



Republic of Serbia  
Ministry of the Interior

Republic of Serbia  
Ministry of Justice

**REGIONAL CONFERENCE  
OF THE  
MINISTRY OF THE INTERIOR  
AND  
MINISTRY OF JUSTICE**

*Challenges and achievements of the regional and transnational cooperation in fight  
against organized crime in the territory of the Southeast Europe*

**Belgrade, 29-30 November 2011**



**Serbian Chairmanship-in-Office of the Southeast European Cooperation Process**



*Referring to* the Charter on good neighborly relations, stability, security and cooperation in Southeastern Europe, as of 12 February 2000;

*Referring to* the European Union and Western Balkans Summit in Thessaloniki, on agenda set out in Thessaloniki on 21 June 2003, as well as to the European Union-Western Balkans Forum as of November 28 2003, on which occasion was established that fight against organized crime and corruption was a priority issue;

*Referring to* Conclusions from the Regional Ministerial conference of the Ministers of Justice and Interior "Strengthening regional and transnational cooperation as a prerequisite for successful fight against organized crime in Southeast Europe", held on 3rd and 4th of October 2010 in Belgrade; referring to Conclusions and the Common Declaration of SEECP Ministers of Justice and Home Affairs regarding the endorsement of the Regional Strategic Document 2011-2013 and the Action Plan for its implementation adopted by the Regional Conference of the Ministers of Justice and Ministers of Interior of South East Europe countries Strengthening Co-operation in the Fight against Organized Crime in the South East Europe" held on 17th and 18th of March in Budva; referring to Conclusions of the Western Balkan Conference of the ministers of justice held on 15 April 2011 at Brdo pri Kranju, so called "Brdo Process", as well as to the Conclusions from the EU-Western Balkans Ministerial Forum on Justice and Home Affairs organized in Ohrid 3-4 October 2011, in the presence of ministers of justice and ministers of interior of the Western Balkans ;

*Having in mind* holdings from regional preparatory gatherings of experts from Western Balkan countries and European Union held in Sarajevo, on 19th and 20th of July 2011 and 28th of November 2011 in Belgrade, on direct execution of court decisions in civil and commercial matters, on jurisdictional network of judges in jurisdictional atlas in the region and in Belgrade, as of 7th and 8th of November 2011, on international legal assistance in criminal matters,

Determined to fight against organized crime and corruption through strengthening of regional cooperation at political and operational level, between jurisdiction and interior authorities, based on the United Nations Convention against Transnational Organized Crime (Palermo Convention) and additional Protocols, United Nations Convention against Corruption (Merida Convention) based on London Declaration on Organized Crime in Southeast Europe as of 25 November 2002, Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (ETS 198), Council of Europe Conventions on Extradition (ETS 024), on Mutual Assistance in Criminal Matters (ETS 030), on the International Validity of Criminal Judgments (ETS 070), on the Transfer of Proceedings in Criminal Matters (ETS 073), the Additional Protocol to the European Convention on Extradition (ETS 086), the Second Additional Protocol to the European Convention on Extradition (ETS 098), the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS 099), the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141), the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS 182),

Convention on Police Cooperation in Southeast Europe and Convention of the Southeast European Law Enforcement Center (SELEC);

*Conference participants, ministers of justice and ministers of the interior* from the Southeast Europe region states and their authorized representatives, together with present representatives of the international organizations, at the plenary session of the Conference held on 30 November 2011 in Belgrade, adopted the following:

## CONCLUSIONS

1. There is an outstanding need and necessity for continuous promotion of regional cooperation between the conference participants, particularly in fight against organized crime, corruption and other severe forms of crime.

2. Promotion of cooperation in region shall continue through full implementation of the existing multilateral legal framework (Council of Europe and United Nations Conventions), as well as through continuance of establishing bilateral legal framework between all countries in region, in accordance with achieved level and progress and through continuance of cooperation between countries in region in accordance with specific relations, requirements and possibilities, aiming to raise level of mutual trust, and also through increase of technical and operational capacity of central executive authorities for international legal assistance, judicial authorities and police, further elaboration of modern forms of cooperation and existing trends and initiatives and possibilities for their implementation."

3. Participants agreed on creation of regional expert team that would consist of central executive authorities (on the level of assistant ministers/heads of international legal assistance directorates) with other experts from each interested country of the Southeast European region, i.e. Western Balkans, depending on problem and interest, with a task to monitor regional cooperation in criminal matters through regular meetings and consultations, to analyze condition and implementation of the legal framework, propose measures for removal of observed difficulties in cooperation, than to consider possible ways of efficiency increase in judicial cooperation through increase of existing instruments in accordance with principles of judicial cooperation, developed through *acquis communautaire* of the European Union, with support from experts from EU Member States and other interested countries and experts from RCC, UNODC, OSCE, SE and other international organizations.

Participants from Western Balkan countries agreed that regional expert team, *inter alia*, continues with further elaboration of options for establishment of regional multilateral instrument, such as regional warrant for deprivation of liberty, taking into consideration developed practice and effects of implementation of the European Arrest Warrant in EU countries (ENH-Council Framework Decision 2002/584/JHA of 13 June 2002 on the

European arrest warrant and the surrender procedures between Member States) , as one of the possible responses to challenges of organized crime in the region.

Regional expert team will be formed on the initiative of the minister of justice of interested country, and the regional expert team shall inform ministers and international organizations involved, on its activities on regular basis.

4. There is a need for further promotion of judicial cooperation in the Southeast European region in civil and commercial matters, which would contribute to more efficient fight against organized crime, by cancellation of material effects of organized and all other forms of crime, whereby better conditions for freezing or confiscation of proceeds of crime would be created.

5. Participants agreed to creation of regional expert team- similar to conclusion under item 3, in the same way and with identical objectives and tasks- made of representatives from the countries of Southeast European region, i.e. Western Balkans, for promotion of judicial cooperation in civil and commercial matters.

Participants agreed to continuance of activities regarding realization of objectives formulated by the Republic of Slovenia (within the regional expert team for civil and commercial matters) during the regional ministerial conference held at Brdo near Kranj, on April 15 2011., based on the principle of *acquis communautaire* of the European Union, for the purpose of establishing regional multilateral instrument for international recognition of court decision, and particularly taking into consideration Ruling from the European Council Regulation (EC) 44/2001 as of 22 December 2000 on jurisdiction, acknowledgement and execution of decisions in civil and commercial matters and The Lugano Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters , signed on 16.9.1988,88/592/EEC (new Lugano Convention -) with the support of experts from European Union countries and other interested countries and international organizations.

6. Participants particularly welcome readiness of the Regional Cooperation Council to organize a meeting of regional expert teams for criminal, i.e. civil and commercial matters- immediately upon receipt of notification from their respective members- followed by participation of representatives of central authorities of Southeastern Europe Cooperation Process countries (SEECp) and with support from Open Regional Fund (GIZ).

Participants call Council of Europe, UNODC, OSCE and other international organizations to support future work of the regional expert teams.

7. For the purpose of further promotion of mutual trust and direct cooperation of judicial authorities between countries and regions, as well as for the purpose of better cooperation with EU Member States, particularly regarding fight against organized crime, Conference participants consider establishment of cooperation with the European judicial network in

criminal matters to be useful, as well as with the European Judicial Network in civil and commercial matters. European Union is asked to consider possibilities to provide all potential candidates for membership to EU with possibility to involve into the European judicial network and with use of its tools such as European Judicial Atlas.

8. It has been concluded that various bilateral agreements on police cooperation and fight against organized crime, corruption and severe forms of crime were concluded between the states of the SEE region, and that it is still required to work on their implementation, as well as on implementation of relevant Conventions of the Council of Europe in the field of confiscation of proceeds of crime, corruption and recommendations of Council of Europe monitoring bodies and ratification of the latest convention of the on forged medical products.

9. Participants agreed that there was a progress in creation of special organized forms of the police for the purpose of regional operational international cooperation through implementation of adopted international conventions (for example, PCC, SEE and SELEC), such as joint centers for cooperation of the law enforcement agencies in fight against organized crime and joint centers for cooperation of border police and customs, as well as that work on establishing their full functionality would continue.

10. Conference participants express their pleasure due to creation of new organizational forms of integrated services for international operational police cooperation within successfully terminated ILECUS project. Fact that initiated activities continue through project DET-ILECUS 2 shows the significant of the project itself.

11. Efficient fight against organized crime requires multidisciplinary and multiple approach, and therefore it is required to intensify practice of creating joint investigation teams. Both EU Member States and relevant international organizations are invited to continue with providing support to the states of the Southeast Europe region in introduction of this practice into modern methodology of policing.

12. The participants also welcomed regarding entry in force of the SELEC-Convention on 7 October 2011, and regarding creation of the Southeast European Law Enforcement Center (SELEC). Participating states shall continue to intensively use operational and strategic capacities of this center aiming accomplishment of even better results in fight against organized crime.

13. Observing prevalent ongoing issues of organized crime, it has been concluded that growing presence of cyber-crime must be taken into consideration, not only as an independent form of criminal activity endangering security of the states of the region, but also as a form of support to other forms of crime. It was concluded that it was required to work on development and promotion of all forms of international cooperation related to information security of the states in the region and taking measures regarding countering new forms of cyber-crime through creation of legal frameworks and through appropriate organizational forms.

14. Participants concluded that it was required to put additional efforts in order to further improve cooperation in the region regarding international legal assistance and monitoring and in returning of proceeds of crime. They also agreed that priority should be given to establishment and strengthening of capacities of the units for confiscation of proceeds of crime (AROs), in accordance with standards of the European Union and Council of Europe, and within the ongoing joint project EU/CoE .

15. There is a hope that in recent future operational agreements between potential candidate states for EU membership and EUROPOL shall be established which would strengthen their readiness to counter organized crime at external EU borders, and create conditions for safe exchange of operational information with EU Member States through EUROPOL channels. Also, particular interest has been expressed that in the near future official agreements on strengthening judicial co-operation will be signed between EUROJUST and Western Balkan countries that are not EU Member States..

16. It was concluded that it was required to inform civil society sector on policy and measures taken for the purpose of fight against organized crime and Southeast Europe, and therefore ask for public support for such policies.