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**COOPERATION OF EUROPEAN POLICE AGENCIES
BY THE NORWAIN EXAMPLE**

Prior to the Schengen cooperation, there was no formal connection between Norway and the EU cooperation on justice and home affairs. According to the Norwegian Ministry of Justice, several negative developments in the mid-1990s made a stronger focus on international, cross-border police measures necessary. Reported crime increased sixfold in Norway from 1960 to 1990. International crimes were reported to have become increasingly serious. Their numbers were also growing. Cross-border crimes that were emphasized were drug trafficking, the export of stolen vehicles, human trafficking, certain types of economic crimes and crimes related to prostitution [1]. The Schengen cooperation entered into force in 1995, and the Schengen Acquis was incorporated into the EU legal framework in 1997. The implementation implied that Schengen membership now became compulsory for all EU member states, although optouts were permitted. Norway became ‘partner’ in the Schengen cooperation in 2001.

The 2009 Lisbon Treaty’s removal of the pillar system dissolved the differing legislation procedures in the EU in the Area of Justice and Home Affairs. This at least to some extent made the Union activity also on the law enforcement area more supranational. Several EU Decisions have been developed through the Schengen Acquis, evolving the cooperation

mechanisms and standards of various police work since the Schengen implementation. The Schengen cooperation is partly centralized and partly decentralized, meaning in short that the former are coordinated from the EU or a supranational level, whilst the latter are bi- or multilateral, performed or initiated currently from each member state.

Among the most important of these developments are police and prosecutorial cooperation regulations regarding policing within the Schengen Area, including Schengen. EU is today the single most significant actor in terms of international and transnational police cooperation agreements and measures. While not a member of the EU, Norway has entered into, or is in the process of entering into, several EU police cooperation and other crime control agreements. Controlled deliveries across borders, covert investigations abroad, joint investigation teams consisting of police from several countries and joint patrols of police in other territories than their home state are examples of important available cooperation measures.

There are a number of available operational and information-related police cooperation instruments, with purposes both to prevent and stop crime and to uphold more public order more generally. I will not go in depth or full breadth here; the point is merely to superficially show the forms and numbers of available instruments and measures. Following the Schengen cooperation states have a general obligation to cooperate (Convention Implementing the Schengen Convention, hereinafter CISA. The cooperation is limited to “preventing and detecting criminal offences”[2]. The Schengen parties are not as a general point of departure obliged to accommodate if a request involves coercive measures, such as arrest or communication control.

In general, the contact points in the member states are specific central bodies; process of entering into, several EU police cooperation and other crime control agreements. Controlled deliveries across borders, covert investigations abroad, joint investigation teams consisting of police from several countries and joint patrols of police in other territories than their home state are examples of important available cooperation measures. There are a number of available operational and information-related police cooperation instruments, with purposes both to prevent and stop crime and to uphold more public order more generally. Following the Schengen cooperation states have a general obligation to cooperate (Convention Implementing the Schengen Convention²⁴, hereinafter CISA. The cooperation is limited to “preventing and detecting criminal offences”. The Schengen parties are not as a general point of departure obliged to accommodate if a request involves coercive measures, such as arrest or

communication control. In general, the contact points in the member states are specific central bodies; in Norway, this is the responsibility of the National Investigation Service Kripos. The obligation applies, however, to the police on the whole, and an increasing number of measures may involve direct cooperation between police districts. In addition to the duty to cooperate in the CISA, the perhaps most significant measure is the information exchange between the member states, primarily through the Schengen Information System (SIS) [3].

In general, EU police cooperation instruments have been successively increasing in numbers and also ‘deepening’. From measures comprising e.g. hot pursuit across nation state borders after a person fleeing from a murder scene, and undercover policing into foreign territories concerning serious crimes, newer legal amendments have been made where police cooperation also encompass cooperation on lower levels and includes also more ordinary policing. The current 4-year cycle (2018-2021) of EMPACT targets the most important criminal threats affecting the EU through cooperation between EU countries’ law enforcement and competent authorities, EU agencies (Europol, Frontex, CEPOL, Eurojust etc.), EU institutions, and, where relevant, other public and private organisations and nonEU countries [4].

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