

Salzburg Forum Vision 2020

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I. Brief outline and assessment of cooperation to date

When the Salzburg Forum was founded in 2000, it had six members – one EU Member State (Austria) and five candidates for accession (Czech Republic, Hungary, Poland, Slovakia, Slovenia). Two basic functions of the new Central European security partnership derived from that original configuration: strengthening cooperation in the centre of Europe in the field of internal security, and supporting the members not yet belonging to the EU in their efforts to meet EU standards and their preparations for EU accession.

The Salzburg Forum succeeded in both areas: differences in terms of security in Central Europe have diminished and the general level of security has increased significantly. Moreover, since 1 May 2004, all founding members of the Salzburg Forum have become EU Member States. Thus, cooperation within the EU became a new and central function of the Salzburg Forum. The ministers committed themselves in their declaration of 19 July 2003:

“Cooperation in the field of Justice and Home Affairs primarily takes place when preparing JAI Councils of Ministers, COREPER, SCIFA and Article 36 Committee meetings. Coordination can, if necessary, also be applied to other topics of common interest in this respect.”

Cooperation within the European Union before and during the Austrian EU Presidency in 2006, the Slovenian EU Presidency in 2008 and the Czech EU Presidency in 2009 is a case in point.

Having signed their accession treaties, Bulgaria and Romania joined the Salzburg Forum in 2006. As of 1 January 2007, i.e. the date their EU accession, the Forum comprised eight EU Member States. At its Ministerial Conference in Brdo on 26 October 2006, the group adopted a common external strategy. On that basis, the platform of the “Friends of the Salzburg Forum” was established through the “Innsbruck Declaration” of 2007 and the Western Balkan countries were the first to be invited to several ministerial meetings as “friends”. The first joint meeting was held in Pleven in the autumn of 2007.

Within the framework of their operational cooperation in Central Europe, a number of Salzburg Forum states have concluded modern state treaties, seconded liaison officers on a mutual basis or set up joint police cooperation centres at their internal borders and carried out joint patrols in border regions. From the very beginning, they also engaged in subject-specific cooperation in operational working groups. Joint operational measures, such as traffic patrols, were taken in a number of areas. Working groups on the exchange of DNA data, drug trafficking on the Balkan route, major events, confidence in the police and witness protection were established. Moreover, meetings were organised on specific topics (most recently a meeting on asylum issues on 26 January 2010 in Brussels).

The chairmanship of the Salzburg Forum, originally held by Austria, has been rotating on a six-month basis since the accession of the Salzburg Forum states to the EU in 2004. As a rule, three Salzburg Forum ministerial meetings per year were held on a political level, one

meeting in the country holding the chairmanship, and the traditional summer meeting in Austria. In addition, ministers usually met in the margins of EU Council meetings.

Over the past ten years, the Salzburg Forum has developed to become the largest and most important regional security partnership within the framework of the European Union. However, its potential has not always been fully utilised. This applies to the group's participation in the shaping of EU policies, e.g. the elaboration and implementation of multi-annual programmes. Even more so, this applies to measures taken vis-à-vis third countries. To a lesser extent, it also applies to operational cooperation in the centre of Europe, where cooperation has reached different levels of intensity.

II. New possibilities of and challenges for future cooperation

Ten years after its foundation, the conditions as well as the needs and possibilities for cooperation within the Salzburg Forum have changed significantly:

1. A new framework for cooperation within the EU

The Lisbon Treaty, for instance, opens up new possibilities of operational and strategic cooperation for the European Union within the framework of COSI, the newly created standing committee on internal security. At the same time, the European Commission has clearly been strengthened through the Lisbon Treaty, as is reflected in its fundamental right of initiative in matters relating to the area of freedom, security and justice and, consequently, of internal security. However, legislation relating to police cooperation and measures to ensure administrative cooperation between relevant units of the Member States as well as between those units and the European Commission can also be adopted on the initiative of a quarter of the Member States (Article 76 TFEU). This opens up special opportunities for the Salzburg Forum states to contribute to the policy-making process.

It should also be taken into account that nine EU Member States may establish enhanced cooperation between themselves within the framework of the Union's non-exclusive competences, if the Council is of the opinion that the desired objectives cannot be reached by the European Union within a reasonable period of time (Article 20 TEU). If Croatia, currently holding observer status, were to become a full member of the Salzburg Forum upon conclusion of the EU accession treaty, the Salzburg Forum states could establish such enhanced cooperation. Moreover, it is open to EU Member States to organise between themselves and under their responsibility forms of cooperation and coordination as they deem appropriate between the competent units of their administrations responsible for safeguarding national security (Article 73 TFEU).

The powers of the European Parliament have also been strengthened substantially through the Lisbon Treaty. The co-decision procedure has become the ordinary legislative procedure and is now being applied to almost the entire area of justice and home affairs. With a few exceptions, decisions are taken by qualified majority. Special rules apply to measures of operational police cooperation, which require unanimity in the Council and only provide for Parliament to be heard.

In the absence of unanimity in the Council, a group of at least nine Member States may request that the draft measures be referred to the European Council. If no agreement is reached in the Council, a group of at least nine Member States may establish enhanced cooperation between themselves. (Article 87.3 TFEU).

Generally speaking, it will certainly be more difficult for individual countries to assert their national interests within the European Union, given the strengthened role of the European Commission and the European Parliament as well as the more frequent use of the ordinary legislative procedure. Entering into partnerships with other EU Member States at an early point in time will therefore become ever more important for the pursuit of both national and regional interests. Against this background, the Salzburg Forum states have a special potential: they can take initiatives aimed at the adoption of certain legal acts and measures, for which the approval of seven Salzburg Forum states is sufficient (given the fact that 7 Salzburg Forum partners represent one quarter of the EU Member States). Based on the rules of the Treaty of Nice applicable until 31 October 2014, they can prevent qualified majority decisions by means of a blocking minority¹; even in their current configuration, they could establish enhanced cooperation (requiring at least nine Member States), if one more EU Member State were to join them.

Given the limited resources of the individual Salzburg Forum states, a particular challenge consists in making better use of shared EU funds

2. A new framework for regional cooperation

As regards cooperation in the centre of Europe, conditions have changed as well and continue to change significantly. Regional cooperation within the European Union has been gaining in importance due to the higher number of member states. In view of the possible future accession of Western Balkan states, there is all the more reason to pursue this course in the future. Hence, issues of regional cooperation and/or cooperation between several EU Member States have been addressed to a growing extent in EU documents. Beside the provisions of the Lisbon Treaty referred to above, the emphasis on regional cooperation in the Stockholm Programme and the reference to the Salzburg Forum in the new internal security strategy deserve to be mentioned here.

At the same time, the security interests of the Salzburg Forum states are likely to converge more and more in the future, as countries in Central Europe are moving towards similar standards and facing common challenges arising in their immediate and more distant environment.

3. A new framework for cooperation with third countries

¹ According to the voting rules of the Treaty of Nice, the Salzburg Forum states have a blocking minority in the Council (96 votes). These rules apply until 31 October 2014. The new rules applicable from 1 November 2014 provide for a double majority. Qualified majority decisions then have to be supported by at least 55% of the members of the Council (at least 15 Member States) representing at least 65% of the population of the Union. To prevent a decision, a blocking minority of at least four Member States would be required. The Salzburg Forum States alone would not have a blocking minority, as their population would only represent about 20% of the total population.

Last but not least, the situation has changed and keeps changing in respect of third countries. Meanwhile, the Western Balkan states are surrounded by EU Member States. The Salzburg Forum states are either immediate or near neighbours of the Western Balkans or at least located in relative geographical proximity. At the same time, they are closer to the countries of the Eastern Neighbourhood of the EU than other EU Member States and will presumably face greater challenges arising from that region in the future. In this respect, developments in the context of the Eastern Partnership, the Black Sea Cooperation and the Danube Region Strategy as well as implementation of the Prague Declaration on Building Migration Partnership will also have to be taken into account and will have to be reviewed in terms of interests and room for engagement.

III. Functions and policy objectives for 2020

1. Future core tasks and guidelines for cooperation

Given the need and the possibilities to strengthen cooperation within the Salzburg Forum, a professional framework for cooperation must be created in the coming decade. The Salzburg Forum should remain an informal Central European security partnership. Its central functions should be: firstly, cooperation and lobbying within the EU; secondly, regional cooperation; and thirdly, contributing as effectively as possible to a coherent and credible EU external strategy vis-à-vis relevant countries and regions in the security-relevant neighbourhood of the Salzburg Forum. Thus, defining a common EU policy, including these three core functions, will become the pivotal point of cooperation for the Salzburg Forum.

Cooperation of the Salzburg Forum will be determined by the shared interests of all or several partners as well as the principle of solidarity. Common objectives, common positions as well as common actions and operations should be defined and implemented within the framework of the common EU policy. If a common EU policy cannot be agreed upon, the interests of the Salzburg Forum partners should be mutually respected as far as possible. Cooperation with other countries within and outside the EU should also be guided by this principle.

1.1. Central objectives for future cooperation within the EU

Taking into account the new challenges and considering the new possibilities provided for by the Lisbon treaty, such as blocking minority, right of initiative, and enhanced cooperation, the first future function of the Salzburg Forum will be cooperation and lobbying within the EU. Central objectives in this context include an active contribution towards further optimisation of the area of freedom, security and justice in the entire Union; an active involvement in the implementation of the Stockholm Programme, the European Pact on Immigration and Asylum and the Internal Security Strategy; the best possible utilisation of the new cooperation possibilities offered by COSI; the development and implementation of a common position on the future Council working structures; and optimal early involvement in the design of multi-annual programmes and other concepts and strategies within the framework of EU cooperation. Above all, efforts are to be made to prepare future EU presidencies of Salzburg Forum member states together and to use them to the best advantage of the group.

1.2. Central objectives for future regional cooperation

Taking into account the growing importance of regional cooperation within the EU as well as the converging regional security interests of the Salzburg Forum Partners, regional cooperation, especially within the framework of the Union, will be the second future function of the Salzburg Forum. Central objectives in this context include the further development of the Central European Operational Network (CEON) and the creation and strengthening of a regional security cluster in the centre of Europe as well as the best possible utilisation of the new possibilities for regional cooperation offered within the EU, e.g. by COSI, the new Standing Committee on Internal Security.

1.3. Central objectives for future cooperation with third countries

Taking into account the growing relevance of developments outside the EU for the security situation within the Salzburg Forum, contributing as effectively as possible to a coherent and credible EU external strategy vis-à-vis relevant third countries and regions in the security-relevant neighbourhood of the Salzburg Forum will be the future third function of the Salzburg Forum. Continued efforts to bring the Western Balkan states closer to EU standards and to support them on their way to EU accession in accordance with their individual and collective progress – with a coherent approach of the Salzburg Forum activities being of particular importance - as well as bringing the countries of the Eastern Neighbourhood closer to EU standards and active contributions to the establishment of a close, trusting and structured security partnership with them in as many security-relevant areas as possible, are central objectives in this context. In addition, contributions are to be made to the implementation of the EU external strategy vis-à-vis its Southern Neighbourhood as well as the United States and Russia as its strategic partners.

2. Future structures and methods of cooperation

In view of the above, the structures of cooperation should be adjusted as much as possible to those of the European Union. This implies, above all, the introduction of trio presidencies in the Salzburg Forum, the drafting and implementation of 18-month work programmes as well as the introduction of consistent, professional coordination, based on the structures within the EU. The development of policy evaluation mechanisms is another important measure. The 18-month work programme as well as evaluation mechanisms should be kept brief, pragmatic and action-oriented.

Overall, the common EU policy must be designed to meet the real prerequisites and requirements of the Salzburg Forum members. On the one hand, it is essential to continuously and professionally explore common interests at the earliest possible point in time; on the other hand, cooperation within the Salzburg Forum and with partners within and outside the EU must be flexible enough to meet the demands of the situation to be dealt with. Better use should be made of EU funds available, and interest-driven cooperation with partners and institutions outside the EU, including cooperation with non-governmental organisations, should be aimed at. Common projects and common actions can thus be implemented.

The Salzburg Forum countries should introduce a new form of cooperation within the framework of EU financial programmes. The volume and the efficiency of EU funds used

for actions and operations of Salzburg Forum countries should be increased. Moreover, by exchanging experience gained with the submission and implementation of EU projects, the members of the Salzburg Forum should be able to increase their chances of success in this field. Topics of common interest eligible for EU co-funding should be defined. With the introduction of internal Salzburg Forum coordination for EU funding, the position of the Salzburg Forum states vis-à-vis the European Commission will be strengthened.

3. Relations with other regional/multilateral cooperation structures

If the Salzburg Forum states want to implement their own policies and, at the same time, offer the best possible contributions to EU policies in the area of freedom, security and justice, they have to take up the substantial challenge of developing regular relations, based on a spirit of partnership, with other regional and multilateral cooperation structures within the EU. This holds, in particular, for cooperation with the Ministers of the Interior of the so-called G6, a structure which includes the Salzburg Forum member Poland, the Baltic and Nordic cooperation structures, and cooperation with the BENELUX countries. In this context, individual member states of the Salzburg Forum could act as catalysts and special points of contact for the development of closer relations. The Salzburg Forum should organise expert meetings with other partners, if appropriate.

4. The question of a possible enlargement of the Forum Salzburg

The future relationship with Western Balkan countries, following their foreseeable EU accession in the coming decade, and the related question of the medium- and long-term role of the Salzburg Forum as a regional and/or multilateral security partnership are issues yet to be clarified. Against this background, the question of a possible enlargement of the Salzburg Forum will arise in the future.

IV. The new coordination system of the Salzburg Forum

The future coordination system of the Salzburg Forum must be professional, consistent and flexible, taking account of the informal character of the group. Above all, it should allow the early identification of common challenges and the pursuit of shared interests within the framework of a common EU policy, based on the following structure:

1. Every year, at least two Salzburg Forum ministerial meetings are to be organised in the first and second half of the year for a discussion of future issues of common interest. If and where an additional summer meeting is to be scheduled and which third countries are to be invited to ministerial meetings are questions to be decided in the context of the 18-month work programme and/or by the trio presidency concerned.
2. Moreover, meetings at ministerial level should take place in the margins of EU Council and ministerial meetings when appropriate, providing an opportunity for participants to prepare forthcoming EU meetings and to fine-tune their positions for the next EU ministerial meeting.

3. At the level of COSI, CATS and SCIFA meetings as well as Council working groups and other preparatory bodies, joint meetings of all Salzburg Forum countries should be held at least once during every new Salzburg Forum Presidency. Moreover, continuous communication among the Salzburg Forum delegations is to ensure that shared concerns are identified as early as possible and pursued on a permanent basis. Meetings should be organised for the specific purpose of clarifying the interests pursued.
4. In addition, meetings on special topics as well as meetings of persons responsible for essential fields of cooperation, e.g. police and border police chiefs, are to be organised if need arises.
5. The JHA representatives in Brussels serve as a permanent coordination platform for the Salzburg Forum and assume the tasks of organising all meetings in Brussels and Luxembourg.
6. A group of "General Coordinators of the Salzburg Forum" will be set up. This group comprises representatives from the capitals responsible for preparing EU and international policy positions below the ministerial level. The General Coordinators are supported by the group of "Salzburg Forum Coordinators". The SF coordinators come from the appropriate policy units of the Salzburg Forum countries.
7. To facilitate cooperation in order to make better use of EU financial instruments, a network of contact points responsible for EU funding programmes in the field of home affairs in the member states is created.

V. Plans for implementation and further steps

Within the framework of the Slovenian Presidency in the second half of 2010, attention will have to be focused on drafting and adopting the first 18-month programme of work. The first trio presidency of the Salzburg Forum is to start at the beginning of 2011.

Annex to the new coordination system of the Salzburg Forum

I. General comment

The trio presidency concerned shall decide collectively which meetings will be included in its 18-month work programme and how, and by whom, the secretariat function will be exercised at the capital level during the trio presidency. To use the limited resources available in the best possible way, a division of labour can be agreed within the framework of the trio presidency concerned. For example, additional meetings below the ministerial level could be held in the two member states of the trio presidency not holding the acting presidency of the Salzburg Forum at that time.

II. Notes on Items IV 1 to IV 7

ad IV 1)

The Commissioner responsible for home affairs will be invited to the ministerial meetings in the capitals. Under the Slovenian Presidency of the Salzburg Forum, the Salzburg Forum Future Group has been mandated to draw up a conceptual framework for cooperation between the Salzburg Forum states and the European Parliament by the end of 2010.

For ministerial meetings in Salzburg Forum states, the host country will cover the costs on a minister + one basis.

ad IV 2)

One week before the meeting concerned, at the latest, the acting Salzburg Forum Presidency will determine if and when all Salzburg Forum ministers are to meet on that occasion, suggest what the top priorities are, and what forms of contact, if any, will be organised between individual ministers. The agenda will be drawn up at the same time. The organisation of meetings held in Brussels and Luxembourg will be assumed by the representatives in Brussels. Information required for the preparation of such meetings will be exchanged as early as possible by the presidency in charge and through bilateral and multilateral channels.

ad IV 3)

The procedure outlined under 2) will also apply to meetings in the margins of CATS, SCIFA, COSI and the Council working groups. These meetings will be held as short working sessions, bringing together representatives of as many Salzburg Forum states as possible, before a meeting in order to coordinate the positions taken and, above all, to discuss future meetings. If no such meeting is held, it will be replaced by bilateral and multilateral contacts to be organised by those concerned.

ad IV 4)

Salzburg Forum meetings on special topics can be organised by the lead nation identified for the topic concerned in coordination with the Salzburg Forum Presidency. Meetings of persons responsible for essential fields of cooperation, e.g. police and border police chiefs, will be organised by the Salzburg Forum Presidency concerned.

ad IV 5)

If possible, the JHA representatives will coordinate their positions on items of common interest prior to all COREPER meetings. Before and after COSI, CATS and SCIFA meetings, the JHA representatives will meet for preparatory as well as follow-up meetings, the latter serving, among other aims, to agree on a division of lobbying tasks for common positions and concerns.

ad IV 6)

The SF General Coordinators will be in regular contact by e-mail and telephone or via audio/video conferences. They will also meet personally to prepare important ministerial meetings and in order to draft the 18-month programme of work. The SF coordinators will support the SF General Coordinators, they will be in regular contact with each other, and will constitute a permanent working platform at the capital level.

ad IV 7)

The “network of contact points for better use of the EU funding instruments” should ensure a continuous exchange of information and know-how regarding EU funding for home affairs projects, guarantee the mutual agreement of positions, facilitate the adoption of a common position vis-à-vis the European Commission, and promote the development, submission and implementation of concrete projects.