



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 June 2013**

**11902/1/04  
REV 1**

**PROXIMA 9**

**DECLASSIFICATION**

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of document:	11902/04 RESTREINT UE/EU RESTRICTED
dated:	19 August 2004
new status:	Public
Subject:	EUPOL PROXIMA Monthly Assessment Report

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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**Brussels, 19.08.04  
(OR. EN)**

**11902/04**

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**PROXIMA 9**



**COVER NOTE**

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FROM: Secretariat  
TO: Political and Security Committee  
Subject : EUPOL PROXIMA Monthly Assessment Report

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Delegations will find attached the EUPOL PROXIMA Monthly Assessment report for the month of July 2004.

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POLICE MISSION**

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**Skopje, 12 August 2004**

**EUPOL PROXIMA  
MONTHLY ASSESSMENT REPORT  
(MAR)**

**01-31 July 2004**

**including:**

**Personnel Report (PERSREP)**

The Monthly Assessment Report (MAR) is submitted by the Head of Mission of EUPOL PROXIMA through the EUSR to the SG/HR in line with article 7 of the Joint Council Action 2003/681/CFSP, on the basis of the guidelines contained in annex C of the Concept of Operations (CONOPS) of 28 October 2003 and in annex G of the Operation Plan (OPLAN) of 03 December 2003.

# RESTREINT UE

## Table of content

1.	Assessment of the European Unions Special Representative (EUSR) .....	4
2.	Police Head of Mission Assessment .....	5
3.	Overall assessment.....	5
	<b>A. OPERATIONS/GENERAL SITUATION</b> .....	5
	<b>B. RELATIONS WITH INTERNATIONAL ORGANISATIONS IN FYROM</b> ..	6
	<b>C. ASSESSMENT OF POLICE REFORM</b> .....	7
	<b>D. RELATIONS WITH FYROM AUTHORITIES</b> .....	7
	<b>E. ASSESSMENT OF REGIONAL CONTEXT</b> .....	7
4.	Progress in PROXIMA programmes .....	8
	<b>A. CRIMINAL POLICE PROGRAMME</b> .....	8
	<b>B. BORDER POLICE PROGRAMME</b> .....	9
	<b>C. UNIFORMED POLICE PROGRAMME</b> .....	12
	<b>D. UBK PROGRAMME</b> ( <i>UBK – Sector for Counter-Intelligence and State Security</i> ) .....	13
	<b>E. INTERNAL CONTROL / LAW ENFORCEMENT MONITORING PROGRAMME</b> .....	14
5.	Security Assessment .....	17
	<b>A. GENERAL SITUATION</b> .....	17
	<b>B. ORGANISED CRIME SITUATION</b> .....	17
	<b>C. MEDICAL ASPECTS</b> .....	20
6.	Public outreach.....	21
	<b>A. COVERAGE</b> .....	21
	<b>B. VISITS TO PROXIMA</b> .....	21
	<b>C. OTHER OUTREACH ACTIVITIES</b> .....	21
7.	Month ahead.....	22
	<b>A. UPCOMING PROXIMA ACTIVITIES</b> .....	22
	<b>B. UPCOMING FYROM EVENTS AND/OR CHALLENGES</b> .....	22
8.	Personnel Report (PERSREP) .....	22

## RESTREINT UE

### 1. ASSESSMENT OF THE EUROPEAN UNIONS SPECIAL REPRESENTATIVE (EUSR)

Soren Jessen-Petersen left his post as EUSR in Skopje on 21 July, handing over to me as his successor.

Before leaving Jessen-Petersen gave a farewell presentation to the PSC in Brussels. Proxima was mentioned in the context of this presentation and member states asked questions about the status of the mission and its relationship to other international actors in the field of policing in Skopje, especially the newly-arrived European Commission police reform group of experts. Before leaving his post Jessen-Petersen convened a meeting with the Commission and Proxima to establish a modus operandi for closer future co-operation. This was followed by a letter on 20 July.

On 22 July CIVCOM issued its report on the mid-term review, which included important instructions to the Mission. These were endorsed by the PSC, attended by the Police Head of Mission, on 26 July. As stated in the report below, the mission is now working on this tasking, in consultation with my office.

Otherwise the month of July was dominated by the coalition deal on decentralisation, and public reaction to it. The rioting in Struga on 22/23 July was a surprise both to the international community and national authorities. Proxima played a valuable role in monitoring the handling of this sensitive situation. Clearly tensions are high over the decentralisation issue, but the consensus of opinion within the international community is that, Struga notwithstanding, the overall security situation is stable.

# RESTREINT UE

## 2. POLICE HEAD OF MISSION ASSESSMENT

Government coalition negotiations over decentralisation, municipality boundaries and the use of language in Skopje were concluded on 15 July 2004 with an agreement which affects three of the municipalities where PROXIMA is present, namely Skopje, Kicevo and Struga.

Within the Slav Macedonian community public reaction against the decentralisation deal has been strong, particularly in Struga, where all the Slav Macedonian parties at a local level, including the governing SDSM, have united in opposition to the deal.

On 22 July, about 2000 citizens protested against the presence of Minister of Defence and other SDSM members. Protesters prevented the Minister of Defence to leave party offices. Several other people were trapped inside the building. Due to the politically explosive potential, PROXIMA monitored the police operation. The situation outside turned quickly and increasingly violent. Stones and later Molotov cocktails were thrown at the building. Police launched an operation to protect and rescue the Minister of Defence which necessitated the use of force, including tear gas and other riot control devices. Despite all security precautions and the generally successful conduct of the operation, one PROXIMA officer was lightly injured, while he monitored the special units. Stones were thrown at his car. Two of Mission cars were damaged. [How many arrests? What going on?]

On 26 July the Parliament started the debate on draft laws on decentralisation, in a tense environment. That evening some 8,000 persons protested in the main square of Skopje. Police launched a major public and peace and order operation, including more than 1,500 officers. PROXIMA monitored this operation and successfully advised on de-escalation techniques. The event passed off peacefully.

\* \* \*

The recurrent protests required additional monitoring of public peace and order operations by PROXIMA. In general, these operations were conducted broadly in line with European standards. In general, the Mission has observed that the standards in the public peace and order field are relatively high. In line with its mandate has therefore started a prioritisation exercise which emphasises the crime control and border policing component of PROXIMA. As reported, the Mission has identified serious short-comings with regard to investigative skills, competences and techniques. Most of the Mission's activities are addressing these short-comings.

Based on the organisational readjustments and following the CIVCOM advice of 22 July, the Mission has immediately during July started this prioritisation exercise which should be concluded by the end of August. The direction taken by the Mission is already reflected in the report, as chapter four contains summary description of the five Mission programmes, their priorities and key projects as they have been developed by the time of writing.

## III. OVERALL ASSESSMENT

### A. OPERATIONS/GENERAL SITUATION

The readjustment of the Mission was officially launched on 7 July 2004, this meant that in addition to routine tasks, the Mission had to undertake a number of measures, such re-creating the enlarged Programme Department regarding, redefining the role of Chief Co-locators and training members in the use of the Information System.

## RESTREINT UE

### *Recommendations issued to Chief of regional police Headquarters*

- After their presentation to the Ministry of Internal Affairs, the results of the Initial Field Monitoring and Performance Evaluation Report were presented by the Chief Co-locators to their counterparts in the regional police headquarters during July. The recommendations were welcomed and counterparts agreed to implement them. Guidance for the implementation of specific measures should be provided by the central level of the Ministry but for the time being the exact follow-up has not been defined inside the Ministry of Internal Affairs.

### *Organisational readjustment*

- PROXIMA has introduced a web-based Information System which can be accessed by all international Mission members and centrally stores all programme and incident reports. The Information System also allows Programme Directors to have a better overview on the progress of activities. The system was launched during July and will be fully operational as of the beginning of August.
- Chief Co-locators were briefed on their role in managing their co-location team in accordance with the adjusted organisational structure and their relationship with Programme Directors. The responsibility of implementing programmes lies now with the Programme Department.
- The concerned mission members previously belonging to Operations Department have been redeployed in their new positions in Programme Department. This concerns specifically the reporting and analysis cell and the central advisers including the central coordinator. A new deployment table was produced by the personnel office which came into force by 27 July.
- The new template and procedure for the Daily Security Report, replacing the former Daily Mission Report, has been finalised and implemented, using the PROXIMA Information System.

### *Field deployment*

- 144 international police officers and civilian experts are deployed to the field. The Mission has reached a stable level of deployment. PROXIMA is present in all foreseen locations at regional level even if there is a residual deficit of 11 officers.

## **B. RELATIONS WITH INTERNATIONAL ORGANISATIONS IN FYROM**

The PROXIMA Liaison Officer is the first point of contact between PROXIMA and other International Organisations. Through this officer and other staff, as relevant, the Mission participates in a number of regular meetings. Among these are the weekly Security Meetings with NATO, OSCE and UNMIK, and the weekly OSCE diplomatic meeting.

### *EUMM*

EUMM remains a key partner for all political and security related issues. During the events in Struga on 22/23 July continuous contact with their Operations Officer maximised the information available to both sides.

## RESTREINT UE

### *OSCE*

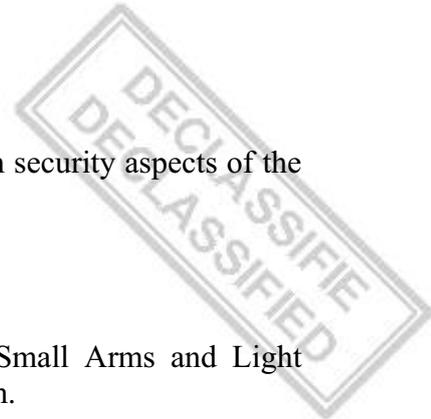
Fruitful cooperation at all levels continues. Joint activities have taken place. These include PROXIMA contributions to OSCE management training for the new border police as well as joint initiatives on criminal justice issues.

### *NATO*

Cooperation with NATO remains unchanged. In July, the focus remained on security aspects of the upcoming Olympic Games and border issues.

### *UN / UNDP*

PROXIMA continues to participate in the monthly Working Group on Small Arms and Light Weapons as well as meetings of the UN Disaster Management Country Team.



## **C. ASSESSMENT OF POLICE REFORM**

PROXIMA continues to look forward to enhanced cooperation with the European Commission Police Reform Project, in the framework of CARDS. Combining PROXIMA's expertise, its working relationships with local counterparts, and its field presence with the Police Reform Project members' experience with reforms in other countries will maximise the impact of the EU's police reform engagement. In order to initiate such cooperation a meeting was convened by the EUSR with the head of the EC Delegation, the team-leader of the Police Reform Project and the PROXIMA Head of Mission.

## **D. RELATIONS WITH FYROM AUTHORITIES**

PROXIMA continued to enjoy generally good working relations with all levels of the Ministry of Internal Affairs. Contacts with other Ministries were maintained as appropriate. The Law Enforcement Monitors were in regular contact with representatives of the Criminal Justice System in their respective areas of responsibility.

On 20 July, Mr Laze Velkovski was appointed as the new Director of the Public Security Bureau within the Ministry of Internal Affairs. Velkovski was born in 1965 in Skopje where he lives. He graduated from the Faculty of Security in 1990 and immediately after joined the Ministry of Internal Affairs. He worked in the Uniformed Police branch and later on in the civilian administration of the Ministry. Mr Velkovski replaces Mr Branko Bojcevski who will assume the position of an advisor in the cabinet of Prime Minister Hari Kostov.

## **E. ASSESSMENT OF REGIONAL CONTEXT**

The situation in Southern Serbia was kept under review and travel advice adjusted in line with UNMiK advice. Proxima participated in various border policing and other security-related fora in anticipation of the Olympic Games in Greece in August. Other regional developments were kept under review but did not impinge upon the Mission.

### 3. PROGRESS IN PROXIMA PROGRAMMES

*Following the organisational adjustments within the Mission, the Programme Department supported the newly appointed Directors of the five Mission Programmes to streamline activities into projects. Based on the existing assessments and the work carried out during the last months, this resulted already by the end of July in a consolidated structure of programmes. Following CIVCOM advice, this prioritisation exercise will be continued and concluded by the end of August. This report is already presented in line with the adjusted structure of programmes and projects.*

#### **A. CRIMINAL POLICE PROGRAMME**

##### *General*

The Criminal Police Programme focuses urgent operational needs and support for the consolidation of law and order and in particular in the fight against Organised Crime. Apart from recurrent monitoring activities, the programme includes six projects of which three were well underway during July:

- Enhancing the fight against Trafficking in Human Beings;
- Supporting the regional fight against drugs trafficking;
- Strengthening Crime Techniques and Forensics in the fight against Organised Crime;
- Improving reporting in the pre-criminal procedure and intra-/inter-branch information exchange;
- Supporting the fight against armed robberies and kidnappings by organised groups;
- Increasing the surveillance and shadowing skill inside the investigation techniques sector of the Organised Crime department.

##### *Cross-cutting activities*

- On 21 July, PROXIMA attended a meeting with representatives of ICITAP, OPDAT, EXBS (Export Control on Border Security), REFLEX Project, EC Delegation, Financial Police and Customs. The members of ICITAP and OPDAT suggested to hand-over to the authorities a joint proposal to instigate the creation of a task force against organized crime consisting of ten to twelve members representing the Public Prosecutor's Office, the Investigative Judges, the Ministry of Internal Affairs, the Ministry of Finance and the Ministry of Justice. The proposal was welcomed by the organisations present and it was agreed that input to the final proposal should be provided by 20 August.

##### *Project: Enhancing the fight against Trafficking in Human Beings*

- Programme representatives met during the week with a delegation of the Italian Senate to discuss Trafficking in Human Beings both in fYRoM and regionally.
- As part of the THB project, a technical report on the police operation against the bar Oriental As in TETOVO is being finalised. The bar was raided in the frame-work of Operation Mirage. Once translated, the report will be discussed with the Ministry of Internal Affairs (scheduled for mid-August).

## RESTREINT UE

- The preparation of the activity “guidelines for detection of THB on the borders” included in the project THB was finalised. The guidelines will be provided to counterparts in the context of the showing of the film “Leilja forever”. The start of both activities is scheduled for the beginning of September in KUMANOVO and TABANOVCE.
- On 01 July, PROXIMA contributed to the second specialised training on illegal migration issues organised by the International Organisation for Migration (IOM) in the frame-work of their counter trafficking-training capacity building for law enforcement authorities, members of the judiciary and lawyers in fYRoM. PROXIMA made presentations on border police issues, trans-border crimes and regarding new legislation and EU standards.

### *Project: Supporting the regional fight against trafficking of drugs*

- **8,5 kg of Heroin seized at Tabanavce.** On 11 July, Police seized 8.5 of heroin on a car at Tabanavce Border Police Station. The driver, a fYRoM national from Struga but resident in Germany, was arrested. The seizure followed information received by Ministry of Internal Affairs about the vehicle used. PROXIMA monitored the perpetrator’s interrogation. Allegedly, the car was bound to Milano where the drug should have been delivered to an Albanian national.
- **455 kg of Drugs seized in Struga destroyed.** On 06 July PROXIMA and one police officer from the Ministry of Internal Affairs drugs sector were present when 455kg of drugs were destroyed. 289 kg of marijuana and 166 kg hashish were burnt in the SILMAK factory in Jegunovce outside Tetovo. The drugs originated from seizures in Struga carried out in the last three years. Decisions to burn the drugs were taken by a Commission of Judges in Struga when sentences were final. President of the commission and Deputy Public Prosecutor were members of the commission and attended the destroying of the drugs. Jegunovce and Veles are the two places in fYROM where drugs are burnt.

### *Project: Strengthening Crime Techniques and Forensics in the fight against Organised Crime*

- The first awareness-raising activity on forensic sciences and crime scene management took place on 27 July. The meeting was held in the Mission Headquarters. Representatives of Uniformed Police, the Public Prosecutor’s Office, Investigative Judges and PROXIMA were present. The criminal department of the Ministry did not participate. Following PROXIMA’s proposal, the participants agreed to start a pilot activity on crime scene management in one of the OVRs in SKOPJE. A team of co-locators will provide support to the activity.
- On 29 July, the central advisor for forensics and police techniques met General GALEVSKI, responsible for the human resources office. General GALEVSKI asked for PROXIMA’s support in profiling the job description for criminal police officers and crime techniques experts. The Mission will provide advice in the context of the crime technique project.

## **B. BORDER POLICE PROGRAMME**

### *General*

The Border Police programme concentrates on supporting the transition to a civilian Border Police Service that operates in accordance with the principles of Integrated Border Management, including enhanced regional cooperation and progress towards EU standards.

Based on the initial assessments of Border Crossing Points and border policing in general, the

## RESTREINT UE

following priorities for the remainder of the mandate were set during July:

- Continuing closely monitoring the transfer of Border Management responsibility from the Ministry of Defence to the Ministry of Internal Affairs;
- Monitoring special security measures during the Olympic Games in Greece, August 2004;
- Continuing to respond to urgent operational needs, such as forged travel document detection skills;
- Provide advice on de-centralisation and delegation of decision-making and management processes;
- Supporting improvement of airport security measures in line with ICAO- and ECAC-standards;
- Continuing advice on improvements of service-orientated and traffic-facilitating control procedures, in particular with regard to mass vehicles;
- Supporting in-service training activities regarding traffic security issues related with cross border truck traffic;

### *Cross-cutting activities*

- **Operation “Safe Haven Trans Border Crime”:** Proxima Border Police monitored the operation at Petrovec Airport. The operation took place in the frame-work of a SECI initiative and was carried out by representatives from the Ministry of Internal Affairs (sector for illegal trafficking/drug department) and involved also the border police and the customs administrations. The aim of the operation was to improve the search for drugs targeting in particular cargo and travellers from South and Central America. The only tangible result of that activity was the confiscation of two grammes of marijuana.

### *Project: Increasing the skills of officers to detect forged travel documents*

- More than 100 host country border police officers have been trained by the middle of July. The success of this initiative was celebrated when the 100<sup>th</sup> participants was welcomed during the workshop held in Kavadarci. Another workshop was held for officers at the main Border Crossing Point with Greece (Bogorodica and Medzitlija), at Ohrid airport and a number of BCP to Albania. The workshop has increased the skills level in time for the start of the Olympic Games.

### *Project: Supporting border police at the southern border to fully implement Integrated Border Management*

- PROXIMA has established a regular presence at the Greek border. Ongoing activities will be enhanced during the Olympic Games from 13 to 29 August, because of increasing legal trans-border traffic but also because of an expected higher number of border security issues and criminal incidents. These events are not only linked with the southern border (and particularly with the four border crossing points) but also with border crossing point Tabanovce on the highway to Serbia and Montenegro as well as the border crossing point Deve Bair on the road to Bulgaria. PROXIMA has started to carry out additional activities to support the host country border police, focusing on facilitating the legal traffic and discovering any breach of travel regulations, laws etc. The Mission will also increase the capacity to follow-up incidents or criminal cases. In particular the Mission has implemented the following measures:
  - Temporary deployment to the border crossing points in the area of Gevgelija, increasing monitoring capacity.

## RESTREINT UE

- Daily monitoring visits to the border crossing point Medzitlija, increasing monitoring capacity there.
- Monitoring is planned to be increased during the weekends, particularly during the weekends before, during and after the Olympic Games.
- The Border Police Programme Director met with the Head of Operations of the regional centre south on 19 July to discuss about the progress in establishing the new structure, equipment needs and special measures with regard to the Olympic Games. It is planned to start merging border police stations with local police stations in the border areas as of September (two stations will be merged by 01 September). As of 10 August additional staff will be deployed to the region (some 80 officers will be deployed immediately after finishing the training course for former Border Brigade soldiers). The region south was equipped with additional vehicles, COMMS and IT. These deliveries only fill the most urgent operational needs in particular in view of enhanced border policing during the Olympic Games. The regional centre south has prepared a plan for increased frequency of patrols (including helicopter-patrols) and other measures.
- PROXIMA monitored on 29 July a meeting between border police from fYRoM and Greece. Two issues were discussed: exchange of information about, and co-ordination of security measures regarding the Olympic Games and secondly illegal migration. Participants agreed to improve the exchange of security information across the border on more regular basis, including daily, weekly, monthly meetings at the level of station and regional commanders. It was agreed to develop co-ordinated plans for the management of traffic at Border Crossing Points (BCP) and on the prevention of illegal border crossing along the green border.
- PROXIMA met with representatives of KFOR to inform them about experiences gained at the southern border during the transfer of border responsibility from the Ministry of Defence to the new border police and the Ministry of Internal Affairs.

## C. UNIFORMED POLICE PROGRAMME

### *General*

The Uniformed Police Programme has prioritised its work in accordance with the commitments made by the mission in the Mid-Term Review, which build on the work of the Mission so far. Priorities will be addressed through projects, which provide frameworks for monitoring, mentoring and advising. Given the breadth of Uniformed Police activity, it has been useful to break down the programme into a general section on the development of democratic policing within the field of Public Peace & Order and three specific sections on Community Policing & Confidence Building, Traffic Police and Special Units.

### *Cross-cutting activities*

- **PROXIMA monitored Public Peace and Order operations in conjunction to protests against the decentralisation plans:** The protests against municipal restructuring put a particular strain on the local police. The aim of the Mission is to provide advice on de-escalation techniques in order to prevent inappropriate use of force and provocation by security services during this sensitive period which only started in July. Monitoring and advising took place in all parts of the Uniformed Police, including special units.
- **PROXIMA briefed new Police Cadets in Kumanovo and Tetovo.** On 05 July, PROXIMA participated in two separate welcome ceremonies for new Police cadets in Kumanovo (58) and Tetovo (43). The Mission informed about its role and mandate. After three months at the Police Academy, cadets will now undergo a one-month field training under the supervision of OSCE-trained senior Police peers. Thereafter they will go back to the Police Academy for eight months to complete their training. In Kumanovo only five cadets are ethnic Macedonian. All the other are ethnic Albanian. Only five are females. The cadets have uniforms, but do not carry weapons.

### *Project: Bringing Special Units in line with European standards*

- **Co-operation of Special Units with neighbouring countries:** PROXIMA continued to support the planning for meeting with anti-terrorism units from neighbouring countries. A meeting of commanders from fYRoM, Albania and Bulgaria as well as from Serbia and Montenegro was held during July.
- **Surveillance Training:** The surveillance courses run by the French embassy ended during July. Two surveillance units of 12 and 14 members were trained in the course. PROXIMA discussed with the head of the Special Units about the results of the courses and about the performance of participants. PROXIMA was asked to advise regarding the assessment of candidates for the head and members of new surveillance unit inside the “Tigers” who should be identified by the end of the exercise.
- **Special Unit kidnapping training:** PROXIMA facilitated contact between the special units and the general manager and security officer of MAT (leading fYRoM airline) regarding possible training of the special units on MAT aircraft as part of the capacity building activities in the fight against terrorism.

## RESTREINT UE

### D. UBK PROGRAMME (UBK – Sector for Counter-Intelligence and State Security)

#### *General*

As a result of an overall assessment the Mission identified the following issues as priorities to be addressed by projects within the UBK programme:

- Supporting the reform process within UBK with focus strengthening cross-branch co-operation.
- Supporting the establishment of under-cover capabilities and operations.
- Supporting the development of an IT-supported intelligence model.
- Putting the fight against terrorism on the agenda of fYRoM security authorities.

*Project: Supporting the reform process within UBK with focus strengthening cross-branch co-operation.*

- UBK and the assistant Minister of Internal Affairs responsible for Operations, supported by PROXIMA, have started this project. UBK reform is not part of the overall police reform process and will allow the Mission to have an important impact in building a modern intelligence and state protection agency.

*Project: Supporting the establishment of undercover capabilities and operations*

- PROXIMA advised the Director of the Public Safety Bureau and the Director of UBK on the procedure for the creation of a professional undercover team to fight organised crime. They discussed PROXIMA's proposal for providing practical advice on the selection, the recruitment and the training of undercover agents and the monitoring of the creation and the first operation of an undercover team. The Ministry of Internal Affairs endorsed the proposal and assigned two members of the Crime Police and one member of UBK to an expert group within the Ministry to prepare the necessary steps with the support of PROXIMA. The expert group has started its work on 06 July. On 08 July the expert group has met the chairman of the European Collaboration Group of the International Working Group on Undercover Activities (EC IWG) to discuss which additional assistance could be provided by the International Community.

*Project: Supporting the development of an IT-supported intelligence model*

- PROXIMA advised on the development of a risk assessment template for UBK that will allow undertaking regular updated analysis of the security situation regarding the Olympic Games. The Mission has also advised to hold regular meetings with the UBK counterparts of neighbouring countries. The use of a common assessment template should contribute to more professional reporting which can be analysed more effectively. This exercise, though limited to the period of the Olympic Games, will contribute to a more unified approach in intelligence gathering.

*Project: Putting the fight against terrorism on the agenda of fYRoM security authorities.*

- With regard to putting terrorism, particularly by Islamist groups, on the agenda of the fYRoM security sector, PROXIMA and the Ministry agreed to organise a regional conference by the end of 2004. The Mission is supporting the Ministry in finding funding for such a conference.

# RESTREINT UE

## **E. INTERNAL CONTROL / LAW ENFORCEMENT MONITORING PROGRAMME**

### *General*

The goals of the Internal Control component of the programme are

- To ensure a fair, transparent and accountable internal management system including the exercise of internal control and disciplinary procedures of the highest standards.
- To ensure that the police are acting according to internationally accepted standards throughout the police organisation, in particular with regard to the respect for Human Rights and the principle of non discrimination between different ethnic communities.

The main goals of the Law Enforcement Monitoring component of the programme are:

- To monitor and assess in relation to the Mission mandate the fYRoM Criminal Justice System (CJS), both generally and in individual cases; the CJS reform initiatives and legal developments and the relationship between the police, the public prosecution service and the judiciary.
- To promote co-operation among the institutions of the CJS in investigating, prosecuting and dealing with criminal cases.
- To support projects of the Criminal, Uniformed and Border Police programmes which have legal aspects or are linked to issues of co-operation within the CJS.

### ***INTERNAL CONTROL PROJECTS***

Three projects will address the short-comings in the field of Internal Control with in the fYRoM police:

- Raise the effectiveness of internal control rules and systems in particular within Uniformed Police.
- Developing tools for preventing police misbehaviour and misconduct with a focus on corruption.
- Bringing the use of force and firearms by the police in line with European standards.

### *Cross-cutting activities*

- On 13 July, PROXIMA representatives met with representatives of the members of the delegation of the Council of Europe Committee for the Prevention of Torture (CPT) who were on a routine visit in the country. During the meeting, the CPT delegation was informed about various cases of police misconduct that had come to PROXIMA's attention over the last six months. The CPT expressed great interest in several of the allegations of beating and mistreatment, and information was provided to enable them to make follow-up enquiries at the locations where the mistreatment was said to have taken place. They were also very interested to in the Mission assessment of the methodology and quality of the investigation carried out by the Professional Standards Unit (PSU).

### ***LAW ENFORCEMENT MONITORING PROJECTS***

The programme includes three law enforcement monitoring projects, all of which cut across issues.

## RESTREINT UE

The first project is well underway, while the other two are to be launched in the beginning of August. The projects are:

- Enhancing co-operation within the Criminal Justice System with a focus on Organised Crime.
- Bringing the Conditions and Treatment of Detainees in Police Stations in line with European standards.
- Preparing the Police for Structural Reform in the Field of Witness Protection

### *Cross-cutting activities*

- i. 07 July, for the third time in three weeks, prisoners escaped from TETOVO prison. This time, six prisoners escaped together by crossing the prison wall. Four were caught shortly after. Two remain at large. Even though the Prison's Director followed PROXIMA advice to increase police personnel, this incident was not prevented. PROXIMA advised local counterparts to ask Ministry of Internal Affairs to meet Ministry of Justice representatives about the dire security conditions of the prison premises.

*Project: Enhancing co-operation within the Criminal Justice System with a focus on Organised Crime.*

- Follow-up of "Baci" case (cf. Monthly Assessment Reports since March 2004): On 29 June the EUSR accompanied by PROXIMA Legal Advisor met with the Minister of Justice to discuss the case of Mr Isamir Samiu (aka "Baci"). The Minister claimed that the President of Skopje Basic Court 1 (BC 1) had "damaged" the reputation of the country and said he was now waiting for a Supreme Court decision on the lawfulness of the decision to postpone Samiu's sentence. He felt the judges issuing the decision should be suspended by the Republic Judicial Council. The Minister assured that once the three month "postponement" of Samiu's sentence had ended, he would return to prison. PROXIMA pointed out various flaws in the Law on the Execution of Sanctions (later forming the basis of a joint letter from the EUSR and the Police Head of Mission to the Minister of Justice). The Minister acknowledged the flaws and said that a revised law had been drafted and would go through a full two-stage reading process. He assured that the International Community would have a chance to comment of the draft law and suggestions would be taken into account. On 01 July, the Supreme Court issued its opinion to the Republican Judicial Council on the legality of Skopje Basic Court 1's decision. The Supreme Court found that the BC 1 has failed to apply the law in a correct manner.
- The Mission monitored several criminal cases and observed serious deficiencies within the criminal justice system (CJS). Three of the highest profile cases, where serious problems have occurred, are those of Izair Samiu (Commander Baci), Vullnet Maqellara (Carlito Briganti) and Jane Pavlovski (Tica), all well-known members of organised criminal groups. In all three cases, time and resources have been spent to bring the criminals to justice, only for weaknesses in the system to be exploited and for them to be released. The cases provide a powerful illustration of how the criminal justice system fails to work properly and bring justice. The greatest failings of the system appear to be, among others, a lack of co-operation between police, prosecutors and the courts, and a lack of accountability within those institutions for failure to take proper action. While the cases ought to be embarrassing to the Government and judiciary, PROXIMA was alarmed to see that the Government had shown little concern.
- On 23 July the four Principals of the International Community (EUSR, OSCE, NATO, US

## RESTREINT UE

Ambassador) sent a letter to the Minister of Justice concerning serious deficiencies within the criminal justice system (CJS) highlighted by the three criminal cases outlined above.

The letter stressed that the greatest failings of the system appear, *inter alia*, to be a lack of co-operation between police, prosecutors and the courts, and a lack of accountability within those institutions for failure to take proper action. Specific recommendations made included:

- Acceleration of the judicial reform programme, particularly with a view to training judges and prosecutors to deal with organised crime related issues; implementing effective measures to ensure an independent judiciary; and promoting specialisation within the Public Prosecutor's Office and the courts to investigate, prosecute and try members of organised criminal groups;
- The three cases should be reviewed so that weaknesses in the CJS can be identified and action taken to avoid similar problems in the future;
- Ensure that adequate resources are provided and an efficient legislative framework is in place to enable police officers, prosecutors and judges to be held accountable for their actions;
- Promote greater co-operation between police, prosecutors and the courts. Only through a co-ordinated and concerted effort involving all the institutions of the criminal justice system will the country be able to properly tackle the myriad of problems resulting from organised criminal activity.

# RESTREINT UE

## 4. SECURITY ASSESSMENT

### A. GENERAL SITUATION

The situation in respect of the mission and its security remained globally calm although one PROXIMA Mission Member was slightly injured and two PROXIMA vehicles damaged during the last turmoil in Struga on 22-23 July. All other vehicles in the same area were also damaged in the rampage, so it does not appear that PROXIMA vehicles were specifically targeted by the mob.

The main subjects of concern during the referred period were the opposition parties' activities against the decentralisation process. These actions were based mainly on protests and roadblocks and were generally peaceful, due to the self control of both protestors and police units. Some more violent incidents such as the one in STRUGA, or in BITOLA (fight and shooting among VMRO supporters) are not considered as really significant and not likely to have an impact on the overall stability of the country. In any case PROXIMA remains vigilant and monitors carefully the situation, as the Mission is present in areas most controversially affected by the decentralisation deal (namely SKOPJE, STRUGA and KICEVO)

The month of July was also marked by rumours about the presence of armed groups in the northern part of the country. No evidence was found by the IC to substantiate these claims. On the other hand, an increase in Islamic fundamentalist activities was noticed, mainly in KUMANOVO and STRUGA regions. UBK is working on the subject.

### B. ORGANISED CRIME SITUATION

#### *- GENERAL TRENDS*

According to figures of the Ministry of Internal Affairs, criminal activity in general has been decreasing during the last three months, with the notable exception of extortions and kidnappings. Regarding drugs trafficking, the number of detected cases has been decreasing in the first half of the current year. Nevertheless, the responsible sector of the Ministry and customs authorities made several large-scale seizures of heroin and marijuana during the last weeks

On the other hand, media reported that the criminal activity was generally on the rise, in particular violent crimes (329 committed in five months), including kidnappings. TETOVO remains the most dangerous place in the country.

There are persistent rumors in the country that armed criminal gangs are entering the area of KUMANOVO and the western part of the country from Kosovo. Ministry officials did not confirm this.

During July, several robberies were committed in SKOPJE and TETOVO by armed and masked perpetrators, mainly in banks, exchange offices, petrol stations and other commercial outlets. The figures of the Ministry confirm an increase of organised and armed robberies.

## RESTREINT UE

### *CRIMINAL ACTS AND PERPETRATORS OF ORGANIZED CRIME*

Legal qualification	2003 January-June		2004 January-June		2003 April-June		2004 April-June	
	Criminal acts	Perpetrators	Criminal acts	Perpetrators	Criminal acts	Perpetrators	Criminal acts	Perpetrators
Trafficking in drugs (art. 215, pr 2)	7	16	13	23	3	8	2	5
Extortion (art. 258 pr 2)	1	1	7	12	1	1	1	3
Money forging (art. 268)	90	95	69	73	53	64	24	20
Money laundering (art.273)	/	/	/	/	/	/	/	/
Smuggling (art.278, pr 2)	3	3	5	6	1	1	5	6
Taking bribe (art.357)	2	2	7	7	1	1	3	3
Giving bribe (art. 358)	4	6	4	4	2	3	2	2
Illegal mediation (art.359)	1	1	/	/	1	1	/	/
Trafficking in weapons	/	/	/	/	/	/	/	/
Trafficking in Human Beings (art. 418 a )	31	47	7	26	20	32	2	3
<b>TOTAL</b>	<b>139</b>	<b>171</b>	<b>112</b>	<b>151</b>	<b>82</b>	<b>111</b>	<b>39</b>	<b>42</b>

### *CRIMINAL ACTS OF CLASSIC CRIMES IN THE PERIOD JANUARY – JUNE 2004*

	January – March 2004	April – June 2004	January – June 2004	Year 2003
Murders (Art. 123-127 CC)	16	11	27	75
Severe thefts	2433	2210	4643	9128
Robberies (Art. 237)	189	184	373	548
Total classic crimes (Mentioned above And others)	5542	5258	10800	19988

#### *- CRIMINAL ACTIVITIES AND INVESTIGATIONS*

- Despite numerous activities, no operation has been officially reported in the fight against **Trafficking in Human Beings (THB)**. This is particularly worrying as sites of forced prostitutions are known to the police and raises important questions regarding the capacity of police to effectively act against THB.
- **Armed robberies and kidnappings:** eleven armed robberies and kidnappings committed

## RESTREINT UE

by groups of armed and masked perpetrators were reported in July. The main events were:

- 01 July, armed robbery in a SKOPJE gas station during the night, three perpetrators with hand guns and one grenade;
  - 02 July, armed robbery in a TETOVO private company, four to five suspects with automatic weapons (AK-47) and hand guns, 16,000 Euro stolen;
  - 11 July, kidnapping of ethnic Albanian fYRoM citizen from TETOVO/ZELINO, three armed suspects requesting 10,000 Euro ransom;
  - 12 July, robbery of Stopanska Banka in SKOPJE early in the morning, three armed and masked perpetrators, 7,000 Euro stolen;
  - 16 July, armed robbery in Tutunska Banka in TETOVO early in the morning, employee suspected, 200,000 Euro stolen;
  - 17 July, kidnapping and armed robbery of 10,000 Euro from ethnic Albanian fYRoM citizen on the highway TETOVO/SKOPJE, five masked suspects with BMW without registration plates;
  - 26 July, armed robbery in a SKOPJE post office, four perpetrators;
  - 28 July, armed robbery in mobile phone shop in SKOPJE, two perpetrators, value of stolen items between 4,000 and 5,000 Euro;
  - 30 July, **four suspects of armed robberies detained in OHRID** in joint operation of criminal and uniformed police of SVR OHRID.
- **Drugs trafficking:** A number of large-scale seizures confirm the country's role as regional hub for drugs trafficking. Main events during July were:
    - 03 July, seizure of 0,499 kg heroin in a hotel in SKOPJE, two suspects arrested;
    - 10 July, seizure of 8,500 kg heroin in a car with German number plates at TABANOVCE border crossing point following information given to the Ministry of Internal Affairs, one suspect (ethnic Albanian fYRoM citizen) living in MUNICH arrested;
    - 22 July, 28,600 kg heroin seized at the border between Slovenia and Croatia. A couple from Bosnia and Herzegovina coming from fYRoM was traveling to Germany;
    - 26 July, 1,000 kg heroin seized by fYRoM customs at KAFASAN border crossing point in a vehicle coming from Albania, one ethnic Albanian fYRoM citizen arrested;
    - 28 July, 9,800 kg heroin seized at the border Slovenia/Croatia, in a car with German number plates coming through Serbia and fYRoM.
  - **Other cases and investigations** of note related to organised criminal activity during July were:
    - 02 July, three citizens of Serbia and Montenegro from Kosovo were arrested at the BOGORODICA border crossing point holding forged Bulgarian passports and forged border stamps of Germany, Greece and Serbia and Montenegro. In the follow-up to the arrest, fYRoM police was able to identify several individuals suspected of organising illegal immigration into the Schengen space with forged travel documents;
    - 05 July, Mr Muhamed KRASNIQI aka Commander MALISHEVO was arrested in Kosovo by UNMIK. He is suspected to be involved in the armed robbery of a police car on 19 June 2004 in KUMANOVO. At this occasion one kilogramme of TNT was found in the car used by the suspect.
    - 06 July, three Albanian citizens were arrested at PETROVEC airport with forged

## RESTREINT UE

Albanian passports, forged Italian ID cards and “permessi di soggiorno”. It seems that the forged passports were produced in TIRANA.

- 09 July, the destruction of 377 small weapons and of 200 kg seized explosives took place in SKOPJE. The weapons had been voluntarily surrendered during the collection period at the end of 2003.
- 12 July, 450 kg of seized drugs were destroyed in SKOPJE.

### C. MEDICAL ASPECTS

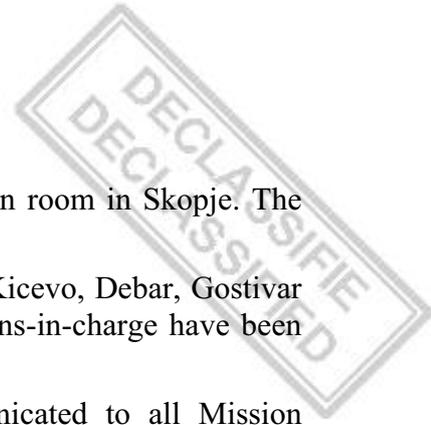
Equipment and furniture have been installed in the PROXIMA consultation room in Skopje. The room is now fully operational.

Assessment of the public medical facilities continued. Medical Centers in Kicevo, Debar, Gostivar and Ohrid have been visited and meetings with general managers or persons-in-charge have been carried out.

Health-affecting Incidents Guidelines were revised/updated and communicated to all Mission Members.

Preparations for the CPR training (Adult Basic Life support) and first aid in snake-bites for national and international mission members. The training is to be conducted from 12 to 16 July in all field offices.

Negotiations with the Ministry of Health and the National Health Insurance Fond (NHIF) are ongoing. The draft agreement, prepared by LEGAD and revised by the Medical Section, is sent to the Director of the NHIF for comment.



5. PUBLIC OUTREACH

**A. COVERAGE**

Coverage for July was minimal due to domestic political issues, in particular the law on decentralisation dominating the news headlines. It was well reported that two PROXIMA vehicles were destroyed during the Struga disturbances of 23 July. There was continued interest in the Mission's mid-term review, although no coverage was achieved as it was inappropriate to release details ahead of the PSC on 26 July.

A freelance journalist from the Swedish Police magazine visited and interviewed the Head of Mission, Head of the Programme Department and two Swedish mission members.

The Head of Mission was interviewed by MTV following the Special Police Conference organised by PROXIMA.

**B. VISITS TO PROXIMA**

**Visit of the "Friends of the Presidency":** From 30 June to 01 July a group of experts on organised crime composed of members of the Council General Secretariat, the European Commission and member states visited fYRoM in order to assess the current situation as well as future prospects for the fight against organised crime. Hosted jointly by the EUSR's office and PROXIMA, the group visited a number of local officials, including the head of the Ministry of Internal Affairs sector on Organised Crime, the newly appointed Director of the Police Academy, as well as the Chief of Police of Tetovo. Meetings were held with PROXIMA mission members, EC representatives including the Head of Delegation and the Head of the Group of Police Experts, as well as the Head of the Rule of Law Department of OSCE.

**C. OTHER OUTREACH ACTIVITIES**

CPIO visited Ohrid to have a working dinner with the journalists in the Ohrid/Stuga area on 27 July. Topics discussed were their experiences reporting events on 23 July and the wider context of decentralisation from the EU perspective.

CPIO also visited SVR's at Ohrid and Gostivar, as well as OVR's at Bitola and Debar. This was to gauge the public reaction to PROXIMA mid-term review report and to evaluate future public information initiatives.

# RESTREINT UE

## 6. MONTH AHEAD

### A. UPCOMING PROXIMA ACTIVITIES

PROXIMA will finalise the prioritisation of its activities during August. During the forthcoming month, in particular the Border Police and the Uniformed Police programmes will accompany the host country in implementing special security measures relating to the Olympic Games in Greece.

### B. UPCOMING FYROM EVENTS AND/OR CHALLENGES

The expected changes to municipal boundaries across fYRoM are likely to lead to public protests in the form of roadblocks or other measures. Protests are likely almost anywhere, as the altered municipal boundaries are controversial throughout the country. The most sensitive areas, though, will be Struga, Skopje and Kicevo.

Other potential foci for public demonstrations include the celebrations of Macedonia's national holiday/founding day on 02 August (Ilinden Day and ASNOM Day) and the third anniversary of the signing of the Ohrid Framework Agreement on 13 August. It must be hoped that anti-government protests will not take on an inter-ethnic dimension.

## 7. PERSONNEL REPORT (PERSREP)

See tables attached.

*Colonel Alain LABROT*  
*Acting Head of Mission*

*on behalf of*

Bart D'HOOGE  
Head of Mission / Police Commissioner

# RESTREINT UE

## Monthly – Personnel – Report 01 – 31 July 2004

### Deployment



Section	Total	Non-alloc.	Alloc.	Arrival	Depart.
HQ	41	1	40	40	0
Central Level	13	0	13	13	0
Field Level	146	12	134	134	0
<b>Total</b>	<b>200</b>	<b>13</b>	<b>187</b>	<b>187</b>	<b>0</b>

DECLASSIFIED  
CLASSIFIED

### Mission Strength

Actual Strength			Operational Strength (average)			
Total	Actual	%	Total	On duty	Leave	Sick
200	187	93.5 %	187	122	64	1

### Repatriations

Personnel Reason	Medical Reason	Disciplinary Reason
0	0	0

### Redeployment

	HQ	Central Level	Field Level
Re-allocation	0	0	0

### Training



Kind of Training	June 2004		Since 15.12.2003	
	Hours	Participant	Hours	Participant
Information System and Org Structure	290	145		
Medical and IT Training	392	84		
			11.088	697

### Disciplinary Cases

	June 2004	Since 15.12.2003
Lower Cases	0	0
Serious Cases	0	0