

Dear Ministers, Excellencies, Ladies and Gentleman

First of all, allow me to congratulate the Organisers for the excellent Conference. Due to the fact that this Conference is the third in row, I believe that the Serbian initiative is contributing to the process with great added value.

Due to the fact, that Session four is dedicated to the **Mechanisms of Improving International Police Cooperation in Combating drug trafficking** I'll try to be as specific as possible. Several speakers yesterday and speakers before me already listed several ideas and possible solutions to increase the quality and quantity of Law Enforcement cooperation. Strictly, from the perspective of the PCC SEE, I would like to highlight 4 areas.

### **1. Area – LEGALITY**

Two excellent regional legal instruments already exist. As Mrs Malmström pointed out yesterday, the PCC SEE and SELEC convention present almost an ideal legal base for all forms of regional police cooperation. And as reported yesterday by the respective ministers the national legislation has been upgraded in all SEE states.

So, the question is – Is there room for improvement? I've been told once that the biggest room in the world is the room for improvement, and here, in the area of legality, I see several opportunities or needs.

- a. Data protection. Protection of human rights has the same importance as fight against OC. The sufficient protection of the right to privacy – personal data protection is the ultimate precondition (*condictio sine qua non*) for any exchange of information containing personal data. And exchange of information, including personal data, is the crown or basis of any police cooperation. With exchange of data investigations begin and end. Several Contracting Parties to the PCC SEE already fulfill this precondition (Austria, Albania, Bulgaria, Macedonia and Romania). When all remaining CPs fulfil this requirement that will be the IMPROVEMENT.
- b. BI-lateral agreements. Since 2008, a lot of bilateral implementation agreements have been signed, however before we will be able to declare that the PCC SEE is implemented in full scale, many implementation agreements still remain to be negotiated and signed. You know that the devil lies in details.
- c. National legislation. In general all states declared that they have adjusted their national legislation to the superior convention. Nevertheless, I'm convinced that the implementation of the PCC SEE will show some needs for additional changes in the national legislation. Moreover - The room for improvement lies in by and sub laws and instructions. On top of that the PCC SEE Secretariat has prepared a Police Cooperation Convention Manual. Several CPs have already translated it to their national languages and some CPs are about to do so.
- d. And last but not least in the area of LEGALITY. If the states would like to use full support of EUROPOL, and this support is crucial, the OPERATIONAL AGREEMENT NEEDS TO BE SIGNED. To be able to do so, some reforms are needed (data protection.

**2. The area of KNOW HOW. The PCC SEE offers a full set of the most advanced tools such as:**

- JITs
- Cross border Controlled delivery,
- Cross border Undercover Investigations,
- Cross border observations and
- Exchange of any kind of information for investigation and prevention and so on.

Almost all tools are new for the law enforcement officials within the region. They are trained how to execute covert measures in their states, however things change when they cross the border. Exercises we performed in all SEE states show a lot of gaps and problems. From banal errors ( no foreign currency for gasoline or no roaming for mobile phones) to extremely serious obstacles (police officers were not aware of their powers abroad or the jurisdiction). With the support of the EU Commission we provided training on JITs. As outcomes of the project, the JIT manual, draft agreements, overview of legislation and some other products, were delivered. The problem I see is that prosecutors and police officers in some states are not fully aware that they can use such kind of tools as we speak.

Therefore, the room for improvement is also in training and transfer of know how. I'm convinced that a lot of know how exists in the SEE states (at least the PCC SEE Secretariat provides training for some individuals coming from all SEE states – it shall be shared within the LEA and the gaps found during the exercises shall be amended.

**3. The area of MUTUAL TRUST.**

It is useless if there is a perfect legal basis, the knowledge and means for cooperation, and the police officers in sensitive cases don't trust each other. In the cases we were informed about yesterday such kind of trust was present, but are we aware how many cases were not shared with neighbouring or other states although they should have been? Building mutual trust is a sensitive and long term activity. Regular meetings of specialized officers are a possible answer. In this regards, during the last meeting of the PCC SEE Expert Working Group, we proposed to establish a JITs network and Surveillance Expert network (SENSEE). We hope that the states which expressed their reservations on the establishment of such kind networks will reconsider their decision. Macedonia has already informed us that they support the establishment of the above mentioned networks. In this moment only one reservation remains.

**4. The last area I would like to highlight is the area of RESOURCES.**

Speaking about resources I bear in mind both – human resources and technical resources. Fight against serious forms of crime requires many investments.

National police forces should have enough highly educated, trained and skilled staff with experiences. I believe that this area is the most difficult one. It is easy to sign agreements, change the

legislation, buy equipment, but staff matures over time. Once again, it is a long lasting process. If we would like to have highly trained, skilled and experienced officials in 10 years, we have to start now. And secondly, officers should be trained constantly, during their entire professional career. And when we have them, sometimes it is problem how to keep them. Cross border cooperation is expensive. Sending people abroad is necessary; however it increases the costs rapidly. And last but not least , it is necessary to have some special equipment. Exercises in Cross borer undercover observations show that most of the states do not have the appropriate equipment.

I believe that I listed a long set of possible and required improvements. In the PCC SEE Secretariat we are more than willing to support our contracting parties and I'm convinced that we can provide sufficient expertise, but unfortunately we are limited with financial resources.

Thank you very much.