

Minutes of the Meeting

1. Introductions and Opening Speech and Input of the Republic of Montenegro to the processes of eSEEurope Initiative

Mr. Bernard Snoy, *Director of WTII of the Stability Pact*, thanked the Montenegrin hosts, the eSEE Working Group for their active contribution to the realization of the Initiative's goals, and to UNDP for supporting eSEE Secretariat, an executive arm of the Initiative which is addressing both day-to-day and strategic needs of the Initiative.

Dr. Marijana Vidas-Bubanja, *the Chair of eSEE Initiative*, welcomed **Ms. Elica Perchinkova**, a newly appointed senior policy official who, after a pause in attendance of Macedonia will now regularly follow and contribute to the working group meetings.

In his opening speech, **Mr. Dusan Simonovic**, *Secretary of the Secretariat for Development of Republic of Montenegro*, stressed the awareness in the Government about the importance of Information Society as a clause to the common future of SEE Region and outlined their commitment to the goals of eSEE Initiative. The orientation of Montenegro, **Mr. Simonovic** said, is to be an ecological and information state, and for achieving these strategic interests they believe to have favorable political and economic circumstances.

Stabilization of the political environment in Montenegro, as well as the international community taking interest in the entire progress of this region, encourage their striving for a democratic, European, both technologically developed and integrated Montenegro. "e-SEE is not only courteous idea for us. Rather, Montenegro sees this Initiative as an opportunity to utilize the effects of synergetic activity with other countries in the region, to use experience of others, but to also make available its knowledge and capacities", **Mr. Simonovic** concluded.

2. Report on the latest breakthroughs of eSEE Initiative

Mr. Snoy recapitulated the overall progress, emphasizing that eSEEurope is now often referred to as the most important regional cooperation initiative. The key of success of this group is in establishing an effective regional cooperation mechanism and its complementarity with the EU standards and Lisbon Agenda. In particular, **Mr. Snoy** referred to eSEE Initiative being presented at the World Summit for Information Society in December 2003 as a best practice Initiative. The recent signing of the Joint Statement by the SEE ministers to build an inclusive Information Society in the context of the European Ministerial conference for Information Society (EMCIS 2004) in Budapest on 26 February 2004, is another important breakthrough. In addition to the ministerial signing, the eSEE Working Group had an excellent share in the Conference conclusions, while the Initiative was represented by the Croatian minister **H.E. Mr. Dragan Primorac** in the context of the Thematic session 1: National eStrategies and Action Plans. An important element in the Statement was the emphasis on liberalization of telecommunications, adding that the Statement and the role of eSEE Initiative was very well taken by the EC. **Mr. Snoy** thanked the working group and the supporting organizations, particularly to INA for their support in the

process of the drafting of the Statement and for actively backing the eSEE Group with advisory capacity.

Dr. Diana Simic, *Deputy State Secretary in Central Government Office for e-Croatia and Appointed Senior Policy Official for Croatia*, underpinned that the recent progress of eSEE Initiative was made largely due to the synergic effort of the working group. She elaborated on how a proactive approach and coordinated teamwork of the working group members led to the recent output.

Dr. Marijana Vidas Bujanja elaborated on the progress made between the two events of relevance for eSEEurope Initiative, the first being the signing of the *Statement of Intent* in Ljubljana in June 2002 and the recent signing of the *Joint Statement in Budapest*. By the recent signing all the stakeholders expressed their readiness to jointly address the digital divide by building the inclusive information society, in order to contribute to political stability and regional security, to work closer on economic and cultural issues, to reinforce action on liberalization of telecommunications and to enhance work on legal infrastructure, both on national and regional level. Moreover, this recent breakthrough is another formal step towards closer association with eEurope 2005 and should be regarded as another factor to encourage the continuance of the dynamic work towards the fulfillment of eSEE Agenda. The Chair expressed hope that the European Commission will continue to supply the group with the advisory role and that they will offer additional guidance on concrete terms of future cooperation.

Mr. Branislav Andjelic, *Advisor to the Chair, The Stability Pact for SEE*, elaborated on how we must not lose the sight of the fantastic output and speed of implementation, stressing that the diplomats often comment on how they have never seen an international agreement coming to effect so quickly. A fantastic job has been done over the past year, with little financial resources.

Mr. Snoy, expressed regret that **Mr. Richard Harris**, *Principal Administrator for SEE, DG INFSO of European Commission*, could not attend the Podgorica meeting, even though **Mr. Harris** has sent an e-mail in which he reiterates his support to the working group. **Mr. Snoy** said that he hoped that the important monitoring exercise of the regulatory framework in the countries of SEE will be coming to effect as announced in Tirana meeting. **Mr. Snoy** added that the recognition by The European Commission (EC) of the work that has already been done by eSEE Initiative has been expressed in the important chapter of the EMCIS 2004 conference conclusions. *The Stability Pact for SEE (SP)* is committed to work on translating the broad support and general promises by EC into more concrete actions by working even more closely with the EC. However, one must note that this is *action and reaction* process, which must continue to be primarily driven by the SEE region. To achieve our goals, although we do have the SP as our advocates in Brussels, we must not allow dependence on an input from Brussels. We must always keep in mind that the member state governments have financed the eEurope programme themselves.

Ms. Nera Nazecic, *Head of eSEEurope Secretariat*, presented the *Matrix of fulfillment of eSEEurope Agenda for development of IS*, reminding the group of the suggestion of **Mr. Richard Harris** to harmonize the Matrix with the Acquis Communautaire. As Croatia has already added the EC Acquis reference in the matrix, the renewed document will be distributed to e-Envoys and ASPOs for their reference. **Ms. Nazecic** informed the WG that the Secretariat will start producing the quarterly Newsletter since May 2004, and that PR and visibility work has already been intensified since Budapest conference in order to enhance the awareness about the latest breakthroughs of the Initiative.

Dr. Simic suggested eEnvoys/ASPO to consult the eEurope Plus final report on www.emcis2004.hu, for reference in relation to the list of directives.

Mr. Andjelic recommended to the Secretariat move the updated internal web pages of the Initiative from undp site to .org domain. He also suggested to the Stability Pact to update their home page link to the eSEE Initiative.

3. Benchmarking

Being identified as one of top priorities for the working group in 2004, the working group agreed to hold the workshop on the topic of benchmarking.

Dr. Simic proposed to host the next eSEE Working group meeting in Cavtat on 10 June 2004 as a back-to-back event to *26th International Conference: Information Technology Interfaces ITI 2004* (<http://iti.srce.hr/>). In addition, it was agreed that a two-day methodological eSEE benchmarking workshop will be held on 8 and 9 June 2004.

As a line of action, The Stability Pact will ask for guidance and advice from the EC especially in terms of the issuance of recommendation with respect to identifying the topics and the lecturers. **Dr. Simic** agreed to liaise with the management of RIS Project Slovenia in order to establish cooperation and utilize their extensive experience in this field. INA agreed to provide the draft agenda and their expertise.

The group agreed that all the interested institutions, relevant statistical offices, telecom operators, service providers, representatives of market research and commercial companies should be invited to contribute to this workshop.

In line with the topic, **Ms. Nazecic** presented the progress made with respect to UNDP CO BiH *ICT Sector Status Report*, the project aimed to offer support to the dynamics of the Initiative. The Report will provide a comprehensive and systematic assessment of key policies, projects and programs impacting the ICT sector across the Stability Pact Countries. By cross-analyzing the best practice overview, a description of domicile and international funded ICT related projects impacting the societies will be provided. The creation of this report involves all main stakeholders: government, business community, NGOs, academia, international organizations into the knowledge-based best practice exchange process. Importantly, this report will also offer a possibility to determine a set of region-specific indicators against which e-SEE member countries can be benchmarked and to serve as a potential platform for an exchange of the regional best practices. The Report is to be published in May this year.

Mr. Andjelic strongly appreciated and praised this effort by UNDP to support the working group in addressing the benchmarking issue targeted as a priority for 2004, especially now that the group has decided to hold a Benchmarking workshop in the context of the next working group meeting in Cavtat, raising the following points: To produce a quality Report requires more time. If the training of interviewers was held on March 11-12, no matter what the resources are, a thorough assessment and the final report together can not be done properly in one month time. If the Report is rushed a danger of selecting a faulty set of benchmarks may occur, so it is very important to keep this in mind. In times when resources are scarce, one should make sure that what is available is used in such a way to ensure the full benefits for the Initiative.

Ms. Nazecic said that this is a UNDP CO BiH endeavor, done jointly with the Chair and where possible with e-Envoys in line with eSEE Agenda priorities, with the aim of assisting the Initiative in monitoring the progress by providing an overview of situation in ICT sector in the region. Consequently, extensive and strategic planning has been done since November 2003, while the team of professionals has been engaged accordingly to ensure that the deadlines are met. Care has been taken to ensure that the timelines are manageable and quality report produced.

The Chair said that the scanning procedure has commenced by the Belgrade UNDP and that the office will do their best to collect the available data for the preliminary report, although they can not guarantee that they will complete the final report in the envisioned time frame.

Mr. Andjelic issued a recommendation to senior UNDP management to re-consider the deadline. If Belgrade office is able to produce only a seed report by the targeted deadline, the methodology of the Report would not be uniform for all the countries and validity of the Report would then be questionable. In case this would happen, he would recommend the working group to exercise caution whether to adopt this Report as an official eSEE report and reference.

Dr. Simic briefly commented on potential benefits of the Report and committed to provide assistance with respect to facilitating the communication and the process of obtaining the relevant information in the Government of Croatia.

4. Current and forthcoming activities of the Working Group

4.1. Revising the deadlines of eSEE Agenda for Development of IS

The Chair said that as far as the activities of the working group in 2004 are concerned, the benchmarking and liberalization of telecommunications are identified as a priority. Since **Mr. Ljuben Talev**, *Macedonian e-Envoy and Strategy Director in Makedonski Telekomunikacii*, is also the Head of eSEE Taskforce of Infrastructure, the Chair said that he will be consulted on how to work more in this area. Also the work on promotion of the Initiative, both in awareness about the ICT related issues and in terms of promotion of the work of eSEE Initiative should be energized. The Chair welcomed the proposal of the Secretariat to publish the quarterly Newsletter, and any other effort in direction of promotion.

Mr. Snoy reminded the group on the commitment made with respect to implementation, and suggested to the working group to focus more closely on the specific dates that we have committed to, particularly on the adoption of legal infrastructure on the specific elements of Council of Europe convention on cyber crime and convention on personal data protection. We should also concentrate more closely on fostering national implementation mechanisms and on strengthening dialogue between signatory countries and supporters of the Initiative.

The Chair emphasized the fact that all the member states had different starting points and that we were aware from the beginning that deadlines for some countries may not be realistic.

Dr. Simic suggested to revise the time frames for fulfilling the commitment in eSEE Agenda for the Development of Information Society.

In support with **Dr. Simic`** suggestion, **Mr. Andjelic** suggested that a letter signed by **Dr. Erhard Busek** is addressed to the Prime Minister of each member State, urging the Government to fulfill the eSEE Agenda commitments that have not yet been addressed. The purpose of the letter is to raise awareness and to add the top down pressure.

As a line of action, **Mr. Jani Bogoevski**, *Expert WTII of the Stability Pact*, proposed to produce the first draft of sets of country specific letters. Letters shall be finalized in cooperation with each e-Envoy/ASPO, the Chair and the Secretariat. Each letter would consist of general part, while its second part would address one significant commitment that has not been fulfilled in the given time-frame. The commitment of most relevance shall be identified by e-Envoy of each member State. The letter should also specify that the deadlines will be revised and that the follow up to the 1st letter shall be carried out.

Ms. Miskovic suggested to distribute the letters also to the Ministers who have signed the eSEE Agenda.

The decision was made to cc the letters in accordance with the suggestion of **Ms. Miskovic**, only in those countries where eSEE Agenda signees still hold the same Ministerial position.

The revised time frames shall be adopted in the next working group meeting.

4.3. Possibility for cooperation with East-East Program- Open Society

East-East Open Society is a cross-border partnership program which promotes cooperation in identifying regional and global experiences, expertise and best practices in social innovation. The program provides opportunities to share experiences in resolving urgent social questions of development, promoting social innovation and activism, and influencing local and regional development.

Mr. Andjelic informed the working group of his meeting with the representatives of Open Society fund, who within their East-East program have funds that could be used to contribute to the benchmarking seminar, for East European countries that have already gone through the implementation process to transfer their knowledge to those who did not.

4.4. Combating the Cyber Crime

Mr. Andjelic said that his company has received the grant from *American Bar association and US Department of Commerce*. A 270-page book entitled *International Guide on Combating the Cyber Crime* has been translated in south-Slavic language (Bosnian-Croatian-Serbian) and Albanian. The printing of the abovementioned book will be completed in Belgrade by end May. The book shall be distributed to eEnvoys and Initiative`s Appointed Senior Policy Officials (ASPO), state administration, cyber crime prosecutors, judges and private defense attorneys.

A *Workshop* aimed to transfer the knowledge of American best practices by American lecturers on the topic and for the above identified audience will be held from 20 to 25 June 2004 on Tara mountain, Serbia and Montenegro. The above mentioned book will be the official text book and working material for the Seminar. An electronic copy of the book will be distributed to the participants to read and to prepare themselves before the seminar once the list of participants has been concluded. e-Envoy/ASPOs

can nominate another person interested in this topic to participate in their stead. However, **Mr. Andjelic** should be notified about this replacement within a one-month time frame. Travel and accommodation expenses will be covered for all the participants.

Dr. Slavko Maric, *Software Project Manager Ministry of Civil Affairs and Communications in BiH*, said that there are centers for education of judges and prosecutors in Bosnia and Herzegovina and that it would be useful to invite them. **Mr. Maric** will provide the contact details.

4.5. Covering the costs for e-Envoys/ASPO participation in working group meetings

Ms. Nazecic informed the group that from the next working group meeting UNDP Moldova committed to financially support the travels and the related expenses of Moldavian delegation to ensure their regular participation.

Mr. Bogoevski informed the group that a letter has been written to US CLDP in order to request the funding for eEnvoys to participate in WG Meetings. In this way, a continuous participation of representatives from all member states would be secured. **Mr. Bogoevski** committed to continue pursuing the funds for this purpose as one of his regular activities with other potential donors, too, till the solution to this hindrance is found.

4.6. eSEEurope Publication of NISP Guidelines and ToR for CLSB for IS

The publication has been translated to the official languages of the eSEE member states drawing from UNDP RBEC funds. **Mr. Yuri Misnikov**, *Regional ICT4D Coordinator in UNDP RBEC*, passed the message to the working group that out of 10,000 USD needed for the printing of publication, 5,000 USD is available through UNDP RBEC funds.

Mr. Andjelic said that he will talk to **Mr. Misnikov** proposing to print the publication in Belgrade. Based on his estimate, the printing in Belgrade can be done for 5,000 USD in total.

5. Support of International Organizations and cooperation with other Initiatives

Mr. Konostas Ioannis, *Coordinator in Greek INA/SETA*, said that given the remarkable progress of the eSEEurope Initiative, INA is willing to continue their support to the working group.

In regards to the ICT Status report two comments are in place: Out of a principal the Working Group should discuss and endorse project proposals before accepting them as eSEE projects.

The issue of monitoring and benchmarking across the region is very important- as already agreed by the Working Group- and this report will help; therefore INA recommends that the eEnvoys and the rest of the Working Group members review material prepared by UNDP and endorse it (with possible comments).

(Post meeting note: "INA had the opportunity to review the material and has made relevant comments, though overall it considers the structure of the report qualitative and well prepared. Consequently, the report should have been communicated in a more transparent way, it should be discussed within eSEE even through e-mails, but it also represents a positive opportunity and it should be well received.")

The Chair said that the project has been announced in 2003 and although it is purposed to assist the Initiative, it is in charge of UNDP and not strictly eSEE WG activity.

Mr. Moritz Hildebrand, briefed the participants on the issue of data exchange and protection in the context *MARRI Regional Information Exchange Initiative of The Stability Pact for SEE*. The MARRI-RIE is aiming towards the regional management of population movements within the Western Balkans to find durable solutions for the remaining 1 Mio. Displaced in the region. To assist in finding durable solutions MARRI-RIE is presently assisting the Ministry for Human Rights and Refugees in BiH to establish a data management unit to facilitate an orderly, safe and secure exchange of personal data among the SEE states. Some of the problems that have been encountered in the SEE region are that the provisions are often copied verbatim from international instruments, supervision mechanisms are lacking, public and private awareness are low and there is insufficient application.

MARRI-RIE is about to create a data protection secretariat with coordination function in its Sarajevo office. The goal of the project is to create a report on existing legal standards in the regional and international context, to identify gaps and make recommendations on existing data protection legislation, to facilitate meetings and workshops with experts and local authorities, to create template agreements for different initiatives and needs and to promote transparency and a culture of security.

Mr. Hildebrand said that the goals of eSEE Initiative are synergic with the work of MARRI-RIE and that these goals are fundamental for development of the region with regard to European integration. A vital part to achieve this goal is the implementation of legislation on electronic communication infrastructure within the framework of the relevant EU Directives. E-readiness and ICT society go hand in hand with an increased filing, storage and exchange of personal data which leads to an increased vulnerability for individual privacy rights. Especially in societies like SEE, where the computerization establishes itself with a much greater impact on public and private life than in western European countries because of the quick adaptation of already existing technical standards, the pace of data protection efforts has to be equally quick. Although the development of data protection legislation, the public awareness building that goes with it and the effective supervision mechanisms took a considerable time to grow in western Europe, this process has to be sped up in SEE in order to catch up with the technical realities.

Therefore this process should be accompanied by as many angles as possible and an increased effort of substantial assistance to achieve the highest possible level of transparency and security.

Q: Mr. Marić asked whether MARRI-RIE is in contact with Information Society Administration in BiH?

A: Mr. Hildebrand said that the cooperation is currently established with the protection committee. Contacting the ministries is perceived as the next step.

Mr. Zoran Sekulovic, *Director of Montenegro Telecommunications Agency*, informed the participants that the Law on Telecommunications in Montenegro has been adopted by the Parliament in December 2000, while Agency for Telecommunications was established in March 2001 as an independent regulatory body. The body retains its independence as the funds flow from licensing fee of telecom operators. The Agency has issued licenses to all the existing telecom operators, so far all the disputes between regulators have been successfully resolved while numerous regulations have been passed. Cooperation with regional and internationally recognized agencies and ITU is operational.

Ms. Ruzica Miskovic, *Project Manager in Secretariat for development of Republic of Montenegro and Appointed Senior Policy Official for Montenegro*, informed the group that in accordance with the activities between the last two WG meetings the drawing on the commitments of eSEE Agenda, the conclusion from the last Government session (18 March) is to accelerate the activities of preparation of National Strategy of IS, forming of governmental bodies and definition of their competency, concretizing the activities on benchmarking and determining the institution in charge of this activity, drafting the laws of personal data protection and data security and intensifying work on establishment of regional cooperation and national implementation mechanisms.

6. The forthcoming ICT related events

6.1. Round table on telecommunications regulatory issues

Mr. Sekulovic said that In INFOFEST in Budva in September 2003, a special round table on telecommunications regulatory bodies with representatives of 11 foreign countries has been held. Spontaneously, it has been decided to make this a common practice, so in May 2004 a conference of similar nature will be held in Milocer, Montenegro.

6.2. e-Governance training & NISP Guidelines Workshop

Ms. Nazecic briefed the group on the 5 day policy training which is to be organized by e-Governance Academy (EGA) in Estonia in May 2004. The training is planned for a group of 20+ participants from the member states of eSEE Initiative, targeting e-Envoys, Appointed Senior Policy Officials, policy makers or their advisors, as well as their country counterparts that are mostly engaged in information society policies including UNDP, Soros, GIPI and other local partners as appropriate.

EGA will cover the costs associated with the involvement of the Estonian trainers and specialists, local logistics and preparation of the training materials. However, the issue of the coverage of the remaining costs remains to be solved.

To address this issue, the Stability Pact has committed to start testing the ground for securing the needed funds. In addition, EGA has offered to help with searching the funds for the traveling costs and accommodation. **Mr. Bogoevski**, has offered to write a letter of support in order facilitate the endeavor of EGA in securing the remaining funds .

Each country should suggest priority topics based on those listed in the distributed Guide for Participants so that the training is better adjusted to the real needs. Concrete case studies which could be jointly discussed and relevant solutions found are welcome.

e-Envoys and ASPOs have committed to send the contact details of persons in their respective countries interested in participating and to identify the topics of interest.

In the context of NISP training that was anticipated to happen last year in cooperation with UNDP RBEC, but it was postponed due to the lack of funds. **Ms. Nazecic** raised the debate whether, given the current dynamics of the Initiative, the working group perceives that there is still the need to hold the aforementioned training. She asked the working group members to send the information to the Secretariat.

Mr. Maric said that the idea behind the training was to promote NISP targeting those involved in preparing the national ICT strategies. As most countries in the region have already started this process and others are even more advanced, a suggestion has been made to attempt to organize such a training, but aiming at different target group, such as parliamentarians, justice departments, etc.

6.3. INA Spectrum management training & other events

Mr. Ioannis briefed the participants about the INA Spectrum management training events. Next three-day event will be held in Skopje with participation of 11 countries, including 42 to 45 participants. Another forthcoming event will be on the topic of cross-border issues. In addition, INA is preparing the series of events, but the information is not ready for circulation yet, and Mr. Ioannis committed to inform the eSEE WG and e-Envoys as soon as the information is ready.

6.4. CLDP / American Bar association Workshop on Combating the Cyber Crime

A *Workshop on Combating the Cyber Crime* aimed at eEnvoys, ASPOs, cyber crime prosecutors, judges, private defense attorneys to transfer the knowledge of the American best practices by American lecturers will be held between 20 and 25 June 2004 on Tara mountain, Serbia and Montenegro. (Pls see 4.3)

6.5. e-Commerce Conference

Mr. Snoy passed the message of **Mr. Dusan Caf**, *Adviser to the Management Board of Telekom Slovenie*, that the e-Commerce conference on global regional issues for eCommerce will be held again this year in Bled from 21 to 23 June. **Dr. Simic** said that **Professor Gricar** from Maribor University that supports the ALADIN project, a postgraduate course on e-commerce with the agreement on common European e-commerce curriculum in Maribor, Rijeka, Gratz and Nis- is among the organizers of the conference.

The Chair also passed the message of **Mr. Mario Apostolov**, *Regional Adviser for trade and e-business in UNECE*, that they are working on a strategy document on how to build the framework of e-business in SEE as a contribution to the overall work on building information society in SEE. The document is submitted now for comments. Mr. Apostolov has committed to report on the progress and discuss this contribution at the next working group meeting.

6.6. ICANN GAC conference

Dr. Simic reported on the ICANN GAC meeting that place this month in Rome. The issues such as Internet governance and IS systems were addressed. The Government Advisory Committee consists of 50 countries, while its Secretariat and

Regional Office is at DG IS in Brussels. **Dr. Simic** suggested that our working group should in future attempt to be represented in ICANN GAC meetings. For more information www.gacsecretariat.org.

6.7. Next WG Meeting and Workshop on Benchmarking (8-10 June 2004)

Dr. Simic said that Science of Technology could allocate some money for the Benchmarking workshop, adding that she will attempt to find ways for covering some expenses through the commercial channels. **Dr. Simic** has made a commitment to send all the relevant information to the eSEE Secretariat. Consequently, the registration procedure for the conference, eSEE benchmarking workshop & eSEE working group meeting will be carried out through the eSEE Secretariat.