



EU-Western Balkans Ministerial Forum on Justice and Home Affairs

Brussels, 23 November 2010

**Address by Hido Biscevic,
Regional Cooperation Council (RCC) Secretary General:**

Working Together in Strengthening EU Perspectives: the Role of the RCC

Mr. Chairman, dear Ministers, Excellencies,

I am honoured to be here today at this important event, and I would want to focus briefly on the tasks trusted to the Regional Cooperation Council by the SEECP heads of state and government, regarding the strategic coordination and monitor of the level of regional cooperation in the priority areas, among which, the Justice and Home Affairs are increasingly coming to the forefront.

But, allow me first to try to share with you the assessment of the current state of play in the region and the state of regional cooperation.

Regarding the situation in the region, in particular regarding the enlargement countries, I think we can share an optimistic outlook, the more so after the latest status report by the European Commission. Negotiating and aspiring countries are persistently advancing. There is a new and evident spirit of rapprochement and reconciliation within the region. Reforms are, in general, continuing even despite the very harsh effect of the economic crisis and its inevitable social repercussions.

Of course, we still live with several crucial and critically sensitive open or unresolved issues, but I dare say that even in these areas we are witnessing how the spirit of responsibility, flexibility, pragmatism and compromise oriented dialogue is taking root.

There is an evident contribution to these positive trends by regional actors in the field of Justice and Home Affairs.

With this in mind, what the region needs at this point is its genuine enhancement of regional cooperation, as an additional charger that would turn these positive trends into irreversible policies. Given the current crisis, we in the RCC believe that developing regional recovery and development approach, plans and projects may best sustain the advancement of the region – needless to say, every segment of the Justice and Home Affairs is directly involved

in creating a conducive environment to regional economic and social development, be it a notion of good governance or fight against corruption and organized crime.

This has also been recognized in the RCC ambitious Strategy and Work programme for 2011-2013, endorsed last June in Istanbul by the Declaration of the SEECF Heads of States and Governments.

The implementation of projects from this document has already started, focused on the result-oriented activities where the RCC can add real value.

In that sense, I could affirm that the regional cooperation has been improved in the areas of *information pooling, cross-border intelligence exchange and collection* (due to the positive evolutions of ILECU projects), *risks and threats analysis* (OCTA-SEE), *legislative harmonization* (SELEC, PCC-SEE), *cross-border operations* (SECI Centre, SEEPAG, WB Prosecutors 'Network) and *policing* (SEPICA).

However, police and judicial cooperation in criminal matters are still *fragmented* into a number of different players and spheres which are continually growing.

To redress this situation it is important to have an efficient mechanism for coordination at strategic and operational level.

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 encouraging to note that this process is gaining momentum. Using this momentum, it is now crucial to improve *operational capacities* between law enforcement and judicial authorities within the region, and between the region and EU, *making full use of the existing regional instruments, framework and networks*.

A comprehensive approach to the rule of law sector (police – justice – prisons) together with a judicial and democratic control of regional actions is needed.

Ladies and Gentlemen,

The latest Communication of the Commission to the Parliament and the Council on Enlargement Strategy underlines that 'the Regional Cooperation Council strives to enhance cooperation between the police, prosecution services and the judiciary.'

With this in mind, let me share briefly the regional priorities for the incoming period.

The *core regional priority in the field of justice and home affairs is to fight organised crime, focusing particularly on economic and financial crime, smuggling of drugs and trafficking in human beings. '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.*¹ Attention is also given to the *regional dimension of the fight against terrorism as well as the suppression of the financing of terrorism*. Bearing in mind that there are no regional structures on judiciary cooperation, improvement can be achieved through the exchange of liaison magistrates and the creation of a regional judicial network. The RCC will have a supportive role in particular in facilitating the process of strengthening and streamlining judicial and prosecutorial cooperation, enhancing links between police, prosecution and judiciary.

In the area of *fighting corruption*, the regional priority is to address corruption simultaneously, from both national and regional perspectives, and in this context, RAI activities need to be better targeted.

As regards *migration*, MARRI should build its capacity to assist its member states in assessing circumstances in countries and regions of origin for potential asylum seekers and refugees and address cooperation on migration (both legal and illegal) within the region. Cooperation in fighting illegal migration should be further strengthened. The proper implementation of readmission agreements should also be promoted.

Protection of fundamental rights as well as cooperation in private and civil law matters, has to be developed, taking into account the growing freedom of movement of people, goods and services in the SEE.

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.

Allow me now to close by focusing on the Regional strategic document and Action plan, the most important and ambitious endeavour that has been ever tackled by anyone in our region.

The RCC Secretariat continues to work on harmonizing the strategies, programs and action plans focusing on the region².

¹ 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

² There are several programmatic documents relevant for the region: strategies, action plans or policies, such as, *inter alia*²: 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 SEECF'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 Strategic Work Programme*; *MARRI, RAI, SEEPAG*; Council of Europe, OSCE, OECD projects, documents and activities.

Together with the relevant stakeholders we've started since 2009 the preparation of a Strategic Regional Document which will enhance coordination of the regional organizations with the EU judicial agencies.

The first phase has been end in July 2010 when the *Meeting of the Steering Group for Regional Strategy* (SGRS), held in Sarajevo, agreed on the focussed on the process of developing, drafting and adopting the Regional Strategic document. A particular attention has been given to the development of a monitoring system and its implementation.

The next *Steering Group for the Regional Strategy* (SGRS) is convened in Sarajevo for 30 November–1 December 2010 and we expect an active contribution from your side.

Once we will have a jointly developed and implemented regional approach and common operational platforms to deal effectively with immense challenges in this important sector we will certainly contribute to the security and stability of our region, to the betterment of our citizens and, last but not least, to the advancement of our countries towards the European and Euro-Atlantic integrations.

Thank you for attention.