013 with RCC administrative support
B.3.5. Harmonize migration information systems, migration and asylum statistics	B.3.6. Develop a harmonised data collection system in the Western Balkans. B.3.9. Periodic profiling of regional migration . To support the network of the shelters for the asylum seekers			

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
B.4. Develop regional cooperation in private and civil law matters – administrative law, labour law, consumer law - and in protection of fundamental rights	a) Establishing a network of mutual legal assistance contact points in civil law matters; b) Co-organizing conferences, workshops and discussions, identify gaps and propose actions to overcome them, in the area of co-operation in civil matters; c) Support media and civil society in raising public awareness on cooperation in civil law matters d) Exchange information and share best practices at the regional level regarding the protection of fundamental rights within JHA and Security priority areas.	Cooperation in civil law matters which are not yet covered by regional partners. Raised awareness of public authorities in their obligation to ensure free movement of persons, goods, services and capital Improved mutual legal assistance in civil matters Strengthened protection of fundamental rights, minorities and vulnerable groups. Citizens become aware of their rights and benefit from judicial protection of free movement of persons, goods, services and capital	CoE EC Regional Organisations RCC SEE Members Civil society, Academia , Associations of Legal Professionals	Consultation initiated in 2010 Proceeding 2011 – 2013 with RCC administrative support
B.4.1. *(a) The protection of witnesses and collaborators of justice* *(b) The protection of*	Strengthen the cooperation among countries in region in the field of Witness and Victims Protection, by	Providing information to the victims about their rights and the services they can receive from specialized institutions; Informing the victims on the	Regional Organisations RCC SEE Member States International Organisations NGO's Professional Associations	2011 - 2013

	means of:	development of the case and		
victims - victims' rights in court proceedings	a. Exchanging of information and sharing of the best practices regarding witness/victims protection programs; b. Establishing practical aspects of cooperation in relocation of protected witness and identifying the best solutions for providing operational support by the specialized units for solving specific cases; c. Sharing of the best practices, modalities for implementation of measures of protection and assistance and evaluation of positive and negative experiences in the implementation of witness protection program;	preparing them with regard of the situations they may encounter during the criminal trial; Increase the participation and the number of victims, parties or witnesses, in criminal proceedings; Enhancing cooperation between Witness Protection Units at regional level; close observance of EC WINPRO Project - Increase of trust in instruments of Witness and Victims Protection.		
B.4.3. .Focus on comprehensive and more efficient drug addicts treatment, reduction of	Prevention activities, medical, psychological and social assistance, social reinsertion, in	Keeping at a low level (compared to the current situation) the prevalence of illicit drug use; Reducing in a coordinated	Ministry of Public Health Ministry of Education, Research, Youth and Sports Ministry of Labor, Family and	2011 - 2013

the drug demand and drug abuse	accordance with the national strategic documents (National Anti-drug Strategy and the National Action Plan) and the European legal tools (Schengen Acquis, European Anti-drug Strategy, etc)	manner the prevalence of alcohol and tobacco use by the general population, by strengthening the prevention measures and developing and strengthening the public system of medical, psychological and social assistance	Social Protection Public Ministry Ministry of Justice Ministry of Administration and Interior Ministry of Culture and National Patrimony Various agencies under the coordination of the Government and ministries	
B.4.4. Improve prison system, prisons administration, and the system of transfers of sentenced persons.	Development and implementation of integrated strategy on prisons	Better administration of penitentiaries and probation services	Regional Organisations RCC SEE Member States International Organisations - UNODC, Council of Europe NGO's Professional Associations	2011 - 2013
B.4.1.1. Child protection	*a) Capacity building in the area of prevention and fighting against sexual abuse and sexual exploitation of children by delivering trainings and establishing the system for further transfer of developed skills through the "train*	*Further strengthening of the institutional capacities of the law enforcement and judicial system in the area of prevention and fight against sexual exploitation and sexual abuse of children by establishing the system for further transfer of developed skills, knowledge and best practice and promotion of the*	*Regional Organizations, RCC SEE Members, EU* *International Organizations*	2011 - 2013

	the trainers" program *b) Exchange of best practices of law enforcement agencies and all concerned parties on regional conferences and workshops* *a) Establishing inter-institutional coordination at the regional level, committed to child protection* *b) Promote the factors and take concrete steps to develop standard materials for identifying cases of abused children, protection of life and rehabilitation.* *c) Increase of effectiveness of preventive measures for children's involvement in criminal activity.* *d) Information exchange and sharing of best practices on handling cases of abuse and exploitation of children,*	*holistic approach by co-operative work of relevant government agencies, NGOs and business sector,* - Improving regional cooperation for the protection of children through the exchange of information and experiences; - Standardization of procedures for identifying cases of abused children and preventing children's involvement in criminal activities.	

	aiming at better management of cases by all specialized factors.		
B.4.1.2. Reform of juvenile justice system	*a) Adoption of regional guidelines on how to amend the legislation in compliance with relevant UN and international standards;* *b) Enhancing specialization of the judicial systems, by developing curricula and delivering trainings for juvenile justice officials (ToT), focused on relevant UN and international standards;* *c) Assisting in the establishment of specialized juvenile units within the existing Courts, Prosecutorial offices, and Law Enforcement Authorities; and* *d) Facilitating the exchange of information on respective juvenile*	*Strengthened protection of the endangered children and reduction of crimes committed by the children and against the children*	*Regional Organizations, RCC SEE Members, UNODC, EU Council of Europe*	2011 - 2013

	justice legal frameworks and best practices on the effective implementation of alternative, non custodial and diversionary measures",			

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
C.1. Harmonizing police and law enforcement cooperation	a) Integrate the activities of SEE-PCC, SEPCA, SECI/SELEC, SEEPAG, WB Prosecutor's Network and ILECU's project's b) Enhance the capacity of SECI/SELEC Centre as a regional organisation for countering organised crime in SEE c) Harmonize regional cooperation with the ILECU project d) Common databases for all the countries in the region *in accordance with national legislation*	Enhanced regional cooperation on security issues, public order, border management, antiterrorism and fight against organized crime	*Regional Organizations, RCC SEE Members, EU and International Organizations*	2011 -2013

18 March 2011, Budva, Montenegro

	e) Define and implement common priorities based on the conclusions outlined in the annual SEE OCTA reports f) Common quality standards within the forensic field, inter alia to develop best practice for crime scene investigations g) Police and Customs Cooperation Centres [Albania proposed to establish such centre in Durres h) Compatibility of communication systems and other equipment			
C.1.7. Complacence with the European Union/ Schengen border security related standards and implementation of EU best practices	a) Develop relevant strategies, on Integrated Border Management, as defined by EU Council decisions; b) Implement the Legal framework fully harmonized with the EU standards	Enhanced regional cooperation on integrated border management	*Regional Organizations, RCC SEE Members, EU and International Organizations*	2011 - 2013

	c) Develop the integrated border management strategies and enhance the cooperation with Frontex d) Harmonize internal procedures for border checks and surveillance and develop a coherent anti- corruption programme e) Development regulatory background for risk analysis, criminal intelligence and investigation activities related to the illegal border crossings, document counterfeiting, trafficking and smuggling of human beings; f) Development of information management system		

	g) Recruitment and career development system for specially trained professionals; h) Development of a consortium of national education and training establishments i) Interoperable IT, telecommunication and surveillance arrangements.			

OBJECTIVES	ACTIVITIES DESCRIPTION	EXPECTED RESULTS	PARTNERS	TIME FRAME
C2. Strengthen judicial and prosecutorial cooperation in criminal matters	a) Ensure better functionality of mutual legal assistance, extradition in case of dual citizenship, admissibility of evidences gathered abroad, transfer of proceedings, transfer of sentenced persons, and use of IT in the proceedings-(E-Justice),	Balance discrepancy in cooperation between police, prosecutors and judiciary Improved judiciary and prosecutorial cooperation in fighting organised crime and dangerous forms of criminality	Regional Organisations RCC SEE Members UNODC Regional Organisations RCC SEE Members EU	Consultations initiated in 2010; proceed 2011 – 2013 with RCC administrative support; finalise in 2013 1st Prosecutors' General Regional

	uniform or standardised judicial statistics, cooperation of specialised courts and prosecutors. b) Establish a working group to study prerequisites for closer cooperation on police operations, police and prosecution services in criminal investigations, sharing of information on issues affecting the police, prosecution and court services c) Organise regional meetings of the SEE Ministries of Justice, General Prosecutors and Judicial Councils. d) Improve cooperation between SEEPAG and the Western Balkans Prosecutors' Network.	CoE	Meeting and decisions adopted in 2011 1st Judicial Councils Regional Meeting and decisions adopted in 2011 proceeding 2011 – 2013 with RCC administrative support

	e) Elaboration and updating of a list of contact points of central authorities from each RCC member state which could be made available to all the countries involved is a useful tool. Regular regional meetings on various topics comprising all the categories involved the in the international judicial cooperation could be a plus, as personal contacts are also very important in urgent cases. f) Address the problems of enforcement of the civil courts decisions, excessive length of court trials and excessive long court hearing lists.		

MONITORING THE REGIONAL COOPERATION PROGRESS

**BENCHMARKS AND INDICATORS
TO MONITOR AND EVALUATE
REGIONAL COOPERATION IN JHA AREA**

1. As the number and complexity of the SEE regional strategies, programs, projects and initiatives is increasing, a monitoring and assessment mechanism is necessary. The monitoring mechanism, benchmarks and indicators measuring the progress of cooperation should be as simple as possible.

2. The existing Steering Group on Regional Strategy (SGRS)[1] will continue to meet[2] under the coordination of the RCC Secretariat and will periodically asses the implementation of the Action Plan, review and consolidate the strategic choices. SGRS has to establish the reporting mechanism on regional activities and the regional monitoring tools to assess the level of regional cooperation within JHA area. The RCC Secretariat exercises the facilitator and coordinator mandate for this process. Taking into consideration the regional ownership and the fact that financial resources of the targeted states are limited, the RCC Secretariat monitoring would ensure that overlapping is avoided.

3. Under RCC Secretariat coordination SGSR will monitor the level of cooperation also by receiving reports on the latest developments. RCC should inform organizations, partners and member states about the fact that new initiatives (projects) are similar with ongoing activities and involvement would create overlapping.

4. RCC Secretariat should periodically collect information about the cooperation in SEE and deliver reports to the RCC MS, regional and international organizations.

5. RCC Secretariat strategic role is:

     5.1. To foster the collective work and provide a coherent and co-ordinate support to the partners, countries, organizations, civil society;

     5.2. To address the regional cooperation system as a whole, to have a shared understanding establishing clear and defined outcomes for JHA initiatives and institutions;

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[1] "*13. The Members of the Steering Group for Regional Strategy are: SEE regional organizations, international organizations and national authorities, on voluntary basis.*" – Conclusions of the Conference on multi-annual South East European (SEE) strategy on justice and home affairs, Sarajevo 16- 17 December 2009;

[2] In 2011 the planned meetings are: July 2011 (common meeting with IPA-MB Working Group on JLS), December 2011.

5.3. To ensure effective coordination, communication and harmonization of actions in JHA area:

a. among competent governmental authorities
b. among regional initiatives and organizations from SEE
c. among SEE regional initiatives and international organizations
d. among SEE regional organizations, institutions and competent government authorities

5.4. To establish common standards, benchmarks and indicators based on which the level of regional cooperation progress can be monitored, measured and assessed;

5.5. To facilitate projects in the field of good governance and the rule of law addressing factors which can contribute to crime prevention, strengthening of the legislation, efficient use of operational and analytical instruments in order to protect security and safety of citizens and state;

5.6. To support media to efficiently contribute to crime prevention and awareness raising;

5.7. To provide inclusion and participation of non-governmental groups – communities, religious authorities, academia and other organizations – across the region in fight against crime and its social consequences.

TABLE (I): Indicators considered as relevant for assessing the level of regional cooperation in fighting against organized crime and serious forms of criminality:

	Process indicators	x	x	Measuring the quality and extent of state efforts (such as scope, coverage, and content of strategies, plans, programs, or policies, or other specific activities and interventions)
	Outcome indicators		X	Measuring of the actual impact of regional strategies, programs, and action plans
	Budget indicators	x		Measuring the budgetary planning and allocations

No.	Indicator	Quantitative	Qualitative	What is measuring
	Process indicators			Measuring the quality and extent of state efforts at regional level (such as scope, coverage, and content of strategies,

No.	Indicator	Quantitative	Qualitative	What is measuring
				plans, programs, or policies, or other specific activities and interventions)
No.	Indicator	Quantitative	Qualitative	What is measuring
	Normative framework, the basis of regional cooperation		X	Nature of cooperation: ad hoc, project based, intergovernmental or interagency agreement, treaty based
	Bilateral and multilateral agreements in force in the specific area	X	X	Number and area of applicability
	International instruments in force	x	X	Compliance with relevant international standards in the are
	Organizational framework Institutional instruments	x	X	Existence, level, status, capacities, human resources, expertise
No.	Indicator	Quantitative	Qualitative	What is measuring
	Outcome indicators		X	Measuring of the actual impact of regional strategies, programs, and action plans
No.	Indicator	Quantitative	Qualitative	What is measuring
	Exchange of operative information – no of requests answered	X		Volume of information
	No. of cross border investigations and prosecutions	X	X	Level of regional police and law enforcement cooperation
	No. of extraditions and transfer of proceedings	X		Level of regional judicial cooperation
	No. of cross-border activities: - controlled deliveries - hot pursuit - surveillance - DNA transmission - joint investigation teams	X	X	Level of regional judicial cooperation
	No. of regional projects, programs, assistance	X	X	Impact assessment, result delivery

	addressing a specific domain versus the outcomes			
	Bilateral and multilateral agreements concluded	X	X	Number and area of applicability
	No. of joint programs in organized crime prevention	X	X	
	No. of study visits, experience exchange, common trainings	X	X	
	No. of joint threat and risks analyses		X	Level of information about crime rate situation
	No. of liaison officers and liaison magistrates exchanges		X	Level of cooperation and assistance
	No. of duplication or overlap (more "donors" providing financial sources for the same purpose)		X	Level of coordination
	Assets recovery procedures – interim measures and confiscation orders, no of requests of information processed - In place - Used	Romania proposals		Results
	No of executed decisions of confiscation	Romania proposals		
	Amounts returned to state budget	Romania proposals		
	Assets returned to the states			
	Number of decisions on assets sharing			
	Standardized judicial statistics - In place - Used			Results
	Obstacles to judicial co-operation			

	Unification of jurisprudence		X	The application of the same rules in similar cases and similar decisions; predictability of justice.

TABLE (II): Indicators considered as relevant for assessing the level of regional cooperation in the anticorruption field.

No.	Indicator	Quantitative	Qualitative	What is measuring
	Process indicators	x	x	Measuring the quality and extent of state efforts (such as scope, coverage, and content of strategies, plans, programs, or policies, or other specific activities and interventions)
	Outcome indicators		X	Measuring of the actual impact of regional strategies, programs, and action plans
	Budget indicators	x		Measuring the budgetary planning and allocations
	Sources of regional cooperation, legal and organizational framework		X	Nature of cooperation: ad hoc, project based, treaty based
	Bilateral and multilateral agreements concluded in the specific area	X	X	Number and area of applicability
	Exchange of operative information	X		Volume of information
	Trainings, seminars, conferences	X	X	Volume of activities, number of best practices replicated by other country.
	Legal instruments in force	x	X	Compliance with relevant international standards in the are
	Institutional instruments	x	X	Existence, level, status, capacities, human resources, expertise

		X	Level of coordination
No. duplication or overlap (more "donors" providing financial sources for the same purpose)		X	Level of coordination
Corruption Index in the Region		X	Level of corruption
Standardized judicial statistics - In place - Used	X	X	Number and official position of prosecuted and convicted persons; seized and confiscates assets; length of final convictions with execution; number of MLA requests.
Unification of jurisprudence		X	The application of the same rules in similar cases and similar decisions; predictability of justice.
Obstacles to judicial co-operation			

TABLE (III): Indicators considered as relevant for assessing the level of regional cooperation in the migration, asylum and refugees field.

Indicator	Quantitative	Qualitative	What is measuring
National Action Plans		X	Short-term objectives
Multi-annual Strategies		X	Medium and long-term objectives
Existence of Frontex JO Projects		X	
Bi-lateral cooperation protocols in specific fields of activities	X	X	Short and medium-term objectives and identification of common interests; rapid reaction to operational activities
Existence of Data Exchange System	X (number of cases solved)	X (time, speed)	Time necessary for information flow which effects speed by which certain cases (examples: illegal migration, readmissions) are being solved.
Cases of duplication or	X		More done with less financial

Indicator	Quantitative	Qualitative	What is measuring
overlap (more "donors" providing financial sources for the same purpose) – lack of coordination			sources

TABEL (IV): **Indicators** considered as relevant for assessing the level of regional police and law enforcement cooperation

Indicator	Quantitative	Qualitative	What is measuring
No of information exchanges which led to solving different cases.	X	X	
No. of cooperation in investigative activities)	X		volume of cross border Investigation
No. of information exchanged	X		volume of information
Police, border, prosecution participation in ILECUs		X	level of active cooperation
Legal and organizational framework/ source of the cooperation		X	Bilateral or multilateral (PCC SEE, SELEC) nature of cooperation
No of bilateral and multilateral coordinated investigations	X		Intensity and efficiency of cooperation
No. of controlled deliveries	X		Intensity and efficiency of cooperation
No. of joint projects and programmes with concrete results	X	X	Efficiency of cooperation
No. of dismantled organised crime groups with regional impact	X	X	Efficiency of cooperation
Joint investigations	X	X	
Joint operations	X	X	

No. of arrested people	X		
No. of convicted persons	X		

TABEL (V): Relevant **indicators** for assessing the level of regional cooperation in this field were considered same as for police cooperation plus:

Were Indicator	Quantitative	Qualitative	What is measuring
Volume of assistance provided by prosecutors to SECI/SELEC)		X	

REGIONAL STAKEHOLDERS AND ACTIVITIES

I.   JUSTICE AND HOME AFFAIRS AREA

There are four regional initiatives and organisations established by the Stability Pact for South Eastern Europe (SPSEE): Migration, Asylum and Refugees Regional Initiative (MARRI), Regional Anticorruption Initiative (RAI), Southeast European Cooperative Initiative - Regional Centre for Combating Trans-border Crime (SECI Centre) and Southeast European Prosecutors Advisory Group (SEEPAG). These are fully supported by the RCC Secretariat, together with a subject of private international law, the Southeast Europe Police Chiefs Association (SEPCA), established in 2002 by police directors. There are two regional structures which are not directly connected to the RCC: The Police Cooperation Convention for Southeast Europe Secretariat (PCC-SEE Secretariat), originating from the 2006 multilateral Police Cooperation Convention, and the Western Balkans Prosecutors' Network, established in 2005 with EU support. Regional organisations have created effective operational mechanisms in fighting trans-border organized crime, common policies and proceedings on police and law enforcement cooperation, implementation of projects on anticorruption and combating illegal migration.

1.   Migration, Asylum and Refugee Regional Initiative (MARRI) - Skopje

MARRI is an intergovernmental organisation established in 2004 by the *Ministers of Foreign Affairs* from six Western Balkans countries. It is financed by members' contributions and donors. The focus of the organisation is migration management, integrated approach to illegal and legal migration, asylum, border management, visa policies and consular cooperation as well as refugee return. Relations with the RCC are based on 2009 MoU, entrusting RCC to provide political support, facilitate project design and ensure regional coordination with other initiatives. Several actions have been co-organised by MARRI and RCC, such as the 2009 Meeting of the Heads of Consular Sections from SEECP countries.

Members: (6) - Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro and Serbia have their representatives in MARRI Centre, which acts as a hub for consultations, dialogue, training, capacity building, information exchange and other regional activities.

Key partners: Europol, Frontex, ICMPD, IOM, SDC, UNHCR, USAID, PCC SEE, RACVIAC, SEPCA, SECI Centre, RCC Secretariat.

2.   Regional Anticorruption Initiative (RAI) - Sarajevo

RAI is an intergovernmental organisation established in 2000 by *Ministers of Justice* and it currently counts nine members. Its activities are financed by its members and the US State Department through RCC Secretariat. RAI serves as a regional platform through which governments; civil society organisations, aid agencies and international organisations combine their efforts to curb corruption in SEE. RCC provides political support to RAI, as well as acting as facilitator of project implementation, advisor and regional coordinator. A MoU between the two parties was signed in 2009 and a Survey on Justice System Integrity, financed by US State Department, is conducted by RCC, RAI and TI Romania. Through the RCC Secretariat, RAI entered in a strategic partnership with UNODC. In particular, RAI plays an advisory role as an associate in the framework of two EU-funded projects implemented by UNODC: *Development of monitoring instruments for judicial and law enforcement institutions in the Western Balkans and Assessment of corruption and crime in the Western Balkans.*

Members: (9) – Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Former Yugoslav Republic of Macedonia (under its constitutional name), Moldova, Montenegro, Romania and Serbia and one observer – UNMIK.

Key partners: Council of Europe, ABA ROLI, UNODC, OSCE, OECD, USAID, UNDP, UNODC, TI, SECI Centre, SEPCA and RCC Secretariat.

3. **Southeast European Cooperative Initiative - Regional Centre for Combating Trans-border Crime (SECI Centre- in future Southeast European Law Enforcement Centre (SELEC), Bucharest**

SECI Centre/SELEC is a law enforcement organisation bringing together *police and customs authorities.* It is an intergovernmental organisation established under the Agreement and Charter signed in 1999. It is financed by members and USA grants. In December 2009 in Bucharest, the *Convention on Southeast European Law Enforcement Centre* was signed and SECI will become SELEC after ratification of the Convention by the parliaments of 9 of its members. SECI/SELEC has thirteen member countries and twenty-three observers. Interpol and the World Customs Organisation are permanent (non-resident) advisors to the Centre. An EU-funded project is planned to start in the third quarter of 2010. The aim of the action, which will be implemented by a consortium of EU Member States, is to strengthen the capacity of SECI/SELC to combat trans-border crime (no direct financial support to SECI/SELEC will be provided). Close links and productive cooperation between the Police Cooperation Convention Secretariat and SELEC should be established. The RCC Secretariat ensures political support, facilitates project implementation and coordination with other regional organisations. In 2009, a MoU was signed between SECI Centre and RCC.

Members: (13) countries - Albania, Bosnia and Herzegovina, The Former Yugoslav Republic of Macedonia, Croatia, Montenegro, Serbia, Bulgaria, Greece, Hungary, Romania, Slovenia, Turkey and Moldova; there are 23 observers - Austria, Azerbaijan, Belgium, Canada, Czech Republic, EUBAM, France, Georgia, Germany, Israel, Italia, Japan, the Netherlands, Poland, Portugal, Spain, Slovakia, Ukraine, UNDP Romania, the UK, UNMIK and USA. Interpol and World Customs Organisation are permanent (non-resident) advisors to the SECI Centre.

Key partners: EU Commission, Europol, Interpol, CARICC, WCO, OSCE, UNODC, SEPCA, MARRI, RAI, PCC Secretariat, SEEPCA, RCC Secretariat.

4. Southeast European Prosecutors Advisory Group (SEEPAG) - Bucharest

SEEPAG is a network of Prosecutorial Contact Points (PFP) functioning under the 2003 Declaration and 2005 General Guidelines signed by *General Prosecutors* from 12 countries, financed mainly by USA through SECI Centre. SEEPAG serves as a regional operational network that facilitates prosecutors' cooperation and mutual legal assistance. RCC Secretariat supports the increase of SEEPAG competences, as a network of prosecutors able to provide real operational support, legal assistance, advice and guidance to SECI Centre liaisons officers in the investigation of trans-border organised crime. Greater coordination has to be achieved between SEEPAG and the Prosecutors' Network of the Western Balkans.

Members: (12) - Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, The Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia and Turkey.

Key partners: US-Department of Justice, EUROJUST, EJN, UNODC, SECI Centre and RCC Secretariat.

5. Southeast Europe Police Chiefs Association (SEPCA) - Sofia

SEPCA is an organisation of *police directors,* functioning on the Statute signed in 2007 by 10 police services from 9 states**.** Its budget is composed of members' contributions and donations from SDC, DCAF and Liechtenstein. SEPCA's main objective is to build public security through cooperation of police services, together with citizens and its partner organisations. The Association promotes police transformation into an effective and democratic police service for the benefit of the entire population. Based on the MoU concluded in 2009, RCC coordinates SEPCA's cooperation with other regional initiatives, organises common activities (such as the Bled Conference on Stolen Vehicles) and promotes SEPCA as a driving force in the field of police reforms.

Members: 10 police services from 9 states - Albania, Bosnia and Herzegovina-Federation of Bosnia and Herzegovina, Bosnia and Herzegovina-Republika Srpska, Bulgaria, Croatia, Former Yugoslav Republic of Macedonia (under its constitutional name), Moldova, Montenegro, Romania and Serbia.

Key partners: Liechtenstein, EU Commission, SECI Centre, Interpol, Europol, OSCE-SPMU, SDC, DCAF, MARRI, RACVIAC, SEESAC and RCC Secretariat.

6. Women Police Officer Network (WPON)

WPON is emerging from a SEPCA initiative as a network of women police officers from 8 states that will work together on networking, career-building and gender equality, raising awareness on the status of women in police services, supporting gender mainstreaming of policing practice in SEE. RCC supported the initiative and MoU between the two parties is foreseen.

SEESAC is providing Secretariat functions to WPON through the project Support for Gender Mainstreaming in Policing Practice in the South Eastern Europe, which is jointly implemented by SEESAC and SEPCA and financially supported by the MFA Norway and UNDP Gender Thematic Trust Fund. Financial support is also provided through SEPCA by the Swiss Development Cooperation.

Members: 9 police services from 8 states -Albania, Bosnia and Herzegovina-Federation of Bosnia and Herzegovina, Bosnia and Herzegovina-Republika Srpska, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro and Serbia.

Key partners: SEPCA, SEESAC/UNDP, OSCE, MFA Norway, SDC, UNIFEM, RCC Secretariat, IAWP, BAWP, DCAF.

7. Secretariat of Police Cooperation Convention for Southeast Europe (PCC-SEE Secretariat) - Ljubljana

The **PCC-SEE Secretariat** is organizing and monitoring implementation of the treaty-based procedural mechanism on police cooperation in South East Europe adopted by eight countries. The Secretariat is operational since September 2008, hosted by DCAF Ljubljana, and financed by Austria, Slovenia, Liechtenstein, Switzerland and DCAF. It prepares draft agreements and guidelines as well as lobbying for political decisions. Through its work and presence in regional meetings of *ministries of interior,* the RCC identified and presented the links between procedural provisions of the Convention, SECI/SELEC Centre activities and set up of international law enforcement units in the framework of the EU-funded ILECUs project. The RCC supports and promotes the PCC-SEE concept. The RCC and its partners have begun to explore institutional, financial and legal means to confer regional ownership to the Secretariat.

Members: (8) - Albania, Bosnia and Herzegovina, Bulgaria, Former Yugoslav Republic of Macedonia (under its constitutional name), Moldova, Montenegro, Romania and Serbia.

Key partners: DCAF, EU, Austria, Slovenia, SECI Centre, SEPCA and RCC Secretariat.

8. Western Balkans Prosecutors' Network

The **Prosecutors' Network of the Western Balkans** is a professional network of *public prosecutors* from 6 countries established in 2005 upon conclusion of the MoU signed by Chief Prosecutors. The Network was reinforced and its scope widened with an amended MoU signed in 2010. The Network functions on the basis of direct contacts between 6 National Contact Points which also serve as judicial contact points in the international law enforcement coordination units - ILECUs. The network is supported by the EU and the Council of Europe. It aims at cooperating closely in repressing, investigating and prosecuting perpetrators of organised crime and all other forms of serious crime, criminal groups and criminal associations. A greater coordination between the Prosecutors' Network and SEEPAG shall be pursued. An assessment shall be carried out with the aim to identify possible solutions to streamline and ensure better cooperation of the two networks.

Members: (6) - Albania, Bosnia and Herzegovina, Croatia, The Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro and Serbia.

Key partners: EU, Council of Europe, UNODC, SEEPAG, RCC Secretariat.

9. **Geneva Centre For The Democratic Control Of Armed Forces (DCAF)- "Lessons Learned From The Establishment Of The Border Security Systems"**

The DCAF Border Security Program is aimed at providing assistance in achieving full compliance with the EU/Schengen demands and requirements. In order to assist the governments of South-East Europe (SEE) in the establishment of a reliable and efficient border security systems, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and its partners have, starting from 2002, delivered a programme aimed at providing assistance in a number of areas, ranging from national capacity-building to the development of regional operational cooperation mechanisms. The programme also aims at addressing strategic goals related to the provision of border security. The duration of the Programme is envisaged until 2014.

The decision-making role in the development of the Programme is in the hands of the governments of Republic of Albania, Bosnia and Herzegovina, The Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro, and Republic of Serbia. The programme activities are aimed in particular at the respective Ministries of the Interior responsible for border security.

The Programme is prepared in close cooperation with the Chiefs of the Border Services and the International Advisory Board, composed of senior experts from the EU member states and Switzerland.

The Ministers of the Interior of the South-East European countries continuously review the progress of the programme. Each year, at an annual meeting the Ministers also approve the plan of action – outlining the objectives – for the forthcoming year.

The Programme consists of the following elements:

Supervision and Management: Ministerial Review Conference; Board of Chiefs of Cabinets of the Ministers and Chiefs of the Border Police Services; International Advisory Board.
Working groups: Legal Reform; Leadership and Management; Risk Analysis, Criminal Intelligence and Investigation; Education and Training; Logistical Support, including subcommittees for telecommunications and IT; Task force for creating common Information Management System; Task force for EU Integration
Advance distance learning courses: International Training Course for Regional Commanders; International Training Course for Station Commanders; Future Leaders Training.
Members: Republic of Albania, Bosnia and Herzegovina, The Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro, and Republic of Serbia
Key partners: Austria, Croatia, Estonia, Finland, Germany, Poland, Slovenia, Switzerland, FRONTEX, PCC-SEE Secretariat

II. **SECURITY COOPERATION AREA**

There are six initiatives in the domain of Security Cooperation with which the RCC cooperates. Each includes several SEECP participating states as well as countries outside the SEECP area, depending on the format of initiative and region covered. These have developed relevant security cooperation projects and mechanisms.

1. Disaster Preparedness and Prevention Initiative (DPPI SEE) - Sarajevo

Its members are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Yugoslav Republic of Macedonia (under its constitutional name), Moldova, Montenegro, Romania, Slovenia, Serbia and Turkey. The task of Disaster Preparedness and Prevention Initiative (DPPI SEE) is to contribute to the development of a cohesive regional strategy for disaster preparedness and prevention. It is a regional initiative that seeks to provide a framework for SEE nations to develop programmes and projects leading to strengthened capabilities to prevent and respond to natural and man-made, i.e. technological disasters. The initiative brings together donor countries and national and international non-governmental and governmental organisations to coordinate ongoing and future activities and identify unmet needs in order to improve efficiency of national disaster management. The overarching goal of DPPI SEE is to foster regional cooperation and coordination in disaster preparedness and prevention.

The DPPI SEE is currently in a transition period and, as such, has a structure that still relies on donor community. Transfer of the DPPI SEE to regional ownership will require sufficient progress on legal and procedural instruments (intra-regional and inter-country agreements on procedures, standards and disaster management concepts); preparation for transforming DPPI SEE Secretariat into a legal entity; assuming full political responsibility by participating states in compliance with the developed Strategy and Bi-annual Action Plan.

RCC is a member of the DPPI Regional Meeting and the DPPI Chair in Office (CiO) reports to the RCC.

Activities under the EU Prevention, Preparedness and Response to Disasters-South programme covering the Euro-Mediterranean area are open to EU candidate and potential candidate countries. The EU-funded regional Disaster Risk Reduction Initiative is currently implemented by UNDP and World Meteorological Organisation (WMO). The World Bank and United Nations International Strategy for Disaster Reduction (UNISDR) are also active in the field of civil protection and disaster risk reduction in the region.

2. South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)

SEESAC is a joint project between the Regional Cooperation Council and the United Nations Development Programme (UNDP), assisting SEE governments with implementation of the 2001 Regional Plan for Combating the Proliferation and Impact of Small Arms and Light Weapons (SALW).

SEESAC's mandate provides for the implementation of holistic SALW control programmes with an emphasis on Cross Border Control, Legislative and Regulatory Issues, Management Information, SALW

Survey, SALW Awareness and Communications Strategy, SALW Collection Programmes, SALW Destruction Programmes, SALW Stockpile Management Issues.

SEESAC has made substantial progress in working with governments in SEE on establishing national strategies on SALW control and implementation of specific project activities, which address the supply and demand side of SALW control.

3.   South East Europe Defence Ministerial (SEDM)

Initiated in 1996, the South-Eastern Europe Defence Ministerial (SEDM) represents a process of cooperation among the Ministries of Defence of South East European countries. Members of SEDM are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Italy, Montenegro, The Former Yugoslav Republic of Macedonia, Romania, Serbia, Slovenia, Turkey, Ukraine, and USA, and Georgia and Moldova with the status of observers.

The main objective of SEDM process is to strengthen understanding and political-military cooperation in the region in order to enhance stability and security in SEE. SEDM objectives inter alia are "promotion of mutual understanding, confidence and cooperation among member countries; contribution of SEDM and Multinational Peace Force of the SEE (MPFSEE) / South-Eastern Europe Brigade (SEEBRIG) to regional and worldwide security and stability; enhancement of the SEEBRIG interoperability and capability to deploy in peace support missions; facilitation of SEEBRIG employment in peace support operations; promotion of Euro - Atlantic integration processes of SEDM member nations; implementation and development of the SEDM projects".

4. The United States-Adriatic Charter

Partners in this regional initiative are Albania, Bosnia and Herzegovina, Croatia, The Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro, and the United States. Although there is no formal mechanism to include official observers, other countries, such as Serbia and Slovenia, have attended Adriatic Charter events on occasion. The initiative's founding document was signed in 2003 in [Washington](#) under the aegis of the United States. The Charter, as a diplomatic project, has two objectives: to secure an open-door NATO policy and provide a framework for cooperation and mutual support to NATO candidate countries. The "A5" rotates the chair in six-month period to every partner country except the United States. During these six months, the chair organises various activities which always include a Foreign Affairs Ministerial and Chiefs of Defence (CHODs) meeting and other events as set by the country chair. As a rule, the Defence Ministerial is held only once a year, usually in November. In the most recent defence ministerial statement, Adriatic Charter nations reaffirmed their key objective of fostering regional cooperation, stability and integration of the partner states in Euro-Atlantic structures. Partner states declared that Adriatic Charter activities and projects should be coordinated and synchronized with other regional initiatives, such as SEDM (South East Europe Defence Ministerial), SEEC (South Eastern Europe Clearinghouse), RCC (Regional Cooperation Council), etc., in order to avoid duplication of efforts and resources.

5. South Eastern Europe Clearinghouse – SEEC

The Initiative was established by EUCOM, Slovenia, NATO aspirants, which at that moment were Republic of Albania, Republic of Croatia, The Former Yugoslav Republic of Macedonia, and PfP aspirants Bosnia and Herzegovina and Serbia and Montenegro on 1 December 2004.

The aim of SEEC is to coordinate efforts of allied and friendly nations offering assistance to NATO candidates and PfP aspiring countries in the region thereby avoiding duplication, optimizing limited resources and synchronizing efforts, while achieving shared goals.

SEEC provides a multinational defence forum for discussing and exchanging information on bilateral and multilateral security cooperation programmes with NATO and PfP aspirant nations. At the last SEEC meeting in 2009, member countries agreed to establish three regional centres with the highest level of common interest to be developed and used by all countries in the region, i.e. – Peace Support Operations Training Centre in Sarajevo, Bosnia and Herzegovina, Media Training Centre in Skopje, The Former Yugoslav Republic of Macedonia, and Nuclear, Biological, Chemical Defence Centre in Kruševac, Republic of Serbia.**6. Centre for Security Cooperation (RACVIAC) - Rakitje (Croatia)**

Centre for Security Cooperation **(**RACVIAC) is the legal successor of the Regional Arms Control Verification and Assistance Center and is an international, independent, non-profit, regionally- owned, academic organisation, accountable to its political decision making body, the Multinational Advisory Group (MAG). RACVIAC is financially supported by SEECP participating states represented in MAG, as well as Associate countries.

The mission of RACVIAC is to foster dialogue and cooperation on security matters in South East Europe through partnership between the countries of the region and their international partners by "transforming thinking on national, regional and international security cooperation issues; exposing participants to the benefit of cooperative approaches to security issues, primarily through conferences, courses, seminars and meetings at RACVIAC, as well as through language training and other applicable supportive programmes". RACVIAC's goal is to become the premier platform for dialogue on security cooperation in South East Europe. The RCC is invited to MAG meetings as an observer.

The new Agreement on RACVIAC was signed by Albania, Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Greece, Montenegro, Serbia and Turkey on the 14-th of April 2010 and according to Art 27 /1 "shall be subject to ratification, acceptance or approval by the signatory States, in accordance with their respective legal requirements" and in 27/3 "The Agreement shall enter in force on the first day of the month following the date on which the fifth of States ...has deposited its instrument of ratification ...". When the new Agreement on RACVIAC enters into force, the relations between RCC and RACVIAC will be clarified by a MoU in accordance with RACVIAC Strategy 4.6.To be ready to assist RCC activities".

Southeast European Cooperation Process

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REGIONAL TECHNICAL ASSISTANCE

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MAPPING THE REGIONAL TECHNICAL ASSISTANCE IN THE SEE

Regional Projects and technical assistance – ongoing or planned to be implemented in the period 2011-2013

I. **EC DG Enlargement IPA-MB Programs Area of Justice, Liberty and Security**

Overview of ongoing interventions:

1) International Law Enforcement Co-ordination Units ILECUS under CARDS RAP 2005

2) Support to the Prosecutors' Network under CARDS RAP 2006 - programme completed

3) Development of monitoring instruments for judicial and law enforcement institutions in the Western Balkans under CARDS RAP 2006

4) Regional support to the update, implementation and monitoring of the Integrated Border Management (IBM) strategies and related Action Plans and development of regional and cross border initiatives under IPA 2007

5) Police Cooperation: Fight against organized crime, in particular illicit drug trafficking, and the prevention of terrorism" under IPA 2008 (DET-ILECUs II)

6) Assessment of Corruption in the Western Balkans under CARDS RAP 2006

7) Cooperation in Criminal Justice: Witness Protection in the Fight against Serious Crime and Terrorism (WINPRO) under IPA 2009

8) Regional support to strengthen the Southeast European Cooperative Initiative (SECI) Centre / SELEC for combating trans-border crime under IPA 2008

9) Joint European Union and ICTY Training Project for National Prosecutors and Young Professionals from the Former Yugoslavia under IPA 2009

10) Strengthening Regional News Exchange from the International War Crimes Tribunal for the Former Yugoslavia (ICTY), the International Court of Justice (ICJ) and the International Criminal Court (ICC) under IPA 2009

11) Fight against organized crime and corruption: Strengthening the Prosecutors under IPA 2010

12) Regional Cooperation in Criminal Justice: Strengthening capacities in the fight against cybercrime under IPA 2010

Follow up: new programme on Fight against organised crime and corruption: Strengthening the Prosecutors under IPA 2010 – Objective: strengthening of the Prosecutors' Network and upgrading of the professional capacities of the Public/State Prosecutors' Offices specialised in the investigation and prosecution of organised crime and related cases of economic and financial crime and corruption.

	Programme	Total in MEUR
IPA 2011 (all IPA countries)	-	**0**
IPA 2012 (all IPA countries)	**Witness Protection Programme**	**20-22**
IPA 2013 (excludes HR)	**International cooperation in criminal justice**	**5**

II. **List of activities provided by UN Counter Terrorism Implementation Task Force (CTITF) Office entities**

PROJECT NAME	RESPONSIBLE ORGANIZATION	OBJECTIVE/EXPECTED RESULTS	PARTNERS	BENEFICARIES	PERIOD (ONGOING OR 2011/12/13)

Workshop on the implementation of UNSCR 1540 (2004); conducted in Split, Croatia from 14-17 June 2010 for Southeast European States as part of UNODA's outreach activities in support of the 1540 Committee	United Nations Office for Disarmament Affairs (ODA)	-The objective of the workshop was to promote capacity-building on national and regional levels to advance full implementation of resolution 1540 (2004) -The workshop focused primarily on the main elements of border and export controls and was specifically tailored for border, customs and regulatory officials from the participating Member States: *Key Themes* ☐ National, regional and international WMD non-proliferation efforts; ☐ Effective border and export control processes; ☐ Risk assessment and management; ☐ Available detection and examination techniques and capabilities; ☐ Engaging industry as a partner; ☐ Technical assistance under resolution 1540 (2004).	The workshop was initiated and hosted by the Government of Croatia and organized by the United Nations Office for Disarmament Affairs (ODA) with financial support from the European Union and the Governments of Norway and the United States of America Representatives from the IAEA, OPCW, Implementation Support Unit of the Biological Weapons Convention (ISU/BWC), WCO, CTED, UNICRI, Regional Cooperation Council (RCC), OSCE, NATO, Caribbean Community (CARICOM), Centre for International	Officials from ten States (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Moldova, Romania, Serbia, the Former Yugoslav Republic of Macedonia and Turkey) participated in the workshop.	14-17 June 2010

			Trade and Security (CITS), Verification Research, Training and Information Centre (VERTIC), Henry L. Stimson Center, Japan Science and Technology Agency, Centre for Transnational Crime Prevention of the University of Wollongong, as well as staff from ODA took part in the workshop. The 1540 Committee and Committee experts were also represented. Representatives of the EU and the United States and Norway attended as co-sponsors. In addition, representatives of UNDP Croatia attended the workshop.		

Regional Workshop on the Implementation of the SAFE Framework of Standards and AEO (Authorized Economic Operator) to be conducted at the WCO Regional Training Center in Skopje in 2011	World Customs Organization	*It needs to be mentioned that funding for most of the aforementioned planned activities is not available yet (17 November 2010), but may be allocated on short notice from several donors. It is also important to note that only a very limited number of requests / proposals for seminars, workshops and training events for the years 2012 and 2013 have been forwarded to the WCO Secretariat; the planning of Capacity Building activities is subject to frequent updates.*			Planned for 2011 no funding available yet
Training Session on Leadership and Management Development to be conducted as a national training event in 2011	World Customs Organization	*It needs to be mentioned that funding for most of the aforementioned planned activities is not available yet (17 November 2010), but may be allocated on short notice from several donors. It is also important to note that only a very limited number of requests / proposals for seminars, workshops and training events for the years 2012 and 2013 have been forwarded to the WCO Secretariat; the planning of Capacity Building activities is subject to frequent updates.*		beneficiary country not yet identified, no funding available yet	Planned for 2011
National Workshops on Integrity	World Customs Organization	*It needs to be mentioned that funding for most of the aforementioned*		Georgia, Serbia and Albania	to be conducted in in 2011

		planned activities is not available yet (17 November 2010), but may be allocated on short notice from several donors. It is also important to note that only a very limited number of requests / proposals for seminars, workshops and training events for the years 2012 and 2013 have been forwarded to the WCO Secretariat; the planning of Capacity Building activities is subject to frequent updates.			
Regional Workshop on Risk Management	World Customs Organization	*It needs to be mentioned that funding for most of the aforementioned planned activities is not available yet (17 November 2010), but may be allocated on short notice from several donors. It is also important to note that only a very limited number of requests / proposals for seminars, workshops and training events for the years 2012 and 2013 have been forwarded to the WCO Secretariat; the planning of Capacity Building activities is subject to frequent updates.*		location not yet identified	to be conducted in 2011; no funding available yet
Creation of Port Control Units in the framework of the WCO / UNODC Container Control	World Customs Organization	*It needs to be mentioned that funding for most of the aforementioned planned activities is not available yet (17 November 2010), but may be allocated on short notice from several*		Azerbaijan, Georgia, Croatia, Bosnia-Herzegovina, Albania, Serbia, Montenegro, Former Yugoslav Republic of Macedonia Port Control Units / PCU will	to be implemented in 2011

Programme		*donors. It is also important to note that only a very limited number of requests / proposals for seminars, workshops and training events for the years 2012 and 2013 have been forwarded to the WCO Secretariat; the planning of Capacity Building activites is subject to frequent updates.*		receive training on Risk Assessment, Profiling, measures to implement UN SC 1373 and 1540. In the course of follow-up training of these PCUs (approx. 1 year later / 2012/2013), issues as precursor chemicals to produce explosives, CBRN materials and weapons and explosives will be covered. No fund allocations yet made.	
Regional Workshops	United Nations Office on Drugs and Crime	- Two sub-regional workshops on the sanctions regime established by the Security Council. The first workshop will have a specific focus on financing of terrorism and will aim at recording the status of legislation and practice in the countries involved. The second workshop will provide a follow-up and review developments since the Bucharest workshop of April 2009. - Both workshops will target authorized counter-terrorism criminal justice officials, legislators and government officials of the countries concerned. Each participating country will be requested to nominate 3 officials. The workshops will be followed by direct technical assistance at the national level.		10 countries of the South-East European and Black Sea regions (Albania, Armenia, Azerbaijan, Bosnia-Herzegovina, Georgia, Former Yugoslav Republic of Macedonia, Montenegro, Republic of Moldova, Serbia and Ukraine)	
Targeted legal assistance		Targeted legal assistance services and ad-hoc advisory services are provided		Requesting governments of the	Ongoing

services and ad-hoc advisory services		by UNODC/TPB to requesting governments to adjust their domestic legislation to the specific challenges of the international fight against terrorism on the relevant areas of expertise.		region		

III. Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH

PROJECT NAME	SCOPE	EXPECTED RESULTS	PARTNERS	BENEFICIARS	BUDGET	PERIOD (ONGOING OR 2011/12/13)
GTZ Open Regional Fund for South East Europe – Legal Reform	Support to the Legislation reform and advisory to the Ministries and relevant governmental bodies which are involved in the Reform, Information and Education of legal professionals	Selected Laws and bylaws in a field of Civil and Economic Law are harmonized and applied within the Acquis Communitaire but also on a regional level	Relevant Ministries and governmental Institutions from Partner Countries in charge for the Legal Reform	Judges, Attorneys, all legal professionals within the institutions, population of the participating countries	6.916.000 EUR (416.000,00 co-financed by CILC)	Ongoing 1. Phase until 12/2011
SEELS –South East European Law School Network	The scope of SEELS will embrace all legal disciplines and fields which have a clear regional or cross-border dimension.	Dissemination and deepening of Knowledge in EU Law and Networking between the legal professionals and academics in the region	- University Tirana, Faculty of Law (Albania); - University Sarajevo, Faculty of Law (Bosnia and Herzegovina);	All legal professionals, academics and institutions of the partner countries	1.700.000,00 EUR	Ongoing prepartiona phase, project is planned until 12/2013

			- University Zenica, Faculty of Law (Bosnia and Herzegovina); - University Zagreb, Faculty of law (Croatia); - University Rijeka, Faculty of Law (Croatia); - University Split, Faculty of Law (Croatia); - University Belgrade, Faculty of Law (Serbia); - University Kragujevac, Faculty of Law (Serbia); - University Nis, Faculty of Law (Serbia); - University "Ss. Cyril and Methodius" Skopje, Faculty of Law "Iustinianus Primus" Former Yugoslav			

				Republic of Macedonia (under its constitutional name)			
				University Podgorica, Faculty of Law (Montenegro)			

IV. ICMPD – International Centre for Migration Policy Development

PROJECT NAME	SCOPE	EXPECTED RESULTS	PARTNERS	BENEFICIARS	BUDGET	PERIOD (ONGOING OR 2011/12/13)
Enhancing Transnational Cooperation on Trafficking Cases in South-Eastern Europe (TRM-II)	The 18-month project will build upon the lessons learned from the Program to Support the Development of Transnational Referral Mechanisms (TRM) for Trafficked Persons in South-Eastern Europe funded by USAID (2006 – 2009) and the project "Development of a Transnational Referral Mechanism for Victims of Trafficking between Countries of Origin and Destination	**TO DEVELOP** a reporting template for the facilitation of transnational cooperation at the operational level between countries of destination, origin and transit in order to support the implementation of the Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons (TRM Guidelines), focusing especially on special measures for children and labor exploitation; **TO STRENGHTEN**	Donor is the USAID and the implementing agency is the ICMPD.	**South-Eastern Europe** (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Former Yugoslav Republic of Macedonia (under its constitutional name), Moldova, Montenegro, Romania and Serbia) and selected destination countries outside the region.		**September 2010 - March 2012**

	(TRM-EU) funded by the European Commission (2008-2010). The project seeks to further improve cooperation between countries of origin, destination and transit in order to streamline the process of providing comprehensive and effective assistance, support and protection of trafficked persons, focusing especially on special measures for children and labor exploitation.	the mechanisms for information exchange between the main anti-trafficking actors both at the operational and policy making level through regular multilateral and bilateral meetings in the region and beyond; **TO CONTRIBUTE** towards building counter-trafficking partnerships among countries in the European Union (EU) and South-Eastern Europe (SEE).				
The Budapest Process	The Budapest Process is an intergovernmental dialogue engaging some 50 governments and 10 international organizations, aiming at developing comprehensive and sustainable systems for orderly migration. The extension of the Budapest Process to the region of the Commonwealth of Independent States (CIS) several years ago has turned it into the geographically most important migration dialogue on the Eurasian continent.	**Thematically**, traditional areas of interest for the Budapest Process should remain i.e. (i) understanding, mapping and combating of irregular migration, (ii) sound return and readmission policies and (iii) asylum. In addition to these areas, participating countries have expressed wishes for an increased focus on co-operation on labor migration as well as on sustainable return and links between return and	50 governments and 10 international organizations	The Process and all its activities are led and hosted by interested governments with the support of the Secretariat. It is an open participation forum for all states and international organizations active in the broader migration field and has an informal character, working on the basis of recommendations and conclusions. Key principles of the Budapest Process are informality and flexibility and it provides a framework for states and other stakeholders to meet on equal footing, to		It is an **ongoing process** that was initiated by Germany in 1991, when the Federal Minister of Interior gathered his colleagues from 26 European countries in Berlin to work on joint measures against the increase of irregular migration pressures in Europe.

	It provides a framework for exchanging information and experiences on topics such as: **regular and irregular migration, asylum, visa, border management, trafficking in human beings and smuggling of migrants as well as return and readmission.** Through dialogue, and concrete follow-up, the Process promotes good governance in the field of migration and is supporting the transfer of good practices and the common understanding of migration concepts and policies. The Budapest Process is currently chaired by Turkey, with Hungary as co-chair. The ICMPD serves as the Secretariat.	development. Also topics such as border management and document security should be increasingly included. **Geographically**, the Budapest Process should retain its present geographical extension but for the purpose of particular meetings it should seek active co-operation with other countries along the migration routes and invite such countries as guests to working group meetings. **The following thematic or geographic working groups are currently active:** Working Group on Irregular Movements and Asylum, Working Group on Return and Readmission, Working Group on Immigration and Admission Policies, Working Group on the Development of Migration Management Systems,		address issues of common concern and exchange information. Keeping with priorities of participating states is a key feature of the Budapest Process and has contributed substantially to its success.	

		Working group on the Approximation of Penalty Scales for smuggling of migrants and trafficking of human beings, Working Group on the South East European Region, Working Group on the Black Sea Region.				
Building Migration Partnerships Project (BMP)	To contribute to the implementation of the Joint Declaration agreed at Prague Ministerial Conference "Building Migration Partnerships" (27-28 April 2009). **Declaration was signed by**: Albania, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Kosovo/UNSCR 1244/1999, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, the former Yugoslav Republic of	**"Migration Partnership Strategies"** (partnership objectives and policy recommendations); **"Migration Partnership Mappings"** ("Good Practices" of previously developed and implemented measures in the context of the "migration partnership concept"); **"Migration Profile Reports"** for each beneficiary country; Interactive map **"I-Map Eastern Migration Route"**.	**Leading states: Czech Republic** (Ministry of the Interior) **Hungary** (Ministry of Justice and Law Enforcement); **Poland** (Ministry of Interior and Administration); **Romania** (Ministry of the Interior and Administrative Reform); **Slovakia** (Ministry of Interior); With participation of **other European Union Member States**.	Migration authorities of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan; Ministers and Heads of Departments of ministries and migration services of participating beneficiary countries holding the main responsibility in migration management as well as officials of these ministries at senior working level.		**January 2009 – December 2010**

	Macedonia, Malta, Montenegro, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, the United Kingdom, Uzbekistan and the European Commissioner responsible for Migration.					
Dialogue on Mediterranean Transit Migration (MTM)	The MTM dialogue involves numerous participants from Arab Partner States (APS) and European Partner States (EPS) as well as various relevant observers. The dialogue follows guiding principles which are **intergovernmental, informal** and **state-driven**. Moreover, the MTM Dialogue aims at supporting current efforts undertaken at international, regional and sub-regional level in Africa, the Near East and Europe (policy context). The ICMPD serves as the	The MTM Dialogue aims at supporting current efforts undertaken at international, regional and sub-regional level in Africa, the Near East and Europe. To this end, the MTM Dialogue follows the guidance of the main EU policy guidelines such as the European Neighborhood Policy, the Hague Program, the MEDA programs, and the conclusions of the Council of the EU, in particular the 'Global Approach to Migration'. In addition, regular	The countries involved in the dialogue on Mediterranean Transit Migration are comprised of the **Arab Partner States (APS)** on the southern and eastern side of the Mediterranean, namely Algeria, Egypt, Lebanon, Libya, Morocco, Syria and Tunisia, and, on the Northern shores, of **European Union Member States**, Norway,	All countries involved in the Dialogue.		**Ongoing** since 2002.

	Secretariat. Since the Alexandria Consultations in 2003 the Dialogue on Mediterranean Transit Migration is built on **two pillars**. The first one focuses on enhancing operational co-operation to combat illegal migration or, in other terms, on shorter-term measures to address irregular flows. The second pillar deals with a longer-term perspective by focusing on addressing the root causes of irregular flows through development co-operation and a better joint management of migration. These pillars are used as frameworks for the implementation of specific projects but cross-pillar projects are also put in place.	participation at meetings of other fora, such as the Euro-Med Process, the 5+5 Dialogue on migration in the Western Mediterranean and the AU-EU Co-operation meetings, enables the MTM Dialogue through its Secretariat to share its opinions and findings and, moreover, ensures proper co-ordination and co-operation of its discussions and initiatives with other partners. Finally, the dialogue fully respects and undertakes to promote the application of all relevant international legal instruments in the field of human rights and refugee protection, combating of trafficking and smuggling.	Switzerland and Turkey, called European Partner States (EPS). Moreover, Australia participates as an observer. Officials of the Ministries of Interior, Intelligence and Security Services, Ministries of Foreign Affairs and Development Agencies participate regularly in this informal dialogue. The dialogue also involves EUROPOL and FRONTEX (also partners in the project phase), the DCAF, the European Commission, INTERPOL, IOM, the League of Arab States, UNHCR, UNESCWA and UNODC.		

LIST OF STRATEGIC DOCUMENTS FOR REGIONAL COOPERATION

I. SEECP:

1. Declaration on 10 joint measures to curb corruption in South Eastern Europe, Ministerial Conference on Joint Measures to Curb Corruption in South Eastern Europe, Brussels, 2005

2. Police Cooperation Convention for Southeast Europe, Vienna 2006

3. Conclusions of the 1st Meeting of Committee of Ministers under the Police Cooperation Convention for Southeast Europe, Vienna 2008

4. Common Declaration of SEECP's Ministers of Home Affairs regarding the strengthening of cooperation in combating cybercrime, Chisinau 2008

5. Memorandum of the SEECP's Ministers of Justice on Legal and Judicial Guarantees against Unlawful Processing of Personal Data, Chisinau 2008

6. Conclusions of the SEECP Chairmanship-in-Office of the Republic of Moldova at the 1st Meeting of the Heads of Consular Services of the SEECP participating states, 24 April 2009, Chişinău,

7. CHISINAU JOINT STATEMENT OF THE HEADS OFSTATE AND GOVERNMENT OF THE SOUTH-EAST EUROPEAN COOPERATION PROCESS (SEECP) CHISINAU, 5 JUNE 2009 Forging Partnership for Cooperation and Development

8. CHISINAU DECLARATION OF THE 12th MEETING OF THE HEADS OF STATE AND GOVERNMENT OF THE SOUTH-EAST EUROPEAN COOPERATION PROCESS (SEECP), 5 June 2009

9. Convention of the Southeast European Law Enforcement Center (SELEC) 2009

10. CONCLUSIONS of the SOUTH EAST EUROPE REGIONAL ANTICORRUPTION CONFERENCE Bucharest, May 20 – 21, 2010

11. RCC Strategy and Work Program 2011 – 2013

12. Conclusions of the 3rd Meeting of Committee of Ministers under the Police Cooperation Convention for Southeast Europe, Sofia 2010

13. The Minute and Decision of the 1st Meeting of the Steering Group on Regional Strategy (SGRS) *Sarajevo 6-7 July 2010*

14. Conclusions of the 4th Meeting of Committee of Ministers under the Police Cooperation Convention for Southeast Europe, Brdo, 19.10.2010

15. Conclusions of the 2nd Meeting of the Steering Group on Regional Strategy (SGRS) *Sarajevo 30 November- 1 December 2010*

II. EU

1. The Charter of Fundamental Rights of the European Union (2007/C 303/01)

2. EU-Western Balkans Ministerial Forum on Justice and Home Affairs 6-7 November 2008, Zagreb, French Presidency Statement

3. European Parliament resolution of 24 April 2009 on consolidating stability and prosperity in the Western Balkans (2008/2200(INI)), paragraphs 29 - 34

4. Draft Action Plan on drugs between the EU and the Western Balkan countries (2009-2013) COUNCIL OF THE EUROPEAN UNION Brussels, 17 July 2009, 12185/09, CORDROGUE 52, COWEB 150

5. EU Commission Staff Working Document: An examination of the links between organized crime and corruption, Brussels, 8.2.2008, SEC(2008) 196

6. High-Level Advisory Group on the Future of European Justice Policy**,** Proposed Solutions for the Future EU Justice Program, June 2008

7. Commission of the European Communities, Brussels, 10.6.2009, Com(2009) 263 final, Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions - Justice, Freedom And Security in Europe Since 2005: An Evaluation Of The Hague Program and Action Plan {Sec(2009) 765 Final}, {Sec(2009) 766 Final}, {Sec(2009) 767 Final}

8. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, 10.6.2009, SEC(2009) 765 final

9. COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

10. JUSTICE, FREEDOM AND SECURITY IN EUROPE SINCE 2005: AN EVALUATION OF THE HAGUE PROGRAMME AND ACTION PLAN Follow-up of the implementation of legal instruments in the fields of justice, freedom and security at national level Implementation Scoreboard {COM(2009) 263 final}, {SEC(2009) 766 final}, {SEC(2009) 767 final}

11. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, 2.7.2008, COM(2008) 373 final COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT, Report on Implementation of the Hague Programme for 2007, {SEC(2008) 2048}, {SEC(2008) 2049}, (presented by the Commission)

12. THE HAGUE PROGRAMME: STRENGTHENING FREEDOM, SECURITY AND JUSTICE IN THE EUROPEAN UNION, (2005/C 53/01), Official Journal of the European Union

13. COMMISSION OF THE EUROPEAN COMMUNITIES Brussels, 3.2.2009, SEC(2009)128 final

14. COMMISSION STAFF WORKING PAPER, EU regionally relevant activities in the Western Balkans 2008/09

15. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, COM (2009) 262/4 COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, *An area of freedom, security and justice serving the citizen*

16. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, 17.6.2008, COM(2008) 359 final, COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A *Common Immigration Policy for Europe: Principles, actions and tools,* {SEC(2008) 2026}, {SEC(2008) 2027}, (presented by the Commission)

17. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, 5.3.2008, COM(2008) 127 final COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL *Western Balkans: Enhancing the European perspective,* {SEC(2008) 288

18. COMMISSION OF THE EUROPEAN COMMUNITIES, Brussels, 5.3.2008, SEC(2008) 288, COMMISSION STAFF WORKING DOCUMENT *accompanying the* COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL, Western Balkans: Enhancing the European perspective, {COM(2008)127}

19. COMMISSION DECISION, C(2009)4518 of 16 June 2009 establishing a Multi-Beneficiary Multi annual Indicative Planning Document (MIPD) 2009-2011

20. COUNCIL OF THE EUROPEAN UNION, Brussels, 28 May 2009, 10232/1/09, REV 1, ENFOPOL 148, Implementation of the Council Conclusions on the co-operation with Western Balkan countries on the fight against organized crime and terrorism

21. Sector Plan - IPA Justice Freedom and Security multi-beneficiary programmes 2011 – 2013

22. 'EU Strategy for the Danube Region' described in two documents: (1) Communication from the European Commission to the other EU Institutions, and (2) an accompanying Action Plan which complements the Communication

23. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Enlargement Strategy and Main Challenges 2010-2011, Brussels, 9.11. 2010 COM(2010) 660

III. Council of Europe

1. Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and its Additional Protocols (1–1952, 2– 4 1963, 5–1966, 6–1983, 7–1984, 8–1985, 9-1990, 10-1992, 11-1994, 12-2000, 13-2002, 14-2004, 14bis- 2009)

2. European Convention on Extradition (1957) with First (1975) and Second (1978) Additional Protocols

3. European Convention on Mutual Assistance in Criminal Matters (1959) with First (1978) and Second (2001) Additional Protocols

4. European Convention on Consular Functions (1967) and the Protocol to the European Convention on Consular Functions concerning the Protection of Refugees (1967)

5. European Convention on Information on Foreign Law (1968) Additional Protocol (1978)

6. European Convention on the International Validity of Criminal Judgments (1970)

7. European Convention on the Transfer of Proceedings in Criminal Matters (1972)

8. European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes (1974)

9. European Convention on the Suppression of Terrorism (1977), affecting extradition and mutual assistance, amended by a Protocol in 2003

10. European Agreement on the Transmission of Applications for Legal Aid (1977) Additional Protocol (2001)

11. European Convention on the Legal Status of Migrant Workers (1977)

12. European Convention on the Service Abroad of Documents relating to Administrative Matters (1977)

13. European Convention on the Obtaining Abroad of Information and Evidence in Administrative Matters (1978)

14. European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (1980)

15. European Agreement on Transfer of Responsibility for Refugees (1980)

16. Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (1981), Additional Protocol (2001)

17. European Convention on the Compensation of Victims of Violent Crimes (1983)

18. Convention on the Transfer of Sentenced Persons (1983) Additional Protocol (1997)

19. European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990)

20. European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (1987) with Protocols 1 and 2 (1993)

21. Criminal Law Convention on Corruption (1999)

22. Civil Law Convention on Corruption (1999) Additional Protocol (2003)

23. Convention on Cybercrime (2001) and its Additional Protocol (2003)

24. European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005)

25. Council of Europe Convention on the Prevention of Terrorism (2005)

26. Council of Europe Convention on Action against Trafficking in Human Beings (2005)

27. Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007)

28. Council of Europe Convention on Access to Official Documents (2009)

IV. UN

1. UN Convention against Transnational Organized Crime and its Protocols

2. UN Convention against Corruption

3. The 13 major legal instruments and additional amendments dealing with terrorism

4. 2005, Zagreb Declaration on International Cooperation on Counter-terrorism, Corruption and the Fight against Transnational Organized Crime

5. 2006, United Nations Global Counter-Terrorism Strategy

6. UNODC Regional Programme (2009-2011) Promoting the Rule of Law and Human Security in South Eastern Europe

7. Declaration of the Regional High Level Conference Promoting the Rule of Law and Human Security in South Eastern Europe Belgrade, Serbia 30-31 March 2009

V. Others

1. OECD/DAC Handbook on Security System Reform, suporting Security and Justice, 2007

2. Joint Declaration of the Ministers of the Salzburg Forum and the Western Balkan countries, on the occasion of the Western Balkan Security Conference held in Vienna on 17 and 18 July 2008

3. Documents of the Regional Ministerial Conferences on Illegal Migration, Organized Crime, Corruption and Terrorism, Brdo Process, 2009

4. Documents of the Bled Process Conferences on Stolen Vehicles, 2009

5. Joint Statement - Regional Ministerial Conference Ministers of Interior and Justice, "*Facing the Challenges of Organized and Serious Crimes in the Western Balkans*", 2009

6. OCTA-SEE – public version

7. - The Ministerial Declarations on Border Security and Cooperation (DCAF), adopted by the Ministers of Interior/Security of Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia (under its constitutional name), Montenegro and Serbia during the Annual Ministerial Review Conferences held in Sarajevo – 2006; Dubrovnik - 2007, Budva - 2008; Belgrade - 2009 and Tirana – 2010.