



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 May 2009

9698/09

ENFOPOL 113

NOTE

from:	Terrorism Working Party
to:	Article 36 Committee
Subject :	Implementation of the Council Conclusions on the co-operation with Western Balkan countries on the fight against organised crime and terrorism - interim report

Delegations find in annex an interim report on behalf of the Terrorism Working Party on the implementation of the Council Conclusions on the co-operation with Western Balkan countries on the fight against organised crime and terrorism.

The Article 36 Committee is invited to take note of the activities of the Terrorism Working Party in the field.

Implementation of the Council Conclusions on the co-operation with Western Balkan countries on the fight against organised crime and terrorism - interim report

In June 2003 the Thessaloniki European Council, recalling its conclusions in Copenhagen (December 2002) and Brussels (March 2003), reiterated its determination to fully and effectively support the European perspective of the Western Balkan countries, which will become an integral part of the EU, once they meet the established criteria.¹ Their progress has later been recognised in the Communication from the Commission to the European Parliament and the Council - Western Balkans: Enhancing the European perspective in March 2008.²

The European Council of 17 and 18 June 2004 emphasised the need to fully integrate the fight against terrorism into EU external relations policy and outlined the importance of establishing a close link between internal activities and the use of external instruments.³ The Council Conclusions on co-operation with Western Balkan countries on the fight against organised crime and terrorism, approved by the Council on 8 July 2008, identified the need to enhance cooperation between the EU Member States and the Western Balkan countries in the field of security.⁴

In that purpose, the Czech Presidency has continued, in close cooperation with Slovenia, Europol and the Council General Secretariat within the Terrorism Working Party, to implement the objectives defined in the abovementioned Council Conclusions. The Czech Presidency has stressed the spirit of mutual understanding and added value as well as the respect for the existing instruments and measures in the Western Balkan states in implementing the Conclusions.

The Czech Presidency has taken forward a series of steps initiated during the Slovenian Presidency and continued during the French Presidency in the framework of the Conclusions. It has given special attention to the initiative of sharing best practices with the Western Balkan countries in the field counter-terrorism, as agreed by the Terrorism Working Party in February 2008.⁵

¹ 11638/03

² 7702/08

³ 14456/2/04 REV 2 EXT 1

⁴ 10931/08

⁵ 7186/08

The initiative would be carried out according to an adapted model of the EU peer evaluation on counter-terrorism arrangements. Preparatory meetings between the representatives of EU Member States and Western Balkan countries are being held and contacts between competent experts are being established. Nine most relevant recommendations for the Western Balkan countries have been picked out from the sixteen general recommendations¹ defined at the end of the first round of the EU peer evaluation:

- No 1: Political coordination of counter-terrorism efforts (EU recommendation no 1)
- No 2: Coordination of prosecutions (EU recommendation no 3)
- No 3: Inter-agency co-operation (EU recommendation no 4)
- No 4: Information collection (EU recommendation no 6)
- No 5: Police training (EU recommendation no 8)
- No 6: Border control (EU recommendation no 9)
- No 7: The use of intelligence as evidence (EU recommendation no 10)
- No 8: Providing the legal base for a range of investigative techniques (EU recommendation no 11)
- No 9: Secure communications systems and security clearances (EU recommendation no 12)

At the 8th Regional Conference on Illegal Migration, Organised Crime, Corruption and Terrorism, held in the framework of the Brdo Process in October 2008, a broad political consensus was reached to develop counter-terrorism cooperation between the EU and the Western Balkan area. Furthermore, the following Western Balkan countries agreed to participate in the initiative of sharing best practices (to be confirmed in an official letter): Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and the Former Yugoslav Republic of Macedonia. By May 2009, formal agreements have been received from Bosnia and Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia.

In order to familiarise the relevant authorities of the six interested Western Balkan countries with EU national counter-terrorism arrangements and efforts to combat terrorism, preliminary visits to these countries are being organised with the following objectives:

¹ 12168/3/05 REV 3

- introducing the main aims and the context of the EU counter-terrorism peer evaluations,
- presenting the first round of peer evaluation, its outcomes and recommendations,
- explaining the added value of the nine general recommendations from the first round of the peer evaluation,
- pointing out that the recommendations were a strong tool for improving national counter-terrorism structures, in particular because they helped to push forward amendments to the national legal framework,
- determining relevant contact points and establishing cooperation relations to carry out the initiative.

From July 2008 to March 2009 preliminary visits were held in Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Serbia and Croatia while visits to Montenegro and Albania are planned to May and June 2009 and would thus be completed by the end of the Czech Presidency. The initiative will continue during the incoming Swedish Presidency.

Representatives of Europol have actively participated in the preliminary visits with a view to drafting a threat assessment by autumn 2009 reflecting possible common threats and challenges for both the EU Member States and the Western Balkan countries.

In addition to the preliminary visits, two Western Balkan related meetings have been held during the Czech Presidency:

- Meeting of Western Balkan EU Lead Nations Liaison Officers in Zagreb on 11-12 February 2009

The main objective of the meeting was the exchange of operative and strategic information related to the Western Balkan region with a special focus on terrorism and organised crime related issues. The role of liaison officers was identified as crucial.

- Eurojust Counter-Terrorism Seminar with the EU and Western Balkan countries in Prague on 4-5 May 2009

The event was organized by Eurojust in cooperation with the Ministry of Justice and the Ministry of Interior of the Czech Republic. During the seminar representatives of Western Balkan authorities presented the counter-terrorism structures, the legal framework and case studies in their countries. Participants from Eurojust, Europol, Austria and Slovenia also introduced counter-terrorism activities at national, regional and EU level.

The seminar aimed to facilitate the exchange of information on counter-terrorism, to identify appropriate methodologies for investigation and gathering evidence as well as to establish ways to reinforce police and judicial cooperation between the EU Member States and the Western Balkan countries.

Resulting from the debate, the following recommendations were agreed upon:

- there is a need for concrete actions to improve counter-terrorism capabilities, especially in the field of education and training;
- an informal network of judicial and law enforcement contact points specialised on terrorism should be set up between the EU and the Western Balkan countries;
- judicial cooperation between national authorities has to be reinforced; and
- cooperation between Eurojust and Europol as well as between Eurojust and Western Balkan countries should be enhanced.