

**INITIATIVE OF THE MINISTER OF JUSTICE
OF THE REPUBLIC OF SERBIA
RELATED TO THE CONVENTION ON ARREST WARRANT FOR
THE REGION OF SOUTH-EAST EUROPE
(REGIONAL ARREST WARRANT)**

At the Regional Conference held on 4th and 5th October 2010 in Belgrade, the Ministers of Justice, the Ministers of Interior and Public Prosecutors of countries of South-East Europe – Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia, Montenegro, Romania, and Serbia - together with official representatives of Austria, Germany, Hungary, Italy, Romania, Slovenia, Spain, Sweden, and Switzerland, in the presence of the representative of European Union, as special guest, taking in account challenges facing countries of South-East Europe in struggle against transnational organized crime and other serious criminal offences, referring to relevant international documents, determined to improve the struggle against organized crime through fostering of regional co-operation at political and organizational level, have agreed, among other matters, that they shall:

- promote regional co-operation in struggle against organized crime by use and improvement of the existing mechanism for prevention and fight against organized crime, aiming to increase efforts for accomplishment of concrete results in accordance with international standards,
- work on adjustment of legislation with purpose of more successful facing with challenges of organized crime and serious criminal offences in area of South-East Europe;
- foster direct co-operation between the authorities of interior as well as direct co-operation of judicial authorities in accordance with concluded agreements on co-operation;

In accordance with the accomplished agreement, the Ministry of Justice of the Republic of Serbia is taking initiative for preparation of international Convention on Regional Arrest Warrant of the countries of South-East Europe (Balkan Arrest Warrant, Euro-Balkan or similar).

The Regional Arrest Warrant should express striving of countries of South-East Europe to bring the existing mode of extradition procedure closer to the modern one valid in countries of EU in area of freedom, safety and justice, that is especially reflected in implementation of the European Arrest Warrant (**ENH-Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States**) and in accordance with ambitions of all countries of the region to become regular members of EU.

In that way less complicated procedures would be implemented in the region of South-East Europe that would replace previous mode of the European Convention on Extradition from 1957, and its Additional Protocols, that proved to be complex and long lasting, due to excess administrative procedure.

That is why the text of Draft of the Convention would be made in accordance with the model and basic principles of the European Arrest Warrant.

The offered text of the Draft Convention shall be in accordance with the Strategy of the Regional Cooperation Council RCC 2011-2013 in the area of police and judicial co-operation (Activity 2 „Improvement of judicial and prosecutors cooperation in criminal matters”), that represent institutional frame for integration of countries of the regional different levels and in relation to different issues relevant for the region.

The interest of the countries in the region is, before accession to the EU, to implement one instrument of EU countries in similar way that will be useful for them upon accession to EU for easier adjustment to legal frame that will be compulsory for them.

On the other side, we consider that there is an interest of countries of EU that after certain period of implementation of the instruments in the region access to the Convention on the Regional Arrest Warrant even before accession of certain countries of the region to EU, in which way they could practically extend the effect of the European Arrest Warrant to other countries outside EU.

Finally, joint work on the Draft Convention and its later implementation should express striving of countries of the region to make their future relations on EU standards, based on mutual confidence in judicial system, on principle of mutual recognition and free communication of judicial decisions in criminal matters, as with regard to decisions made during criminal proceedings, as with regard to enforcement of valid judicial decisions.

END OF TRANSLATION

Belgrade, 04.05.2011.
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I CERTIFY HEREWITH, that the above document is a true translation of the original which was submitted to me in Serbian language.

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Appointed by the Decision of the Minister of Justice of Republic of Serbia, No. 740-06-298/2003-04