
Ljubljana, 17 July 2009

Minutes of the 2nd Meeting of the Expert Working Group



PCC SEE

Tuesday, 30 June 2009

**Conference Room, PCC SEE Secretariat
Kotnikova ulica 1, Ljubljana, Slovenia**

The second official meeting of the Expert Working Group took place on Tuesday, 30 June 2009.

In attendance: Ms. Ancevska Marija, Ms. Atgjergji Dajana, Mr. Barthez Fabien, Mr. Čurin Sandi, Ms. Dorevska Vesna, Mr. Dragne Corneliu, Mr. Felberbauer Ernst, Mr. Fritz Matthias, Ms. Ivanovič Suzana, Ms. Kadić Nerimana, Ms. Katić Zorana, Mr. Lecari Fredolin, Ms. Lednik Katarina, Mr. Marion – Mainer Manuel, Ms. Mehović Selma, Mr. Močnik Mitja, Mr. Moşneagu Cătălin, Mr. Ndoci Nikolle, Mr. Pepper Thomas, Mr. Pešto Ermin, Mr. Popović Božidar, Mr. Rizvo Samir, Mr. Romšek Jože, Ms. Schrotter Barbara, Mr. Stančič Darko, Mr. Travner Anton, Mr. Uljanov Sergej, Mr. van de Rijt Wouter, Mr. Veniger Stanislav, Mr. Vukadin Dragan, Ms. Weber Pia and Ambassador Zore Gregor.

The agenda of the meeting was as follows:

1. *Adoption of the agenda*
2. *Adoption of the agreed documents:*
 - a. *Rules of Procedure*
 - b. *Action Plan*
 - c. *Memorandum of Understanding*
 - d. *Work Programme for 2009*
3. *Decision about the rotation of the PCC SEE Chairmanship*
4. *Draft Work Programme for the PCC SEE Secretariat for 2010*
5. *PCC SEE Manual*
6. *Establishment of Evaluation team(s) on Data Protection and agreement regarding burden sharing*
7. *Overview of the implementation process:*
 - a. *Table of implementation agreements*

b. *ILECU's project*

c. *"Development of communication and information exchange systems on illegal migration in the Western Balkan region" – implementation of Article 8 of the Convention*

8. *SEE OCTA*

9. *Implementation of Article 11 of the Convention – standardized training on Convention related matters*

10. *Next meeting of the Committee of Ministers*

11. *AOB*

a. *Coordination Centre for Border Police Cooperation in Bosnia and Herzegovina*

b. *State of play regarding the setting-up of Common Centres*

c. *3rd Police Cooperation meeting in Bosnia and Herzegovina*

d. *Communication Strategy for the Contracting Parties*

e. *Translation of the Secretariat's website into Contracting Parties' local language / languages*

Opening:

Mr. Anton Travner, co-chairman of the meeting, welcomed the participants on behalf of the PCC SEE Secretariat. He proposed Mr. Samir Rizvo chairs the meeting, since the second meeting of the Committee of Ministers (hereinafter: the CoM) will take place in Sarajevo, Bosnia and Herzegovina. The participants agreed with this proposal. Mr. Rizvo welcomed the participants, emphasizing the important role of the Expert Working Group (hereinafter: the EWG) of observing the application and implementation of the Convention and of making recommendations to the CoM.

1. The agenda was unanimously adopted.

2. Mr. Anton Travner, Acting Head of Secretariat, suggested that the Rules of Procedure, the Action Plan, the Memorandum of Understanding and the Work Programme for 2009 be agreed without discussion. These documents were presented at the first meeting of the EWG in Belgrade and amended in accordance with the received comments and suggestions. He informed the participants that he has visited six Contracting Parties under the Tour des Capitals project and received general approval from all six regarding the annual contribution of 10'000€ to the budget of the Secretariat. Still to be visited are the Republic of Bulgaria and Romania.

Conclusion: Participants adopted the Rules of Procedure, the Action Plan, the Memorandum of Understanding and the Work Programme for 2009. These documents will be submitted for consideration at the forthcoming meeting of the CoM.

3. Mr. Anton Travner presented the discussion paper on the rotation of the PCC SEE Chairmanship. Three decisions were to be made regarding the duration, the sequence and the starting date of the first Chairmanship.

A question was raised whether each Contracting Party should finish its Chairmanship by convening a meeting of the CoM. It was agreed that at least one meeting of the CoM must be convened per year. Most participants felt that additional meetings of the CoM would lead to proliferation of meetings. However, Ministerial Conclusions can be adopted more than once a year by silent procedure envisaged by the Rules of Procedure.

Conclusions:

1. Participants unanimously agreed that the first Chairmanship shall begin on 1 January 2010, rotating every 6 months thereupon, following the alphabetical order of the names of the Contracting Parties.
2. Participants unanimously agreed that Albania and Bosnia and Herzegovina have already fulfilled their Chairmanship obligation, since they had assumed informal leadership roles in the PCC process to date.
4. Mr. Anton Travner presented the draft Work Programme for the PCC SEE Secretariat for 2010. In reference to point 2 of the document he stressed the low visibility of the Convention.

Conclusion: Participants unanimously endorsed the draft Work Programme for 2010.

5. Mr. Thomas Pepper presented the draft PCC SEE Manual and the draft Chapter on Cross Border Surveillance. He emphasized that the Manual should be seen as a framework based on which the Contracting Parties should write their respective national guidelines.

Conclusion: The participants took note of the progress of the draft PCC SEE Manual and encouraged its further development.

6. Mr. Anton Travner presented the discussion paper on the establishment of Evaluation team(s) on Data Protection and burden sharing as well as the Rules of Procedure for Data Exchange.

It was established that RoP for Data Exchange was a very important and necessary document for the implementation process.

Conclusion: Participants agreed that all written remarks should be submitted within 15 days. The Secretariat will harmonize the document with the remarks and prepare a final version, which will subsequently be sent to the CoM for adoption.

7. 7/a Mr. Stanislav Veniger presented the overview of the implementation agreements. Since only Bosnia and Herzegovina and Bulgaria provided information, the overview was curtailed. He emphasized the importance of receiving information on all existing agreements among the Contracting Parties, regardless of the timing of their adoption (i.e. also before the Convention came into force).

Ms. Barbara Schrotter presented the discussion paper on bilateral and multilateral agreements and arrangements on police cooperation. The Contracting Parties offered to prepare, together in teams of 1 International Partner and the Secretariat, the draft provisions in the following areas: Macedonia will prepare the draft provision on

Witness Protection; Montenegro on Hot Pursuit; Bosnia and Herzegovina on Cross-border Surveillance; Serbia on Controlled Delivery; Albania on Undercover Investigations to Investigate Crimes and Romania on Joint Investigation Teams.

Conclusion: Participants agreed that a complete list of the existing implementation agreements in the areas of Liaison Officers, Witness Protection, Hot Pursuit, Cross-border Surveillance, Controlled Delivery, Undercover Investigations to Investigate Crimes, Undercover Investigations to Prevent Criminal Offences, Technical Measures for Facilitating Trans-border Cooperation, Joint Investigation Teams, Mixed patrols and Cooperation in Common Centre should be submitted within 15 days. The Secretariat will resend the letter regarding the Action Plan sent to the Contracting Parties on 6 April 2009.

7/b Ms. Barbara Schrotter held a presentation on the ILECU's project. She presented a brief state of play, guidelines and next steps.

There were no conclusions.

7/c Mr. Matthias Fritz presented the state of play regarding the new developments in the area of illegal migration information exchange and risk analysis in the Western Balkan Region.

Conclusion: Both FRONTEX and Moldova will consider the possibility of Moldova joining the Memorandum of Understanding which is the basis for illegal migration information exchange. The Memorandum was signed in Skopje, Macedonia this year.

8. Mr. Mitja Močnik and Mr. Corneliu Dragne from SECI Center reported on the Common Threat Assessment on Organized Crime in South East European Region (SEE OCTA).

Ms. Suzana Ivanovič took the opportunity to address the participants in reference to the SEE OCTA. She informed the participants that the SEE OCTA project started under the Slovene EU presidency and that it represents the implementation of Article 7 of the Convention. She informed them on the forthcoming 9th conference of the Brdo Process. The main topics of this ministerial gathering will be:

1. Report on the Common Threat Assessment on Organized Crime for Southeast European Region (SEE OCTA). It is anticipated that priorities based on the SEE OCTA report will be adopted. These priorities for action are important in the area of intelligence lead policing.
2. Ministers will be acquainted with the results of the project on the transfer of EU good practices and 16 recommendations in the area of fight against terrorism among South East European countries, initiated by the Brdo process. Ministers will adopt guidelines for further work in this field.
3. Ministers will also have a discussion on visa liberalization, which is an important step in the accession process of Western Balkan countries to the EU.

Conclusion: The participants agreed that SEE OCTA should be recognized as implementation of Article 7 of the Convention.

9. Mr. Stanislav Veniger presented the state of play regarding the standardized training on Convention related matters for Bulgaria. He emphasized the importance of receiving inputs from the remaining seven Contracting Parties on this manner in order to prepare a strategy paper foreseen under activity 5/a of the Action Plan.

Conclusion: Participants agreed to submit their inputs within 15 days. The Secretariat will resend the letter regarding the Action Plan sent to the Contracting Parties on 6 April 2009.

10. Mr. Samir Rizvo informed that the second meeting of the CoM will take place on 30 September in Sarajevo, Bosnia and Herzegovina.

Mr. Anton Travner presented the draft agenda for the second meeting of the CoM and the draft Ministerial Conclusions.

Conclusion: Participants agreed that all written remarks should be submitted within 15 days. The Secretariat will harmonize both documents with the remarks and prepare a final version.

11. 11/a Ms. Nerimana Kadić presented the proposal for a Coordination Centre for Border Police Cooperation located in Sarajevo at premises of the BiH Ministry of Security, the idea originating from the 2006 Sarajevo Declaration of DCAF's Border Security programme. She presented the background of this initiative, the concept and preconditions for the establishment the Coordination Centre.

Ms. Vesna Dorevska took the opportunity to inform the participants on the National Coordination Centre for Integrated Border Management already fully operational with EC funding and equipment since 2007 and pointed at the danger of duplication of efforts.

Mr. Nikolle Ndoci vetoed the issue, indicating that it presented both an overlap with the current work done in the Working Group on Integrated Border Management, where experts from all five DCAF BS programme countries coordinate identical issues as well as pointed to discrepancies between the number of countries involved in the planned Coordination Centre and the larger number of EWG members.

Ms. Barbara Schrotter asked for clarification on the funding of the Centre as well as on required coordination between ILECUS and FRONTEX. Both issues were explained as currently not specified by BiH.

Conclusion: The EWG decided that the Macedonian National Coordination Centre for Integrated Border Management will be included in future debates of the EWG. The EWG took note of the BiH proposal (with Albania voicing concerns) under the provision that the mandate and tasks of this Centre are to be precisely defined and in accordance with the Convention. Considerations should be made on how to involve Bulgaria, Moldova and Romania, however, DCAF's BS Programme and BiH were asked to clarify legal, financial and national issues before taking further steps.

11/b Mr. Stanislav Veniger presented the state of play regarding the setting-up of Common Centres. He emphasized the importance of receiving inputs from all Contracting Parties on this manner in order to define suitable locations for Centres as foreseen under activity 6/b of the Action Plan.

Ms. Barbara Schrotter presented the discussion paper on the strategy of setting-up Common Centres. She emphasized that the establishment of Common Centres was endorsed by the CoM as a key priority in the implementation of the Convention. She informed the participants that Austria will assess the possibility of EU funding for their establishment.

Conclusion: Participants agreed to submit their inputs within 15 days. The Secretariat will resend the letter regarding the Action Plan sent to the Contracting Parties on 6 April 2009.

11/c Mr. Thomas Pepper informed the participants on the state of play regarding the 3rd Police Cooperation meeting in Bosnia and Herzegovina.

There were no conclusions.

11/d Mr. Anton Travner presented the draft Communication Strategy for the Contracting Parties. A Communication Strategy was already presented at the first meeting of the EWG; however it included only the Secretariat's communication objectives, key messages, target groups, communication channels and tools.

Conclusion: Participants agreed to submit their inputs within 21 days.

11/e A discussion was held regarding the translation of the Secretariat's webpage into the Contracting Parties local language/languages.

Conclusions:

1. The participants unanimously agreed that further discussion on the translation of the Secretariat's website is needed.
2. The Contracting Parties unanimously agreed that they will immediately place a link to the Secretariat's website on their respective websites. The Secretariat will do the same for their websites.

Mr. Samir Rizvo and Mr. Anton Travner thanked all the participants for their participation and feedback. Participants thanked the Secretariat for the organization of the event and for the activities.