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EU Schengen Catalogue



POLICE CO-OPERATION
Volume **4** | *Recommendations and Best Practices*

June 2003

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*POLICE CO-OPERATION
Recommendations and Best Practices*

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Preface by the Greek Presidency.

In accordance with decision of the Council on 28 May 2001, the Working Party on Schengen Evaluation has initiated the drawing up a Catalogue of recommendations for the proper application of the Schengen *acquis* and of best practices.

The purpose of the Catalogue is to clarify and detail the Schengen *acquis* and to indicate recommendations and best practices, in order to provide an example for those States acceding to Schengen and also those fully applying the Schengen *acquis*. The aim is not to give an exhaustive definition of the whole of the Schengen *acquis* but to put forward recommendations and best practices in the light of the experience gained through the continuous evaluation in the Schengen States of the correct application of the Schengen *acquis*.

The first volume of the Catalogue regards external borders, removal and readmission. It was adopted and handed over to the candidate countries at the Council on 28 February 2002. The second volume of the Catalogue addresses specifically the Schengen Information System and SIRENE. It gives a good indication to candidate countries for accession to the European Union as to what is expected of them, particularly in practical terms, regarding Schengen.

Greece, which has held the Presidency of the Council of the European Union during the first semester of 2003, considers it very important to continue the work on drafting the Catalogue.

On 13/01/2003 the Schengen Evaluation working group adopted the following mandate for the drafting of a catalogue of Cross Border Police Co-operation. ("Outcome of proceedings of the Schengen evaluation Working Party on 13 January 2003 n° 5610/03 COMIX 41, item n° 5 Best Practices Catalogue: The Greek Presidency is willing to proceed with the efforts of the previous Presidencies to draft volumes of the "best practices catalogue". (.....) Experts involved in the inspection in Spain will be invited with other interested experts to the first meeting in Brussels. These drafting committees are open for every Member State and for the Commission services.")

This catalogue regards the recommendation and best practices for Police Co-operation.

The Greek Presidency would like to thank the Schengen States and the Commission for help and good co-operation in drawing up the catalogue and in this connection addresses special thanks to Belgium for helping the Greek Presidency.

Of course, like the other catalogues, the purpose of the new catalogue is explanatory and it has no legally binding status. It shows, set out in separate columns, on the one hand, the levels which should be required in order to comply with the Schengen *acquis*, and on the other hand, the best practices recorded in some of the Schengen states.

The catalogue will be handed over to the acceding countries and the candidate countries. The Greek Presidency is confident that it will constitute a useful and additional instrument for ensuring the successful integration of the new Schengen states of the European Union.

Athens, June 2003
Greek Ministry of Public Order
The Minister
Michalis Chryssohoidis

INTRODUCTION

1. At its meeting on 28 May 2001, the Council set as an objective for further work by the Working Party on Schengen Evaluation the identification of "... best practices, particularly as regards border controls, so that they can serve as examples for those States acceding to Schengen but also those fully applying the Schengen *acquis*. These evaluations and the identification of best practices shall serve as inspiration for the establishment of standards defining the minimum application of the Schengen *acquis* (...) in the relevant working groups" (mandate for the Working Party on Schengen Evaluation) (8881/01 – SCH-EVAL 17, COMIX 371).

On the basis of this mandate, the Working Party on Schengen Evaluation worked out the principles and procedure for drawing up the Catalogue of recommendations for the correct application of the Schengen *acquis* and best practices, hereinafter referred to as the Catalogue of recommendations and best practices, or Catalogue.

The purpose of the Catalogue is to clarify and detail the Schengen *acquis* and to indicate recommendations and best practices, in order to provide an example for those States acceding to Schengen and also those fully applying the Schengen *acquis*. With this in mind the Catalogue gives a good indication to the future Schengen states and the Candidate countries for accession to the European Union (hereinafter referred to as the "EU") (at their request) as to what is expected of them, particularly in practical terms, regarding Schengen. The aim is not to give an exhaustive definition of the whole of the Schengen *acquis* but to put forward recommendations and best practices in the light of the experience gained by the Working Party on Schengen Evaluation in verifying the correct application of the Schengen *acquis* in several countries.

The text of the Catalogue does not seek to introduce new requirements but should also make it possible to draw the Council's attention to the need where appropriate to amend certain provisions of the Schengen *acquis* so that the Commission and, where appropriate, the Schengen states take the recommendations and best practices into account when putting forward proposals or formal initiatives. This exercise is *inter alia* the first stage of the process of defining minimum standards by the Council.

Moreover, the Catalogue will serve as a reference tool for future evaluations undertaken in the candidate countries. It will therefore also serve as an indicator for these countries of the tasks that they will be assigned and in this respect should be read in conjunction with the Police co-operation Manual.

2. The Working Party on Schengen Evaluation adopted the following definitions to conduct this exercise:

Recommendations: non-exhaustive series of measures which should make it possible to establish a basis for the correct application of the Schengen *acquis* and for monitoring it.

Best Practices: non-exhaustive set of working methods or model measures which must be considered as the optimal application of the Schengen *acquis*, it being understood that several best practices are possible for each specific part of Schengen co-operation.

3. Where the Catalogue mentions the Member States which apply the Schengen *acquis*, this is currently to be taken as meaning the thirteen Member States of the EU referred to in Article 1 of the Protocol integrating the Schengen *acquis* into the framework of the EU annexed to the Treaty on European Union and to the Treaty establishing the European Community (hereinafter the "Schengen Protocol"), to which must be added Iceland and Norway, pursuant to the Agreement concluded by the Council of the European Union, the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*, signed on 18 May 1999 (these 15 States are hereinafter referred to as the "Schengen States").

The United Kingdom and Ireland have expressed the wish to participate in certain provisions of the Schengen *acquis*. The arrangements for the United Kingdom's participation were adopted in the Council Decision of 29 May 2000 (2000/365/EC), those for Ireland in the Council Decision of 28 February 2002 (2002/192/EC). The Council has not yet decided on the implementation of the provisions in question.

The Schengen *acquis* and the other measures taken by the institutions within the scope of the *acquis* are, under Article 8 of the Schengen Protocol, regarded as an *acquis* which must be accepted in full by all States candidates for accession. The Accession Treaty signed in Athens on 16 April 2003 sets out in detail the position of the acceding States with respect to the provisions of the Schengen *acquis*.

4. The Schengen Protocol integrated the Schengen *acquis* into the EU framework. The extent of the *acquis* is defined in Council Decision 1999/435/EC, published in OJ L 176 of 10 July 1999.

Since its integration into the EU, the Schengen *acquis* has undergone developments and amendments which lend it an evolutionary character.

The Schengen *acquis* has also taken on board the results of the evaluations, which have been conducted within the framework of the Standing Committee for the application, and evaluation of the Schengen *acquis*, now called the "Working Party on Schengen Evaluation". Under the Working Party's mandate, reports are submitted to the Council to establish whether the conditions required for the entry into force of the provisions of the Schengen *acquis* in a country wishing to participate in those provisions (or in some of them) have been met and, secondly, to monitor the correct application of the Schengen *acquis* by the Schengen States, in particular by detecting problems and proposing solutions.

5. The first volume of the Catalogue, which was handed over to the candidate countries at the Council of 28 February 2002, dealt with borders, border surveillance, and border control (first part) and with removal and readmission (second part). The second volume of the Catalogue that was adopted by the Justice and Home Affairs Council on 19 December 2002, deals with the Schengen Information System, notably the application of the SIRENE Manual. The third volume of the Catalogue deals with issuing of visa and was adopted by the General Affairs and External Relations Council on 8 March 2003.

6. The current volume of the Catalogue consists of two main parts: the first one on mutual assistance and information exchange, and the second one on operational co-operation. This division acknowledges the fact that information exchange is the most important element of any co-operation between law enforcement bodies. A short general section describes the basic concepts underlying the recommendations and best practices. These are presented in tabular form, with recommendations on the left and best practices on the right, alongside the relevant recommendations.

Free movement within the territory of the Schengen States is a freedom which as a counterpart requires not only the strengthening of the common external borders and the administration of third country nationals, but also enhanced co-operation between law enforcement authorities of Schengen states. Accordingly, the measures adopted in this context seek to strengthen European integration and in particular to enable the EU to become more rapidly an area of freedom, security and justice.

PART IV : POLICE CO-OPERATION

DETAILS OF RECOMMENDATIONS AND BEST PRACTICES

A. General section

The list of recommendations and best practices set out hereunder has been compiled mainly on the basis of the outcome of different evaluations carried out over the last years.

Because police co-operation takes place in the preserve of national sovereignty, the Schengen Convention merely sets out a set of basic principles. The implementation of these principles (procedures, competent authorities, possible authorisations, channels, etc) underlie national law. Best practices have therefore to be formulated in a sufficiently abstract manner to cater for these national specifics. This *Catalogue* is complementary to the Police Co-operation handbook that provides details on the procedures to be complied with.

Besides, where police co-operation has been shaped by bilateral agreements best practices set out what the practices are in that respect.

When entering into a bilateral agreement it should be considered whether it is more appropriate to establish a direct co-operation between the competent authorities with a view to ensure efficient co-operation.

The implementation of the recommendations and best practices contained in this document shall take place within the framework of the relevant provisions of the Schengen Convention, bilateral agreements and national law, including provisions on the competences under national law, while aiming at ensuring the most efficient co-operation

This catalogue is divided in three main chapters, mutual assistance and information exchange, operational co-operation and structures and training. These sections follow as much as possible the Schengen Convention.

Police co-operation via the Schengen Information system and SIRENE is not covered in this volume of the catalogue, as it was part of the second volume (see there).

Police co-operation within the Schengen States takes place at three geographically distinct locations.

In the first place within the territory. The main thrust of police co-operation lies in the border regions where need for daily cooperative effort is most clearly present. Since the entry into force of the Schengen Convention between the original signatory States in 1995, a score of bilateral arrangements and agreements have been concluded to tailor the co-operation to the needs of a specific border or border region. The assessments conducted in the context of the Schengen Evaluation have demonstrated that the main activity lies in fighting organised crime. This catalogue does however cover the enabling articles of the Schengen Convention that fosters police co-operation at the internal borders. Additionally, police co-operation inside the Schengen territory takes place between the States applying the Schengen acquis. Examples are the mutual assistance between central authorities and the use of the Schengen Information System (hereafter referred to as SIS) that allows each State to trigger law enforcement action in another State.

Secondly at the external borders, law enforcement action is dedicated to the policing of the external border and, as a consequence, the territory within these borders.

Thirdly, the Schengen Convention makes it possible that Member States agree that liaison officers seconded in a third country may also represent the interests of another Member State. Because of the presentation of the subject, these three locations are found throughout the catalogue.

B. Recommendations/Best practices

Recommendations	Best practices
SECTION A - GENERAL	
<p>A common evaluation on an annual basis of ongoing police co-operation referred to in this catalogue should be produced.</p> <p>A central authority responsible for international police co-operation should be set up and designated as the single point of contact for each Schengen State.</p>	<p>The Handbook on cross-border police co-operation should be updated according to the provisions of the Schengen Executive Committee Decision of 16.12.1998 (SCH/Com/Ex(98) 52= OJ L 239, 29.09.00, p. 408).</p> <p>Changes to the Handbook should be notified immediately to the Council Secretariat.</p> <p>All offices responsible for international police co-operation (Europol, SIRENE, Interpol, etc) should be accessed through a single point of contact, be integrated within the same management structure and located at the same site.</p>
1. Article 39 - Mutual assistance	
<i>1.1. Requests for assistance exchanged via central authorities</i>	
<p>The Schengen States undertake to ensure that their police authorities shall, in compliance with national law and within the scope of their powers, assist each other for the purposes of preventing and detecting criminal offences.</p> <ul style="list-style-type: none"> - central authority is at hand 24/24 h - national police authorities have permanent and direct access to central authority ; <p>central authorities constitute an operational network between themselves to develop practical modalities of their co-operation and generally improve the quality of their service.</p> <ul style="list-style-type: none"> - police units that forward requests to the central authority must have adequate knowledge about the limits their national law imposes on the legality of the requests for assistance; <p>The central authority double-checks the legitimacy of requests</p> <p>Schengen States should explore the possibility of a common information exchange system.</p>	<p>Central authority is equipped to forward and process requests rapidly ;</p> <p>The central authority oversees the forwarding of the request to the competent authority or, when letters rogatory are required, informs the central authority of the requesting state of this.</p> <p>Schengen States shall inform each other via the central authorities of the way authorisation for use of written information in criminal proceedings must be obtained.</p> <p>Schengen States may agree that the police and/or judicial authorities may transmit requests for authorization and the documents resulting from dealing with such requests by any secure and</p>

Recommendations	Best practices
<ul style="list-style-type: none"> ▪ obtaining information from the persons concerned by the police on a voluntary basis (Under the national law of Austria, Germany and the Netherlands, the principle of voluntary police interviews applies), ▪ identification of persons, ▪ transmission of police intelligence from police databases or files, subject to compliance with the relevant legal provisions governing data protection, ▪ preparation of plans and coordination of search measures and the initiation of emergency searches (independently of SIS queries) ▪ tracing the origins of goods, particularly weapons and vehicles (tracing sales channels), ▪ examination of evidence (such as vehicle damage after hit and run accidents, erasures in documents, etc.). <p>- Improvement of Co-operation between Central authorities</p> <p>With a view to fostering co-operation between the central authorities, the Presidency shall, if necessary, convene meetings of the heads of the central authorities to be held on a regular basis.</p>	<p>The heads of the central authorities shall then discuss matters of common interest and assess the efficiency of the co-operation. They shall endeavour to pool their organizations' knowledge by, for instance, organizing exercises, exchanges and training courses for their staff.</p>
<p><i>1.2. Assistance in urgent situations</i></p>	
<p>- in urgent situations, requests for assistance may be addressed directly to the competent authorities of the country concerned, who may respond directly.</p> <p>- the requesting authority must immediately notify the central authority of the requested State of this direct request.</p>	<p>Common interpretation of urgency: when going via channel of the central authority would prolong the transmission of the request to the local authorities and jeopardize the success of the preventative or investigative action.</p> <ul style="list-style-type: none"> - police units have access to a complete and up-to-date list of names and contact details of police units in other Schengen states they can directly contact in urgent cases ; - police units will avail themselves of the minimum necessary equipment to exchange requests and replies in a rapid and secure manner.

Recommendations	Best practices
<p>- simplification of procedures</p>	<p>- Central authorities are responsible for updating the contact list and informing the national police units.</p> <p>in cases of urgency, they will immediately inform the central authority of the police unit they have approached with direct request for assistance ; with the same sense of urgency they will notify their own central authority of the request they made and the reply they have received.</p> <p>Criminal investigations, particularly in urgent situations, can also be accelerated by simplifying procedures. This is exemplified in the arrangements already existing between some States whereby, at the instigation of the judicial authorities, the police authorities cooperate directly by assisting each other with police interviews, searches and the seizure of objects when a delay could harm the ongoing investigation.</p>
<p><i>1.3. Bilateral agreements (art.39§4 and 5)</i></p>	
<p>Schengen states should explore the possibility of pursuing bilateral agreements.</p> <p><i>Crossborder agreements extending the scope of the Schengen Convention</i></p> <p>In order to strengthen crossborder police co-operation in border areas, the Schengen Convention enables Schengen states to sign complementary bilateral agreements. (art 39.4 and 5)</p>	<p>Develop such bilateral agreements on areas such as setting up of Joint Police Stations or Common Police and Customs Co-operation Centres; networking between these bilateral structures ; direct access of the officials in these centres to national databases ; alleviation of the burden on the central authority ; maintenance of supervision and information oversight on national level.</p> <p>- In multi-border areas : the creation of a multiparty structure gathering all border actors must be given as an example (the Luxembourg centre is made of services from Luxembourg, Belgium, Germany and France) ;</p>

Recommendations	Best practices
<p>(Some specific agreements have been signed with Third Countries,.) These bilateral agreements can follow the same pattern, :</p> <ol style="list-style-type: none"> 1. on the one hand, the creation of police and customs co-operation centres; 2. on the other hand, direct co-operation between police forces and customs units. <p>The police and customs co-operation centres/Joint Police Stations are located on the borders and are composed of members of the police forces and customs of the two neighbouring countries</p> <p><u>OPERATION</u></p> <p>The working procedures of Joint Police Stations/Police and Customs co-operation have to be largely specified in advance in the common agreement. The opening hours and staffing hours have to be determined according to need.</p> <p><u>STAFF</u></p> <p>A high standard has to be applied in the selection of staff. The job description</p>	<p>They have no operational jurisdiction but provide assistance and advice to the units in their cross-border relations.</p> <p><u>LOCATION</u></p> <p>Joint Police Stations/Police and Customs Co-operation have to be set up at internal and external borders. The office should be set up in the immediate vicinity of the border processing point.</p> <p>In addition, the occupation of the employees could possibly have consequences in terms of work/residence permits and even in terms of salaries.</p> <p>In the border regions, on the basis of bilateral agreements, Joint Police Stations/Police and Customs co-operation centres can be established to bring together into one place all the constituent elements of the internal security services.</p> <p>Common Contact Points also require the co-operation of the safety authorities of each country</p> <p><u>TELECOMMUNICATIONS</u></p> <p>All represented authorities must have complete online access to national investigation and secure information systems. Telephone and fax connections with an international dialling capability are an absolute requirement.</p> <p>If needed, the opening hours could be extended. Because of the amount of work, “the 24H”basis is very quickly going to become necessary.</p> <ul style="list-style-type: none"> • The staff should be assigned permanently to the Joint Police Stations/Police and Customs co-

Recommendations	Best practices
<p>should include flexibility, and communication skills. Good practice of foreign languages is required for officers working in the co-operation centres. A thorough knowledge of the provisions of the Schengen Convention along with the bilateral agreement in question is required so that the border system does not interfere with the Convention system.</p> <p><u>TASKS</u></p> <p>The range of tasks to be assigned to Joint Police Stations/Police and Customs Co-operation is plentiful. The following are the <u>main tasks</u>:</p> <ul style="list-style-type: none"> • Building up and maintaining contacts; • Finding and exchanging information; • Drafting joint situation reports • Providing logistic assistance for joint operations and joint investigation teams operating in the area <p>Relationship with Central authority</p>	<p>operation.</p> <ul style="list-style-type: none"> • Staff selection should be based on a particular training. • This training should include aspects of the neighbouring state's legal system with a special focus on the structures of its authorities, administration and police services. • Particularly for work at internal borders, detailed knowledge of EU law is required. <p>In respect of the finding and exchanging of information in support of Police operations the following should be included in the responsibilities of the relevant agencies.</p> <p>Confirming the identity of vehicle owners; Checking home addresses; Searching for and investigating persons and objects; Examining documents; Consulting driving licence databanks; Telephone subscriber checks; Collaboration on international investigations, pursuits and observations; Coordinating police activities in respect of international road traffic; Processing border-related incidents; Collaboration on international major incident and contingency plans.</p> <p>The Joint Police Stations/Police and Customs Co-operation should report systematically to the central authority concerning the application of the articles</p>

Recommendations	Best practices
	39,40,41 and 46 of the Schengen Convention
2. Article 46 - Unsolicited communication of information and co-operation in matters relating to public policy and national security	
<p>As a general rule the transmission of information will take place by the intermediary of the designated central authority</p> <p>To ensure the information can be supplied as early as possible and can be handled in a confidential manner a secure and reliable means of communications must be available</p> <p>When, in urgent cases, the direct transmission of information takes place between national units the central authority must be notified immediately.</p> <p>The information supplied should be detailed to such an extent that the receiving state can make a realistic evaluation of its worth or conduct a risk assessment.</p> <p>When the source of the information is sensitive or has to be protected, this should be included in the original message.</p> <p>The designated central authority must be in a position to act or respond to the information supplied.</p> <ul style="list-style-type: none"> - information shall be exchanged via a central authority - content of information exchange 	<p>The designated central authority should be considered as the first route for the transmission of information under Article 46. Even in particularly urgent cases their experience and structure should permit the best results for the prevention and detection of crime and maintenance of public policy and national security.</p> <p>A variety of secure and reliable means of communication should be available.</p> <p>The adoption of a system for validation of the information is encouraged. Schengen States will be more able to respond to information, which is supported by a recognized validation by the transmitting state.</p> <p>The central authorities shall supply one another, requested or not, with information if circumstances arise or if sizeable groups of persons who may pose</p>

Recommendations	Best practices
<p>- Content of the Information: The information which Schengen States supply one another must be dealt with confidentially and shall be used exclusively for the purpose for which it is provided. The information to be provided shall be supplied in accordance with relevant national legislation.</p> <p>- Communication: In order to exchange information, the central authority may use the Liaison Bureaux and, if appropriate, joint police stations or the contact points referred to in this catalogue. The following means of communication may be used when exchanging information: telephone, fax, e-mail, radio communication and other means of data communication. By decision of the Executive Committee of 16.12.1998 on the handbook on cross-border police co-operation "The Schengen Secretariat shall be responsible for constantly updating the Handbook". To this end the Schengen States shall keep the General Secretariat abreast of any amendments to be made to their national fact sheets.</p>	<p>a threat to public order and security move through or towards other Schengen States. The information shall be supplied at as early a stage as possible. Save as otherwise provided for under national law, the exchange of information within the meaning of this manual may take place directly between the police services concerned in urgent cases. The central authority shall be informed as soon as possible.</p>
<p>2.2. <i>Urgent situations</i></p>	
<p>In particularly urgent cases, the exchange of information within the meaning of this Article may take place directly between the police authorities concerned, unless national provisions stipulate otherwise. The central authority shall be informed of this as soon as possible.</p>	<p>See observations under 1.2.</p>

Recommendations	Best practices
3. Articles 7, 47 and 125 - Liaison officers	
<i>3.1. Liaison officers in other Schengen States</i>	
<ul style="list-style-type: none"> - At the request of the authorized police authority of each of the Schengen States, liaison officers may be sent to other Schengen States. - The task of liaison officers shall be to advise, facilitate and assist. - According to Article 47, liaison officers shall not be empowered to execute autonomously any police measures. They shall supply information and shall discharge their duties on the instructions issued to them by the Schengen State which they come from and by the Schengen State to which they are seconded. The host police authority of the Schengen State is bound to provide for the protection of liaison officers. -The relevant police authority of the host Schengen State shall determine the activities of liaison officers and the conditions in which these are carried out. The liaison officers are bound to follow instructions issued by the competent authorities. 	<p>Liaison Officers should be posted to the Central authority.</p> <p>Co-operation between liaison officers should be encouraged.</p> <p>Initial contact between the police units and the liaison officers should be transmitted via the central unit.</p>
<i>3.2. Co-operation between liaison officers in third countries</i>	
<p>Schengen states should take under consideration the provisions laid down by the Council Decision 2003/170/JHA of 27.2.03 (re: OJ.L 67, 12.03.03, p. 27)</p>	<p>The Nordic co-operation in respect of liaison officers could serve as an example for future posts.</p> <p>Schengen States should inform each other of their intention to second a liaison officer to a third state.</p>
4. Article 7 - Exchanging information in view of ensuring effective external border controls and surveillance	
<p>With a view to improving the effectiveness of checks and surveillance at the external borders, Article 7 provides for an exchange of all relevant and important information relating to such checks, with the exception of data on named individuals.</p>	<p>Such information, which may inter alia concern migration flows, shall be exchanged via the Central authorities.</p>

Recommendations	Best practices
SECTION B - OPERATIONAL CO-OPERATION	
5. Article 40 (Cross-border surveillance)	
<i>5.1. The principle</i>	
<p>According to article 40, when a crime has been committed and when it is within the framework of their competence, nationally authorised officers are allowed to continue the surveillance, which has started in their own country, across the border towards another Schengen State under very strictly defined conditions with the approval of that state. Cross-border surveillance is permitted to take place on all types of border crossings, on land in the air and at sea.</p> <p>According to the main rule an approval must be obtained in advance, i.e. <u>before</u> the border is crossed, to continue the surveillance into the territory of the recipient state.</p> <p>When there is a risk of delay the surveillance is allowed to continue across the border into the territory of the recipient state <u>without</u> prior approval under certain conditions.</p> <p>In article 40 the following two cases are separated: Normal or Ordinary surveillance (OS) and Urgent or Emergency surveillance (ES)</p>	<p>The form for cross-border surveillance must be filled in as accurately as possible, especially with information about weapons, police personnel, vehicles and technical equipment. Hand-written forms are never allowed.</p> <p>Full explanation of the reason justifying the request should be included on the form.</p> <p>(In the form a special column for information about weapons ought to be added as complementary information. There ought to be a box where the recipient state can sign to indicate whether it approves or rejects the request.)</p> <p>There is a need of harmonising in particular communications, technical equipment and procedures for police services which carry out cross-border operations.</p> <p>The state that is planning the cross-border surveillance shall inform the recipient state as soon as possible. The general rule is that all requests should be sent to the central national unit.</p>
<i>5.2.1. Conditions for normal or ordinary surveillance: (OS)</i>	
<ul style="list-style-type: none"> • A preliminary investigation has started. • The individual who is going to be observed must be suspected of complicity in a crime that can be liable to extradition. • Only nationally authorised officers are allowed to carry out cross-border surveillance. • The state that received the request must give its approval of the surveillance (certain conditions can be included in the approval). • The nationally authorised officers who carry out the surveillance are allowed 	<p>It has been proposed in a draft Council Decision amending the provisions of Article 40 that persons other than the suspect - if required by the pending investigation <u>and</u> if there are reasonable grounds to assume that the observation will contribute to identify or track down the suspected perpetrator - will also be subject to these provisions in the future.</p> <p>In addition to being authorised, officers conducting cross border surveillance should be trained to an appropriate level, be equipped to a level of self sufficiency and be fully aware of their</p>

Recommendations	Best practices
<p>to carry service weapons if the recipient state has not forbidden this, but the weapons can only be used in self-defence.</p> <ul style="list-style-type: none"> The Central authority must be able to forward the request within the state to the unit responsible for the operation on a 24/24 hr basis. 	<p>powers and responsibilities pursuant to Article 40.</p> <p>The general rule is that all requests should be sent to the central national unit.</p>
<p><i>5.2.2. Conditions for urgent or emergency surveillance: (ES)</i></p>	
<ul style="list-style-type: none"> Prior approval could not be obtained because the case was very urgent. A criminal investigation must have started. It is suspected that the individual or other persons than the suspect – if required by the pending investigation <u>and</u> if there are reasonable grounds to assume that the observation will contribute to identify or track down the suspected perpetrator and who are subject to surveillance are related to crimes presented in the list mentioned in article 40. Only nationally authorised officers are allowed to carry out surveillance. The border-crossing is immediately reported to the central authority in the recipient state. A request for legal assistance is submitted without any delay. 	<p>Even in cases of urgent or emergency surveillance the designated central authority should still be considered as the first route for the transmission of requests under Article 40. Even in particularly urgent cases their experience and structure should permit the best results for the prevention and detection of crime and maintenance of public policy and national security.</p> <p>Particularly in respect of urgent or emergency surveillance, in addition to being authorised, officers conducting cross border surveillance should be trained to an appropriate level, be equipped to a level of self sufficiency and be fully aware of their powers and responsibilities pursuant to Article 40.</p>
<p><i>5.3. The surveillance must be interrupted:</i></p>	
<ul style="list-style-type: none"> At the request of the recipient state. If no approval has been obtained from the recipient state within five hours after the border was crossed. 	
<p><i>5.4.1.</i></p>	
<p>For a request to continue cross-border surveillance <u>from</u> a Schengen State to another it is a general rule that this should be sent to the central national unit. The Central national unit main role is to make sure that all available information on the place where it is assumed that the surveillance will be conducted will come</p>	<p>In urgent cases a request can be received from the foreign authority on the telephone, but in that case the information shall be confirmed in writing as soon as possible. The central unit shall have updated telephone numbers of the law enforcement authorities, which are the closest to the</p>

Recommendations	Best practices
to the recipient state in a correct way and to facilitate contacts between the officers in charge of the surveillance and the law enforcement authorities.	border.
5.4.2. An urgent reply is necessary from the recipient state as to whether the request is approved or rejected.	The recipient state replies on the same form as the one which was sent to it. (See point 1.1 about complementary information on the form in question.)
5.5. <i>Practical regulations to carry out the surveillance</i>	
5.5.1. <i>Before crossing the border</i>	
<ul style="list-style-type: none"> • Even in urgent cases, a request for assistance shall be sent through the central authorities in each state. • In urgent cases a request shall be sent as soon as possible. • The submission of a request to cross the border shall be handled by the competent authorities in the recipient state as a request for assistance according to article 40.1 of the convention. This request for assistance shall contain all the information as required by the Handbook on Police co-operation and be available at the time of the request. • An approval of the request must be given by the recipient state. Certain conditions can be linked to an approval. 	
5.5.2. <i>Once the border has been crossed.</i>	
<p>The officer shall be subject to the laws and regulations in the state where he/she operates and follow the instructions from the competent authorities.</p> <ul style="list-style-type: none"> • The officers carrying out the surveillance must at all times be able to give proof of their acting in an official capacity. • If the recipient state does not oppose this explicitly, the officer is allowed to carry a service weapon, which can only be used in self-defence. • It is forbidden to enter domestic homes and places which are not open to the public. • The individual who is subject to 	<p>Definitions in the Schengen States of the terms self-defence, service weapons and domicile, can be found in the handbook on police co-operation.</p>

Recommendations	Best practices
<p>surveillance should neither be arrested nor challenged by the foreign officers carrying out the surveillance.</p> <ul style="list-style-type: none"> The application shall be submitted to the central authorities before the surveillance starts. In urgent cases when the surveillance team crosses the border, the central authority shall contact its counterpart. 	
<p>5.5.3. <i>When the surveillance is over</i></p>	
<ul style="list-style-type: none"> When the operation is over, this shall be reported to the authority in the recipient state; the supervising officers can be instructed to appear in person. The report shall be written on the form contained within the Handbook on Police Co-operation. The authorities in the recipient state can request that the police officers who are sent will participate in the follow-up of the operation, including investigations and legal proceedings. 	<p>Consideration should be given to hold a joint de-brief between the agencies involved to ensure lessons are learned.</p> <p>In addition to a report being prepared by the surveillance team consideration should be given to having a report prepared on the procedures followed by the various authorising parties involved in the process. This will highlight both any procedural difficulties and best practice.</p>
<p>5.5.4. <i>The follow up</i></p>	
<p>A standard form for statistics has been developed to provide reliable, general information on how often and how efficiently a surveillance operation is carried out.</p> <p>This form must be <u>filled in by the central authority of the requesting state</u> as soon as a request for surveillance has been made, no matter the outcome, (even if the border is not crossed in the end).</p>	<p>The central national unit shall have statistics regarding reports on article 40.</p> <p>All units shall report systematically to the central national unit.</p> <p>Later on it can be of interest that the concerned authorities make a joint assessment on the results of the operation and write a report on it. Then it is possible to consider obtained experience and to introduce improvements.</p>
<p>6. Article 41 (Cross-border pursuit)</p>	
<p>6.1. <i>Principle</i></p>	
<p>According to Art. 41, officers in pursuit of a person may continue pursuing on the territory of a Schengen State with which their State has a common border. This option, for which prior authorization is not required, is subject to very strict conditions and precise arrangements. Some of these conditions and arrangements are of a general nature, others are specific to each country and have been laid down in unilateral</p>	<p>Best practices would have it that pursuits which are today limited to land should be extended to air and sea, the way it is today provided for in some bilateral agreements.</p> <p>The Nordic co-operation on cross border pursuit where officers face no restriction on location or time could serve as an example for the future Schengen procedures.</p>

Recommendations	Best practices
<p>declarations. According to the Schengen Convention, each State is free to choose between two options concerning the offences which may give rise to pursuit and is free to restrict the powers of the pursuing officers (whether or not they have the power to stop and interrogate, restrictions on the scope and duration of the pursuit).</p>	
<p>6.2. <i>Conditions</i></p>	
<ul style="list-style-type: none"> - Pursuit may only be performed across the land borders - Only nationally authorised officers are allowed to carry out cross-border pursuits - Conditions linked to the type of offence: each State has the choice between two options for the type of offences allowing the power of pursuit to be exercised: either the restrictive list of offences stipulated in Art. 41(4)(a) or extraditable offences - Reference must be made to the national fact sheets to find out which option has been chosen by an individual State. However, the following conditions apply in all the States: <ul style="list-style-type: none"> = the person concerned must have been caught in the act of committing or participating in one of the offences = pursuit is also authorized where the person concerned is under provisional arrest or serving a custodial sentence. - Conditions for emergency pursuit: emergency pursuit requires that <ul style="list-style-type: none"> = it has not been possible to advise the requested authorities in advance owing to particular urgency = or the authorities have been advised but have not been able to take up the pursuit in due time themselves = the pursuing officers consult the authorities of the requested State at the latest upon crossing the border = the pursuit ceases at the first request of the requested State. 	<p>Pursuits would be more efficient if restrictions to only land border could be lifted.</p> <p>It would be "best practices" if Schengen States could apply the same criteria.</p> <p>National fact sheets should be both widely available and widely known about by operational officers operating in border areas.</p>
<p>6.3. <i>Restrictions on the power of pursuit</i></p>	

Recommendations	Best practices
<p>There are three types of restriction which may be imposed on the power of pursuit, which each individual State is free to choose:</p> <ul style="list-style-type: none"> - territorial restriction: some Schengen States authorize pursuit on their entire territory, others only authorize it on a certain number of kilometres along the border. - time restriction: pursuit may have to be suspended after a certain amount of time has lapsed. - a restriction on the powers of the pursuing agents: some Schengen States authorize them to stop and interrogate, others do not. This does not affect the right to make a citizen's arrest in the State on the territory of which the pursuit is carried out when an offender is caught in the act. 	<p>Harmonisation of the restrictions in respect of time and location and the powers of pursuing officers would help.</p> <p>Fact sheets available to operational officers should reflect the specific type of restriction that applies in the border area they are policing.</p>
<p>6.4. <i>Practical arrangements</i></p>	
<p><u>During pursuit:</u></p> <ul style="list-style-type: none"> - It is mandatory to inform the central authorities of the State on the territory of which the pursuit is being carried out at the latest upon crossing the border. This must be done by contacting <ul style="list-style-type: none"> = either the first police authority of the State concerned = or one of the liaison authorities designated by the State concerned - The officer must act in compliance with the national law of the state in which he is operating and must follow the instructions of the locally competent authorities. - The power to exercise road traffic prerogatives during pursuit is granted to the pursuing officers in accordance with the national law of the State on the territory of which a pursuit is continued - The pursuit must be stopped at the request of the local authorities. - The officer must be in possession of his 	<p>Best practices would be that as soon as the pursuing officers realise that a border crossing is possible, they should inform their central authorities who will then contact their counterpart.</p>

Recommendations	Best practices
<p>service badge or pass and be easily identifiable (uniform, armband, vehicle, etc.)</p> <ul style="list-style-type: none"> - The officer may carry his service weapon; its use is forbidden except in case of self-defence under the national law of the requesting state - Entering homes and places not accessible to the public is forbidden 	
<p><i><u>Once pursuit has been concluded:</u></i></p> <ul style="list-style-type: none"> - The officers involved must appear before the locally competent authorities to make a report after every pursuit, no matter the outcome; if the locally competent authorities so wish, the officers must remain available and provide assistance, if requested, with the follow-up, investigations and judicial procedures. - If the person is arrested and is not a national of the country where the arrest was made, he must be released six hours after arrest if no provisional arrest warrant for extradition is forthcoming (the hours between midnight and 9 a.m. do not count). - The persons arrested may only be subjected to a security search for the purpose of bringing them before the local authorities. They may be hand-cuffed and objects on their person may be seized. 	
<p>6.5. <i>Follow-up information</i></p>	
<p>A standard form for statistics is attached so as to give the central authorities reliable, general information on how often and how efficiently the power of pursuit is exercised.</p> <p>This form must be <u>filled in by any authority having engaged in a pursuit</u>, whatever the outcome, as soon as the border is crossed and <u>sent to the central authority of the home state</u>.</p>	<p>Central Authorities should record statistics concerning the application of article 41.</p> <p>All units should report within 24 hours to the Central Unit concerning the application of article 41.</p>

Recommendations	Best practices
7. Organisational structure and strategy	
<p>Each Schengen State should develop a national plan defining the steps to be taken in each country to establish an organisational structure and strategy to support police co-operation as required by the Schengen Convention. This national Plan should provide practical operational guidance on how each state applies the respective Articles of the Schengen Convention.</p> <p>A central authority must be set up and designated as a single point of contact for each M/S.</p> <p>Central authority must provide 24/7 cover for communications with all M/S and national authorities.</p> <p>For utmost efficiency in bilateral communication, languages familiar to both parties shall be used.</p> <p>Central authorities should hold a list of requests for which direct assistance can be made in urgent situations without involving judicial authorities.</p> <p>Central authority should compile both management information and operational information on Police co-operation.</p> <p>Local police should have permanent access to central authority.</p> <p>Central authority should have an in depth knowledge of national and international legislation supporting police co-operation and act as a centre of excellence for national services.</p> <p>Coordination should exist between Central authority, Joint Police Stations and Police and Customs Co-operation Centre.</p>	<p>A joint operational plan could be established between neighbouring states in order to agree co-operation and arrangements on a practical level. Plan should be updated regularly.</p> <p>Equipped to forward and process requests rapidly.</p> <p>Experts in different fields available 24/24 h.</p> <p>It is clearly desirable that nationally authorised officers are knowledgeable in the most commonly spoken languages, both for direct communication and the ability to manage documentation in the absence of translation support.</p> <p>The standard practice is to exchange forms in the language of the issuing country and in English.</p> <p>A thorough knowledge of the provisions of the Schengen Convention along with the bilateral agreements is required.</p> <p>This should be a key element in the recruitment process and for the design of training sessions.</p> <p>Centralised supervision and instructions will ensure national standards are met.</p>

Recommendations	Best practices
<p>Central authority should be responsible for maintaining an up to date list of contact points at international and national level.</p> <p>The national plan should include procedures to facilitate operational assistance and exchange of information between Central authorities, Joint Police Stations and Police and Customs Co-operation Centres in order to fight cross – border crime.</p> <p>Information should be handled in a confidential and secure manner.</p> <p>Means of communication. Telephone, fax, e-mail, radio-communications, mobile telephones should all be utilised.</p> <p>Schengen states should agree to adopt a set of standard forms to be used for all aspects of police co-operation. These forms should be designed to simplify procedures and be included as an annexe to the Handbook on police co-operation.</p> <p>Schengen states should jointly develop operational standards and a legislative framework to facilitate the use of specialist surveillance techniques in cross border operations.</p> <p><u>Urgent Cases.</u></p> <p>Where requests for assistance may be addressed directly to the competent authorities the requesting party must also notify the central authority of the requested State.</p>	<p>No handwritten request.</p> <p>The information shall be supplied at as early a stage as possible.</p> <p>Permanent and regular updated training to improve the knowledge of the staff.</p> <p>Central authorities should be in a position to advise other Schengen States of any specialist surveillance techniques their national services may employ.</p>
<p>8. Training</p>	
<p><i>8.1. Basic training</i></p>	
<p>All officers seconded to the central authority should have successfully completed a training course covering their tasks, which should include :</p> <ul style="list-style-type: none"> - knowledge of relevant Schengen and EU provisions; 	<p>Training programmes should be flexible, taking into account the changes in risk assessment.</p>

Recommendations	Best practices
<ul style="list-style-type: none"> - in depth knowledge of the handbook on police- co-operation; - basic rules and procedures; - in depth knowledge of relevant bilateral agreements; - genuine and forged travel and identity documents; - Dublin, and readmission provisions; - Schengen Information System; - Europol; - Judicial co-operation. 	
8.2. Further training	
<p>A training programme with regular training/briefing should be established as part of working hours.</p>	<p>A training program should be established on local and central level to ensure a continued offer of education on issues relevant to co-operation.</p> <p>Regular exchange of nationally authorised officers, common training, at least once a year.</p>
8.3. Linguistic training	
<p>All officers should be able to speak a foreign language useful to their work. All officers should have adequate knowledge of English.</p>	<p>Encourage staff to learn other languages. Set up language programs for those officers particularly involved in cross-border co-operation. e.g. at the Police and Customs Co-operation Centres if necessary.</p>
8.4. Training for management levels	
<ul style="list-style-type: none"> • Relevant common training on Police co-operation should be provided by the European Police College. • Seminars and workshops may be set up according to the model adopted by the Sirene Working Group for the Sirene officers. 	<p>International experience is an asset.</p> <p>Exchange programmes between states should be considered as a means of broadening management experience.</p>
9. National Coordination	
<p>All the Schengen states must be able to provide data concerning the situation at its internal borders. An integrated approach involving all authorities responsible for tackling transborder crime is essential to create an efficient national coordination. This coordination should be implemented at local, regional and central level on the basis of a specific development of a risk analysis, intelligence structure and flow</p>	<p>Co-operation between local authorities and the Central Authority, on the basis of a specific development of a risk analysis, intelligence structure and data flow management, should be implemented.</p>

Recommendations	Best practices
<p>data management.</p> <p>The Central Authority must be able to solve possible disputes of competence between the authorities involved in the peculiar field of the internal security safeguard.</p> <p>In case of missions that will have a big impact in all the territory of the concerned countries, especially if that will involve a great number of officers and many means, the coordination has to be carried out by the Central Authorities.</p> <p>An efficient national co-operation system is a necessary requirement in order to allow a better definition of specific agreements with neighbouring states.</p>	<p>Encourage the creation of:</p> <ul style="list-style-type: none"> - a joint database structure; - meetings between heads of service; - joint training sessions <p>Information exchange between competent authorities is essential in order to prevent crimes as well as the development of an appropriate working mechanism based on good communication channels, local contact points, emergency procedures, etc.</p> <p>Management systems, used by the services, should be able to generate intelligence, by using the results from the field work and analyse it.</p>
10. Joint patrols	
<p>Article 39 of the Schengen Convention imposes an obligation of assistance between the police services of the Schengen States in order to prevent and detect indictable offences. Paragraph 4 of this article stipulates that in border areas, this co-operation can be set through agreements between the competent ministers of the States concerned.</p> <p>Paragraph 5 underlines that those provisions are not an obstacle for more exhaustive present or future bilateral agreements between Schengen States with a common border.</p> <p>Agreements for co-operation of police and customs services are generally divided into 2 main branches :</p> <ul style="list-style-type: none"> - one of these is related to the common centre for co-operation of police and customs services; - the other one is related to the direct co-operation between units, and 	<ul style="list-style-type: none"> - The agreements must expressly mention the setting up of common patrols ; - The type of personnel and the competent administration must also be defined ; - The carrying of firearms, of a uniform, or of any distinctive sign (armband) must be defined ; - The agreement must indicate the service weapons which are authorised; - The conditions to use firearms and the rules of intervention must be explicitly mentioned in the bilateral agreements and the personnel must be trained ; - A training session concerning administrative and criminal law and criminal procedures used in border areas must be set up. - Patrols may be conducted as cross-border surveillance patrols in the execution of a judicial co-operation request, or in favour of the

Recommendations	Best practices
<p>underlines the operational units. Each command level can take all the necessary contacts with its counterpart in order to facilitate the conduct of crossborder investigations, with the exception of coercion measures. Common activities or joint patrols may also be organised. The neighbouring states should get together in order to establish the guidelines and the main goals to be implemented on cross-border police co-operation matters.</p>	<p>administration in charge of the surveillance of external borders.</p> <ul style="list-style-type: none"> - The officers are competent for carrying out autonomous police measures ; - The State where the joint team operates guarantees a protection to the officers of the other State acting on its territory; it provides them with the same protection and assistance as the one it gives its own officers. All officers are submitted to the rules of civil and criminal liability in force on the territory in which they act.
<p>11. Radio-communications (Article 44 Schengen Convention) SCH/Com-ex (99) 6</p>	
<p><i>11.1. short Term Measures</i></p>	
<ul style="list-style-type: none"> - Measures should be taken by Schengen States in border areas for the purposes of cross-border surveillance and hot pursuit to facilitate police and customs co-operation : <ul style="list-style-type: none"> - installation of telephone, radio ; - exchange of telephone directories; - exchange of equipment ; - posting liaison officers equipped with suitable radios ; - establishing a common contact point for police and customs services operating in the same areas. 	<ul style="list-style-type: none"> - Such measures can be part of bilateral agreements for setting up joint police stations and police and customs co-operation centres
<p><i>11.2. Long term measures</i></p>	
<ul style="list-style-type: none"> - Schengen States shall implement national digital radiocommunications networks for their emergency services, - in the harmonised frequency band of 380 – 400 MHz. - The networks shall be based on TETRA or TETRAPOL systems, - and they shall meet the Schengen technical, operational and tactical requirements. - Interworking measures shall be set up in border areas to connect the neighbouring networks. These measures meet at least the following 	<ul style="list-style-type: none"> - Three combinations provide the required interworking level in most cases : <ul style="list-style-type: none"> - overlapping networks providing normal functionality within a limited range into the neighbouring state in question ; - the use of two-terminal

Recommendations	Best practices
<p>requirements :</p> <ul style="list-style-type: none"> - between officers of each side of the border area : <ul style="list-style-type: none"> - individual calls ; - group calls ; - direct mode ; - between officers and headquarters of each side of the border area : <ul style="list-style-type: none"> - individual calls ; - group calls ; - direct mode ; - between headquarters of each side of the border area : <ul style="list-style-type: none"> - individual calls ; - group calls ; - for special operations : air interface encrypted voice <p>- Schengen States are encouraged to reach bilateral agreements the implementation of which is reported to the Council.</p>	<p>functionalities (transponders, extra terminals, combined mobile installations) when service is required beyond overlapping area ;</p> <ul style="list-style-type: none"> - simple interconnections between control rooms; - interconnections between both networks providing cross border individual calls and group calls <p>- In case the preferred solution is not adequate (e.g. communications for surveillance units across the total territory of Schengen States) standard GSM functionalities may provide solution.</p>
<p>12. Article 73 - Controlled deliveries</p>	
<p><i>12.1.</i></p>	
<ol style="list-style-type: none"> 1. Each Schengen State takes measures, according to its constitution and national legislation, with a view to allowing controlled deliveries within the illegal trade in narcotic drugs and psychotropic substances 2. The possibility of controlled deliveries should be extended to other criminal offences. 3. Decisions are taken in each separate case to use the controlled delivery as a method of surveillance after obtaining a permission from each state that is involved. 4. The state concerned shall be responsible for leading and monitoring the operation on its territory and shall have the authorisation to intervene. 	<p>Even if the main focus has been on controlled deliveries of narcotic drugs in this catalogue, it should be noted that similar operations in most Schengen States are allowed for the control of other goods</p>

Recommendations	Best practices
<i>12.2.</i>	
<p>A controlled delivery can be carried out in all the Schengen States if permission was granted in advance. However, the special conditions and ways of sanction differ between the Schengen States. Harmonisation of practices and of legislation is recommended.</p>	
<i>12.3.</i>	
<p>Due to the fact that the handling of controlled deliveries is a complicated task, both from a practical and a legislative point of view, these cases ought to be handled by especially appointed national contact points.</p>	<p>In order to facilitate the ways of operating, a central Authority should be established consisting of an integrated office where Interpol, Europol, liaison officers and SIRENE are included.</p>
<i>12.4.</i>	
	<p>Definitions and limitations: In certain Schengen States there is a difference between a "monitored" delivery meaning that there is no direct control but that the consignment is being followed. A "controlled" delivery meaning that an undercover officer takes part in the delivery.</p> <p>In this catalogue the expression "controlled deliveries" is used in a wide sense.</p>
<i>12.5.</i>	
<p>Fundamental information that is required from each Schengen State that carries out a controlled delivery.</p> <ul style="list-style-type: none"> • The reason and the background for the operation; • Statement of facts justifying the operation; • Type of products, quantity; • Other goods; • Expected place of entry to the requested state. When appropriate, information about the exit from the requested state; • Expected transportation and route; • The suspect's identity (name, birth, residence, citizenship, physical description); • Indicate who has authorized the operation; 	<p>Best practice would be that there is no additional condition to those already mentioned.</p>

Recommendations	Best practices
<ul style="list-style-type: none"> • Indicate the name of the competent officer in charge of the operation and the way of contacting (communication, transportation...); • customs; • Information about specialist surveillance techniques; • The Schengen States should create documents on the basis of the form available for article 40. 	
<i>12.6. The foreign police and other law enforcement agencies' role.</i>	
<p>Information on how to handle controlled deliveries:</p> <ul style="list-style-type: none"> • Nationally authorised officers are permitted to take part in operations concerning controlled deliveries in all Schengen states, usually when an authorisation has been given. <p>The recipient state normally requests that its own agencies exercise the final operational control.</p> <ul style="list-style-type: none"> • Special techniques may be used provided that the method is legal in the recipient state. 	<p>Law enforcement Agencies involved in controlled deliveries have to exchange an updated list of contact points, telephone numbers and details of the technical equipment. The officers from the law enforcement agencies taking part in the operation should know each other personally.</p>
<i>12.7. Partial replacement of the consignment</i>	
	<p>The advantage of a partial replacement is to minimise the risks of spreading the consignment if the operation fails and at the same time to leave a sufficient amount of the consignment in order to prosecute.</p>
<i>12.8. Follow-up</i>	
<p>It could be of value for the concerned law enforcement agencies to jointly evaluate and submit a report on the result of the operation.</p>	<p>Based on the acquired experience it would then be possible to make actual improvements and at the same time gain knowledge of each other's legislation, methods and priorities.</p>

"Free movement within the territory of the Schengen States is a freedom which as a counterpart requires not only the strengthening of the common external borders and the administration of third country nationals, but also enhanced co-operation between law enforcement authorities of Schengen states.

The current volume of the Catalogue consists of two main parts: the first one on mutual assistance and information exchange, and the second one on operational co-operation.

This division acknowledges the fact that information exchange is the most important element of any co-operation between law enforcement bodies. A short general section describes the basic concepts underlying the recommendations and best practices."