

## SALZBURG FORUM MINISTERIAL CONFERENCE

Kitzbühel / Tyrol, 28 - 29 June 2011

### JOINT DECLARATION

Upon the invitation of the Austrian Presidency of the Salzburg Forum, the Home Affairs Ministers of the Salzburg Forum Member States met in Kitzbühel in Austria from 28 to 29 June 2011. Their aim was to coordinate activities regarding current issues and to agree upon future political initiatives in the fields of EU cooperation, regional cooperation within the EU and in Central, South East and Eastern Europe as well as concerning the implementation of the Union's External Strategy in the fields of Justice and Home Affairs.

The Ministers remain committed to continuing the successful process of the implementation of the Salzburg Forum Vision 2020 adopted in August 2010. Based on the 18-month work programme 2011-2012, the outgoing Austrian Presidency of the Salzburg Forum coordinated its activities with Bulgaria and the Czech Republic, Austria's partners in the trio-presidency of the Salzburg Forum.

Besides the regular ministerial meeting amongst all Salzburg Forum members, the Ministerial Conference also included a working session with the Friends of the Salzburg Forum from the Western Balkans and the Republic of Moldova. During this segment, there was consensus among the Ministers to continue strengthening regional cooperation with the Western Balkan states and the Republic of Moldova.

The Salzburg Forum Ministerial Conference also provided the framework for Ministers for extensive discussion with the representatives of the EU agencies

Frontex and Europol towards more practical EU policies and joint action in the fields of control of EU external borders and asylum.

The Ministers of the Salzburg Forum welcomed Croatia's progress in finalising negotiations for its accession to the EU. The Salzburg Forum will invite Croatia to become a full member of the Forum after the accession treaty has been signed.

During their Conference, the Ministers of the Salzburg Forum Member States agreed on the following:

### **I. EU Cooperation**

The Ministers welcomed the results achieved in the implementation of its programme by the current Hungarian Presidency of the Council. They particularly appreciated the results in the field of internal security and the fight against organised crime, in concluding the Schengen evaluation of Bulgaria and Romania as well as the progress achieved in the negotiations of the asylum package and the directive on facilitating the cross-border exchange of information on road safety-related traffic offences.

They agreed to support the future Polish Presidency in its initiatives with special focus on the Eastern Partnership as well as its goals concerning issues such as combating drug crimes, Schengen enlargement, integrated border management, development of a Common European Asylum System and civil protection. They agreed that the upcoming Bulgarian Presidency of the Salzburg Forum will closely coordinate its activities with the Polish Presidency of the Council to make best use of the Salzburg Forum as a regional cooperation group within the European Union.

In addition, the Ministers of the Salzburg Forum discussed current challenges in the fields of internal security, European migration policy and visa liberalisation as well as EU funds along the lines of the following main topics:

### *a) The Future of Schengen and Border Management*

The Ministers reconfirmed their full support for the accession of Bulgaria and Romania to the Schengen area during 2011.

The Ministers recalled the Council Conclusions on completion of the process of evaluation of the state of preparedness of Bulgaria and Romania to implement all provisions of the Schengen acquis of 9 June 2011 and agreed that the decision to lift internal border controls at air, land and sea borders should be taken no later than September 2011.

On the basis of these conclusions, as well as the European Council Conclusions of 23-24 June 2011, the Ministers agreed upon the following items to be promoted at EU level regarding the Schengen system:

The Salzburg Forum partners intend to strengthen the cooperation within the Schengen area in order to guarantee free movement and security for its citizens:

Therefore, the Salzburg Forum Member States are in favour of an improved Schengen evaluation and effective measures in case a Member State does not meet the standards. An effective and reliable monitoring and evaluation system is necessary to ensure that this is the case.

A mechanism should be introduced in order to respond to exceptional circumstances putting the overall functioning of Schengen cooperation at risk, without jeopardising the principle of free movement of persons.

This mechanism could hence comprise gradual measures, like inspection visits, technical/financial support as well as assistance, co-ordination and intervention from FRONTEX.

As a very last resort, as stated in the European Council Conclusions of 23/24 June 2011, in the framework of this mechanism, a safeguard clause could be introduced to allow the exceptional reintroduction of internal border controls in a truly critical situation where a Member State is no longer able to comply with its obligations under the Schengen rules. In all other cases the existing Schengen Borders Code should apply.

*b) Current challenges with regard to the Internal Security Strategy*

The Ministers agreed that the European Commission Communication “The EU Internal Security Strategy in Action: Five steps towards a more secure Europe” is a good basis for further work regarding the implementation of the Internal Security Strategy (ISS). At the same time, the Ministers highlighted that all challenges identified by the Strategy, including cross-border crime, violence itself and integration, shall be tackled and that the Standing Committee on Operational Cooperation on Internal Security (COSI) should further work on developing, monitoring and implementing the ISS. Based on first experiences gained during the implementation of the Internal Security Strategy, the future Salzburg Forum presidencies shall foster the enhancement of a common concept of the Salzburg Forum for further implementation. The Ministers agreed to further streamline their bilateral and multilateral activities towards more targeted and efficient support for third countries, especially in South, South East and Eastern Europe.

The Ministers welcomed the joint Austrian, Slovak and Slovenian project “European Anti-Corruption Training” to be launched in September 2011. Taking into consideration that the fight against corruption is an essential part of the Stockholm Programme and the ISS, the project will facilitate the exchange of best practices with a view to enhancing efforts to prevent corruption in the EU and Western Balkan states.

Having in mind that the EU Internal Security Strategy in Action put forward cybercrime and cybersecurity as one of the main challenges for the following years, the Ministers agreed to support the establishment of a European Cybercrime Centre by 2013. They expressed their wish for this centre to become the focal point in the EU's fight against cybercrime and to facilitate the existing cooperation. Europol should become the European key player in this regard and host the European Cybercrime Centre.

The Ministers agreed to strengthen their cooperation in the field of cybercrime and cybersecurity. In this respect they welcomed the initiative of the upcoming Bulgarian Salzburg Forum Presidency to host a regional expert conference for Southeast European countries in October 2011 to which the Salzburg Forum Partners will be invited as well.

*c) The way towards a Common European Asylum System*

Bearing in mind the policy objectives of the Council Conclusions of 9 June 2011 on Migration, Borders and Asylum, the Ministers reconfirmed their full support for the establishment of a Common European Asylum System and agreed that the main focus of the legislation in this field must be on quick, fair and efficient as well as cost-effective asylum procedures. In this context, the Ministers discussed the new proposals on the Asylum Procedures Directive and the Reception Conditions Directive and recalled the importance to find compromise positions which are consistent and acceptable as well as applicable to all Member States, also taking into account the challenges national asylum systems are facing.

In this respect, the Ministers welcomed the "Directors Conference on Asylum Matters" on 30-31 May 2011 in Vienna and the Workshop on Asylum Matters on 15-16 June 2011, which were organised during the Austrian Presidency, with regard to the Asylum Procedures Directive and the Reception Conditions Directive and recalled the outcome of the meetings, i.e. further close cooperation and exchange of

information in the field of asylum matters, with a view to establishing a harmonised approach during the discussions at EU level.

*d) EU funds*

The Ministers agreed to make best use of EU funds and to strengthen cooperation within the Salzburg Forum, with other EU Member States and with third countries such as the Western Balkan states and the Republic of Moldova. In order to achieve this, the Ministers agreed to establish a network of experts responsible for EU funds and welcomed the Austrian initiative to host the first workshop in October 2011.

## **II. Regional cooperation**

Regional cooperation at political, strategic and operational level is of key importance for Central Europe. Consequently, the Ministers agreed to continue the Forum's work on initiatives regarding witness protection and cross border enforcement:

*a) Witness Protection*

Successful prosecution goes inevitably along with effective witness protection programmes. According to this, it is obvious that such mechanisms play an important role in the Salzburg Forum Member States' efforts to fight international and organised crime. The enhancement of bilateral and multilateral cooperation in this area is necessary to improve the security situation in the region and of the witnesses concerned.

The Salzburg Forum Member States took note of the outcome of the Salzburg Forum Expert Workshop on Witness Protection held in Vienna from 27 to 28 April 2011.

They welcomed the initiative of the Witness Protection experts to negotiate an “Agreement on the Cooperation in the Area of Witness Protection” which will determine fundamental rules of cooperation within the Salzburg Forum. The Ministers agreed to start formal negotiations in the second half of 2011, during the Bulgarian Salzburg Forum Presidency with the possible aim to sign a legally binding instrument fully in line with the Vienna Convention on the Law of Treaties by the end of 2011 or in the first half of 2012, during the Czech Salzburg Forum Presidency. The Ministers invited Croatia to participate in the negotiations of the agreement.

*b) Cross Border Enforcement*

Cross-border enforcement (CBE) of traffic fines is a major challenge within the European Union due to different national legislations and long lasting administrative procedures concerning traffic violations.

The Ministers took note of the outcome of the Salzburg Forum Expert Workshop on Cross Border Enforcement held in Vienna from 3 to 4 May 2011. They welcomed initiatives to support the implementation of the proposed directive on facilitating the cross-border exchange of information on road safety-related traffic offences.

In this regard, the Ministers took note of the meeting of the Salzburg Forum expert working group scheduled for the upcoming Bulgarian Presidency. They agreed to further follow up on this matter and considered that the experts should prepare a draft bi- or multilateral agreement on CBE, an ‘Advanced CBE Information Letter’ and a ‘CBE Users Guide’ on the directive for the interested Salzburg Forum Member States.

*c) Disaster relief*

The Ministers welcome the submission of a working document by Slovakia regarding the common action of the Salzburg Forum in the field of disaster relief as they recognize the need to strengthen and improve the reaction to natural catastrophes

that have increasingly been occurring in many regions of Europe. By the end of August 2011, the Salzburg Forum Member States will provide their positions concerning the objectives and proposals in the document so that a final implementation document may be prepared and consequently endorsed at the ministerial meeting on 15 – 16 November 2011 during the Bulgarian Presidency.

### **III. Cooperation with the Partners from the Western Balkans and the Republic of Moldova**

Cooperation with the Group of the Friends of the Salzburg Forum from the Western Balkans as well as the Republic of Moldova in security-related matters is an important aspect of the Salzburg Forum. Therefore, the Ministers agreed to further use this platform for both strategic and operational aspects of cooperation:

#### *a) Police Co-operation Convention for South East Europe (PCC SEE)*

Ministers welcomed the progress made in the implementation of the PCC SEE by the members of the PCC SEE. Austria and Slovenia informed about the status regarding their accession to the Convention and called upon other Salzburg Forum partners to consider their accession to the Convention in order to make best possible use of it.

#### *b) Southeast European Law Enforcement Center (SELEC)*

Romania – with Austria and Italy as partners – is in the lead of a project for the transformation of the Southeast European Cooperative Initiative Center (SECI Center) into the Southeast European Law Enforcement Center (SELEC). The project is financed by the European Commission and will run for 24 months. The main objective is to provide regional assistance for the smooth transition from the SECI Center to SELEC which - based on the provisions of the SELEC Convention - will be an operational law enforcement cooperation platform for preventing and combating organised crime in the Southeast European Region. The aim of this project is to bring existing regional mechanisms into compliance with the EU provisions, standards and

best practices in order to strengthen the European dimension of law enforcement culture in the region. In this respect the Ministers have agreed to support the Hungarian candidate for the position of SECI / SELEC Director.

The Ministers reaffirm the EU's vision for the relationship between Europol and the SECI Center/SELEC which is based on the following principles:

- the driving role of Europol as the EU body for the fight against organised and other forms of serious crime,
- the need to avoid duplication of roles and tasks,
- compatibility of membership in the organisations and of their legal framework,
- the principle of complementarity

The interested Ministers agreed to support SELEC in the transition process and to closely cooperate with the new centre based in Bucharest in order to promote joint operational efforts of law enforcement cooperation in Southeast Europe.

*c) Police Equal Performance – “PEP initiative”*

In its conclusions on setting the EU's priorities for the fight against organised crime between 2011 and 2013, the Council of the European Union stressed that the external dimension of internal security and cooperation with third countries ought to be taken into account in implementing the Council priorities and the EU policy cycle, notably by improving operational law enforcement cooperation with third countries and helping to strengthen the operational capacity of third countries' law enforcement authorities. The Austrian initiative “Police Equal Performance” (PEP) aims at strengthening internal security in Central and Southeast Europe through enhanced and more efficient police cooperation, with regard to a limited number of operational fields (e.g. witness protection, asset recovery, undercover investigations). PEP will be implemented in the framework of a group of like-minded Member States supporting Austria which will take the lead in the initiative. The Salzburg Forum Member States are free to participate in the implementation of PEP. The Western Balkan countries will be involved as early and as much as possible.

*d) Intercultural dialogue and internal security*

As outlined in the “Sarajevo Declaration on Intercultural Dialogue and Internal Security” adopted by the Ministers of the Western Balkan countries and the Salzburg Forum countries in April 2010 and which was presented at EU level in the Standing Committee for Internal Security (COSI), cultural diversity is a source of enrichment and opportunities but also a challenge to ensure a unifying fabric of generally accepted values and rules for living together. Basic values, fundamental freedoms and human rights can only be broadly accepted and serve as a basis for people to live together in harmony and security, if their concrete meaning in daily life is well understood. Interested Salzburg Forum Member States will launch a joint project to strengthen awareness of fundamental freedoms and human rights. As a first step an expert conference will be organised by Austria and Bosnia and Herzegovina in cooperation with the EU Fundamental Rights Agency.

The aim is to develop guidelines on the practical significance of selected fundamental rights enshrined in the EU Charter of Fundamental Rights. Further on these guidelines could be discussed in a broader EU context, e.g. serve as teaching materials for national language and introductory courses or in schools. This shall contribute to the development of “European modules” in the area of integration as provided for in the Stockholm Programme.

*e) Follow up of the visa liberalisation process*

Visa liberalisation goes in line with the support of people-to-people contacts which are important for mutual understanding and therefore for enhancing security in Europe. Recent experiences have shown that enhanced efforts are needed to prevent misuse of visa liberalisation.

The Ministers therefore took note of recent developments in the visa liberalisation process and agreed to further monitor the situation closely. They welcomed the on-



going cooperation between the Western Balkan states, the EU Member States, the European Commission and Frontex, as well as Europol and the PCC SEE Secretariat. These efforts include for example the visa liberalisation monitoring mechanism and the visa safeguard clause of the amendment of the Council Regulation (EC) No 539/2001.

\* \* \*