

EU – Western Balkans Justice and Home Affairs ministerial forum - joint press statement

The Ministers of Justice and Home Affairs of Austria, representing the Presidency of the Council of the EU, together with the European Commission, represented by the European Commissioner for Justice, Consumers and Gender Equality, and the European Commissioner for Migration, Home Affairs and Citizenship, met on 4-5 October 2018 with their counterparts from the Western Balkans at the annual EU-Western Balkans Ministerial Forum on Justice and Home affairs. The meeting was also attended by representatives of the trio Presidency partners, Estonia and Bulgaria, as well as by the incoming Romanian Presidency.

The Ministers underlined the key importance of the respect of rule of law, justice and fundamental rights in the EU's relations with the region. They emphasised the need for practical cooperation on justice and home affairs. Justice Ministers discussed the topics of strengthening the rule of law and effective justice systems, and focused on the promotion of key standards for the judiciary, and on defining indicators to measure progress of justice reforms. In line with the Sofia Declaration of 17 May 2018, the Ministers of the Western Balkans partners reaffirmed their commitment to reinforce their reform efforts and bring about tangible progress in the area of rule of law.

Ministers discussed under the home affairs section topics focusing on: migration and border management, counter-terrorism and radicalisation, as well as the joint fight against migrant smuggling and organised crime.

Justice session

Emphasizing that effective justice systems serve as a basis of peaceful, democratic societies, underpinning economic growth, the Ministers dedicated both Justice working sessions to the overall theme of promoting the rule of law and effective justice systems, fundamental for both the EU enlargement process and the Stabilisation and Association process, and bringing direct benefits to citizens.

Promotion of standards for the Judiciary

The Ministers agreed that essential standards for the judiciary - namely independence, efficiency and quality of justice - have to be met in order to guarantee the rule of law, to deliver high quality justice services for citizens as well as to meet EU membership criteria.

To this end, an overview of these standards – which should serve as a basis for the preparation of future Enlargement packages – should be prepared together with the Council of Europe.

The Ministers also welcomed the reform efforts aimed at promoting the efficiency and quality of justice systems, whilst underlining that more needs to be done for the effective implementation of judicial reforms. Ministers agreed that improving access to justice, providing adequate resources for the judiciary as well as availability of assessment tools and training opportunities for judges are essential.

The Commission reconfirmed its willingness to support the ongoing justice reform processes in the region through political support, expert advice and financial assistance from the Instrument for Pre-Accession.

Indicators to measure progress of justice reforms

In line with the Sofia Declaration's Priority Agenda, the Ministers reaffirmed that in order to improve the quality and maximize the impact of reforms, work towards better measurement of results in justice reform needs to be prioritised.

The Ministers called on the Commission to work with CEPEJ in order to identify a number of key indicators, such as budget allocated to a judicial system (in particular courts and public prosecution), data on the clearance rate, caseload and disposition time for cases and track records of disciplinary and corruption cases within the judiciary, that can give information about the status

and performance of judicial systems as well as of progress of justice reforms. Ministers agreed on the importance of justice surveys as a tool to measure the perceptions of "end-users" of justice systems and welcomed the Commission's proposal to support the development of these surveys in the region.

The Ministers acknowledged that further efforts are needed to establish fully functional and comprehensive case management systems (CMS) which could improve the efficiency and transparency of justice systems, and also provide data on the performance of a justice system. They agreed to provide the Commission, by the end of the year, with an overview of the current implementation of CMS together with an action plan for the full roll out of such systems.

Media freedom

The Ministers also recognized the importance of media freedom and the essential role independent journalists play in democratic society. The EU side stressed that countries have a responsibility to put an end to impunity and effectively prosecute perpetrators of crimes against journalists and media operators as a priority matter.

Eurojust-Albania Cooperation Agreement

The Ministers welcomed the official signature of the Cooperation Agreement between Eurojust and Albania, marking an important milestone in the strengthening of EU relations with the Western Balkans region.

Home Affairs session

Migration and border management cooperation

The Ministers concurred that ensuring effective border management and fighting migrant smuggling remained top priorities for both the EU and the Western Balkans. The migration and security challenges require increased vigilance and an effective partnership between the Western Balkan partners and EU Member States.

The Ministers recognised the crucial importance of cooperation of Western Balkans partners with the Justice and Home Affairs Agencies and with EU Member States in combatting migratory and security threats. They discussed actions to enhance the cooperation between the Western Balkans' law enforcement agencies with EU Member States, including with Europol to dismantle organised crime groups responsible for facilitating migrant smuggling activities, also through the Western Balkans Task Force launched in June 2018.

The Ministers welcomed regional initiatives designed to improve information and intelligence exchange both at strategic and at law enforcement level. Ministers recognised the essential role of the European Migrant Smuggling Centre with Europol and the Joint Operational Office against Migrant Smuggling Networks based in Vienna, in tackling the migrant smuggling phenomenon.

The Ministers discussed the state of implementation of the visa-free regimes in the Western Balkans. Taking note of cases of unfounded asylum applications, the Ministers committed to strengthening their efforts in effectively addressing this phenomenon and aligning their visa policies with the EU in order to prevent the risk of the triggering of the visa suspension mechanism.

The Commissioner for Migration, Home Affairs and Citizenship, the Presidency and the Minister of Interior of the Republic of Albania, signed the European Border and Coast Guard Agency status agreement with Albania.

Security – Police cooperation, countering terrorism/violent extremism extremism and organised crime

The Ministers acknowledged that terrorism and radicalisation continue to be a common challenge for the European Union and the Western Balkans region and that close cooperation was essential for preventing radicalisation and terrorism. Ministers agreed that the existing formats and networks of cooperation, including through the Radicalisation Awareness Network, should be further strengthened.

The Ministers and the European Commissioner for Migration, Home Affairs and Citizenship, representing the European Union, [signed the Joint Action Plan on Counter Terrorism for the Western Balkans](#). It calls on Western Balkan partners and the European Union to take ambitious actions in order to reach their counter-terrorism objectives.

Ministers discussed that they faced similar challenges in responding to the security threat posed by violent extremism and agreed to work together to address its root-causes and to build resilient and cohesive societies. They further acknowledged the usefulness of regular exchanges with the Western Balkans partners to identify priorities and designing concrete joint actions.

The Ministers committed to put in place mechanisms required for strengthening their operational partnership, including between EU Member States and Europol with a view to efficiently and effectively address counter-terrorism and radicalisation, but also transnational organised crime and border security, including by strengthening their capability to process and exchange Advance Passenger Information and Passenger Name Records data.

They committed to continue to joint actions to enhance seizures of firearms, ammunition and explosives, to improve security of

firearms and ammunition storage capacities, and to periodic disposals of surplus arms and ammunition, particularly those confiscated from illegal activities. The Ministers also welcomed the EU assistance in providing training on firearms to law enforcement officers.

The Ministers also welcomed the initialling of working arrangements for cooperation between the European Monitoring Centre for Drugs and Drug Addiction and Albania.

The Ministers agreed to continue cooperation on all the issues discussed at the Justice and Home Affairs Ministerial Forum and to have further exchanges at their next meeting.

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