

PROGRAMME OF ACTION

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relating to the

REINFORCEMENT OF POLICE COOPERATION AND OF THE  
ENDEAVOURS TO COMBAT TERRORISM OR  
OTHER FORMS OF ORGANIZED CRIME

This document proposes a synthesis of the arrangements considered between police and security services with a view to more effective prevention and repression by those services of terrorism, drug trafficking or any forms of crime including organised illegal immigration.

The member States are convinced of the need for new requirements for revised cooperation arrangements following the inauguration of the Single European Act and the necessity to reinforce security at their external frontiers and are desirous of collaborating to ensure that the responsibilities resulting from this co-operation are equally shared between the member States.

This summary document is a reference text which presents the various measures agreed by the twelve member states, without prejudice to the legal aspects that might later be required for their implementation. It is considered that several of these provisions could not be introduced without international agreement.

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## CHAPTER I - AREAS OF CO-OPERATION

### Paragraph 1

1.1 While respecting the legislation of member States and without prejudice to existing international agreements - in particular regarding the International Criminal Police Organization (ICPO-Interpol), the member States hereby undertake to develop multilateral co-operation between their police and security services in the following areas without prejudice however to the security services maintaining their links.

### Paragraph 2

#### Combating Terrorism

With regard to the fight against terrorism, multilateral co-operation between the European Communities' member States shall be reinforced by the following provisions:

2.1 The appropriate central departments shall intensify their regular exchanges and permanent updating of detailed information concerning the activity of terrorist groups, their techniques, logistic supports, their financing and the incidents they provoke. The summary of this information shall be the subject of a permanent procedure for assessing terrorist threats against member States.

2.2 In order to improve current security standards in areas particularly threatened by terrorist acts, and in particular airports, railway stations, ports and, possibly, ferry-boats, and in order to be able to adapt these standards to the development of terrorist threats, the appropriate departments shall meet regularly to pool their experience and knowledge concerning the protection of land, air and sea transport.

2.3 In order to facilitate the search for terrorists, while respecting national laws and the provisions of international law, the member States hereby agree to adopt the following measures:

- when they consider such action necessary, the member States shall appoint liaison officers whose terms of reference and status shall be defined at Paragraph 9;

- "Wanted" posters used by any member State may be displayed at frontier posts and, after translation if this is required, in public places on the territory of the other States, subject to their agreement;

- should the competent services of any member State receive information concerning a terrorist act or group considered likely to assist the investigations being conducted by departments in one or more of the other States, it shall be communicated to them without delay;

- police experts from member States shall prepare the model and methods for use of common international wanted notices;

- member States shall undertake to afford one another mutual assistance in investigations being conducted by their appropriate departments concerning terrorist activities aimed directly at the interests of several member States; in such a case, they shall facilitate the missions and contacts of the officials responsible for investigations and such cooperation shall take place without prejudice to the procedures in force with regard to mutual assistance in judicial matters.

2.4 The rapid and protected communications system which the TREVI Group Conference of Ministers decided to establish in London on 25 September 1986, gives priority to the circulation of the information mentioned in sub-paragraphs 2.1 and 2.3 above. The member States shall also set up a system for encryption of the documents communicated.

2.5 The member States will try to set up central co-ordination structures that will constitute the contact point for States in the fight against terrorism.

2.6 The member States shall examine the legal means required to allow the appropriate police departments to conduct investigations into the financing of terrorist activities.

Paragraph 3

Combating Drug Traffic

3.1 In the area of the fight against drug trafficking, the member States shall develop their co-operation as follows:

- by intensifying the regular exchange and permanent updating of detailed information relating to drug trafficking, the methods used for its prevention and law enforcement, and all the data pertaining to the drugs phenomenon, through the channels of appropriate national bodies and departments;

- by establishing in the member States a network of liaison officers familiar with drug-related matters, whose mission and status are defined at Paragraph 9;

- by reinforcing and co-ordinating surveillance at their external sea, land and air frontiers in the conditions provided under Paragraph 11.

3.2 Those member States which do not already have such units shall examine the methods whereby national drugs intelligence units can be established.

Member States shall conduct a study on the need for and the conditions under which it would be possible to set up a European drugs intelligence unit.

3.3 In addition, member States shall attempt, by means of bilateral or multilateral agreements, to implement other forms of co-operation for combating drugs, as provided by the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in Vienna on 19 December 1988, particularly in its Article 9.

Within this framework, they shall notably develop:

- co-operation in the investigations mentioned in point (b) of Article 9 of the Vienna Convention,
- where necessary, the use of joint teams,
- training and research programmes for their specialised personnel.

3.4 Member States shall undertake to afford one another mutual assistance for police investigations into matters concerning drug trafficking in which the interests of several member States are directly involved.

Such cooperation shall develop without prejudice to the procedures in force with regard to mutual assistance in judicial matters.

3.5 The member States of the European Communities shall take the measures necessary to carry out, in the appropriate manner, controlled deliveries on their territories so as to facilitate the dismantling of the trafficking networks implicated in such operations. Each controlled delivery operation shall be the subject of a special decision taken by the member States and shall be carried out in conformity with the arrangements made with their appropriate departments.

3.6 The member States of the European Communities shall exchange information on the actions and programmes undertaken with the production, consumption and transit countries, as well as on the requests made by these States. They shall do everything possible to co-ordinate the programmes for co-operation, police techniques, training for specialised personnel and the assignment of liaison officers to these countries.

#### Paragraph 4

#### Combating Organized Crime

4.1 With regard to the fight against organized crime, the competent agencies involved shall proceed, within the framework of organized multilateral co-operation and without prejudice to the exchange of information relating to previously arranged agreements, to regular exchanges and permanent updating of rapidly acquired and detailed information concerning:

- various forms of organized crime, in particular as far as armed attack is concerned, and crimes connected with the traffic of individuals, arms and explosives or dangerous products, valuable pictures, works of art, cultural property, forged currency, vehicles as well as the laundering of illicit profits.

- cases of organized crime in which the interests of one or more of the member States are directly involved.

#### Paragraph 5

#### Combating Illegal Immigration

5.1 With regard to the fight against illegal immigration, co-operation between the relevant departments shall include in particular the exchange of information to assess the scope of the phenomenon: the development of migratory flows, the discovery of clandestine immigration networks, the identification of aliens reported for the purposes of refusal of entry to a member State and of aliens considered likely to compromise public order, the techniques used in the manufacture of travel documents.

#### Paragraph 6

#### Technical and Scientific Police

6.1 In order to improve the effectiveness of measures taken to combat various forms of illegality and criminality mentioned in this agreement the competent services shall arrange co-operation for technical and scientific policing. They shall arrange for exchange of information and experience with regard to techniques, methods and appropriate criminalistic research developed in this area.

Exchanges shall in particular cover the methods of combating new forms of criminality (fraudulent use of stolen and forged credit cards and cheques, data processing fraud, etc.).

6.2 The competent services will contribute to the formation of European central collections of objects, substances, products and documents; they shall have access to these collections.

Paragraph 7

Cooperation in Training

7.1 With the object of developing improved reciprocal information regarding the organization and methods of police services or on the legislation procedures and regulations of member States, police training schools and colleges shall arrange for regular exchange of students and instructors. These exchanges shall cover both initial and advanced training programmes.

7.2 With the same object, arrangements shall be made for exchanges of officers for the purpose of study or training within the relevant administrative forces and services.

Paragraph 8

Extension of Co-operation

8.1 The member States shall enlarge, when appropriate, co-operation defined to include other subjects concerning their public order and internal security. This co-operation may, for example, include exchanges of information on methods of combating serious disturbances of the public order.

CHAPTER II - METHODS OF COOPERATION

Paragraph 9

Exchange of Experts and Liaison Officers

9.1 Within the framework of co-operation defined in this document, exchanges of experts between member States are organised as required, and notably by means of bilateral agreements.



9.2 Member States which so wish may exchange liaison officers who shall be assigned to departments designated by mutual agreement. The details of the procedures of such exchanges may be contained in bilateral or multilateral agreements concluded between the States concerned. Member States shall conduct a study as to the conditions which might apply to such exchanges.

The task of liaison officers is to exchange information with and to give assistance to the relevant departments in the State to which they are transferred and the State transferring them, acting as advisors and assistants but with no executive power.

In the performance of these duties, the officers shall remain under the authority of their own national administration. They shall act in strict observance of the law and general directives of the State receiving them. At the request of the State sending them on mission, they may be granted the status of members of the administrative and technical personnel of their country's diplomatic mission. In such cases, they shall enjoy the privileges and immunities pertaining to that status, as provided by the Vienna Convention of 18 April 1961 on diplomatic relations, in particular by its Article 37.2.

9.3 Member States which exchange liaison officers may, if they wish, grant these officers - with respect for international conventions and subject to the internal regulations and procedures of each State - direct or indirect access to data existing in the files held by the departments to which they are assigned; access shall be granted through the legally qualified channels of the visited State. The liaison officer shall take every precaution to ensure that the security of the information is respected.

The liaison officer and, where necessary, the State benefiting from the information collected, undertake to respect any special conditions laid down by the State receiving the liaison officer with regard to the use of the information. Member States adopting these procedures shall specify their methods of application in bilateral agreements.

9.4 With a view to attaining the objectives defined for the various areas of co-operation covered by this paragraph, member States shall study, with reference to national legislation in force, the question of access to and use of computerised information systems established by their police departments. With this in mind, they shall take account of the work already accomplished in the area of exchanging data in the context of other international agreements concluded between two or more parties.

Paragraph 10

Liaison Officers posted to countries  
that are not members of the European Community

10.1 As necessary, member States shall take steps to develop in countries which are not members of the European Community a network of liaison officers performing tasks similar to those described in Paragraph 9.2. Member States shall inform one another of their plans before posting liaison officers, whose mission and status shall be the subject of special agreements between all the States concerned.

10.2 The liaison officers posted by member States to a State that is not a member of the European Community, shall provide one another with assistance in the accomplishment of their duties, in accordance with the agreements concluded by each State with the non-member State concerned.

10.3 When a member State does not have a liaison officer of its own in a State that is not a member of the European Community, it may request that the liaison officer of another member State be authorised to act on its behalf also.

Such arrangements shall be made with the consent of the State to which the liaison officer is assigned and shall be subject to provisions laid down in an agreement concluded by all the member States concerned.

Paragraph 11

Control at External Frontiers

11.1. To ensure effective and standard control at external frontiers, the member States may, by means of special agreements, co-ordinate the deployment of their personnel and facilities and develop the forms of co-operation they consider appropriate. Such co-operation could involve, inter alia, the exchange of officers specialised in immigration problems.

11.2. During operations covered by this paragraph, visiting officers shall act in strict observance of the law and general directives of the State receiving them.

## Paragraph 12

### Police co-operation in common frontier zones

12.1. In order to improve police co-operation and surveillance of common frontier areas, the member States shall look further into ways of:

- improving the effectiveness of trans-frontier controls ;
- exchanging information on incidents involving public order in the frontier zone ;
- co-ordinating the action of the patrols in each of the adjacent States ;
- organising on a concrete basis the fight against illegal immigration networks.

12.2. The member States may decide:

- to conclude bilateral agreements for the installation of joint stations consisting of representatives of the police forces of both States, responsible in particular for facilitating trans-frontier communications;
- to set up, under identical conditions, mobile joint control units acting under the authority of the State on whose territory they are operating and receiving their instructions from the units to which they are attached.

12.3. Visiting officers serving in the joint units described in sub-paragraph 12.2 above shall act in strict observance of the law and general directives of the State receiving them.

Paragraph 13

Trans-frontier Observation and Pursuit Rights

The interested member States are examining the principle of, and the conditions under which, the crossing of common land frontiers by their respective agencies could be authorised. This examination shall include in particular circumstances where persons having committed flagrant violations of the law are being pursued or where the authors or possible authors of serious offences are being followed.

The procedure for such crossings will be the subject of special bilateral or multilateral agreements as applicable.

Paragraph 14

Communication Methods

14.1 Member States shall create in accordance with the relevant international agreements and taking account of local circumstances and technical facilities in frontier areas, direct liaison methods by telephone, radio, telex, and other means of communication.

14.2 Member States shall study ways of allocating one or more common frequencies to police services within Europe.

Paragraph 15

Study of Common Information System

15.1 Member States shall study the development of a common information system designed to collect data and descriptions of persons and objects for purposes within the scope of this document.

The services having access to the system in individual member States shall be a question for discussion and agreement in the course of this study.

15.2 Methods of operation in management control and supervision of the system ensure, through suitable agreed methods, guarantees offered to inhabitants for protection of personal civil liberties and privacy in relation to automated treatment of personal character data.

These provisions shall cover notably the object and conditions of use of data, right of access and correction, installation of control authorities, right of appeal, periods of data conservation and responsibility of member States.

During the study referred to in sub-paragraph 15.1 above regard shall be had to the principles adopted by the European Council, meeting in Strasbourg in December 1989, that the procedures on co-operation between administrations first ensure the protection of individuals with regard to the use of personalised data banks. Likewise, account shall be taken of the provisions of the Council of Europe Convention for the protection of individuals with regard to automatic processing of personal data adopted at Strasbourg on 28 January 1981 and provisions of Recommendation No. R (87) 15 regulating the use of personal data in the police sector adopted on 17 September 1987.

15.3 Member States not yet having national legislation governing the computerization of data of a personal character shall undertake to institute the necessary measures to guarantee observance of the provisions as stated above.

### CHAPTER III - IMPLEMENTATION OF COOPERATION

#### Paragraph 16

##### Trevi Ministers' Conference

16.1 The implementation of the cooperation outlined in this document shall be examined each half year during the conference of the Trevi Ministers.

The Trevi Ministers' Conference shall also be convened if the circumstances require, to deal with questions of a particularly urgent character.

At the conclusion of each conference, the progress and results of cooperation covered by this document shall be brought to the knowledge of the Ministers of Foreign Affairs of the member States, within the framework of the European political cooperation.

Paragraph 17

Technical Methods

17.1 Technical methods for implementation of this document may be the subject of bilateral or multilateral agreements between the member States.

Paragraph 18

Final Provisions

18.1 If one of the member States considers that the cooperation specified in this document is likely to affect adversely its public order, security or national independence, it can decide for a period which it shall determine, to refuse this cooperation in whole or in part or subject it to certain conditions or obligations.