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(February 2006)

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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THE EUROPEAN UNION**

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NOTE

from : the Schengen Evaluation Committee
to : the Schengen Evaluation Working Party

Subject : Schengen evaluation of the new Member States
- Report on the Schengen Police Cooperation evaluation of HUNGARY
(February 2006)

The current draft is based on the replies of Hungary to the questionnaire and includes the result of the visit, following the evaluation and the drafting session of the Evaluation Committee during the visit. It also includes the comments from delegations and the Hungarian authorities to the first draft report.

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REPORT ON POLICE COOPERATION

This report was made by the Evaluation Committee and is brought to the attention of the Sch-Eval Working Party which will ensure a report and the presentation of the follow-up thereto to the Council.

1. Introduction

Based on the mandate of the Schengen Evaluation Group (SCH/com-ex (98) 26 def) and the programme of evaluations adopted by the Council (15275/04 SCH-EVAL 70 COMIX 718, and 7638/2/05 SCH-EVAL 20 COMIX 200), expert teams have visited Budapest, the Győr-Moson-Sopron County Police Headquarter, the Police Contact Point in Hegyeshalom and the Nógrád County Police Headquarter, where experts of this country have presented the police cooperation in their country.

Participants:

- Franz PRUTSCH (A) - leading expert
- Martin COX (UK)
- Ivo USSENKO (LV)
- Staffan BROSKE (S)
- Giuseppe IACULLI (I)
- Kristin KVIGNE (NO)
- Olli KOLSTELA (FIN)
- Dominique SCHOENHER (F)
- Juana Maria CUEZVA MARCOS (ES)
- Elena PANAYIOTOU (CY)
- Roger WESTERMANN (D)
- Dariusz ZACH (PL)
- Enikő FELFÖLDI (COM)
- Dimitrios GALATOULAS (CS)

The Evaluation Committee visited the following sites:

- ILECC, NBI and Protective Service of Law Enforcement Agencies (RSZVSZ) in Budapest
- Győr-Moson-Sopron County Police Headquarters
- Hegyeshalom-Nickelsdorf Contact Point
- Nógrád County Police Headquarters

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2. Management summary

The evaluation took place on four sites (Budapest, Győr, Hegyeshalom/Nickelsdorf and Salgótarján) in order to show all various types of bi- and multilateral cooperation with the neighbouring countries. For Hungary, the evaluation is therefore based on presentations by the Hungarian National Police Headquarter on police cooperation from a national management point of view, on-site visits to the Contact Point in Hegyeshalom/Nickelsdorf (border between Austria and Hungary), to the County Police Headquarters in Győr on Hungarian-Austrian cooperation and to the County Police Headquarters in Nógrád regarding cooperation between Hungary and Slovakia.

Experts from the Hungarian National Police Headquarter were present during the whole evaluation time and were able to provide any information requested.

The report is therefore based mainly on the replies to the questionnaire and includes information given during the presentation and during the visit. As the information given by the local authorities was very extensive, the Evaluation Committee did get a very good basis to make its assessment.

The Hungarian law enforcement authorities have adopted a good system for international police cooperation, by creating a single national contact point.

The Evaluation Committee recognizes the efforts of the Hungarian government to prepare and to ratify new agreements with the neighbouring countries as well as to amend those legal provisions, which may constitute obstacles for a facilitated Schengen-relevant exchange of information with foreign police authorities. The Evaluation Committee also welcomes the provision by the Hungarian authorities of a detailed list, identifying all national contact points provided for in the Handbook on Police Cooperation.

The Evaluation Committee has made a number of detailed recommendations throughout this report, but the main recommendations concern the exchange of information and the development of a common intelligence led policing approach.

3. Law enforcement and police organisation

3.1 National law enforcement structures

In Hungary there exist three law-enforcement agencies:

- 1) National Police
- 2) Border Guard, and
- 3) Customs and the Finance Guard

The National Police

Hungary has a centrally organised national police force under the supervision of the Ministry of the Interior. The Police are led by a Commissioner as the Chief of Police. The National Police is divided into central and territorial bodies. The range of responsibilities of central bodies covers cases of both national and international nature. Territorial bodies (county headquarters and municipal police stations) are responsible only for their own territory.

The organisation of the Police is directed by the National Police Headquarters located in the capital, sharing the building of the Police Administration Centre with the Budapest and Pest County Police Headquarters.

The National Police is the general investigative authority for most of the criminal offences covered by the Hungarian Criminal Code, bound in this task by the prosecutor's mandate. To their area of responsibilities belong also the control of narcotic drugs, firearms and explosives. In addition National Police is entrusted to maintain public order all over the country.

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Organizational Structure of the National Police

- **Ministry of Interior**

- **National Police Headquarters** - Management, administration and coordination
 - Management and administration
 - Directorate of Criminal Matters
 - Directorate of Public Safety
 - Directorate of Management
 - Co-ordination
 - International Law Enforcement Co-operation Centre (INTERPOL, EUROPOL, SIRENE)
 - Directorate of Analysis and Assessment (risk assessment and statistics)

- **Central bodies** with national and international competence
 - National Investigation Bureau
 - Police Security Service (Anti Terrorist Unit, Airport Security Police, Highway Police)
 - Operational Support Directorate (surveillance, interception of telecommunications, technical support)

- **Territorial bodies** - 20 County Police HQs and 159 Town Police Stations
 - 9 County Police with external Schengen borders
 - 7 County Police with internal Schengen borders
 - 6 Common Contact Points (Austria 1, Slovakia 3, Slovenia 1, Romania 1)

- **Three-level training facilities**
 - Police Basic Schools (newly recruited personnel)
 - Police Officers Basic and Refreshment
 - Police Academy (College)

The Border Guard and the Customs and Finance Guard

The following law-enforcement agencies have investigative competences limited to certain specified offences. In particular:

a) Border Guard

Surveillance and control of the border traffic at the state borders are the main tasks of the Border Guard. As determined in the Constitution, the Border Guard is supervised by the Parliament, the Government and the Minister of Interior. The Border Guard has central, regional and local bodies.

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The central organisation is the Headquarters of the Border Guard; regional bodies are the Regional Border Guard Directorates (10) operating directly under the supervision of the Headquarters, and local bodies are the Border Policing Offices (63) acting under the supervision of the regional directorates.

Border Guard has the competency to investigate the following offences:¹

- violation of restriction for entry and stay of foreigners
- giving support in illegal residence
- smuggling of immigrants
- damaging of border signs
- forgery of official documents, if committed in relation to travel documents

b) Customs and Finance Guard (HCFG)

The Hungarian Customs and Finance Guard is an armed enforcement and administration body supervised by the Minister of Finance. The HCFG is divided into high (top) level, mid level and basic level organs. At the high level there is the Directorate General and the Commissioner.

Intermediate level organs are the Regional Directorates, Central Airport Directorate, Central Law Enforcement Directorate, Central Control Directorate, Excise Liaison and Risk Management Centre, Central Patrol Services, Administrative Management and IT Centre, Chemical Testing Institute.

Basic level (local) organs are the main customs offices, customs offices, regional customs investigation offices, regional excise centres, contravention office, Customs Goods Warehouse, Pest County Excise Band Office.

In its scope of duties, the Customs and Finance Guard has the following priorities:

- perform customs control of goods and passengers crossing the state border and collecting customs duties and other public dues;
- control the trade of products and technologies subject to international control, as defined in separate legal regulations;

¹ Note by Hungary :

As of 1 April 2006, the investigation mandate of the Border Guard will be extended to the following offences: restriction of personal liberty, trafficking in human beings, gun-running, forgery of official document committed in connection of any document which entitles the holder to travel, abuse of document and participation in a criminal organisation linked to any of the offences within the competence of the Border Guard.

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- carry out control and posterior control defined in the Customs Code and control required to judge various customs preferences which are subject to certain conditions;
- perform control and taxation duties defined in the Excise Act and in its implementing decrees,
- perform prevention and surveillance and investigation of financial crimes under its competence as defined in the Criminal Procedure Code and other relevant legal regulations, as well as other urgent investigative operations in connection with criminal acts detected by surveillance and performed under authorization granted by law or international cooperation commitment, including securing the scene and gathering evidence and notifying the investigation authority with jurisdiction

The main offences investigated by the Customs and Finance Guard are the following:

Infringement of an obligation related to the traffic of internationally controlled products and technology, foreign trade activities without licence, misuse of excise, illegal trafficking of excise goods, smuggling and receiving of smuggled goods, false making of goods, usurpation violation of industrial design rights etc.

Police Data Bases

Law enforcement agencies for the purpose of developing a case (criminal investigation, crime prevention, alien policing, etc.) throughout Hungary, without time limitation, do have access to basic national databases, such as the criminal records, foreign nationals and settled persons files, database on imprisoned persons, database on passports, vehicle registration, pending warrants (persons and objects), and arrested persons. The most used police database with Schengen relevance is the National Warrant Database containing data on wanted and missing persons and objects. There exists a second level of databases in each law enforcement agency for criminal investigation purposes having only access by the respective agencies:

- ROBOCOP at Hungarian National Police (HNP) and Hungarian Border Guard (HBG), which is a centralized, integrated criminal database (an investigation back-up application) for open information accessible by all police and border guard officers at all levels.
- NYOSZAD at Hungarian Customs and Finance Guard (HFCG), also for open information in connection with customs criminal investigations.

These databases do not communicate electronically and they are not interlinked to each other.

However HFCG signed an interagency agreement with HNP to fully implement its own ROBOCOP database, which became operational in 2006 and NYOSZAD subsequently remained for archive purposes only. The Prosecutor services are also expected to install their own ROBOCOP database soon.

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There are other restricted access databases for the purpose of storing intelligence and pre-investigation information on main criminal targets:

- POLYGON at HNP. This is a database for intelligence and confidential information for the purpose of crime prevention and criminal intelligence work (investigation backup application). Central and territorial police forces store their confidential information/intelligence in databases set-up for their geographical scope. These regional POLYGON databases are not interconnected but certain information (objects only) is nightly uploaded to the central POLYGON database and hits with existing entries are reported back.
- OPERA at HBG. This is a database separated from POLYGON and running on a stand-alone system.

At HCFG due to the limited mandate and scope of work there is currently no centralized database for intelligence purposes but regional and local units use own individual applications. Officials expect that HCFG will join the POLYGON database also for their purposes and subsequently will share their data with the police the same way as with the use of the ROBOCOP system.

Rules on processing of criminal data are regulated in the respective legal instruments of the law enforcement agencies: Police Act (Article 76-91), the Border Guard Act (Article 61-81) and the Customs Act (35-37).

All law enforcement databases are accessible for the services where law enforcement agencies are represented by liaison officers like ILECC and officers of common contact points.

3.2 Structure for international cooperation *(central authorities, decentralised structures, ad hoc arrangements)*

Central Police Bodies with Schengen cooperation and SIS relevance/competence

International Law Enforcement Cooperation Centre (ILECC)

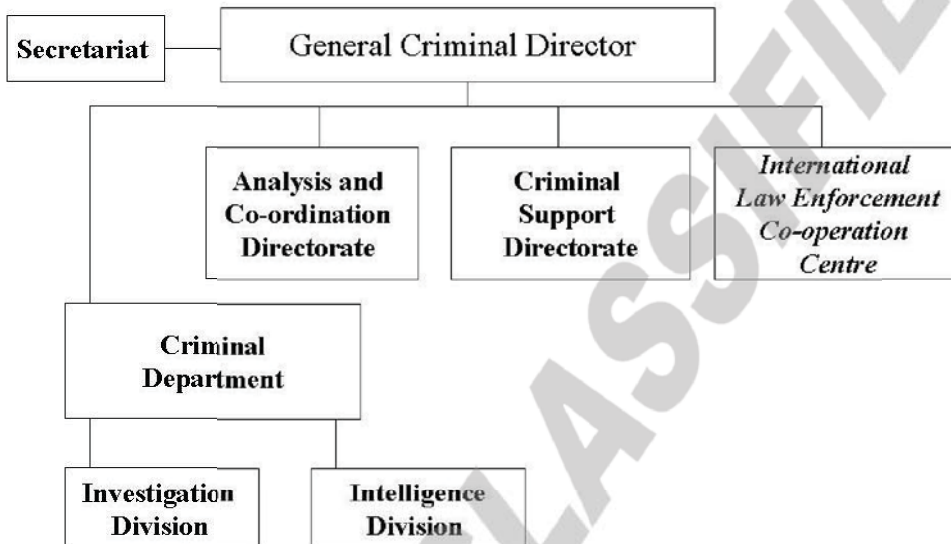
This is the central body for the coordination and international exchange of information and police cooperation consisting of the National Bureaus of Interpol, Europol, Sirene, International Relation, EU Cooperation Department and the 24/7 Communication Division. The Communication Division provides a 24/7 duty service - *Front-office for ILECC* - for guaranteeing the effective and efficient cooperation. It was established in 2000, as a response to the growing demands for national and international police cooperation.

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ILECC has also been appointed as the national central authority in application of Articles 39 and 46 of the Schengen Convention. Hungarian law enforcement bodies - Police, Customs and Border Guard – are represented in ILECC by delegated liaison officers. ILECC personnel – including liaison officers – have full access to all police and other databases relevant in police cooperation.

The main functions of ILECC are to:

- act as a single national contact point
- receive, process and forward law enforcement information and intelligence
- coordinate international relations of Hungarian National Police at strategic level
- support other Hungarian law enforcement services in international cooperation tasks
- provide regular and comprehensive updating of the internal regulations regarding the application of the Schengen acquis



The front-office for ILECC in the Communications Division has 1 Coordinator and 13 staff officers, in order to provide 24/7 service through secure channels for INTERPOL, EUROPOL (EIS), SECI or other bilateral matters.

The main tasks of the front-office concern the:

- receiving, processing and answering routine/simple requests (can be processed within its own competency)
- passing requests for assistance to back offices (EUROPOL, INTERPOL, SIRENE) or other national law-enforcement agencies for processing
- filing notifications on direct exchange/cooperation

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The **SIRENE** office was set up on the 01st August 2005 with currently 7 + 1 officers – the development of the staff will be continued in accordance with the full implementation of the Schengen provisions.

The criteria for the selection of staff include:

- knowledge of languages
- law enforcement skills
- experience in international co-operation

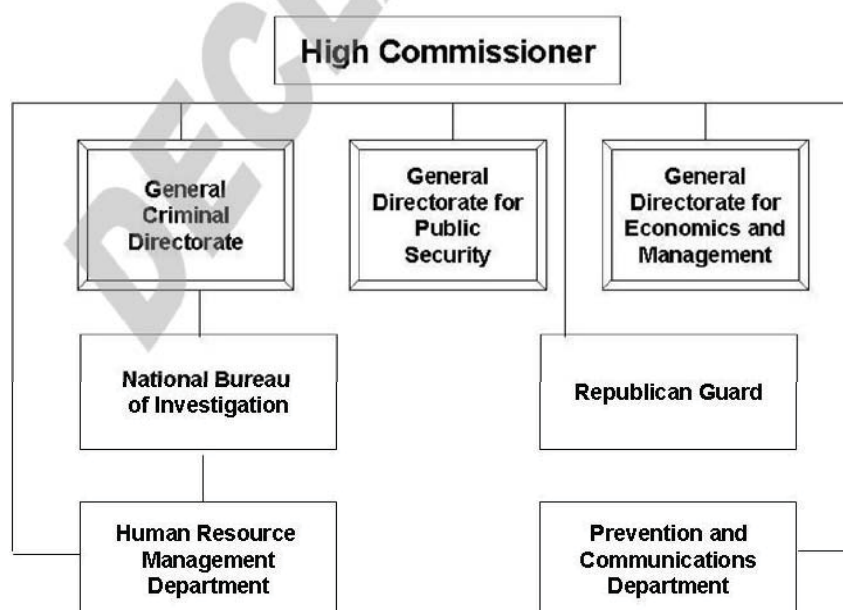
National Bureau of Investigation (NBI)

This is the central investigative body and involves - among others - specialised units dealing with drugs, economic crime, organised crime, trafficking in human beings and organs, Internet crime, terrorism and extremism, theft of works of art, most wanted criminals etc.

The main functions of the NBI are to:

- integrate intelligence-crime detection-investigation task.
- deal exclusively with criminal duties
- detect and investigate of serious offences
- set up regional units

NBI has several branches in major towns, such as Miskolc, Győr, Pecs, Szeged, Debrecen, etc., and has a total number of 575 officers. Participation in detection of trans-national crime requiring the involvement of law enforcement bodies of more countries is one of the basic tasks of NBI.



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Operational Support Directorate (OSD)

The OSD was founded on 1st November 1998 and is composed of 309 employees (280 police officers and 29 civil servants, status 1st February 2006). OSD is the central support body for all police investigations and operations of national and/or cross-border relevance such as surveillance, technical surveillance use of undercover agents, witness protection measures, etc. - any cooperation with International Organisations takes place through the ILECC.

The current mission statement of the OSD is:

- to operate the whole system of means and methods of the secret information gathering activity as service-provider;
- to concentrate and to operate nationwide the UC activity in order to satisfy the existing domestic and international demands;
- to operate the shell companies and to enlarge their field of activity;
- to enlarge the further possibilities of Witness Protection Program;
- to perform the tasks concerning the 24/7 surveillance activity and to be able to carry out transborder operational and undercover work.
- to ensure full compliance with EU standards, expectations and international obligations

According to the statistics for the years 2004 and 2005 the Intervention Division/OSD has conducted surveillance in 173 (2004) and 250 (2005) cases. According to the same statistics the OSD has conducted the following number of surveillance in international cooperation cases (no cross-border surveillances): 14 (2003); 18 (2004) and 22 (2005)

Police Security Service (PSS)

The PSS is the central support body for operations requiring the use of mass police forces, including danger to or mass disturbances of public security. It also involves:

- a) the Police Airport Security Service responsible for the application and the enforcement of Civil Aviation security measures. This is also the service that will have the competence for Schengen measures at airports in the future, with regard to cross-border police cooperation
- b) the Highway Police responsible for controlling the safety of the national highway network, being at the same time the main partner of the Border Guard in joint patrols in border regions.

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Protective Service of Law Enforcement Agencies (PSLEA)

This service was established in 1994 and operates directly under the supervision of the Ministry of Interior, having the responsibility for internal supervision of the law enforcement agencies. Its task is the prevention and the investigation of internal crimes (corruption and other) among the professional and civil servant staff of the law enforcement agencies, including penitentiary organisations (institutions) and ministry-level bodies supervising the law enforcement agencies.

As a precondition, PSLEA is completely independent while conducting the investigation of corruption activities. In case such suspicions will become proven, the PSLEA reports the perpetration to the competent public prosecutor's office, which will continue its own further investigations in the case. The activities of the PSLEA also includes preventive counter-measures, such as actively gathering of information, participation in training activities, permanent lifestyle control of police officers.

Two main fields in the international relations:

- cooperation with neighbouring countries
- cooperation with EU Member States

Neighbouring countries:

- bilateral agreements (intra-agency agreements between protection services)
- operational cooperation
- Central European Regional Forum of Internal Protection Services

EU Member States:

- bilateral agreements (intra-agency agreements between protection services)
- operational cooperation
- twinning programmes
- Interpol Group of Experts on Corruption
- European Partners Against Corruption

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3.3 Training and promotion

(training at basic, advanced and management level; linguistic training; manuals)

The relevant provisions of the Schengen acquis (parts from the Common Manual, the Police Cooperation Handbook, the Sirene Manual and their catalogues) have been compiled and integrated into internal regulations of the National Police. Some specific rules and know-how have been added in order to make it easily applicable for police officers in the field. These internal regulations (SIRENE Regulation, SIS Regulation and Cross-border Regulation) together with the provisions on the International Police Cooperation (relevant Act of 2002), are part of the training curriculum for police officers. Regular and comprehensive updating of these regulations is among the tasks of the International Law Enforcement Cooperation Centre (ILECC).

Basic training material on the application of cross-border police measures has been prepared for the “multiplier” training - held in cooperation with Border Guard in 2005. Altogether 180 police officers have been trained as multipliers, who will in turn transfer the topics to trainers on the regional level. Further multiplier training is being prepared for police supervisors in 2006.

In order to enhance the efficiency of training, the Hungarian Border Guard set up a multiplier network with officers, responsible for the training in Schengen issues. These persons have been appointed and already trained, having the duty to spread the knowledge at regional and local level. The acquisition level of the Schengen acquis among the staff is regularly controlled and evaluated centrally. Each month, an 8 hours training course is given top the local staff for refreshing and updating their knowledge on border management issues related to the Schengen acquis.

The Hungarian Customs and Finance Guard has an internal education centre for training. In addition to that, the Police Academy offers a major customs investigation and administration course according to EU standards.

The Handbook and the manuals as well as their implementing regulations are available and accessible for all police officers via a computer workstation on the Police Intranet – the Handbook and the manuals are currently just in English. The work on the Hungarian version of the Handbook is currently ongoing at the Police HQ level. Three levels of training have been organised to brief officers on them.

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The first level is a one week course organised together with Border Guard Officers , the second is the customary way of learning regulations (there is an exam at the end for all officers), and the third is a refreshment course regularly organised by the Law Enforcement Training Centre.

Update of the Handbook has already been prepared and sent to the Council of the European Union. The translated version of the Schengen Catalogue on Police Cooperation is part of the curriculum and is available for the entire staff via the Intranet of the Border Guard and Police Intranet.

Comments and recommendations of the Evaluation Committee:

The appointment of ILECC as central authority for the application of Schengen Convention and as single National Contact Point for all international police cooperation channels is a very big step forward. The existence of a front-desk, that provides a 24/7 service for their back offices and together with a well organized case system of controlling the distribution of the cases so that no duplications may occur, can be seen as best practise. The establishment of the ILECC at the National Police Headquarters provides adequate space for all officers involved in international police cooperation, located at one site, and this should also be seen as best practice.

The visit to the ILECC has shown that the IT system offers full access to all necessary police databases, including those of the Border Guard and Customs during normal working hours through liaison officers co-located in ILECC. The Evaluation Committee feels that access to these databases is necessary 24/7 and consideration should be given as how this can be facilitated, possibly through the secondment of more liaison officers from Border Guard and Customs.

The Evaluation Committee is of the opinion, that further training especially to the staff at central level, who are entrusted to implement the Schengen provisions and have to advice the colleagues outside in the field in how to apply those provisions, should receive continually specialized training in police cooperation matters, e.g. how to react in everyday arising practical situations. In particular, all officers seconded to the International Law Enforcement Cooperation Centre and all police officers involved in police cooperation should have successfully completed a training course covering their tasks, which should include not only knowledge of the relevant Schengen and EU

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provisions but in depth knowledge of the latest version of the Handbook on Police Cooperation, of relevant bilateral agreements, genuine and forged travel and identity documents as well as Dublin and readmission provisions. Priority should also be given to training for management levels on police cooperation issues through the exchange of programmes between Hungary and neighbouring Member-States with a view to broadening management experience.

Whilst there is good foreign language capacity in the central services responsible for police cooperation - especially at the INTERPOL office - the expected increase of the work load and more complex legal issues they will have to deal with (e.g. European Arrest Warrant) the absence of professional translators might create problems in the future and cause delays in the response capability of these services.

Police Regulations implementing the newly enacted legislation on the declassification of information, allowing thus the smooth implementation of Article 46 of the Schengen Convention by the designated central authority should be prioritised.

Comments of Hungary:

No further comments provided by Hungary

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4. Operational cooperation

4.1 Mutual assistance (Article 39)

(via central or other authorities; in ordinary and urgent situations; responsiveness, evaluation and redress mechanism)

The Act LIV of 2002 on the international cooperation of law enforcement agencies provides for all the rules applicable in the information exchange with foreign law enforcement agencies and to measures used in cross-border police cooperation. Direct information exchange with foreign law enforcement agencies may in particular aim at the following:

- a. to search for special expertise;
- b. to provide data of the criminal records;
- c. to provide special particulars (plate number, motor number, chassis number) in case of vehicles;
- d. to identify the operator of the vehicle or other means of transport;
- e. to identify as well as to search for the driver of various types of vehicles;
- f. to establish the existence, validity or restrictions of various driving licenses,
- g. to establish the existence, validity or restrictions of fire arms licenses;
- h. to establish or certify the identity, address, residence of a person;
- i. to identify the user, subscriber, owner of the various means of telecommunication;
- j. to receive information of objects and samples.

In accordance with the relevant rule of the Act on Police, the head of the investigation unit of the police, authorized to perform secret information gathering, shall be entitled - subject to a prosecutor's permission - to request information relating to a deliberate criminal act punishable by two years or more imprisonment from the tax authority, foreign exchange control authority, telecommunications service providers, health care institutions and the organizations handling their data as well as from other institutions handling data qualified as bank secrets, securities secrets, treasurer's secrets or other business secrets. The investigation authority may specify a deadline for furnishing the requested information. Provision of information shall be free and shall not be refused. The information obtained shall only be used for the declared purposes.

Additional measures to those listed in the document adopted by the Executive Committee of Schengen on 28 April 1999 (SCH/ Com-ex (99) 18; SCH/I (98) 75 rev 5) on principles for police cooperation in the prevention and detection of offences are:

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- involvement of persons co-operating with the law enforcement agency (informant),
- application of undercover agents,
- criminal intelligence gathering in international cooperation,
- application of the Witness Protection Programme in international cooperation

If the Police are not competent to deal with a request (Article 39 (1)), than they shall immediately forward the request without delay to the judicial authority, competent to handle the request according to its nature and to national legislation. The judicial authorities accept requests coming through police channels in the same way as cases of requests for legal assistance coming from a judicial authority.

In the course of the cooperation with EU member states in criminal matters – having launched the initial phase of the criminal procedure – the Hungarian judicial authorities are directly authorized to submit the requests for different forms of procedural legal aids or judicial assistance, such as direct exchange of information, setting up joint investigation teams, applying undercover agents. Prior to the institution of such proceedings, sending or receiving as well as submitting the requests - initiated either by the Hungarian law enforcement agency or sent by the counterpart of a member state - for judicial assistance are administered by the ILECC. The request must be made in writing or – on justified grounds (e.g. urgent needs) – it can be sent via IT infrastructures (e-mail, fax). In the latter case, the request is to be deemed valid and must be administered. In accordance with the national legislation, if a special authorization is needed from a judicial authority in order to execute the request - from a judge or from an attorney - the authorization in question must be obtained in advance by the law enforcement agency in charge of administering the request.

National legislation allows information coming through police channels from non-Schengen countries to be passed on to judicial authorities. Judges are free to accept or reject those as evidence to be used in a criminal case. When there is a clause on the information in advance than it can only be used as evidence with the prior consent of the sender (information provider), a consultation procedure is introduced. When there is the need to use the information obtained as evidence, this consultation can be done by the Police prior to passing it on to the judicial authorities. Restrictions in the clause are in all cases accepted.

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According to the national legislation it is mandatory to inform the national central body, if in an urgent case the direct channel is used. According to legislative provisions, the 24-hour duty service at the ILECC must be informed on all cross-border operations. This provision allows full alignment with Article 39 (4) of the Schengen Convention.

In accordance with the Act LIV of 1999 on *cooperation and information exchange with the law enforcement network of the European Union and the International Criminal Police Organisation*, the Hungarian law enforcement agencies, who shall forward data or information in consequence of such a request from international law enforcement organizations, always have to initiate a request for data, information or inquiry through the ILECC. Nevertheless, direct information exchange with foreign law enforcement agencies is allowed under the terms of Act LIV of 2002 on the international co-operation of law enforcement agencies, in cases of urgency or in cases related to the border area. ILECC should be notified about such exchanges of information as well.

4.2 Exchange of information (Article 46) ***(via central or other authorities; between concerned authorities)***

Act LIV of 1999 on *Cooperation and Information Exchange with the Law Enforcement Network of the European Union and the International Criminal Police Organisation* provides the legal basis for the establishment of the International Law Enforcement Cooperation Centre (ILECC), which has been set up within the organisation of the National Police Headquarters. The Act LIV of 2002 on the International Cooperation of Law Enforcement Agencies also provides for regulations on the tasks of ILECC. ILECC has been appointed as SIRENE Bureau and the Central SIS Authority and as the authorities mentioned in Articles 39 and 46 of the Schengen Convention. All three Hungarian law enforcement bodies (Police, HCFG and Border Guard) are represented in ILECC by delegated liaison officers.

Pursuant to the Act LIV of 1999 on *Cooperation and Information Exchange with the Law Enforcement Network of the European Union and the International Criminal Police Organization*, Hungarian law enforcement agencies in the course of their cooperation with international law enforcement organizations shall forward data and information, shall initiate request for data, information or inquiry through the ILECC acting as single channel and national contact point.

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Nevertheless, direct information exchange with foreign law enforcement agencies is allowed under the terms of Act LIV of 2002 on the international co-operation of law enforcement agencies, in cases of urgency or in cases related to the border area. ILECC should be notified about such exchanges of information as well.

According to above regulation, all information on events concerning public order are processed and exchanged via ILECC. However there are two exceptions from this general rule:

- in cases of urgency when the exchange of information must be done without delay, or
- the competent Hungarian law enforcement agency in the border area requests or provides information from its foreign counterpart, where the requested or provided information has only relevance to a certain and designated border area.

No specific statistical information was presented during the visit, but as an average approx. 50 cases of exchange of information related to sport events and border demonstration have been reported in the past three years.

Under the terms of the Hungarian legislation, there is a strong division between police cooperation and judicial cooperation in the fight against trans-national crime. According to the Code on Criminal Procedure (Act XIX of 1998), a criminal investigation is under the control of the public prosecutor, even if the actual procedural measures are taken by the investigative authorities (law-enforcement agencies). Therefore, any kind of international cooperation, when related to an on going criminal investigation, is considered as judicial cooperation (legal assistance). Relevant is the Act CXXX of 2003 on the cooperation in criminal matters with Member States of the European Union. Law enforcement agencies are solely entitled to carry out international cooperation without judicial authorization in the detection phase, before the formal launch of a criminal investigation, under the provisions of the Act LIV of 2002 *on the international cooperation of law enforcement agencies*.

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4.3 Cross-border operations (Articles 40 and 41)

(conditions, constraints, procedures, practical regulations, bilateral arrangements, joint patrols, controlled deliveries)

Articles 40 and 41 of the Convention implementing the Schengen Agreement are binding, but in Hungary still not applicable due to the arrangements of the Treaty on Accession. Therefore, the Evaluation Committee could only assess the capacity of the Hungarian authorities to implement these articles in due time, based on existing legal provisions. The potential existence of bilateral agreements in this respect with neighbouring countries would have enabled the Committee to access this capacity based on actual practice but unfortunately these agreements have not yet been concluded and entered into force.

An attempt to commit a crime is considered by the national law as sufficient ground to take measures pursuant to Article 40 (1) and (2) of the Schengen Convention. According to the legislation in force, the attempt to commit a crime falls under the same regard - and adjudication - as a crime committed. Section 17 (1) of the Criminal Code stipulates: “The item of punishment of the finished crime shall be applied also for the attempt.”

Except in cases of urgency pursuant to Article 40 (2) of the Schengen Convention, where it is obviously not possible to seek the prior authorization of the corresponding central authority designated in Article 40 (5), the police officials of Schengen States, who conduct cross-border surveillance will be allowed to carry their service weapons in Hungary for standard surveillance operations pursuant to Article 40 (1) and Article 40 (3) (d) of the Schengen Convention.

According to the current legislation, carrying of service weapons while conducting cross-border surveillance is possible if there is an international agreement regulating these issues. The Schengen Convention is considered an international agreement regulating this issue. The bilateral agreements concluded on the basis of the Schengen Convention will contain the necessary guarantee rules. No information on the type and number of service weapons is required.

In accordance with the local border management arrangements in order to maintain the public order, tackle criminal offences and to supervise the border area, joint patrols may be carried out along the common borderline within a 10 km distance from the border.

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Such mixed patrols in the framework of direct cooperation are not yet introduced due to the lack of ratified bilateral agreements. The agreement with Austria (signed on 6 June 2004) was ratified by the Hungarian Parliament in February 2006 and is awaited to come into force as soon as the ratification process is over. The agreements with Slovakia and Slovenia haven't even been signed yet, as they are under negotiations and still in the drafting phase. After the entry into force of these agreements, a legal basis for joint patrols as well as cross-border surveillance and hot pursuit will be provided.

The international agreements of police cooperation with several countries (both EU and non-EU states) have been concluded in the 90's and regulate mainly the exchange of information (data, experiences, research results, in the field of criminology, patterns etc.) between the law enforcement agencies in case of specific crimes. They do not allow yet operational cooperation, according to the Schengen standards. These agreements will be replaced with other agreements of a "new type", incorporating the respective Schengen provisions for international cooperation. According to the Act on Police – as a general rule – based on international treaties and reciprocity, the police shall cooperate with foreign and international law enforcement organisations and fight against international crime. Based on international treaties, Hungarian police officers may exercise law enforcement powers abroad, as well as foreign police officers may exercise law enforcement powers within the territory of the Republic of Hungary.

In accordance with the relevant provisions of the Act LIV of 2002, the member of the foreign authority acting in the territory of Hungary may use force (physical restraint) on a person in order to stop resistance, or may use hand-cuffs in order to prevent a person whose personal freedom is or is to be restricted from self-destruction, from attacking, from escaping and to stop such person's resistance. To stop such person's resistance against a lawful police measure the foreign official may also use chemical or electrical shocking devices - note: there is no systematized shocking device currently introduced to the Police - as well as baton in order to ward off an assault directly endangering others' or his/her own life or corporeal integrity or the security of property. The carried service weapon can only be used in cases of legitimate self defence or extreme need - other coercive measures stated in the Hungarian legislation can not be applied by the member of the foreign

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authority. Foreign officials may apprehend the person caught in the act of committing an offence, may hold the offender at the location of the apprehension; however he/she is obliged to hand over the person to the Hungarian authorities without delay. The member of the foreign authority may not apply other measures stated in the legislation concerning the Hungarian law enforcement authorities.

4.4. Additional cross-border provisions (Article 44) *(current situation; planned communication structures)*

For the time being only the network of border contact points is foreseen to facilitate and support cross-border surveillance by direct communication links. The central body authorized to perform cross-border surveillance is the Operational Support Directorate of the National Police. The team performing the surveillance must be in contact with its liaison officer at the border contact point relevant in the particular operation. As soon as the necessary link is established direct contact is applicable. Links must be maintained via direct, compatible radio channels/phone during the entire operation.

Upon accession to the Schengen Area, Hungary is going to create a new radio-communication system in order to satisfy the mobile communication needs of the Hungarian emergency services including Police, Border Guards etc. This system is the Unified Digital Radio-communication (UDR) system using the TETRA technology by ETSI (European Telecommunications Standard Institute). The contract is signed for the development and setting up the nation-wide UDR system served by a network provider. The winning group will build up the whole system until 31st of January, 2007 and it will enable the state-of-the-art radio-communication within the country and ensure the cross-border interoperability of police forces.

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4.5 Liaison officers

(in/from other Schengen States, cooperation in third countries)

In accordance with the Act LIV of 2002, in order to promote cooperation between the Hungarian law enforcement agencies and the law enforcement agencies of other states as well as to ensure secured processing of personal or classified data, liaison officers may be seconded to each others' country. Hungarian liaison officers may provisionally or permanently be seconded to the foreign authority or to international law enforcement organizations. Foreign liaison officers may be received by the ILECC or – for a provisional period of time – by the Hungarian law enforcement agency.

Hungary has seconded three liaison officers to the Europol Centre in The Hague (one Police officer, one Border Guard and one Customs officer), two liaison officers to the SECI Center in Bucharest (one Police officer and one Customs officer) and one police liaison officer to the Headquarters of the Bundeskriminalamt in Wiesbaden. The Border Guard has four relevant liaison officers, one of them was posted at former ACT in Austria (until 31.12.2005), two of them as seconded national experts at the FRONTEX Agency in Warsaw, Poland. The Hungarian Border Guard has seconded a liaison officer to the Federal Police – the former Bundesgrenzschutz (BGS), who represented Hungary at the Land Border Center as well.

The Ministry of Interior has posted liaison officers to Moscow, Kiev and Ankara, stationed at the Hungarian embassies, with the main role of facilitating the exchange of information. All of the above-mentioned officers come under the scope of Council Decision 2003/170/JHA which regulates the coordination with other Member States' liaison officers. No specific agreement exists on this particular issue beyond the above-mentioned Council Decision.

Foreign liaison officers posted in Hungary include officers from: UK (SOCA), Sweden (also acting on behalf of Finland, Denmark, Iceland and Norway), Germany (BKA), Austria, Slovakia, Spain, Ukraine, the Netherlands, Poland, Bulgaria, Romania, France and USA (FBI assistant legal attaché). The replacement of the former Italian liaison officer has not yet been resolved. There are three liaison officers (Belgium, Canada and Israel) who, though not posted to Budapest, are responsible for Hungary, as well. The liaison officers are all posted in embassies. Since 2004, the Federal Police of Germany has seconded a liaison officer to the Hungarian Border Guards.

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4.6 Statistics

(requests pursuant to Art. 39, operations pursuant to Art, 40 and 41, exchanges pursuant to Art.46)

No detailed statistics were presented by the Hungarian authorities concerning the exchanges of information based on Article 46. According to their estimation in the past three years an average of 50 information exchange of such kind took place mainly in connection with sport events and border demonstrations. Due to the fact, that no bilateral agreements on police cooperation with the neighbouring countries have been come into force by now, no cases on operations pursuant to Article 40 and 41 have been performed due to the arrangements of the Treaty on Accession.

The competent authorities make use of registration forms (as those provided in Article 45) in all the cases, whenever information contained is relevant in solving a particular case. No statistical data is collected on the frequency of the use of the registration forms.

Pursuant to the relevant section of the Act on Aliens the Central Data Controlling Agency may transmit data to the international law enforcement agencies and Schengen Information System through ILECC.

Comments and recommendations of the Evaluation Committee:

According to the current legislation, there will be no legal obstacles for the future application of Article 40 and 41 of the Schengen Convention, as well as no territorial limitations concerning hot pursuit – the Evaluation Committee would like to encourage Hungary to increase their efforts on the ratification of bilateral agreements including provisions on cross-border surveillance that corresponds to the Schengen Convention. Taking into consideration, that Hungary will have a very extended Schengen external border with Ukraine, Romania, Croatia and Serbia-Montenegro, the conclusion of bilateral agreements on police cooperation with these countries is of high importance, with the purpose to improve the effectiveness of checks and surveillance at the external borders.

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The Evaluation Committee considers it good practice that all three law enforcement agencies are represented in ILECC as well as in the Europol Liaison Office - this should also be taken in consideration for the existing and foreseen cooperation centres at internal borders.

Although Hungary has already started with the tender for the implementation of a digital radio network with a view to have it in place by the end of 2007, the technical adoption of the current radio-communications to ensure interoperability with the communication systems of the neighbouring countries should be given higher priority as a long term measure, in case that the implementation of the TETRA system might be delayed.

The Evaluation Committee is of the opinion, that the Hungarian authorities should develop reliable and comparable statistics, in order to be able to follow the evaluation of cross-border cooperation and compare these findings with other Member States. It is felt that the compiling of statistics would at a strategic level help determine the threat assessment and assist in the prioritisation of resources. Such lack of information at the central level can lead to overlaps and even conflicts between different operations and agencies. In the longer term this can influence the threat assessments and the solutions that are defined in response to them.

Comments of Hungary:

We acknowledge that the conclusion of new police cooperation agreements with neighbouring non-EU States is of great importance in order to improve information exchange and to deepen other aspects of cross-border law enforcement, however, agreements allowing all forms of Schengen type police cooperation are only foreseen with the neighbouring Member States at the internal borders.

5. Reports on individual sites visited/case studies

Visit to the Győr-Moson-Sopron County Police Headquarters

The Evaluation Committee visited the Police Headquarters of Győr-Moson-Sopron County, which has common borders with Austria and Slovakia. During the over-all presentation of the police activities in the region, the good level of inter-agency cooperation between the National Police, Border Guards and the Customs Service was pointed out as a very effective example for best practices on national police cooperation. The creation of Joint Investigation Teams (National Police and Border Guards) has shown its effectiveness in a big crime case related to forging passports, in which mainly Ukrainian nationals have been involved. The basis for such a good cooperation is prepared by sharing data, direct exchange information on the local level, as well as the monthly meetings of Heads of the services (National Police and Border Guards), where the progress of the countermeasures are evaluated and future plans for operations are made. In the framework of the preparation for the full application of the Schengen Convention in this county, the establishment of a network of dedicated officers - contact officers for Schengen matters – is currently under implementation, who will act as multipliers for the rest of the personnel at local level.

The police cooperation with the Slovakian authorities is currently taking place only on a case-by-case basis, covering all different kinds of criminality. The chiefs of the police services of both countries meet and analyse the crime situation in the border area, supported by a representative of the NBI office, who may participate in these meetings.

Taking into account the capacity of criminal structures to attune themselves very quickly to new situations, the establishment of direct links between the two law enforcement agencies was inevitable and the establishment of a permanent Common Contact Point at Hegyeshalom-Nickelsdorf Border Crossing Point just a logical consequence, in order to strengthen police cooperation between the two countries. The establishment of a similar Common Contact Point at Rajka-Rusovce BCP – at the borders with Slovakia – is foreseen for 2006.

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Visit of Common Contact Point Hegyeshalom-Nickelsdorf

There has been permanent contact since 1993 between the regional Hungarian Border Guards and the Provincial Gendarmerie of Burgenland. The institutionalisation of the cooperation was decided in August 2005. The Common Contact Point, now with the additional presence of the Hungarian National Police, started to be operational on the 2nd January 2006 and accommodates six officers from the Hungarian Border Guard/National Police and six officers from the Austrian Federal Police. Since Hungary has become a member of the EU, there is no Customs presence anymore, neither from Hungary nor from the Austrian side - consequently the cooperation between Police and Customs is rather limited to direct personal contacts.

The actual work schedule is from 07.00 to 17.00 hrs on weekdays, which might be extended to a full 24/7 service as soon as appropriate office space for the increasing the number of the personnel will be available.

The tasks of the Common Contact Point are to:

- the direct exchange of information and mutual assistance between both countries
- receive requests from criminal authorities of Hungary, Austria and other Schengen Member States
- process requests within its own competence, or forward them to the competent authority
- give input to the preparation of criminal analysis, statistics and evaluation of the experiences related to the work of the Cooperation Point
- oordinate joint patrols - as soon as the bilateral agreement will enter into force on the 1st June 2006.

The officers have access to the entire national police database and can therefore respond within its own competence to most of the received requests immediately – if this is not possible, the request will be transmitted to the ILECC, which will then give the answer directly to the requested authority. By using a common standard form in both languages, most of the answers may be given within a maximum time period of one day.

According to the statistics figures presented during the visit, since the CCP became operational – 2nd January until 10th February 2006 – to 95% of the requests, the answers were given directly by the CCP and only 5% had to be transmitted to the ILECC. The majority of the requests 73% came from the Austrian authorities and only 27% from Hungary - among those, 53% were originating from the border area and the rest (47%) from different regions.

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The selection criteria for the staff deployed to the CCP are rather high and include:

- higher education
- three years professional experience in law enforcement
- IT skills, especially in operating databases, and
- fluency in German language

Visit to Nógrád County Police Headquarters in Salgótarján

Nógrád County is situated in the northern part of Hungary and has a common border section with Slovakia. It is the second smallest county (2544 km²) in Hungary, while it has the smallest number of population in the country (219.447 inhabitants).

With regard to the type of criminality they are faced with, there are two major problems in this area: prostitution and drugs trafficking. Despite the small size of Nógrád County in terms of land and population, the region is the main source of prostitutes in Hungary, who subsequently may be even trafficked outside the country to Italy or Spain.

Concerning their preparation for the full application of the Schengen Convention, the County HQ takes initiatives concerning the training and professional education of all policemen. Recently they adopted a German model of a paper disk, which every police officer carries, giving brief information about the applicable legal provisions according to the current circumstances.

Due to the good cooperation between National Police and Border Guard in this region, joint operations are carried out frequently and are therefore a vital part of the day-to-day service, while the exchange of information with the relevant authorities in Slovakia - mainly local police units - is taking place only on ad-hoc basis. The reason for such 'border-meetings' are particular cases or informations, which may concern the border area of both countries. About the delivered talks the ILECC/NEBEK of the National Police HQ will be informed, and – if it is consider to be reasonable – the Nógrád County Local Office of the National Security Office, and in some cases, also the Miskolc Branch of the National Bureau of Investigation (NBI).

The bilateral agreements with Slovakia are still under drafting and negotiations, which also influences the foreseen establishment of in total three Common Contact Points between the two countries, of which one will be in Balassagyarmat/ Nógrád County.

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Visit to the Nógrád County Police HQ Criminal Investigation Department (AFIS System)

The Evaluation Committee was given the opportunity to visit the office of the CID, where the AFIS system has been installed and to attend in practice the advanced level of inquiries that this system is offering. It has to be noted, that in the AFIS system only three different types of police data concerning fingerprints are stored: i) unknown identity of dead persons, ii) persons committed crime and wanted, and iii) expelled aliens. The data relating to the asylum seekers and EURODAC data are kept by a different service, as this is under direct responsibility of the Ministry of the Interior and not the Police itself.

Inspection of Duty Service of Nógrád County Police HQ (Salgótarján Police Station)

The Duty Service of the Nógrád County Police HQ is the central Communication Centre for Salgótarján city as well as for the entire region. They have permanent radio contact with police patrols in the field and with the Border Guard Regional Directorate - when needed they get in direct contact with the relevant Slovakian Police authorities via telephone and the assistance of Police officers with knowledge of the foreign language.

Comments and recommendations of the Evaluation Committee

The establishment of the Common Contact Point with Austria (Hegyeshalom-Nickelsdorf) is a very important step forward in the development of good cross-border police cooperation, although the bilateral agreement between the two countries has not been entered into force yet. The Evaluation Committee encourages the Hungarian authorities to proceed with their intention to perform joint mixed patrols and to involve the CCP into the operational coordination of police activities in the border area.

According to the provided statistical information, the introduction of a permanent 24/7 service and the adequate increase of the personnel are essential in order to cope with the increasing workload in the near future. Furthermore the Evaluation Committee is of the opinion, that the presence of the Customs Service would expand the scope of information exchange, all law enforcement authorities could benefit from.

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Taking into consideration the good performance of the Police Cooperation Centre in Hegyeshalom/Nickelsdorf as a successful way to enhance cross-border cooperation with neighbouring countries, Hungary should be encouraged to consider similar centres at the borders with Slovakia and Slovenia as necessary.

In order to enable the police authorities of the neighbouring countries to perform cross-border surveillance and hot pursuit at the common borders, the process for the conclusion of such bilateral agreement should be accelerated. This would also offer the advantage, that the police authorities can gain very useful practical experience in the application of Art. 40 and 41 prior to the full implementation of all provisions of the Schengen Convention, envisaged for the year 2007.

With regards to training, the police personnel which will be actively involved in the near future with Schengen matters, requires persistent training on the provisions of the Schengen acquis. The Police Cooperation Handbook has to be brought to the attention of all police officers and should be always available in various forms, in a full translated version, as a brief guideline (summarizing the most relevant provisions) or at the police intranet. The local initiative of the Nograd HQ to provide simple tools to make police officers more familiar with the most important Schengen provisions can be seen as best practise and should be extended to other regions.

The acquirement of language skills regarding neighbouring countries should be actively promoted, though the local population in the respective border areas speaks predominately Hungarian, i.e. in Slovakia.

Comments of Hungary:

It should be mentioned that the Hegyeshalom/Nickelsdorf Common Contact Point has been operational since 2002 as regards border management and migration issues. Only the pilot project to establish a criminal contact point started on 2 January 2006. However, a separate intergovernmental agreement between the Austrian and Hungarian governments has to be concluded for the final setting up of the criminal contact point.

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6. General conclusions including recommendations and follow up

The Evaluation Committee has gained a comprehensive picture of the current situation in Hungary regarding international police cooperation. It is obvious, that most of the preparatory work for the full implementation of the Schengen acquis has already been accomplished as regards institutional and operational structures, whereas the practical execution of cross-border activities according to Articles 40 and 41 of the Schengen acquis, is still hampered by the lack of bilateral agreements with the neighbouring countries and due to the arrangements of the Treaty on Accession.

Hungary has set up and designated the International Law Enforcement Cooperation Centre as a single point of contact for international police cooperation. All units involved in international police cooperation are accessed through the front-office. This guarantees effective and efficient cooperation, and should be seen as best practice.

The officers of the International Law Enforcement Cooperation Centre are in the position to deal with the majority of the requests for mutual assistance received pursuant to Article 39 of the Schengen Convention, without referring them to another agency for inquiry, as they have direct access to the basic police databases. In cases of emergency where other channels of direct communication are used, national legislation creates an obligation of informing the central authority, allowing thus full alignment with Article 39 (4) of the Schengen Convention.

There are a few areas that require further improvement:

In order to ensure that comprehensive analysis and relevant threat assessments are produced from the intelligence and information gathered, the Hungarian authorities may consider the introduction of European Criminal Intelligence Model (ECIM).

Hungary should accelerate the conclusion of outstanding bilateral agreements and these should, where possible, correspond to the Schengen Convention. This will enable the law enforcement authorities of neighboring countries to perform cross-border surveillance and hot pursuit at the common borders. Taking into consideration, that Hungary will have a very extensive Schengen external border with Ukraine, Romania, Croatia and Serbia-Montenegro, the conclusion of bilateral agreements on police cooperation with these countries is of high importance, with the purpose to improve the effectiveness of checks and surveillance at the external borders.

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Further Police Cooperation Centres should be considered with neighbouring countries. The Common Contact Point Hegyeshalom-Nickelsdorf can be seen as best practice for enhancing and encouraging the international exchange of information. In order to increase the effectiveness and efficiency of such Common Contact Point, their working hours should be extended to a full 24/7 service.

Special emphasis should be given to a constantly recurring training regime of all officers, including those at management level, seconded to the International Law Enforcement Cooperation Centre and all police officers involved in police cooperation.

As regards the communication of information and cooperation in matters relating to public police and national security, Police regulations implementing the newly enacted legislation on the declassification of information, allowing thus the smooth implementation of Article 46 of the Schengen Convention by the designated central authority should be prioritised.

Hungary should continue with their strategy to implement cross-border telecommunication structures, especially in the design and deployment of a Digital Trunked Radio Systems (e.g. TETRA) with neighbouring countries. Hungary is invited to examine operational and technical interoperability issues together with its EU partners in the context of the PCWG, in order to meet the Schengen technical, operational and tactical requirements.

The Evaluation Committee is of the opinion, that the Hungarian authorities should develop reliable and comparable statistics, in order to be able to follow the evaluation of cross-border cooperation and compare these findings with other Member States. It is felt that the compiling of statistics would at a strategic level help determine the threat assessment and assist in the prioritisation of resources. Such lack of information at the central level can lead to overlaps and even conflicts between different operations and agencies. In the longer term this can influence the threat assessments and the solutions that are defined in response to them.

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Comments of Hungary:

Hungary wishes to point out that under the terms of its Treaty of Accession to the European Union (Annex I), Articles 40 – 43 of the Schengen Implementation Convention are not applicable until the accession to the Schengen area. Lack of implementation of Articles 40 – 41 is not a policy by Hungary, but simply excluded by the Accession Treaty until the full Hungarian Schengen membership.

We acknowledge that the conclusion of new police cooperation agreements with neighbouring non-EU States is of great importance in order to improve information exchange and to deepen other aspects of cross-border law enforcement, however, agreements allowing all forms of Schengen type police cooperation are only foreseen with the neighbouring Member States at the internal borders.

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ANNEX: list of bilateral agreements

Arrangements concluded in matters of police cooperation in general

- Agreement between the Government of the Republic of Hungary and the Government of the People's Republic of China on cooperation in fields of preventing and fighting against crime, especially organised crime (signed on 28/08/2003 in Peking)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Finland on cooperation in fields of preventing and fighting against crime, especially organised crime (signed on 24/10/2002 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Lithuania on cooperation in fields of fighting against terrorism, illegal trade in drugs, organised crime and other serious crimes (signed on 04/03/1997 in Vilnius)
- Agreement between the Government of the Republic of Hungary and the Government of the Hashemite Kingdom of Jordan on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 20/09/1999)
- Convention between the Government of the Republic of Hungary and the Government of the Kingdom of Belgium on police cooperation and cooperation in the field of fighting against organised crime (signed on 04/11/1998 in Brussels)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Tunisia on cooperation in the field of fighting against organised crime (signed on 12/11/1998 in Tunis)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of South Africa on cooperation in fields of fighting against organised crime, illegal trade in drugs and serious crimes (signed on 03/05/1999 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Kingdom of Morocco on cooperation in fields of fighting against international organised crime and illegal trade in drugs (signed on 12/05/1999 in Rabat)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Cyprus on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 13/06/1996 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the State of Kuwait on cooperation in the field of fighting against organised crime (signed on 15/04/2000 in Kuwait)
- Agreement between the Government of the Republic of Hungary and the Government of Malta on cooperation in fields of fighting against prohibited trade in drugs and psychotropic substances and organised crime (signed on 18/05/2000 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of Ireland on cooperation in fields of fighting against illegal trade in drugs, trafficking in human beings and other forms of serious crime (signed on 03/11/1999 in Budapest)
- Memorandum of Understanding between the Government of the Republic of Hungary and the Government of the United Kingdom of Great Britain and Northern Ireland on cooperation in fields of fighting against illegal trade in drugs, international terrorism and illegal migration (signed on 09/02/2000 in London)

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- Memorandum of Understanding between the Government of the Republic of Hungary and the Government of the United Kingdom of Great Britain and Northern Ireland on cooperation in fields of illegal yielding and trading of drugs and psychotropic substances and the preventing of misfeasance (signed on 25/04/1991 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Albania on cooperation in fields of fighting against terrorism, illegal trade in drugs and organised crime (signed on 12/02/1999 in Budapest)
- Memorandum of Understanding between the Government of the Republic of Hungary and the Government of the United States of America on cooperation in the field of exchanging information to the relation to the prevention and fighting against organised crime (signed on 13/01/2000 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Bulgaria on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 11/11/1998 in Budapest)
- Convention between the Government of the Republic of Hungary and the Government of the Arab Republic of Egypt on cooperation in the field of fighting against organised crime (signed on 26/03/1996 in Cairo)
- Agreement between the Government of the Republic of Hungary and the Government of the United States of America on educational and technical help towards Hungary (signed on 14/09/1998 based on the verbal exchange of diplomatic notes dated on 15/09/1998)
- Agreement between the Government of the Republic of Hungary and the Government of the Socialist Republic of Vietnam on cooperation in fields of acting against illegal drug-smuggling and international terrorism (signed on 04/02/1998 in Hanoi)
- Agreement between the Government of the Republic of Hungary and the Government of Republic of Poland on cooperation in fields of fighting against terrorism, prohibited drug trade and organised terrorism (signed on 15/05/1996 in Warsaw)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Italy on cooperation in fields of fighting against terrorism, organised crime and illegal trade in drugs and psychotropic substances (signed on 13/05/1997 in Rome)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Moldavia on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 04/06/1997 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Kingdom of Sweden on cooperation in fields of fighting against organised crime, illegal trade in drugs and psychotropic-substances and other forms of serious crime (signed on 23/04/1997 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of Latvia on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 06/03/1997 in Riga)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Estonia on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 13/05/1997 in Budapest)
- Convention between the Government of the Republic of Hungary and the Government of the Federation of Russia on cooperation in fields of fighting against crime, especially organised crime (signed on 07/04/1997 in Moscow)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Austria in cooperation in fields of fighting against international terrorism, illegal international trade in drugs and international organised crime (signed on 12/07/1996 in Nickelsdorf)

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- Agreement between the Government of the Republic of Hungary and the Government of Romania in cooperation in fields of fighting against organised crime, prohibited trade in drugs (signed on 19/02/1997 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Kazakhstan on cooperation in fields of fighting against organised crime, illegal trade in drugs and psychotropic-substances and terrorism (signed on 07/10/1996 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Czech Republic on cooperation in fields of fighting against terrorism, organised crime and reducing the prohibited trade in drugs- and psychotropic-substances (signed on 16/02/1996 in Prague)
- Agreement between the Government of the Republic of Hungary and the Government of Ukraine on cooperation in the field of fighting against organised crime (signed on 19/05/1995 in Kiev)
- Agreement between the Government of the Republic of Hungary and the Government of the Slovak Republic on cooperation in fields of fighting against terrorism, prohibited trade in drugs and other organised crime (signed on 28/06/1995 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Greece on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 17/02/1993 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Croatia on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (09/12/1992 Zagreb)
- Agreement between the Ministry of Interior of the Republic of Hungary and the Ministry of Interior of the Republic of Slovenia on cooperation in fields of fighting against prohibited trade in drugs and organised crime (signed on 19/05/1993 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of Turkey on cooperation in fields of fighting against terrorism, prohibited trade in drugs and organised crime (signed on 18/12/1992 in Ankara)
- Agreement between the Government of the Republic of Hungary and the Government of the Federal Republic of Germany on cooperation in the field of fighting against organised crime (signed on 22/03/1991 in Bonn)
- Convention between the Government of the Republic of Hungary and the Government of Kingdom of Netherlands on cooperation in the field of fighting against organised crime (signed on 02/11/1998 in Hague)
- Agreement between the Government of the Republic of Hungary and the Federal Government of Switzerland on cooperation in the field of fighting against crime (signed on 05/02/1999 in Budapest)
- Agreement between the Government of the Republic of Hungary and the Government of the Republic of France on cooperation in the fields of interior affairs (signed on 16/01/1997 in Budapest)
- Cooperation between the Ministry of the Interior of the Republic of Hungary and the Ministry of the Interior of Bavaria in the field of police cooperation and fighting against international organized crime, in particularly the illegal drug trafficking and human smuggling
- Cooperation between the Ministry of the Interior of the Republic of Hungary and the Ministry of the Interior of the Republic of Uzbekistan in the field of fighting against crime (signed on 28/10/2002 in Budapest)
- Agreement between the Ministry of Interior of the Republic of Hungary and the Ministry of Interior of the Kingdom of Spain on cooperation in fields of fighting against prohibited international trade in drugs, terrorism and organised crime (signed on 02/03/1992 in Budapest)

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Additional information²:

- The agreement on co-operation to prevent and combat transnational crime between the Republic of Hungary and the Republic of Austria (signed on 06/06/2004 in Heiligenbrunn) was ratified by the Hungarian Parliament (see Act XXXVII. of 2006) since the evaluation visit. The Agreement will enter into force on 1 June 2006.
- Furthermore, since the evaluation visit, the agreement on co-operation in the fields of fighting against terrorism, illegal trade in drugs and organised crime with Bosnia and Herzegovina (signed on 21/04/1996 in Budapest) has entered into force.

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² Additional information by Hungary has been provided in their comments