



THE IMPORTANCE OF INTERNATIONAL POLICE COOPERATION

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Abstract:

International police cooperation requires activities such as: international studies to correctly identify the threats; action coordination; information exchange; harmonization of legislation in criminal matters; carrying out procedural acts requested by rogatory commissions; exchange of operative information and direct cooperation between police forces.

Keywords: legal assistance, international police cooperation.

Romania's experience in combating trafficking in human beings dates from 2001, with the advent of the legal framework, Law no. 678 of 21 November 2001 on preventing and combating trafficking in persons. The law regulates the institution of the Liaison Officer in the Ministry of Interior and Administrative Reform and the liaison magistrate in the court prosecutors' offices that ensure mutual consultation with liaison officers or, where appropriate, liaison magistrates operating in other states (European Prosecutor model) in order to coordinate their actions during prosecution. The law also provides for the establishment of contact points within the Ministry of Administration and Interior and the Prosecutor's Office attached to the High Court of Cassation and Justice with similar institutions in other countries in order to exchange data and information on the

investigation and prosecution of offenses related to trafficking in human beings.

Also, by Law no. 565/2002, Romania has ratified the United Nations Convention against Transnational Organized Crime and its Protocols on Prevent, Suppress and Punish Trafficking in Persons and Smuggling of Migrants. However, by Law no. 300 of 11.07.2006, it ratified the Council of Europe Convention on Action against Trafficking in Human Beings, adopted on May^{3rd} 2005 and signed by Romania in the same month.

Among the most used methods for international cooperation we mention:

- *Legal assistance in criminal matters regulated in Romania by Law no. 302/2004, amended by Law no. 224/2006 which include the development and execution of procedural acts initiated by the judicial organs in various states,*

and that is achieved mainly through rogatory letters concerning the middle or final stage of the criminal process, when the perpetrators are identified, caught and are on trial or have been convicted;

- *International exchange of operational data and information of police*, which is regulated in Romania by the Statute of ICPO - Interpol, by the Agreement Romania - Europol and SECI Agreement. This exchange of information is intended mainly for the first phase of the criminal process to identify criminal networks and means of proof.

The existence of international police cooperation is dictated in many cases, by the content of treaties, conventions, covenants or agreements concluded or ratified by two or more States, or of some agreements and protocols concluded on its own initiative, involving the execution of activities performed by the police. Regardless of the act giving rise to cooperation between states, it can be classified asⁱ:

- a) According to the number of contracting parties, there is bilateral and multilateral cooperation.
- b) According to the regional interests and geographical position of the contracting states there are:

- continental cooperation (in Europe, Asia, America etc.);
- regional cooperation (between the countries in the Balkans and Latin America);
- universal cooperation (within O.I.P.C. – Interpol).

c) According to the content of the document:

- simple cooperation, when the document has only one or two objectives (drugs trafficking and terrorism);
- multiple cooperation, when the document has more objectives.

The researchers of the Centre for Public Opinion in the Great Britain have established another typology regarding the forms of police cooperation:

- a) macro cooperation – on legislative and constitutional issues;
- b) medium cooperation –on structures, procedures and police practice (T.I.S.P.O.L. – European Traffic Police);
- c) micro cooperation – regarding the prevention of specific crimes.

International Police Cooperation Centre (IPCC) is the only structure in Romania specialized in intelligence sharing in the fight against organized cross-border crime. It was created as a unique platform for police cooperation providing operational information

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management. According to the Government Decision no. 306 of 14 April 2005 approving the updated strategy for institutional reform of the Ministry of Interior and Administrative Reform the International Police Cooperation Centre was established and includes the organizational structure: National Focal Point (Operational Service National Unit EUROPOL, SIRENE Service) and the National Bureau Interpol (International Track and Extradition Service, Service Operations and Service Documentation Judicial Identification).

The two structures form a national police cooperation platform, maintaining individuality specific to each structure embedded, previously established, as required by law and the obligations assumed by Romania on business segments, thus ensuring: the organization of integrated management between the Ministry of Interior and Administrative Reform and mechanisms for operational cooperation with other ministries, or international bodies, Interpol and Europol and with national police in other countries, the development of regional and international cooperation with foreign liaison officers accredited in Romania, with the internal affairs attachés and officers accredited in EU countries and strengthen cooperation with international agencies in the field.

While performing the specific activities, CCPI has implemented a data base that stores and processes applications for assistance according to the lawⁱⁱ.

On May 20, 1999, Albania, Bosnia and Herzegovina, Bulgaria, Greece, Moldova, Romania, Turkey and Hungary signed in Bucharest the Agreement on cooperation in preventing and combating cross-border crimeⁱⁱⁱ - (on 16 November 1999 Croatia joined the agreement), where it was agreed to open in Romania, a regional center for combating this type of crime. Each Contracting Party at the S.E.C.I. agreement (South-East European Cooperative Initiative)^{iv} sent (or will send) two liaison officers, one from the police and one from the customs.

SECI Centre' objectives include: developing an effective regional cooperation through foreign liaison officers to identify, prevent and combat cross-border crime by sharing information, strengthening institutional linkages at the national level between law enforcement agencies, judicial assistance for investigations; coordination with ICPO-Interpol, Europol and the Customs and proposals on issues that affect the quality of cooperation between law enforcement agencies in the region.

Task Forces are cooperation instruments established at the initiative of some of the Member States with the statute

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of observer according with the general regulation of these operations of the S.E.C.I regional centre. Their activity is based on the annual action plan of the S.E.C.I centre approved by the members.

The participants of the S.E.C.I Centre are *liaison officers* (police officers and customs officers) accredited by the Member States; *permanent observers* from US, Austria, Belgium, Italy, France, England, Germany, Spain și Ukraine; *O.I.P.C. representatives* – *Interpol* and the Administration of the World Organization of Customs.

S.E.C.I. agreement states that each Member State has to develop an institutional framework for international cooperation at national level by establishing focal points.

S.E.C.I centre signed an agreement with O.I.P.C. – *Interpol* regarding the use of telecommunication system.

Following the recommendations of the European Union since March 2001 there were adopted strong measures to secure and monitor the state border of Romania and was established within the SECI Centre, based in Bucharest, an international task force to prevent and combat trafficking in human beings, composed of specialized officers from SECI member states: Albania, Bosnia and Herzegovina, Greece, Moldova, Slovenia, Hungary, Bulgaria, Croatia, Macedonia,

Turkey and Romania (Germany, Italy, Ukraine, France and Austria have observer status). National Coordinator for Romania's participation in the Task Force was appointed by the Romanian Government, the Director General of the General Directorate for Combating Organized Crime.

The following countries sent observers: Austria, Belgium, Germany, France, Italy, Netherlands, United Kingdom, Russian Federation, USA, Ukraine, Poland, Czech Republic and Slovakia. The Centre also cooperates with a number of international bodies such as the International Organization for Migration, the Stability Pact for South Eastern Europe Initiative (SPOC), the OSCE, EULECL, International Centre for Migration Policy Development (ICMPD) and various specialized bodies of the United Nations.

Interpol National Bureau of Romania was created on January 10, 1973 and operates within the General Inspectorate of Romanian Police, as the point of national support for international police cooperation, with each member of the ICPO^V - *Interpol* National Contact Office and the General Secretariat of *Interpol*.

National *Interpol* Bureau has an important role in overcoming the obstacles encountered in international police



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cooperation structures resulting from differences between national police structures, language barriers and differences in legal systems. However, this body provides operational exchange of information obtained from other police structures by transmission NCB's and the General Secretariat of ICPO - Interpol^{vi}.

The Bureau carries out on the national territory police operations requested by other Member States of the ICPO - Interpol and receives requests for information, etc. checks from other sites and from NCB Interpol General Secretariat for submission to the relevant operational units giving answer to those who have requested them.

National Bureau of Interpol provides access to the database of the General Secretariat of Interpol (international tracking people in stolen cars, stolen art objects, passports and administrative documents).

National Focal Point (NFP) is an institution established on December 1, 2000 with the rank of Director of the Ministry of Interior and Administrative Reform, in accordance with the provisions of the Government Emergency Ordinance no. 201/2000 on establishing the institutional framework necessary for the operation of SECI Regional Center to combat cross-border crime, approved by Law no. 357/2001.

National Focal Point is the specialized

structure of the Centre for International Police Cooperation, which provides operational connection between Romanian and foreign authorities through internal affairs attachés and liaison officers of the Ministry of Interior and Administrative Reform, accredited in European countries or international organizations and manages the information flow on related operations conducted by international police cooperation specialized structures of the Ministry of Interior and Administrative Reform in preventing and combating cross-border crime.

The activity of the National Focal Point is to ensure operational cooperation between the competent structures with responsibilities in this line of the Ministry and the Ministry of Finance, General Directorate of Customs and corresponding agencies in states participating in S.E.C.I.

In order to intensify cooperation activities with countries of the European Union, it was signed on 25 November 2003 the Cooperation Agreement between Romania and the European Police Office (EUROPOL), ratified by Law no. 197/2004.

Under the provisions of the Cooperation Agreement between Romania and the European Police Office (EUROPOL), on 15 February 2004, the National Focal Point has been designated as a specialized unit within the Ministry of



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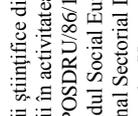
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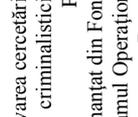
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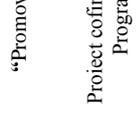
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Administration and Interior to act as national contact point for Europol according to EU standards.

Within the structure of the National Focal Point will work SIRENE Bureau (additional information requested in the National Entries) aimed at managing connections with the Schengen Member States by providing data that are part of the Schengen Information System, according to the Convention implementing the Schengen Agreement.

S.I.R.E.N.E. (SIS) is a database in the Member States of the Schengen Agreement, which functions under the Convention implementing the Schengen Agreement, which includes data on citizens, goods and vehicles that are subject to searches in the European Union.

S.I.R.E.N.E. is the only point of contact between law enforcement authorities of the Schengen Member States, each Member State having one SIRENE Bureau nationally.

Schengen Member States should establish a centralized system called SIS, supported by national copies in each central structure of law enforcement.

The central system, established at Strasbourg, was connected simultaneously to national systems in order to highlight any time operational situation of a certain type of crime and provide relevant intelligence to supplement the discovery of

new alerts. S.I.S. is an electronic database for police which currently comprises 15 million alerts entered by 15 members consisting of a national system (SINS) established in each Schengen State and a central system (CSIS) located in Strasbourg. All national systems are connected on-line with the central system. National Focal Point cooperation activities with the following structure: SECI Center; Ministry of Interior liaison officers accredited in other states, with foreign liaison officers accredited in Romania, through Europol National Unit and in the future, with members of Schengen - SIRENE through the Service.

National focal point receives/sends requests regarding:

- operational information for combating crime;
- evidence gathering for criminal groups investigated for having committed cross border crimes;
- support for foreign law enforcement agencies with the help of attaches and liaison officers in launching common actions or collaboration for exchange of information;
- other forms of cooperation which derive from international normative acts for preventing and combating crimes^{vii}.

EUROPOL^{viii} National Unit



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Europol's mission is to make significant contribution to the action of the European Union law enforcement action against organized crime and terrorism, concentrating on criminal organizations. Given that the activities related to organized crime do not stop at national borders, Europol has improved international law enforcement cooperation by negotiating bilateral agreements or strategic intelligence with other countries and international organizations, as follows: Bulgaria, Colombia European Central Bank, European Commission, including the European Anti-Fraud Office (OLAF) and Eurojust, the European Monitoring Centre for Drugs and Drug Addiction Iceland, Interpol, Norway, Switzerland, Turkey, the U.S., the UN Office on Drugs and Crime, the World Customs Organization, Romania and Russia.

The support provided by Europol to Member States is to facilitate the exchange of information, according to national law, between the Europol liaison officers.

They are seconded to Europol by Member States as representatives of national agencies in charge of law enforcement in these countries, developing operational analysis to support operations, developing strategic reports and analyze criminal activities based on official data and information provided by Member States and third parties, to provide

expertise and technical support for investigations and operations within the European Union, under the supervision and liability of the Member States concerned; promoting forensic analysis and investigation techniques harmonization of Member States.

In the Convention with Europol it is stipulated that the Europol National Unit shall establish and keep an IT system in order to allow the introduction, access and analysis of data.

The Convention stipulates a strict framework to guarantee the protection of the rights of persons and data, as well as control, supervision and security.

The system has three main components: an informational system, an analysis system and an index system.

In order to enhance collaboration activities with the states from the EU, on November 25, 2003 the cooperation agreement between Romania and the European Police Bureau was signed and ratified by the Law no. 197/2004.

Thi laws established the action methods and procedures to be applied by the National Bureau of Europol, as the main goal is aligning institutional and operational capacity of the Romanian Police to EU standards and implementing best practices in the areas of police and the fight against organized crime.

According to the same law on

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cooperation between Romania and the European Police Office it is specified that in the context of this document there are defined the purpose, areas of cooperation, information sharing and supply by Romania, providing personal data by Europol, evaluating sources and information, procedures for confidentiality of information, how liaison officers are represented, the responsibility assumed by Romania, and ways of solving disputes. Exchange of information by Europol National Unit, aims at financial crimes (credit cards and deception, forgery of currency, fraud), drug trafficking, trafficking in human beings, smuggling, murder/kidnapping, serious damage to

property, trafficking of nuclear materials and radioactive materials, crimes against the environment, theft and terrorism, focusing on criminal groups involved.

Requests for assistance by Europol National Unit can only be made where there is reliable information about the association of criminal groups in the Romania with the required checks.

Cooperation may involve, apart from the exchange of information, all the competencies of Europol mentioned in the Convention, mainly exchange of knowledge, reports, information about investigation procedures and preventive methods as well as advice and support in criminal investigations^{ix}.

References:

Stancu ȘERB, Constantin DRĂGHICI, Adrian IACOB, Andrei IGNAT, *Drept polițienesc și contravențional*, Tritonic Publishing House, Bucharest, 2003.

Government Decision no. 103/21.12.2006 on enhancing international police cooperation.

Cooperation agreement on preventing and combating cross border crime ratified by Romania through Law no. 208/1999.

S.E.C.I. Agreement.

<http://www.europol.europa.eu/>

ⁱ Stancu ȘERB, Constantin DRĂGHICI, Adrian IACOB, Andrei IGNAT, *Drept polițienesc și contravențional*, Tritonic Publishing House, Bucharest, 2003, p. 217-218.

ⁱⁱ Art. 6 par.2 from Government Decision no. 103/21.12.2006 on enhancing international police cooperation.

ⁱⁱⁱ Cooperation agreement on preventing and combating cross border crime ratified by Romania through Law no. 208/1999.

^{iv} S.E.C.I. Agreement.

^v See more about INTERPOL at: <http://www.interpol.int>.



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vi Adrian IACOB, *Criminalitatea organizată și cooperarea polițienească între state*, Ph.D thesis, „Alexandru Ioan Cuza” Police Academy, Bucharest, 2007.

vii Idem

viii For more information about EUROPOL access : <http://www.europol.europa.eu/>

ix Adrian IACOB, *Cooperarea polițienească între state*, Tritonic Publishing House, Bucharest, 2007, p.336.



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