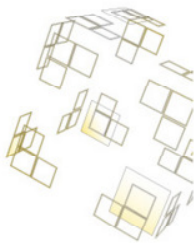




# Cooperation between European and Russian police forces

Bachelor Thesis – European Public Administration



University of Twente- Faculty of Management and Governance

Author:

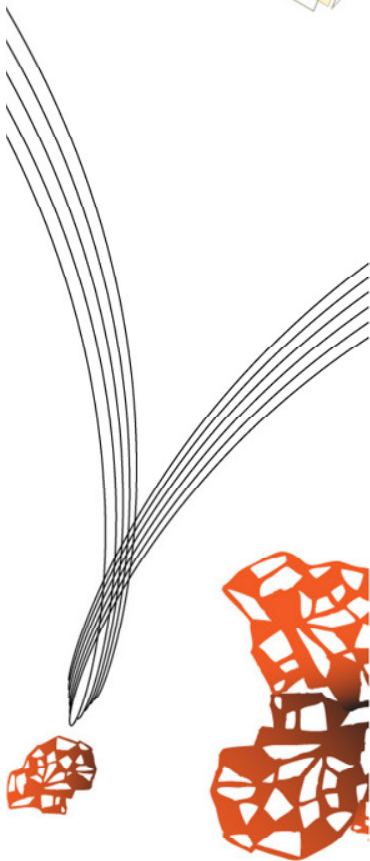
Caralina Weltschinski

First Supervisor:

Dr. A.J.J. Meershoek

Second Supervisor:

M.R. Stienstra MSc



Date: 21<sup>th</sup> of July, 2014

**UNIVERSITEIT TWENTE.**

## **Acknowledgements**

First, I would like to thank my two supervisors for all of their patience and advice.

One of the best parts about writing a thesis such as this is meeting interesting people with a great insight. I want to thank them for answering my questions. I thank them for the privilege.

## Summary

This thesis examines the police cooperation between European and Russian Police forces. Police cooperation in general is a challenging task but is it even more difficult when the involved parties are very diverse, which is applicable in this case. It is this thesis' aim to understand the dynamic of this police cooperation, what factors are influential and why this is the case. The goal is to come up with solutions on how to make the cooperation more effective.

Based on this, this thesis asks itself the following research question: *Which barriers are European Police forces confronted with in cooperation with the Russian Federation and what explains these barriers?*

The theoretical concepts that have been investigated depicted that Liaison officers are a new form of control in favor of a proactive mentality in order to find out target categories with the help of statistical analysis. Their task is to create a security blanket abroad, in order to protect Europe.

It has been tried to test these claims by conducting interviews in the Russian Federation with European Liaison officers and a representative of the European Delegation.

The findings showed that first the political climate between countries needs to be well, in order to be able to stimulate commerce and hence police work. The political barrier serves as a stepping stone. Trust and a certain dependency are a necessity for a willingness to cooperate. Moreover, good cooperation seems only to exist if no involved party has the obligation to protect a criminal and cultural differences can be managed.

## Index

Chapter 1 Introduction .....	5
1.1 Background, context and the emerging research questions .....	5
Chapter 2 Conceptualization and relevant theories .....	6
Chapter 3 Methodology .....	12
3.1 Case selection and sampling .....	12
3.2 Operationalization and Analysis .....	13
Chapter 4 Goals of European police forces regarding the Russian Federation.....	13
Chapter 5 Successes and limitations in police cooperation between Europe and the Russian Federation ..	14
Chapter 6 Discussion.....	20
Chapter 7 Solutions .....	23
Chapter 8 Conclusion.....	23
Chapter 9 References .....	27
Annex .....	31
Questionnaire for the Liaison officers.....	31
Answers from a Russian Representative of the Ministry of Internal Affairs (MVD) .....	32

## **Table of Abbreviations**

RF	Russian Federation
EU	European Union
LO	Liaison Officers

## Chapter 1 Introduction

In 2012 an information day organized by a student organization named STRESS took place at the University of Twente, the Netherlands. One of the speakers was a police officer from Europol. He said among other things that the Russians always want to have information but are never willing to give any. At the beginning of the year of 2013 the Data Protection officer of Europol mentioned the fact that with the Russian Federation (RF) they still, cannot come to an agreement with the Data Protection Principle, especially regarding the exchange of personal information. This Bachelor thesis was inspired mainly due to these two events. Furthermore criminal activities face no borders, which can be observed in Europe and in the RF. Despite this fact there are challenges which make police cooperation difficult. The purpose of this paper is to describe the current level of police cooperation and to come up with solutions on how the working process can become more effective.

### 1.1 Background, context and the emerging research questions

The Russian Federation (RF) has the Ural Mountains in the middle, which serves as a border between Europe and Asia. Gas, petroleum, coal, (Nano) technologies, nuclear and electric power are all reasons for investment for the economy. The research is relevant because for Europe the RF is in the geographical sense the biggest neighbor and there is certain interdependence from both actors. Both of them would benefit from a good relationship. In the past this was rather difficult, one of the reasons was that the EU has to deal with Russian organized crime and the other way around. The basic assumption is that the level of police cooperation is rather weak because both actors have a different status quo on democracy, rule of law, principles of freedom and respect for human rights. The main question is on what the main barriers are, when it comes to police cooperation between Russia and countries in Europe.

There are different European channels on how police cooperation between Russia and the police in Europe works. There are four institutions, the European channel (by means of Europol) and Interpol. Third the justice channel, by means of Eurojust for instance and other courts depending on the case. Fourth the Foreign Relations officers, also named Liaison officers (LO) and Police Attachés. They are responsible for the bilateral communication between the national and Russian police force.

The Russian authorities communicate via the following five main channels. The Ministry of Internal Affairs of the RF, is in principal the competent authority. <sup>1</sup>Other institutions are the Federal Security Service of the RF, the State Committee of the RF for control of trafficking in narcotic drugs and psychotropic substances, the State Customs Committee of the RF and the Financial Monitoring Committee of the RF. If a criminal activity is discovered and a cross border element is involved, these institutions team up in order to fight crime (Council of the European Union, 2009).

The question arises on who knows best what barriers exist between the Russian police and the police in Europe. Russia is not a member of Europol. In fact the European police tried to negotiate an agreement; the Russians were very skeptical and hence did not acknowledge any importance towards this institution. Interpol on the other has an office in Moscow and two Europol officers have their desks in that institution. The justice channel has only purely an insight on the legal matters and the purpose of this thesis is to improve the working process of the Police itself. This leaves Foreign Relations officers as the experts on

---

<sup>1</sup> In Russian the authority is called Министерство внутренних дел, short: МВД (in Latin letters MVD).

why there are barriers when it comes to solve a criminal case in connection with Russia and the MVD as the main institution.

Lum (2009) points out that (the attempt) to create a democratization in Eastern Europe began in the late 1980s to mid- 1990s. “This may lead to a greater likelihood for post- Soviet policing agencies to have democratically inexperienced personnel, lingering authoritarian police culture, adherence to practices of pre- transitional authoritarian regimes or instability created by transitions themselves” (Lum, 2009, p.208). This elaborates the complex environment Russian police officers have to work in. Andreas and Nadelmann (2008) state those generations of Western powers try to export their very own definitions of crime, not only for political and economic gain but also in an attempt to promote their very own morals and values to other parts of the world. These analytical frameworks display clearly the challenges people face when working in an international environment. The research contributes to a more in depth description of cooperation between the Russian police and the police in Europe. For that a literature review is used and interviews were being held. The aim is to come up with solutions on how the police relationship between Europe and Russia can be improved.

Therefore the main research question is: ***Which barriers are European Police forces confronted with in cooperation with the Russian Federation and what explains these barriers?*** In order to answer fully the main research question, sub- questions have been elaborated. The sub- research questions are the following:

*Which opportunities and which barriers in police cooperation are discerned in scientific literature?*

*What are the goals of European police forces in cooperating with the Russian Federation?*

*What are the successes and limitations of European Police cooperation with the Russian Police?*

*How can these limitations be explained?*

*What are possible solutions?*

The first sub- question will be answered in the theory part, since the analytical framework discusses the relevant scientific literature. After that part three chapters will follow which are dedicated to analyze the last four questions separately.

## **Chapter 2 Conceptualization and relevant theories**

This chapter deals with the following question: Which opportunities and which barriers in police cooperation are discerned in scientific literature?

The theoretical framework consists mainly of Den Boer and Block (2013), Benyon (1996), Nadelmann (1993), Koers (2001) and Sheptycki (1995 & 2002).

As Den Boer and Block (2013) point out in their book the literature on international policing contains surprisingly little empirical research on liaison officers. Therefore there is not one ultimate theory which analysis these particular actors, as a result there is not one specific conceptualization. This paper makes an attempt to concept the barriers in police cooperation between the Russian Federation (RF) and Europe. The used literature was the basis to identify the six dimensions. The dimensions are necessary conditions

(but probably not sufficient). Dimensions and indicators have been carefully selected, in order to avoid redundancy and conflation.

The concept is “barriers in police work between European and Russian police forces”. Identifying the cooperation will be done by dividing the relationship into different fields. The challenges of concepts are that they have to consist of the fundamental constitutive elements of a phenomenon. All the dimensions and their indicators explain which opportunities and which barriers European and Russian police forces are confronted with when cooperating. Under which criteria is police cooperation successful? Only if the parties managed to overcome the stated dimensions and indicators.

The first dimension is politics. Indicators are data interconnection, state sovereignty and domestic consideration.

The second dimension is blocking factors outside and inside the police system. Indicators are corruption, different status quo on democracy, rule of law, principles of freedom, bureaucracy, respect for human rights, strong competition, trust, bribery and instability.

The third dimension are the criminal investigations, Europe and Russia have to deal with. They are derived from a Europol Review (2012).<sup>2</sup> The cases are drugs, trafficking in human beings, facilitated illegal immigration, Europol cybercrime center, intellectual property crime, cigarette smuggling, euro counter fighting, VAT fraud, money laundering and asset racing, mobile organized crime groups, outlaw motorcycle gangs and terrorism.

The fourth dimension consists of (non-) existing agreements and regulations. The indicators are all the ratified agreements and regulations between the different countries in Europe and the non-existing documents, which are needed. European and Russian documents have been taken into account as well.

The fifth dimension is tools for police work. Indicators are interrogations, searches, arrests, extraditions, prevention and upholding public order.

The last dimension is adopted by Koers (2001) named technical assistance. Matched indicators are offering information, training on police practices and techniques, actual donation of equipment or direct financial aid.

Concepts are the main building blocks for constructing theoretical propositions. The discussed theories will be of help to answer the first sub- research question.

The exchange of information between foreign police colleagues exist between the multi- layered framework in which general police cooperation occurs, established by Benyon et al. (1993, p.351). The authors came up with three interrelated levels for general police cooperation, namely the macro-, meso- and micro level. In all three levels different actors are represented which are involved in police matters.

The macro level deals with constitutional issues which serve the national supremacy. Within the EU the harmonization of national laws and regulation applies, with treaties and conventions mainly for extradition and assistance in criminal matters. For police cooperation the Schengen agreement (1990) is an example.

The meso level deals with the operational structures, practices and procedures of police and law

---

<sup>2</sup> Why from all the European institution is a document from Europol used for the dimension? In the year of 2008 the Council of The European Union made a Russian Organized Crime Threat Assessment (ROCTA). However four pages out of fifteen are not declassified for the public (Council of the European Union, 2009). The report suggests that Europol should draft a specific Threat Assessment since it is in line with the European Criminal Intelligence Model. The library of the European Parliament offers a document, which displays the European perspective on Russian organized Crime (Bakowski, 2011). But the crime areas mentioned are not as detailed as the assessment from Europol.



enforcement agencies. This kind of police cooperation does not need intergovernmental agreements and parliamentary ratification it solely takes place between different law enforcements agencies, sometimes without the knowledge or sanction of governments (Benyon, 1997). The cooperation takes place between working groups and middle- ranking officers from different countries. Aspects are communication (problems of technical languages and terminologies), information systems, common databases, regulation of coordination and access to information for criminal intelligence.

The micro level is about day- to-day operational police cooperation, implying the investigation, control and prevention of crime. Bigo (2000a) describes Liaison officers as an effective instrument for bilateral cooperation. Their role is crucial since they have become the human interface for data interconnection, this fact puts them in a spotlight because widespread data interconnection is forbidden and undesirable for police cooperation (Bigo, 1992; as cited in Sheptycki, 1995). Moreover, the established contacts between police personnel might give concern about the lack of accountability (Mc. Laughin, 1992). However, a successful network tends to be established at the meso level. Micro level instances of cooperation depend on effective meso- level arrangements (Benyon, 1996, p.358). This paper illustrates what cooperation barriers Liaison officers in the RF are confronted with in the micro- level.

Liemieux (2010, p.7) argues that only a handful of states employ Liaison officers in their sophisticated investigated branches. Furthermore he states that many states are light years away from being able to do that in order to protect their interests and participate actively in international law enforcement initiatives. Den Boer and Block (2013, p.183) point out those liaison officers are often posted in countries that are regarded as hubs for crime, corruption, bribery and instability. One example of such a country is the RF. It is a country with a different (police) history.

Shelley (1995) discusses the fact that the militia was created immediately after the Russian revolution and played an important social, political, and economic role in directing and controlling a highly centralized socialist state. The militia held an important political position during the Stalinist period. The people in the militia were the actual police and the word militia is derived from the word military. The book offers insights on the authoritarianism of the Communist system. Following Stalin's death, crime control became a more serious concern but the militia remained a key tool of the Communist Party and the most immediate form of control over the lives of Soviet citizens. As the Communist regime began to collapse, the militia was increasingly thrust into the front line of political conflict. According to Shelley (1995) it was a task it was not suited to perform. Moreover it says that despite efforts to reform the militia, the collapse of the Soviet state also led to the collapse of morale within the militia. In fact only in the year of 2009, the former President Medvedev announced a new law on the Russia's law enforcement service. One obvious change was the renaming from militia to "Politsiya" (police). The people are still actually military people, who work for the Russian police. Based on this history, principles of freedom and human rights, especially when it comes to processing personal data varies a lot from the European approach. Moreover there is an evaluation form for Russian Police officers, the so called "quota- system". It states that they are partially paid based upon how many criminal cases they solve and how many criminals they detect.<sup>3</sup> Moreover the "bribery of Russian Government officials by U.S. and foreign businesses and businessmen is seriously undermining the transformation to democracy in Russia" (Boylan, 1999).

Block (2007) deals with the obstacles of the bilateral cooperation between the liaison officers send by the Member States and the Russian counterparts. According to the author there is a rampant bureaucracy

---

<sup>3</sup> See the article by Paneyakh and Titaev (2011) for the dilemmas and solutions for it.

which results in long response times due to strict hierarchy. The responsible Russian law enforcement agencies deal with corruption among themselves, strong competition and non-existing trust between each other. This on the other hand results in different ways of organizing and prioritizing investigation and differences in legal systems. The result is unfamiliarity on both sides with the relevant differences (Block 2007, p.379). The affects are blocking factors outside and inside the different police systems.

Liaison officers were first recognized by Andreas Nadelmann (1993). He was one of the first scholars who acknowledged that liaison officers form a blue web across the globe, and that they are regarded as pivotal in the external representation of nation states He characterized these actors as official representatives of their agency, but also informal ‘fixers’, facilitators, or go-betweens with certain assets in their tools for police work. Moreover law enforcement liaison officers primarily act as mediators of requests from and to their home countries for information, evidence, interrogations, searches, arrests, and extraditions (Nadelmann, 1993, p.153; Den Boer and Block, 2013, p.2). Bigo (1996) explains that they are the only involved actors who can effectively manage the flow of information between their respective agencies. Therefore the role of Liaison officers is crucial for European security (Bigo, 2000).

Liemieux (2010, p.4) sums up perfectly their position while stating that they are “a sophisticated but small group of police that goes beyond national jurisdictions. These relatively new actors, whose position is marginal to the overall law enforcement mission of their respective police institutions, have become a sort of elite unit of police officers whose arena is international”. Their position as small, but powerful and well-connected and experienced police professionals allow them to have a twofold mission, which were identified by Bigo (1996; 2002). According to him first they have the power on an international level to codify and institutionalize operational policing. Second, since they are experts in their field they have an influence on the political actors in their respective states to make resulting practices into laws. However Block (2013, p.105) (who used to be a Liaison officer himself) argues that despite the policy efforts from the European Union the actual policies have only a limited effect. Because “the role, tasks and practices of Liaison officers are still largely determined by domestic considerations, including national legislation and priorities, the particulars of the police system and the personal preferences of the individual liaison officer”. This paper supports the statement of Block (2013).

The question arises what the common title Liaison officer entails. Bowling& Sheptycki (2012, p.105) describe Liaison officers could fulfil eight roles:

- technician
- diplomat,
- entrepreneur,
- public- relations expert,
- legal ace,
- spy,
- field operator,
- and enforcer.

The Russian side is perfectly aware of these circumstances. Implying that the eight roles impose opportunities and barriers at the same time, depending on the current situation! Their network allows them to exchange information without leaving a paper trail, thus they have a power of a huge autonomy. The author uses the general theory of policing which draws inspiration from subcultural theory and cultural criminology. The common aspects of police culture are being loyalty towards coworkers, insularity, given authority, used instrumentality and conservatism (p.109). It says that the culture of policing is understood to be a consequence of the unpredictable outcome of every police intervention (p.109). Taking these occurrences into account this prevents officers from informing on colleagues misconduct and corruption. The theory concludes that “in all cases the ability to use coercion to “get the job done” is a fundamental factor shaping the organizational life- world of the police occupation” (Bowling& Sheptycki, 2012, p.112). Liaison officers enjoy diplomatic immunity and other privileges, which may rise suspicion of democratic transparency and accountability. But organizing more accountability and oversight for networked forms of transnational policing may be a challenge by itself (Den Boer & Block, 2013; Soeters, Hofstede & Van Twuyver, 1995).

According to Koers (2001) there are three forms of informal police cooperation, namely prevention and upholding order, technical assistance, and criminal investigations. Since the work of Liaison officers has mostly an informal character his tripartite distinction will be used in order to assess the level of police cooperation. Prevention and upholding order is about the cooperation of different police forces when a cross border event takes place (for instance soccer games). Technical assistance deals with offering information, training on police practices and techniques, actual donation of equipment or direct financial aid. The most established form of police cooperation is the cooperation in the field of criminal investigations by means of exchanging police information and handling requests for investigative actions. The third form is the main focus of this paper.

One dimension is derived from a Europol Review (2012). In a booklet from the European police it is listed what the main twelve operational investigations are. Bigo (2000, pp. 336- 337) states that Liaison officers are a new form of control in favor of a proactive mentality in order to find out target categories with the help of statistical analysis. Parts of this analysis are the following cases:

- drugs,
- trafficking in human beings,
- facilitated illegal immigration,
- cybercrime,
- intellectual property crime,
- cigarette smuggling,
- euro counter fighting,
- VAT fraud,
- money laundering and asset racing,

- mobile organized crime groups,
- outlaw motorcycle gangs
- and terrorism (derived from the Europol Review, 2012).

Block (2010, p.107) argues that the key to increase the pooling of Liaison officers may lie in creating a shared interest rather than a shared policy framework and a specific set of rules. This Thesis supports his assumption; the argument is that making police cooperation more successful is not a legal challenge but a sociological one. What is the current relevant policy framework? There are (non-) ratified agreements and regulations, that vary per States in Europe. The currently established agreements on a European level are the 1994 Partnership and Cooperation agreement, for money laundering and drug trafficking. The 2000 Action Plan for a Joint Strategy on Russia for Combating Organized Crime and the 2013 Cooperation Agreement between the Russian Federation and Europol are the two pillars for the European judicial and law enforcement cooperation. However this thesis uses the social science approach and argues that police cooperation faces obstacles not because of impossible legal compliance. In fact the reasons are sociological and due to that necessary legal memorandums and policies do not exist. But since the legal aspect is an official tool to state cooperation requirements this dimension is relevant.

Bigo (1996), Sheptycki (2002), Deflem (2002) and Dupont (2004) emphasized the fact that international security networks call into question the very notion of state sovereignty. This is an indicator that police work and politics are intertwined. Norman (2001) and Dupont (2004) explain that administrative structures that support the operations of those networks usually precede their legal sanctioning and supervision by political authorities. Furthermore the academic literature supports the claim that politics and police work goes hand in hand. Meaning that the domestic political context in the recipient countries, affect perceptions and demands for policing and what is desirable or allowed, for changes in policing restructure, or have the potential on power relations (Marenin, 1998; Anderson & den Boer, 1994; Bayley, 1985; Brewer, et al., 1988; Bunyan, 1993; Sheptycki, 1995; Walker, 1994; as cited in Benyon, et al., 1993). Basically politics between the involved countries determine the status quo on police cooperation.

The theories will be linked to the findings in the conclusion of this paper. The discerned scientific literature displays the different dynamics in police cooperation. The research question for this part was what the opportunities and barriers are when police forces cooperate. Main opportunities are access to information for criminal intelligence, prevention of crime, agreements and regulations. Barriers can come in the form of corruption, bribery and instability. Other barriers on police cooperation can come from a different status quo on democracy, rule of law, principles of freedom, bureaucracy and the respect on human rights. The twelve mentioned crime areas, strong competition and diplomatic immunity serve as opportunities and as barriers, depending on the issue at stake.

## **Chapter 3 Methodology**

### **3.1 Introduction**

The selected data collection method is an open- ended questions interview. The interviews, which consist of self-constructed questions builds the basis of my data.

Why is the approach of interviews and literature review the best to answer the research questions? Because experts can give the best insights on how things are the way they are. There are only a handful of experts who know exactly why police cooperation between Europe and Russia is challenging.

What are the potential threats to my research design? It has to be kept in mind that foreign relation officers are diplomats and their representative role prevents them from speaking too openly about issues. Also the success of a conversation is always a question on multiple circumstances, but mainly on trust and willingness to explain. The MVD cancelled an appointment and decided to hand in the answers per email that makes the research less biased.

### **3.2 Case selection and sampling**

A field research, with experts has been conducted. All in all twelve e-mails have been sent to European embassies for a request to interview Liaison officers. At the end the primary data set consists of the following recipients. First interviews have been conducted (in the Russian Federation) with Liaison officers that are stationed at the embassy of the kingdom of the Netherlands, the embassy of the Kingdom of Belgium, the Royal Norwegian embassy, the Royal Finnish embassy and the European Delegation. Since Russian officers are not allowed to talk to foreigners, it was not possible to conduct an interview with a representative from the Russian Police Force. But the Ministry of Internal Affairs (MVD) provided electronically the answers. The questionnaire was the same for all the respondents (except question seven has been modified). Due to the imbalance of the European and Russian point of view, a representative from a Russian NGO and a professor at the Higher School of Economics- National Research university have been asked to provide some insight on how the Russian Police system works. Obviously they did not answer the same set of questions, because they did not have the police insights, therefore this knowledge has been used in the introduction and theory part.

An obtrusive data collection method has been used, since the individuals being studied at the end were aware of the fact that they are being studied. So this might affect have affected their behavior and answers.

Regarding the justification of my design choice it has to be stressed that the respondents are the main channel between the European countries and Russia. All between top ranked officials, because Interpol is too slow. Their network of privileged contacts allows them to have an expert point of view. Due to the Schengen information system they have the best utilization of resources for monitoring and reporting in any police matter. However the exact role of LO is subject to national preferences and regulations and can differ widely between Member States. Therefore a political officer from the European Delegation has been interviewed in order to analyse the cooperation.

### **3.3 Operationalization and Analysis**

The collected data is original since questions have been developed for the purpose of this paper. Punch (2001) made a clear point by stating that research questions identify what you want to understand. Interview questions, as data collection questions provide the data you need to understand. He also wrote that the first data collection question might be quite general in order to be an introduction or “grand tour” (p.33). This explains the very first question in my questionnaire. Moreover none of my questions are biased and they cover the aspects which are being dealt with in the theory and concept part. The used questionnaire for the Liaison officers can be found in annex 1.

An analysis will be made on why and how the different actors experience it differently, based for instance on the relationship they have in the politics field and the work load.

### **Chapter 4 Goals of European police forces regarding the Russian Federation**

The agreement on cooperation between the European Police Office and the Russian Federation (2003) reveals four main goals.

1. The exchange of legislation, manuals and technical literature (stated in Article 5).
2. Exchange of law enforcement experience including the organization of scientific and practice oriented conferences, internships, consultations and seminars (Article 5).
3. Exchange of strategic and technical information of mutual interest (Article 5).
4. Enhance cooperation on combating the serious forms of transnational criminal activities (Article 1 and 4).

One of the key words in this agreement is “mutual interest” in Article 5, stated in the third goal. What are the goals of European police forces in cooperating with the Russian Federation? Liaison officers, Police Attachés and a representative from the European Delegation have been interviewed in the RF since they deal with the Russian police on a daily basis and have an expert view on it. Also the twelve priority criminal acts mentioned before were being discussed during the interviews, in order to determine to what extent police cooperation is needed.

Embassies are operational and fulfill the purpose of knowing a particular person which is responsible for creating a dialog between different parties involved, in order to control and prevent crime. One of their tasks is to create mutual trust, informal networks and arrangements. Moreover a Liaison officer (LO) is responsible to advise the officials who represent the Russian interest to switch the legal aid and how to work with contract issues.

Liaison officers who work together in the same region meet on a regular basis. In the RF those meetings are called FLOK meetings, which are for the European representatives. But not every officer attends the FLOK meetings. The meetings are for exchanging addresses and information on particular topics. Trends like migration problems or other certain forms of criminality. It is a one hour monthly gathering; no minutes are available for the public. The host rotates and decides on what is being discussed. The topics are mainly on Russia. One example is a child pornography case in the Netherlands. It is obviously

something that can spread around the world quickly. Questions that are being asked each other are if someone is already cooperating with Russia on that. The LO sit around the table and discuss what the best approach is. About fourteen are stationed in Moscow and each Liaison officer covers not only the RF but also countries nearby. They travel to the other countries as well in order to be known. However the main goal of the LO is to create a sort of spider web which serves the security mainly for the country they have been sent from and partially for Europe in general.

## **Chapter 5 Successes and limitations in police cooperation between Europe and the Russian Federation**

What are the successes and limitations of European police cooperation with the Russian police? The first three mentioned goals can be assessed as successes in cooperating in the area of law enforcement between Europol and the RF. The exchange of legislation in particular takes also place with the help of LO. The exchange of law enforcement activities takes place, although the quality and benefit of it may only be evaluated by the individual itself. The second goal the organization of conferences, took place for instance for Sochi 2014 Olympics and it also takes place when the European Royal families come to the RF. The third main goal consisting of the exchange of strategic and technical information of mutual interest is achieved. But the reader should draw his attention to the words mutual interest. Also in this case the question arises to what extent the shared knowledge is beneficial to fight organized crime. Moreover Article 8 states assistance requested under the cooperation Agreement (2003) may be denied completely or partially if the RF “considers that the execution of the request may damage its sovereignty, security, public order or other essential state interests, or contradicts its legislation or international obligations”. This statement is very broad and gives the RF freedom in denying cooperation when it seems more convenient for their side. Therefore the third goal is a success in terms of fulfilled accomplishment. However it is a limitation in itself in terms of fighting organized crime to the far reaching extent possible. The last goal of “enhancing cooperation on combating the serious forms of transnational criminal activities” seems not fulfilled. Sources confirmed that the RF became even more closed in the last ten years, thus the word enhanced does not apply in describing the dynamics of the relationship, it is rather the other way around. Article 1 states that the purpose of the cooperation Agreement (2003) is to enhance cooperation but certain limits hinder this process. Article 4 describes in what areas cooperation has to enhance, the mentioned crime areas cover the twelve crime areas listed in the conceptualization part.

Interpol is evaluated as a success when it comes to information exchange. This might be the case because it is the main institution for it and the only one that has the competence to share information to this extent. Even for checking driving license plates, Interpol is being approached. The Russian police and European forces value Interpol. Other than Interpol, LO have the opportunity to exchange information with the help of official e-mails or regular post messages. The FSK (former KGB) is appreciated for general security issues. The FSB works at protocol level; it is an international relation division. However they seem to have the reputation to be a complete organization failure. Still it is not clear for European actors whom to approach; their strict hierarchy makes it difficult for everyone involved to work fast and efficient. On fraud there is a lot of investigation, what is rather weak are criminal activities on human beings. This is most likely due to the fact that human beings are harder to track, since they can be better hidden. Moreover Russian police officers are not interested in these difficult cases, because they prefer the easier criminal investigations (i.e. fraud), since they are partially paid depending on how many cases they actually solve.

What other limitations occur? Everything is being held formal; the hierarchy is the main point to understand in order to show progress in work. Even at lunch the Russians do not want to appear too close to foreigners, because it is part of their job to have a distance. This behavior does not mean that they do not want to work with foreigners. Due to the cultural differences understanding each other is just more difficult.

Another basis I will draw my conclusions upon are incidents which have been dealt with in the European and Russian media. The first case is the Magnitsky affair. Magnitsky (2008) uncovered the alleged theft of \$230m (£150m), committed by Russian tax officials and police officers. After reporting it to the authorities, he was himself detained in 2008 on suspicion of aiding tax evasion, and died in custody on 16 November 2009 at the age of 37. He died of acute heart failure and toxic shock, caused by untreated pancreatitis. He was also subject to torture and beatings in prison (BBC News Europe, 2014). This is a case well known in the Western media. It displays the extent of corruption. It can be argued that bribery took place of officials who accused him of tax evasion. Embezzlement (theft of the money) and fraud (manipulation of information) was carried out by Russian tax officials and police officers. Favoritism by the Russian government took place since they did not punish the once who committed the crime, but instead punished the person who uncovered the crime. Support of the nearest and dearest took place, implying a privatized distribution of money.

The Magnitsky case has also been discussed in scientific literature. In connection with this case, Levina (2013) states that the Russian criminal justice system allows corruption and torture, by law enforcement officials with the use of three instruments. First, with the legal aid of the Criminal Code, this is the source of criminal law (Federation Council and State Duma, 1996). Second, the Code of Criminal Procedure, which regulates the conduct of an investigation (State Duma, 2001). Third, the ill treatment of allegations in court against law officials. Even though the Russian Constitution, Chapter 2 on Rights and Freedoms of Man and Citizen Article 21 states that basic human rights shall be protected (Constitution.ru, 2014). The author concludes that legal and technical shortcomings are linked to structural causes, which affect the professional culture of the Russian judiciary and law enforcement institutions.<sup>4</sup>

The second case is known as Alexander Litvinenko. He was a critic of the Putin regime. In November 1998, Litvinenko and several other FSB officers publicly accused their superiors of ordering the assassination of Russian tycoon and oligarch Boris Berezovsky. Mr. Litvinenko fled with his family to London and was granted asylum in the United Kingdom, where he worked as a journalist, writer and consultant for the British intelligence services. In fact Mr. Litvinenko knows Mr. Putin well, because the president was his boss, during the time when both of them worked for the FSB. In London, Litvinenko wrote two books, *Blowing Up Russia: Terror from Within* and *Lubyanka Criminal Group*, wherein he accused the Russian secret services of staging the Russian apartment bombings and other terrorism acts in an effort to bring Vladimir Putin to power. Mr Litvinenko is thought to have been close to journalist Anna Politkovskaya, who was shot October 2006 in Moscow, and said recently he was investigating her murder. She was another opponent of the Kremlin, and particularly the war in Chechnya. He alleged that al-Qaeda number two Ayman al-Zawahiri was trained by the FSB in Dagestan in the years before the 9/11 attacks. Moreover Litvinenko accused the Main Intelligence Directorate of the General-Staff of the Russian armed forces of having organized the 1999 Armenian parliament shooting that killed Prime Minister of Armenia Vazgen Sargsyan and seven members of parliament, ostensibly to derail the peace process. He suggested

---

<sup>4</sup> See for more discussion of the Magnitsky case and the affect it has on the RF in North, Wallis and Weingeist (2009) and Yakovlev, Sobolev and Kazun (2013).



in September 2004 that the Russian secret services must have been aware of the Beslan school hostage crisis beforehand, and therefore that they must have themselves organized the attack as a false flag operation. In an article written by Litvinenko in July 2006, and published online on Zakayev's Chechenpress website, he claimed that Vladimir Putin is a paedophile (BBC News, 2013).<sup>5</sup> He died after being poisoned in London with the radioactive substance polonium-210. Britain requested to extradite the suspect Andrei Lugovoi, but the Kremlin refused to do so. Two of my European sources confirmed that due to this case there is not a British Police Attaché anymore present at the embassy in Moscow. In June till July 2007 the Russian media displayed Lugovoi in TV shows and radio talks as a national hero (Shlapentokh 2009, p.313). This reflects the Putin regime since the Russian government owns the public Television.

A leading political scientist named Dmitry Furman (2006) wrote that Litvinenko's murder will never be known, because an authoritarian regime never permits a serious investigation of political murders (in Shlapentokh 2009, p.313). Hutchings and Miazhevich (2009) discuss how Litvinenko's death was used to reconstruct national identities and international resentment.

How are these cases relevant to the main research question? Both cases display most dimensions and indicators. They underline the fact that both parties have a different status quo on democracy, corruption, principles of freedom and respect of human rights. They describe (and explain) the working process with each other. When it comes to corruption one might argue that an institution can still cooperate even when it is corrupt. The problem with this way of thinking is that a corrupt institution is always willing and able to forge data (for instance). So one never knows for certain what the next effective step should be. Rosefield and Hlouskova (2007) declare in their article "why Russia is not a democracy" that suppressed civil rights, political participation, balloting, and parliamentary autonomy still belongs to the daily political agenda.

The RF has six different main police institutions when combating organized crime with a connection to Europe. All of them have different tasks implying different priorities. They have major difficulties cooperating because of strict boundaries between them. But in European countries there are only the local or central (federal) police. There is an issue, in long delays in replies from the Russian side; it has to be in Russian. When there is a European request it goes on paper to the international relations department part of Ministry Interior (MVD), which forwards requests to the other five Russian institutions. The reply always goes back to the MVD and then it goes to the European country. It is more complicated outside Moscow; there might be a delay of 4 months. The Russians might be equally complaining.

For a narcotics case many different Russian authorities can be responsible; the FSB (if international cross-border related), or customs, or FSK (the official specialist on drug control). This makes working complicated and the Russian authorities fight with each other about who gets the case. It depends on the case if you can approach one or more Russian police institutions. There is extensive competition between them. Every police force wants to be best, because then they get more money from the Russian state. It might happen that the six different Russian institutions work at the same case. This on the other hand creates the affect that their work is overlapping. This wastes time and man power for the Russian side and they seem to be aware of it. A European officer might use this fact as an advantage. For a case he could notify more than one institution, because this way he lets others working on it without losing time or man

---

<sup>5</sup> On the website of [informationliberation.com](http://informationliberation.com) an article written by Mr. Litvenko with the Russian president kissing the stomach of an unfamiliar little boy is still online.

power from his side. In any case it takes time; time law enforcement officers might not have for a tough case.

There is a variety of problems because the legal systems differ. Difficulties are that criminal acts in Russia are always prosecuted. If somebody steals something it does not matter how much. The logic is if someone has done something wrong justice needs to take place. Whatever people do in Russia, if caught, they have to face the law. In European societies the penalty depends on the amount. Dutch authorities tend to skip the small one. For instance they prefer to work on cases that deal with stolen organs, rather than stolen cars. Therefore it is a different perception on priorities.

Russian police personal may increase their salary based upon how many cases they solve. As a result they continue working on a case where cars have been stolen for instance, because these crimes are easier to solve. "Russians do not stop investigating, even if Europeans want to go on" (personal communication, January, 2014). The Russian priority is to investigate. Even if it is a mutual problem they proceed first with the old case. So everything is restricted and possibilities are provided by law. Russia is rather old fashioned. Europe is about crime prevention and they have priorities, but there is also a difference within Europe itself.

In some situations regarding the environment it is not a crime in Russia but in Europe, and it can be the other way around. Examples are polluted materials. It can be sold around the world, certain types of oil, or polluted iron. Certain chemical precursors are forbidden in the Netherlands but not in Russia, which are used to design drugs. Precursors are being produced and sold in the RF but once they cross the border it is illegal. It is a problem from Russia to Europe or from China to Europe. Thus a different legislation is at stake. In the Netherlands it states that smuggling is forbidden while in Russia there are single paragraphs for everything. They have many different ways of causing different problems, it can be a combination occurring in different cases. A problem is that every exchange of information has to be looked and evaluated carefully. That is a burden. There is also the informal way of exchanging information. From a Dutch police point of view there is not a whole lot of interest to investigate in a case of stolen cars, but more in the selling of organs or forced labor. But once the Russian police knows that cars are stolen they refuse to drop the case first in order to work on another one. For drugs, the trafficking in human beings, illegal immigration and cigarette smuggling the Netherlands have special investigation for their harbors.

The Russian Federal Narcotic Services handle the drug issues. The handling of it is very insufficient. The United Nations have a say, because they have an office in Kazakhstan. CARACI in Almaty is supported by the United Nations for drug abuse. Europol has a role, depending on the case. Although in general they cannot show any progress towards the working relationship with Russia. Russia does not see them as important or relevant, because Interpol exists. Currently there are two representatives in Interpol, which take care of Europol matters.

Humans are a very difficult issue, Norway has lots of illegal immigrants which show up as asylum seekers, because Norway has no border control, very few come by plane most people from Somalia, there are only few hundred Russians. There are many humans in prostitution, it is a big scheme based on the internet. Women are trafficked for sexual exploitation Russian organized crime groups have the greatest influence in Spain, Greece and Latvia because they control commodities there (Council of the European Union, 2009). For trafficking in human beings and facilitated illegal immigration the main practical tool is the EU- readmission agreement. Illegal migrants from Russia to the EU can be returned to Russia. "EU Russia readmission agreement" is a regular dialogue from the Russian side; it entered into force in 2007.

Due to these facts the impression arises that one of the reasons why this readmission agreement exist is because it was not difficult for both parties to agree on it. Since Russia is mainly a transit country. People come mainly from Vietnam, Iran or Syria. The airport hub is in Moscow, which serves as a bridge to Europe. Moreover human rights and police work go not hand in hand. Police work is about catching the criminals.

The most corrupted field are fake documents, it is a big business. The biometric passport since 2010 makes it at least more difficult. The problem in Russia is that there is not a good independent institution which can fight against organized crime. The general prosecution office and the federal investigation committee is a partner. There is not one independent federal service yet and certainly no real unit which fights against corruption.

The RF suffers of a drug threat; thus in general they want to cooperate. Drugs of all kinds are a problem, but the most used drug in Russia is heroin. Finland for instance suffers from amphetamines which is a drug that comes directly from Saint Petersburg. It is still a trouble to prevent crimes. There is a big difference between having information and having it to prevent a crime. The last kind of information is most of the time missing. Nevertheless the drugs procure agreement on the control of drugs precisions is not ratified. The acknowledgement is important from both sides. But greater powers seem to be involved, which leaves European police forces powerless. One example is a case in Afghanistan. If there are issues with drugs, employers from the Russian federal drug institution, do not cooperate. The federal drug control agency is based on tax police, for tax fraud. It changed in the last ten years; this institution still has no expertise for drugs, no achievement and no balance (personal communication, January 2014).

Cigarette smuggling is an issue, once one ship sailed from Saint Petersburg. It got seized in the city of Gent in Belgium, but the Russian sailor was missing. His body got discovered along the coast and it was not suicide. There are a lot of smuggled cigarettes in Europe that come from the RF. The Russian origin traffic route is apparently not known. The most popular brand is Jin Ling which is manufactured in Kaliningrad. This type is only sold illegally; it is designed only for smuggling. No one really knows why this company still produces since it seriously harms the Russian tax system. A British journalist saw everything; there are many articles about this company. This is a perfect example which displays the corrupt schemes in the RF. It seems to be a system than cannot be changed anymore, because the owner(s) of this company make a huge profit while the Russian Government makes a huge loss.

When it comes to the counter fight of money an issue might be forged ruble from Bulgaria. There is no VAT fraud. For asset racing an example is fiscal evasion. For some Russians cheating on their tax is like a hobby. Because the laws if you are caught are rather weak and there is not an affective institution which is responsible for tax control. A mobile organized crime group once attacked a jewelry store in Belgium and took the theft to Russia. Regarding cybercrime there are many child pornography and bank hacker cases. The interviewed LO seemed to agree upon the fact that cooperation exists and that communication departments exist for that crime area in the MVD. The department K is responsible to provide quickly IP addresses, but this is rarely the case. Good technology and a proper law for that are not available in Russia. But if the necessary technology does not exist, there is no point in creating regulations for it. The high technology knowledge comes from Europe. Cooperation is strong on child pornography. Within 48 hours they are able to take care of it. Once the data on a community in the Netherlands got hacked and the data was stored in Russia. Another time a perpetrator was convicted, who was responsible of killing a major entrepreneur. A house in Russia had to be searched for it. In all three cases strong and fast cooperation took place. What is rather weak is to actually find suspects because Russia is a huge country.

The translation in general is weak, but it is very weak or rather not existing outside Russia and Saint Petersburg. The bureaucracy makes progress slow.

The Finnish have a good system for VISA, one of the reasons that not much crime and threat come from the Russians. Even if they drive too fast Finland may cut VISA for two years, it is a tool for protection. Back in Soviet times there was lots of car theft, now Russians can afford it, luxury cars have been sold, it is a problem for Norway and Sweden. Stolen property in general is hard to get back; it takes approximately ten months to get it back once discovered. It is in general a complicated procedure; in Norway there is a very high tax on cars. Therefore a new strategy has developed, where the insurance pays compensation to Norway and the stolen property stays in Russia and someone there can buy it, in order to become the legal owner. A case example of property crime is named Tubory (like the beer). The investigation started with Danish bank accounts in connection with Ukraine and Poland. No one got arrested, but names of suspects got identified and the localization took place in Russia. In another case five customs licensed officers in an embassy committed property crime in connection with potatoes, chicken and sanitary certificates.

Russians want Finland to keep as a holiday place, Finland serves as a transit country. There is a Ministry of health for hospitals and jails between Russia and Finland. Joined tuberculosis research takes place between Russia and Finland. It might be cheaper for a Russian to go to a Finish hospital. If Finish and Russian police fight against one group they are at same time at different places and listen to phone calls at the same time. This applies to smuggling cases mainly drugs. It is a matter of geopolitics on who gets along with whom.

It is hard to proof money laundering you need quick info exchange. Russians buy lots of property in Finland for instance, hotels very difficult to proof money laundering in these cases because Russians do not want to investigate it. Therefore there is still corruption in Russia, because they do not cooperate by not answering at all. In Belgium diamonds are being used.

Terrorism is a threat which makes it necessary that police in different countries can work well with each other. The fight against terrorism is strong; cooperation takes place instantly if a Police Attaché asks for it. It starts where the people are (originally) from and where they got their weapons from. So it has a global structure. The FSB is responsible for a terrorism threat assessment. They gave a notice of a radical Islamic group from the Caucasus region that trafficked weapons to Belgium. These groups are watched closely. Still a European officer has to wonder why the FSB notifies these kind of cases, since it is not of their interest if non- Russians are killed. For all of these cases there are no common investigating teams with Russians and Europeans.

The information exchange is restricted due to European standards of data protection. Cooperation with other European countries is very effective. Keeping in mind with what both actors have to deal with, the cooperation is normal. Joint European investigation teams make cooperation efficient. Europol and Euro just coordinate different actors. These two approaches would make it easier for police cooperation with Russia. Information exchange needs consideration. Russians very difficult, Europeans just say it on the phone. Government relationship is very good with Finland and Russia, not with Sweden. Because Russians mix politics and official police work (personal communication, January, 2014).

The relationship between the RF and Belgium is based on an intergovernmental agreement of December 2000. It is signed by both parties and it is ratified only by Russia until now. The reason why Belgium did

not ratify it as well, is because Russia did sign but not ratify the European Convention of Council of Europe 108, which is related to the exchange of personal data. Belgium is expected to show loyalty towards Europe, which on the other hand makes the relationship with Russia more complicated. Furthermore a reasonable question is to what extent Russians understand the concept of Europe. Maybe they are not aware of the four freedoms of movements (of goods, capital, services and establishment) in the internal market, and are not aware that that there is a small but existing European identity.

The 32nd EU-Russia summit took place on January 2014 in Brussels. The aim is a partnership for modernization and economic, trade, human rights, citizen's mobility, foreign policy, a VISA free regime, customs fees and laws. The European Russian summit before January 2014 produced no progress at all. This shows that a willingness to attempt partnership agreements does exist but national preferences do not comply with the counterpart.

## **Chapter 6 Discussion**

The first three main European police force goals in the cooperation Agreement (2003) are being successfully practiced because both parties benefit from it. The exchange of technical literature, law enforcement experience and the organization of conferences and seminars is nothing of a threat or a challenge. Exchanging information based on mutual interest can be done without a considerable amount of trust. But when it comes to the serious and main task of law enforcement activities, meaning fighting transnational criminal activities cooperation faces an apparent obstacle. Is the limitation on the fourth main goal justified? That can only be answered on a case by case basis. But in general the answer is no, that limitation is not justified. We live in a globalized world illicit trafficking in fire arms, narcotic drugs, nuclear materials and human beings, prostitution and fraud affect the RF and Europe. But in fact fire arms are produced in the RF; the ingredients for narcotic drugs can be purchased legally in Russia. If one compares the threats each party is facing, it appears that Europe faces more crimes from the RF, than the other way around. With that knowledge the RF might not see the urge to common law enforcement activities as important as Europe.

Another explanation is that the RF is a huge country, finding a suspect is extremely difficult including the fact that technology is not as far advanced as in Europe. The fourth and most important goal probably possess a barrier, because they do not have the necessary tools for it.

Another explanation is the difference in law systems. Ten years ago cooperation was better, because Russia was more open it became more closed. Ten years ago there was a totally different legislation in Russia, they asked Finland for advice on how each police sector works in order to create same level of cooperation activity and more productive outcomes (personal communication, January, 2014). Exchanging information for operational activities takes too much time. Russian legislation has to ask FSB (former KGB) what they can give even if it is simple information. Culture is different when it comes to work. In EU same working culture, in Russia they have still Soviet union style. Russians think all bad is coming from outside as if there are no narcotics in Russia. But in reality all comes from inside. Russian Police skills are on a high level; very good, even better informants in Russian gangs than in Europe (personal communication, January, 2014).

Inside the biggest blockade is that everything is strongly centralized; single police officers have barely autonomy. Outside corruption is a problem but a Liaison officer can never know for sure. Moreover the absence of a secure electronic communication link for the exchange of information hinders cooperation.

So far the handling of personal data is the most difficult point to agree upon. There is a concern on how Russia takes care of its nationals and their privacy. The Russian constitution from 1903 makes it difficult to comply with the European approach, because they would need to first decrease their federal laws. There are doubts whether Russian data protection office is independent, which is a crucial issue. They have not ratified the additional protocol to the 1981 council of Europe convention on data protection, the legal framework for data. It is a matter of practicalities of the system whether how they will protect the data. Also for criminal justice convention, data has to be protected. For Europol and Eurojust also Passenger data needs independent protection. It is a Horizontal issue in Russia.

Most Russian police officers are not allowed to get in touch with European police officers. A Dutch police officer can call a German officer and ask about something due to the Schengen treaty. In Russia such autonomy does not exist. They always have to go to the central office in Moscow.

There are strict rules on what kind of info can be shared with foreigners. The general rule: information cannot be shared only on certain topics, all right terms are listed. Agreements are conditions to make work efficient and safe.

Russia has many drug addicts, there is a mismatch in input and output (cases in cause), resulting in a problem of prioritizing. It poses many problems; there is no coherent policy for attacking crime. All approaches are individuals' approaches. The competences also differ between countries in Europe, 28 different Member States (MS) impose specific challenges. The EU police officers have difficulties to actually have meetings with the main police institutions. Some MS have better access than others, also within agencies, even some departments in the MVD. The reasons: it depends on the volume of work and it is a question of personal chemistry. The general rule is personal relationships equal general access.

Sometimes it is not possible to exchange any information. Russians might have investigation in the preliminary phase. Russians have more possibilities to investigate in their own country. They can get information through their own power. In the Netherlands you need permission from the Justice channel to get certain information. This is where cooperation stops. It is easier for the Russians to obtain commercial information on contracts for instance, due to the law. Legal aid through justice channel handles giving information. In the preliminary phase for instance the Russian police has no suspect for an investigated fraud case. Because of that the police needs certain information on contracts. In Russia companies give out this kind of information if a request from a police is made. If the case is linked with the Netherlands, they also need information on contracts. But in the Netherlands this way of working is not possible. Questions that could arise are who the suspect of the company's employees is. The Russians might not know exactly who, but that does not hinder them looking at this kind of information. It is a day to day work to cope with these law differences. In fraud cases employee details are needed from the people who worked for the company. In Russia all commercial information can get accessed, like money exchange. In the Netherlands you would need legal aid for it, which requires a judge or at least a prosecutor. This is in Russia not the case so they have more power. But still it gets difficult to actually get a suspect. On the other hand in the European system this is easier. When there is a suspect a legal case in the preliminary phase Russians have more power because of that non existing barrier.

The delay in answering takes a lot of time. The fact that there is no central population register makes police work difficult. The translation is a day- to- day problem. Judicial legal requests are operational and all the procedures have to be translated by someone who is officially recognized as a translator. Even these documents suffer under a bad translation which makes it difficult to understand money laundering or false prison sentences. This necessary bureaucracy is called an international judicial legal assistance request and after receiving it, questions arise most of the time. Extradition requests may impose problems. General prosecution offices from the Ministry of Justice are involved and it is a question of reciprocity based on international conventions and agreements. There is always a political sensitivity between governments. The death penalty is still in the Russian federal constitution. Condemned prison sentences may create problems.

Moscow is very administrative (due to high centralization). Russian officers in Saint Petersburg understand better that it is necessary to cooperate with neighbors because they are so close to Finland. Moscow gives less VISA to Finland thus Russians do not think it is important to work with them.

According to two LO a memorandum of understanding is needed (personal communication, January, 2014). Russia asked Belgium several times for it. An intergovernmental agreement does exist. But having another agreement with on cooperation with the FSKN for instance on border guards on police matters it would be easier. But we have the European Union so it is more complicated. It also depends on the means of the home country. CEPOL is a tool for better cooperation. Germany has BKA working groups which are solely designed to work with Russia. These are very affective.

Weak are anti- corruption schemes, major difficulties, because both sides lose money. There is no effective economy in the RF, because they do not respect the fundamental rule of law. GDP gets lost through bribes; there are very strange public procurement schemes, also for human rights. Many European businesses lose money.

Human rights might be idealistic but it is a good value. That is the reason why other countries want to join EU. In fact the EU only has values to offer due to the absence of resources. It is all political sensitive that is all. It has to be remembered that the state of mind on corruption still exists even for official documents and that it is always for money and power (personal communication, January, 2014). Relationship climate has to be as good as possible. If corruption occurs Europeans never really know. There is no reluctance for cooperation from both sides; it is mainly about culture (personal communication, January, 2014). Always political willingness influences cooperation. If there is no support of high officials; support does not exist.

General cooperation fluctuates, due to political events. There was the war in Georgia in 2008. There are problems of domestic human rights, eastern partnership in Ukraine and Moldova. Frontex, Eurojust and Europol are important for Russians. The UK, Finland and France are important due to higher work load and of course the European Commission. Commission decides with Russian side on VISA free regime for the sake of economic benefits, politics, bringing more money and the social impact on learning more about Europe. On the other hand the discussion about the VISA free regime seems more like a chest game. The Russians are not willing to give VISA to their people, but they pretend so they can blame Europe that they were not willing to give it to them, in order to have leverage. In the RF everyone who takes the train even has to show their identity card and it is all registered. That is a sign that the government of the RF has no interest to give their people eve more freedom.

## **Chapter 7 Solutions**

There are two ways to assist Russians, in order to be a valuable asset to them. The first one is to use your home country as a role model and show them what the European country has. Technology is always a great asset. Second, do never try to force anyone. Be open and remember that every involved party is keen on their sovereignty. A memorandum of understanding might help.

Separate agreements are needed, to make the working process more smoothly. The federal drug control agency is not needed at all (personal communication, January, 2014). Agreements with the MVD are in a process, because it is needed very much. What else is needed is a financial task force network on money laundering. Not a police authority is needed for that, but another independent institution. Exchange police personal in schools, is in process in making that agreement discussion with MVD.

Necessary solutions are the opening and exchange of data basis to make a quick response actually possible. Profiling systems might be another tool, which serve the identification on specific risks connected with individual banks, countries and or industries. However tracking suspicious transactions is difficult, because a criminal will avoid using big amounts of cash, but rather use a very long chain of transactions. A great solution for the future would be if Russia and the appropriate country in Europe would work on the same case at the same time, next to each other. Meaning having a desk at each other places; which would make a parallel investigation convenient. But for that a legal basis is needed. In order to have a legal basis, same priorities are needed, which is a cultural issue. In order to help police officers to overcome cultural obstacles a training on culture what be a solution. The Hofstede Center offers possibilities to be aware and learn about potential cultural pitfalls.

Until today the Russian and European police focus on different criminal matters. A realistic solution would be a diplomatic contract, a memorandum of understanding which acknowledges the differences. It would be a first step, to create an environment where each involved actor can see the challenges. In the future it might be possible to exchange personal and to create teams for the spot. Currently this is by far not feasible; however patience is the key word.

## **Chapter 8 Conclusion**

Which barriers are European Police forces confronted with in cooperation with the Russian Federation and what explains these barriers? The main existing barriers are language difference, culture, corruption, bribery, instability, diplomatic immunity, strong competition, (non-) existing trust and certain crime areas. According to the author Bokowski (2011) the particular crime areas are trafficking of women, trafficking in drugs and chemical precursors. Russian organized crime has a crucial role on national economies through fraud, trade in arms, cybercrime, money laundering and investment of the gains of crime. Other relevant crime areas mentioned by the author are murder for hire, smuggling counter fight goods and trafficking of precious medals. When it comes to drugs (for instance for heroin) and the trafficking of human beings the RF serves as a transit country. Other barriers are the different status quo on democracy, rule of law, principles of freedom, bureaucracy and the respect on human rights. Regarding the police cooperation between Europe and Russia politics serves as a stepping stone. The political climate needs to be well, otherwise the police personnel from both sides has no permission to cooperate. Slow bureaucracy,



hierarchy, differences in the legal system result in different ways of organizing and prioritizing police investigation (Block, 2007). Thus there is no unity of effort.

The first sub- research question deals with barriers and opportunities. Despite all the mentioned barriers, opportunities do exist. Data interconnection, domestic consideration, agreements, the prevention of crime through VISA, and the assistance in technical matters are the main ones. VISA is being used as a tool for prevention and upholding public order. This is a characteristic of international police cooperation by Koers (2001). The fundamental nature of international police cooperation is criminal intelligence sharing. Europol is all about the analysis of actual data, constantly exchanging information, the handling of requests on information and/ or assistance in exchanging data. This is an explanation on why this institution faces deeper multilateral issues on coming to an agreement with third countries. The willingness to cooperation depends on how much workload the European countries face with Russia.

Huggins (1998) connects technical assistance and the possible abuse of power, by stating that it can be used as a tool to gain influence in another country. The RF seems to be aware of it, which might be a reason why there is such a big difference in technology.

To some extent it can be argued that these can impose barriers as well. On the other hand barriers cannot be seen as opportunities. A LO needs to fulfill eight roles while being abroad, namely technician, diplomat, entrepreneur, public- relations expert, spy, legal ace, field operator and enforcer (Bowling & Sheptycki, 2012, p. 105). The Russian side is aware of it therefore these roles impose barriers and opportunities, depending on the situation. In one case Russians might be aware that the LO is spying and use this as an advantage to provide wrong information. As a matter of fact barriers and opportunities are created from both sides. Each one of them decides what the proper way to react is, based upon their own benefits.

What are the goals of European Police forces in cooperating with the Russian Federation? The agreement on cooperation between the European Police Office and the Russian Federation (2003) reveals four main goals.

1. The exchange of legislation, manuals and technical literature (stated in Article 5).
2. Exchange of law enforcement experience including the organization of scientific and practice oriented conferences, internships, consultations and seminars (Article 5).
3. Exchange of strategic and technical information of mutual interest (Article 5).

Enhance cooperation on combating the serious forms of transnational criminal activities (Article 1 and 4).

Goals of LO stationed in the RF is to control and prevent crime, create a dialog and trust in order to create informal networks and arrangements. The most important goal of a LO is to create a sort of a spider web, which covers mainly the country he or she has been sent from and Europe. If the LO is stationed in the RF the person also has to cover other countries, for instance Kazakhstan, Belarus, Armenia, Kyrgyzstan and Tajikistan, in order to make the network big enough.

What are the successes and limitations of European Police cooperation with the Russian Police? Main successes are the exchange of official legislation, the possibility to exchange law enforcement activities, organization of conferences and the exchange of strategic and technical information of mutual interest. To

what extent this is beneficial to fight organized crime depends on the case. Interpol is a success when it comes to exchanging information and the FSK (former KGB) is appreciated for general security issues. However the federal drug control agency is based on the former tax police, it changed in the last ten years and still they have no expertise in drugs, no achievement and no balance (personal communication, January, 2014). All the main six Russian police institutions have major difficulties cooperating due to strict boundaries and extensive competition. A LO never knows for such which institution it is best to address, since their competences are overlapping. Moreover police cooperation on combating transnational criminal activities between Europe and Russia decreased, since Russia became more closed (personal communication, January, 2014). The ROCTA paper from the Council of the European Union (2009), states that Russian organized crime continues its development in heroin trade, cocaine and synthetic drugs trafficking. Russian organized crime groups cooperate closely with Chechen and Mexican groups and other relevant drug cartels. As a consequence they are involved in trafficking it from Latin America to the final distribution in the EU. This fact shows that investigating criminal activities needs to have a global character in order to get to the source of the problem. This kind of global police work however faces obstacles that are almost impossible to solve, because these groups commit crimes in Latin America, the RF and in Europe. This intertwining is difficult to investigate upon. Moreover the ROCTA report (2009) states that Russian organized crime groups recruit high technology professionals for their own IT security. Racketeering and extortion are being used as forms to illegal profits. The report makes clear why the limitations written in Chapter 5 are justified. A true fact is that the RF is rather unstable and that members of Russian organized crime groups have ownership in important sectors such as gas and energy (Council of the European Union, 2009). Economic blackmail might occur and law enforcement agencies might find themselves weighing priorities of different crime areas, having to choose if it is wise to ignore one or more criminal activities.

How can these limitations be explained? In general it seems that Europe is facing more crimes from the RF, than the other way around. Therefore there is no coherent policy for attacking crime, because there is no balance in need for it. But the main point is the difference in law systems. Russia is a strongly centralized country, where single police officers barely have any autonomy. Everything is decided from Moscow and the still non-existing secure electronic link for the exchange of communication and the exchange of information hinders police cooperation. The RF had in its past the Soviet Union, while Europe dealt with the Second World War for instance. This circumstance results in different cultures, moreover both are big and diverse. Once a criminal case needs to be investigated in Europe in connection with Russia, the LO have to discuss how to proceed. During that stage they are confronted with different cultures among themselves, since European identities vary a lot from each other (Hofstede 1991). Furthermore Anderson (2002) explains that the law enforcement systems within Europe vary as well, making very close cooperation between the European actors more difficult. An attempt can be seen that all involved parties try to be good neighbors, despite all their internal and external differences.

What makes police cooperation crucial between Russia and Europe, since both of them are independent foreign states? When humans or only one individual is harmed, which is most likely due to the fact that we live in a globalized world both actors have to cooperate. Be it for the sake of reputation, mortality, economic interdependence, VISA, readmission, public safety, hostage negotiations, confiscation of illegal goods, information gathering, peace and/ or simply (inter)national security. For all these reasons both actors face pressure to cooperate in different crime areas.

Nevertheless what could be improved on the European side is that the law enforcement officers who are employed in Europe and have a strategic link to the RF have to be better informed about the successes and limitations. A Liaison officer is the only transnational actor who can while stationed in a host country, overcome bureaucratic obstacles and political sensitivities by acting in person on the basis of sincere trust. What are possible solutions? The first step would be for police personnel to learn about cultural differences, with the help of the Hofstede Center, for instance. Second a legal basis which should enable to open and exchange a common data basis. Third common and parallel investigation teams that work on the same case at the same time, next to each other. Fourth profiling systems need to be developed for identification of specific risks connected with individual banks, and industries for Europe and Russia. Fifth an independent institution which is a financial task force network on money laundering and another independent institution for the processing of personal data. None of them should be a police authority, thus the focus is on them being sovereign. At last but not least a memorandum of understanding which acknowledges the differences it would help to make all the challenges visible for everyone involved.

In order to gain more trust and get things done a Liaison officer might feel tempted to cross national regulation in order to make the impossible to possible. Furthermore in any relationship the outcome most of the time depends on how much the parties involved actually like each other. This might result in the desire to adopt native behavior. This on the other hand might increase effective cooperation or blackmail. Therefore each one of them deals with finding the border for each case and with every person involved. The findings support the theories which underline the fact that LO are the most valuable asset in order to fight crime abroad (Nadelmann, 1993; Bigo, 2000).

## Chapter 9 References

- Anderson, M. (2002). Trust and police co-operation. *European Monographs*, 40, 35-46.
- Anderson, M., & Den Boer, M. (1994). *Policing across national boundaries*. London: Pinter Pub Limited.
- Andreas, P., & Nadelmann, E. (2008). *Policing the Globe: Criminalization and Crime Control in International Relations*, London: Oxford University Press.
- Bakowski, P. (2011). Russian Organized crime. The EU perspective. (1st ed., pp. 1-6). Library Briefing. Library of the European Parliament. Retrieved from <http://www.europarl.europa.eu/document/activities/cont/201207/20120730ATT49511/20120730ATT49511EN.pdf>.
- Bayley, D. H. (1985). *Patterns of policing. A Comparative International Analysis*. New Jersey: New Brunswick.
- BBC News. (2013). *Who was Alexander Litvinenko? BBC News*. Retrieved April 29, 2014, from <http://www.bbc.co.uk/news/uk-19647226>
- BBC News Europe. (2014). *Q&A: The Magnitsky affair. BBC News*. Retrieved April 24 2014, from <http://www.bbc.co.uk/news/world-europe-20626960>
- Benyon, J., Turnbull, L., Willis, A., Woodward, R. and Beck, A. (1993). *Police co-operation in Europe : an investigation*. Leicester: University of Leicester.
- Benyon, J. (1996). The politics of police co-operation in the European Union. *International Journal of the Sociology of Law*, 24(4), 353-379.
- Benyon, J. (1997). The developing system of police cooperation in the European Union. In W.F. McDonald (Ed), *Crime and law enforcement in the global village*. Cincinnati: Anderson Publishing.
- Bigo, D. (1992). *L'Europe des polices et de la sécurité intérieure*. Paris: Institut des Hautes Etudes de Sécurité Intérieure.
- Bigo, D. (1996). *Polices en réseaux: l'expérience européenne*. Paris: Presses de Sciences Po.
- Bigo, D. (2000) 'When Two Become One: Internal and External Securitisations in Europe', in M. Kelstrup and M.C. Williams (eds) *International Relations Theory and the Politics of European Integration*. London: Routledge.
- Bigo, D. (2000b). New officers in the European security field. *Issues in Transnational Policing*, pp. 67–99.
- Block, L. (2007). International policing in Russia: Police co-operation between the European Union member states and the Russian Federation. *Policing & Society*, 17(4), 367-387.
- Bowling, B., & Sheptycki, J. (2012). *Global policing*. London: Sage.
- Boylan, S. (1999). *Organized crime and corruption in Russia: Implications for U.S. and international law*. *Fordham International Law Journal* (Vol. 19). Retrieved December 13, 2013 from: <http://www.fas.org/irp/world/para/docs/ruscrime.htm>

Brewer, J. D., Guelke, A., Hume, I., Moxon-Browne, E., & Wilford, R. (1988). *The police, public order, and the state: policing in Great Britain, Northern Ireland, the Irish Republic, the USA, Israel, South Africa, and China*. New York: St Martin's Press.

Bunyan, T. (1993). *Statewatching the new Europe: A handbook on the European state*. London: Statewatch.

Constitution (2014). Chapter 2. Rights and Freedoms of Man And Citizen. The Constitution of the Russian Federation. Retrieved 8 June 2014, from <http://www.constitution.ru/en/10003000-03.htm>

Council of the European Union. (2009). *Russian organised crime threat assessment report (ROCTA)*. Brussels. Retrieved 8 June 2014, from [www.policija.lt/get.php?f.6580](http://www.policija.lt/get.php?f.6580).

Deflem, M. (2002). *Policing world society: Historical foundations of international police cooperation*. London & New York: Oxford University Press.

Den Boer, M., & Block, L. (2013). *Liaison Officers: Essential Actors in Transnational Policing* (1st ed., pp.1-202). Eleven International Publishing. Retrieved from <http://www.elevenpub.com/criminology/catalogus/liaison-officers-essential-actors-in-transnational-policing-1#>

Den Boer, M. (2002). Towards an accountability regime for an emerging European policing governance. *Policing & Society*, 12(4), 275-289.

Dukes, P. (1996). *World Order In History: Russia and the West* (1st ed.). New York: Routledge.

Dupont, B. (2004). Security in the age of networks. *Policing and Society*, 14(1), 76-91.

Europa. (1994). Partnership and Cooperation Agreements (PCAs): Russia, Eastern Europe, the Southern Caucasus and Central Asia. Retrieved from [http://europa.eu/legislation\\_summaries/external\\_relations/relations\\_with\\_third\\_countries/eastern\\_europe\\_and\\_central\\_asia/r17002\\_en.htm](http://europa.eu/legislation_summaries/external_relations/relations_with_third_countries/eastern_europe_and_central_asia/r17002_en.htm)

Europol. (2013). *Agreement on co-operation between the European Police Office and the Russian Federation*.

Europol.(2012). *Europol Review. General Report on Europol activities*. Luxembourg.

Federation Council and State Duma. (1996). *The Criminal Code Of The Russian Federation*. Federal Law No. 64-FZ of June 13, 1996 on the Enforcement of the Criminal Code of the Russian Federation.

Furman, D., 20 December 2006. *Misteriia Nepodsudnosti*. Kommersant Daily.

Hofstede, G., Hofstede, G. J., & Minkov, M. (1997). *Cultures and organizations*. New York: McGraw-Hill.

Huggins, M. K. (1998). *Political Policing: The United States and Latin America*. Durham: Duke University Press.

Hutchings, S., & Miazhevich, G. (2009). The Polonium trail to Islam: Litvinenko, liminality, and television's (cold) war on terror. *Critical Studies on Terrorism*. doi: 10.1080/17539150903010665

Koers, J. (2001). *Nederland als verzoekende staat bij de wederzijdse rechtshulp in strafzaken. Achtergroenden, grenzen en mogelijkheden*. Nijmegen: Wolf Legal Publishers.

Käyhkö, Esa (1997). *Fostering public accountability by citizen evaluation. Case: accountability in the Finnish police administration*. Paper presented at 1997 Annual Conference of EGPA, Leuven, Belgium, 10–13 September 1997 (Study Group: Quality and Productivity in the Public Sector).

Lemieux, F. (2010a). *International Police Cooperation: Emerging issues, theory and practice*. Collumpton: Willan Publishing.

Lemieux, F. (2010b). *The nature and structure of international police cooperation: an introduction*. Devon: Willan Publishing.

Levina, P. (2013). Links between criminal justice procedure and torture: Learning from Russia. *New Criminal Law Review: An International and Interdisciplinary Journal*, 16(1), 104-142.

Litvenko, A. (2006). The Kremlin Pedophile. *Informationliberation.com*. Retrieved April 24 2014, from <http://www.informationliberation.com/?id=18244>

Lum, C. (2009). Community policing or zero tolerance? Preferences of police officers from 22 countries in transition. *British Journal of Criminology*, 49(6), 788-809.

Marenin, O. (1998). The goal of democracy in international police assistance programs. *Policing: An International Journal of Police Strategies & Management*, 21(1), 159-177.

McLaughlin, E. (1959). *The democratic deficit: European Union and the accountability of the British police*. London: British Journal of Criminology 32, No. 4, 473- 488

Nadelmann, E. A. (1993). *Cops across borders: The internationalization of US criminal law enforcement*. University Park: Pennsylvania State University Press.

Neumann, I. B. (1995). *Russia and the idea of Europe: A study in identity and international relations*. London & New York: Routledge.

Norman, P. (2001). Policing “high tech crime” in the global context: the role of transnational policy networks, in D.S. Wall (ed), *Crime and the Internet*, London: Routledge, pp. 184-194.

North, D. C., Wallis, J. J., & Weingast, B. R. (2009). *Violence and social orders: A conceptual framework for interpreting recorded human history: (Working paper 12795)*. Cambridge: National Bureau of Economic Research.

Paneyakh, E., & Titaev, K. (2011). *From Militia to Police: reform of the evaluation system of the activity of home affairs institutions*. (1st ed., pp. 1-2). Saint Petersburg: The Institute for the Rule of Law of the European University at Saint-Petersburg. Retrieved from [http://enforce.spb.ru/images/analit\\_zapiski/Summaries/From-Militia-to-Police-reform-of-the-evaluation-system-of-the-activity-of-home-affairs-institutions.pdf](http://enforce.spb.ru/images/analit_zapiski/Summaries/From-Militia-to-Police-reform-of-the-evaluation-system-of-the-activity-of-home-affairs-institutions.pdf)

Punch, K. (2000). *Developing effective research proposals*. London: Sage.

Rosefielde, S., & Hlouskova, R. (2007). Why Russia is not a democracy. *Comparative Strategy*, 26(3), 215-229.

Sheptycki, J. (1995). Transnational policing and the makings of a postmodern state. *British Journal of Criminology*, 35(4): 613–635

Sheptycki, J. W. (2002). *In search of transnational policing: towards a sociology of global policing*. Aldershot: Ashgate.

Shlapentokh, V. (2009). Perceptions of foreign threats to the regime: From Lenin to Putin. *Communist and Post-Communist Studies*, 42(3), 305-324.

Soeters, J., Hofstede, G., & Van Twuyver, M. (1995). Culture's consequences and the police: Cross-border cooperation between police forces in Germany, Belgium and the Netherlands. *Policing and Society: An International Journal*, 5(1), 1-14.

State Duma. (2001). *CRIMINAL-PROCEDURAL CODE OF THE RUSSIAN FEDERATION NO. 174-FZ OF DECEMBER 18, 2001*.

The Council of the European Union. (2000). *European Union Action Plan on common action for the Russian Federation on combating organized crime*. Official Journal of the European Communities.

Walker, N. (1994). *European integration and European policing: a complex relationship*. Policing Across Transnational Boundaries. London: Pinter.

Yakovlev, A., Sobolev, A., & Kazun, A. (2013). Means of production versus means of coercion: Can Russian business limit the violence of a predatory state? *Post-Soviet Affairs* (forthcoming).

## **Annex**

### **Questionnaire for the Liaison officers**

The following displays the questionnaire for the interviews. At the beginning of the interview: Introduction of the person that gets interviewed and the specification of tasks.

1. How would you describe the relationship in general between the European police and the Russian police?

2. Could you specify a certain list of problems which exist between the Russian Police and the Police force you represent? (A minimum of 3)

3. Can you range the problems and describe whether actors wanted to solve the problems and what (if anything) the actors were doing to overcome the hardships in the specific cases?

4. Europol has 12 official priorities,

namely drugs, trafficking in human beings, facilitated illegal immigration, Europol cybercrime center, intellectual property crime, cigarette smuggling, euro counter fighting, VAT fraud, money laundering and asset racing, mobile organized crime groups, outlaw motorcycle gangs and terrorism.

For which of them is the cooperation with the Russian police necessary, thus which priorities are welcomed by the Russian side and are there more crime areas?

5. How smoothly does the information exchange work?

6. Do you have a case in mind which demonstrates strong and weak cooperation? What specific reasons were behind the cases?

7. Do you estimate regulations and agreements between the Russian Federation and your party as effective, are certain items relevant or irrelevant and are changes needed?

8. What is the role of blocking factors which influence the working process outside and inside the Russian police system? The aim is to determine whether political involvement is perceived as a threat and any possible coercion.

9. With whom (bodies or concrete Russian Police officers) are good ties for your national police important and existing?

10. In the last 10 years, was there a stagnation or growth of cooperation and what are the possible reasons for it? What are your expectations for the future and can you think of solutions?



## **Answers from a Russian Representative of the Ministry of Internal Affairs (MVD)**

The MVD agreed only to answer the questions electronically. The original answers (in Russian) have been translated.<sup>6</sup>

1) How would you describe the relationship in general between the European Police and the Russian police?

At the moment, the interaction between the Russian Federation and the European police organization is built on the basis of a strategic cooperation agreement, signed at the EU-Russia Summit in Rome (Italy) November 6, 2003. Competent authorities of the Russian Federation in accordance with the Agreement include the MVD, FSB, FCS, FSKN and the Federal Financial Monitoring Service. At the same time the Russian MVD functions as the lead agency for coordination of cooperation, and the Russian national contact point for cooperation with Europol (RNAP) carries out tasks to ensure the exchange of strategic and technical information between the law enforcement bodies of Russia and the European Police Office (Europol). Currently the cooperation with European partners is at a high level and is characterized by positive dynamics. However, for a full exchange of information it is necessary to develop the existing international treaty framework. Expert level interaction is conducted in the area of the following types of transnational crime: Crimes in the field of high technologies, Organized crime, Countering terrorism and extremism, Counterfeiting and offenses in the field of intellectual property, Protection of participants in criminal proceedings, Legalization of proceeds from crime, Illicit drug trafficking. In all the areas the concrete results are achieved. Bilateral contacts develop actively.

2. Could you specify a certain list of problems which exist between the Russian Police and Europol?

3. Can you range them and describe whether actors wanted to solve the problems and what (if anything) the actors were doing to overcome the hardships in the specific cases?

1. The absence of agreement on strategic and operational cooperation between the Russian Federation and the European Police Office (hereinafter - Agreement).

Based on the orders of the President and the Government of the Russian Federation as well as the leaders of MVD RNAP provides practical assistance DPD MVD in the preparation of signing the Agreement, which will allow the parties to exchange fully the personal data, information on criminal cases, other important operational information and, in general, raise the partnership to a new qualitative level. As a result of the steps taken in March 2013 a draft agreement has been approved by all relevant Russian ministries and agencies (Ministry of Foreign Affairs, the Federal Security Service, Federal Drug Control Service, the Federal Customs Service, Ministry of Justice, Ministry of Communications, the Prosecutor General of Russia, Rosfinmonitoring,<sup>7</sup> Roscomnadzor Investigative Committee of the Russian Federation), and in April 2013 during the visit of the Russian MVD to the headquarters of Europol the text of the Agreement was finalized. Thus, the next stage of negotiations was completed. The Russian Federation and Europol exchanged the relevant official letters. At this stage, it is agreed to hold a trilateral meeting between the representatives of the Russian Federation, Europol and the Joint Monitoring

---

<sup>6</sup> By the time this questionnaire has been sent to this institution the author of this paper had no knowledge what Liaison officers of the specific European countries would answer the same questions. Therefore no specific comparison could have been made.

<sup>7</sup> Also called the Federal Financial Monitoring Service.

Committee (PMC) in July 2014 in The Hague (Netherlands). It seems that such a framework of the event should have a positive impact on the process of signing the Agreement, as the Russian side will be able to get more detailed comments at the conclusion of the PMC directly from its members. According to the procedures of the EU, a conclusion of the agreement is possible only after the approval of the draft document, respectively, by the Board of Governors of Europol, by the main authorities of the EU responsible for the personal data protection - PMC and, finally, by the EU Council.

2. The absence of the secure communication link for the exchange of information between Europol and the RNAP. The realization of this task will be possible after the signing of the Agreement by the parties.

The implementation of the system will allow to obtain information about the operational nature of criminal organizations and individuals operating in the territory of the European Union, and will enable the identification of the criminals hiding abroad. The time period of information exchange will be significantly reduced. Currently it is agreed with the competent authorities of the Russian Federation on questions and basic opportunity for the creation of a secure network and a remote location of the data exchange with Europol. The exchange of information takes place by means of an official e-mail or regular post messages or using Interpol channels. Often the questions and information letters of Europol sent by regular post reach RNAP in 1 -2 months, which naturally makes some of them less actual. Thus, the effectiveness of mutually beneficial cooperation is reduced.

3. In the EU there is no uniform crime statistics, which greatly complicates the analysis of the state of crime, the identification of the required resources and the adoption of practical measures to strengthen the fight against it. However, RNAP actively participates and initiates the preparation of joint with Europol analytical products. Thus, there is a systematized and generalized information sent to the European partners for inclusion in the reports "On the organized criminal groups operating in the European Union" and "On the fight against terrorism in the European Union» (TE-SAT) for 2013. This year the work on a new strategic project Europol-Russia "On the establishment of channels and suppression of heroin through Central Asian countries" is completed, the final version of it is sent to the relevant departments of the Russian MVD and other agencies for practical use in the work. They started working on joining the staff of the relevant departments of MVD and Russian agencies to the information platform of Europol to combat sexual exploitation of children. Quarterly the statistical data about the state of organized crime in the Russian Federation is sent to Europol.

4. Europol has 12 official priorities,

namely drugs, trafficking in human beings, facilitated illegal immigration, Europol cybercrime center, intellectual property crime, cigarette smuggling, euro counter fighting, VAT fraud, money laundering and asset racing, mobile organized crime groups, outlaw motorcycle gangs and terrorism.

For which of them is the cooperation with the Russian police necessary, thus which priorities are welcomed by the Russian side?

The transnational organized crime in the world takes a global character. It has essentially become a real threat to the security of all humanity, both in its size and destructive influence. The organized crime, which has a transnational character, generates the force threatening the socio-economic development of any state; the size of it is constantly growing. All this causes the necessity of the strengthening of the

collective actions in the entire world community to fight this threat. The development of cooperation with European partners relates to all the types of the crimes in the list.

5. How smoothly does the information exchange work? Thus how good does the current level of cooperation work?

As mentioned earlier, today the cooperation with European partners is at high level and characterized by positive dynamics.

The results of the interaction in 2013

Countering crimes in the field of high technologies.

This year they joined the Europol information platform «EC3 Space», including the section «Pay Safe». The indicated electronic source contains the information about all the kinds of skimming devices, including their descriptions and specifications, as well as tools used to decode the data bank payment cards. The platform allows "on-line" exchange of good practice, to get expert advice and to use for business purposes the service and analytical materials. The joining the «EC3 Space» became possible after the opening at Europol of the European Centre for Cybercrime (ETSBK) earlier this year. Currently RNAP also organized a connection to the specified platform of EKC MVD, and BSTM MVD is examining the possibility of the connection.

The important issue is to get access to databases on bank identification numbers of electronic payment systems «MasterCard» and «Visa» to assist EKC Russian MVD at the research\examinations of the skimming equipment. In this regard, a working meeting with the Director of Security LLC «MasterCard» is hold, and a request for the availability of access to databases on bank identification numbers of the indicated payment systems is sent to the General Secretariat of Interpol.

During the reporting period the employees of RNAP have ensured the participation of the representatives of Russian law enforcement agencies:

- In the 6th training for experts-criminalists on the technical expertise of the skimming devices (May, Wiesbaden, Germany);
- In the first joint conference of Interpol and Europol on fighting crime in the IT-space (September, The Hague, Netherlands);
- In the seminar of Europol on combating crimes connected with the production of counterfeit payment cards (October, The Hague, The Netherlands).

On a regular basis the information exchange was executed between the Russian executive authorities (BSTM, MIAC and EKC Russian MVD, Roscomnadzor) and European law enforcement agencies in the fight against "child" pornography on the Internet, various types of "on-line" fraud, cyber attacks against targets of the critical infrastructure, modern methods of the criminalist expertise of the skimming devices, etc.

Also the statistical information about closed and freezed Internet sites that are physically located in Russia and in the countries of the European Union, which contained images of minors of a pornographic nature, as well as peer to peer networks identified users of the number of citizens of Russia and the EU,

distributing materials of this kind, was directed to Europol. The analytical overview of the strategic assessment of the operation of web forums and file-sharing networks, received from Europol's, the report "payment card fraud in the European Union", as well as prompt notification "on the new method of reading data from the bank payment cards using shimming devices " are translated into Russian language and directed for use in the work to the relevant MVD departments.

The process of collecting, recording and organizing of the information-analytical and reference materials in order to prepare the reviews and reports on the activities of the internal affairs of the Russian Federation in the field of fighting IT-crime threat, assessment of the threat of its distribution, as well as on the state of cyber crime on the territory of Russia and the EU, is intensified.

In 2014, the participation of the representatives of the Russian law enforcement agencies is planned during the second joint conference of Interpol and Europol on combating crime in the IT-area (Singapore) and the expert meeting on the fight against sexual exploitation of children on the Internet (The Hague, Netherlands).

#### Organized crime.

This is a new direction for RNAP. Nevertheless, in the period under report the work was built on the indicated line and the concrete results were achieved. So, at the request of Europol the contact point carried out the verification activities in relation to the Russian organized crime groups specializing in crimes of a transnational nature, in order to identify criminal ties with the organized criminal group of bikers operating in the EU. It is established that in June and December 2012 the participants of motorcycle club of St. Petersburg and Samara visited the OPGB headquarters in the Netherlands. This information is sent to the initiator. In 2014, we plan to participate in the expert meeting on combating the mobile organized criminal group, which will take place in The Hague.

The EU attaches great importance to the fight against the leaders of criminal groups, including criminal authorities' environment, the so-called "Thieves in law". So, Europol is working on the creation of the European database of such persons the second year, they hold the operation «Bad Boys», which is aimed primarily at curbing the activities of the leaders of transnational organized crime groups. In June, in the number of EU countries 18 suspected persons were detained, 13 of them are "thieves in law". Given the actuality of the international cooperation in this field, the European partners have invited Russian experts in October this year in the Netherlands to participate in the first conference of the EU on the anti-Eurasian organized crime.

At the conference, the Russian MVD delegation met with the representatives of the Italian police, who reported the interest of practical cooperation with Russian colleagues in respect of some of the leaders of the criminal environment. To pursue the agreements in November last year<sup>8</sup> the visit of the representatives of Russian MVD to Rome was organized by RNAP for having an operational meeting. The parties exchanged the groundwork for persons that are involved and agreed on further joint action.

#### Countering terrorism and extremism.

---

<sup>8</sup> That would be the year of 2012.

The scale of contemporary manifestations of terrorism and extremism and their interstate nature require joint efforts of law enforcement agencies of different countries, particularly before the major social, political and sports events.

During the period under report on the framework of the joint analytical work the systematized and generalized information for inclusion in the strategic report "On the status and trends of terrorism in the EU» (TE-SAT-2013) was aimed at Europol, they started preparing the materials on the assessment of the terrorist threats in 2014.

On a regular basis the delivery of the information and analytical materials on identified by foreign law enforcement agencies facts about the shipping of bombs, stolen radioactive materials, related to the terrorist attacks, as well as information about the technical characteristics of explosives, was implemented from the European police organization.

In order to develop the cooperation with European partners in this direction the delegation of Russian MVD (Interpol, GUPE, DPD MVD) in December last year participated in the "anti-terrorist Europol week", during which one of the topics for discussion was "Risk assessment of the terrorist threat to the EU Member States and Russia during the XXII Olympic Winter Games in Sochi." The parties discussed the prospects of further cooperation and agreed to cooperate more closely. In particular, they preconditioned to direct during the Olympics the Russian representative to Europol and the Europol expert to Sochi with the "mobile office", allowing access to Europol online databases. The reached agreements require the additional elaboration.

In order to improve the efficiency of the information exchange, Europol and Russian law enforcement agencies held a working meeting with the representatives of the National Anti-Terrorism Committee on the establishment of a strategic and analytical information exchange of mutual interest, the results of which positively influenced on the issue of joining RNAP to the World Bank database (MDB) to counteract terrorism FSB Russia. MDB represents an automated system for tracking information and analytical work, as well as the implementation of exchange of information with the competent authorities of foreign states and specialized structures of the international organizations in countering terrorism.

The first half of 2014 a priority in this area is the concentration of RNAP efforts to provide the information support for Russian law enforcement agencies to ensure the safety of the Olympic Games in Sochi.

Counterfeiting.

At the end of last year for the first time on the territory of the Russian Federation the activities of the largest underground network for the production of counterfeit euro was stopped. The contact point informed the European police organization on the results of the activities

After that, Europol, as a central office for combating euro counterfeiting in the EU, having a reference to the positive experience of bilateral cooperation of past years, expressed interest in receiving on a regular basis from the Russian law enforcement authorities of the information about the state of anti-counterfeiting and sale of counterfeit euros. In addition, the readiness was demonstrated to provide the assistance to the Russian party during the expert studies of counterfeit currency and training Russian experts.

It is important to note that in February European colleagues have finalized a new guidance for financial support in the fight against counterfeiting of the euro. This document was transferred to the MVD for examining and implying in their work. Given the previous tried-and-tested practice of receiving from Europol of funds to conduct joint operations to combat counterfeiting, if necessary, we plan to use this tool in the interests of the Russian Federation. As part of an information exchange, the strategic reviews of practices in the fight against counterfeiting in the EU, as well as materials with new technical features of euro banknotes of various denominations received from Europol were directed to the related MVD departments. In June of last year they ensured the participation of the representative of NCB of Interpol in the fourth training on the definition of marks on counterfeit banknotes and documents using Bitmap System, which was held at the headquarters of Europol. During the event, they discussed the possibility of acquiring by the Russian party of the special software Bitmap System, allowing the identification through markings on counterfeit banknotes and documents the equipment on which they were made. Currently RNAP is working on the purchase by Europol from the Japanese Association JBMIA on behalf of the Russian MVD of a full license to use the Bitmap System. The use of Bitmap System in the practical activities of MVD will significantly increase the efficiency of research and consideration of counterfeit currency. Interaction with European partners in this direction has already brought the concrete results. So, in March of last year via Europol channels the materials inspection of "hidden tags" on projects of official documents of the Main Military Prosecutor's Office discovered during a search of one of the defendants in the criminal case against officials of "Oboronservis", were received. The information was sent to the General Prosecutor of the Russian Federation.

In order to discuss the possible joint interventions, the development of the forms of cooperation with European partners, in December 2013 in The Hague, the Russian MVD delegation participated in the expert meetings on anti-counterfeiting. The working contacts with experts from Bulgaria, Serbia, Ukraine, Latvia, Lithuania, Italy and Turkey were established. There was agreed on the participation in the 2014 of the Russian specialists in the regular meeting of high-level experts on the fight against counterfeiting (the Hague, the Netherlands), during which the presentation of the GUEBiPK MVD representative is planned.

Also during the reporting period the participation of a representative of Rosfinmonitoring in the conference on the fight against tax crimes (November, The Netherlands) was organized .

Next year we plan the joining of the EKC and GUEBiPK MVD experts to the closed specialized platform dedicated Europol counterfeiting.

Within the framework of combating crimes in the field of intellectual property in 2013 through the RNAP, the employees of Russian NCB MVD and of the Federal Customs Service of Russia were connected to the private internet site of Europol, dedicated to the fight with the specified kind of crimes. They started working on the content and the practical use of this resource.

In October of last year GUEBiPK with Russian MVD took part in the meeting of the working group on the protection of intellectual property, which was held at the headquarters of Europol. The discussed issues were mainly focused on combating illicit trafficking of pharmaceutical drugs and psychotropic substances. As part of this event with the aim of building partnerships and further interaction, the working meetings with the Director of Europol on the control economic crime, Europol project manager on violations of intellectual property rights, as well as with the experts from Israel were held.

To study the international experience and the possible use in practice, the materials on the law enforcement agencies European operations from Europol were sent to GUEBiPK MVD and FCS, which resulted in confiscated large batches of raw materials and manufactured from it counterfeit goods (cosmetics and detergents ) with the description of the features enabling the identification of these fakes .In 2014, we plan to intensify work in this direction and to achieve practical results. As positive examples, it is possible to highlight the cooperation on state protection of participants in criminal justice and the fight against the legalization of criminally acquired income. So, in 2013, a number of international events was organized and carried out on the territory of the Russian Federation and abroad: The ninth international practical training course for Russian experts on the protection of witnesses (April VIPK Russian MVD), 14th meeting of the High-level Experts on Witness Protection (May, Austria), the third international training course on witness protection for managers of state defense (June, Netherlands), Tenth International Practical Training Course for Russian specialists on the basis of physical protection of a specialized unit "Cobra" (September, Austria), the visit of the Head of the Department on the protection of Italian witnesses and the head of Europol Witness Protection (November, Moscow).During the meetings mentioned above there was an experience exchange in this field, the materials on law and practice of the Member States in the field of witness protection were obtained. There were the reached agreements on the organization and holding in 2014 of the following activities:

- 15th high-level expert meeting on the protection of witnesses (April, Rome, Italy);
- Fourth practical course on the protection of witnesses (June, The Hague, Netherlands);
- Practical training course for Russian experts with participation of experts from Bulgaria, Israel, Slovakia, and Poland (the first half of 2014, the Russian MVD VIPK).

On a regular basis, the information exchange between Russian law enforcement authorities and the European Police Office under the State protection with closed profile Internet site of Europol was ensured.

RNAP with the 3rd Department of Russian NCB Interpol MVD continued the activities for information support of the project "KARIN" in the fight against the legalization of criminally acquired income.

In 2013, at the request of the territorial subdivisions of NCB Interpol they held the regular checks for the presence abroad of movable / immovable property of Russian citizens and assets allegedly illegally obtained, and they assisted the law enforcement agencies of foreign countries in obtaining similar information about their citizens.

In May of last year the delegation composed of members of RNAP and the 3rd Department of Russian NCB Interpol MVD took part in the annual meeting of the participants of the project "Karin" on the fight against money laundering, which was held in Dublin (Ireland). During the meeting the working meetings with colleagues from Bulgaria, Germany, Ireland, Spain, Cyprus, Latvia, Poland, Slovakia, the United States, Europol and Eurojust were held . They reached the agreements on the participation of representatives of Russian MVD in the next expert meeting on the implementation of the project "Karin", to be held in 2014 in Spain.

The most successful practices are accumulated during the interaction with partners from Cyprus, Bulgaria, France, Germany, Czech Republic.

The cooperation with Europol in the fight against drug trafficking was continued.

The work on the creation with Europol of a new strategic project "On the establishment of channels and suppression of heroin through Central Asian countries" was finalized. In March, on the basis of the Russian VIPK MVD the final international meeting on the analytical product was organized and held. The final draft was sent to the concerned MVD departments and other agencies for practical use in the work.

On a regular basis the practical arrangements were implemented. Thus, in accordance with the request of GUUR MVD there was check in relation to the participants of an international criminal group that organized the channel for cocaine illegal traffic from Ecuador to Russia by sea. The test results were sent to the initiator of the request.

Regularly for possible use in the presentation materials to fight against drug trafficking in the EU were sent to GUUR MVD of Russia and Russian Federal Drug Control Service.

Also, in order to assist Europol on the content of the analytical work file «CANNABIS», in its address the background information was sent from GUUR MVD and Russian Federal Drug Control Service.

In addition, during the reporting period the agreement with Europol and Polish colleagues on a joint project to combat the spread of synthetic drugs was reached, they have established a regular exchange of background information in this area. For the development of partnerships in 2014 it is planned:

- Participation in the working meeting of the MVD experts and the commandant's office of the Polish Police to discuss the cooperation and exchange of the practical experience in the field of illicit drug trafficking (Legionowo, Poland). A training seminar to identify illegal laboratories producing synthetic drugs (Legionowo, Poland). Given the results of the meetings and consultations with the representatives of Europol, as promising areas of cooperation for 2014 can be noted against human trafficking and illegal migration.

6. Do you have a case in mind which demonstrates strong and weak cooperation? What specific causes were behind the cases?

In 2009, the operational units in the Russian MVD and Federal Security Service of Russia together with law enforcement agencies in Bulgaria, Greece and Lithuania, with the support of the European police organization and the coordinating role of RNAP held special events, which resulted in the blocked supply chain of fake euros into the European Union and Russia, the underground printing office was neutralized and the equipment for the production of counterfeit currency was confiscated.

This operation is a positive example of the cooperation between law enforcement bodies of the Russian Federation and member states of the EU. It is a first time that a mechanism for joint ORM with operational units under the coordination of the EU and funded by the European police organization is developed, RNAP provided the communication on the cooperation with Europol Russian NCB Interpol MVD with the European Police Organization

Another example of the fruitful cooperation in the fight against counterfeiting enforcement of bodies of the Russian Federation, the EU Member States and Europol became a joint operation ended in 2010.

In 2007, under the consideration of Greek operational law enforcement units a group of people engaged in the manufacture and distribution of counterfeit euros and U.S. dollars was got. At that time during the MVD operational activities against organized crime groups engaged in theft of vehicles in the territory of



the Russian Federation and Ukraine, it was established that this criminal group is associated with counterfeiters and is planning to sell in Russia counterfeit euros produced in EU.

As a result of a set of joint OPM conducted by Russian, Greek, Lithuanian and Bulgarian law enforcement agencies under the coordination of RNAP and of the Anti-Counterfeiting Europol department they detained five leaders of the international organized criminal group of counterfeiters operating on the territory of the Russian Federation and the EU countries. The arrested are charged with the criminal conspiracy, creating OCG, distributing counterfeit currency and smuggling across the border foreign nationals.

It is noteworthy that the positive experience of European countries in the protection of participants in criminal proceedings is "taken into service" in our country. So, on the basis of practical materials through state protection received from European partners, as well as taking into account the EU common position on the procedure for relocation of protected persons to a new location, the Russian UOGZ MVD prepared the draft resolution of the Government of the Russian Federation "On approval of the application of security measures in the form of relocation of the protected person to another place of residence for victims, witnesses and other participants in criminal proceedings. " This document was adopted by the Russian Government in autumn 2012 (Government Decree № 953 from 21.09.2012 ).

7. For the external cooperation Europol has agreements with non- EU states. Europol has operation cooperation agreements with the United States of America, Canada, Switzerland, Iceland and Norway. Strategic Cooperation Agreements exist with Turkey, Albania, Columbia, Ukraine, Montenegro and the Russian Federation. Do you estimate this regulation between the Russian Federation and Europol as effective, are certain items relevant or irrelevant and are specific solutions needed?

In addition to the bilateral cooperation and the use of Interpol channels, RNAP operates on the basis of the Agreement on Cooperation between the Russian Federation and the European Police Office (from 6.11.2003) (see question number 1, 5).

8. What is the role of blocking factors which influence the working process outside and inside the Russian and European Police system?

The only obstacle to the effective development of cooperation between Russian and European law enforcement agencies is the absence of the agreement on the strategic and operational cooperation between the Russian Federation and Europol, which will allow the parties to full exchange of the personal data, information on criminal cases, other important operational information and in general, raise the partnership to a new qualitative level.

9. With whom (bodies or concrete European Police officers) are good ties for the Russian Police important and existing? Is there a need for greater security for Europe and Russia?

Important and relevant to the Russian law enforcement agencies is to fight with the following types of crimes: Crimes in the sphere of high technologies, Organized crime, Countering terrorism and extremism, Counterfeiting and offenses in the field of intellectual property, Protection of participants in criminal proceedings, Legalization of income acquired by criminal way, Illicit drug traffic.

In the corresponding directions the direct contacts with the relevant experts of Europol are established. The regular information exchange is arranged.

10. In the last 10 years, was there a stagnation or growth of cooperation and what are the possible reasons for it? What are your expectations about the future, do you think it will decline or decrease?

RNAP immediately began to operate in 2006. Analyzing the results for 8 years, we can say with certainty about the pace of annual capacity of interaction with Europol, as well as the establishment of a trusting partnership with foreign experts.

In 2004, the Order of the MVD № 859 a Russian national contact point in the structure of NCB Interpol at the MVD, for cooperation with Europol, which was tasked to ensure the exchange of information between the competent authorities of the Russian Federation and Europol and the development of measures aimed at improvement of the mechanism of this cooperation.

Speaking about the prospects of cooperation between the Russian Federation and Europol in the fight against transnational crime, we will go back a little bit to the operational agreement, the signing of which will open new horizons of mutually beneficial cooperation with European partners and fill the interaction by practical content. The Russian party will get access to the databases of Europol, as well as information that will contribute in solving crimes of a transnational nature, which undoubtedly entail detention and bringing criminals to justice.