



Assessment of progress Regional Cooperation in the JHA area 2008 - 2011

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SEE cooperation: working together at regional level

1. Assessment of the existing situation in SEE

- **Challenges**
- **Improvements**

2. RCC role

3. Main bottlenecks and constraints

4. Recommendations

Challenges in regional cooperation in JHA

- Crime phenomenon **persisted** and even **aggravated internationally**
- SEE region is particular **vulnerable to organized crime, corruption and rule of law deficits**
- There is a **regional specificity of crime phenomenon in SEE**

Areas of improvement

❑ Overall: IPA-MB Program contributed to:

- coherence
- harmonized multiple approaches with EU law and standards
- strengthened cross-border, inter-institutional trust and direct cooperation

❑ In particular

- **Information** pooling, cross-border intelligence exchange and collection (ILECUs and DET ILECU's II)
- **Risks and threats analysis** (OCTA-SEE, SEPICA),

Areas of improvement

- **Legislative harmonization** (SELEC ratification and the implementation of SEE-PCC, of CoE and UN legislative framework),
- **Cross-border exercises, operations and joint investigations** (SELEC, PCC-SEE Secretariat, SEEPAG, WB Prosecutors' Network, MARRI)
- **Witness protection** (WINPRO)
- **Democratic policing** (SEPCA, OSCE).
- **Personal data protection** (ILECUs, SEPCA, SEE-PCC).

2. RCC role: strategic coordination, guidance, monitor and complement

- **2 Regional owned strategic instruments covering 2011-2013:**
RCC Strategy and Work Program (SWP) and the Regional Strategic Document (RSD) with its Action Plan
- **Steering Group on Regional Strategy (SGRS)**
- **Monitoring and Evaluation Mechanism (M&EM)**
- **Expert Team in Criminal Matters**, to discuss the establishment of the “Regional Arrest Warrant”

3. Main bottlenecks

Gradually overcome at regional level:

- **Fragmentation, insufficient level of coordination, varying national institutional capacity and uneven development of areas of cooperation.**
- **Some projects implementers neglect the regional frame and instead of networking with the existing regional structures and mechanisms developed their own architecture.**

4. Recommendations

1. Enhance the **convergence, complementarities, reciprocal support among regional mechanisms and EU agencies**
2. **Holistic approach** to the rule of law sector (judiciary-prosecution-police and law enforcement) and **judicial control** of regional operations.
3. Effective **implementation, enforcement and evaluation** of existing regional cooperation instruments.
4. Planning should focus on identifying the **needs of citizens and practitioners** - the appropriate responses; the regional projects to address those needs and produce fast results

Recommendations

5. Cooperation between judicial structures has to **go further than the national central authorities – enhance mutual trust** is the key for **direct communication**. Effect = gradual passage from **mutual legal assistance** towards **mutual recognition and direct cooperation**
6. Develop integrated regional activities in cross cutting issues:
 - **fundamental rights - justice - security**
 - **anticorruption** – public procurement, integrity, good governance, public administration, parliamentary cooperation and business
 - **money laundering** - banks, environment, infrastructure and energy;
 - **legal professions** - education, recruitment, specialization, training;.