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Subject: Initiative of sharing best practices with Western Balkan countries on national counter-terrorism arrangements - summary

Delegations find in annex a summary of the work done regarding the exchange of best practices with Western Balkan countries on national counter-terrorism arrangements, carried out from 2008 to 2010 in the framework of the Terrorism Working Party. **DELETED**

Introduction

The fight against organised crime, corruption, illegal immigration and terrorism are priorities in relations with the regions surrounding the EU and developments in these fields have an immediate and reciprocal impact on the security situation both within the EU and in neighbouring countries. A security partnership based on trust, common interests, and the values of freedom, democracy and justice between the EU and the Western Balkan countries therefore constitutes an important element in mutual relations.

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Timeline of the initiative

On 26 and 27 March 2008 a conference was held in Gotenica, Slovenia, attended by representatives of the EU (CZ, FR, SI, Europol and the Council General Secretariat), the SECI Centre, Albania, Bosnia and Herzegovina, Montenegro, the Former Yugoslav Republic of Macedonia (FYROM) and Serbia, at which the following topics were discussed:

- security risks in the Western Balkan countries,
- counter-terrorism structures and capacity in the countries, and
- possibilities and opportunities for the transfer of good practices from the EU.

Furthermore, nine selected recommendations¹ from the first round of peer evaluation on the national counter-terrorism arrangements of the EU Member States were presented to the Western Balkan countries, together with the results of their implementation by the EU Member States.

¹ Recommendations number 1, 3, 4, 6, 8, 9, 10, 11 and 12 in the final report of the first round of peer evaluation, contained in doc. 12168/3/05 REV 3 ENFOPOL 109.

With a view to enhancing EU cooperation with the Western Balkan region in the security area, the Council approved on 8 July 2008 conclusions on cooperation with Western Balkan countries on the fight against organised crime and terrorism (10931/08 ENFOPOL 123 CORDORGUE 46 COWEB 164). The Conclusions endorsed sharing the recommendations resulting from the first round of peer evaluation on national counter-terrorism arrangements with the Western Balkan countries and, in addition, proposed to familiarise the Western Balkan countries with the EU's efforts in combating terrorism, with a view to raising the security standards of both the EU and Western Balkan states.

Thereafter, with the endorsement of the Terrorism Working Party, a team of experts from Slovenia and Europol held preliminary visits in six Western Balkan countries between 10 November 2008 and 26 May 2009¹. As a result of these visits reports containing an overview of the national counter-terrorism structures and legislation as well as the opinion of the countries regarding their readiness to participate in the initiative² were drafted and presented to the Working Party, with a view to preparing the missions for analysing the counter-terrorism arrangements in these countries on the basis of the nine EU recommendations.

Five out of the six countries that had been proposed to participate in the initiative expressed their wish to host a mission and were visited by an EU team of experts from February to June 2010: FYROM on 16-19 February 2010, Bosnia and Herzegovina on 9-12 March 2010, Montenegro on 23-26 March 2010, Albania on 18-21 May 2010, and Serbia on 22-25 June 2010. Croatia was the only country not willing to receive the team of experts carrying out the initiative.³

¹ 15-18 July 2008 Bosnia and Herzegovina, 10 November 2008 FYROM, 26 January 2009 Serbia, 30 March 2009 Croatia, 14 May 2009 Montenegro, and 26 May 2009 Albania
² Bosnia and Herzegovina: 5257/09 ENFOPOL 8 RESTREINT UE, FYROM: 5258/09 ENFOPOL 9 RESTREINT UE, Serbia 6370/09 ENFOPOL 35 RESTREINT UE, Croatia 8594/09 ENFOPOL 78 RESTREINT UE, Montenegro 10687/09 ENFOPOL 163 RESTREINT UE, and Albania 11164/09 ENFOPOL 177 RESTREINT UE

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Overview of national counter-terrorism arrangements

There have been few terrorist acts in the five countries that participated in the initiative **DELETED**. Related to that, terrorism is approached as a part of serious and organised crime in most of these countries, and their legal framework and organisational structures for the coordination of counter-terrorism, though in line with international legislation, are in an early phase of development.

In one out of the five countries a national platform focusing on counter-terrorism coordination has been established: the Task Force for Fighting Terrorism in Bosnia and Herzegovina. In Albania and Montenegro the creation of such a body has been envisaged.

Special inter-institutional cooperation arrangements have been put in place in Albania and FYROM to ensure a streamlined approach to counter-terrorism, and in Serbia the Office for Coordination of Security Services is responsible for counter-terrorism coordination.

Counter-terrorism policy is defined in different documents in the five countries:

- in Bosnia and Herzegovina a counter-terrorism strategy has been put in place;
- in Albania and Montenegro a counter-terrorism strategy is being drafted;
- in Serbia counter-terrorism measures are defined in the National Security/Defense Policy Concept and in strategies for organised crime, money laundering and terrorism financing;
- in FYROM counter-terrorism provisions are included in the National Concept for Security and Defense and strategies for national security, and money laundering and financing of terrorism, as well as the law on crisis management.

Since 2007 all the countries have signed strategic agreements with Europol. FYROM has finalised the negotiations with Europol also on the operational agreement, allowing for the exchange of personal data, but the signature of the agreement is pending. The four other countries have not yet officially started the negotiations on the operational agreement.

The five countries visited were, on the whole, well informed of the substance and spirit of the nine general recommendations resulting from the first round of peer evaluation. This is a sign of the effectiveness of the work carried out in the context of the preparatory missions. **DELETED**

It can be noted that the situation as regards the level of implementation of the objectives of the recommendations is in broad terms similar in all the five countries.

During the visits the EU experts noted that the current situation is the closest to the aim of the following EU recommendations:

- No 1: political coordination of counter-terrorism efforts;
- No 6: information collection;
- No 11: providing a legal basis for a range of investigative techniques;
- No 12: secure communication systems and security clearances.

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Due to the aim of this initiative, which is the sharing of best practices, the five countries will be invited to apply these recommendations to the extent seen fit by their relevant authorities.

According to the EU experts, the countries consider this initiative of added value and feel that it has contributed to awareness raising and enhancing common understanding of terrorism as a global threat.