

Salzburg Forum Ministerial Conference

St. Pölten, Austria

4-5 May 2015

JOINT MINISTERIAL DECLARATION

On the invitation of the Austrian Salzburg Forum Chairmanship, the Ministers of the Interior of the Salzburg Forum Member States, their Group of Friends from the Western Balkans and the Republic of Moldova as well as the Minister from Kosovo* as special guest met for the Salzburg Forum Ministerial Conference in St. Pölten, Austria, on 4 and 5 May 2015.

The Ministers welcomed the participation of the EU Commissioner for European Neighbourhood Policy and Enlargement Negotiations, the Director of Europol, the Executive Director of EASO, the Deputy Executive Director of Frontex, the Secretary General of INTERPOL, the Director of the UNHCR Bureau for Europe and a representative from the EU Agency for Fundamental Rights.

The three main challenges discussed were migration and asylum, security and police cooperation with a focus on the fight against terrorism and cyber security.

Those paragraphs of the declaration that relate to cooperation with the Western Balkans have been approved by all participating States.

1. Migration and Asylum

The Ministers discussed the latest trends and developments in the area of migration and asylum and expressed their concern about the significant increase of mixed migratory flows in particular via the Mediterranean Route, the Western Balkan Route and the Eastern Route. The Ministers expressed their regret about the recent tragedy resulting in the death of hundreds of people in the Mediterranean and the suffering of the victims also in other regions. They noted that crossings via the Mediterranean also have an impact on the Western Balkans, where also tragic incidents are occurring. They underlined the need of taking effective measures in order to prevent such tragedies from happening in the future. The need to take into account the current situation in Ukraine, including the increasing number of internally displaced persons, and its possible impact on the EU was also underlined by the Ministers.

* This designation is without prejudice to positions on status, and is in line with UNSC Resolution 1244/99 and the ICJ Opinion on the Kosovo declaration on independence

Cooperation within the Salzburg Forum region

In order to improve cooperation and coordination between the Salzburg Forum Member States, it was agreed to review the use of existing platforms for information exchange regarding new developments and trends in the area of migration. Austria is ready to organize a first workshop to this end and to submit a first report about the ongoing work to the Salzburg Forum Ministers until the end of the Bulgarian Presidency.

Salzburg Forum cooperation within the EU

The Ministers look forward to the forthcoming launching of the “European Agenda on Migration” by the European Commission. This Agenda and its implementation should pursue a horizontal and proactive as well as geographically comprehensive approach, considering all aspects of migration. It should therefore take due account of the impact of migration on labour markets and social systems of Member States as well as on European values, regarding the respect of fundamental rights and consequently on social cohesion and security. In order to strengthen the positive aspects of migration, the focus should be put on attracting qualified migrants who are interested and willing to comply with integration measures of receiving Member States. At the same time, possible links between facilitating and organizing irregular migration on the one hand, and violent extremism and terrorism on the other should be further explored.

The Ministers acknowledged that there is a need for closer cooperation with countries of origin and transit and stressed the importance of a geographically comprehensive approach, taking into due account all relevant regions. The Salzburg Forum Members face different challenges resulting from the Eastern Mediterranean Route, the Western Balkan Route, and the Eastern Route. In this context, the Ministers expressed their commitment to a broad, comprehensive and coordinated EU approach for the Western Balkans.

Cooperation with the Western Balkans

The Western Balkans constitute an important area of transit for migrants and asylum-seekers on their way to Western Europe and are, at the same time, challenged by increasing numbers of asylum applications. Although the internal situations are different, the entire region is facing the phenomenon of illegal migration.

Accordingly, different measures have been taken by Salzburg Forum and EU Member States together with partners from the Western Balkans during the last few months. The cooperation of Austria, Hungary and Serbia which was later joined by Germany and Italy and supported by Frontex was referred to as a successful example of joint actions to efficiently manage migratory pressure.

Yet, the regional root causes for illegal migration continue to exist, especially economic and social problems, which *inter alia* result in high youth unemployment rates. Additionally, the Western Balkan region is increasingly being used as an area of transit for illegal migration and by people from refugee producing countries in search of international protection. This calls for a comprehensive, long-term approach also involving measures in the framework of EU Enlargement and Neighbourhood Policy and of other relevant EU policies.

In order to ensure effective and comprehensive reactions to quickly changing migration trends and *modi operandi* of human smugglers, the Ministers agreed that a concept for an “Alliance against Illegal Migration in Central and South-East Europe” should be prepared by their respective experts. It shall build on and take into consideration lessons learned from the above-mentioned successful cooperation, have a focus on capacity building, make best use of existing initiatives, platforms and projects as well as of capabilities of the European Asylum Support Office (EASO), Frontex and the United Nations High Commissioner for Refugees (UNHCR). In order to cover associated expenses, EU funding should be taken into consideration.

The Ministers welcomed the readiness of the upcoming Bulgarian SF Presidency to organise a meeting of the heads of the national units for counteraction to human smuggling, where representatives of the Western Balkans and the Republic of Moldova will also be invited.

2. Security and Police Cooperation with a Focus on the Fight against Terrorism

The Ministers discussed the latest trends and developments in the field of security and the fight against terrorism and expressed their concern about the increasing numbers of foreign terrorist fighters.

European Agenda on Security

They agreed that the current and foreseeable challenges can only be met by means of a pro-active, comprehensive and integrated EU policy involving all sectors relevant for internal security. As the threats are global, the EU response should include the external dimension. In the conclusions on the development of a renewed European Union Internal Security Strategy of the JHA Council of 4/5 December 2014, prepared by the Italian EU Presidency, the Ministers therefore decided to pursue “the further development of the European Security Model which shall contribute to actively shaping positive security conditions within the Union and its Member States”. Hence, this should be taken into consideration when implementing the renewed Internal Security Strategy.

The Ministers welcomed the three main priorities identified in the recently launched Communication of the European Commission on “The European Agenda on Security”, namely tackling terrorism and preventing radicalisation, disrupting organised crime and fighting cybercrime. Nevertheless, as cybersecurity is the first line of defence against cybercrime, it should be emphasised more strongly as a priority to ensure a pro-active and comprehensive approach.

Furthermore, more account should be taken of the protection of critical infrastructure as well as of security research in the context of the future implementation of the renewed ISS. This also holds true for the development of “communication strategies to promote tolerance, non-discrimination, fundamental freedoms and solidarity throughout the EU” as called for by the European Council on 12 February 2015.

The Ministers referred to the fact that Europol has developed a growing expertise on terrorism issues and this should be taken a step further by bringing together its anti-terrorism capabilities, pooling resources and maximising the use of already existing structures, services and tools available to the Agency with a view to achieving economies of scale. As mentioned in the European Agenda on Security, this should be brought together and reinforced as a European Counter-Terrorism Centre within Europol to step up the support provided at EU level for Member States, within a secure environment with the highest confidentiality in its communication. The Salzburg Forum Member States agreed to actively take part in the discussions with respect to the proposal put forward by the European Commission.

Today, the fight against terrorism is a global challenge, covering all regions world-wide. Therefore besides Europol, INTERPOL could be used as a platform for targeted information sharing between the EU, Europe and the rest of the world.

With regard to the procedure governing the adoption and implementation of the renewed ISS, the Council should consider appropriate measures in order to achieve its goals.

Fight against Terrorism

The Ministers took note of the “Vienna Declaration – Tackling Violent Extremism and Terrorism” of 20 March 2015 and the results of the joint Brdo process and South East Europe Cooperation Process Ministerial Conference, which took place in Budva on 16-17 April 2015.

Although the actual level of threat may differ considerably, radicalisation and violent extremism are seen as common challenges.

Cooperation within the Salzburg Forum region

In the Riga Joint Statement of 29/30 January 2015, the Justice and Home Affairs Ministers reconfirmed their commitment to ensure swift and enhanced exchange of information and best

practices between Member States and all justice and home affairs agencies, in particular Europol and Eurojust. According to the Statement by the members of the European Council from 12 February 2015, law enforcement and judicial authorities should step up information sharing and operational cooperation, including through Europol and Eurojust. In order to contribute to achieving these goals and to provide common input within the EU, the Ministers agreed to establish a Salzburg Forum “High Level Reflection Group on Information Exchange”. This Group should analyse the current situation with regard to information exchange and prepare proposals for further action. Europol and INTERPOL are invited to join.

Securing borders is paramount for the detection of violent extremists. The respective measures adopted at EU level, e.g. regarding common risk indicators, should therefore be swiftly implemented, also as best practice for the Western Balkans. Additionally, the Salzburg Forum Member States will further contribute to enhanced border management by continuing and further developing appropriate measures, like situation reports or mixed police patrols.

Salzburg Forum cooperation within the EU

In the past, two peer reviews in the CT-area took place under the guidance of the JHA Council. In order to foster CT-capabilities, the Salzburg Forum Member States will suggest a further peer review at EU level focused on areas of common interest and relevance in the fight against terrorism and violent extremism. In preparation, the conclusions and recommendations of the previous peer reviews should be analysed in order to explore possible ways for improvement.

The EU Policy Cycle is an important tool, which significantly contributes to the improvement of operational cross-border police cooperation. Its current focus is still being placed on serious and organised crime, whereas the fight against terrorism is not part of the Policy Cycle. Yet, according to the Lisbon Treaty, operational cooperation on internal security in general, which is, of course, also jeopardized by extremism and terrorism, shall be promoted and strengthened within the Union. The Ministers therefore agreed that also relevant aspects that are common both to combating organized crime and fighting against terrorism should be considered as horizontal issues within the existing EU Policy Cycle. A separate planning and coordination mechanism devoted solely to terrorism could be considered in the future.

Cooperation with the Western Balkans

The Ministers discussed measures in line with the three-tier approach “Shaping”, “Preventing” and “Reacting”, as defined in the Vienna Declaration from 20 March 2015.

With respect to “Shaping”, strong and comprehensive partnerships including political and economic cooperation between the EU and the Western Balkans are of utmost importance for stability and

security in Central and Southeast Europe. In this context, the opportunities provided under the EU Enlargement Policy should be made best use of.

Efforts to develop communication strategies to promote tolerance and respect, non-discrimination, fundamental freedoms and solidarity should be increased. In this context, a joint concept shall be prepared. Austria is ready to organise a first workshop on this topic together with the EU Fundamental Rights Agency, the European Commission and the EU Counter-Terrorism Coordinator as well as interested partners.

With respect to the second aspect, “Preventing”, the Ministers agreed on exploring, in close cooperation with Europol, how cooperation between the future EU Internet Referral Unit (EU-IRU) and third countries, particularly the Western Balkan Partners could be developed. They also considered the creation of a common platform in order to intensify cooperation between law enforcement authorities and the private sector. Best practices and know-how will be shared.

As regards “Reacting”, the Ministers outlined the need for taking appropriate measures concerning border management and stressed the importance of forwarding any relevant information to Europol’s Focal Point Travellers. The Ministers acknowledged the close cooperation of INTERPOL and Europol in this context, e.g. regarding the development of common risk indicators with Frontex and in jointly ensuring the flow of information into Europol’s Focal Point Travellers. The Ministers also agreed to make best use of the INTERPOL database on Stolen and Lost Travel Documents (SLTD) in order to further strengthen security at external borders. In general, besides Europol, INTERPOL should be used to the greatest possible extent, including the new Global Complex for Innovation (IGCI), which goes beyond the traditional law enforcement model and provides pro-active research in new areas as well as the latest training techniques.

Operational cooperation should also be enhanced through speedy further implementation of the Police Cooperation Convention for Southeast Europe. In this context, the Counter-Terrorism Network, established in December 2014, should be used as a common platform in the best possible manner.

Ministers also agreed to promote exchange of information on possible links between illegal migration and terrorism. Special focus will be put on measures against radicalisation in prisons, e.g. via religious support.

In general, it was agreed to ensure an integrative approach and avoid duplication of efforts.

3. Cybersecurity

The Ministers will contribute to achieving their common goal of a free, open and secure Internet, governed in partnership by all relevant stakeholders, including governments, the private sector, the technical community, civil society and international organisations. Cyber space must be protected from incidents and malicious activities as well as misuse by hackers, cyber criminals, cyber terrorists or through cyber espionage. Governments have a significant role to play in this context.

The Ministers discussed strategic challenges their countries face regarding cyber space and the fight against cybercrime, in particular

- strengthening law enforcement cooperation on a global, EU and regional level (e.g. by making best use of INTERPOL, EUROPOL and regional cooperation formats),
- implementing a “multi-stakeholder approach” by strengthening cooperation with the economy, academia and civil society,
- developing a legal framework for the exchange of information among businesses as well as between public authorities and the private sector,
- strengthening digital economies at the national and the European level in order to foster governments’, economies’ and citizens’ trust in digital products and services.

They agreed to start a “Cyber dialogue in Central and South East Europe” on these and other relevant issues. In this regard, the Ministers welcomed the proposal of the upcoming Bulgarian Salzburg Forum Presidency to organise a South East European regional forum on cybersecurity and cybercrime, with the participation of Salzburg Forum Member States and other strategic partners. The forum will gather representatives of the law enforcement authorities, businesses and non-governmental sector all of which are facing the challenges of cybercrime.

4. Schengen Enlargement

Schengen Accession of Bulgaria and Romania

In order to emphasize the long-standing support for the Schengen accession of Bulgaria and Romania, their Salzburg Forum Partners agreed to address a Ministerial letter to the Presidency of the EU Council, the EU Member States and the European Commission. In this letter, the Austrian Presidency, on behalf of the Salzburg Forum, will bring forward relevant arguments illustrating the added value of Bulgaria and Romania joining Schengen.

Schengen Accession of Croatia

The Ministers also welcomed Croatia's plan to join Schengen and expressed their readiness to provide the necessary support.

5. Ukraine

Referring to the joint "Salzburg Forum Declaration on the Situation in Ukraine", adopted in March 2014, the Salzburg Forum Ministers reaffirmed their concern about the conflict in Eastern Ukraine as well as their readiness for long-term cooperation with the Ukrainian authorities aiming at the promotion of the rule of law and good governance, based on the values of democracy and human rights. The Ministers agreed to continue exchanging information on the numbers of illegal border crossings, visa applications, asylum applications and other relevant data related to Ukraine. On the basis of the numbers exchanged between the Salzburg Forum Member States over the past months, ICMPD has prepared a comprehensive "Analysis of the impact of the political situation in Ukraine on the migration situation in the Salzburg Forum Member States" which was discussed at the Conference.

Moreover, the increasing number of internally displaced persons in Ukraine and its possible migratory impacts have to be taken into account. It was stressed that a proactive approach should be pursued by the EU in order to tackle root causes of a next possible refugee crisis. Comprehensive support to Ukraine in its difficult situation is needed, also regarding sustainable solutions for its internally displaced population.

6. Further Activities under the Austrian Salzburg Forum Chairmanship

As regards regional cooperation, the Ministers welcomed the results of the first Salzburg Forum Police Chiefs Meeting in Laa an der Thaya (Austria) on 19-20 March 2015. This Meeting contributed to establishing a closer link between the political level and operational police work. Furthermore, the Ministers acknowledged the outcome of the Workshop on Migration in Vienna on 23 April 2015 which provided important input for the Ministerial Conference. Moreover, they took note of the expert workshop of the Salzburg Forum Witness Protection Group on 23-24 April in Salzburg and reaffirmed their support for the continuation of this work.

Concerning cooperation at EU level, the outcome of several coordination meetings organized in Brussels was welcomed, such as the Salzburg Forum coordination meeting on the level of COSI Heads of Delegation on 25 March 2015.

7. Outlook on the Bulgarian Chairmanship in the Salzburg Forum

The Ministers welcomed the information on the programme of the upcoming Bulgarian Chairmanship in the Salzburg Forum and expressed their commitment to continuing close cooperation.

8. Cross-border Enforcement of Road-Safety Related Traffic Offences

The Ministers took note of the signing of the Administrative and Technical Implementing Agreement to the Agreement between the Republic of Bulgaria, the Republic of Croatia, Hungary and the Republic of Austria on Facilitating Cross-border Enforcement of Road Safety Related Traffic Offences (hereinafter “CBE Agreement”). Furthermore, they underlined their commitment that regional cooperation in the area of road safety should remain high on the Salzburg Forum agenda. The Ministers of the signatories decided to task EUCARIS to develop a software application for the technical implementation and signed a respective Declaration of Endorsement.

St. Pölten, 5 May 2015