



**Organization for Security and Co-operation in Europe  
Secretariat**

SEC.DEL/107/05  
26 April 2005

ENGLISH only

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**Conference Services**

At the request of the OSCE Delegation of the former Yugoslav Republic of Macedonia the attached *Report* is being distributed to all OSCE delegations.



Nr.: 15-01- 377

The Permanent Mission of the Republic of Macedonia to the OSCE presents its compliments to all Delegations to the OSCE and to the OSCE Secretariat, and has the honour to transmit the Report on Seminar 1 of Phase 2 in the framework of the "OSCE SEE Cross-Border Co-operation Programme" (OSCCP), that took place in Skopje from 22 to 23 March 2005.

The Permanent Mission of the Republic of Macedonia to the OSCE avails itself of this opportunity to renew to the Delegations to the OSCE and to the OSCE Secretariat the assurances of its highest consideration. D. G.

Vienna, 26 April 2005



To  
Delegations to the OSCE  
OSCE Secretariat

VIENNA

## **“OSCE SEE Cross-Border Co-operation Programme” (OSCCP)**

### **Report on Seminar 1 of Phase 2 ( 22 – 23 March 2005)**

#### **“Seminar on Inter-agency co-operation and co-ordination in the field of Integrated Border Management”**

##### **General**

The first seminar in Phase 2 of the OSCE SEE Cross-Border Co-operation Programme (OSCCP), titled “Inter-agency co-operation and co-ordination in the field of Integrated Border Management”, took place in Skopje from 22 to 23 March 2005. It was organized by the Ministry of Internal Affairs of the Republic of Macedonia.

The aims of this seminar were:

- To summarize the requirements of the “EU IBM guidelines for the Western Balkan countries” in terms of inter-agency co-operation
- To exchange best practices in the implementation of inter-agency co-operation in accordance to EU IBM guidelines
- To give the opportunity to the participants to increase the level of their practical knowledge related to the preparation of Agreements for inter-agency co – operation

The seminar was attended by twenty nine senior members of national border services and officers in charge of border agencies from the following participant countries/areas: Albania, Bosnia and Herzegovina, Croatia, the Republic of Macedonia, Serbia and Montenegro and UNMIK (Kosovo/Serbia and Montenegro). In addition, eight participants from the neighbouring states of Bulgaria, Hungary, Greece, Romania, Slovenia and Turkey were present as well as three observers from NATO, PROXIMA – European Police Mission in the Republic of Macedonia and OSCE – Spillover Monitor Mission to Skopje. There were also four OSCE border experts from the Secretariat in Vienna. In total, 46 participants took part in the seminar. A detailed list of participants is attached in Annex A to this report.

##### **The Seminar – First day**

###### **Opening Session**

The seminar was opened by Mr. Cane Capragovski, Director of the Bureau for Public Security in the Ministry of Internal Affairs. He welcomed all participants and emphasized that this seminar is important for the Republic of Macedonia and other participant countries in terms of implementing the “EU IBM guidelines for the Western Balkan countries”. He also gave a brief description of the process of the whole security system,

the situation regarding transition from a military to a civilian formation and in particular the border security system in the Republic of Macedonia. In this regard he expressed his appreciations of the OSCE efforts to help the countries from the region to reform their border management structures according to the EU standards.

After that Mr. Karlheinz Horndasch, Senior Border Issues Co-ordination officer from the OSCE – Secretariat in Vienna and Co – chair of the seminar presented the aims of the seminar and underlined the importance of effective inter-agency co-operation for the security of state borders and the free flow of persons and goods. He also shared his expectation that this seminar will help the countries from the region to increase the level of inter- agency co-operation and the further implementation of the EU IBM guidelines.

A speech was then made by Ambassador Siftar, Ambassador of Slovenia in Skopje, on behalf of the Chairman in Office of the OSCE. He also welcomed the participants and expressed his expectation that this would be a fruitful seminar to the benefit of all participating states. Furthermore Ambassador Siftar emphasized the attention that the Chairman in Office pays to the subject of border security and effective border management not only in the South Eastern European countries. He made a short update on the state of the development of the OSCE concept on border security and management and expressed his expectation that such a concept will be adopted at the Ministerial Conference in Ljubljana by the end of this year. He stressed that such a concept will serve as a basis for the development and implementation of well managed, open and secure borders throughout the OSCE area.

The seminar than proceeded to be co-chaired by Ms. Merita Ramadan, Head of Section for European integration, cross-border cooperation and coordination of foreign assistance in the Border Police Department and Mr. Horndasch.

### **Session 1 – Presentation by OSCE/CPC on the requirements of the EU IBM guidelines on inter-agency co-operation**

Mr. Peter Karohl, Border Issues Co-ordination Officer in the OSCE Secretariat, delivered a presentation on the requirements of the “EU IBM guidelines for the Western Balkan countries”, and issued copies to all participants. Mr. Karohl explained the three pillars of the EU IBM guidelines, focussing on the second pillar, the inter-agency co-operation.

Mr. Karohl gave an overview of those requirements, and provided examples of incidents/situations the Border Police is faced on a day-by-day basis. The presentation demonstrated the need and suggested the possible way-forward to meet these requirements, and how the EU IBM guidelines recommend the establishment of inter-agency/inter-disciplinary working groups. The presentation showed the tasks and the expected results of the work of the working groups. In his presentation Mr. Karohl showed that the national legal basis for inter-agency co-operation might need to be reviewed or even revised, to meet the requirements of the guidelines.

## **Session 2 – Presentation from the Republic of Macedonia**

Ms. Merita Ramadan, Head of section in the Border Police Department, presented the state of affair in implementing the EU IBM guidelines.

In her presentation Ms. Ramadan explained the approach of the Ministry of Internal Affairs to implement these guidelines; she also mentioned the difficulties and delays in this process. Some of these difficulties and delays were caused by the process of the transition from military-like Border Guards to the newly established Border Police Department.

Referring to the pillar of inter-agency co-operation she gave an overview of the established inter-agency working group, their tasks, objectives and results achieved so far. The overall work of that working group is in the Republic of Macedonia managed by the national IBM co-ordinator within the Ministry of Internal Affairs.

## **Session 3 – Presentation from Slovenia**

Mr. Danijel Lorbek, Chief of Border Police, informed the participants of Slovenia's approach to meeting EU standards on border management and security. Mr. Lorbek introduced the structure and the tasks of the Slovenian Border Police Forces, which are not an independent Police Force, but a specialised part of the Regular Police Forces. They have various agreements with other agencies and ministries, such as Customs, Regular Police Forces, Office of the Public Prosecutor, Ministry of Labour, Ministry of Traffic, etc. These agreements describe the tasks, the share of responsibilities and the division of work among the agencies.

Mr. Lorbek also informed the workshop about the jurisdiction of the Border Police for investigations in legally defined fields of crime.

## **Working groups**

Following these presentations, three working groups were established. Each of these working groups had a task to introduce the present situation in the implementation of inter-agency co-operation, to identify problems and gaps, and to develop possible solutions on the following topics:

- Co-operation of Border Police Forces with Regular Police Forces
- Co-operation of Border Police Forces with Customs
- Co-operation of Border Police Forces with the Office of the Public Prosecutor

The working groups were headed by Mr. Dastonic (Bosnia and Herzegovina), Mr. Janovski (Republic of Macedonia) and Mr. Rotarevic (Serbia and Montenegro).

## **Second day**

### **Findings and conclusions of the working groups**

#### **Working group 1**

Working group 1 focussed on the topic of the Co-operation of Border Police Forces with Regular Police Forces. The group included representatives from all countries present at the seminar.

Its head, Mr. Dastonic, presented the conclusions of the working group 1. The group concluded that presently there are different police structures with varying degrees of independence of the Border Police Forces within the region. The need for and the potential value of Memoranda of Understanding or Agreements on co-operation is therefore commensurate with the degree of the independence of the Border Police Forces. In countries where Border Police Forces have greater autonomy, such Memoranda and Agreements could be and should be developed and agreed. In his presentation, Mr. Zarkovic summarized that the Agreement should contain and cover the following items:

- The scope of the MoU/ agreement
- Identification of possible challenges
- Determination of meetings, points of contacts
- Information details (Liaison Officers, Central IT system)
- Operational co-operation
- Training and education
- Co-operation with media, public relation
- Evaluation.

Following this outline the working group developed a template of a Memorandum of Understanding that could be easily adjusted to the national conditions.

#### **Working group 2**

Working group 2 focussed on the topic of Co-operation of Border Police Forces with Customs. It was also composed of members from all countries present at the seminar.

Mr. Janovski, the head of the group, presented the group's findings. The group agreed to use the following motto as a headline for the further co-operation with other agencies, especially the Customs: "To solve joint problems jointly". The enhancement of the co-operation between Border Police Forces and Customs should aim at the acceleration and transparency of the process of border crossings on one hand and, on the other hand, to guarantee high security and quality standards in that process.

The group identified the following gaps and needs that need to be considered:

- Legislation and regulatory framework

- Management and organisation
- Procedures
- Human resources and training
- Communication/ exchange of information
- Integrated IT system
- Infrastructure and equipment
- Funds, financial resources
- Public relations.

This co-operation should be also clearly client orientated.

The conclusions of the working group showed the possible way forward:

- Joint activities and interaction through co-operation at all levels
- Building awareness of the complexity of the problem and the necessary co-operation
- Dividing tasks and responsibilities among all involved agencies, keeping in mind the individual and joint ownership for the entire process.

### **Working group 3**

Working group 3 focussed on the topic of Co-operation of Border Police Forces with the Office of the Public Prosecutor, and was again composed of members from all countries present at the seminar.

Mr. Rotarevic presented the findings of this working group. This group's major observation was that in none of the countries represented in this group did the Border Police have jurisdiction over, or competencies for, its own investigations of border related crimes. This implied that there was at present no need for the co-operation with the Office of the Public Prosecutor. Normally, the competencies for the investigation by law enforcement agencies are regulated within the code of criminal procedure.

It was concluded and recommended that Border Police Forces should have the competencies for the investigation of border related crimes. In the case where such competencies are not established for Border Police, the flow of information between investigators and Border Police must be ensured, since such information is essential for the risk analysis used by the Border Police.

### **The way ahead with OSCCP Phase 2 in the context with CARDS**

At the end of the seminar, Mr Anton Petrenko, Programme Management Officer from the OSCE Secretariat, presented an update on the current planning of the OSCCP Phase 2 and its co-ordination with the CARDS programme in 2005 and 2006. His presentation consisted of three parts: First, he reminded participants about the original outline of the 2<sup>nd</sup> Phase, as agreed in December 2004; Secondly, he outlined new and unexpected developments with CARDS programme and its consequences on the OSCCP Phase 2

planning; Thirdly, he presented the OSCE Secretariat's proposal for an adjustment of the OSCCP Phase 2.

Originally, OSCCP Phase 2 for 2005 was thought to consist of six regional workshops, of which three were supposed to be funded by the OSCE and the other three through CARDS programme. However, the subsequent CARDS plans call for a slight reduction in the number of OSCE workshops.

Accordingly the revised plan for OSCCP Phase 2 was presented as following:

- Workshop 1 on Inter-agency Co-operation in the Republic of Macedonia in March 2005 (the current workshop)
- Workshop 2 on Cross-border Co-operation along Blue Borders in Croatia in April/May 2005.
- Workshop 3 on Cross-border Co-operation along Green Borders in Slovenia in May/June 2005.
- Workshop 4 on technical Means of Surveillance along Borders in Serbia in September 2005.
- There will also be 3 CARDS funded and OSCE supported workshops, one of them taking place in 2005 and a further two in 2006.

### **Closing Session**

After the above presentations, co-chairs invited participants to give their evaluation of the process and the results of this first seminar of the 2<sup>nd</sup> phase. These were positive, in that they considered the seminar to be relevant, practical and inclusive. In closing, both co-chairs considered the seminar to have met the required aims in furthering the necessary inter agency aspects related to the current EU IBM strategy.



**OSCE South Eastern Europe Cross Border Co – operation Programme (OSCCP), Phase 2**

**1st Seminar**

**Workshop on Interagency Co-operation and Co-ordination in the field of Integrated Border management**

**Skopje 22 – 23 March 2005**

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