



THE STABILITY PACT INITIATIVE TO FIGHT ORGANISED CRIME (SPOC)

Progress Report of the SPOC Board Chairman

Working Table III Meeting Sofia, 17 May 2005

1. Introduction

The mandate of the Stability Pact's Initiative against Organised Crime (SPOC) is to facilitate dialogue amongst international and regional representatives of the legal, academic, donor and law enforcement communities. The initiative assists project formulation regarding capacity building, awareness raising and legislative reforms. It is also involved in policy advocacy and helps the SEE region to formulate strategies against Organised crime. SPOC activities are in line with the London Conference on Organised Crime in SEE (November 2002) and the EU-Western Balkans Forum.

2. Working Structures

The SPOC Board met for its first session in 2005 on 8 April in Dubrovnik. Dr. Hubert Pirker, former Austrian Member of the European Parliament and spokesman for Justice and Home Affairs, chairs the board and leads the initiative from Brussels and Vienna. He is assisted by his Brussels-based French assistant. The Board discussed *inter alia* how to assist the SECI Center in implementing its Strategy 2005-2010, the SEE Police Convention cooperation project, the Southern Adriatic Transfrontier Anti-Trafficking Initiative and agreed on the SPOC Working Priorities and the Balkan Tour project.

A Brussels-based expert and a junior researcher, work for SCSP Working Table III's Justice and Home Affairs team. They provide legal expertise and maintain regular contacts with the donor community and other SCSP initiatives related to criminal issues. They are also in constant dialogue with their counterparts from the European Commission and the European Council. The Brussels team advises the SC when addressing crime related matters.

A Greek high-experienced lawyer has taken up the position of Head of the SPOC Secretariat in Mid February 2005. In addition, the Secretariat has a staff of two lawyers (German, Romanian) and an executive assistant. The Secretariat provides legal expertise to the countries of the region in harmonizing their legislation aimed at strengthening the fight against Organised crime with international and EU standards. The Secretariat also advises on the strengthening of existing mechanisms of regional cooperation and the development of new mechanisms for fighting Organised crime. It is located in the Parliament building in Bucharest, Romania.

The Head of the Department for International Law Enforcement Cooperation of the Austrian Criminal Intelligence Service (CIS)/Austrian Ministry of the Interior is in the position of the SPOC Programme Manager. He and his Germany-seconded Programme Officer are based in the premises of the Federal Intelligence Service in Vienna. They are working on the SEE Police Cooperation Convention project.

The SPOC chairman congratulated Moldova that it ratified the United Nations Convention against transnational Crime (Palermo TOC) in February 2005, completing all SP partners in the region, which did ratify the Convention.

3. Activities

a) Political, educational and public awareness raising

The SPOC Chairman initiated close cooperation between experts (police, customs officers, boarder guards, etc.), parliamentarians from SEE and from the European Parliament, local authorities, and media to create public pressure. He intensified the contacts with parliamentarians, representatives of the European Commission and organised information exchange, exchanges of views and press conferences.

The SPOC team has begun a Balkan tour to intensify contacts with partners in SEE, create public pressure to combat Organised illicit activities, facilitate the exchange of information among the various stakeholders as well as to promote SPOC's work. The SPOC tour aims at encouraging SEE countries to introduce legislative/institutional reforms, to enhance law enforcement cooperation and to coordinate technical assistance.

The project supports the Bucharest-based SECI Regional Center for the Combating of Trans-Border Crime as a very concrete example of joint policing activities against Organised crime. The tour through the Balkan region has started in Romania in April 2004. During each meeting, the team presents the SPOC activities, discuss priorities and explore areas of future engagement. It will continue through Bulgaria and BiH, followed by a visit to Croatia, Serbia, Albania, FYRM and Kosovo. They meet with national authorities, parliamentarians (preferably from the JHA committees), local authorities, media representatives, international missions and representations (EU delegations, Embassies, OSCE field missions, OHR, UNMIK, etc.) and representatives from law faculties.

b) Deepening the dialogue with the European Parliament, the Commission and the Council

The Brussels based SPOC team is in frequent contact with European Parliamentarians and representatives of the European Commission to ensure the legal upgrading of the SECI Center and to improve its operational activities. The SPOC Chairman initiated the dialog between SPOC and the LIBE Committee meeting in the European Parliament. To LIBE Commissioner Frattini, he proposed to establish a database on all ongoing projects, which should be accessible to EU Institutions and Member States in the region to avoid parallel activities.

c) SECI Center

SPOC salutes the European Commission decision to commit in the Multi-Indicative annual Programme for CARDS a substantive funding for upgrading the SECI Center in summer of this year, based on the European Commission financed independent assessment of the SECI Center, which concluded that the SECI Center has the potential to eventually become a Europol Regional Office. In this regard, the SECI Center must be recognised as the regional policing tool to fight against Trans-Border Crime in SEE. The SPOC Chairman is convinced that assisting the Center on its way to become an efficient tool will also pay off for EU member states and European law enforcement institutions. The legal upgrade of the SECI Center was also agreed during the Joint Coordination Committee (JCC) of the SECI Center on 18 March 2005. During its tour through the Balkan, the SPOC team is promoting support to the SECI Center. The situation on the level of information exchange is addressed as a matter of urgency.

The SPOC Secretariat is well placed to assist the improvement of data exchange and introducing European data protection standards.

The SPOC Secretariat is assisting SEECIP countries in establishing forms of administrative, civil or criminal liability, and in closing the gaps in confiscation procedures. The Secretariat should also serve as an information hub regarding European and other international funding available for upgrading crime fighting capabilities in SEE member states.

d) The SPOC Secretariat serving as information hub to facilitate projects

The SPOC Secretariat provides legal expertise to the countries of the region in harmonizing their legislation aimed at strengthening the fight against Organised crime with international and EU standards.

SPOC supports the South East European Public Prosecutors Advisory Group (SEEPAG) in its efforts to institutionalize its work. SEEPAG - matching the composition of SECI Center member states – constitutes a network of public prosecutors from the countries of Southeast Europe and aims at strengthening cooperation in combating transborder crime. Representatives of the prosecutor's office of the respective countries met for the fourth time in December 2004 in Belgrade where a series of documents institutionalizing SEEPAG were signed.

e) SEE police cooperation convention

The Austrian Federal Central Intelligence Service (CIS) is working on the SEE Police Cooperation convention and invited the countries of the region to join drafting a South East European Police Cooperation Convention. In the meantime almost all SEE countries indicated their interest to benefit from this project. The draft will be introduced in a start-up workshop in Vienna in June 2005.

SPOC Vienna is regularly attending project-related meetings and workshops of the Council of Europe-led regional CARDS project on policing and fighting Organised crime in the Western Balkan.

SP experts are in regular dialogue with their counterparts from the European Commission and the Council on the design of future regional programmes against Organised crime in the Balkans. SPOC is involved to discuss, in close cooperation with the European Commission and the European Parliament, findings concerning better effective exchange of information, improving operational cooperation and improving regional capacities.

5. Outlook

SPOC wishes to address the following issues in the second part of 2005:

Police officers and judges often feel that they are not enjoying political support for their work. This is connected with the sensitive issue that some decision-makers can be hardly convinced to take measures against Organised crime because they are sometimes part of the problem instead of the solution. Therefore SPOC recommends an integrated strategy to fight Organised crime: close cooperation between experts (police, customs officers, boarder guards etc.), parliamentarians, local authorities and seek the support of the media to create public pressure.

The Chair will continue to invite all actors of the SPOC network to link up with joint project formulation/implementation along mandates and expertise. To realise an integrated strategy concrete projects are needed. Some are on track, e.g. the Palermo TOC matrix or the police-cooperation-convention. New cross border-projects, for example against smuggling, could help to foster information-exchange, cross border-cooperation and joint working methodologies. The SPOC secretariat should generate the formulation and implementation of projects.

Bilateral projects and various EU-driven programs have generated a myriad of activities, and a lot of parallel projects. It is almost impossible to get an overview of all existing assistance efforts. Therefore, SPOC supports clear strategy drafting, focus on priority projects, flexible programs taking the actual situation in the region into account.

Closer cooperation between the SPOC secretariat and the SECI-Center is envisaged. SPOC is convinced that the SECI-Center must be recognized as *the* regional policing tool to fight Organised crime in the Balkans.

Measures for raising public awareness must be taken. Citizens need to be aware that Organised crime undermines civil society and stability. Therefore, attention should be also paid to schools and universities. Greater emphasis needs to be devoted to the law faculties in the region in order to ensure that young legal talent is available to strengthen under-staffed courts. Awareness raising is the software against Organised crime.

A close link between regional actors and Brussels-based politicians should result in a better understanding that the EU must increase its support to the region in its combat against Organised crime networks in SEE.