

## Standard Summary Project Fiche – IPA centralised programmes 2008

### **Police Cooperation Regional support to strengthen the Southeast European Cooperative Initiative (SECI) Centre / SELEC<sup>1</sup> for combating trans border crime**

#### **1. Basic information**

- 1.1 CRIS Number: 2008/020-319
- 1.2 Title: Regional support to strengthen the Southeast European Cooperative Initiative (SECI) Centre / SELEC for combating trans border crime
- 1.3 ELARG Statistical code: 01.24 -Justice, freedom and security
- 1.4 Location: Premises of SECI Centre / SELEC for combating trans-border crime (Bucharest - Romania) and related training facilities, Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia as well as Kosovo<sup>2</sup> Turkey

#### **Implementing arrangements:**

- 1.5 Contracting Authority (EC) European Community represented by the Commission of the European Communities for and on behalf of the Beneficiaries.

- 1.6 Implementing Agency:

- 1.7 Beneficiaries:

Western Balkans: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia as well as Kosovo. Turkey.

The immediate Beneficiary will be the Southeast European Cooperative Initiative – Regional Centre for Combating trans-border Crime (SECI Centre/ SELEC) in Bucharest. Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Kosovo and Turkey are all members of the SECI Centre. Eligible regional cross-border operations will be conducted only in the Beneficiaries mentioned under "location" and in the SECI Centre's / SELEC's premises and related training facilities.

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<sup>1</sup> Southeast European Law Enforcement Centre. SELEC is the new name of SECI.

<sup>2</sup> under UNSCR 1244/99.

## **Financing:**

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| 1.8 Overall cost (VAT excluded) <sup>3</sup> : | €1,500,000 <sup>4</sup>  |
| 1.9 EU contribution:                           | €1,500,000   |
| 1.10 Final date for contracting:               | 2 years following the date of conclusion of the Financing Agreement. |
| 1.11 Final date for execution of contracts:    | 2 years following the end date for contracting.                      |
| 1.12 Final date for disbursements:             | 1 year following the end date for execution of contract(s).          |

## **2. Overall Objective and Project Purpose**

### 2.1 Overall Objective:

Improve regional and international law enforcement capacities and coordination in preventing and combating organised crime in Western Balkans and Turkey, bringing existing regional mechanisms into compliance with EU *acquis*, standards and best practices.

### 2.2 Project purpose:

- i. Improve SECI Centre's / SELEC's capacity to fight against organised crime, in line with EU *acquis* and best practices, with a view to plan and conduct regional cross-border operations and investigations;
- ii. Support the coordination and performance of strategic and operational criminal analysis activities of the SECI Centre / SELEC, including the conduct of comprehensive regional threat assessments in the field of organised crime – common threat assessment on organised crime for South East European Region<sup>5</sup>;
- iii. Facilitate SECI Centre's/ SELEC's co-operation with EU Member States (EUMSs), in particular neighbouring States, and relevant EU institutions and bodies, in particular Europol;
- iv. Ensure cooperation of SECI Centre's / SELEC's contact points with and within the International Law Enforcement Co-ordination Units ILECU.

### 2.3 Link with AP / NPAA / EP/ SAA:

Accession and European Partnerships with IPA Beneficiaries contain provisions on Justice and Home Affairs and provide the long-term basis for continued cooperation in this area.

The 2007 European Partnerships with the Western Balkans confirm the importance of regional cooperation in the Justice and Home Affairs sector. The European and Accession Partnerships

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<sup>3</sup> The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated

<sup>4</sup> Operating expenses of SECI Centre / SELEC (salaries, equipments etc) are not eligible under this programme.

<sup>5</sup> See further under p. 3.5 "Conditionality and sequencing"

address the fight against organised crime as a priority under the Justice and Home Affairs chapter. The revised Accession Partnership with Turkey, which was adopted in January 2006, identifies, among others, the fight against organised crime and drugs as being of particular importance with regard to the transposition and implementation of the EU *acquis*.

Regarding *regional issues and international obligations*, the Beneficiaries still need to enhance cooperation with neighbouring countries and territories, notably on cross-border cooperation, the fight against organised crime, trafficking and smuggling, judicial cooperation and border management are also priorities.

#### *Croatia*

Croatia still needs to make further progress, inter alia, with judicial and administrative reforms, and fighting corruption. Considerable efforts are needed to ensure administrative and enforcement capacity, particularly in terms of inter-agency cooperation as well as to prevent corruption and to fight organised crime.

#### *The former Yugoslav Republic of Macedonia*

Police cooperation and fight against organised crime remains a serious concern in the country. The former Yugoslav Republic of Macedonia needs to further intensify the fight against organised crime, notably by increasing the number of investigations with the use of special investigative measures and by creating an integrated intelligence system for inter-agency use in the fight against organised crime, including trafficking in human beings, arms and drugs.

#### *Albania*

In Albania organised crime remains a very serious problem. Efforts against organised crime remain hampered by corruption and weak protection of witnesses. IT problems hinder the use of criminal intelligence. Strengthening of the rule of law, reform of the judicial system and the fight against corruption and organised crime are all key priorities of the reform process in Albania.

#### *Montenegro*

Efforts to fight corruption and organised crime need to be increased. Continuing administrative reform and strengthening administrative capacity is still a key challenge for Montenegro.

#### *Bosnia and Herzegovina*

Bosnia and Herzegovina has made little additional progress in the fight against organised crime and trafficking in human beings, which remain matters of concern. The authorities of Bosnia and Herzegovina have adopted state level legislation on police and will begin to implement the police reform. The country needs to reinforce the fight against organised crime and international cooperation with law enforcement agencies.

#### *Serbia*

Some progress has been made in fighting organised crime. However, organised crime continues to pose a serious problem for Serbia and more concerted efforts are needed. The action plan to implement the national strategy on fighting organised crime has not been adopted and the specialised police services lack the necessary capacity to fully carry out their duties. There has been little progress in the area of protection personal data and current legislation is not in line with European standards.

#### *Kosovo*

Uneven progress can be reported in combating money laundering. Kosovo is one of the main traffic routes for drugs to Western Europe. Some progress has been made in adopting new legislation and in strengthening relevant administrative structures. The seizure of narcotics has

increased. However, there is no strategy to prevent and combat the illegal transport and use of drugs. Drug trafficking remains a serious concern. Some progress can be reported in the field of police. The Kosovo Police Service generally carries out its tasks in a professional and competent manner, particularly as regards minor crimes. Investigations in cases of serious crime, however, are still ineffective. Inter-agency and international co-operation are not always satisfactory. There is no law on the police. Kosovo still lacks a crime reduction strategy at both central and regional levels. The fight against organised crime, including the fight against trafficking in human beings, remains a major challenge. The legislative framework to tackle organised crime is still incomplete, particularly in the area of witness protection, undercover agents, confiscation of assets, the anti-mafia law and the law on organised crime itself. There are no developments in the protection of personal data. There is still no general legislation on data protection and no independent data protection supervisory authority has been set up. There is a need to improve the effectiveness of investigations of crime; strengthen investigative and internal control capacities of the Kosovo Police Service and strengthen its leadership; fight against organised crime and terrorism; further strengthen local capacity in the organised crime directorate within the Kosovo Police Service; further strengthen local capacity in the narcotics investigation section; and ensure that the Financial Information Centre effectively fulfils its role in collecting and analysing data in relation to money laundering.

#### *Turkey*

Considerable and sustained efforts are still required in areas such as police cooperation, asylum, migration and external borders. Turkey needs to implement the national strategy on organised crime, and strengthen the fight against organised crime, drugs, trafficking in persons, fraud, corruption and money-laundering.

#### 2.4 Link with MIPD:

The Multi Beneficiary MIPD<sup>6</sup> supports regional cooperation to facilitate the fight against organised crime, complementing efforts at a national level, particularly as it facilitates networking and sharing of best practices and lessons learned in the region.

The strategic choices taken within the scope of the MIPD (Section 2.3.1.3) have been made based on guidance provided in the EU strategic documents, the lessons learned from the programming and implementation of previous EU assistance and the findings from consultations with amongst others the Beneficiaries, the Stability Pact, and European Commission services. More specifically, Multi-Beneficiary IPA assistance aims at addressing the *political criteria* for accession, and support cooperation between international law enforcement agencies and judiciaries.

2.5 Link with National Development Plan (where applicable): Not applicable

2.6 Link with national/sectoral investment plans(where applicable): Not applicable

### **3. Description of project**

#### 3.1 Background and justification:

Regional cooperation is instrumental in addressing the security challenges facing Beneficiaries, since many urgent issues such as terrorism, organised crime, corruption, smuggling trafficking,

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<sup>6</sup> Paragraph 2.3.1.3 Regional Cooperation - Justice, Freedom and Security

money laundering and illegal migration can be addressed effectively only by a trans-border approach. The Communication on Enlargement Strategy and Main Challenges 2007-2008 notes that although regional cooperation is increasing in the area of justice, liberty and security, including in combating organised crime, further progress needs to be made. Criminal activities remain a serious concern: criminal networks are spreading in various socio-economic sectors and into politics. The Communication on Enlargement Strategy and Main Challenges 2007-2008 highlights that "the region is a place of origin and transit for human trafficking, as well as for drug smuggling". Therefore "considerable and sustained efforts are needed in this area".

The need to strengthen cooperation between international law enforcement agencies and to improve cooperation in fighting organised crime, corruption, illegal immigration and counter-terrorism was further underlined during the Ministerial Forum EU/Western Balkans on Justice and Home Affairs held in Slovenia in October 2007. Multi-Beneficiary efforts in the area of Justice, Freedom and Security have facilitated networking as well as the sharing of best practices and lessons learned in the region.

The Council Conclusions of 4 December 2006 on the further development of the SECI Centre invited the European Commission to examine possibilities for financial support for specific projects of the SECI Regional Centre, especially in order to improve cooperation in the South East European region, facilitated by the SECI Centre.

The Communication from the Commission to the European Parliament and the Council on Western Balkans: "Enhancing the European perspective" of 5 March 2008<sup>7</sup>, also outlines that cooperation in the field of justice, freedom and security, notably in combating organised crime and corruption are of particular importance for the Western Balkans and a core priority for their European agenda. The Western Balkans is a priority area for Europol, and therefore the EU supports closer cooperation between Europol and the SECI Centre / SELEC. A cooperation agreement between the two organisations should be concluded once the new SELEC Convention, providing for rules on personal data protection, is adopted. The respect of the general principles of data protection enshrined in the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 28 January 1981 and of Recommendation No R (87) 15 of the Committee of Ministers of the Council of Europe of 17 September 1987 is of great importance for the future development of SELEC.

The Council Conclusions of 5 and 6 June 2008 additionally stressed the importance of the further development of the SECI Centre/SELEC in view of ensuring efficient police and customs cooperation in South East Europe. The Council particularly stressed the driving role of Europol, as the EU body for the fight against serious crime, which should be reflected in the draft SELEC Convention, as well as the need to ensure compatibility between the draft SELEC Convention and the Europol's legal framework, in order to avoid a possible duplication of roles and tasks. Furthermore, the Council underlined "that the compatibility of membership of both the European Union and of the SECI Centre / SELEC requires an institutional and operational link between Europol and the SECI Centre / SELEC which takes into account the driving role of Europol as the EU body for the fight against organised crime".

Finally, in its Conclusions of June 2008 the Council invited the EU SECI Support Group "to immediately carry out an assessment concerning the further improvement of the working mechanism between SELEC and Europol and to draft a roadmap for the development relations

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<sup>7</sup> 7702/08 COWEB 82 ELARG 20. SEC(2008)288

between Europol and the SECI Centre/SELEC, including the possibility to conclude a strategic or an operational cooperation agreement, which takes into account the driving role of Europol as the EU body for the fight against serious crime". Based on this evaluation, the Council envisaged "to adopt Conclusions on the appropriate follow-up regarding the relations between Europol and SELEC".

The Western Balkans as a whole was one of the priorities of the Slovenian Presidency in the first semester of 2008. Among the efforts that were undertaken, one should mention the initiative for gradual introduction of a common threat assessment on organised crime for South East European Region<sup>8</sup>, which includes Turkey. The common threat assessment on organised crime for South East European Region should develop a threat assessment of current and expected new trends in organised crime across South East Europe. The assessment will be based upon existing knowledge and expertise and it will be drawn up in order to enable decision-makers to take the appropriate action to counter the anticipated threat.

In order to develop the common threat assessment on organised crime for South East European Region, the existing EU and regional instruments and mechanisms could only be used prior to political agreement at the EU level, involving regional institutions and South-East Europe Beneficiaries and Turkey. The main task of the common threat assessment on organised crime for South East European Region is to identify and assess emerging threats. Furthermore, it describes the structure of organised crime groups and the way they operate as well as the main types of crime affecting the South East Europe. Common threat assessment on organised crime for South East European Region also involves preparing a national and central report, establishing priorities, and providing assistance when preparing concrete measures to implement them. SECI Centre / SELEC would be responsible for drawing up the central threat assessment report.

As to the new legal framework for the SECI Centre / SELEC, the draft SELEC Convention is expected to be finalised in the second half of 2008. The SELEC Convention will establish the Centre's international legal personality with a view to help EU institutions, relevant law enforcement agencies and SECI Centre / SELEC Member States cooperate more closely and directly. Furthermore, the Convention will lay down legal provisions to enable the set up of an adequate personal data protection mechanism and a confidentiality regime compliant with the European standards. This should also pave the ground for full cooperation between the SECI Centre / SELEC and Europol.

The Slovenian Presidency strongly supported the Commission's proposal to support the development of the Centre with IPA funds. It stressed the importance of the further development of the SECI Centre to ensure more efficient police and customs cooperation in the Southeast Europe, in particular in the Western Balkans region.

The programme "*Regional support to strengthen the Southeast European Cooperative Initiative (SECI) Centre / SELEC for combating trans border crime*" will assist with the continued upgrading of the SECI Centre's / SELEC's institutional and operational framework. It will focus on improving the SECI Centre's / SELEC's internal strategy and action-plan, in line with EU *acquis* and best practices, and on elaborating a consistent mid-term budgetary

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<sup>8</sup> In response to The Hague Programme, as concluded by the European Council in November 2004, in particular its emphasis on the need for a future oriented assessment of organised crime to support law enforcement efforts in the European Union, it was decided to replace the Organised Crime Report with the Organised Crime Threat Assessment (OCTA). The first OCTA was endorsed by the Council during their meeting on 1-2 June 2006.

framework. Furthermore the programme will help develop capacity of the SECI Centre / SELEC, in the form of enhanced skills for coordination of operations and investigations. Capacities for the performance of criminal intelligence duties and strategic analysis could also be supported, depending on the EU's decision about the institutional and operational link between the SECI Centre / SELEC and Europol. Last but not least, it will help to set up an appropriate personal data protection mechanism for SECI Centre / SELEC operations, following work on related aspects of the adapted legal framework for the SECI Centre / SELEC.

The programme will also support the establishment of links between SECI Centre / SELEC contact points and the International Law Enforcement Co-ordination Units (ILECUs). The ILECUs, which are to be established within a CARDS 2005 support programme, will comprise the functions of Europol contact points, Interpol NCBS, SECI Centre / SELEC contact points, Bilateral Liaison Officers, police cooperation contact points according to the Schengen Convention, Sirene bureaux, Customs, Judicial Contact Points, Border Police in the field of Fighting Organised Crime and Terrorism. The Law Enforcement Co-ordination Units will support regular international criminal information exchange and encourage the sharing of criminal intelligence when conducting international investigations in the region.

### 3.2 Assessment of project impact, catalytic effect, sustainability and cross-border impact

The programme will be regularly monitored and the performance of SECI Centre / SELEC evaluated in order to allow relevant readjustments. Action plans should be developed to assess progress. Several methods will be used to conduct performance monitoring, in particular regular implementation reviews on specific objectives and related activities and results. External monitoring will be conducted by the EC's Results Oriented Monitoring and by the IPA Monitoring Programme. Appropriate planning and regular monitoring throughout implementation in the form of regular briefing sessions and reports will also take place. Evaluation during implementation and/or at the end of the programme, as well as an audit of the programme, may also take place. Furthermore, the programme may be audited by the Court of Auditors, in line with standard European Commission procedures.

The further development of the SECI Centre / SELEC will ensure more efficient police and customs cooperation in the South-East Europe. The training of strategic analysts and the development of a methodology to deliver the common threat assessment on organised crime for South East European Region will represent a real value for law enforcement both in the region and in the EU. The result would enable regional priorities to be set and would feed and support the EU OCTA required by the EU Hague Programme.

The project should be seen as a strong regional catalytic tool for law enforcement cooperation and for the identification and neutralisation of common threats. The potential lies in the mutual need of the Member States of SECI Centre / SELEC to address the threat of serious and organised crime and in the benefits for stability and security such programme will bring.

SECI Centre's / SELEC's great strength consists in the cross-border capacity to bring together police and customs authorities from member countries and territories with diverse systems and legal regimes in a cooperative effort to combat trans-border crime against criminal groups that do not recognise borders but rather seek to exploit them.

In order to be effective, the future SELEC should develop the capacities to meet the continuing challenges of serious organised crime and at the same time recognise and take into account the diversity of its members' legal regimes. Further development of the Centre and of the

programme's sustainability depends on the SECI Centre / SELEC Member States to commit themselves to an exact timetable, to take decisive actions and allocate adequate financial and human resources to support the Centre. The financial viability of the Centre is a serious challenge.

### 3.3 Results and measurable indicators:

Improved regional and international law enforcement capacities and coordination in preventing and combating organised crime in Western Balkans and Turkey.

#### **Results and measurable indicators in relation with activity 1**

1. Improved SECI Centre's / SELEC's capacities to fight trans-border crime and carry out cross-border operations and investigations.

##### Measurable indicators:

- Number of joint operations/investigations carried out
- Number of information exchanged and shared among Members among users
- Number of completed requests among users
- Number of regional operations carried out
- Quantity and quality of analytical reports issued
- Number of training/seminars/workshops organised

#### **Results and measurable indicators in relation with activity 2**

2. Strategic and operational criminal analysis activities carried out and common threat assessment on organised crime for South East European Region generated, including update of threat assessment methodology.

##### Measurable indicators:

- Common threat assessment on organised crime for South East European Region delivered/updated according to official timelines
- Quality of produced common threat assessment on organised crime for South East European Region
- Number of seminars/workshops organised

#### **Results and measurable indicators in relation with activity 3**

3. Raised level of cooperation and networking between competent authorities in the Beneficiaries, EUMSs and relevant European and international law enforcement actors, in particular Europol.

##### Measurable indicators:

- Number of cases where international networks, conventions and agreements were used against organised crime
- Quantity and quality of information/good practices exchanged
- Number of joint operations/initiatives developed

## **Results and measurable indicators in relation with activity 4**

4 Full cooperation with and within newly established ILECU.

### Measurable indicators:

- Number of liaison officers exchanged
- Number of successfully exchanged information among ILECU

### **3.4 Activities:**

**Activity 1** Assist with the continued up-grading of the SECI Centre's / SELEC's institutional and operational framework, including in the area of personal data protection.

- 1.1 Improve the SECI Centre's / SELEC's internal strategy and action-plan, in line with EU *acquis* and best practices, and assist in elaborating a consistent mid-term budgetary framework;
- 1.2 Enhance capacities to coordinate cross-border operations and investigations.

**Activity 2** Support SECI Centre / SELEC in developing strategic and operational criminal analysis, drawing up an appropriate refined methodology for the common threat assessment on organised crime for South East European Region, and in producing the common threat assessment<sup>9</sup>.

**Activity 3** Improve co-operation channels and facilitate exchange information between SECI Centre / SELEC, EU Member States (EUMSs), and relevant EU institutions and bodies, in particular Europol.

- 3.1 Support the set-up of an adequate personal data protection mechanism and a confidentiality regime compliant with the European standards for SECI Centre / SELEC operations, in compliance with the adapted legal framework for the SECI Centre / SELEC;
- 3.2 Assist the relevant authorities in the beneficiaries to introduce practices and principles on protection of personal data pertaining to the management and exchange of law enforcement information.

**Activity 4** Ensure cooperation of SECI Centre's / SELEC's contact points with the International Law Enforcement Co-ordination Units ILECU.

- 4.1 Provide guidance on cooperation mechanism with the newly established ILECU in the Western Balkans<sup>10</sup> and how make a full use of them.

### 3.5 Conditionality and sequencing:

The implementation of the programme is subject to endorsement by the EU Council and further adoption of a new SECI / SELEC Convention, in line with the Council Conclusions of December 2006 and June 2008 on the further development of the SECI Centre / SELEC. The new SELEC Convention should in particular foresee a special institutional and operational link between Europol and SELEC taking into account the driving role of Europol as the EU body for the fight against serious crime. Further to that, it should create a new legal framework for the SECI Centre / SELEC, introducing relevant provisions addressing the Centre's legal status, with a view to help facilitate EU institutions and SECI / SELEC Member States to cooperate

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<sup>9</sup>The extent and applicability of this activity will depend on the decision by the Council to be adopted on the institutional and operational link between Europol and the SECI Centre / SELEC.

<sup>10</sup>Turkey is not included in this activity, in that no ILECU will be set up in the medium term.

more closely and directly; and lay down legal provisions enabling the Centre to set up an adequate personal data protection mechanism and a confidentiality regime compliant with the European standards. The extent and applicability of project purpose ii) (operational and strategic analysis) will depend on the decision by the Council to be adopted on the institutional and operational link between Europol and the SECI Centre / SELEC.

### 3.6 Linked activities

The CARDS Regional Programme 2002 – 2003 "*Development of Reliable and Functioning Policing Systems and Enhancing of Combating Main Criminal Activities, and Police Co-Operation*" provided assistance in developing reliable policing systems and tools against economic and organised crime in the Western Balkans. The project contributed to strengthen the capacities of the Beneficiaries to develop and implement regional strategies against serious forms of crime based on the *acquis* of the European Union and other EU standards and practices.

Assistance foreseen under the CARDS Regional Action Programmes 2005 and 2006 is expected to extend police and judicial cooperation in the South-East Europe region. A monitoring instruments project to establish guidelines on collecting and interpreting police and judicial statistics is expected to commence during 2008. The need for reliable statistics is important for future regional police cooperation especially as regards the exchange of information.

A CARDS 2006 project support to the prosecutors' network will start to be implemented in the first quarter of 2008. The project is a sequel to the CARDS 2003 Regional Judicial Reform project "*The establishment of an independent, reliable and functioning judiciary and enhancing of the judicial cooperation in the Western Balkans*" with a main focus on further strengthening the legislation and institutional capacities of the Prosecutors' Offices from the region, allowing for a more effective cross-border cooperation in fighting serious crime.

The European Commission is also preparing the implementation of a CARDS 2005 project, to start in the second quarter of 2008, which supports the creation of ILECUs in the Western Balkans with a view to supporting the exchange of information in international investigations and facilitating contacts on an operational level. These units will be integrated in national criminal intelligence models and supported by proper data protection and confidentiality regimes. These specialised centres will comprise the functions of Europol contact points, Interpol NCBs, SECI Centre / SELEC contact points, Bilateral Liaison Officers, police cooperation contact points according to the Schengen Convention, Sirene bureaux (preparedness only), Customs, Judicial Contact Points, and Border Police. The ILECUS will also cooperate with Frontex and the European Anti-Fraud Office (OLAF).

To conclude on linked complementary IPA regional assistance, it is necessary to consider work planned under the IPA 2007 programme "*Regional support to the update, implementation and monitoring of the Integrated Border Management strategies and related Action Plans and development of regional and cross border initiatives*" and under the IPA 2008 programme "*Fight against organised crime, in particular illicit drug trafficking, and prevention of terrorism*".

Bilateral donors, mainly EU Member States and the U.S.A, are also active in the field of policing. Bilateral donors focus mainly on capacity building through technical assistance and training.

#### *Complementary actions*

SECI Centre's /SELEC's development has to be seen against the background of Europol's progressive strengthening of links with the region.

#### *Donor coordination*

Donor coordination continues to be critical to the success of the programme. Coordination exists between the European Commission; EU Member States (EUMS); Europol; Interpol; other EU and International bodies tasked with police, customs and judicial cooperation; other international donors; the Council of Europe; Royal Canadian Mounted Police and U.S. Departments of State and Justice, which have contributed to cross-border police cooperation, notably through support to SECI / SELEC. Coordination meetings have been held with the U.S. Departments of State and Justice. In order to promote complementarities and synergies with U.S. Government assistance, a dialogue is being launched between the European Commission and the U.S. on financial assistance in law enforcement to the Western Balkans and Turkey, especially relating to SECI / SELEC. This dialogue should lead to improved donor coordination, thus avoiding duplication and overlapping in the assistance and contribute to a deeper common understanding of both parties' priorities in the region. The U.S.A. is the main donor covering the running costs of SECI Centre / SELEC.

Regional and international coordination was carried out to a wide extent through Stability Pact meetings and initiatives, which is being taken over by the Regional Cooperation Council Secretariat. Donor coordination has focused on planning the assistance with the aim of avoiding overlapping of programmes and activities, sharing experiences and promoting complementary actions. A key priority for donor coordination has been to strengthen the ownership and better involve beneficiaries in the exercise. The European Union, along with the Beneficiaries, should continue to take the lead in these coordination efforts, and further rationalise and bring together, the existing initiatives by means of the forthcoming regional projects.

### 3.7 Lessons learned

According to the various evaluations and CARDS Monitors' reports, it is necessary to intensify the support to regional operational activities. Operational means, including the safe and secure exchange of data, for increased cross-border cooperation should be developed according to the EU *acquis* and best practices. 'Ownership' of the projects by the Beneficiaries should be secured at an early stage and therefore highlighted in the project fiches.

Although a broad range of specific expertise is required for the regional projects, the contracting of broad consortia for the coming JHA projects should be avoided as the projects will have a specific and targeted approach, and coordination efforts should not be unnecessarily complicated by a saturation of partners.

In certain Western Balkans, functional reviews of the police sectors assessed the products, processes/organisation, personnel and finance of the police forces and border services. The reviews confirmed the relevance of the planned and current CARDS national projects, which provide training, equipment and databases for information exchange, infrastructure for forensics and biometrics, technical assistance to pivotal institutions through "Twinning".

#### 4. Indicative Budget (amounts in €)

The total EC contribution to the implementation of the 2008 Regional support to strengthen the SECI Centre's / SELEC's capacity in the fight against serious and organised crime Programme will amount to **€1.5m.**

|                      |        |         | SOURCES OF FUNDING  |                            |            |                           |       |                 |                        |              |                      |       |
|----------------------|--------|---------|---------------------|----------------------------|------------|---------------------------|-------|-----------------|------------------------|--------------|----------------------|-------|
|                      |        |         | TOTAL EXP.RE        | IPA COMMUNITY CONTRIBUTION |            | NATIONAL CONTRIBUTION     |       |                 |                        |              | PRIVATE CONTRIBUTION |       |
| ACTIVITIES           | IB (1) | INV (1) | EUR (a)=(b)+(c)+(d) | EUR (b)                    | % (2)      | Total EUR (c)=(x)+(y)+(z) | % (2) | Central EUR (x) | Regional/Local EUR (y) | IFIs EUR (z) | EUR (d)              | % (2) |
| Contract             | x      |         | 1,500,000.00        | 1,500,000.00               | 100        | /                         | /     | /               | /                      | /            | /                    | /     |
| TOTAL IB             |        |         | 1,500,000.00        | 1,500,000.00               | 100        | /                         | /     | /               | /                      | /            | /                    | /     |
| TOTAL INV            |        |         | /                   | /                          | /          | /                         | /     | /               | /                      | /            | /                    | /     |
| <b>TOTAL PROJECT</b> |        |         | <b>1,500,000.00</b> | <b>1,500,000.00</b>        | <b>100</b> |                           |       |                 |                        |              |                      |       |

Amounts net of VAT

- (1) In the Activity row use "X" to identify whether IB or INV
- (2) Expressed in % of the Total Expenditure (column (a))

#### 5. Indicative Implementation Schedule (periods broken down per quarter)

| Contracts  | Start of Call for Proposals | Signature of contract | Project Completion |
|------------|-----------------------------|-----------------------|--------------------|
| Contract 1 | Q2 2009                     | Q2 2009               | Q3 2011            |

All projects should in principle be ready for tendering in the 1<sup>ST</sup> Quarter following the signature of the FA

## **6. Cross-cutting issues**

In order to make full use of the assistance to this priority action, authorities in the beneficiaries are to concentrate on the priorities set out in the European and Accession Partnership Agreements. This specific programme should ensure adequate coordination and complementarities with other projects aiming to develop legislative and administrative means in the administrations in the beneficiaries. The programme aims to strengthen the institutional and operational capacity of law enforcement authorities and to enhance police cooperation as well as to provide a common understanding of the EU *acquis* and best practices to the beneficiary administrations in the areas of JHA.

### **6.1 Equal Opportunity**

The programme does not directly target equal opportunities but it will respect gender equality, not least through the inputs to upgrade legislation towards EU standards. There are many high-level female officials in the police services, although the areas of special investigations and covert operations remain predominantly male-dominated.

### **6.2 Environment**

The programme does not directly target the environment but success against organised crime can have positive indirect benefits, not least through the reduction of narcotics and people smuggling into the region or onwards towards the EC and other continents.

### **6.3 Minorities**

Minority and vulnerable groups' concerns will be reflected in all activities programmed under the programme, in particular when it concerns public services, legislative matters and socio-economic development.

## **ANNEXES**

- I - Log frame in Standard Format
- II- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- III- Description of Institutional Framework
- IV - Reference to laws, regulations and strategic documents:
- V - Details per EU funded contract

**ANNEX I: Logical framework matrix in standard format**

|   |  |   |
|---|--|---|
| <p>LOGFRAME PLANNING MATRIX FOR Project Fiche<br/> <b>Regional support to strengthen the Southeast European Cooperative Initiative (SECI) Centre / SELEC for combating trans border crime</b></p> | <p>Programme name and number<br/>         IPA 2008</p>   | <p><a href="#">2008/020-319</a></p>   |
|   | <p><b>Contracting period expires:</b><br/><br/>         2 years following the date of conclusion of the Financing Agreement.</p> | <p><b>Disbursement period expires</b><br/><br/>         1 year following the end date for execution of contract(s).</p> |
|   | <p>Total budget :<br/>         €1.5million</p>   | <p>IPA budget:<br/>         €1.5million</p>   |

| <b>Overall objective</b>  | <b>Objectively verifiable indicators</b>  | <b>Sources of Verification</b>   | <b>Pre-Condition</b>   |
|---|---|--|--|
| <p>Improve regional and international law enforcement capacities and coordination in preventing and combating organised crime in Western Balkans and Turkey, bringing existing regional mechanisms into compliance with EU <i>acquis</i>, standards and best practices.</p> | <p>- Percentage of organised crime cases in Western Balkans and Turkey where regional and international co-operation mechanisms were used</p> | <p>Local and National Records (MoI, Customs Administration)<br/><br/>         Statistical publications</p> | <p>The implementation of the programme is subject to endorsement by the EU Council and further adoption of a new SECI / SELEC Convention, in line with the Council Conclusions of 4 December 2006 and June 2008 on the further development of the SECI Centre / SELEC. The new SELEC Convention should in particular foresee a special institutional and operational link between Europol and SELEC taking into account the driving role of Europol as the EU body</p> |

|                         |  |                                |   |
|-------------------------|--|--------------------------------|---|
|                         |  |                                | <p>for the fight against serious crime. Further to that, it should<br/> The new Convention will create a new legal framework for the SECISECI Centre / SELEC, introducing relevant provisions addressing the Centre's legal status, with a view to help facilitate EU institutions and SECISECI / SELEC Member States to cooperate more closely and directly; and lay down legal provisions enabling the Centre to set up an adequate personal data protection mechanism and a confidentiality regime compliant with the European standards. The extent and applicability of project purpose ii) (operational and strategic analysis) will depend on the decision by the Council on the institutional and operational link between Europol and the SECI Centre / SELEC.</p> |
| <b>Project purposes</b> | <b>Objectively verifiable indicators</b> | <b>Sources of Verification</b> | <b>Risks and Assumptions</b>  |

|   |   |   |   |
|---|---|---|---|
| <p>Improve SECI Centre's / SELEC's capacity to fight against organised crime, in line with EU <i>acquis</i> and best practices, with a view to plan and conduct regional cross-border operations and investigations.</p>  | <ul style="list-style-type: none"> <li>- Percentage of organised crime cases in Western Balkans and Turkey where SECI / SELEC co-operation mechanisms were used</li> </ul>  | <p>SECI / SELEC Annual Report</p> <p>EC Monitoring Reports</p> <p>Project Reports</p> <p>OCTA Reports</p> <p>RCC Reports</p>                    | <p>Stable political environment</p> <p>Adequate financial, IT and human resources support</p> <p>Good inter-agency and intra-service co-operation</p> <p>Guidelines adopted by Joint Cooperation Committee of SECI / SELEC about future development</p> |
| <p>Support the coordination and performance of strategic and operational criminal analysis activities of the SECI Centre / SELEC, including the conduct of comprehensive regional threat assessments in the field of organised crime – common threat assessment on organised crime for South East European Region.<sup>11</sup></p> | <ul style="list-style-type: none"> <li>- Percentage of data analysed in the information/intelligence system</li> <li>- Timely production of common threat assessment on organised crime for South East European Region</li> </ul> | <p>EC Monitoring Reports</p> <p>Project Reports</p> <p>OCTA Reports</p>   | <p>Based on lessons learned, mechanisms should be identified to overcome risks</p>  |
| <p>Facilitate SECI Centre's / SELEC's co-operation with EU Member States (EUMSs), in particular neighbouring States, and relevant EU institutions and bodies, in particular Europol.</p>  | <ul style="list-style-type: none"> <li>- Number of joint operations/investigations carried out</li> </ul>   | <p>Local and National Records (MoI, Customs Administration, Ministry of Justice)</p> <p>Europol Reports</p> <p>Commission/Council documents</p> |   |

<sup>11</sup> See p. 3.5 "Conditionality and sequencing"

|  |  |   |   |
|--|--|---|---|
|  |  | Statistical publications<br>SECI / SELEC activity reports<br>Progress/Final Report  |   |
| Ensure cooperation of SECI Centre's / SELEC's contact points across the International Law Enforcement Co-ordination Units ILECU's.   | - Establishment of operational co-operation mechanisms with ILECU's  | Local and National Records (MoI, Customs Administration, Ministry of Justice)<br><br>Reports of European/international law enforcement institutions<br><br>EC Progress/Final Report                       |   |
| <b>Results</b>   | <b>Objectively verifiable indicators</b>   | <b>Sources of Verification</b>  | <b>Assumptions</b>  |
| Improved SECI Centre's / SELEC's capacities to fight trans-border crime and carry out cross-border operations and investigations, including personal data protection capacities. | - Number of joint operations/investigations carried out<br>- Number of information exchanged and shared among Members among users<br>- Number of completed requests among users<br>- Number of regional operations carried out<br>- Quantity and quality of analytical reports issued<br>- Number of | Local and National Records (MoI, Customs Administration, Ministry of Justice)<br><br>SECI / SELEC Annual Report<br><br>Local and National Records<br><br>EC Progress/Final Report<br><br>Statistical data | Level of commitment maintained by all stakeholders<br><br>Continuity of key action personnel maintained<br><br>Adequate financial, IT and human resources support<br><br>Good inter-agency and intra-service co-operation |

|   |  |   |  |
|---|--|---|--|
|   | training/seminars/workshops organised  | Reports on successful joint operation concluded<br><br>RCC Reports  |  |
| Strategic and operational criminal analysis activities carried out and common threat assessment on organised crime for South East European Region generated, including update of threat assessment methodology. | <ul style="list-style-type: none"> <li>- Common threat assessment on organised crime for South East European Region delivered/updated according to official timelines</li> <li>- Quality of produced common threat assessment on organised crime for South East European Region</li> <li>- Number of seminars/workshops organised</li> </ul> | Local and National Records (MoI, Customs Administration, Ministry of Justice)<br><br>Commission documents<br><br>OCTA Reports<br><br>SECI / SELEC Activity Reports<br><br>Europol Reports             |  |
| Raised level of cooperation and networking between competent authorities in the Beneficiaries, EUMSs and relevant European and international law enforcement actors, in particular Europol.                     | <ul style="list-style-type: none"> <li>- Number of cases where international networks, conventions and agreements were used against organised crime</li> <li>- Quantity and quality of information/good practices exchanged</li> <li>- Number of joint operations/initiatives developed</li> </ul>   | Local and National Records (MoI, Customs Administration, Ministry of Justice)<br><br>Europol Reports<br><br>Commission/Council documents<br><br>Statistical publications<br><br>SECI / SELEC activity |  |

|   |  |  |   |
|---|--|--|---|
|   |  | reports  |   |
|   |  | Progress/Final Report  |   |
| Full cooperation with and within newly established ILECU's.   | - Number of liaison officers exchanged<br>- Number of successfully exchanged information among ILECU's | Statistical data on information exchanged<br><br>Local and National Records (MoI, Customs Administration, Ministry of Justice)<br><br>Reports of European/international law enforcement institutions<br><br>EC Progress/Final Report |   |
| <b>Activities</b>   | <b>Means</b>   | <b>Costs</b>   | <b>Assumptions</b>  |
| <b>Activity 1</b> Assist with the continued up-grading of the SECI Centre's / SELEC's institutional and operational framework, including the area of personal data protection.<br><br>1.1 Improve the SECI Centre's / SELEC's internal strategy and action-plan, in line with EU <i>acquis</i> and best practices, and assist in elaborating a consistent mid-term budgetary framework;<br><br>1.2 Enhance capacities to coordinate cross-border operations and investigations.<br><br><b>Activity 2</b> Support SECI Centre / SELEC in developing strategic and operational criminal | Call for proposals   | <b>Total cost: €1.5million</b>   | Level of commitment maintained by all stakeholders<br><br>Continuity of key action personnel maintained<br><br>Adequate financial, IT and human resources support<br><br>Good inter-agency and intra-service co-operation |

<sup>12</sup>The extent and applicability of this activity will depend on the decision by the Council to be adopted on the institutional and operational link between Europol and the SECI Centre / SELEC.

|   |  |  |  |
|---|--|--|--|
| <p>analysis, drawing up an appropriate refined methodology for the common threat assessment on organised crime for South East European Region, and in producing the common threat assessment<sup>12</sup>.</p>  |  |  |  |
| <p><b>Activity 3</b> Improve cooperation channels and facilitate exchange of information between SECI Centre's / SELEC's, EU Member States (EUMSs), and relevant EU institutions and bodies, in particular Europol.</p>   |  |  |  |
| <p>3.1 Support the set-up of an adequate personal data protection mechanism and a confidentiality regime compliant with the European standards for SECI Centre / SELEC operations, in compliance with the adapted legal framework for the SECI Centre / SELEC;3.2 Assist the relevant authorities in the beneficiaries to introduce practices and principles on protection of personal data pertaining to the management and exchange of law enforcement information.</p> |  |  |  |
| <p><b>Activity 4</b> Ensure cooperation of SECI Centre's / SELEC's contact points with the International Law Enforcement Co-ordination Units ILECU's.</p>   |  |  |  |
| <p>4.1 Provide guidance on cooperation mechanism with the newly established ILECU's in the Western Balkans and how make a full use of them.</p>   |  |  |  |

**ANNEX II: amounts (in €m) Contracted and disbursed by quarter for the project**

| <b>Contracted</b> | <b>Q2<br/>2009</b> | <b>Q3<br/>2009</b> | <b>Q4<br/>2009</b> | <b>Q1<br/>2010</b> | <b>Q2<br/>2010</b> | <b>Q3<br/>2010</b> | <b>Q4<br/>2010</b> | <b>Q1<br/>2011</b> | <b>Q2<br/>2011</b> | <b>Q3<br/>2011</b> |
|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Contract 1        | 1.5                |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| <b>Cumulated</b>  | <b>1.5</b>         |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| <b>Disbursed</b>  |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |
| Contract 1        | 0,6*               |                    |                    | 0,6**              |                    |                    |                    |                    |                    | 0,3***             |
| <b>Cumulated</b>  | <b>0,6</b>         |                    |                    | <b>1,2</b>         |                    |                    |                    |                    |                    | <b>1.5</b>         |

\*First instalment of pre-financing (80% of the part of the forecast budget for the first 12 months of project implementation)

\*\*Further annual instalment(s) of pre-financing

\*\*\*Final payment

## **ANNEX III- Description of Institutional Framework**

The SECI Regional Centre for Combating Trans-border Crime in Bucharest assists each Member in preventing, detecting, investigating, prosecuting and repressing trans-border crime, by functioning as a regional focal point for the communication and transmission of information. SECI Centre is a specific institution as its 13 members include Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia, and Turkey.

### ***Launching***

*April 15, 1998, Geneva* – the SECI Agenda Committee approved the Romanian delegation’s proposal project “Prevention and Combating Trans-border Crime” as part of the Trade and Transport Facilitation Program.

### ***Legal framework***

*May 26, 1999* Albania, Bosnia and Herzegovina, Bulgaria, Greece, Hungary, the former Yugoslav Republic of Macedonia, Moldova, Romania and Turkey signed the Agreement on Cooperation to Prevent and Combat Trans-border Crime. Croatia signed the document on November 13, 1999 and Slovenia has acceded to the SECI Agreement on August 29, 2000.

*February 1, 2000*, the SECI Agreement has entered into force. All the signatory states have ratified the SECI Agreement, which has as enclosed part the Charter of Organization and Operation of the SECI Centre.

*October 2, 2000*, Romania and the SECI Centre signed the Head Quarters Agreement between the SECI Centre and Romania, which has entered into force on April 4, 2001.

***Complementary regulations*** have been adopted in order to ensure the proper implementation of the legal framework: Rules of Procedure of the Joint Cooperation Committee, Rules of Organization and Operation of the SECI Centre, Financial Rules, General Standards and Procedures for the Processing of the Information and the Internal Rules of the SECI Centre.

### ***Implementation of the Legal Framework***

*February 11-12, 2000* took place the first meeting of the Joint Cooperation Committee (the highest body of the SECI Centre)

*November 1, 2000* the SECI Centre has been become operational

### ***Task Forces***

TF on Human Trafficking and Migrant Smuggling

Anti Drugs Trafficking TF

Anti Fraud and Anti Smuggling TF

Financial and Computer Crime TF

TF on Stolen Vehicles

Anti Terrorism TF

Container Security TF

#### **ANNEX IV - Reference to laws, regulations and strategic documents:**

- Multi-Beneficiary Multi-annual Indicative Planning Document (2007/2009) SEC(2007)749 of 29.05.2007
- Multi-Beneficiary Multi-annual Indicative Planning Document (2008/2010)
- Council Conclusions of June 2008 on the further development of the SECI Centre
- Commission's Communication of 5 March 2008 "Western Balkans: Enhancing the European perspective"
- Commission's Communication of 6 November 2007 "Enlargement Strategy and Main Challenges 2007-2008"
- Commission's Communication of 27 January 2006 "The Western Balkans on the Road to the EU: Consolidation Stability and Raising Prosperity"
- Council Conclusions of 4 December 2006 on the further development of the SECI Centre
- Council Decision of 18 February 2008 (2008/211/EC) on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina and repealing Decision 2006/55/EC
- Council Decision of 12 February 2008 (2008/119/EC) on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing Decision 2006/145/EC
- Council Decision of 18 February 2008 (2008/212/EC) on the principles, priorities and conditions contained in the Accession Partnership with the former Yugoslav Republic of Macedonia and repealing Decision 2006/57/EC
- Council Decision of 22 January 2007 (2007/49/EC) on the principles, priorities and conditions contained in the European Partnership with Montenegro.
- Council Decision of 18 February 2008 (2008/213/EC) on the principles, priorities and conditions contained in the European Partnership with Serbia including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999 and repealing Decision 2006/56/EC
- Council and Commission Decision of 13 December 2004 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part - Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part
- Council and Commission Decision of 26 March 2001 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part - Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part
- Council and Commission Decision of 22 May 2006 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part - Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part

**V - Details per EU funded contract**

|                   | <b>Type of Agreement</b> | <b>Amount in €</b> | <b>Duration</b> |
|-------------------|--------------------------|--------------------|-----------------|
| <b>Contract 1</b> | Grant Agreement          | 1,500,000          | 24 months       |