



“European integration process, enlargement and cooperation with the Western Balkans: EU internal and external security” (06.03.2020 Salerno, Italy)

**Jean Monnet Module EU-Western Balkans
Cooperation on Justice and Home Affairs**

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➤ Justice and Home Affairs Policy of EU in Western Balkans:

- **Protect and safeguard the EU external borders in the context of the common space of freedom, justice and security**

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- **STABILITY PACT FOR SOUTH-EASTERN EUROPE – 10.06.1999**
(G 7/8 Köln Summit)
- Established in 1999 at the initiative of the European Union with the aim of establishing and reinforcing peace and security in South-Eastern Europe and involved countries and international organisations as partners.
- Objective:
 - strengthening countries in South Eastern Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity, in order to achieve stability in the whole region to cooperate,
towards:

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- preventing and putting an end to tensions and crises as a prerequisite for lasting stability;
- bringing about mature democratic political processes, based on free and fair elections, grounded in the rule of law and full respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities, the right to free and independent media, legislative branches accountable to their constituents, independent judiciaries, combating corruption, deepening and strengthening of civil society;
- creating peaceful and good-neighbourly relations in the region through strict observance of the principles of the Helsinki Final Act, confidence building and reconciliation, encouraging work in the OSCE and other fora on regional confidence building measures and mechanisms for security cooperation;
- preserving the multinational and multiethnic diversity of countries in the region, and protecting minorities;
- creating vibrant market economies based on sound macro policies, markets open to greatly expanded foreign trade and private sector investment, effective and transparent customs and commercial/regulatory regimes, developing strong capital markets and diversified ownership, including privatisation,;

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- fostering economic cooperation in the region and between the region and the rest of Europe and the world, including free trade areas; promoting unimpeded contacts among citizens;
- combatting organised crime, corruption and terrorism and all criminal and illegal activities;
- preventing forced population displacement caused by war, persecution and civil strife as well as migration generated by poverty;
- ensuring the safe and free return of all refugees and displaced persons to their homes, while assisting the countries in the region by sharing the burden imposed upon them;
- creating the conditions, for countries of South Eastern Europe, for full integration into political, economic and security structures of their choice.

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4 LAW ENFORCEMENT INITIATIVES established by the Stability Pact:

- Migration, Asylum, and Refugee Regional Initiative (MARRI – based in Skopje) <http://marri-rc.org.mk/>
- Regional Anticorruption Initiative (RAI – based in Sarajevo),
- Southeast European Cooperation Initiative – Regional Centre for Combating Trans-border Crime (SECI Centre – based in Bucharest);
- Southeast European Prosecutors Advisory Group (SEEPAG).

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- **Migration, Asylum, and Refugee Regional Initiative (Albania-North Macedonia-Bosnia and Hercegovina-Serbia-Montenegro and Kosovo) mandate:**
- to promote closer regional cooperation and common, comprehensive and harmonized approach of MARRI Participants in areas of:
 - a) migration,
 - b) asylum,
 - c) border control,
 - d) trafficking in human beings,
 - e) visa regime,
 - f) integration and return of refugees

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- 2008 - REGIONAL COOPERATION COUNCIL (Sarajevo) supersedes Stability Pact for South-Eastern Europe <https://www.rcc.int/home>
- **Objectives:**
- Prevention and countering violent extremism and radicalization leading to terrorism and foreign terrorist fighters
- Support to the implementation of whole society approach in de-radicalization, rehabilitation and reintegration of former FTFs (First to Find “returnees”)
- Support to cyber security resilience and prevention of online radicalization
- Further development of cooperation and coordination of all specialised regional security cooperation formats
- Support to the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)
- Endorse creation of policies to respond to new security threats and challenges for the SEE
- Support and promotion of confidence building measures, exchange of experience and sharing of best practices
- Support to efficient, streamlined regional security cooperation in close cooperation and consultation with the economies in the region, EU, NATO, OSCE, UN and its specialised agencies, and other relevant actors, such as academia, CSO’s, the media, youth, women and religious communities.

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- **06.02.2018 - European Commission: Six-flagship initiative EU-Western Balkans:**

- A credible enlargement perspective for and enhanced EU engagement with the Western Balkans to support the transformation of Western Balkans in the context of EU integration

The **new strategy** consists of six flagship initiatives targeting specific areas of interest to both the EU and Western Balkan countries, namely:

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- Strengthen the rule of law;
- **Reinforce engagement of EU on security and migration in Western Balkans;**
- Enhance support for socio-economic development;
- Increased connectivity;
- A digital agenda for the Western Balkans and;
- Support for reconciliation and good neighbourly relations

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- The new strategy for the Western Balkans is realistic about the problems these countries face. Accession is an ambitious goal that requires serious reforms in the coming years. The main problems identified in these countries are:
 - the **links of the political elite to organised crime**;
 - widespread **corruption**;
 - the **lack of competitiveness** of the Western Balkan economies, and;
 - the **bilateral disputes** resulting in instability in the region.

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- **EU-WB Cross-Border Cooperation main instrument: FRONTEX (European Border and Coast Guard Agency)**
- **Background – [Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard amended by Regulation 1896/2019 of 13.11.2019]**
- The establishment of a European Border and Coast Guard, as announced by President Juncker in his State of the Union Speech on 9 September 2015, is “part of the measures set out under the European Agenda on Migration to reinforce the management and security of the EU's external borders. The Schengen area without internal borders is only sustainable if the **external borders are effectively secured and protected**”.

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- 15 December 2015:

European Commission presented a legislative proposal for the creation of a European Border and Coast Guard, building on existing structures of Frontex, to meet the new challenges and political realities faced by the EU, both as regards migration and internal security. The European Border and Coast Guard was approved by the European Parliament and Council in a record time of just nine months (14 September 2016).

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- **REGULATION (EU) 2019/1896 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624**
- **The European Border and Coast Guard,**
- **mission: protect and safeguard the EU external borders in the context of the common space of freedom, justice and security**
- **Tasks:**
 - a) manage migration more effectively,**
 - b) improve the internal security of the European Union and**
 - c) safeguard the principle of free movement of persons.**

The establishment of a European Border and Coast Guard ensures a strong management of the EU’s external borders as a shared responsibility between the Union and its Member States

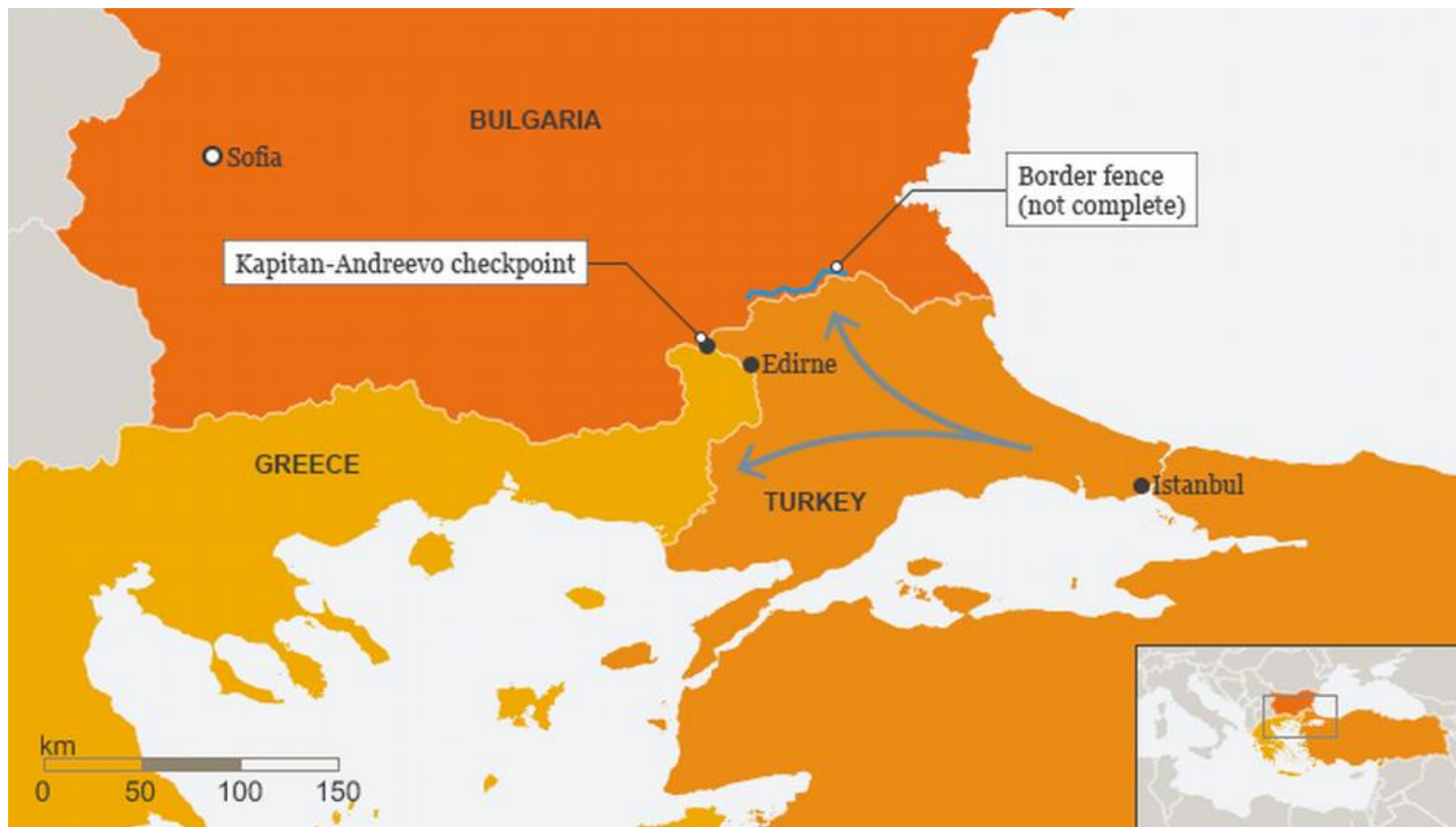
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- **EUROSUR (European Borders Surveillance System) - REGULATION (EU) No 1052/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2013 establishing the European Border Surveillance System (Eurosur) :**
 - multipurpose system for cooperation between the EU Member States and Frontex in order to improve situational awareness and increase reaction capability at external borders (Schengen Area Countries + Bulgaria, Croatia and Romania)
 - The Eurosur Regulation has been repealed and replaced by [Regulation \(EU\) 2019/1896](#), which carries revised provisions on EUROSUR

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- **(The launch event 06.10.2016** took place at the Kapitan Andreevo Border Checkpoint at the Bulgarian external border with Turkey and included a presentation of the vehicles, equipment and teams of the new Agency) while, Frontex continues to make an impact by having a strong presence on the ground.
- The Agency currently has some 1,500 officers deployed at the EU’s sea, land and air borders, assisting EU Member States in tasks such as surveillance, fingerprinting and security checks. In the case of an emergency at the external border, Frontex has a further 1,500 officers at its disposal at short notice, as well as additional equipment as needed.

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- These deployments are having a clear effect. Since the beginning of 2017, **the Agency** has helped in maritime operations alone to apprehend almost **300 suspected facilitators** and more than **100 smugglers**, as well as assisting in the **seizure of hard drugs and contraband cigarettes**.
- Frontex officers involved in search and rescue operations have helped save more than **65,000 lives** in the Mediterranean since the new mandate came into effect. Fundamental rights are integrated into Frontex operations from their inception, ensuring that all those fleeing war and persecution are able to apply for international protection.

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- **Schengen Borders Code - 2016:** REGULATION (EU) 2016/399 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders
- **DIRECTIVE 2008/115/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals:**
 - common standards and procedures to be applied in Member States for returning illegally staying third-country nationals, in accordance with fundamental rights as general principles of Community law as well as international law, including refugee protection and human rights obligations.

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- **5 October 2018, European Union agreement with Albania on cooperation on border management between Albania and the European Border and Coast Guard Agency (Frontex). – (The process of drafting the agreement started on February 12th 2018).**
- **First agreement concluded by EU with a Third Country**
- This agreement allows the European Border and Coast Guard Agency to coordinate operational cooperation between EU member states and Albania on the management of the EU's external borders (Albanian border with Greece). The European Border and Coast Guard will be able to take action at the external border involving one or more neighbouring member states and Albania. This can include intervention on Albanian territory, subject to Albania's agreement.

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- Types of operations/interventions in Albanian territory:
 1. actions aimed at tackling illegal immigration or cross-border crime or aimed at providing increased technical and operational assistance at the border of the Republic of Albania neighbouring a Member State (**joint operations**);
 2. actions aimed at rapidly responding to a situation of specific and disproportionate challenges at the borders of the Republic of Albania neighbouring a Member State (**rapid border interventions**);
 3. operations coordinated by the Agency under which returnees from one or more Member States are returned either on a forced or voluntary basis to the Republic of Albania (**return operations**)

First fully - fledged joint operation outside the European Union, deploying 50 officers with 16 patrol cars and one thermo-vision van from 12 EU Member States to support Albania in border control and tackling cross-border crime. Officers deployed by the European Border and Coast Guard Agency have been provided by Austria, Croatia, Czechia, Estonia, Finland, France, Germany, Latvia, the Netherlands, Romania, Poland and Slovenia (FRONTEX).

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- AGREEMENTS TO UNDERTAKE “RAPID BORDER INTERVENTIONS” WITH OTHER WB COUNTRIES:
- Northern Macedonia – July 2018
- Serbia – September 2018
- Bosnia and Hercegovina – January 2019
- Montenegro – February 2019

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- **RESULTS (official data):**
- Tendencies of illegal crossing through Western Balkan Route.
- Decrease: from 12.179 in 2017 to 5869 in 2018
- From Albania to Greece: 6396 in 2017 to 4550 in 2018

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- **Conclusions:**
- WB perspective to join European Union has to fully meet the criteria of effective security and protection of external borders. The Schengen area needs to be guaranteed by secure neighbours with fully protected borders.
- Without the achievement of this goal no integration will take place and the role of the EU agencies, specially FRONTEX will be fundamental in this direction
- **Problems:**
- *inapplicability* of these agreements in non-EU borders in the Western Balkans. They do not affect security controls between WB countries.
- *Border Violence*: it has been reported documented violent mistreatment of violence along the Western Balkan Route (Hungary-Serbia border as example in 2017).

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