

Trust and Security through Cooperation



Support to Law Enforcement

Project “EU Support to Law Enforcement” Special Edition

IN FOCUS



By Karl Lesjak, Team Leader

Now that the work plan for the final implementation phase of the Project was adopted by the Steering Committee, and given it was confirmed that we are on the right track, we can again fully concentrate on the important work that remains to be done. I am happy that the decision of the Europol to launch negotiations on the operational agreement with BiH coincided with the beginning of the third phase of the Project, so we can make the expertise of the Consortium Member States available to support BiH during the negotiation process.

Besides the top priorities of fight against organised crime and corruption, cooperation between the police and the justice will also continue to be in the focus of our attention. Now that the first SOCTA has been prepared, further assistance will concentrate on the development of the new organised crime strategy for BiH. Furthermore, due to an obvious need for improvements in the field of securing access to data and personal data protection, the Project will be undertaking an all-inclusive action to address the EU standards for data protection.

Anti-corruption activities will focus on the implementation of the institutional appraisal and integrity plan methodologies that were developed by the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption, tested in the Brčko District Police, and will now be employed in the Directorate for Coordination of Police Bodies and

Border Police. The set of 18 minimum legal standards for asset seizure have been sent to the relevant institutions with a cover letter from the Ministry of Security and the Project, requesting to launch the implementation of the minimum standards in the different legislation levels; the Project will assist in this important process wherever needed.



The new Border Police Strategy and Action Plan developed in close cooperation with the BP management have just been signed by the Director and will be implemented as of 1 January. These were only some of the Project outputs from the last couple of months. The Project will continue

to stress the importance of the beneficiaries' highly active involvement in all of the implementation phases, including the benchmarking and planning. This design was also recommended by the monitors as a possible role model for the BiH stakeholders' more effective resolving of complex issues in the area of law enforcement. I am confident that all of the involved stakeholders will maintain the highest level of commitment to the Project until its very end.

I would like to extend appreciation to my team, to Ms. Brigitte Kuchar, Programme Manager of the EU Delegation to BiH and to the BiH Project Coordinator Mr. Samir Rizvo, Assistant BiH Minister of Security, without whose hard work none of this would be possible.



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EU SUPPORT TO LAW ENFORCEMENT

Editorial by Ambassador Peter Sorensen, Head of the EU Delegation to BiH and EUSR



The EU Support to Law Enforcement project is entering its final phase, so it's a good time to reflect on its results on the 'rule of law' agenda in Bosnia and Herzegovina (BiH) – a key area for action underlined in the recent Progress Report of the European Commission – and on the challenges that lie ahead.

The overall aim of the project is to help BiH to meet EU standards for rule of law, specifically Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom, and Security). More precisely, the goal was to assist agencies to improve the capacities and capabilities for fighting organised crime and corruption and to enhance cooperation with the prosecutors and international cooperation. The meeting with senior police management was just held and the project is on the right track.

Fighting organised crime and corruption are of high importance for all our societies, so the project has assisted and advised in drafting the first BiH Serious and Organised Crime Threat Assessment (SOCTA) in line with the Europol methodology. During this exercise, for the first time, the law enforcement agencies shared the intelligence necessary to jointly identify the main threats in this area. Such co-operation is at the heart of how crime is effectively tackled, and this experience can now be put to good use in BiH to develop more regular exchange of intelligence between agencies. The project has also pulled the expertise already present in BiH together – a pool of experts from all BiH law enforcement agencies that jointly work on strategic and operational analysis.

This is just the first step. We are now looking forward to seeing the SOCTA adopted by the BiH Council of Ministers before the end of the year, and followed up by the setting of clear priorities for the fight against organised and serious crime. The strategy needs to come off the paper and translate into successful prevention, investigation and convictions.

Another key area in the fight against organised crime is to make sure that criminals lose the proceeds of crime. This is a highly effective deterrent. So the Project has recently presented minimum legal standards for the seizure of illegally gained assets. Substantial efforts by Governments and Parliaments at all levels are now needed to have these standards implemented into the legislative frameworks of BiH. This will allow the setting up of efficient mechanisms to ensure that crime does not pay. Cooperation between police and prosecutors throughout the country, particularly in crime scene investigations, was recently reinforced with a first set of relevant Instructions. By signing, the highest police and judicial authorities pledged to ensure that they are implemented so that police and prosecutors can function as a well-coordinated and efficient team – meaning, we hope, more successful prosecutions. The project will provide relevant trainings to make this co-operation happen, however, only a track record of cases will show results.

On the international front, Europol has decided to launch negotiations on an operational agreement with Bosnia and Herzegovina, which would reduce the options for those fleeing justice and bring the country into our European network. Also a working agreement with the European Police College (CEPOL) facilitated by the Project, is now imminent. This will enable BiH law enforcement officers to access e-learning materials, participate in police trainings in different European countries and have lecturers come to BiH to develop police education.

I am particularly glad that the co-operation with the authorities of Bosnia and Herzegovina in this area is at a very good level, and I congratulate Ministers Radončić, Kurteš and Jovičić, their advisers and officials for their commitment and concrete engagement. It is their involvement and support that has made this a very effective use of EU funds in Bosnia and Herzegovina.

This is all evidence of progress in building cooperation and more effective work at the professional level. This, we believe, will lead, in the coming years, to BiH police services in particular being at the same level with their colleagues from the EU Member States. It is part of the bigger story of BiH coming closer to the EU and eventual membership. A lot has been done. There is still a lot to do – and the EU remains committed to supporting and assisting our BiH partners, who are and of course will remain in the driving seat.



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Editorial by Fahrudin Radončić, Minister of Security of Bosnia and Herzegovina



The position of the European Union that the time has come for BiH authorities to take the ownership of the rule of law agenda and face challenges of the EU pre-accession process was a clear message to the BiH institutions that they are accountable for further progress on the European path. In addition to the BiH authorities' commitment, compliance with these obligations requires the assistance of experts from the EU Member States.

The experiences of the EU Member States illustrate that the Chapters on Judiciary and Fundamental Freedoms and Justice, Freedom, and Security were the most challenging to conclude. Judging by the experiences of the neighbouring countries, we can expect to launch the process of negotiation with these two Chapters. It is exactly the EU Support to Law Enforcement Project which complements the efforts of the BiH law enforcement agencies in making progress in this field – to improve capacities and capabilities for the fight against organised crime and corruption, to enhance cooperation with the prosecutors, and to use the advantages of the regional and international police cooperation, exchange of experiences and best practices. In the implementation of this Project, the needs and priorities of the BiH law enforcement have been taken into account along with the EU standards and priorities, which will have to be complied with during the pre-accession process. All the activities have been organised in cooperation with the Project beneficiaries from all levels, which enabled them to demonstrate their ability to work together regardless of the institutions they come from.

The Project has also dealt with the activities that contributed to the more efficient international operational police cooperation. In this context, two important developments for the BiH security structures have happened.

Firstly, at the Ministerial Conference of the Police Cooperation Convention for Southeast Europe in Bucharest, the EUROPOL representatives have announced the launch of negotiations for conclusion of the operational agreement with BiH and Montenegro. This positive step ahead superseded development of the first BiH Serious and Organised Crime Threat Assessment, which was prepared in line with the Europol methodology in scope of the Project. The Project has also trained and established the team of experts for strategic and operational analysis.

Secondly, BiH took over the chairmanship of the Police Cooperation Convention for Southeast Europe. Among the priorities is the signing of protocol on the cross-border surveillance between the member states, hot pursuits, enhancement of cooperation between the police education institutions, work of the joint investigation teams and organisation of trainings for prosecutors and inspectors.

The latest European Commission Progress Report on BiH is also encouraging. The report notes that a positive step was made in the field of asylum, migrations, border management, in 48% increase of corruption reports filed, the adoption of the Strategy for the fight against human trafficking, establishment of the task force for the fight against illicit weapons trafficking and the launch of the police data exchange server. The Ministry perceives this assessment as a great stimulus for the future work.

The Project has helped developed the Strategy and the Action Plan, as well as the plan for application of the Schengen mechanisms of control and planning, which assisted the BiH Border Police in adequately responding to the task of safeguarding the external border of the EU. The Project has presented a concept of the EU Joint Investigation Teams in line with the methodology of CEPOL and initiated signing of working agreement with CEPOL. In addition, thanks to the Project a set of minimum legal standards for harmonisation of the asset seizure legislation in BiH with the EU was agreed on.

As the Coordinator of this Project, the Ministry of Security will continue offering its full support to its implementation as well as fulfilling its obligations vis-à-vis the citizens and the international community in improving the security situation.



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Vinko Dumančić, Director of Border Police

We benefited from the EU expertise in the development of the new Strategy and Action Plan, amendments to the legislation and benchmarking system, as well as new Communication Strategy. Of particular importance are the trainings on the current Schengen practices. The efforts jointly invested so far will surely contribute to more efficient use of the existing capacities and improvements with a particular focus on the strategic and operational planning and better application of the best Schengen practices on the external EU borders.



Žarko Kalem, SIPA Chief Organised Crime Department

The Project has offered a chance to make a general assessment about the priority education and training needs, which was followed with a direct response. Worthwhile emphasizing are the training courses about the fight against organized crime and corruption, application of special investigative measures in particular. SIPA will remain committed to the implementation of the Project activities with the aim to achieve a higher degree of cooperation and coordination with the key security institutions, and to strengthen the functions and knowledge transfer of the best EU practices.



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Jasmin Pilica, Director of Agency for Police Support

We will continue closely cooperating with the Project in the final phase, to grasp as much as possible from the best EU practices. Previous assistance in helping us assume competencies stipulated by the law, primarily referring to the joint public procurement of certain equipment for state-level police bodies was valuable. The expertise invested in analysing our capacities for such a task was of crucial importance in bringing this issue to the attention of the stakeholders and launching a series of discussions on how to incorporate this into practice to the true benefit for all involved.



Goran Lujic, Chief of Police of Brčko District

The Project has a significant and positive influence on the overall work of Brčko District Police. Worth underlining is the assistance in enhancing our capacities and capabilities to efficiently respond to all sophisticated forms of crime. Through police integrity programme, education and establishment of police teams capable of responding to all challenges (police negotiators, strategic planning, undercover agents, etc), police has new mechanisms to fight organised crime, corruption and terrorism. I have to underline that we support and will continue supporting this significant project.

Radoslav Jovičić, Minister of Interior of Republika Srpska

In part, the Project has met the needs of the Ministry. The Project and the experts have displayed a great degree of flexibility in defining the activities and the real needs that emerged as priorities in concrete cases within the component VIIIb, which was fully focused on the Ministry. We have also participated in the cross-cutting activities of other components. Having in mind that the Project was limited to knowledge transfer it is worth underlining that it could be evaluated as positive, but in the upcoming period should be followed with the equipment, to be used to apply the acquired knowledge in the fight against current forms of crime.



Dragan Lukač, Director of Federation Police Administration

I support implementation of the EU Support to Law Enforcement Project, with the emphasis on setting up clear objectives of the Project in terms of building a strong police structure and creating the environment conducive of better policing and accomplishments of the European Union standards in police work.



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About the Project

The EU Support to Law Enforcement in Bosnia and Herzegovina Project was launched in May 2012 as part of the continuous commitment of the EU to bring BiH law enforcement closer to the level required for the EU accession.

Its plan of implementation complements the efforts that the BiH law enforcement at all levels is making to improve the capacities and capabilities for fighting organised crime and corruption, to enhance cooperation with the criminal justice and to benefit from the regional and international police cooperation and experience sharing.



Under the leadership of the Austrian Federal Ministry of Interior, this project utilizes a broad range of experience of other implementing partners from across the European Union: the International Centre for Migration Policy Development, Ministry of Interior of Hungary, Ministry of Interior of Republic of Slovenia, and the Police Academy of the Federal State of Brandenburg.

The project is financed by the European Union under the Instrument for Pre-Accession (IPA 2010) in amount of € 6,9 million.

What the media/press did not say but you may find interesting?

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Project Statement

The project team shall share and learn, listen and advise, liaise and cooperate, trust and be trusted allowing for flexibility, transparency, dialogue with civil society, and continuity of action. It should not reinvent the wheel but build upon already existing structures and mechanisms, formal and informal, focusing on solutions that will remain after the project ends, combining European standards with BiH practice.

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