

Brussels, 15 January 1997

5236/97

LIMITE

ENFOPOL 5

**NOTE<sup>(1)</sup>**

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from : General Secretariat of the Council

to : the Presidency

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Subject : **Letter by the President and Secretary General of Interpol to the Presidency of the Council of the European Union**

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Please find herewith the aforementioned letter on the establishment of a structured dialogue between the European Union and ICPO-Interpol.

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<sup>(1)</sup> This note exists in English only

———— INTERPOL ————

Le Président  
The President

Le Secrétaire Général  
The Secretary General

Toshinori KANEMOTO

Raymond E. KENDALL, Q.P.M., M.A.

Our Ref.: 521-3/ELB/Dec/96

17<sup>th</sup> December 1996

Dear Sir,

The International Criminal Police Organization Interpol, which today comprises 177 member countries, co-operates closely with other international organizations.

It is recognized by the United Nations as an intergovernmental organization, and in October this year was granted observer status at the United Nations General Assembly.

In addition, Interpol works and liaises with the Council of Europe, the World Customs Organization and a number of other organisations engaged in law enforcement and crime fighting, both intergovernmental and non-governmental. We also co-operate with the International Tribunal for War Crimes in Former Yugoslavia.

It is essential for international institutions engaged in preventing and combating international crime to avoid duplication of effort and waste of resources, by ensuring that their activities are properly harmonized and co-ordinated.

Police co-operation is, generally speaking, discussed in a number of groups and organs, on different levels - political, administrative and operational - but not always with proper co-ordination. This leads to certain overlapping and duplication of effort. As an illustration of the problem, we enclose a report entitled "European Initiatives".

With regard to police co-operation in Europe, all the 15 European Union member countries are members of the ICPO-Interpol and seven European Union countries are additionally contracting parties to the Schengen Convention. The Interpol European Region comprises 45 countries.

In the framework of the European Union, a number of initiatives have been undertaken to improve police co-operation and combating international crime. In this respect, we may refer to the work carried out under the umbrella of the "K.4 Committee", in particular Steering Group II (Security, Police and Customs Co-operation).

It is evident that for the European Union member countries, this multi-participation may lead to duplication of effort and, eventually, waste of limited resources. On the other hand, there is a risk of confusion when activities are not co-ordinated between all the parties concerned.

The General Assembly and more specifically the European Regional Conference of the ICPO-Interpol, have expressed their concern about the possible negative effects of unco-ordinated initiatives in the field of international police co-operation and are anxious to avoid confusion and duplication of effort for the police services concerned. It is with this concern in mind that we are addressing the Presidency of the European Union to give serious consideration to the establishment of a structured dialogue between the European Union and the ICPO-Interpol. A formal relationship would promote the co-ordination of the different initiatives in the most efficient manner possible and create a solid basis for future mutual co-operation.

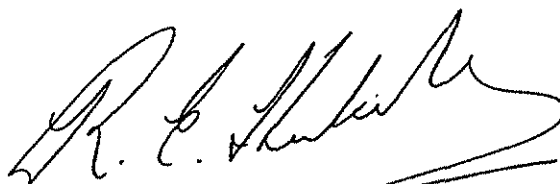
We should be grateful if you would discuss our proposal in the appropriate fora and advise us on how a formal relationship between the European Union and the ICPO-Interpol could best be established.

Please be assured that we are willing to further discuss this matter with your representatives.

We look forward to your reply.



Toshinori Kanemoto,  
President of the ICPO-Interpol



R.E. Kendall, Q.P.M., M.A.,  
Secretary General of the ICPO-Interpol

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INTERNATIONAL CRIMINAL POLICE ORGANIZATION

INTERPOL



EUROPEAN INITIATIVES

DRAFT AGENDA - ITEM 11.5

25th EUROPEAN REGIONAL CONFERENCE

Warsaw, 29th - 31st May 1996

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25th EUROPEAN REGIONAL CONFERENCE

Warsaw, 29th - 31st May 1996

European initiatives

1. PREAMBLE

The 24th European Regional Conference (Ljubljana, 1995) decided that a study should be undertaken with regard to co-ordination and co-operation problems concerning law enforcement initiatives in Europe. This initiative reflected one of the major priorities of the Interpol European Business Plan 1992 - 1996, namely "Relations with other organisations".

The aim of the study would be to improve co-operation, to propose a sharing of responsibilities and an overall greater efficiency in international police co-operation.

The Interpol European Committee resolved, during its 11th meeting (Lyons, June 1995), that a small working group should be appointed to meet this end.

The working group was given the following tasks:

- To map the difficulties, the different initiatives, i.e. the overlaps.
- To find a way to remedy these overlaps.
- To suggest an action plan, aiming at rationalizing and making effective the tasks and work of the three entities (Interpol, EDU/Europol and Schengen), taking into account their accumulated experience in dealing with three different organizations with overlapping responsibilities.

The working group had the following composition:

- Mr Henning THIESEN (Denmark), Chairman
- Mr Dick BOS (Netherlands)
- Mr Patrick ZANDERS (Belgium)
- Mr Rudolf WYSS (Switzerland)
- Mr Herman HEIJERMAN (Head of the European Liaison Bureau, General Secretariat)
- Mr Erwin DE WITTE (Liaison officer, European Liaison Bureau, General Secretariat)
- Mr Iver FRIGAARD, (Liaison officer, European Liaison Bureau, General Secretariat).

The working group held two meetings (31st August/1st September 1995 and 18th January 1996). The secretariat functions were carried out by the European Liaison Bureau.

## 2. INTRODUCTION

During the last 20 years, Europe has seen the emergence of a number of international police/law enforcement and policy co-operative initiatives aiming at different administrative levels. This development has taken place primarily due to the increase in drug trafficking, international organized crime in general, international terrorism and the geopolitical changes in Europe.

Since the 1980's these same initiatives have mushroomed. It should also be noted that political initiatives such as the Schengen Agreement and the Europol Convention have initiated new law enforcement co-operative bodies.

Despite the obvious positive elements, the different initiatives have also created practical as well as policy problems.

## 3. PROBLEMS

Some of the problems are for instance:

- Which communication, co-operation channels should be used for police/law enforcement issues and who decides which channels to use?
- Lack of consultation between the different entities may cause duplication of efforts and waste of resources.
- Physical entry of identical data into different databases. Duplication of efforts.
- Diverging rules for entry and deletion of data lead to disharmonious data storing of same events in different databases.
- Lack of capacity to attend meetings, seminars, working groups, etc.

The problems mentioned manifest themselves in three main fields:

- 3.1 Information systems (Structures - input - storage - exchange - deletion and protection of electronically stored data information.)
- 3.2 Case-related information, i.e. information exchange channels for mutual assistance concerning specific cases such as a sentenced person, illegal drugs, stolen vehicles, theft of works of art, economic crime, etc.
- 3.3 Non case-related issues, i.e. the discussion on general subjects, such as harmonization of legislation, framework for mutual assistance, exchange of experience, mutual training programmes, working parties, analytical projects, studies, etc.

## 4. LEVELS

The problems appear, to a greater or lesser extent, on three different levels:

- the Macro level, i.e. the political/policy level,
- the Meso level, i.e. the administrative level (NCBs, Europol National Units or Schengen central units) and
- the Micro level, i.e. the operational (in our case the police officer) level.

5. INVENTORY - Matrix

To make the overlaps and bottlenecks apparent and suggest solutions, the working party has designed an overview, a rough matrix (Appendix I), where the different initiatives, in a broad sense, are listed on the left side. At the top of the matrix are indicated the tasks these different organisations are supposed to undertake, broken down into the above-mentioned three main categories:

- Information systems,
- Case-related information exchange, and
- Non case-related issues.

It should be underlined that this is only a graphic presentation which aims at being illustrative and not necessarily scrupulously accurate or exhaustive. The different parameters are not defined and will therefore be interpreted differently by different people.

As will be seen from the matrix, there are three police/law enforcement initiatives in Europe which are mutually interlocking and overlapping and, therefore, of practical concern.

The three are European Union/EDU-Europol, ICPO-Interpol and Schengen. (Please see Appendix II for factual information on EDU-Europol and Schengen.)

6. OVERVIEW OF PROBLEMS

6.1 Information systems

- 6.1.1 Lack of information because of different rules/practice as concerns input and deletion rules. Some networks will be inadequately or wrongfully informed and updated due to different rules and practices. The same country will have disharmonious information on different networks (e.g. ASF/SIS). If one network is excluded from the information, the attached country's network will be excluded from the information.

The Schengen countries will in principle not notify searches for arrest comprising the Schengen territory via Interpol in order to avoid double work (e.g. message for SIS and message for Interpol). Although logical, this routine has the effect that the Schengen countries deprive themselves from additional information on the wanted person/object that might already be available in the Interpol database, and from possibilities of arrest/seizure in other (non-Schengen) countries. Another negative aspect is that fellow member countries within Interpol (all Schengen countries are also Interpol members) are excluded from this information which might lead to reciprocal exclusion, thus harming international police co-operation.

Separate entities with a separate information system may cause disinformation, e.g. one country listed stolen cars in the Schengen system but not in the national NCB. Thereby, two information systems held different information concerning the same fact. One system had the information, the other did not. Thus, sheer coincidence would decide which system would be used and consequently if the car was listed as stolen or not. It is clear that all systems should contain complete and accurate information or at least be mutually consulted when requests for checks are made from abroad.

There are 45 European countries linked to the Interpol communication system. Of these 45, 15 are also linked to the Europol communication system and 10 out of those 15 are additionally linked to the Schengen Information System. This means that 30 countries will be excluded from the information exchanged only on the Europol system and 35 will be excluded from the information exchanged exclusively on the Schengen Information System. The omission of input into the Interpol system will lead to a radical loss of efficiency in the query phase, thus leaving 30 countries out of the international police co-operation.

- 6.1.2 Duplication of information, because a number of countries belong to two or more systems. In having different computer systems, it follows the extra expenditure of buying different systems, servicing different systems and training people on different systems.
- 6.1.3 Unco-ordinated legal basis between the different systems leads to confusion, disorder and extra training costs.

## 6.2 Case-related information exchange

- 6.2.1 A lack of harmonization of the different systems means that the officers on duty only with extra effort will be able to efficiently master the different systems to the full. There will be a lack of expertise in retrieving information.
- 6.2.2 The same information will be handled several times, on different lines, by different officers because the information is fed, analysed or retrieved in different systems.
- 6.2.3 Multiplication of liaison officers; several European countries have liaison officers seconded to Interpol (European Liaison Bureau), Europol (EDU) and their embassies.

## 6.3 Non case-related issues

- 6.3.1 Different working groups are established under the auspices of the different initiatives studying the same problems/items, sometimes reaching different solutions (e.g. money laundering, fingerprinting, etc.). Participation in different working groups on the same issues/matters causes waste of limited resources (capacity problems).
- 6.3.2 Parallel work is carried out at meso and macro level in different organisations aiming at assisting investigation, harmonizing legislation, making training schemes and analytical endeavours, etc.

## 7. SUGGESTED SOLUTIONS

### 7.1 Introduction

According to the mandate, the working group should: "suggest an action plan, aiming at rationalizing and making effective the tasks and work of the three entities".

The Interpol European Committee mandated the Working Group to come up with recommendations on how to proceed in the most effective way to achieve optimal results.

The solutions to the problems will have to be effected on two different levels:

- on the national level,
- on the international level.

When discussing the solutions one should bear in mind resolution AGN/63/RES/18 of the Rome General Assembly, 1994 which:

*"...CALLS UPON all Member States of the Organization to take such steps as are possible to ensure co-ordination, at a national level, of Interpol's National Central Bureaus and other units established to facilitate the international exchange of police information and to ensure that they operate within a structure that is identifiable, both nationally and internationally, as that responsible for international police co-operation."*

Likewise, the resolution AGN/64/RES/11 which was adopted in Beijing:

*"...ASKS the Secretary General to make a list of the regional police bodies and organizations responsible for international police co-operation at State level;*

*ALSO ASKS the President of the Organization and the Secretary General:*

- *to enter into negotiations:*
  - aimed at allowing the closest co-operation and the most fruitful exchanges at the highest level between Interpol and the regional organizations which they feel are useful to international police co-operation;...*
- *and to take account of the wishes expressed on this subject by Interpol Regional Conferences."*

The working group has interpreted its task as trying to remedy the factual situation in the most effective and practical way. More specifically this means:

- Trying to harmonize the practical application of the use of information systems as well as the rules governing the input, storage and retrieval of computerized data.
- Avoiding unnecessary duplication in case-related input and promoting harmonization in deletion rules and practices.
- Obtaining preferential treatment to all three entities and avoiding discrimination or preferential treatment to one or two.
- Endeavouring to avoid duplication of effort with regard to non case-related activity such as studies, analytical prospects, etc.

## 7.2 Suggested action

Taking into account problems described in paragraph 6, the two resolutions mentioned above, and according to the mandate of the Working Group suggested action is aiming at rationalizing and making effective the tasks and work of the three entities Interpol, EDU/Europol and Schengen.

### 7.3 Information systems

#### 7.3.1 At national level

It is recommended that at national level, it should be taken into consideration the gains which might be achieved by obtaining standardized or at least compatible computer equipment between different law enforcement bodies.

The benefits to be obtained by having identical rules for input and deletion of information in different information systems should be considered.

It should be considered, if feasible, to introduce a cross reference system which indicates whether (or not) the same information is stored in another computer system.

#### 7.3.2 At international level

Along the lines of resolution AGN/64/RES/11 (Appendix III) and in the same spirit, it is recommended that the General Secretariat initiates further contacts with EDU/Europol and the Schengen countries with the aim, to the extent possible, to harmonize, rationalize and make effective the work of the three entities especially with regard to possible legal and technical matters.

### 7.4 Case-related information exchange

#### 7.4.1 At national level

Considering the recommendations contained in resolution AGN/63/RES/18 (Appendix IV) aiming at ensuring co-ordination at national level of Interpol's National Central Bureaus and other units established to facilitate the international exchange of police information, it is recommended that with the aim of rationalizing and increasing the efficiency of computer input and query, solutions should be studied in order to reduce the practical operation of different computer systems to one keyboard operation.

#### 7.4.2 At international level

The same recommendation applies as described under Informations systems at national level (7.3.1 above).

### 7.5 Non case-related issues

#### 7.5.1 At national level

Member countries of Interpol are aware and concerned about the risk of loss of resources nationally brought about by the apparent lack of co-ordination and information exchange with regard to meetings and work in different working groups, seminars, symposia, studies, analyses, projects, etc. It is recommended that NCBS play an active role in monitoring and remedying this situation by seeking contact, consultation and dialogue with other international bodies to avoid duplication of effort.

#### 7.5.2 At international level

Bearing in mind resolution AGN/64/RES/11 and considering that ICPO-Interpol is a global organization, it is recommended that the General Secretariat takes the initiative to establish, from a police pragmatical approach of international co-operation, a periodically updated overview with regard to tasks and responsibilities undertaken by different international organizations with respect to police co-operation. In this work, the concerned NCBs should be involved.

It is recommended that the Interpol European Committee and the General Secretariat elaborate a paper outlining a strategy to facilitate the co-operation and compatibility between Interpol, Europol and Schengen.

#### 8. EUROPEAN REGIONAL CONFERENCE

For the member countries to be able to monitor progress of the requested harmonization, it is recommended that the different initiatives and their interrelation should be kept as an item on the agenda for the future European Regional Conferences.

#### 9. RECOMMENDATION

The European Regional Conference is invited to adopt the draft recommendation on the rationalization and co-ordination of European law enforcement initiatives based on the suggestions presented in this paper (Appendix V).

# COMPARATIVE STUDY EUROPEAN INITIATIVES

			CASE RELATED INFORMATION													NON CASE RELATED ISSUES						
ORGANISATION	MEMBERS	INFO SYSTEMS	WANTED	SENTENCED	SUSPECT	MIS-SING	IMMI-GRANT	DRUGS	VEHICLES	ART	ECO-NOMIC	ORG CRIME	TERR-ORISM	SOFT INFO	ANA-LYSIS	HARMON-ISATION/CO-ORDI-NATION	TRAIN-ING	ASSIST-ANCE	LEGIS-LATION/REGU-LATION	IMMI-GRATION	LIAISON OFFICER	LEVEL
INTERPOL	176	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES		YES	YES	YES	YES	YES	YES	YES	MICRO/ MESO
EUROPOL	15	YES	YES	YES	YES		YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	MICRO/ MESO
SCHENGEN	10	YES	YES	YES	YES	YES	YES	YES	YES			YES	YES	YES		YES	YES	YES	YES	YES	YES	MICRO/ MESO/ MACRO
THIRD PILLAR	15															YES	YES	YES	YES	YES		MESO/ MACRO
COUNCIL OF EUROPE	32															YES	YES	YES	YES	YES		MACRO
POLICE WORKING GROUP (TERRORISM)	20		YES	YES	YES								YES	YES			YES	YES			YES	MICRO
MAIPIDOU GROUP	37															YES			YES			MACRO
VIENNA CLUB	5												YES					YES		YES		MACRO
DRUGS CO-ORDINATORS GROUP	15															YES			YES			MACRO
PTN (NORDIC)	5							YES				YES			YES			YES			YES	MICRO
CROSS CHANNEL TELL. CONFERENCE	4						YES	YES			YES	YES						YES		YES		MESO
ITALIAN TELEDRUG	13	YES						YES														MESO/ MACRO
BALTIC SEA CO-OPERATION	11															YES	YES	YES	YES	YES		MESO/ MACRO
STAR	12															YES		YES				MESO/ MICRO
DUBLIN GROUP	22															YES		YES				MACRO/ MESO
MEC																YES	YES	YES	YES			MICRO/ MESO
EUROPE 2000																YES	YES	YES	YES			MESO/ MACRO
II.EA																	YES					MICRO
INDCP								YES								YES	YES	YES				MESO/ MACRO

Illegal network or criminal activity behind illegal immigration  
 Preliminary notes concerning the investigations: Interpol/Europol and Schengen Convention in 1990/1991

EXPLANATORY NOTES

THIRD PILLAR (K4 COMMITTEE)

The K4 Committee is a co-ordinating committee of senior officials. It has 15 members and was set up by Article K4 of the Maastricht Treaty, i.e. within the framework of the provisions on co-operation in the fields of justice and home affairs (the Third Pillar of the Treaty).

The K4 Committee has three steering committees covering:

- (1) Asylum and immigration
- (2) Police/customs co-operation and the fight against drugs
- (3) Judicial co-operation in civil and penal matters

Each steering committee has several working parties.

COUNCIL OF EUROPE

The Council of Europe was set up on 5th May 1949 and currently has 39 Member States. It is an intergovernmental organization whose aims are:

- (a) to protect and strengthen pluralist democracy and human rights;
- (b) to look for solutions to society's problems;
- (c) to promote awareness of a European cultural identity.

In fact, the Council of Europe covers nearly all aspects of European society with the exception of defence matters. Its Headquarters are in Strasbourg, France.

POLICE WORKING GROUP (TERRORISM)

In 1980 the heads of the anti-terrorism units in EEC countries set up the Groupe informel européen de coopération dans le domaine de la lutte contre le terrorisme (GIECLCT - Informal European Group on co-operation in combating terrorism). It holds meetings twice a year, at which the heads of the units from the 20 Member States discuss topical cases of terrorism and the measures taken to deal with them. Also, problems of co-operation between police forces during investigations or exchanges of information are discussed. The aim of these meetings is also to improve co-operation through concerted action in technical matters.

THE POMPIDOU GROUP

The Pompidou Group was set up in 1971 at the initiative of Mr Georges Pompidou, President of the French Republic, with the objective of improving co-ordination of the fight against drugs.

It was not officially recognized until 1980, when it was admitted to the Council of Europe. Member States of the Council of Europe are free to join if they wish. At the end of August 1995, 37 countries and the European Commission had joined the Group. Interpol and Europol have observer status with the Group. It should be noted that the Group's work led to measures taken to carry out checks on freight vessels at sea. Its latest study concerns trafficking in drugs by inland waterways:

The Group's Headquarters are in Strasbourg, France; it meets twice a year.

THE CLUB OF FIVE (VIENNA CLUB)

This has been in existence since 1979 and is composed of France, Italy, Germany, Austria and Switzerland. Meetings on terrorism and countermeasures are held from time to time, on two levels: ministers and senior officials.

DRUG CO-ORDINATORS' GROUP

(formerly the European Committee to Combat Drugs - CELAD)

The European Committee to Combat Drugs (CELAD) was set up on 1st December 1989, at which time it was responsible for drawing up the first European plan to combat drugs, which was ratified by the European Council in Rome in December 1990. This plan is the first attempt at a coherent programme of action at national and community level within the framework of existing jurisdictions, covering the medico-social aspects of drugs, the fight against drug trafficking, and international action. Major measures include setting up a European Monitoring Centre for Drugs and Drug Addiction.

When the Maastricht Treaty came into force in November 1993, CELAD was replaced by the Drug Co-ordinators' Group whose main task is to co-ordinate the Union's positions at international meetings. The Group itself is attached to the Police/Customs Co-operation Steering Committee which is one of the three steering committees of the K4 Committee. It currently has 15 members.

PTN (NORDIC)

This Nordic group for police and customs co-operation was set up in 1982 to combat drugs more effectively. It comprises Iceland, Finland, Sweden, Norway and Denmark. Its aim is to better co-ordinate the work done by the police and customs with regard to technique, training and information. Liaison officers have been appointed within the PTN. It meets twice a year. Member countries take turns to be responsible for the presidency and secretariat every two years.

THE CROSS-CHANNEL INTELLIGENCE CONFERENCE

This group was set up in 1963 and once a year senior police officials from countries bordering the English Channel and the North Sea (i.e. the United Kingdom, France, Belgium and the Netherlands) meet to discuss problems of security, both general and specific. The group acts as a kind of "think-tank".

Five years ago, liaison officers were appointed. They meet every month and their work has helped greatly to solve problems in member countries. There have also been exchanges of training and of police officers.

TELEDRUG

As the result of an Italian initiative, the Teledrug information system was set up in 1992. The system has been operational since September 1992 and is aimed at providing Italy and Turkey with a common database to enable them to respond more effectively to Eastern European criminal organizations engaging in drug trafficking. To date, 12 countries have joined Teledrug, and Germany, the United States and the Slovak Republic have also expressed an interest.

BALTIC SEA CO-OPERATION

This association was set up following a political initiative. It met for the first time in Sweden in 1993 and its objective is to combat international crime in the Baltic Sea area. At present, it comprises the government authorities, police, customs and coastguards of 11 countries, i.e.: Sweden, Norway, Finland, Denmark, Estonia, Lithuania, Latvia, Poland, the Russian Federation, Germany and Belarus.

The Netherlands, Ukraine and the Council of Europe participate as observers.

Two working parties have been set up: one analyses various aspects of crime prevalent in the region, including drug trafficking, illegal immigration, trafficking in weapons and nuclear waste, vehicle theft, money laundering; the other is looking for ways to improve co-operation. They meet once a year.

STAR GROUP

This is a standing group on drugs which was set up in 1972 at the initiative of the Bundeskriminalamt (BKA), the German Criminal Investigation Department, to back up its action against drugs. It is composed of the German federal states (the Länder), Austria, Belgium, Luxembourg, the Netherlands, France, Yugoslavia, representatives of the United States and a member of the Interpol General Secretariat.

DUBLIN GROUP

This Group was set up in June 1990 at the time of the Dublin Summit; it is composed of members of the European Union and of the European Commission, representatives of the United Nations International Drugs Control Programme (UNDCP), as well as Australia, Japan, the United States, Canada and Norway. It is a centre for reflection on policies to combat drugs and its aim is to co-ordinate activities to avoid duplication of effort which occurs all too often, giving rise to a waste of money, time and effort. It meets twice a year.

ELEC

(European Law Enforcement College)

ELEC is an international non-governmental association created in the Spring of 1995; its Headquarters are at the Gendarmerie Headquarters in Brussels, Belgium. It was set up by senior police authorities and the private sector and has been given Council of Europe support.

The aim of this public and private association is to develop and encourage judicial and police co-operation in order to combat organized crime, traffic in human beings, traffic in nuclear waste, money laundering, etc. between the countries of Central and Eastern Europe on the one hand and those of Western Europe on the other.

One of ELEC's objectives is to set up a single operational contact network.

EUROPE 2000

Europe 2000 is an independent international association with no political, economic or cultural aims, which was founded in Belgium by Royal decree on 17th August 1989.

Since it was set up, it has organized meetings for academics, industrialists and scientists to exchange ideas on future European society, particularly in the field of legislation and the economy. Its main aim is to keep the public informed about the consequences of abolishing internal borders and introducing a single market. Matters discussed by Europe 2000 also include internal security, integration, border control at external frontiers and data protection.

ILEA

(International Law Enforcement Academy, Budapest)

This Academy was set up in 1995, following a United States initiative. Its objective is to train police officers in Central and Eastern European countries methods used in Western countries. Five 8-week sessions, based on the FBI programme, are held each year, (each session is attended by about 50 trainees). ILEA is directed by the University of Virginia in the United States. The Committee is composed of Russia, Poland, Bulgaria, Ukraine, Belarus and Hungary, together with the United States and European representatives teaching at the Academy.

UNDCP

(United Nations International Drugs Control Programme)

This is a single programme, created in 1991, combining the structures and functions of the three existing United Nations units: the Narcotic Drugs Division, the secretariat of the International Narcotics Control Board, and UNFDAC (United Nations Fund for Drug Abuse Control).

Its Headquarters are in Vienna, Austria.

It is a member of the Major Donors informal group. There is a liaison agreement governing relations between the European Union and UNDCP (exchange of letters between the Commission and UNDCP).

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## BRIEFING NOTE ON SCHENGEN AND EUROPOL

## SCHENGEN:

The Schengen agreement of 14th June 1985 aims at *gradually suppressing the controls at common borders within the member states to facilitate the free movement of people and goods*. As a compensatory measure the so-called Schengen Information System (S.I.S.) was established. The S.I.S. is a common information system for border control and law enforcement purposes in the member countries. The S.I.S. will in the future be made available for all European Union member states with regard to the free movement within the EU. The European Information System (E.I.S.) will be identical to the current S.I.S.

## Member States:

The following countries have joined the Schengen Convention:

Austria, Belgium, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal and Spain. (Denmark, Finland and Sweden may join in the near future).

Since 23rd April 1995 the S.I.S. is operational in the BeNeLux, France, Germany, Spain and Portugal and border control has been lifted in these countries (reintroduced however by France in the course of 1995 for security reasons).

## EDU/EUROPOL:

On 3rd January 1994 the Europol Drugs Unit - the forerunner of Europol - started to operate in The Hague (NL).

The creation of a European Police Office (Europol) is based on article k. 1 (9) ("matters of common interest") of the treaty on European Union ("Maastricht Treaty").

## Member States:

The European Union comprises Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom.

## Europol Convention:

On 26th July 1995 the Europol Convention was signed in Brussels. The objective of Europol shall be *"to improve the effectiveness and cooperation of the competent authorities in the Member States in preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime where there are factual indications that an organized criminal structure is involved and two or more Member States are affected..."*.

In order to perform its tasks Europol shall establish a computerized information system, which will be directly accessible by the Europol National Units (ENUs) and liaison officers of Europol.

The Europol Convention will not enter into force before adoption by all Member States. Until that time the legal basis for EDU is the Joint Action of 10th march 1995 (cf. article K3 (2)(b), Maastricht Treaty), replacing the Ministerial Agreement of 2nd June 1993.

Scope of activities:

According to the Joint Action EDU will act as a non-operational team for the exchange and analysis of information and intelligence, as soon as they affect two or more member states, in relation to:

- (a) illicit drug trafficking,
  - (b) illicit trafficking in radio active and nuclear substances,
  - (c) crimes involving clandestine immigration networks,
  - (d) illicit vehicle trafficking,
- together with the criminal organisations involved and associated money laundering activities.

Information exchange between EDU and competent services in the EU member states are channelled through a national central authority (ENUs).

Representatives of ENUs (Europol) from 10 of the 15 EU member states are also representing the NCB (Interpol) of their country.

INFORMATION SYSTEMS:

The following chart shows a comparison between the selected data-base of ICPO-Interpol (ASF), the Schengen Information System and the Europol Information System (as foreseen in the Europol Convention).

	INTERPOL	SCHENGEN	EUROPOL
<u>legal basis:</u>	Interpol Vade Mecum (part 2, chapter 10)	Schengen Convention	Europol Convention
<u>member countries:</u>	176	10	15
<u>direct access:</u>	NCBs and competent official services (art.3)	competent authorities (art.101)	Europol and ENUs, incl. LOs (art.9)
<u>content information system:</u>	(art.1)		(art.8)
a. wanted persons	x	x (art.95/98)	-
b. missing persons	x	x (art.97)	-
c. suspected persons	x	x (art.99)	x
d. potential offenders	x	-	x
e. convicted persons	-	-	x
f. non-admissible aliens	-	x (art.96)	-
g. stolen/illegally acquired articles	x	x (art.100)	-
h. objects to be seized	-	x (art.100)	-
i. counterfeit/forged currency	x	-	-
j. suspected vehicles, planes, boats, etc.	x	x (art.99)	-
k. modus operandi	x	-	x (means used to commit crimes)
l. images	x	-	-
m. fingerprints	x	-	-

AGN/64/RES/11RESOLUTION

Subject: Relations with the other international bodies and with police organizations in particular

BEARING IN MIND Article 41 of the Organization's Constitution,

NOTING THE CONTENTS OF Report No. 23, entitled "Relations with the other international bodies and with police organizations in particular",

AWARE of the importance, to the development of the fight against international crime, of establishing relations between the various regional police organizations and the ICPO-Interpol, whose scope of activity and whose influence extends to 176 member countries,

ALSO AWARE of the need to avoid any duplication of personnel, procedures and computer systems in the international fight against crime in order to prevent any unnecessary expenditure and diverging strategies,

CONVINCED OF the need to fight crime on a worldwide basis in order to prevent certain countries bound by regional agreements from feeling self-sufficient in the fight against crime,

The ICPO-Interpol General Assembly, meeting in Beijing from 4th to 10th October 1995 at its 64th session:

ENDORSES the analyses and considerations contained in the above-mentioned Report;

ASKS the Secretary General to make a list of the regional police bodies and organizations responsible for international police co-operation at State level;

ALSO ASKS the President of the Organization and the Secretary General:

- to enter into negotiations:
  - . aimed at allowing the closest co-operation and the most fruitful exchanges at the highest level between Interpol and the regional organizations which they feel are useful to international police co-operation;
  - . with the United Nations with a view to establishing a procedure aimed at obtaining observer status for the Organization at the UN General Assembly sessions;
- to submit to the General Assembly for its approval any draft convention agreement or protocol which they conclude;
- and to take account of the wishes expressed on this subject by Interpol Regional Conferences.

AGN/63/RES/18RESOLUTION

Subject: International exchange of police information

CONSCIOUS of a number of initiatives being pursued outside the context of the ICPO-Interpol to promote the international exchange and analysis of police information,

RECOGNIZING the potential value of such initiatives in combating international criminality,

HINDFUL of the need to maintain and improve efficiency in the handling of information, to avoid duplication of effort and for the appropriate points of reference for the international exchange of information to be clearly identifiable as such to third parties,

HAVING REGARD to the importance of co-ordinating international enquiries and centralising all relevant information,

RECOGNIZING that, whilst individual units with their own identity may be necessary to carry out the tasks arising from regional or other initiatives, an unco-ordinated proliferation of such units could have an adverse effect on international police co-operation,

The ICPO-Interpol General Assembly, meeting from 28th September to 4th October 1994 in Rome at its 63rd session:

CALLS UPON all Member States of the Organization to take such steps as are possible to ensure co-ordination, at a national level, of Interpol's National Central Bureaus and any other units established to facilitate the international exchange of police information and to ensure that they operate within a structure that is identifiable, both nationally and internationally, as that responsible for international police co-operation.

Adopted unanimously

DRAFT RECOMMENDATION

Subject: Rationalization and co-ordination of European law enforcement initiatives

RECOGNIZING the importance of various European initiatives in the law enforcement sector,

CONCERNED that duplication of effort and the unnecessary use of resources would hinder achievement of the common goal which is to combat cross-border crime and criminals,

AWARE that efficiency can best be achieved by rationalization of activities and close co-operation between the various international law enforcement institutions,

TAKING INTO ACCOUNT resolutions AGN/63/RES/18 and AGN/64/RES/11,

The 25th European Regional Conference, meeting in Warsaw from 29th to 31st May 1996:

RECOMMENDS that each country should give consideration to the advantages which might be gained:

- if the various law enforcement co-operation institutions acquired standard, or at least compatible, computer equipment;
- if the various information systems had identical rules on the input and deletion of information;
- if a reference system indicating whether the same information is stored in another database could be introduced;
- if entering data and querying databases could be achieved by one single keyboard operation (taking into account resolution AGN/63/RES/18);
- if, in the light of the apparent lack of co-ordination and information with regard to meetings, working parties, seminars, symposia, studies, analyses, projects, etc., NCBs played a more active part in remedying this situation by contacting, consulting and engaging in dialogue with the other institutions to avoid duplication of effort;

FURTHER RECOMMENDS that:

- with the assistance of the NCBs concerned, the General Secretariat prepare a practical, periodically-updated table showing the tasks and responsibilities undertaken by different international institutions in the field of law enforcement;
- the General Secretariat hold discussions with EDU/Europol and the Schengen countries on the possibility of co-ordinating all three institutions' activities, especially from the legal and technical points of view;

ALSO RECOMMENDS that the Interpol European Committee and the General Secretariat prepare a paper outlining a strategy to facilitate compatibility and co-operation between Interpol, Europol and Schengen.