



Western Balkans Ministerial Forum on Justice and Home Affairs

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Introduction.- For the Western Balkans countries and the European Union (EU) it has become a regularity to organize ministerial forums, in which important issues are being discussed on the level of ministries, creating this way a less polarized space for concrete steps regarding the implementation and adjustment to EU policies by the countries of the region. These forums have especially gained importance during the last decade in which the overall enlargement process and enthusiasm has dramatically declined and the messages coming from the Council of the EU and the European Commission have become rather sober and discouraging. And while that big picture is often the one mostly influencing the very oscillating support for the enlargement in Brussels, these ministerial forums on only one level below the head of states, keep the process not only running but, more importantly, through this meetings both the EU and the candidate states keep up expressing their good will to move on, despite all obvious problems regarding the idea of the EU-enlargement, both in the Western Balkans countries and the EU itself.

The tradition of such meetings continued also under the current presidency of the Czech Republic. On the initiative of the Czech Ministers of Home Affairs and Justice of, representing the Presidency of the Council of Europe, and in cooperation with the European Commission, represented by Mr Didier Reynders, European Commissioner for Justice, and Ms Ylva Johansson, European Commissioner for Home Affairs, on 3-4 November 2022 the annual EU-Western Balkans Ministerial Forum on Justice and Home Affairs took place in Tirana¹.

A number of important issues from both sectors were discussed, including the impact of Russia's ongoing aggression on Ukraine and the status of judicial and security reforms in the Western Balkans countries. Within the Home Affairs the participants of the Ministerial forum addressed the security impact stemming from Russia's war against Ukraine and how to strengthen the migration, asylum and border management along the Western Balkan migratory route. When it comes to Justice, the focus of the forum was on ongoing and further judicial reforms and the rule of law on the one hand, and on the elaboration of further joint actions against Russia's war of aggression against Ukraine on the other.

Security threat stemming from Russia's aggression on Ukraine.- Expressing their solidarity with Ukraine the ministers from the EU and the Western Balkans countries addressed the security implications and criminal threats coming from Russia's

¹ Council of the EU - Joint press statement EU - Western Balkans Ministerial Forum on Justice and Home Affairs (Tirana, 3-4 November 2022), 4.11.2022. [https://www.consilium.europa.eu/en/press/press-releases/2022/11/04/joint-press-statement-eu-western-balkans-ministerial-forum-on-justice-and-home-affairs-tirana-3-4-november-2022/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Joint+press+statement+EU+-+Western+Balkans+Ministerial+Forum+on+Justice+and+Home+Affairs+\(Tirana%2c+3-4+November+2022\)](https://www.consilium.europa.eu/en/press/press-releases/2022/11/04/joint-press-statement-eu-western-balkans-ministerial-forum-on-justice-and-home-affairs-tirana-3-4-november-2022/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Joint+press+statement+EU+-+Western+Balkans+Ministerial+Forum+on+Justice+and+Home+Affairs+(Tirana%2c+3-4+November+2022))

war of aggression against Ukraine. They agreed on a closer cooperation, both in the exchange of information and conducting strategic analysis, mostly through Europol, but also operationally through the European Multidisciplinary Platform Against Criminal Threats (EMPACT), profiting from the existing opportunities for a collaboration deriving from the European Union Agency for Law Enforcement Training (CEPOL). Ongoing regular contacts with Ukrainian authorities are already existing for this purpose. In particular, the ministers stated their readiness and addressed the need to intensify efforts to protect people against the threat of trafficking of human beings and to share with Ukrainian authorities some best practices from the Western Balkans countries. Further all participants agreed that radicalisation and violent extremism certainly are fuelled by the context of war and that efforts to monitor and exchange information regarding the communication and financing of violent extremists needs to be intensified. Finally, the ministers both from the EU and the Western Balkans underlined the need to take action against the spread of Russian disinformation in the region, and that the Western Balkans has to keep investing into the protection of critical infrastructure, for which the EU confirmed its commitment and continuation of support.

The problem of migration.- Although the pressing situation along the Western Balkan migratory route does not stand in direct relation to the war in Ukraine, the developments since February 2022 have rendered the migration, asylum and border management more complex. All ministers have reaffirmed that this is a common challenge for both the EU and the Western Balkans and that joint action and close partnership is required, primarily through strengthening the presence of Frontex. While North Macedonia has just signed the Frontex Status Agreement, the ministers underlined the need that the other Western Balkan countries should follow soon.

One of the problems related to uncontrolled migrations and the abuse of asylum systems in the EU are also the different visa policies of the EU and the Western Balkan countries. Especially Serbia had a number of visa-free regimes that allowed citizens of non-European countries to enter Europe legally and then continue from Serbia to the EU. The ministers of the Western Balkans countries, in particular Serbia, have agreed to swiftly align their visa policy with the visa policy of the EU and to strengthen the overall cooperation with countries of origin on the issue of migration. This alignment is not only of importance to control migration in times when the EU is facing a significantly increasing number of refugees from Ukraine, but it is also important to show commitment and not jeopardize the trust and system upon which the visa-free regime between the Western Balkans and the EU is build upon.

Migrant smuggling and trafficking remains a challenge for both the EU and the Western Balkans and therefore the ministers launched a regional Anti-Smuggling Operational Partnership, based on several existing initiatives, joint trainings and exchange of information, and supported by a regional programme worth 30 Million EUR in the framework of IPA 2023. The main aims of the initiative are to strengthen law enforcement and judicial cooperation against criminal smuggling networks, to further increase the border management capacity of the Western Balkans countries and to help them improve their efficiency in identifying and registering irregular migrants.

Finally, the ministers also addressed the implementation of relevant readmission agreements and the EU is willing to expand its financial support for returns of migrants from the Western Balkans to their countries of origin. Already existing Joint Readmission Committees of the EU and the Western Balkans will continue monitoring the Readmission Agreements and the Western Balkans countries acknowledged their obligation to readmit citizens of third countries, if they had entered the EU illegally from the Western Balkans.

Rule of law and judicial reforms.- As far as the justice sector is concerned, both sides are more than aware that generally the rule of law remains a weak point and that it is crucial that a commitment to judicial reforms by and the strengthening of judicial independence in the Western Balkans countries needs to continue.

As far as single initiatives, in 2022 the European Commission had started and in cooperation with the OSCE performed a round of case-based peer review missions in the area of organised crime and high-level corruption in the Western Balkans and the recommendations of these mission were presented at this ministerial meeting in Prague. This includes the development of a more strategic and integrated approach towards tackling organised crime, high-level corruption, and money laundering. Further the Commission advised the increased specialisation of judicial authorities across the region, strengthening independence and the establishment of internal mechanisms that would prevent external pressures.

Measures against Russia.- Finally, both the Commission and the Ministers from the Western Balkans countries condemned Russia's war in Ukraine and discussed efforts to improve the enforcement of the restrictive measures against Moscow. Apart from Serbia all Western Balkans countries agreed to step up efforts to implement restrictive measures against Russia which are already in force and to prevent the violation or circumvention of sanctions, while the EU promised support in this regard. The position of Serbia towards this issue stays very critical, since it remains the only country in Europe that has not introduced any sanctions against Russia. And while such sanctions would economically certainly not harm Russia significantly, they would harm Serbia given that in the energy sector Serbia exclusively relies on imports from Russia, and also politically Serbia relies on Russia when it comes to preventing a broader international recognition of the independence of Kosovo, especially its membership in the United Nations. However, the price for Serbia in not taking a straight position regarding Russia's aggression on Ukraine is significant since it is isolating itself not only in the Western Balkans, but also in Europe and hence challenging the EU integration process of Serbia and its support among citizens, which in the last period is anyhow reaching lower boundaries.

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