

THE FOURTEENTH PLENARY SESSION OF THE GENERAL ASSEMBLY

Doc.: GA15/LC15/REC43/00

RECOMMENDATION 43/2000¹

Legislative Framework for Cooperation among the
Law-Enforcing, Customs and Migration Authorities

1. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation shares the global responsibilities of the new millennium to focus on the tasks which are directed primarily towards the people's security and welfare and is determined to enhance the cooperation in this direction.
2. Regional integration in the Black Sea area brings considerable economic benefits to the participating nations, promotes prosperity through economic development and free trade, streamlines legislative framework for more vigorous economic interaction. Efforts of the member countries to ensure that the benefits of the Black Sea Economic Cooperation reach all the countries in the region, especially those that are less developed acquire significant importance. This process requires special attention to strengthening democracy and the rule of law, facilitation of economic relations and improvement of living standards of the Black Sea peoples.
3. Practical progress in solving prevailing economic and social problems and maximum benefit of the process of regional integration can be derived from efficient interaction and effective relationships between and among the law-enforcement, customs and migration authorities. Development of economic and commercial ties depends to a greater extent upon the extension of cross-border cooperation and interaction between the authorities directly involved in this process.
4. Improvement of customs regulations, progressive elimination of cross-border obstacles, coordination of law-enforcement and migration authorities are the main pillars for creating favourable ground for the economic cooperation and freer trade to develop and flourish. On the other hand, regional integration and liberalised border control systems coupled with social deterioration, economic hardship and ethnic or political problems trigger occurrence and expansion of cross-border crime.

¹ Assembly debate on 8 June 2000 (see Doc.: GA15/LC15/REP/00, Report of the Legal and Political Affairs Committee "Legislative Framework for Cooperation among the Law-Enforcing, Customs and Migration Authorities" discussed in Moscow on 19-20 April 2000; Rapporteur: Mr. Necati Çetinkaya – Turkey)

Text adopted by the Assembly in Tirana on 8 June 2000.

5. The Assembly is deeply disturbed by the fact that despite the concerted efforts of the member countries crime still has pernicious effect on the development of economic cooperation and establishment of peace, stability and security. The parliamentarians of the eleven Black Sea nations strongly condemn crime with all its manifestations, particularly organised crime, terrorism, drug trafficking, corruption, money laundering, migrant smuggling and human trafficking and stress that if not addressed adequately, it may add instability to the process of regional integration, pose a serious threat to the rule of law and jeopardise the social, economic and political development in the region.
6. Recognising that the problems encountered in law-enforcing, customs and migration spheres cannot be resolved by a country solely, the Assembly stresses the necessity of overall approach and coordination of measures at national, regional and international levels within the framework of the existing bilateral and multilateral instruments consistent to the regional and global demands and with due regard to the national interest of the individual countries and their responsibilities and obligations towards the regional and international organisations.
7. The Assembly appreciates the efforts of international and sub-regional organisations, including inter-parliamentary bodies constructively contributing to the finding viable solutions to the problems in the Black Sea region, and welcomes the initiative of the Parliamentary Assembly of Council of Europe in organising the Parliamentary Summit in Strasbourg on 5-6 May 2000 devoted to “Complementary role of national parliaments and European Parliamentary Assemblies in shaping greater democratic Europe” with particular emphasis on the role of parliaments in combat against organised crime and corruption.
8. The Assembly positively assesses the steps already taken by the PABSEC Member Countries in addressing the problems encountered in the law-enforcement, customs and migration spheres and notes that these problems remain far from being resolved and require further comprehensive measures.
9. Having in mind that only together can the member countries meet the challenges of tomorrow’s world, the Assembly urges national parliaments to play their true role by legislating effectively for eliminating obstacles preventing enhancement of the Black Sea Economic Cooperation.
10. **Therefore, the Assembly recommends** the Parliaments and the Governments of the PABSEC Member Countries:
 - i. *to make broader use* of economic integration in the Black Sea region with a view of consolidating the process of establishing peace, security and political stability through greater synergy between the member countries in the specific areas of cooperation including law-enforcement, customs and migration as the main precondition for the successful realisation of common objectives of the Black Sea Economic Cooperation.
 - ii. *to follow-up* the proposals specific for law-enforcing, customs and migration spheres presented in the Assembly Recommendations including those entitled “Cooperation among the PABSEC Member Countries in Combating Organised Crime”, “Basic Principles of the Black Sea Convention on Combating Organised Crime and Terrorism”, “Improvement of Customs Regulations among the BSEC Member Countries”, “Harmonisation of Foreign Trade Regimes in the BSEC Participating States”, “Rights and Social

Protection of Refugees and Displaced Persons in the Black Sea Region”, and “Legal Framework on Combating Trafficking in People” adopted in the years 1994-1999;

- iii. *to implement* the provisions embodied in the BSEC Summit Declarations, Resolutions and Recommendations of the BSEC Ministers of Foreign Affairs related to strengthening cooperation among law-enforcement, customs and migration authorities as well as the Agreement among the Governments of the BSEC Participating States on Cooperation in Combating Crime, in particular in its Organised Forms adopted by the Ministers of Interior of the BSEC Member States at their Third Meeting in Kerkyra (Greece) on 2 October 1998 and the mechanism of its implementation approved at the Fourth Meeting in Poiana Brasov (Romania) on 27-28 April 2000.
 - iv. *to take resolute measures* for reduction and gradual elimination of the obstacles hindering the integration process in the Black Sea region, including those for harmonisation of customs regulations and their progressive approximation to the European standards, harmonisation of living standards with the fundamental principles of sustainable development, and elaboration of effective policies to combat crime and outline effective crime-prevention strategies;
 - v. *to review* the existing programmes, actions, instruments and policies creating the framework for cooperation among the law-enforcing, customs and migration authorities and to ensure that coordination is consolidated through the regular interaction;
 - vi. *to make full and appropriate use* of existing bilateral and multilateral instruments and *to conclude* new bilateral and multilateral agreements between and among the member countries in the priority fields related to law-enforcing, customs and migration;
 - vii. *to put in practice* all the necessary measures supporting development of transparent and stable legal, regulatory and institutional framework designed to toughening and loosening where necessary criteria for border-crossing, customs cooperation, law-enforcement and migration in order to facilitate integration process and, at the same time, implement necessary measures to curb illegal activities.
 - viii. *to ensure* full involvement of the BSEC, PABSEC and the BSEC Business Council in the process of searching common principles and solutions for eliminating obstacles in law-enforcement, customs and migration spheres in the Black Sea region;
 - ix. *to participate more actively* in the regional and inter-regional gatherings devoted to the new approaches to the global challenges in law-enforcement, customs and migration spheres with a view to share the experience on reciprocal basis through providing information on joint BSEC activities and, at the same time, to enrich the Black Sea regional cooperation with new concepts and elements elaborated by international community.
 - x. *to provide the framework* for establishing more effective relations and working contacts with the main European, regional or sub-regional structures specialised in law-enforcement, customs and migration with a view to introduce their experience and expertise in the Black Sea region;
11. **The Assembly invites** the BSEC Council of the Ministers of Foreign Affairs to consider this Recommendation.