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The Secretariat

Transnational Threats Department

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REPORT
of the
Annual Meeting
of the OSCE Border Security and Management National Focal Points Network

Berlin, Germany, 12-13 April 2016

Executive Summary

The 2016 Annual Meeting of the OSCE Border Security and Management National Focal Points (NFPs) was organized and conducted in co-operation with the German OSCE Chairmanship in Berlin, Germany, from 12-13 April 2016.

A total of 102 NFP representatives, national experts from OSCE participating States (pS) and Partners for Co-operation (PfC), as well as the OSCE officials from the OSCE field operations (FOs) and OSCE Secretariat's Transnational Threats Department took part in the meeting. The representatives of the following organizations joined the meeting as well: EU Border Management Programme for Central Asia (EU-BOMCA), Geneva Centre for Democratic Control of Armed Forces (DCAF), Police Co-operation Convention for South Eastern Europe (PCC SEE), European Union Border Assistance Mission to Moldova and Ukraine (EUBAM), European Commission, Europol, FRONTEX, International Centre for Migration Policy Development (ICMPD), INTERPOL, UN Counter Terrorism Centre (UN CCT), United Nations Development Programme's EU Border Management Programme in Northern Afghanistan (UNDP BOMNAF), US Federal Bureau of Investigation (FBI), US National Counterterrorism Center (US NCC).

The meeting on 12 April was devoted to *promoting cross-border co-operation and confidence building to address the emerging threats and challenges in the OSCE region* and allowed the participants to: review emerging transnational threats and challenges, and examine how modern border security and management services can better address such threats and challenges; analyse existing cross-border co-operation mechanisms and share best practices such as developing joint operational teams; define and discuss lessons learnt and challenges posed by the recent migration crisis; share best practices in crisis management situations, to include providing timely and accurate information to the public, mass media, governmental and partner agencies; brainstorm on how to improve communication channels and mechanisms to the mass media, public and partner services, thus contributing to increased public engagement and mutual support to better manage crisis situations; discuss on-going initiatives, and agree on further NFP Network activities.

On the following day, 13 April, a field trip to the German Federal Police Station in Frankfurt/Oder and the Police and Customs Co-operation Centre in Swiecko was organized by the German OSCE Chairmanship in co-operation with the German Ministry of Interior. The participants had an opportunity to observe, first-hand, how joint police operations and the use of proper structures and communication mechanisms enable more efficient and effective border security and management.

The two day meeting was held, and is being reported on, within the principle and purpose of the Chatham House Rule, allowing the participants to speak as individuals and to express views that may not necessarily be those of their respective organizations or nations, to encourage the free flow of ideas and views.

Detailed Description and Findings

The event was opened by **Dr. Emily Haber**, State Secretary of the German Federal Ministry of the Interior, **Mr. Alexey Lyzhenkov**, Director of the OSCE Secretariat's Transnational Threats Department (TNTD), and **Mr. Dennis T. Cosgrove**, Head of the OSCE Secretariat's TNTD/Border Security and Management Unit (TNTD/BSMU).

The high level key note speakers provided the participants with background information on the development of the NFP Network since 2006, highlighted its unique character and importance, its major achievements, and expressed their expectations with regards to the outcomes of the meeting.

With the migration crisis as the focus of all three presenters, the participants were invited to consider the following trends: the characteristic feature defining crime nowadays was its international character; migrants moved towards the countries where they hoped to find more secure future because they could find the means to do so; terrorists were using the migration crisis disregarding and ignoring borders and security precautions in Europe – they seemed to have acted in a planned and deliberate fashion, and wanted the specialized services to know that migration routes could be used for other than humanitarian purposes.

The participants were also reminded that all the threats as defined by the *OSCE Strategy to Address Threats to Security and Stability in the 21st Century* of 2003 were of a cross-border nature. It was highlighted that due to the absence of a specialized international organization and/or a universal legal instrument devoted specifically to providing a co-operative framework in the area of border security and management, the OSCE remains the only regional organization with its politically binding *OSCE Border Security and Management Concept* of 2005, providing the platform for co-operation to the OSCE pS border security and management services via the NFP Network.

The NFPs were invited to take stock of the current level of confidence and co-operation among the national services in light of the emerging transnational threats and analyse how those affected the current approaches to border security and management. In the course of discussions the participants were encouraged to try and look for practical and real world solutions to the challenges facing their services.

During the hosted dinner on 12 April, the participants had an opportunity to hear from the TNTD/Action against Terrorism Unit and learn about its work towards encouraging the OSCE pSs to make use of the Advanced Passenger Information (API) tools.

Session I: Emerging transnational threats and challenges and modern approaches to border security and management

In the course of this session the invited speakers were offered to review the current and emerging threats and challenges that the OSCE pSs are facing and brainstorm on whether the current approaches to border security and management were comprehensive and flexible enough to address those emerging threats and challenges. The session was moderated by the representative from the UN CTC with the speakers from FRONTEX, Europol, US NCC, and EU-BOMCA.

Border security and management services found themselves **in a crisis responders' role** in the wake of the migration crisis, which the services were not fully prepared for. They had to quickly adapt and try to make use of new tools and develop new skills, to include a robust review of existing mechanisms for co-operation and co-ordination on both national and regional levels.

Discussing the **situation and potential developments within the EU itself**, the following tendencies were identified: there are too many different actors neither integrated nor a part of the formal registration systems; statistics from EU Member States (MS) are troubling: the number of attempts of illegal border crossing grew six fold, but the number of detected travel document fraud cases, refusals of entry and returns remained on the same level as in previous time periods. In order to respond to the migration crisis the EU MSs are in consultations on reassessment of EU external co-operation strategy as well as on optimization of use of the potential provided by FRONTEX. The most recent development in this area is the intention to create a European Border and Coast Guard Agency with a reinforced mandate. There is also a need to encourage the EU MSs to better utilize the tools provided by Europol: Secure Information Exchange Network Application (SIENA); Europol National Units (ENU) in Member States and non-EU states; Europol databases; Europol Information System (EIS); strategic assessments; common methodology; cross-matching; operational, technical and forensic analysis; newly created IRU (Internet Referral Unit); Analytical Work Files and Focal Points.

Discussing the **Central Asian region**, participants underlined the importance of the Central Asian Border Security Initiative (CABSI). Such a mechanism enables better co-ordination to streamline the donor assistance provided by various actors in the region, including the OSCE and its field operations. It is important to note that after a pause of several years, the BOMCA 9 regional programme is back on track with the primary focus on capacity building, institutional reforms, developing trade corridors, improvement of border management systems, and preventing cross border drug trafficking.

Participants were reminded that the September 11th 2001 attacks demonstrated the systemic **border control vulnerabilities** such as the flawed business process/architecture, too many watch-lists, and inadequate information sharing. Since then, the national border security and management services have been moving towards such good practices as: centralized watch-lists, robust information sharing, centralized repositories of known and suspected terrorists; master terrorist screening data; integration of effort; “pushing borders out” and building in layered security through multiple screening opportunities. Among the remaining challenges the following were highlighted: establishing true identity of travellers; updated standards; quality control; biometrics; explosion of social media.

The NFPs were also urged to consider using the Advanced Passenger Information (API) exchange systems as an additional risk assessment tool which might be applied not only to air traffic, but to blue and land border crossing points as well. In addition, the services might consider putting more focus on exit controls as a profiling tool.

Panel Discussion: Cross-border co-operation and confidence building mechanisms

Participants were invited to review the existing cross-border co-operation mechanisms, define and discuss the lessons learnt, to include the gaps as well as challenges posed by the on-going migration crisis. The session was moderated by a representative of the German Federal Police with the contributions of invited speakers from DCAF Border Security Programme, PCC SEE, Department for Border Affairs and Migration of the Public Security Bureau of the former Yugoslav Republic of Macedonia, INTERPOL, German Brandenburg Police, and German Federal Police.

The participants were reminded that the **PCC SEE** is currently supported by DCAF Ljubljana and its member states are as follows: Albania, Austria, Bosnia and Herzegovina, Bulgaria, Hungary, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, and Slovenia. It provides the legal basis, know-how, means/resources, and channels for communication, mutual trust and formats on the following levels: heads of services, operational working groups/networks, and relevant practitioners. Among its major achievements and best practices the following were mentioned: Police Cooperation Convention Manual; bilateral and multilateral implementation agreements developed and applied in practice; progressively fulfilled data protection standards (compatible with Europol/Schengen evaluation mechanisms); practical cross-border exercises (controlled delivery, cross-border surveillance, hot pursuit); greater legal and practical compatibility; information exchange on fake and forged travel documents; common curricula for police; establishment of the Police Co-operation Centres (PCCs) and Police and Customs Co-operation Centres (PCCCs) at the common borders; launch of the Surveillance Expert Network for Southeast Europe (SENSEE) as well as Joint Investigation Teams Network for Southeast Europe (JIT Network). The NFPs commended the PCC SEE for providing valuable support and an effective platform for co-ordination and mutual assistance in the region in the wake of the migration crisis. The pSs which did not have access to EU support mechanisms used the PCC SEE legal framework for requesting and receiving assistance from its other members.

DCAF Border Security Programme is the other large-scale regional instrument (implemented by DCAF Ljubljana since 2012) going back all the way to 2002. The beneficiary countries are Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, and Serbia. It covers three components: 1) *EU/Schengen Integration*; 2) *Education & Training*; and 3) *Common and Coordinated Measures* (targeting illegal migration and cross-border crime, illegal border crossings, stolen vehicles, smuggling of goods and illicit drugs, forged documents, introducing risk analysis based and intelligence-led policing, secure on-line application for data management “Border Sentry“). The programme also provides support in implementing and overseeing joint return flights.

In discussing **the migration crisis and the challenges the affected countries had to tackle in the management of the crisis**, the participants concluded that the most difficult challenge for the national services was to simultaneously provide for national security, public security,

and public health, security of the migrants, humanitarian protection and medical support. Overnight the services had to take on crisis management and humanitarian assistance functions. Some services had to rapidly amend the laws and administrative guidelines to provide more time for migrants to transit without the necessity to apply for asylum. Some of the affected countries had to declare a crisis situation in certain areas and activate the national system of crisis management allowing the involvement of other institutions including military and the rescue services at the border. It was very important to identify the mechanisms for co-ordination with the neighbouring agencies on a national level and also with the BSM services of neighbouring countries. Such a regional co-operation mechanism allowed to develop some consolidated and co-ordinated solutions such as common criteria, co-ordination of the transit, and unified registration forms.

Some affected countries attempted to close illegal migration routes by means of erecting physical and technical barriers, others took the decision to let through only the migrants from the areas directly affected by conflict. There decisions on joint and co-ordinated measures were taken, but those were not equally implemented by all the countries in the region. The crisis emphasized the need for and the benefits from close regional co-operation, as well as unforeseen problems of a cross border nature. The heads of services began to regularly meet for co-ordination purposes, using the network of national co-ordinators and also began to conduct weekly video-conferences.

With regards to co-operation with EU, some of the services from non-EU pSs were receiving daily situation reports from FRONTEX. Unfortunately the non-EU member states could not use the EU mechanisms for mutual assistance, therefore these non-EU member states had to send the requests via the PCC SEE. Thus, using this mechanism, the states such as Austria, Croatia, Czech Republic, Hungary, Serbia, Slovakia and Slovenia deployed their staff on the border between the former Yugoslav Republic of Macedonia and Greece.

The other successful forms of cross-border co-operation deployed in tackling the migration crisis were the regular meetings of the leadership of the Ministries of Interior (MoIs) from South East European region, deployment of mixed patrols, work in Joint Border Crossing Points (BCPs), joint trainings and exercises (with inclusion of FRONTEX), joint and co-ordinated operations, PCCs/PCCC. It is important to mention that none of those forms of co-operation is being implemented at the border between the former Yugoslav Republic of Macedonia and Greece, although the level of co-operation between the two countries is reportedly improving. There are a number of other positive developments in this area and high hopes to be able to reach an agreement and launch the PCCC along the border between the former Yugoslav Republic of Macedonia and Greece as well. However, to provide for better situational awareness in the region and better networking among the PCCs/PCCCs, there is a need for technical assistance and capacity building provision to the PCCs/PCCCs in the region which the OSCE, as a regional security co-operation organization, was invited to consider.

Moving on to **international frameworks for co-operation and confidence building**, the participants were reminded about other existing frameworks and mechanisms such as: INTERPOL National Central Bureaus (NCBs) in 190 member countries; INTERPOL European Committee meetings – three per year; a network of European Contact Officers (40 – 50 delegates meeting annually); annual conference of Heads of NCBs; European Regional Round Table; Annual European Regional Conference; Statutory Conference (strategic and administrative issues, operations and projects); INTERPOL Specialist Operational Network

(ISON); Global Outreach and Regional Support (GORS); Firearms Programme; Command and Co-ordination Centre; Organized Crime Unit; Counter Terrorism Unit; INTERPOL LiO to Europol (The Hague) and Europol LiO to INTERPOL (Lyon). In addition, some initiatives focus specifically on border security and management as well as migration related issues: International Law Enforcement Working Group co-ordinated by Human Trafficking and Child Exploitation Sub-directorate (HTCE); Integrated Border Management Task Force; and INTERPOL Certified Border Management Course for Operational Co-ordinators. It is important to mention the work of INTERPOL with the national BSM services in establishment of the access to INTERPOL databases at Border Crossing Points (BCPs) in some OSCE pSs. This is definitely a good practice worthy of support and extension to other pSs.

Coming **back to PCCCs**, the participants had an opportunity to learn about good practices and lessons learnt in establishing and utilizing the PCCCs as an advanced mechanism for streamlined co-operation across the borders. In comparison to information exchange opportunities provided by INTERPOL (taking around 6-8 weeks for reaction) the mechanism provided by PCCCs allows for information exchange in real time. PCCCs allow such information exchange on accidents, larceny, vehicle trafficking, fraud, floods, traffic jams, cigarette smuggling, human smuggling and other types of cross border crime. They allow joint cross-border operations such as cross-border pursuit, GPS-localization, and search and rescue.

With respect to the **national experience in employing Europol tools and mechanisms**, the following additional good practices were identified: secure connection & databases (e.g. SIENA, EIS), Analysis Work Files (AWFs), operational analysis and operation support on the spot, dissemination of analytical reports, facilitation of operational meetings, conducting of parallel / mirror investigations, launch of Joint Investigation Teams (JITs), co-ordination of European wide investigations and actions, cross-matching between investigations, as well as analysis of social networks and geographical analysis.

OSCE Border Management Staff College

The representative of the OSCE Border Management Staff College provided an overview of recent College trainings and the plans for the remainder of this year. The participants had an opportunity to learn about College achievements in reaching out to the OSCE Partners for Co-operation, the most recent College offerings, the plans for the rest of the year, and developments within the OSCE Border Security and Management Training Support Network.

Panel Discussion: Crisis management through communication with adjacent agencies and the public

The meeting culminated with a panel on the topic of **crisis communication**. Of the many tasks performed by the border security and management agencies maintaining trust with the community is the cornerstone of successful law enforcement. The building and maintenance of trust takes a great deal of effort. Communication with adjacent agencies and the public is equally crucial to providing security at the borders and more so in the times of crisis. Non-systematic and in-accurate communications with the media could negatively contribute to the development crisis situations. The session included presentations from media liaison

representatives with the FBI from Washington, D.C., and the Los Angeles FBI Field Office, German Centre for International Peace Operations (ZIF), and Hungarian Ministry of Interior.

The speakers provided the participants with an overview of the approaches to media and public relations and cited the importance of understanding the needs of the communities since public opinion is the most relevant factor in accomplishing the mission of a public or law enforcement organization. In addition, the speakers discussed good practices when handling a crisis situation. The NFPs agreed that the best effort against crisis was co-operation. They also agreed on the important role of the media, including social media, in establishing and maintaining trust with the respective communities.

The participants agreed on the **need to conduct a continuous dialogue with the media** to feed in the updates on developing situations, new developments, and to inform about the measures the law enforcement authorities are undertaking (especially the unpopular ones) to avoid public resentment or misunderstanding. The following good practices and lessons learnt were identified: specifically designated public information officers to support the higher managers by drafting speaking points, handling incoming requests based on concerns of the public and/or leaks to the press - among other sources, use of Joint Information Centres (JIC) in order for leadership and their public information officers to have a location to make and respond to urgent phone calls and collaboratively determine what information could be shared with members of the press, as well as how to address reasonable questions being asked by members of the press. In the process the needs of victims should be addressed in any given situation from a humanitarian standpoint, as well as the grievances about law enforcement's response that may be communicated to members of the press or via social media. The agencies are only allowed to respond to questions that pertain to their respective agencies' role and/or jurisdiction and not to attempt to speak on behalf of another agency. Recognition must continually be given to partner agencies that remain part of the overall operation/investigation in order to, among other reasons, maintain a unified front and assure the public that getting credit does not necessarily dictate progress. There is also a need for public information officers to monitor the media including print, electronic and social media, so that agency representatives understand what is being reported on a continual basis and so that questions can be adequately addressed. It is important to correct the record when media and press get it wrong.

Participants also **discussed the potential scenarios at law enforcement press events** during which non-law enforcement entities request (or arrive without notice) to participate (politicians, for example) and how best to co-ordinate with their representatives when competing interests are at play. While it is important to show respect to outside entities that may have different needs or motivation, it is very important to control the event by ensuring that participants focus on the law enforcement message for which the event was intended.

In the case of migration crisis management, having found themselves in the situation of crisis the border security and management services **were not ready to respond to such a challenge as communication with the media**. In most of the affected pSs operational centres were established with the relevant components devoted to communication with media. Most actions of the law enforcement services were followed by sceptical reaction from public, but public opinion changed after the recent terrorist attacks in Paris and Brussels. The participants also agreed that communication with media was not an intuitive skill and appropriate practical training would be needed to prepare senior and operational level border services personnel to deal with media in crisis situations.

NFP Network on-going initiatives and way forward

The NFPs were informed about several current and upcoming OSCE TNTD/BSMU projects, planned NFP Network activities and new initiatives in design stage. The NFPs also discussed available communication tools and mechanisms including the planned improvements of the POLIS information system and the OSCE video-conferencing capacity.

The NFPs were asked to share their ideas on the thematic areas to be put in focus of the next NFP Network activities.

The following thematic areas were offered by the NFPs in attendance:

- mechanisms of co-operation and reaction to emergency situations to include the issues of interagency co-ordination on national level, adaptation of legislation, involvement of the army, cross-border co-operation, and media relations, etc.;
- communication with the media in crisis situations in more depth especially with regards to social media;
- cross-border co-operation in the times of crisis;
- use of UAVs in border security and management;
- use of UAVs and small aircrafts for criminal purposes and the best practices in countering this problem;
- counterterrorism issues, behavioural analysis and identification of potential foreign terrorist fighters at the border;
- cross-border communication and information exchange mechanisms for neighbouring countries;
- border delegates / border plenipotentiaries systems as the mechanism for cross-border co-operation including cross-border incidents;
- EU cross-border co-operation mechanisms as well as lessons learnt from conducting the Schengen evaluations;
- non-proliferation issues and countering nuclear, chemical and biological weapons;
- experience sharing in managing migration flows;
- best practices in introducing the criminal analysis based approach;
- gender equality mainstreaming in border security and management;
- co-operation with the private sector in light of API systems implementation to include the co-operation with air transport carriers;
- airport security from the perspective of the community policing approach;
- intelligence led policing and profiling especially with the involvement of border communities;
- improved interagency co-operation and integration mechanisms among the services functioning at the border;
- physical and electronic tools of queue management at various types of BCPs;

- balance between the need to share intelligence and information security issues;
- integrated border surveillance systems.

Additional recommendations made by the NFPs during the meeting:

- the OSCE should proceed with co-ordinating with EU institutions like FRONTEX in implementation of its future border related activities;
- the NFPs advised to proceed with the practice to issue annual NFP Network newsletters focusing on the recent developments in the national border security and management systems, including the newest technologies utilized in border security and management;
- some NFPs expressed the problem with contributing to a NFP Newsletter due to complicated internal administrative and procedural issues;
- most NFPs supported the idea to include API in the next NFP Network activity;
- consider supporting and strengthening of the PCCs/PCCC's technical and operational capacity in the South East European region with the objective to improve the potential of national border security and management services for real time information exchange and joint operational actions;
- focus on broader OSCE engagement and involvement in addressing the migration crisis;
- the NFPs drew attention to the International Border Police Conference that was conducted in the OSCE region on a systematic basis from 1993 – 2012. It allowed the heads of border security and management services from the OSCE region and beyond to meet on a regular basis to better co-ordinate joint activities, filling the gap in the absence of any international legal instrument with a universal scope providing a universal framework for co-operation. Most OSCE pSs were actively participating in the Conference and expressed their concern with its discontinuation. Such a mechanism would be especially useful in the light of the recent migration developments and the increased scope and scale of the terrorist related threats facing the OSCE region. The OSCE could consider supporting a similar mechanism in the future;
- the OSCE could consider launching and supporting a pool/network of travel documents expert advisors within the framework of the NFP Network to be trained and updated by the OSCE on the most recent trends in travel document forgeries.

Having commended the OSCE and the German OSCE Chairmanship for a well-organized event, the Austrian NFP supported all the previously listed ideas and invited the NFPs to join the next annual NFP Network meeting in Vienna, Austria.