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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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**PROXIMA 15**



**NOTE**

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From : Secretariat  
To : Political and Security Committee  
Third States contributing to EUPOL PROXIMA

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Subject : European Union Police Mission in the former Yugoslav Republic of Macedonia  
PROXIMA Monthly Assessment report for the month of April 2005.

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Delegations will find attached the EUPOL PROXIMA Monthly Assessment report for the month of April 2005.



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POLICE MISSION**

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**Skopje, 19 May 2005**

**EUPOL PROXIMA  
MONTHLY ASSESSMENT REPORT  
(MAR)  
1-30 April 2005**



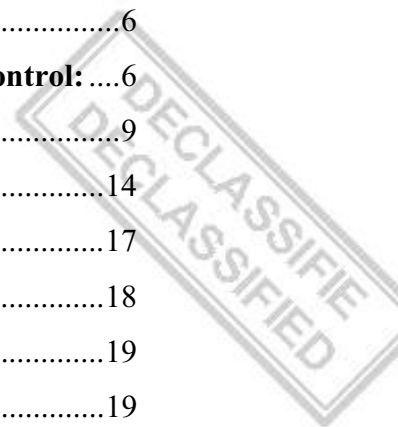
**including:**

**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 F of the Operation Plan (OPLAN) of 25 November 2004.

**Table of content:**

I. ASSESSMENT OF THE EUROPEAN UNION SPECIAL REPRESENTATIVE (EUSR) .....	4
II. Police Head of Mission Assessment .....	4
III. Overall assessment .....	5
<b>A. General situation (including regional context) .....</b>	<b>5</b>
<b>B. Relations with the authorities of the Former Yugoslav Republic of Macedonia         and with International Organisations in the Host Country: .....</b>	<b>6</b>
<b>C. Assessment of Police Reform .....</b>	<b>6</b>
IV. Progress in PROXIMA programmes: .....	6
<b>A. Public Peace and Order and Accountability (PPOA)/ Internal Control: ....</b>	<b>6</b>
<b>B. Organised Crime Programme /UBK/LEM.....</b>	<b>9</b>
<b>C. Border Police Programme.....</b>	<b>14</b>
V. SECURITY ASSESSMENT.....	17
<b>C. MEDICAL ASPECTS .....</b>	<b>18</b>
VII. Month ahead.....	19
D. Personnel Report (PERSREP) .....	19
Monthly – Personnel – Report .....	20



**I. ASSESSMENT OF THE EUROPEAN UNION SPECIAL REPRESENTATIVE (EUSR)**

The FYROM government coalition has tried to heal the rifts and in some cases wounds after the local elections. The last rounds and re-runs of the local elections have run their course during April. The elections continued to be marred by different forms of irregularities and in some instances outright fraud. And yet again the police performance has not always been fully up to the highest police standards. What is a concern is that the judicial process against suspected and alleged irregularities has so far not been convincing. Yet again this is a case for the reform of the judiciary and shows the importance to ensure that these reforms are properly implemented on the working level throughout the judiciary. One encouraging sign is that the government seem to be interested in an earnest reform of the electoral system.

Despite an at times heated election campaigning and conduct during the local elections in specific areas, there have been no serious inter-ethnic incidents. However there are now indications of small groups of organised criminals who locally try to take control over a number of areas in some of the newly created municipalities. These groups have in some cases been recruited among criminals from the region. This is a concern and should be an influential argument for a substantial increase of cross-border police cooperation. There is also a concern that police actions against such groups still might entail disproportionate use of force, thus creating a back-lash in some villages inhabited by mainly ethnic Albanians.

The police reform is supported by both the European Commission's expert group and Proxima's programme activities. One key concern is the draft Law on Police that in its current draft goes against the Ohrid Framework Agreement as to on which level the heads of local police are going to be elected. This can become an issue of concern within the government coalition during the coming month(s).

**II. POLICE HEAD OF MISSION ASSESSMENT**

During the month of April PROXIMA's programme work continued according to schedule. After a final election round held on April 10<sup>th</sup>, the Mission is once again fully focussed on programme implementation.

On April 10<sup>th</sup>, a third round of elections was held in 12 municipalities, including Skopje. With the exception of the municipality of Studenicani, all polls were successfully concluded. During this round, as well as previous ones, a number of complaints have been raised by various political parties regarding the use of private security agencies for purposes of voter coercion and electoral fraud. Private security agencies seem only loosely regulated and their close involvement with political parties as well as the police (in some cases) could be considered problematic. I voiced my concerns in a meeting with Minister Mihajlovski, pointing out that this issue might require more attention in the future.

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Given our important engagement in the judicial sphere (law enforcement monitors), I met with the Deputy Minister of Justice. Among the issues discussed was the continuing need for ever closer cooperation between police and judicial authorities. PROXIMA actively promotes regular meetings between police, prosecutors and judges at regional and local levels. Through regular discussions with the Ministry of Justice, PROXIMA will try to ensure that such cooperation mechanisms will continue to operate beyond PROXIMA's mandate without the need for further international support.

On the 22<sup>nd</sup> of April, upon a NATO initiative, government officials met representatives of all major actors in the area of security sector reform at a seminar with the aim of discussing future cooperation. Under the chairmanship of the EUSR, one of the main conclusions reached during the meeting was agreement on the urgent need to ensure a seamless transition from PROXIMA to other police support efforts, in order to avoid stagnation or even dis-improvement in this crucial sector.

### **III. OVERALL ASSESSMENT**

#### **A. General situation (including regional context)**

Overall the situation in the host country remains calm and stable. However, a number of incidents during the elections, especially in the municipality of Studenicani, involved use of fire-arms by competing ethnic Albanian local political factions. In the Skopje municipality of Shuto Orizari, the largest majority Roma municipality in the region, the election produced a winner who, due to a prior conviction and a resulting jail term, could not take up his mandate. Therefore, elections will have to be repeated within 70 days in this municipality with a tradition of electoral irregularities.

In the remainder of the country, new mayors and city councils took up their work during the latter half of the month. In Skopje, independent candidate Trifun Kostovski, backed by a coalition of opposition parties won over the previous mayor, Risto Penov, in what constitutes a significant shake-up of the municipal landscape.

In the coalition government, relations between the different ethnic parties were put to a test over widespread electoral fraud during municipal elections, concentrated in, but not limited to, the north-western parts of the country. Currently, differences have arisen over the Draft Law on Police. In particular, consensus is lacking on whether regional (current proposal) or local (as stipulated in the Ohrid Framework Agreement) police chiefs should be selected by municipal councils. This ongoing dispute, pitting, *inter alia*, the Minister of Local Self-Government (ethnic Albanian), against the Minister of Interior (slav Macedonian) is threatening to derail the time schedule for police reform.

On the 15<sup>th</sup> of April, the Ministry dismissed about 200 police reservists from active duty. These had been mobilised during the time of the 2001 conflict and had been paid from a special crisis budget. While a reduction of the police force is generally a welcome development, the Ministry failed to give appropriate advance notice to those affected. As a result there are ongoing daily blockades of roads leading to Tetovo and Aracinovo (near Skopje). In the beginning, the Tetovo reservists accused PROXIMA of responsibility for their dismissal. This has been clarified since. The police have adopted a wait and see approach in order not to escalate the situation.

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Regionally, limited misunderstandings have arisen between host country authorities and UNMIK over the introduction of a new border control regulation for Kosovo. While much of the local public and media have perceived the new regime as a de-facto visa regime, UNMIK has repeatedly tried to clarify the purely administrative nature of the regulation. According to authorities in Prishtina, the regulation only provides a legal basis for border police to deny entry into Kosovo to suspicious persons.

**B. Relations with the authorities of the Former Yugoslav Republic of Macedonia and with International Organisations in the Host Country:**

The Mission continued its good working relationship with all international organisations operating in the host country, in particular with those active in the field of policing and rule of law, such as the OSCE, the ECPRP, ICITAP and UNDP.

Relations with local authorities are of special note, especially with the Ministry of Internal Affairs.

**C. Assessment of Police Reform**

PROXIMA have maintained close co-ordination with the members of the European Commission Police Reform Project team, through regular meetings, exchange of experiences, and have shared the same views on Police reform.

**IV. PROGRESS IN PROXIMA PROGRAMMES:**

The projects are progressing according to the overall plan and no major delays in reaching the milestones are foreseen.

**A. Public Peace and Order and Accountability (PPOA)/ Internal Control:**

After a slow start, due partly to the monitoring of the various election rounds, the overall progress in the Management Project is now fully in line with expectations. However, challenges set by the reluctance of the local police remain.

**Management Project:**

After a slow start, due partly to the monitoring of the various election rounds, the overall progress in the Management Project is now fully in line with expectations. However, challenges set by the reluctance of the local police remain.

In the area of **Information Led Policing**, in an attempt to facilitate improvement in the Management Project, PROXIMA and the OSCE, agreed to organize a study tour to Germany. It is funded by Germany and will cover both "Management of human resources", "Information led policing" and in particular "Supervision and support" activities. This complements the work that is ongoing in Skopje with operational orders being translated from German.

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It will be presented as an example of PPOA close work with the Host Country authorities with a view to adapting to the local situation.

In accordance with the decision taken by the PROXIMA Head of Mission, the Activity "Internal Communication" has been cancelled, due to the poor prospects of the project in terms of funding and long-term sustainability.

With regard to "**Development of Regional Co-operation Initiatives**", the Activity has been re-activated and is now proceeding on schedule. The mentoring and advising conducted by PROXIMA, spurred on by their forthcoming move to the Special Units Ilinden Base, has paid off, with the Serb unit agreeing to host the initial commanders conference that will now set the tone for the this activity in the remainder of the mandate.

In terms of "**External Communications**", the overall situation is mixed with some SVR locations having a good relationship, especially where local spokesperson have had Community Relations Co-ordinator (CRC) training, but generally there is a reluctance to interact with the local press, where it exists. As a result of this information it is intended to change the focus of this activity and run a maximum of 4 Pilot Sites rather than attempt to push the whole activity nationwide.

### **Skills Project**

As far as "**Good Conduct and Behaviour**" is concerned, in Kumanovo the local police has been given copies of the PROXIMA extracts of Rules of Behaviour. The Chief of the Uniform Police took an active role in developing the supervision of police officers. This is seen as a measurable step forward in this Activity.

The two activities "**Comprehensive Disciplinary Actions**" and "**Disciplinary Commissions**" have been completed ahead of schedule. If PROXIMA recommendations are accepted, both the equity of the system and the deterrent effect will be enhanced. Effective and fair disciplinary procedures within the police service are essential for both the effectiveness of policing and the creation of accountability and the impression of accountability amongst citizens.

Recommendations have been made to the MOI through the Chairman of the Working Group on the new Law on Police in relation to a more comprehensive list of Disciplinary Sanctions to be imposed on officers following disciplinary hearings. At the same time, it was recommended that the current practice which allows SVR Commanders to arbitrarily impose monetary sanctions on officers, without the benefit of a credible disciplinary process, be abolished. These recommendations were a joint venture between PROXIMA and ECPRP and, if accepted, would bring the Local Police in line with European practice. The proposals were presented, in total, to the MOI Legal Department on 7th April to be incorporated in the new Law on Police. A second set of recommendations was made with regard to the penalties and sanctions that can be imposed on officers found guilty of misconduct.

### **Confidence Building Project:**

Two of the activities of the project have been cancelled. This is the case with "**Custody Visitors Scheme**". The current law does not allow for access of non-police personnel to detention areas, the introduction of which is the aim of the activity. The new draft Law on Police is expected to change this. However as it is unlikely to enter into force before October, the HOM decided to cancel the activity.

The second activity to be cancelled is “**Citizen contact in critical situations**”. It will now be subsumed into the general mentoring and advising that will be undertaken by APDs from their new collocation.

There has been progress in the majority of SVRs, where the local police have taken a more active role in setting up and running the Citizen Advisory Groups (CAGs) initiated by PROXIMA which helped with the engagement of stakeholders. The most remarkable progress has been seen in SVR GEVGELIJA where 4 new CAGs have been established during the reporting period. This is the first occasion that CAGs have been organised solely by EUPOL PROXIMA Co-locators, with no involvement or assistance from other International players. Considering the amount of work involved in organising CAGs, this constitutes a major achievement in this area of the host country in terms of local ownership.

Within the scope of “**Local Solutions to Local Problems**”, on 9th April a tree planting ceremony took place in Skopje. This event was organised by the Police itself and involved children from the schools in the local area. It was widely covered by the media and attended by Ambassadors. This was indeed the last phase of a confidence building project, initiated by a host country police officer who had visited the Netherlands on a Community Policing study trip organised by PROXIMA in 2004. This example shows that the local police can be in certain areas, independent and demonstrate initiative.

**Cooperation with IC partners** has been very good. In April PROXIMA and OSCE supported the first session of a Citizen Police Academy (sponsored by ICITAP), in the village of Kondovo. The village has been the scene of recent extremist inspired unrest, and the Citizen Police Academy was an excellent opportunity to offer alternative methods of problem solving.

The Professional Standards Unit has conducted, on its own initiative, an operation throughout the Host Country examining the behaviour of local police (at street level) to ensure that it was in accordance with the regulations under which they work. This operation is of significance as it is aimed at a particularly overt and obvious form of local police misbehaviour, and one which attracts considerable public criticism – and consequently a loss of confidence.

**Co-operation with the local police.** The following potential problems have been reported by the field colocators. Some Heads of police seem to wait for an official and clear green light coming from the MoI through the ordinary channel for the development of PROXIMA programmes. However, it is believed that the instructions from the Minister have now been sent. Two field colocators have been informed of the fear of reprisals expressed off the record by Police Officers if they were cooperating with or even talking to PROXIMA. So far there hasn't been any additional report on similar dealings and therefore no clear pattern can be established. Nevertheless PROXIMA follows up closely on this issue as Police Officers are a crucial source of information and the best vector for re-monitoring after advising and monitoring at highest levels. Some colocators have expressed concerns from their counterpart's side about their future in line with the proposed reform police process on the election of police commanders by the municipal authorities themselves. At the time being, it would be premature to comment upon the possible implications in terms of politicisation of the LP.

**B. Organised Crime Programme /UBK/LEM:**

Serious strain might be expected given the current level of cooperation within the Ministry of Internal Affairs. At the central level, the unilateral designation of a new OC branch counterpart has received reservations. It has raised concerns regarding the rules of engagement currently applying and the related continuity in the implementation of the programmes. At the local level, PROXIMA co-locators continue to work hand in hand with their local counterparts in order to ensure a smooth and phased implementation.

In the area of the **OC-Skills Project**, the approval of the MOI is still being sought for particular activities. This is the case for the **Field Guide for the UP** and the guidelines for the first five topics, as developed between PROXIMA 1 and the previous MOI. Such a delay could impact on the activities related to the in-service training. In any case, the implementation phase is well underway since OC co-locators are engaged with their counterparts at SVR and OVR levels. The situation is similar with the **THB guidelines for CID Inspectors**, elaborated during Proxima 1. A 2-track approach will be followed. On one hand, such THB Guidelines will be officially submitted to the MoI by the HoM for possible official endorsement and inclusion in their rulebook. On the other hand, the THB Guidelines will be distributed at the planned “THB Guidelines Workshop” which was set up for all the CID inspectors. As the two previous activities have already received the approval by the previous Minister of Interior, the above should be a formality. This situation has not hampered the continuation of normal activities of the OC-co-locators at the SVR/ OVR level and therefore did not encroach on the desired cooperation.

Regarding the **Creation of Periodic OC Guidelines for the OC**, four topics for the regular issuing of the guidelines have been identified: The collaboration between UP and CID; investigative techniques, practical arrangements for statement taking and reporting procedures. Co-locators, in conjunction with local counterparts, are working on the subjects. The first four topics were identified for the creation of Periodic OC Guidelines for middle management.

In terms of workshops (WS), the **THB Awareness workshops** and the **interview technique workshops** both evidenced the limited level of skills and experience of the attendees and allowed for better assessment of their needs. As regards to THB, the local police didn't seem to be prepared to fight this type of crime. The second type of WS, attended by the CID and UP branches, will be limited to CID investigators, who are those directly interested in improving interview techniques.

As far as the **Police reporting** is concerned, major flaws have been identified: incomplete written reports by the Uniformed Police, delay in communication between UP and CID. Therefore a better cooperation is sought between Uniform Police and CID. Various meetings have taken place to improve the procedure currently applying in terms of readability of handwritten information and standardization of the filing structure. In Gostivar, OC co-locators initiated a mentoring process with a view to identify strengths and weaknesses on the basis of real closed cases and in close coordination with local counterparts. Concrete results have been delivered: A new form of criminal report, enclosing all the mandatory information, has already been submitted for discussion by the local counterparts. This series of observations further calls in favour of a Field Guide. In any case, the delivery of operational information has to be improved. In the scope of **cross branch activity and coordination**, it should be noted that a series of regular workshops on all issues pertaining to **Operation Planning** are under preparation and intend to gather UP and CID officers.

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The **rulebook on Crime Scene Management (CSM)** was finalized and agreed upon. It will become a MOI rulebook which will define functions and roles of the actors involved. Its focus is dual, on the investigative judge work and as well as on the police work. A letter of notification will be sent to the MOI and MOJ for their final approval.

The **OC- Management project** runs smoothly.

The Working Group about **Police Mission Statement** has produced with the help of PROXIMA members a document which includes core values, core purposes, goals to reach and a vivid description of the FYROM Police. This has been summarised in a motto “everybody is equal in front of the law”. PROXIMA will send the vision and mission statement to the Minister of Interior for his endorsement.

120 Crime Investigation Department Chiefs, from SVR/OVRs, Field Sectors and Sections, will undergo a two-day Workshop on leadership capacity. The first pilot Leadership Workshop took place on 20-21 April.

With regard to the **CPX (Command Post Exercise)** activity, the FYROM Police will conduct its first Command Post exercise from 28 to 29 September 2005 on the basis of a THB operation scenario. The exercise will test and evaluate a range of police operation management structures, procedures and consultations arrangements, including the development of planning operations. It will support the need for an operation requiring the deployment of the full range of the FYROM Police, with a focus on OC Department, both at MOI and Field level.

In the framework of the activity “**Improving International Cooperation and Promoting a Strategic Cooperation Agreement between host country and EUROPOL**” the MoI informed Proxima that the relevant Ministries, Foreign Affairs and Finance, have cleared and approved the first Strategic Agreement with Europol. The Final Draft will be channelled to the Government for a swift approval. There is no need for a data protection legal instrument as the agreement in question does not foresee any exchange of information on individuals.

Considerable progress has been made on the creation of a **mission statement for UBK**. The core ideology was finalized, and a mission statement is expected be released soon. There have also been significant developments with the production of a national UBK analysis on the basis of the regional SWOT collected and processed. Such a document will allow to further determine future – in-service training.

At the PROXIMA/ UBK Regional Heads meeting, **UBK in-service training** was discussed on the basis of the SWOT analysis outcome. Priorities were identified and the following topics agreed upon in close coordination with the OSCE counterparts for future courses: Informant handling, legal framework, operational meetings, evaluation of personnel, information flow, new trends and train the trainers. Presently UBK/OC counterparts have no guidelines for handling informants. Initiative is very often left to the discretion of agents at the expense of the quality of the information collected, especially in the fight against organized crime.

UBK managers will be following the OSCE **management course**. In addition, a one day advanced OSCE training will be set up for PROXIMA UBK co-locators in order to debrief them on the management course already given to UBK, and to assist them monitoring the implementation of the guidelines in the field.

Discussions have started taking place on the modalities of **further cooperation between UBK and CID**. Similar talks were also undertaken further to the finalization of the draft MOU between UBK and Public Safety Bureau (PSB) and the incorporation of amendments from the MOI. Once this latter is signed, further consideration will be given to the implementation of such cooperation in terms of daily practice and at the regional level between the UBK Director and his PSB counterpart.

### **3- Law enforcement monitor component**

The activity **“Facilitating and enhancing effective cooperation and coordination between the institutions of the Criminal Justice System (CJS) at a local level with a focus on organized crime”** is generally moving satisfactorily. The initial assessments have been completed by all new LEM in the new AoR. The first new AoR local cooperation meeting took place in Prilep. Other areas are in the process of arranging gatherings which might begin to expose weaknesses in the CJS otherwise unapparent from initial assessment.

With regard to the activity related to the **“facilitating and enhancing cooperation between the Professional Standards Unit (PSU) of the MOI, and regional offices of the Public Prosecutor in internal control cases where PSU have recommended prosecution”**, introductory meetings with OC CoLocators and PSU have taken place. This project is suffering from a general lack of recommended prosecution by PSU or a general lack of PSU investigations. In any case, all LEM will receive cases of police misconduct in due course. LEM are facilitating the introduction of PSU inspectors to local NGOs in order to reduce the noticed hostility of the NGO to Police. A workshop should be held in May 2005 to present complaint procedures/mechanisms and PSU practices to involved NGOs.

**Assessment on Witness Protection Unit (W.P.U.)** has been completed further to a meeting with its Head aimed at discussing progress to date and problem areas such as legal technical assistance. The Unit is currently facing daunting challenges in terms of offices, staff, recruitment, training and implementation of special protective measures as stipulated in the law. It hasn't been budgeted for 2005 and suffers from a lack of financial basis as well as a lack of legislative foundation as the law will come into force on 1 January 2006. Nevertheless it has started its activities in the field of physical protection as evidenced for example by the measures undertaken during the Dilavre Bojku trial. Physical protection will be the main field of activity of the WPU. Relocation and change of identity will be indeed very difficult to achieve in a small close knit society as FYROM.

On the ground, LEM have been involved with monitoring activities of the WPU at high profile THB trials in Gostivar and Tetovo. In general, the quality of the judiciary in relation to the protection of witness identity in THB trials has been poor. LEM monitored a recent THB trial on 27 April 05 in Tetovo concerning the forced prostitution of a female from Kosovo. The court session was assessed as positive particularly in respect of the victims protection both enroute from Kosovo with UNMIK Civpol and whilst at the courthouse. A second THB trial in Tetovo on 28 April 05 represented substantial progress in the area of witness protection in the host country with the use, for the first time in the host country, of a live video link to provide the court with evidence. During

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the monitoring of recent rape cases in Gostivar, LEM noted significant improvements between the police and prosecutor in the initial investigation stages. However, during the formal investigation/questioning stage of one case the victim changed her statement and denied being raped at all. LEM advised that the victim be spoken to by the police and the victim admitted that she had been 'persuaded' by the suspects family to falsify her evidence to the court. Such witness protection measures had never previously been taken by police in Gostivar and the prosecutor is now considering a further prosecution against the suspects family members. This is an excellent example of Proxima in action with the local actors of the CJS.

In the scope of the "**Monitoring development and enhancing cooperation between the OC Department of the MOI and the special unit of the public prosecutor office for the fight against organized crime and corruption** Activity", the Head of the MOI and of PPO showed that they are prepared to meet and discuss issues on the initiative of the international community. A forthcoming larger scale meeting of sector heads and members of the special unit as a public relations exercise is foreseen. It should be an opportunity for PROXIMA to ensure that it is a constructive session in content as well as a public relation exercise.

As far as the "**Promotion of regional co-operation between institutions of the CJS (especially police and prosecutors) of neighboring countries with a focus on organized crime**" funding was raised for the proposed conference in May 2005. The first session will be intended for State Public Prosecutor's Office (PPO) and the second one for field level police and prosecutors.

Follow-up on high profile cases:

**Leku Trial:**

Further to the previous LEM reports on the retrial of a notorious OC criminal who is presently serving a prison sentence, the trial had been postponed until 11 April 05. The first significant change was the identity of the prosecutor. The case has now been taken over by the special unit of OC.

**Packet of cases: Stenkovec case:**

LEM continue their involvement, together with the OSCE, on the "packet of cases" monitoring the progress of the MOI WG in their investigations at ground level. Regarding the specific case of Stenkovec, the PPO in Skopje have refused to initiate an investigation against MOI officials for maltreatment of two ethnic Albanian (eA) citizens in their custody on the basis of a very elementary report by PSU relieving members of the Tiger unit and interrogating officers of any unauthorized use of force. The PPO have agreed to fulfill basic obligations by speaking with the victims. This case illustrates the lack of professionalism of the system at each level.

**ICTY related cases: Leka case:**

LEM are currently reviewing the situation in the Leka case, one of four cases apparently being returned to the host country from the ICTY. The cases have been with the ICTY since 2002 and are returned because the investigations have not provided evidence against senior figures. They involve allegations of war crimes/ crimes against humanity against eA citizens and could cause significant judicial and political problems, especially with regard to the Law on Amnesty. The IC will almost certainly expect the over-riding principle to prosecute war crimes to be respected.

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Highlight of LEM non projects related work:

LEM met with the Director of Idrizovo prison who confirmed that the **current law governing the release of prisoners** for medical treatment was not acceptable. The meeting was planned due to information that Commander Baci had been released for a two month period every day for eight daylight hours to attend physiotherapy at the military hospital in Skopje. The Director confirmed that he had no way of verifying that Baci actually attended these sessions and in fact suspected that he did not. The Director also confirmed that he would be under DUI political pressure via his deputy to utilise his discretion to further release Baci for 'work purposes' over the remaining nine months of his sentence.

In the scope of **monitoring police interrogations**, in Veles LEM has been involved in the preparations and execution of police interrogations of suspects (weapons offences) arrested in sweep operations by the police. Certain unsatisfactory aspects to the use of arrest warrants have been noticed and will be further investigated.

LEM met with the new director of the Department of the Execution of Sanctions. Despite being previously promised copies of the **Prison 'house rules'** for Tetovo and the new draft Law for the Execution of Sanctions (LES) nothing had materialised. Once the draft LES will be available, PROXIMA will then be in the position of making an assessment and recommendations particularly in the area of prisoner release which needs radical reform.

Whilst attending an aborted trial in Basic Court Delcevo, LEM ascertained through discussion with the local basic prosecutor that the lack of direct contacts and cooperation between the law enforcement authorities across the FYROM and Bulgarian borders are the main reason for the failure to properly prevent and prosecute cases of cross border criminality. The system is slow and cumbersome with information on the simplest of cases often taking over six months. Such a system can only encourage organised criminals. This evaluation gives impetus to the idea of a Proxima conference in order to facilitate direct channels of communication between prosecutors and police along the FYROM and Bulgarian borders.

In Kumanovo a judge was physically threatened by a family member of an accused who had been asked to deposit his passport with the court after a serious road traffic accident. LEM has subsequently highlighted deficiencies in the court security system as the family member had managed to enter the court with a fire arm. LEM also reports that a culture has now developed in her AoR of some ethnic Albanian families being above the law and untouchable by the local police because of their political and financial connections.

LEM have made an assessment of the local police approach to the issue of **domestic violence**. The police do not consider that domestic violence falls under the mandate of protecting public peace and order, and therefore must modernize its approach. Besides a successful prosecution is extremely rare as they are not considered ex-officio crimes. The need for an expensive medical report also deters victims from pursuing prosecution. LEM have made recommendations for legislative and police reform in these areas which will be communicated to Programme Directors to fit in with on-going activities this year.

In a recent meeting with violent crime inspector based at SVR Strumica and local NGO, LEM was informed that a significant number of the women trafficked inside and outside the host country come from the south east of the country. It is assessed that more active regional cooperation between SVRs is required in this area.

**C. Border Police Programme**

The initial confusion stemming from the involvement of multiple international partners, (Police Reform Working Group/ PRWG, European Community Reform Project/ ECRP, Fundacion International y para Iberoamerica de Administracion y Politicas Publicas/ FIIAPP) has faded away and the local counterparts dealing with Border Police issues feel much more at ease with the existing terms of the cooperation.

Despite occasional difficulties, PROXIMA takes a very proactive stand by ensuring continuous cooperation with the relevant authorities from the host country and the rest of the international community.

However, from PROXIMA's point of view, it is difficult to assess the progression of the Border Police reforms in particular. Despite some re-scheduling and delay of some activities, the overall running of the programme is going smoothly.

As far as the Management Project is concerned, progress in the activities is generally in line with expectations.

An additional input has been added to the IBM-Strategy with the support for the establishment of an international shipping route between FYROM and Albania on Lake Ohrid. From a strict Border Police's point of view, it is essential that relevant control procedures be followed while a system of cooperation be set up. The daily ferry is primarily intended as a tourist attraction and is supposed to take up service in June.

All teams report that they will be able to keep the deadline of 29 April for finalizing the staffing risk assessment. Cooperation with counterparts has been assessed as fruitful.

The delegation of a new CARDS project named "Support to and coordination of integrated border management strategies" has set up a series of introductory meetings with PROXIMA. Concomitantly and within the scope of the national IBM strategy, a major review has been undertaken between PROXIMA and other international actors like the EAR, ECPRP, CAFAO-MAK, OSCE at the EAR premises. It is intended to allow the CARDS delegation to adjust and compare the information gathered from different national sources and to assess the current state of affairs. Similar meetings took place with members of Border Police Department of the host country.

PROXIMA attended a meeting between representatives of the Border Police Department and a member of the Spanish FIIAPP (Fundacion International y para Iberoamerica de Administracion y Politicas Publicas). It was the opportunity for the Spanish EU-representative to announce that the Twinning-Project for the FYROM police, designed to foster further police reforms, covers a financial envelop of 2.8 Mio Euro. No additional detail was disclosed apart from the fact that the start of this initiative is scheduled for October 2005.

PROXIMA Co-Locator advised the Deputy of BLACE Border Police to establish official consultations with the representatives of the Army who are responsible for protecting the green border around that particular Border Police Station. A first meeting was held and PROXIMA suggested the exchange of information between Border Police Stations and army to take place on a regular basis. The necessity to strengthen the cooperation with the UNMIK authorities in order to

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facilitate the truck traffic between border crossing points was also stressed. In addition it was recommended to pay more attention to public peace and order related crimes and to increase closer cooperation with the local police. Unfortunately, the possibilities of the host country to combat trans-border crime are hampered by the lack of adequate equipment. This was reported by Team North with reference to BPS PELINCE. PROXIMA advised Police Officers to request appropriate material at the relevant authorities and offered its assistance to further support this initiative.

With regard to legal prerogatives, there is uncertainty as to degree to which Border Police as well as OVR/SVR Police are entitled to investigate border-related crimes. Up to present, police deals with all crime cases, including border incidents. It was also reported that Border Police often hand over their responsibilities to other police departments due to the lack of basic crime investigation material. This issue is intended to be further looked at together with the EC-PRP in order to determine the exact rights of the Border Police in terms of investigation. In the absence of a clear-cut delineation of competences, PROXIMA will not be in the position of supporting the confidence building aspect underlining the Programme.

In relation to *Regional and International Cooperation*, several field meetings took place for the first time with Border Police high ranking officials. Host country officers at commander and deputy level met with their Bulgarian and Greek counterparts. PROXIMA called for closer and more frequent cooperation among all stakeholders, in order to avoid frictions between Border Police and Local Police as this latter do not often demonstrate a great deal of cooperation with its pairs.

As the FYROM Army (ARM) is not allowed to participate in meetings outside fYRoM, PROXIMA held a meeting with leaders of Border Crossing Point DOLNO BLACE and ARM. PROXIMA also encouraged a closer collaboration.

The meeting organized between the MOI, Border Police Department, PRWG and ECPRP which was aimed at calculating the personnel structure of the Border Police revealed a number of dissensions. Subsequently, the Programme Director requested a separate session with local responsables so that to look into the issue by further engaging all the relevant actors. PROXIMA highlighted concerns about the weak level of cooperation among the stakeholders. Finally, upon PROXIMA's proposal, a working paper for downsizing the FYROM Border Police staff of 20 percent was agreed upon depending on how many patrols are deemed necessary. The decision on the ultimate strength is still pending.

With regard to Skills Project Progress, activities are generally in line with expectations.

Due to the low level of air traffic at OHRID Airport, most of the activities in the field of *Airport Security* in this region were postponed until summer. Specific working routines will then be implemented and tested. In theory, all existing working patterns are up to international standards, but they have to be assessed under realistic working conditions.

In accordance with the rules set up by the International Civil Aviation Organisation, Team North has finalised its recommendations on security patrols for Skopje Petrovec Airport.

Thanks to the efforts deployed by PROXIMA and the support of the German Border Police, three documents consultants will be able to travel to Frankfurt/ Germany in May and June, where they will follow a one-week internship on the airport.

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Team South carried out a final assessment on *Train Check Procedures at Regional Border Crossing Point GEVGELIJA*. Therefore the implementation of European best practice in this sector is completed for this region.

Team East monitored and gave advise on the exchange of operative information between Border Police Station NOVO SELO and BULGARIAN counterparts. Topics have ranged from dealing with indirect information to enhancing efficiency of operative information interchange. Team East also monitored a case of operative exchange on trans border crime effecting several Border Police Stations in their respective areas of responsibility.

Team West advised on improving road safety. It appears that these recommendations (already provided in PROXIMA I) were successful as counterparts decided to launch a first warning campaign. Currently, this initiative is taking place at Border Crossing Point SVETI NAUM with regard to overloaded vehicles crossing the borders.

PROXIMA advised counterpart to amend the Standard Working Procedure Guidelines with regard to the problem of entering vehicles without adequate security operating status. Up to present, only Traffic Police are entitled to deal with such cases. Existing working procedures should be revamped in order to also empower Border Police. As host country police officers do not receive any training on technical characteristics of different vehicle types, PROXIMA recommended that lessons on this topic should be added to the curriculum of the Police Academy.

In the scope of skills activities, PROXIMA noticed that the National Certified Documents Consultants Group was not demonstrating sufficient initiative in the planning of its own gatherings. Such a lack of leadership could indeed undermine the Group integration into the chain of Command of Border Police and challenged its very mission. In the course of a meeting which included the Chief of Surveillance, the future strategy and structure of this experts group was thoroughly reviewed. It was subsequently agreed that PROXIMA will identify suitable candidates for their deployment in every Regional Center. PROXIMA also requested assistance with a view to establishing collaboration among the potential group leader and the Head of the Sector of Crime Techniques in Skopje. Moreover, counterparts suggested applying to the EU CARDS programme in order to get material supply. It should be noted that the National Certified Documents Consultants Group met for the third time.

The 14 workshops on the “Detection of forged documents” held in March and the five in April allowed the training of 700 Police Officers. They will be conducted until the end of the Mission and will then be taken over by the FYROM Border Police. Participants expressed their deep appreciation for the professionalism and usefulness of these workshops.

In the area of *Review and Advise on Potential Improvements on the Drafted Handbook for Border Police Service* (Control on vehicles and mass vehicles), there was an elimination of one activity: After PROXIMA had assessed the Draft Handbook of alleged *Standard Working Procedures*, a decision was taken to skip the activity *Improvement of Handbook*. It was found that the given “handbook” (used by the counterpart) could not be considered as a guideline on *Standard Working Procedures*, but merely as an information flow description. Therefore, it was recommended to either rename it or to compile an entirely new reference-book, an effort which doesn't fall into PROXIMA's remit.

V. SECURITY ASSESSMENT

Security situation: **Phase 1**

EUPOL PHASE	DEFINITION
PHASE 1	Precautionary, ensuring availability by mission members.
PHASE 2	Restricted movement, some official functions may be limited/ cancelled.
PHASE 3	Suspension of Operations, personnel will assemble at designated safe areas
PHASE 4	Evacuation

The overall situation throughout FYROM is to be considered calm.

Further to the killing of one of the brothers of the former Kosovo Prime Minister Haradinaj (15<sup>th</sup> of April 2005), a Travel Advisory was issued for Mission members travelling to Kosovo.

The 2<sup>nd</sup> round and re-rounds of Municipal elections ended without any major security incidents. Some demonstrations took place in Skopje in support of e-Roma elected Mayor for Suto Orizari, Amri Bajram, who had been arrested and sent to jail further to a sentence of 4 years of imprisonment. All gatherings went peacefully.

A demonstration took place on the 21<sup>st</sup> of April, the day before the verdict of the Rastanki Lozja case, in front of the Parliament Building supporting the four accused. Additional gatherings are not expected as the accused were found not guilty.

The immediate dismissal without previous warning of police reservists from some SVR that happened on the 15<sup>th</sup> of April caused considerable tension. In Tetovo the dismissed police officers stayed for a few days in the yards of local SVR and on the 25<sup>th</sup> of April they started a daily blockade of the highway Skopje-Tetovo, 07.00 to 09.00 hrs, requesting to be redeployed.

Noteworthy events:

Unknown perpetrators shot with automatic weapons towards the house of an eA family in Tetovo. 13 bullets ended up in the walls. No one was injured. It should be noted that in March a hand grenade was thrown at the same house.

At the funeral of Goran Georgievski, (aka Mujo), a well-known criminal and former member of the Lions special police unit, killed during a quarrel, attendees were wearing black t-shirts with the slogan, "Freedom or Death", together with a lion logo. An average of 150 cars was parked at the cemetery of Kumanovo, many of them luxury cars with license plates from Veles, Ohrid, Skopje, Tetovo and Bulgaria.

In VELES, an explosion took place outside a Coffee Bar no one was injured. The Coffee Bar is suspect of been a gathering for criminals.

Once again robbery attempt took place in DEBAR AOR which has been the theatre of a series of violations of this type since 2004. According to the witnesses the perpetrators were Albanian. Since 2004 a "gang" of perpetrators has been active in this region and these perpetrators are suspected to be members of this gang.

## **B. ORGANISED CRIME SITUATION**

### **GENERAL TRENDS**

The use of fire arms for committing robberies and assaults remains high in Skopje and Tetovo.

### **CRIMINAL ACTIVITIES**

*Drugs trafficking*

NTR

*Other cases and investigations*

## **C. MEDICAL ASPECTS**

- The Medical Section welcomed and briefed the new Mission Members on medical matters at the Induction Training.
- With regard to the spread of flu, the National Bureau for Health Protection concluded that there was no reason to be alarming. The Medical Section will continue to monitor the situation.

## **VI. Public outreach**

The Press and Public Information Office, in addition to its daily tasks, has been deeply involved in the development several projects, as the preparation of the Open Day in Brussels as well as the celebration of the Europe Day in the host country.

### **Publications and informative material:**

In order to reflect the latest developments and changes undertaken by the Mission, relevant documentation was produced. The brochures, '*EUPOL PROXIMA at Work*' are aimed at introducing PROXIMA to the interested readers. The Fact sheet in French was designed with a view to addressing French speakers at the occasion of the open day in Brussels. Four types of posters, prepared for the Open Day in Brussels, were created in order to increase the Mission's visibility for a broader public. Additionally, on the occasion of the celebration of Europe Day, a poster was distributed throughout our field stations. Promotional items were also arranged and shared during the above-mentioned events.

### **Relations with the media**

During the month of April, the Press and Public Information Office has intensified its efforts with a view to consolidate relationships with the media. Its strategy has been to approach the media in a cautious but cooperative and supportive way. PPIO will continue working in the direction of a positive and steady external communication to further promote and make visible the Mission and its achievements.

**VII. MONTH AHEAD**

During the first week of May, responsibility for the Northern Border (Serbia/Kosovo) will be transferred from the Ministry of Defence to the Ministry of Interior. EUPOL PROXIMA is fully prepared to expand its assistance to the border police into this new area of operations.

Government discussions on the Draft Law on Police will continue. In case of further significant delays, the currently foreseen schedule for police reform implementation may have to be revised.

During the month of May, the government will also discuss constitutional changes pertaining to judicial reform as well as necessary steps to modify electoral legislation in the light of poorly conducted recent elections.

**D. PERSONNEL REPORT (PERSREP)**

See table attached

Jürgen SCHOLZ  
Head of Mission / Police Commissioner



**Monthly – Personnel – Report**  
01.03. – 31.03.2005

**PERSREP**

Monthly Personnel Report (Annex 1) is attached.

**Medical Report**

Upon a request by the Mission Security Officer, updated the Medical Section part of the Mission Security Plan.

Presented the responsibilities and activities of the Medical Section to the new Mission Members at the Induction Training held on 14 and 15 April.

Collecting Medical Certificates for the newly employed National Staff Members.

Market research for re-supply of medications.

Contributed with comments and suggestions to the revision of the “Field Security Standards and Guidelines for EU-led Civilian Crisis Management Mission”.

Continued consultations and referrals with Mission Members.

**Internal Control Report**

Contributed with comments and suggestions on the “standards of behaviour policy for ESDP operations” draft paper.

Continued inspections and consultations with Mission Members.

**FINANCIAL REPORT**

**Administration**

Regarding EUPOL-Proxima the final financial statement was issued on 21/02/05. Field work of auditors ended on 25/03/05. A draft report was issued on 20/04/05 and submitted to the Contracting authority on 21/04/05. According to the “term of reference” it is expected to be approved by the HoM 10 days after delivery, i.e. 30<sup>th</sup> of April 2005.

Regarding Proxima-Scholz, accountancy of March was checked. First interim financial statement was issued by Finance Section on 07/03/05, approved by CAS on 10/03/05 and then approved by the Head of Mission on 18/04/05.

**Financing**

Regarding Proxima I, on 28/02/05, 85% of the Pre-financing and the first interim payment have been used up.

Regarding Proxima-Scholz, on 19/04/05, already **129%** of the “First instalment of pre-financing” (3,400,000 EUR) have been used up. The first interim payment is needed.

Following the issue of “CFSP/2004/028/Proxima – Scholz” “Rider no. 1” by the Commission detailing conditions of payments, “Proxima-Scholz” requested the “Second instalment of pre-financing” (7,603,880 EUR) on 19/04/05.

Taking into account the necessary delays for this rider to be approved, as well as the necessary time to approve the first interim report and order the first interim payment, Proxima-Scholz faces temporary treasury problems since the end of March.

In order to be able to face its treasury problems, Proxima-Scholz delays the reimbursement to EUPOL-Proxima of the loan of 2,300,000 EUR transferred on 14/12/04. This amount gives to Proxima-Scholz the means to face its financial liabilities.

**Current budget situation**

Regarding Proxima I, all expenses inputted on EUPOL-Proxima budget were generated before 14/12/04. On 28/02/05 the total of eligible costs reaches 15,418,097 EUR, i.e. 72% of the budget (21,561,000 EUR) and 85% of the pre-financing, first interim payment and second interim payment (18,111,751 EUR). **The debit note regarding the Special Adviser’s taxes and special levy are still not delivered to Proxima.**

Regarding Proxima II, on 27/04/05 the total of eligible costs for the month of April reaches **1,256,734 EUR**. Unbalanced short term commitment (1 month) is equal to **900,110 EUR**. In addition to the

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previous budget reporting, the consumption of the budget reached **4,372,616 EUR**, i.e. **27%** of the budget (15,950,000 EUR) and **129%** of the “first instalment of pre-financing” (3,400,000 EUR). Taking into account the unbalanced short term commitments (1 month), the consumption of the budget reaches **4,272,726 EUR**, i.e. **33%** of the budget and **155%** of the “first instalment of pre-financing”. Nevertheless, the loan from Proxima I should give to Proxima-Scholz the means to face its financial liabilities.

**Available funds**

Regarding Proxima I, taking into account the loan of 2,300,000 EUR done by Proxima I to Proxima II the treasury availabilities are corresponding to 2% of the pre-financing, first interim payment and second interim payment on 28/02/05.

Regarding Proxima II, and without taking into account unbalanced short term commitments (1 month), the treasury availabilities are corresponding to **0%** of the “first instalment of pre-financing” on 27/04/05 and **23%** of the “first instalment of pre-financing” (3,400,000 EUR) and the loan from Proxima I (2,300,000 EUR).

**LOGREP**

**Building Management**

Regular monthly maintenance of generators in Main HQ, Admin HQ and MOI barrack.  
Generators purchased through the tender were installed in SVR Stip, SVR Kocani, SVR Stip and SVR Gevgelija. Generators to be installed in the remaining locations till the end of the current week.  
The inner cabling for the fire alarm system completed in Main and Admin HQ. Installing of the remainder fire safety equipment is underway.  
Collection of offers as regards the parking lot in SVR Kumanovo and sewage system in MoI barrack is completed. Instructions regarding a possible refurbishments pending.

**Supplies**

Delivering furniture and other equipment to different mission locations.  
Delivering various items needed for the different trainings held within Proxima premises.  
Issuing stationery and cleaning materials to mission members.  
Preparing business cards for mission members.  
Supplying new mission members with berets, armllets, field caps and badges.  
Rechecking the furniture write-off list and cleaning of the warehouse are underway.  
Preparing warehouse stock reports.  
Market research for the PPIO materials, needed for the celebration of the EU day.  
Receiving the PPIO materials and preparing packages for further deployment.

**Customs**

Preparing Protocols for IT, COMMS equipment and private vehicles of MM.  
Correspondence with MFA in providing all necessary documents for VAT/Duty fee exemption and smooth customs clearance.

**Inventory**

Physical inspections in Struga, Kafa San, Petrovec, Blace, Gazi Baba, Cair, MoI, MTV, Main HQ, Admin HQ.  
Updating the Inventory database.  
Checking the hand-over documents for all staff members leaving the mission.

**PROCREP**

Execution of the contracts from the IT Equipment Tender, Generators Tender, Communications Equipment Tender, and Fire Safety Equipment Tender is in progress.  
Kinshasa Transport Tender file drafted, approved by RELEX and sent to the selected companies.  
Negotiated procedure finished. Report sent to RELEX and approved; contract signature is in progress.  
Preparation of tender file for Press and Publication Information campaign.  
Draft document on Administrative Exit Phase Plan finished.

**Monthly – Personnel – Report**

01.03. – 31.03.2005

Deployment										
Section	Authorised		Deployed		Vacant		Arrivals		Depart.	
	Pol	Civ	Pol	Civ	Pol	Civ	Pol	Civ		
HQ (incl. ADMIN)	14	12	14	12	00	00	00	00	00	
Programmes	13	09	13	09	00	00	00	00	00	
Field Level	122	10	110	10	12	00	03	00	06	
<b>Total (Internat. Staff)</b>	<b>180</b>		<b>168</b>		<b>12</b>		<b>03</b>		<b>06</b>	
<b>Total (National Staff)</b>	150		150		00		00		00	
Mission Strength										
Actual Strength					Operational Strength (average)					
Authorised	Actual	%			Total	On duty	Leave	Sick		
180	168	93.33%			168	135	32	1		
Repatriations										
Completion of ToD		Personal Grounds		Medical Grounds		Disciplinary Grounds				
5		1		0		0				
Redeployment										
HQ			Programmes Dep.			Field Level				
0			0			0				
Training										
Month 04					Total 2005					
Hours		Participants			Hours		Participants			
165		11			3090		101			
Medical Cases										
Month 04					Total 2005					
Uncertified sick leave		Certified sick leave	Hospitalised		Uncertified sick leave		Certified sick leave	Hospitalised		
Internat. Staff		3	5	0		15		18	0	
National Staff		6	4	2		25		19	2	
Disciplinary Cases										
Month 04					Total 2005					
Minor breaches					0					
Major breaches					0					

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