

Minutes of the 3rd Meeting of the Expert Working Group



PCC SEE

Wednesday, 19 May 2010
Legends Hotel
54-56 Cherni Vrah Blvd., Sofia, Bulgaria

In attendance¹: Ms. Dorevska Vesna, Ms. Dzhumayska Milena, Mr. Haxhij Ahmet, Ms. Lednik Katarina, Ms. Marinova Snezhina, Mr. Nagy Zoltan, Mr. Nichifor Dragoş, Mr. Pepper Thomas, Mr. Prodani Agim, Ms. Rabrenović Ivana, Mr. Rizvo Samir, Ms. Sateva Emilija, Mr. Siena Salvatore, Mr. Soare Romeo, Mr. Travner Anton, Mr. Turcan Petru, Ms. Veljović Biljana, Mr. Veniger Stanislav, Mr. Vukotić Vladimir and Mr. Zehner Patrick.

The agenda of the meeting was as follows:

1. *Adoption of the agenda*
2. *Data Protection*
 - a. *Report on the Ad Hoc Working Group on Data Protection*
 - b. *Statement of Readiness*
 - c. *Possible Evaluations in the Area of Data Protection*
3. *Standardised Training on PCC SEE Related Matters*
 - a. *Decision on the Endorsement of the Strategy Paper Regarding the Conduct of Harmonised Training on PCC SEE Related Matters*
 - b. *Decision on the Establishment of a Thematic Working Group on Police Education and Training within PCC SEE*
 - c. *Decision on Changing the Term “Standardised Training” to “Harmonised Training”*
4. *Police Cooperation Convention Manual*
 - a. *State of Play*
 - b. *Confidential Status of PCC Manual*
5. *Progress in the Area of Bi- and Multilateral Agreements*
 - a. *Report by PCC SEE Secretariat*
 - b. *Comments by the Contracting Parties*
6. *Cross-border Cooperation and Cross-border Search Operations*
 - a. *Report on the Working Group on Integrated Border Management*
 - b. *Possible Establishment of a Working Group on Article 26 PCC SEE*
7. *Cross-border Surveillance and Controlled Delivery*

¹ In alphabetical order.

8. *OCTA SEE*
9. *Establishment of Common Centres*
10. *ILECUS and ILECUS II Project*
11. *Road Map for the Implementation of PCC SEE for the period from 2010 to 2015*
 - a. *Presentation*
 - b. *Comments by the Contracting Parties*
12. *Implementation of the Communication Strategy*
 - a. *Report by PCC SEE Secretariat*
 - b. *Report by the Contracting Parties*
13. *Report on the progress and achievements of PCC SEE Secretariat 2009/2010*
14. *Priorities of the Macedonian Chairmanship of PCC SEE*
15. *3rd Meeting of the Committee of Ministers*
 - a. *Report on the final preparations*
 - b. *Memorandum of Understanding*
 - c. *Conclusions of the Third Meeting of the Committee of Ministers*

Opening:

Ms. Snezhina Marinova, Head of Department in the EU and International Cooperation Directorate of the Ministry of Interior of the Republic of Bulgaria and Chair of the EWG, welcomed the participants to Sofia and expressed their honour to host the meeting. Mr. Anton Travner, Co-chair of the meeting, welcomed the participants on behalf of PCC SEE Secretariat. He expressed his gratitude to the Bulgarian Chairmanship-in-Office for hosting the meeting on such short notice, since the initially planned meeting, foreseen to take place on 19-20 April 2010 in Slovenia, was cancelled due to objective reasons. He also took the opportunity to thank the Contracting Parties and implementation partners for support in the implementation process.

1. The agenda was unanimously adopted.
2. a) Ms. Marinova briefly presented the outcomes of the meeting of the Ad hoc Working Group on Data Protection, held on 25-26 February 2010 in Ljubljana.
 - b) On 12 March 2010, Mr. Tsvetan Tsvetanov, Minister of Interior of the Republic of Bulgaria, sent letters to his colleagues to nominate experts for the evaluation teams. No statements have been submitted to date, however experts have been nominated by all eight Contracting Parties. Ms Marinova reiterated the readiness of the Bulgarian chairmanship-in-office to carry out the first evaluation mission within the period of chairmanship, if a statement of readiness is submitted in due time. Mr. Travner expressed, on behalf of PCC SEE Secretariat, hope that the statements of readiness will be submitted as soon as possible, with expectations that the Republic of Macedonia will be the first country prepared for evaluations in the area of data protection.
 - c) Ms. Vesna Dorevska, Assistant Minister within the Macedonian Ministry of Interior, reported that they are not yet fully prepared for the evaluation team and are thus forced to postpone the evaluation process in the Republic of Macedonia. Certain activities must be carried out before being able to determine a date. Mr Dragos Nichifor, Expert at the International Cooperation Unit within the Romanian General Inspectorate of Police,

encouraged the Contracting Parties to proceed with the evaluations in the area of data protection and submit their statements of readiness.

3. Ms. Marinova informed the participants on the execution of the silent (written) procedure, which began on 23 April 2010 and ended 7 May 2010. No objections were submitted by any of the Contracting Parties, thus it was concluded that the documents are adopted.

Conclusion: The Decision on the Endorsement of the Strategy Paper regarding the Conduct of Harmonised Training on PCC SEE Related Matters (EWG 01/10), the Decision on Changing the term "standardised training" to "harmonised training" (EWG 02/10) and the Decision on Establishing a Thematic Working Group on Police Education and Training within PCC SEE (EWG 03/10), were unanimously adopted. Following the established procedure, the EWG agreed to submit the Decision on the Endorsement of the Strategy Paper and the Decision on changing the term to the Committee of Ministers for adoption at their meeting on 21 May 2010.

4. a) Mr. Thomas Pepper, Senior Advisor at PCC SEE Secretariat, reported on the progress of the Police Cooperation Convention Manual since last presented at the meeting of the Expert Working Group in June 2009. He emphasised that the application of the Manual presents improvement of the security of the region. As agreed in 2008, the Manual will be transmitted to the respective national authorities dealing with international cooperation for use in performing duties and training covered by the Articles in PCC SEE. He presented his idea that national coordinators, in addition to the national points of contact, mandated with the responsibility to ensure the fulfilment of all relevant tasks in the Manual are needed.

b) A discussion regarding the classification level of the Manual was held. Mr. Pepper pointed out that the Manual is currently freely accessible and has a public domain and at least a minimum classified level ("restricted") is needed. This will ensure the Manual is used only by the end users, for which it is written. This request has also been expressed by Bosnia and Herzegovina during the Expert Mission for Implementation of Articles 14 and 15 PCC SEE, convened in February 2010. The participants expressed different opinions on the subject pointing out reasonable pros and cons. On behalf of the PCC SEE Secretariat Mr. Travner took the commitment to analyse further this issue and to send a written proposal to the Contracting Parties, with the view of having a focused discussion and take a final decision at the next EWG meeting.

Conclusion: It was agreed that PCC SEE Secretariat will send a written proposal to all Contracting Parties on how to proceed with the classification level of the Police Cooperation Convention Manual. Classification level, non-classification level or classification for certain parts of the Manual will be proposed for discussion at the next meeting of the Expert Working Group.

5. a) Mr. Stanislav Veniger, Senior Advisor at PCC SEE Secretariat, presented the state of play in the area of bilateral and multilateral agreements based on the answers received from the Contracting Parties.

b) Ms. Milena Dzhumayska, Expert at EU and International Cooperation Directorate within the Bulgarian Ministry of Interior, took the opportunity to inform the participants that the Government of the Republic of Bulgaria and the Government of the Republic of Serbia signed the Agreement on Establishment and Functioning of a Common Contact Centre for Police and Customs Cooperation on 26 April 2010 and it is foreseen that the Agreement on Police Cooperation will be signed on 20 May 2010 in the framework of the third meeting of the Committee of Ministers. The Agreement on Mixed Patrols is envisaged to be signed with

the Government of the Republic of Macedonia in the near future, as well as a new Agreement on Police Cooperation with the Government of Montenegro. Ms. Dorevska expressed the readiness of the Macedonian side to start soon negotiations with its neighbouring countries, being Bulgaria, Albania and Serbia, in order to conclude implementation agreements on Articles 14 and 15 PCC SEE. Mr. Travner informed the participants that all draft agreements covering the Articles of PCC SEE are available at PCC SEE Secretariat and will be sent upon request.

6. a) Mr. Anton Travner briefly presented the outcomes of the meeting of the Working Group on Integrated Border Management, held on 30 November – 2 December 2010 in Sofia.
- b) The answers received by the Contracting Parties to the requests sent by PCC SEE Secretariat show that an agreement on Article 26 PCC SEE is requested, however a working group need not be established.

Conclusion: It was agreed that PCC SEE Secretariat will prepare a draft implementation agreement for Article 26 PCC SEE. The Contracting Parties will be invited to use the draft agreement for bilateral negotiations, if needed. A Working Group on Article 26 PCC SEE will not be established.

7. Mr. Pepper briefly reported on the Experts Missions for the Implementation of Articles 14 and 15 PCC SEE held, to date, in Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia. He informed that mission in Moldova and a second mission in Serbia, following a request of the country, will be held in June. Mr. Pepper provided information on the joint practical exercise on cross-border surveillance on the territory of all CPs which the Secretariat plans to organise in the autumn of this year.

8. Mr. Corneliu Dragne, Criminal Analyst at SECI Center, reported on the progress in the preparation of the 2010 Common Threat Assessment on Organized Crime for South East European Region (SEE OCTA) .

9. Mr. Stanislav Veniger presented the state of play regarding the establishment of Common Centres based on the answers received from the Contracting Parties. He informed the participants about the seminar on “Enhancing Police Cooperation in Southeast Europe”, taking place on 17 – 18 June 2010 in Vienna. The Contracting Parties have already received the invitation from the European Commission. Both Mr. Zoltan Nagy, on behalf of Europol, and Mr. Patrick Zehner, on behalf of the Swiss Federal Office of Police, expressed their wish to send experts as lecturers to the seminar as well.

Conclusion: PCC SEE Secretariat will propose to the Academy of European Law, which is organising the seminar on “Enhancing Police Cooperation in Southeast Europe” in June 2010, to invite experts from Europol and Switzerland to participate in the seminar.

10. Mr. Thomas Pepper, on behalf of the Austrian Federal Ministry of Interior, reported on the ILECU and ILECUS II project. He emphasised that these two projects should be seen complementary to PCC SEE and as a continuation of a process as whole.

11. a) Mr. Anton Travner presented the Road Map for the Implementation of PCC SEE for the period from 2010 and 2015.

b) The participants found the Road Map a useful document. In addition, Ms. Dorevska kindly asked the PCC SEE Secretariat to replace the abbreviation "FYROM" with "Macedonia".

Conclusion: The Road Map for the Implementation of PCC SEE for the period from 2010 to 2015 was considered as an important and useful document providing an overview of the activities that still need to be undertaken towards the full implementation of PCC SEE within a given timeline. PCC SEE Secretariat will disseminate a clean copy of the document to the Contracting Parties, implementation partners and international organisations, kindly inviting them to submit estimations on the feasible deadlines, priorities of certain activities and other suggestions, comments and proposals for amendments.

12. a) Mr. Anton Travner reported on the progress of implementing the Communication Strategy for PCC SEE Secretariat, stressing the importance of communication flow among all target groups and especially all levels within the respective Ministries.

b) The participants briefly reported on the implementation of the Communication Strategy (Com 07/09) endorsed by the Committee of Ministers on 17 November 2009. Ms. Dorevska pointed out that a special Working Group for the implementation of PCC SEE is functioning within the Macedonian Ministry of Interior, consisted of representatives from relevant organisational units within the Ministry. They meet regularly with the aim to familiarise the professional audience with PCC SEE. The Bulgarian Chairmanship-in-Office informed that a separate section related to PCC SEE and the Chairmanship is created on the homepage of the Bulgarian Ministry of Interior, which is regularly updated.

Conclusion: The participants of the meeting were kindly invited to send proposals for email addresses to which the PCC SEE Newsletter, prepared periodically by PCC SEE Secretariat, should be sent with the aim to increase the awareness of PCC SEE. The Contracting Parties are also kindly invited to arrange an article to be written about PCC SEE in their national magazines within their respective Ministries of Interior or police services.

13. Mr. Anton Travner presented the progress and achievements of PCC SEE Secretariat for 2009/2010, highlighting the executed activities and documents prepared.

14. Ms. Dorevska presented the priorities of the upcoming Macedonian Chairmanship – in – Office, beginning on 1 July 2010. During the second half of this year they will strive to start the process of negotiations and signing of implementation agreements on various Articles of PCC SEE (particularly on Articles 14 and 15), improve the conditions in the area of data protection in Macedonia and the region as well in order to start the mutual evaluations, organise meetings of the Expert Working Group and the Committee of Ministers. A proposal was also given that training should be organised for National Central Units, with the support of the PCC SEE Secretariat.

15. a) Ms. Marinova and Ms. Dzhumayska informed the participants about the final preparations for the third meeting of the Committee of Ministers, taking place on 21 May 2010. The programme for the meeting was distributed to all delegations attending.

b) Several proposals for amendments of the Memorandum of Understanding on the support regarding the PCC SEE Secretariat were sent in the weeks before the meeting. The participants went through the amended version in order to finalise the document.

Conclusion: The Contracting Parties unanimously adopted the amendments made in the Memorandum of Understanding, which was submitted for signing by the respective Ministers of

Interior/Security and the Director of DCAF Geneva, Dr. Theodor H. Winkler within the third meeting of the Committee of Ministers.

c) The Conclusions of the third meeting of the Committee of Ministers, drafted by the Bulgarian Chairmanship – in – Office, were also revised and finalised.

Conclusion: The Contracting Parties unanimously agreed on the Conclusions of the Committee of Ministers, prepared by the Bulgarian Chairmanship-in-Office and proposed them to the Committee of Ministers.