



## **Ohrid Process on Border Security and Management Third Review Meeting**

**10-11 November 2005  
Sarajevo, Bosnia and Herzegovina**

### **Minutes of the meeting**

*A list of participants is attached*

*The opening statement by the Chair is attached*

*The address from the OSCE CiO is attached*

#### **1. Opening statement by the Chair**

The Chair noted in his opening statement that Albania was not represented. He will follow up on that issue and ask Albania to further cooperate with the partners of the process.

#### **2. Welcoming address by the Host**

The Deputy Minister of Security, Mr. Dragan Mektic, underlined that the Third Review Meeting was taking place at a very important moment when the doors to the Stabilisation and Association Agreement are open for BiH. He stressed the important role of the State Border Service in combating organized crime, trafficking and terrorism. He reminded the participants that the borders in BiH are fully under civilian control and mentioned the increased cooperation between the State Border Service and customs and police. He also highlighted the importance of international assistance (in particular EU CARDS Regional programme) in complying with the European IBM standards. He asked for the continuation of this assistance.

#### **3. European Commission/DG Enlargement**

The representative from the European Commission underlined the financial importance of the Regional and National CARDS programmes and gave information on the CARDS Regional 2005 Police Co-operation projects, which will be implemented in 2006. This CARDS Programme<sup>1</sup> is aimed at developing greater JHA co-operation, specifically in improving domestic and cross-border law enforcement co-operation, including the safe, secure and efficient exchange of criminal data and facilitating closer and more practical links between national and international law enforcement agencies/services. Two activities will be implemented:

- 1) A strong support to the SECI Regional Centre for combating trans-border crime, based in Bucharest, upgrading the institutional and operational framework of the Centre, and ensuring its sustainability;
- 2) A further strengthening national means for international police co-operation, through the Establishment of International Law Enforcement Co-ordination

<sup>1</sup> Adopted by the CARDS committee, 15th September 2005.



Units for the five Western Balkans countries. These Units will comprise at least the Interpol National Central Bureaux (NCBs), Europol pre-cursor National Units, with all the relevant law enforcement and prosecutor service focal points (where appropriate/desired by each country).

He also reminded the participants of the important role of the national contact points for the proper functioning of cooperation mechanisms. He finally mentioned the Austrian initiative to draft a 'Schengen type' convention for police cooperation (not only for the Western Balkans, but also for Bulgaria, Romania and Moldova). The EC is coordinating this with other projects incl. CARDS.

The representative from the OSCE CiO also addressed the participants of the meeting. (Address is attached)

#### 4. Status of implementation of the Way Forward Document

The countries presented their **Annual Report** on the implementation of the Way Forward Document, except for Albania, which was not represented at the meeting.

The overall impression is that further progresses have been accomplished in the implementation of the Ohrid Border Process commitments, especially in the following areas:

- Taking over of border control and surveillance by MoI – Border Police
- Legal frameworks (according to the country, drafting or implementation of the Integrated Border Management Strategy, drafting or implementation of new Laws on border related issues, changes in the command line, MoUs)
- Training
- Equipment and infrastructure (reconstruction, modernisation, etc.)
- Implementation of Information Systems
- Cooperation at 3 levels:
  - o Inter-agency
  - o Regional
  - o International

Some further work still needs to be done, in the areas mentioned above, especially in the final handing over of border control to civilian authorities (*participants welcomed that full transfer of border control to civilian authorities in Serbia will be completed by the end of 2006*), regional cooperation and legal frameworks, and in other specific areas.

The representative from **OSCE** highlighted the positive developments achieved, but reminded that the pace differs from one country to another. He stressed the importance of maintaining the impetus and the political will of all partners involved. He made a brief overall presentation of the activities carried out by the OSCE, and more specifically the implementation of the OSCE South Eastern Europe Cross-Border Co-operation Programme (OSCCP) Phase 2. He then stressed that in 2006 the OSCE will, in co-operation with CARDS, especially focus on risk analysis and train the trainers activities. The OSCE Concept on Border Security and Management is in its final stage of preparation and might possibly be approved at the OSCE Ministerial meeting in Ljubljana in December. He also briefed the participants on the activities carried out by the OSCE Missions.

Finally, the representative from OSCE stressed that the organisation strongly believes that there is a need for an assessment of the implementation of the Ohrid Border Process. The assessment process should enable the partners to have a clear idea of the state of affairs on the implementation of the commitments, the shortfalls and the



impediments and allow them to give concrete recommendations for the future of the process: to continue it in the same format, to change the format or to end the process. He also raised the question of whether the EC would/ should become the only necessary partner regarding lining up with European standards. Other partners would remain committed to border management issues in their own capacity.

The representative from **NATO** underlined that 10 years after the Dayton agreement, the Ohrid Border Process was a good concrete example of regional cooperation, this being one of the key elements for Euro-Atlantic integration. He also stressed the importance of using the Western Balkan experience for Caucasus countries, where NATO is highly involved. Although NATO is and will remain highly committed in the Ohrid Border Process, the main ideas and drive should come from the countries themselves. He also stressed the need for the process to be open to other international organisations, such as IOM.

The representative from the **EC** informed the participants on CARDS Regional and National Programmes. He also stated that the main problem in the process of demilitarisation mainly is of organisational nature, not of financial nature. Indeed, the militaries can stay on the borders, as long as the command and control lines are under civilian authority.

The representative from **DCAF** gave an overview of the latest activities carried out by the Centre in the area of border management. He also underlined the fact that in many conferences and meetings, the presentations are more and more done by experts from SEE region and not only by EU experts. He also insisted on the importance of further regional cooperation, especially in sharing experiences and best practices.

The representative from **UNMIK/Kosovo** informed the participants that the main event related to border issues was the implementation of the Regulation 2005/16 on the movement of persons into and out of Kosovo, which gives a legal basis to check the circulation of persons. He also mentioned the progress achieved in the establishment of Information System at the BCPs, the good cooperation with neighbouring countries (Serbia and Montenegro, Macedonia and Albania). He also informed the participants that a MoU between the UNMIK Border Police and the Customs administration is currently in the office of the DSRSG for approval.

5. Discussion on specific issues to be discussed in 2006, in particular the 2006 assessment process.

After some discussions carried out on 10 and 11 November, the 4 attending countries and the 4 partner organisations agreed on the importance of taking into consideration the specificities of the Ohrid Border Process and at the same time of enhancing international cooperation. Therefore, the Ohrid Border Process partners will carry out a *fact-finding mission* in the spring of 2006 to have a clearer picture of the state of affairs of the implementation of the commitments taken by the countries and to allow for a political decision to be taken in 2006. As the CARDS Regional Programme will carry out its assessment mission early 2006, the idea of the partners would be to send a Questionnaire on the Ohrid commitments to the CARDS Assessment Team so that they can ask some specific questions to the people they will meet in each country. Afterwards, the CARDS Team would share its results with the Ohrid partners, who would then be able to identify the remaining areas where more information would be needed.

On this basis, they will conduct their fact-finding mission in each of the 5 Western Balkan countries. Bearing in mind that the pace of implementation differs from one



country to another, a *specific approach* will be needed for each country. Terms of Reference (ToRs) will be drafted for each country, but still taking into account the *common basis* agreed upon in the founding documents of the Ohrid Border Process. After these fact-finding missions, the partners will be able to have a clear picture of the state of affairs of the implementation of the Ohrid Border Process commitments and their report will serve as a basis to take a high-level political decision in the Autumn 2006. A Special Review meeting would be organised to take a decision on the future of the process. Beside, expert level meetings would be organised for the coordination of international partners and countries.

#### 6. Timeline for the end of 2005 and 2006

- **November - December 2005:**
  - o Stability Pact coordinates future activities with CARDS Regional Programme and ensures that CARDS can raise questions on the Ohrid Border Process during their Assessment mission and share the findings with the Ohrid Border Process partners
  - o OSCE shares with SP the generic ToRs and the OSCCP assessment Questionnaire - SP drafts in cooperation with other international partners the ToRs for each country and a Questionnaire to give to the CARDS Assessment Team
- **January - February 2006:**
  - o CARDS Assessment Team starts its work (tour of the capitals) with the Questionnaire drafted by the 4 partners of the Ohrid Border Process
- **March – June 2006:**
  - o CARDS Assessment Team shares findings of its mission with the Ohrid Border Process partners
  - o The 4 partners analyse the findings (in cooperation with the 5 countries - and other relevant partners) in line with the Questionnaire and the Way Forward document to see where further information is needed on the level of implementation of the Ohrid Border Process commitments
  - o The 4 partners finalise the ToRs for each country according to the analysis above mentioned
  - o Fact-finding mission (political and technical levels)
  - o Organisation of expert level meeting for coordination
- **June – end of 2006:**
  - o The 4 partners draw conclusions from their fact-finding mission in the countries
  - o Other expert level meeting (tbd)
  - o Decision on date and venue for a Special Review meeting (autumn 2006) where a final decision on the future of the process should be taken
  - o Special Review meeting