

Dear ladies and gentlemen,

It is my great honour to address, on behalf of the Slovenian EU presidency, this High level conference which for the first time brought together all representatives of the EU dealing with private security and major stakeholders active in this field.

In its short history Slovenia has been entrusted with demanding tasks such as presiding over the OSCE and membership in the Security Council of the United Nations. The presidency of the European Union has been the greatest challenge since Slovenia's independence.

The Slovenian Presidency will end in about two week's time. Much work has been done, positive results have been achieved. We are pleased to note that the results in the area of home affairs are good.

My talk will be in two main parts. In the first part, I will outline the objectives set and achieved by the Slovenian Presidency in the area of home affairs. The second part will be about private security.

One of Slovenia's priorities was the **enlargement of the area of free movement of people, known as the Schengen area**. Border controls at internal land and sea borders were abolished on 21 December 2007, and at air borders on 30 March 2008. In my view, this was the largest project in the area of home affairs and it was a success - new Member States that had joined the EU in 2004 (except Cyprus) became members of the Schengen area. Switzerland and Liechtenstein will also join the Schengen area by the end of 2008 and in 2009 respectively.

In addition to the enlargement of the Schengen area, one of the EU priorities remains the establishment of the second generation Schengen Information System (SIS II). It will guarantee higher standards and the use of the latest technology for the purposes of efficient and rapid control of travellers entering the European Union. Rapid and free access to data guaranteed to competent law enforcement authorities of Member States will enable effective prevention and investigation of all forms of crime, in particular of organised crime and terrorism. The development of the new system is a very demanding project, since it involves the Commission and all Member States that have to develop their own national systems. Because of the delay in the development of this system Slovenia proposed special monitoring to be carried out at the political level by the Group of Friends of SIS II that monitors the progress and reports to ministers.

The Slovenian Presidency has been striving for comprehensive and balanced management of migration flows and for the development of a common migration policy. Uniform EU entry and residence requirements and harmonization of migration policies of the Member States will enable more effective treatment of illegal immigrants and a rapid response to developments in the labour market. They will also guarantee fundamental rights to immigrants in the EU, which will be comparable to the rights of the EU citizens.

As regards illegal migration, we have concluded negotiations on one of the most demanding projects, on the Directive on common standards and procedures in

Member States for returning illegally staying third-country nationals (the "Return Directive"). It is being adopted in the process of co-decision with the European Parliament. The Council confirmed a compromise proposal on 5 June and the Parliament will vote on it on 18 June. At the same time, we worked on the "Blue Card Directive", which will enable highly qualified third-country nationals to enter, reside and work in the European Union.

In terms of the **Global Approach to Migration**, the Slovenian Presidency has been striving to promote dialogue and to establish and improve practical forms of cooperation between the countries of origin, transit and destination. In this context, the Member States have signed agreements on mobile partnerships with Moldova and Cape Verde. These two agreements open a new dimension of cooperation with third countries in the area of migration.

Regarding police cooperation, the priority has been **strengthening the role of the European Police Office (Europol)**. Europol aims to improve cooperation between the competent authorities of the Member States in the prevention of and fight against serious organised crime and terrorism. The Europol Convention, which entered into force in 1998, provided a legal basis for this Police Office. However, after almost nine years of its operation and due to new forms of threats in terrorism and organised crime, Europol needed a new legal basis in order to respond effectively to new developments concerning the security situation in the EU and beyond. The priority was the adoption of the Decision on the establishment of Europol, which has replaced the Europol Convention and transformed Europol into a European agency.

Another priority task in the area of police cooperation has been to complete the incorporation of the **Treaty of Prüm** into the EU law. It is the **Treaty on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration**. The Treaty of Prüm regulates the exchange of information contained in national DNA, fingerprint and vehicle registration data files. The integration of the Treaty into the EU law means a step forward in the exchange of data between the Member States that will enable effective combating the most serious forms of crime and terrorism.

According to the terrorist attacks in Madrid and London and attempts of committing terrorist attacks in the last few months, the **fight against terrorism** remains one of the key tasks of both the EU and the Slovenian Presidency. As far as **terrorism** is concerned, the Slovenian Presidency has made some decisive steps and brought forward some proposals that have been welcomed at the EU level. I would like to point out the *Action Plan on Enhancing the Security of Explosives*, which was elaborated on the basis of a preliminary terrorism threat assessment in the EU. The latter highlighted the lack of appropriate security standards for manufacture, trade, transport, storage and protection of explosives and their precursors. The Action Plan is an attempt of setting up uniform and, in particular, adequate standards that are necessary for enhancing the security of explosives and their precursors.

Terrorism remains one of the main threats to the security in the EU. In addition to providing adequate security within the EU Member States, it is necessary to adopt a systematic approach in order to bring security to third countries such as the Western Balkans. Activities there are focused mainly on tackling the grassroots of terrorism

such as radicalisation and recruitment, development of extremism, financing of terrorism, providing funds, etc. To this end, the EU has adopted several acts that define the security strategy and policy and include terrorism in the external security policy.

*The security and economy of the European Union as well as the well-being of its citizens depends also on certain infrastructure and the services they provide. The destruction or disruption of such infrastructure could entail inter alia the loss of lives, the loss of property, a collapse of public confidence and moral in the EU.*

*On the basis of the Commission proposal, the Council adopted last week the Directive establishing a common procedure for the identification and designation of European Critical Infrastructure. This adoption followed one and a half year of negotiations. The focus of the Directive will be the transport and energy sectors, with preparatory work being conducted concerning the Information and Communication Technology sector. Other sectors may be added in the future.*

The external and internal dimensions of security are intertwined. So it is necessary to strengthen cooperation with third countries, especially with the neighbouring ones, because their stability and security situation affects the safety of EU citizens. In the area of **external dimension of home affairs**, we have set ourselves several important tasks, the most significant one being the focus on the Western Balkans.

Considering the fact that the security situation in the **Western Balkans** has implications for the security situation in the entire EU, the European Commission, the Member States and international governmental agencies and non-governmental organisations give a lot of attention to that region. Therefore we aim to step up cooperation in combating crime between the police forces of the Western Balkans and to transfer the EU security standards to that region. In 2006, Slovenia proposed that the Western Balkan countries deploy the project entitled the **Southeast Europe Organised Crime Threat Assessment** (SEE OCTA).

Considerable progress has also been made with regard to the United States. Since February negotiations have been going on at the European and national levels in order to include some EU Member States in the US Visa Waiver Programme. These negotiations started because the US decided to expand the group of countries having the benefit of visa waiver travel to the US, but on the basis of reinforced cooperation in the fight against terrorism and more intense information exchange on undesirable persons.

I could go on to mention some more achievements, but now I would like to turn to the second part of my talk, to private security.

In the majority of countries, private security subjects (private security services and private detectives) also participate in guaranteeing security. These subjects participate in providing personal security for individuals and their property: they protect people, transport money - CIT, perform tasks at public airports, protect ministries, protect small and big companies, shops, etc. Depending on the number of private security companies, the number of security guards employed, their equipment

and qualifications, this is undoubtedly a segment which, may contribute to guaranteeing an appropriate level of security in every country.

*Unfortunately it became evident that modern security threats like terrorism are aimed at the state, its police, people and institutions. Important actors such as airports, seaports, air carriers, industrial entities, transport companies, security companies, and many other service providers face real risk of catastrophic losses from acts of terrorism. The EU has over the past years increased attention to developing legislation to reinforce security.*

The need for security and the provision of security calls for the realisation of one of the basic human goods. A key feature of a public good is that the state must guarantee access to the good for all its citizens. The proportion to which the state satisfies this need or the level, to which it enables the participation of specific commercial subjects in the provision of security as a public good, is a conceptual issue which individual countries solve in various ways. Individual commercial subjects realised fairly quickly the economic interest in the area of the provision of security. The provision of protection suddenly became a subject of private commercial initiative and is no longer a public good provided solely by the state through its services.

Guaranteeing security is one of the basic obligations of the state. However, due to the needs of particular individuals for greater security (the so-called sub-standard security) however, the state must allow for the possibility of a lower level of state exclusivity in the area of security. It is not so obvious, nor is it rational, that security is provided solely by the state with its bodies. It may therefore be concluded that today, security is provided by both *public* and *private partners* and that state exclusivity in the area of protection of people and their property no longer exists in modern society.

States are currently being confronted with new types of security threats (the threat is presented by various organised criminal gangs, terrorism, illegal migration, computer viruses, identity thieves, credit card abuses and other forms of threats to security).

The fight against such types of crime is not the responsibility of the state alone but also an obligation for the private sector. As such, cooperation in security is the answer to the threatening environmental influences. Today, such cooperation is urgent as the state security and intelligence institutions must conduct their businesses in accordance with the basic principles of economic operation like any other organisation, albeit they are financed by the budget. In the period of budget cutting, it is slowly but steadily becoming clear that certain routine security tasks can be performed successfully by private security providers. Following is in fact an urgent and logical process since, due to a shortage of staff and financial resources, state security and intelligence institutions must deal primarily with those matters which have greater influence on the security and protection of society, that is, the public security situation. All this renders them incapable of preventing small criminal activity, which is on the increase. This void can thus be covered efficiently by private security.

It is obvious that we may talk of **a common goal in guaranteeing security**. Security is the main goal of both the security and intelligence services and the private security

services. In other words, guaranteeing security is the essence of the work of state security institutions and that of private security services.

In the expansion of private security activity, the state must make a clear delimitation between private and public security activity, it must retain its influence on the setting of standards for qualifications and personnel quality, regulate the transfer of information and mutual cooperation and supervise the activities of the private security services. Such regulation is necessary since the area of private security must not be left unsupervised. The unsupervised and autonomous privatisation of security activity is problematic as this may present an excellent opportunity for organised criminal activity.

Another matter for state regulation is the *decision regarding which cases and which security operations to be left to private partners*. Besides state security institutions, it is only right that someone else also provides security as one of the primary, elemental human needs. But this must not be at all costs, or anybody and anyhow.

I believe that public-private partnership is possible, desirable and in fact urgent in the guaranteeing of security.

Private partners also need to be attracted to cooperate in such a way as makes them fully realise the importance of cooperation in the prevention of crime. Upon establishing a partnership relationship, it must be ensured that security is understood as a common virtue, for the exchanging of information and appropriate management and communication.

The private security partners and private security industry indeed play and will play an important role in the further development of Europe's security, in its welfare society and its economy which can only prosper in a stable and secure environment.

I am confident that the future will see more discussions about best practices, European legislation concerning private security services, best practices concerning the delimitation of competences between the government and private security services, granting of certain powers, setting up of standards for training and services in this area, as well as about standards that might be set up at the EU level to regulate and monitor the execution of services.

Thank you for your attention.