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## **Europol experiences of cooperation in the Western Balkans**

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**Regional Conference of the Ministers of Interior and Ministers of  
Justice.**

**Facing the challenges of Organised and Serious Crimes in the  
Western Balkans**

**“Strengthening regional and transnational cooperation as a pre-  
requisite for successful criminal proceedings”**

**Belgrade, Serbia**

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Honourable Ministers, dear Colleagues,

Firstly, on behalf of the Director Mr Wainright, I would like to thank you for having invited Europol to this prestigious and important conference.

Let me first mention that increased cooperation with the Western Balkan countries is not only requested at the political level but is also a necessity for our operational needs. Europol strives to facilitate the flow of information and intelligence from and within the Western Balkan region because organised crime affecting the EU very often originates or has links with the region. This is reflected in the European Union Organised Crime Threat Assessment report (OCTA).

However, the countries of the Western Balkans are also a priority for Europol because Europol and the EU Member States will benefit from solid law enforcement capacity structures and procedures in the region, in anticipation of possible future EU Enlargements.

In 2007, the Europol Management Board adopted a Western Balkan strategy which laid down 5 specific objectives to strengthen Europol's role in the Western Balkans. The objectives were established 2 years ago, but they remain valid and I am going to give you a brief summary of the achievement so far.

I should now like to expand upon these five objectives:

### **1. Implementation of bilateral cooperation agreements:**

Europol works with non EU states under the terms of a cooperation agreement. This provides a legal basis for exchanging information. The first objective therefore aims at a better, pro-active, implementation of the bilateral cooperation agreements with the Western Balkans countries.

Since 2007 all Western Balkan countries have signed strategic agreements with Europol. Strategic agreements allow for the exchange of non-personal data

only. Significant progress has been made in the implementation of these agreements with awareness workshops held both in The Hague and in the region. As a consequence, exchange of strategic information with all Western Balkan countries has considerably increased. Some countries are adapting their internal police structure in order to better fit in with Europol's working methods. Albania intends to send a liaison officer to Europol, and Croatia has had a LO present in Europol since early 2008.

All countries of the region, namely Albania, Bosnia-Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia, have expressed their willingness to make the cooperation even closer and to conclude an operational agreement with Europol in the future. An operational agreement will make it possible to exchange personal data. Such an operational agreement is only possible provided that data protection measures in place in the 3rd country meet EU standards. This means a lot of work for both Europol and the 3rd State to create a report on the state of data protection legislation and practice within the 3<sup>rd</sup> country. This document then informs the decision makers in the Europol Management Board and at Council level upon which further negotiations of the agreement depend.

The current situation regarding the implementation of cooperation agreements is seen as follows:

- Croatia – operational agreement in place;
- Albania, Bosnia and Herzegovina, FYROM, Montenegro, Serbia – strategic agreements in place;
- Croatia, and FYROM – have a secure communication link with Europol in place, whilst work is currently in progress to create a secure link with Bosnia and Herzegovina.

## **2. Support and coordination of Member States Liaison Officers:**

A number of member states have positioned Liaison Officers in the Western Balkan countries. Their task is to improve the bi-lateral operational cooperation

between sending and host country. Europol's objective here is to offer support to the LO network and to offer a coordinating assistance, such that their work can also contribute to the centralised tasks that Europol carries out on behalf of all member states. In this way, the work of the LOs can take on a multi-lateral dimension. It must be emphasised that ultimately the LOs belong to the sending Member State; they fund them, and they task them. Accordingly Europol has no right of direct tasking towards the LO's; Nevertheless, a Council Decision does encourage closer interaction, so Europol does try to benefit from, and offer assistance to the LO network where and when possible.

Currently, Europol is a key player in the six-monthly meetings for liaison officers which are organised by each Presidency. The last meeting of this type took place here in Belgrade only last week and again provided an opportunity for the collective liaison officers, and their Western Balkan counterparts to meet together and share facts and experiences.

### **3. Cooperation with EU Police Missions:**

The EU currently has a number of Police Missions, Established in the framework of the European Security and Defence Policy (ESDP). The third objective of Europol aims at improving cooperation between Europol and the EU Police Missions in the region.

Currently there are two such Police missions in the Western Balkans, each with quite different characteristics:

- The EU Police Mission in Bosnia and Herzegovina is responsible for establishing, a sustainable, professional and multi-ethnic police force operating according to EU and international standards. Accordingly, Europol's contact with EUPM is mostly regarding training, capacity building and exchange of strategic information. On 1 August 2008, an administrative arrangement was concluded between Mr Solana, the Secretariat General of the Council and the then Director of Europol, Mr Ratzel. This arrangement

allows Europol and all civilian ESDP police missions to exchange strategic information, via the Council General Secretariat. This means that ESDP police missions will be able to contribute to the OCTA for instance by sending strategic reports and assessments to Europol, excluding personal data.

- The EULEX mission in the Kosovo region is quite different. As well as the monitoring and mentoring roles already mentioned for the Bosnia mission, the Kosovo mission also has executive powers. This means that they will hold personal / operational data which could be of value to Europol. In November 2008, the JHA Council called on the Member States to implement an information exchange mechanism allowing Europol and EULEX Kosovo to exchange personal data via the National Units. Europol has now successfully implemented this mechanism using the services of three Member States (Finland, Sweden and UK) who volunteered to perform the intermediary function.

#### **4. Support to the ILECU Project:**

This European Commission funded project is managed by the Austrian Ministry of Interior. It will create in each Western Balkan country an International Law Enforcement Cooperation Unit (ILECU) which will act as the single focal point for all international requests for assistance coming into or going out of the country. This will include contact points for cooperation with Europol, Frontex, Interpol and SECI Centre all under one roof. This has the potential to deliver huge operational effectiveness and efficiency benefits. Europol can also realise big benefits from the creation of such ILECUs, and accordingly our objective here is to contribute fully to the successful delivery of the project.

Europol is supporting the Austrian Project Team in the capacity of a key advisor. Currently, gap analyses are being done in each country in relation to the "Ideal ILECU" model which was based on the "Ideal ENU" model previously elaborated by the Heads of Europol National Units. A second phase of the ILECU project is already being proposed by Austria in partnership with

Germany which will aim to fight against organized crime, in particular illicit drug trafficking, and the prevention of terrorism. It will also focus on the related economic crimes and asset seizure

## **5. Support to the SECI Centre:**

The fifth objective is to foster better cooperation with the SECI Centre. The role of the SECI Centre is to provide an operational platform for coordination and cooperation in the Balkan regions. Accordingly it is important to coordinate and compliment our activities, rather than allowing duplication or competition to occur. Europol regularly participates in the meetings of the “SECI Support Group” (established by the CATS and chaired by the EU Presidency) which is currently engaged with considerations of the future of SECI, in particular regarding the drafting of the South East Europe Law Enforcement Convention (SELEC).

In order to recognise the driving role of Europol as the EU body for the fight against serious crime, it was important to ensure that the SELEC Convention contained the appropriate references to cooperation with Europol. Under the auspices of the SECI JCC the SELEC Convention was re-drafted one final time, with input from Europol, the Commission and the Presidency with the result that the future relationship between Europol and SELEC should be assured.

Europol has also played a major role in supporting the production of the South East Europe OCTA which was delivered last month at the Ministerial meeting in Brdo, Slovenia.

To conclude, I would like to say that the Western Balkan region is not only a priority from an operational point of view for Europol, but it is a priority because all these countries have a vocation to join the European Union in the future. Europol and the Member States have a vested interest in helping them to achieve EU standards as soon as possible. This will not just reduce the crime problem emanating from the region but will also make the competent authorities in the region better partners for

Europol to work with. In this way all of you can join our effort to make the European Union a safer place.

Thank you very much for your attention.