

ON THE WAY TO SAFE EUROPE WITH THE HELP OF INTERNATIONAL POLICE COOPERATION AND POLICE CULTURE

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Abstract: *Police culture is very important because it determines how the police carry out their duties mainly to the deprived and the defenceless. It also has an effect on who joins the police service and who stays in it. Police culture is often criticized by those people who neither understand nor belong to it. There are negative and positive beliefs that go with police culture. A lot of those negatives have a lot to do with police segregating themselves from the rest of the world. Police officers have their own social circle. They maintain strong bonds of loyalty amongst each other, showing a form of solidarity that is seldom ever shared with the rest of society.*

Keywords: *international police cooperation, police culture, diverse society, EU fundamental values*

НА ПЪТ КЪМ БЕЗОПАСНА ЕВРОПА С ПОМОЩТА НА МЕЖДУНАРОДНОТО ПОЛИЦЕЙСКО СЪТРУДНИЧЕСТВО И ПОЛИЦЕЙСКАТА КУЛТУРА

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Резюме: *Полицейската култура е много важна, защото определя как полицията изпълнява задълженията си главно към лишените и беззащитните. Тя също така оказва влияние върху това кой се присъединява към полицейската служба и кой остава в нея. Полицейската култура често е критикувана от хора, които нито я разбират, нито принадлежат към нея. Има отрицателни и позитивни убеждения, що се отнася до полицейската култура. Много от тези негативи имат много общо с това, че полицията се отделя от останалия свят. Полицейските служители имат свой собствен социален кръг. Те поддържат силни връзки на лоялност помежду си, показвайки форма на солидарност, което рядко се наблюдава при останалата част от обществото.*

Ключови думи: *международно полицейско сътрудничество, полицейска култура, разнообразно общество, фундаментални ценности на ЕС.*

Abbreviations:

EU – European Union

FBI – Federal Bureau of Investigation

IOPCD – International Operative Police Cooperation Directorate

OSCE – The Organization for Security and Co-operation in Europe

Introduction

Core elements of policing are enforcing the law, protecting the citizens from criminals and solving problems of the community served. More importantly, all these responsibilities must be fulfilled with a high level of professionalism (Haberfeld. 1998).

Security and safety have been one of the most basic needs of the human-beings since ancient times. Police should be able to cope with today`s complex and challenging problems and police cooperation should be very dynamic. Nowadays Europe is not only threatened by Muslim invasion but is extremely weak and obsessed with social security, which has created rigid social and economic systems that are extremely resistant to change. The European Union must strengthen the security model based on EU principles and values: respect for human rights, rule of law, democracy, tolerance, police cooperation is, therefore, necessary to ensure the security of its citizens and at the same time EU fundamental values.

Europe is struggling to define itself in the 21st century. We live in a different world from that of our parents and grandparents. For example, communication systems have improved and expanded. World trade has expanded, including stronger participation by the economies of Eastern Europe, Asia, the Middle East, and the “Third World”. Perhaps most significant of all, the world's population has increased, resulting in more crowding, more areas of poverty, and hunger, and large movements of people across national borders. The negative effect of these conditions is more people, more opportunities and possibly reasons for committing a crime, and more effective movement of people and information across national borders. From a practical police perspective, certain specific acts of international cooperation are regularly needed to deal with transnational crime for a safe Europe.

Current trends of police cooperation in the EU

The police has to find the adequate responses on these challenges - efficient structure; new methods; new investigation protocols; and first of all, suitable partners, allies, which are able to share the responsibility of the

maintenance of the security with the police. (*Ilona Bodonyi*, Police in the diverse society, In: Pro Publico Bono – Public Administration Scientific Journal).

Cross-border police cooperation is certainly nothing new in Europe (*Cyrille Fijnaut*, Revolution or evolution through the Treaty of Lisbon: police cooperation in Europe in a broader historical context). Generally speaking (As Robertson, 1994 acknowledges), international police cooperation can be understood as any cross-national and geopolitical interaction between two or more police entities for the purposes of sharing criminal intelligence, conducting investigations and any ultimately apprehending suspects. By exchanging information (gathered during criminal investigations) it enables foreign police organizations to develop the “big picture” of criminal activities, which are sometimes beyond their jurisdiction (Lemieux, 2010).

The security within the EU depends on internal security, the situation in the neighbourhood, and the global situation. Europe is currently facing enormous challenges. More than a million migrants and refugees arrived in Europe in 2015, bringing its system of open internal borders to near breaking point. Dutch Prime Minister Mark Rutte, speaking at the World Economic Forum in Davos, said 35,000 people had made the sea crossing from Turkey into Greece in the first three weeks of 2016. Under the Schengen agreement dating back 30 years, 400 million residents, plus many non-EU nationals, businessmen and women, and tourists, can travel freely across thousands of miles from the Russian border to the Atlantic coast of France or Portugal. If it collapses, jobs would be lost and growth would suffer. And one of the fundamental principles of European integration, the free movement of people would be lost.

What is more important is that setting up an area of freedom, security and justice cannot happen without developing police cooperation in order to enable the competent institution of member states to work together. There is much that should be done to help further the development of international police cooperation.

According to the literature (Lemieux, 2010), three elements can stimulate police cooperation: the geo-political preparedness of the country, the range of material criteria (such as resources and competencies from actors involved) and the level of organizational institutionalization of the agreement (structure factors). Multinational agreements can occur in global (United Nations, Interpol) or regional nature (Europol, Frontex), UN and Interpol being most typical multilateral-global agreements.

The key role of the police organizations

Interpol is the biggest and oldest existing international police organization. However, it was not entrenched in an international political structure like the United Nations (UN) (Klosek, 1999). Expanding Interpol's roll in combating transnational crime is highly desirable in that it is well-established, offers valuable law enforcement experience and resources. Interpol is the key agency for global law enforcement cooperation.

It goes without saying that the most intensive regional cooperation is now taking place in the European Union. This started with the Trevi Group - the regular meeting of the Ministries of Justice and the Interior of the EU countries set up in 1975 to coordinate measures against terrorism but whose remit was widened to include other forms of serious crime, and exchanges about police techniques, training, and equipment. The 1991 Maastricht Treaty gave a legal basis to Europol, specifically to developments in the fields of coordination of investigation and search procedures; the creation of databases; the analysis of criminal intelligence on a Europe-wide basis; joint crime prevention strategies; and measures relating to further training, research, forensic matters, and criminal records departments.

In December 1991, the EU decided to establish a Europol. This was done in accordance with the Article K.1.9 of the Treaty on European Union to prevent and combat terrorism, illicit drug trafficking, and other serious forms of international crime. A key role within the EU police cooperation, Europol's mission is to support and strengthen actions by the police and other law enforcement services in the Member States and their cooperation in preventing and combating serious crime. Even if the duties and control of activities of Europol are regulated by the EU institutions, in terms of operational actions by Europol, they must be conducted in cooperation with the State or States whose territory is concerned and with their agreement.

Although Europol was originally restricted to preventive work in particular crime categories, its functions were expanded by the Amsterdam Treaty to give operational powers (Gregory, 1998).

My account continues with a discussion of the specific requirements of police cooperation. International police cooperation requires intense coordination between involved police organizations. Police cooperation in criminal investigations in EU can consist of the exchange of information or evidence, exchange of police investigation records, police officers on a mission, and hot pursuit of offenders across international borders. Along with the growth of world travel, more and more police officers are now meeting their foreign colleagues, socializing with them, and corresponding with them. Such fraternal police exchanges offer immeasurable benefits. Building on a natural occupational connection between police officers everywhere, they enable officers to meet foreign officers to share activities. In addition, they foster more open communication, a deeper understanding of different

cultures and customs, and a greater willingness to work together and help each other out.

It is also important to be noted that another form of police cooperation is the exchange or the posting of police liaison officers in foreign countries. This law enforcement presence is sometimes a sensitive political matter in host countries and law enforcement officials can be viewed as constituting an infringement of sovereignty. The FBI, under J. Edgar Hoover, was the first to establish overseas representation in the aftermath of World War II through legats (legal attaches) in major embassies for the purposes of counterintelligence and in the fight against international organized crime, including terrorism.

Obstacles to greater international police cooperation

Even after Europol's powers were expanded and became operational, many states still consider Europol as an intelligence-sharing system and prefer using their old investigation methods rather than forming joint investigation teams with Europol officers (Elvins, 2003a). On the other hand, the absence of a common criminal justice system and a federal structure may impede the full application of Europol's powers (Gregory, 1998).

In my opinion, in most of the European police agencies work many talented, experienced, conscientious people who have invaluable practical knowledge. If we want to achieve effective performance at all, let alone in international cooperation, we must find ways to draw upon practical work expertise at all levels in the agencies. Also, different countries in the EU, based on their respective histories and customs, have markedly different ideas about what constitutes "properly administered" state justice and international police cooperation.

It should also be noted that other obstacles to police cooperation are the diversity of police and of legal systems, the doctrine of sovereignty, and the sacredness of state territory, and the divergence of national interests. Difficulties also occur because police forces are organized in very different ways in different countries. This makes it difficult for police officials to understand the professional ethos of foreign forces when they come into contact.

For example, when direct relations are established in frontier regions, frequently it is difficult to find equivalent officials in the respective police forces who can efficiently liaise with one another.

We must also not forget that the different relationship between police and political authorities also creates difficulties.

Practical reasons for operational difficulties in cooperation include lack of efficient communications' equipment or a mutually comprehensible

language, less commitment in pursuing an enquiry on the one side rather than the other, and the absence of a common policy in investigating particular forms of crime.

At the same time, the cultural heterogeneity in international police cooperation might also aggravate the lack of trust in police cultures. (Skolnick 1996)

There are factors that certainly played a role are formal arrangements, such as the bilateral exchange of liaison officers, but their effectiveness depends on political willingness to cooperate. They usually have a modest operational role. Interpol has such a role through its communications network and its work in criminal intelligence analysis. It goes without saying that Europol has an enhanced role in these fields as well as coordinating transborder inquiries involving two or more EU member states. But there remains a reluctance to hand over executive police powers to international institutions. Informal cooperation has often gone further than cooperation through formal channels.

In general, the obstacles to international cooperation are legal, organizational, and operational. The classic, long-standing legal difficulty is the delay, expense, and technicalities involved in extraditing persons and evidence from one jurisdiction to another. Other formidable obstacles to close cooperation, however, do exist. Joint or coordinated operations performed by police forces of different countries are often made very difficult by different police powers, different police-judiciary relations, and different criminal procedures. (See <http://what-when-how.com/police-science/international-police-cooperation/>)

Police cooperation and culture – the Bulgarian perspective

Nowadays the Bulgarian police forces are confronted with a huge number of challenges. According to Europol, “the south-east hub” of which Bulgaria is a part has seen the greatest expansion in organised crime in recent years. The illegal activity to/from the former Soviet Union is increasing, especially through the Black Sea. In my opinion, it is necessary soon Bulgaria to become a full member of the Schengen area. When and if this happens, the Republic of Bulgaria will be one of the entry points into a large borderless area.

Trafficking of human beings is a serious problem. The Republic of Bulgaria is a “source country”, which means that many of the victims of trafficking found in other (European) countries are from Bulgaria. Bulgarian Ethnic Roma people are particularly vulnerable to becoming victims of trafficking. In 2012 Bulgaria has adopted a new law on the confiscation of assets. At that point, the law reflects an increased international focus on the

importance of hitting the criminals where it hurts the most, i.e. by seizing their illegally acquired money and property.

Progress so far has been driven forward by establishment of the International Operative Police Cooperation Directorate (IOPCD) which is a specialised support structure directly subordinate to the General Commissioner of the Ministry of Interior in Bulgaria. Its purpose is to organise and coordinate the international exchange of police information and support operational police collaboration. The IOPCD houses the NCB Interpol, the Europol National Unit, the Sirene Bureau and the Unified Telecommunication Centre. It should also be noted that the main tasks and activities of the IOPCD are:

- to coordinate and exchange international and national operative information for the needs of law enforcement authorities;
- to collect, process, analyse, store and provide information to the competent national and international authorities about persons, items, events and actions involved in international organised crime;
- to input, update and use information from the databases of Interpol, Europol and SIS;
- to interact with the government and judicial authorities and organizations;
- to support joint investigative teams.

We must also not forget that the Republic of Bulgaria has signed 17 international or bilateral agreements in connection with border control. Basic agreements exist with the neighbouring states. Bulgarian Border Police created one contact point together with their Romanian counterparts in Geurgeu. Apart from the information exchange the main aim of this contact point to harmonize the blue border surveillance along the river Danube.

The cooperation between Bulgarian and Romanian border guards is very good and the border section along the Danube was divided to avoid overlapping and to facilitate each others' work. One-stop control with Romania has been introduced since January 1st 2007. Expert talks and negotiations related to the preparation for introducing a one-stop control principle are underway with Greece, as well. Black Sea cooperation is very good. Several countries along the Sea take part in the work of the Permanent Coordination and Information Centre located in Bourgas.

It is also important that the Republic of Bulgaria signed an agreement with Turkey for coast guard cooperation, and protocols for police and border police cooperation with Russia, Romania, Turkey and Georgia. Bulgarian border police became a permanent coordinator of the cooperation between the border guards of the Black Sea region countries.

Conclusion

To briefly summarize what has been said so far, transnational crime has become more prevalent and serious today than ever before, at least in the public's perception, and has become a pressing international political issue. Meanwhile, there are many conditions in today's world that make the development of international police cooperation more possible and convenient than ever before.

If we sum up all humans are the most important and basic resources of the successful international police cooperation. Overall effectiveness and success of police cooperation are based on the quality of the police officers. It would be essential that police agencies have a good personnel selection standard. The selection of the right people as police officers is essential in terms of good police cooperation. The excellence of police cooperation is not based only on the quantity of manpower, but also on the personnel who own intelligence, ability skill and common sense.

Finally, the process of developing good, lasting international police cooperation will take time and patience. Area of freedom, security and justice cannot be created without the cooperation of police in criminal matters between the EU and between EU institutions and member States bodies with competence in the field. There will be occasional errors and adjustments, perhaps also setbacks. Nevertheless, because of the world developments mentioned above, this process will probably advance in the future.

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