

SALZBURG FORUM MINISTERIAL CONFERENCE

Chateau Štiřín, Czech Republic

24 – 25 May 2012

JOINT DECLARATION

On the occasion of their meeting on 24 and 25 May 2012 at Chateau Štiřín in the Czech Republic, the Ministers of the Salzburg Forum states (hereinafter referred to as “the Ministers”),

Welcoming the Republic of Croatia as a full Member of the Salzburg Forum,

Recognising the importance of the Salzburg Forum as a flexible and informal initiative on internal security, and yet an effective instrument for strategic and practical cooperation,

Committed to continue their contribution to strengthening the European area of freedom, security and justice,

Have agreed on the following:

Schengen Area and Border Management

The Ministers considered the Schengen cooperation, based on mutual trust between Member States and a well-functioning Integrated Border Management system in line with Schengen acquis, one of the most tangible achievements of the European integration. They stressed the importance of the absence of border controls at internal borders and expressed their support to the further improvement of the compensatory measures.

The Ministers agreed that the existing provisions of the Schengen Borders Code should continue to apply and national sovereignty to decide on the reintroduction of event-triggered border checks at their internal borders when there is a serious threat to public policy or internal security should be respected. Those provisions have been

implemented without any difficulty in the past. However, in order to strengthen the transparency of this measure, consultation procedures prior to the reintroduction should be intensified.

Furthermore, the Ministers repeated their support for the introduction of an additional mechanism where a Member State is not complying with its obligations under the Schengen rules, putting the overall functioning of the Schengen cooperation at risk. The Council shall play a decisive role when deciding on the gradual measures of the new mechanism.

A safeguard clause should be introduced to allow the exceptional reintroduction of temporary internal border controls towards the Member States not complying with the obligations, as a measure of very last resort.

The Ministers also welcomed the efforts towards a better functioning of the Schengen governance and acknowledged the importance of reaching a compromise in this matter. At the same time, the Salzburg Forum underlines that the accession of Bulgaria and Romania to the Schengen area should not be postponed any further, as both countries have fulfilled all requirements laid down by the Accession Treaty. The completion of the Schengen accession process to include Romania and Bulgaria is a matter of credibility and mutual trust between EU partners which shows cooperation and common strategic interests.

Convinced that it is high time that the Council reaches a final, favourable decision on the matter and reminding of what has been said forth in this respect in the European Council Conclusions, the Ministers of the Salzburg Forum urge all Member States to undertake all necessary measures that pave the way to the favourable decision of the Council in September 2012.

To this end, the Ministers decided to prepare a common letter to the current and upcoming Presidencies, the Ministers of Interior of the European Union and the European Commission.

The Ministers confirmed the principal importance and pivotal contribution of the Schengen Information System (SIS) and SIRENEs for provision of security in the area without internal border controls. Therefore, they will jointly act to get appropriate support, attention and engagement for SIS and SIRENE at EU level (e.g. Schengen governance, multiannual financial framework, JHA initiatives and working parties) and to enforce sustainment of high standard of co-operation in this area including pressure on Schengen/EU Member States in case they do not follow the standards.

Given that one of the Salzburg Forum purposes is to strengthen cooperation in the field of internal security, the Ministers acknowledge and give priority to activities of their SIS/SIRENE experts in EU JHA projects, especially in connection with SIS II in order to achieve its go-live date in the first quarter of 2013.

New legal framework of Europol

In the light of the Commission's preparatory work on a new legal instrument for Europol, the Ministers discussed several proposals for improvement of its capacity and support provided to national law enforcement authorities in combating serious transnational crime in evolving environment. As the fundament of police work consists of handling information, the Ministers focused on ensuring more efficient use of information by Europol. The Lisbon Treaty requires, for the first time, to establish oversight of Europol's activities by the European Parliament and national Parliaments. In this regard the Ministers stressed the need to maintain decisive influence by Member States governments due to the supportive role Europol provides to national law enforcement and at the same time to ensure proper procedures for parliamentary scrutiny of Europol's activities.

The Ministers also considered the roles that Europol should play in future and the tasks it is called to fulfil. They wished Europol to be given only such new tasks that have genuine synergy with its core functions or respond to newly emerging needs of the fight of serious transnational crime. The ability of Europol to contribute to the development of the European Security Model in line with the Internal Security Strategy should be ensured. The changes of the legal basis should not have a significant impact on the EU budget.

Witness Protection

The Ministers of eight Salzburg Forum states signed the Agreement on the Cooperation in the Area of Witness Protection and expressed their determination for enhanced mutual cooperation in this field in the future. Poland expressed its intention to accede to the Agreement as soon as possible.

Cross-border Enforcement of Road Safety Related Traffic Offences

The Ministers welcomed the significant progress in the negotiations of the Agreement on Facilitating Cross-border Enforcement of Road Safety Related Traffic Offences and

the fact that the negotiation process is about to end. Therefore, the Ministers of interested states look forward to signing the Agreement at the ministerial conference under the Hungarian Salzburg Forum Presidency. In the meantime, additional efforts should be put to concluding the implementation arrangements of the Agreement.

Security measures during EURO 2012

The Ministers took note of the information of Poland on security measures during EURO 2012.

EU Strategy for the Danube Region

The Ministers took note of the information of Bulgaria on the state of play of the EU Strategy for the Danube Region. The Ministers acknowledged the progress made so far despite the limited financial resources available. They reaffirmed the political support they will provide for the further implementation of macro-regional projects.

Mutual support for candidates from the Salzburg Forum states

The Ministers discussed the proposal on a procedure and principles of mutual support for candidates of the Salzburg Forum states for high level positions especially in the EU agencies as well as regarding seats of new EU agencies. They agreed that enhanced informal cooperation in this field is needed.

18-month work programme

The Ministers evaluated the results of the 18-month work programme of the current trio presidency of Austria, Bulgaria and the Czech Republic. They welcomed the achievements and expressed their determination to further strengthen the cooperation with regard to ongoing activities. The Ministers also initiated discussion on the new 18-month work programme of the upcoming trio presidency of Hungary, Poland and Romania. Among other priorities they mentioned cybersecurity; managing illegal migration; fight against drug trafficking; and cooperation with further regions and third countries.

Štiřín, 25 May 2012