



Council of the  
European Union

Brussels, 18 June 2018  
(OR. en)

14171/06  
DCL 1

SCH-EVAL 148  
ENFOPOL 172  
COMIX 851

## DECLASSIFICATION

---

of document: ST14171/06 RESTREINT UE/EU RESTRICTED  
dated: 19 October 2006  
new status: Public

---

Subject: Schengen evaluation of the new Member States  
ESTONIA: Report on Police Cooperation (October 2006)

---

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

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

# RESTREINT UE



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 19 October 2006**

**14171/06**

**RESTREINT UE**

**SCH-EVAL 148  
ENFOPOL 172  
COMIX 851**

## **REPORT**

---

from : Police Cooperation Evaluation Committee  
to: Schengen Evaluation Working Party  
Subject : Schengen evaluation of the new Member States  
ESTONIA: Report on Police Cooperation (October 2006)

---

The current draft is based on the replies of **Estonia** to the questionnaire and includes the results 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 Estonian authorities on the first draft report.

# RESTREINT UE

## TABLE OF CONTENTS

1.	<a href="#">Introduction</a> .....	3
2.	<a href="#">Management Summary</a> .....	3
3.	<a href="#">Law enforcement and police organisation</a> .....	4
	3.1. <a href="#">National law-enforcement structures</a> .....	4
	3.2. <a href="#">Structure of international cooperation</a> .....	7
	3.3. <a href="#">Training and promotion</a> .....	8
4.	<a href="#">Operational cooperation</a> .....	10
	4.1. <a href="#">Mutual assistance (Article 39)</a> .....	10
	4.2. <a href="#">Exchange of information (Article 46)</a> .....	11
	4.3. <a href="#">Cross-border operations (Articles 40 and 41)</a> .....	11
	4.4. <a href="#">Additional cross-border provisions (Article 44)</a> .....	14
	4.5. <a href="#">Liaison officers</a> .....	15
	4.6. <a href="#">Statistics</a> .....	16
5.	<a href="#">Reports on individual sites visited/case studies</a> .....	19
6.	<a href="#">General conclusions, including recommendations and follow-up</a> .....	23

\*

\*

\*

# RESTREINT UE

## REPORT ON POLICE COOPERATION

This report was drawn up by the Evaluation Committee and is brought to the attention of the Sch-Eval Working Party, which will submit a follow-up report 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 visited Valga Police Station in the Louna (Southern Police Prefecture), Louna (Southern) Police Prefecture (in Tartu), Pohja (Northern) Police Prefecture (in Tallinn) and the Central Criminal Police (in Tallinn), where experts from the country presented police cooperation in Estonia.

#### *Participants:*

- Olli KOLSTELA (leading expert) (FIN)
- Reinhard MULLER (D)
- Rolf-Ake PETTERSSON (S)
- Mona MARTINSEN (NO)
- Leon LUDOVICY (LUX)
- Christoph HUNDERTPFUND (A)
- Juana Maria CUEZVA MARCOS (ES)
- Pierre Marie BOURNIQUEL (F)
- Sarka HAVRANKOVA (CZ)
- Preben JUEL (DK)
- Sergio ZECCHINI (COM)
- Dimitrios GALATOULAS (CS)

The Evaluation Committee visited the following sites:

- Valga Police Station in the Louna (Southern Police Prefecture)
- Louna (Southern) Police Prefecture (in Tartu)
- Pohja (Northern) Police Prefecture (in Tallinn)
- Central Criminal Police (in Tallinn)

### 2. MANAGEMENT SUMMARY

The evaluation took place at four sites (Valga Police Station in Valga, Louna Police Prefecture in Tartu, Pohja Police Prefecture in Tallinn and the Central Criminal Police in Tallinn) in order to show the various types of bilateral and multilateral cooperation with neighbouring countries. For Estonia the evaluation is therefore based on presentations by the Police Board on police cooperation from a management point of view, on-site visits to Valga Police Station, Louna Police Prefecture, the Central Criminal Police and Pohja Police Prefecture regarding cooperation between Estonian authorities and the authorities of neighbouring countries (Latvia and Finland).

# RESTREINT UE

Experts from the Estonian Police Board, the Central Criminal Police and the Central Law-Enforcement Police were present during the whole evaluation 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 on which to make its assessment'.

The Estonian Law-Enforcement authorities have introduced the concept of intelligence-led policing with a multi-agency approach.

The shared on-line database for both information and intelligence between LEAs is outstanding and offers many advantages such as better coordination, no duplication of work, operational support for swift information exchange, etc.

The Evaluation Committee recognises the efforts of Estonia in preparing for the full application of Schengen and also the high standards of police cooperation with Finland, and encourages Estonia to reach the same level with Latvia too.

The Evaluation Committee welcomes the planning of mixed patrols with Latvia for December 2006 and Estonia's wish to find a solution to the problem of lack of compatibility in telecommunications with Latvia. (Latvia uses a radio communication system based on the Motorola standard, while Estonia is developing an operative radio communication system based on the TETRA standard).

The Evaluation Committee has made a number of detailed recommendations throughout this report, but the main recommendations concern the exchange of information and training.

## 3. LAW ENFORCEMENT AND POLICE ORGANISATION

### 3.1. National law-enforcement structures

The central and supervisory authority of the Estonian Police is the **Estonian Police Board**, which manages, directs and coordinates the activities of all police agencies under its administration. The Police Board is also responsible for the development of new working methods, technological support, and international cooperation at strategic level.

There are three national agencies under the administration of the Estonian Police Board:

#### 1) Central Criminal Police

The field of activities of the Central Criminal Police is surveillance and pre-trial investigation. The Central Criminal Police also coordinates the activities of the criminal police throughout the country and the international cooperation of the criminal police. The administration of the Central Criminal Police covers crime related to the activities of criminal organisations as well as drug crime, economic crime and info-technological crime that falls outside the operational areas of police prefectures, crime related to money-laundering and crime requiring extensive international cooperation or central processing due to the danger it poses to society.

# RESTREINT UE

## **2) Central Law-Enforcement Police**

The main task of the Central Law-Enforcement Police (currently known as the Personal Protection Service) is to analyse the activities of the police in the area of law enforcement, to prevent offences, to develop international cooperation within their competence, to participate in ensuring public order and performing traffic supervision together with other police agencies, to process misdemeanors within their competence, to protect the President of the Republic, the Chairman of the Parliament and the Prime Minister, and, by order of the Government of the Republic, other persons and official guests of the state, to guard objects assigned by the Government of the Republic and the entry regime, and to conduct activities in the area of criminal cynology.

## **3) Forensic institutions**

There are two main national forensic institutions, which conduct expert analyses and relevant investigations based on pre-trial investigation institutions or the examination rulings of the court:

- The Bureau of Forensic Medicine of Estonia is a state authority under the jurisdiction of the Ministry of Justice. The main objective of the Bureau is to conduct medical, chemical and biological forensic examinations.
- The Forensic Service Centre is a governmental authority under the administration of the Police Board. The Centre is a national specialised police authority with the status of a national forensic institution. As a national forensic institution, the Forensic Service Centre covers all the needs of the state within its sphere of competence. The main activities of the Centre are conducting forensic examinations and investigations and participating in pre-trial investigation procedures in a specialist capacity.

## **Police Prefectures**

In addition, there are four territorial police units (under the administration of the Estonian Police Board) called Police Prefectures, each serving one region of Estonia. A Police Prefecture maintains public order and ensures internal security in its area, prevents, combats and detects offences, conducts pre-trial investigations of criminal matters and processes misdemeanors.

## **Board of the Border Guard**

The Board of the Border Guard (the Intelligence Department of the Board of the Border Guard, the intelligence divisions of the Border Guard Districts) processes offences and conducts surveillance within its domain—the illegal conveyance of a foreigner across the border, the illegal crossing of the border by individuals, foreigners' illegal stay in the country.

(According to § 212 subsection 2 clause 1 of the Code of Criminal Procedure, the Board of the Border Guard will conduct pre-trial proceedings in cases of illegal crossing of the state border or the temporary border, and the illegal conveyance of individuals across the border or the temporary border.)

## **Police resources**

The number of police officers is 3400 (2006); this has significantly decreased (7312 in 1993) in recent years for budgetary reasons. At the same time the number of recorded crimes has increased by 50 % owing to changes in legislation, a shift in the approach to the registration of offences and increased trust towards the police. However, the clear-up rate of crimes has doubled in 2004 and 2005 in comparison to previous years.

# RESTREINT UE

There are also 1200 civilians working for the police.

The Estonian Police has 940 police vehicles and 3500 computers, 234 of them in vehicles. There are also 3900 computer users and 3500 users of police information systems. There are altogether 450 police patrol vehicles in Estonia, of which 232 are currently equipped with a computer, GPS and a communication module and with the facility to make direct queries to police databases.

## **Multi-Agency Approach**

The concept of intelligence-led policing with a multi-agency approach has been introduced in Estonian Law-Enforcement Agencies (LEAs)

There are shared on-line databases for both information and intelligence between LEAs.

### **Main characteristics:**

1. Central decision on choice of exchange channel. One-stop shop.
2. LOs from customs and border guard are present and involved in day-to-day work at the Front Desk in the Central Criminal Police.
3. There is a common intelligence on-line database for all LEAs.  
Operational support for swift information exchange is available for the Front Desk.  
They have an intelligence-led approach to fighting and preventing organised crime and to setting priorities.
4. Interconnection from national to international database in order to avoid duplication of work.

The on-line file (information) database avoids overlapping of investigations between LEAs.

Estonia seems already to be performing electronically the tasks of the future SIRENE bureau. When the TETRA communication system is purchased it seems that even mobile units will enjoy the benefits of shared information.

## **Police (database) Information Systems**

The information systems supporting the main police activities are centralised, and they are owned and centrally administered by the Police Board. The Police Board is responsible for development and technical administration. All law-enforcement agencies have access to the main activity databases according to their competence.

Current information systems that support police work are:

POLIS-incident reporting, criminal and misdemeanors procedure, statistical reports.

The KAIRI-infosystem for the criminal police and constables. Includes intelligence data, queries from POLIS and from different databases via X-Road.

# RESTREINT UE

E-police- mobile workplace for patrol cars, enabling queries from different databases and geographical positioning.

There are two on-going projects concerning Police Information Systems:

- 1) European Reconstruction and Development Fund (ERDF): Information Society Development. Reorganisation of the POLIS Information System and creation of e-services (deadline 1-12-07)
- 2) Schengen Facility Program. Objective 2: The Police Information System is linked to SIS II and VIS (deadline September 2007).

## 3.2. Structure of international cooperation

(central authorities, decentralised structures, ad hoc arrangements)

Responsible for International Police Cooperation is the Criminal Intelligence Department of the CCP (Central Criminal Police).

Under the Director of Intelligence there are 4 desks with different tasks.

### 1<sup>st</sup> Desk (Front Desk)

Schengen matters are handled by the Front Desk. In addition, there is a Swedish police officer working as a Nordic Liaison Officer in Tallinn.

This desk has a 24/7 operation and is designated to be the SIRENE bureau. At the moment there are 18 staff. It is also responsible for cases of judicial assistance by forwarding letters rogatory in urgent cases and coordination of their execution in Estonia, and international searches for wanted criminals, other persons and objects.

### 2<sup>nd</sup> Desk-Organised Crime and Europol Unit

- Organisation and coordination of criminal police operations

### 3<sup>rd</sup> Desk (I T Office)

### 4<sup>th</sup> Desk (Criminal Analysis)- Interpol Bureau

In addition to these four Desks, the EUROPOL Liaison Bureau and other Liaison Officers Bureaux, also come under the Director of Intelligence

The 1<sup>st</sup> Desk is the single point which receives all requests (duty officer) and then after registration passes them on to the competent case officer.



# RESTREINT UE

The 1<sup>st</sup> Desk is also responsible for application of Articles 39 and 40 of the Schengen Convention, while the 4<sup>th</sup> Desk is competent for the exchange of information provided for in Article 46.

Selection of channels according to the subject of the request:

- Done at Central Criminal Police: "One-stop shop" for end-users
- Bilateral case, simple request or letters rogatory: Interpol or bilateral LO
- Multilateral organised crime-related case: Europol
- Case involving country outside Europol: Interpol

The Criminal Intelligence Department keeps detailed statistics for all exchanges of information performed, without specifying those under Articles 39 or 46.

### 3.3. Training and promotion

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

In the police, four wider target groups require Schengen-related training, and training has started in 2006; the fundamental training will take place in 2007, before joining SIS. The main training areas that need to be covered include:

- 1) The legal basis for Schengen: the Schengen Convention, domestic legislation, and the legislative bases and rules of the European Union and SIS;
- 2) The work of the SIRENE office: the sphere of responsibility and role of the SIRENE office, work routines and work organisation;
- 3) Use of SIS: general information about using SIS, using information and conducting queries in SIS.

The target groups for training are the following:

- 1) SIRENE office workers (training will be conducted at the end of 2006);
  - 2) SIS end-users (investigators and other police officials who will input information about wanted persons and stolen vehicles into national databases) (training will be conducted in 2007, a few months before joining SIS);
  - 3) SIS observers (duty officers in the command and control centres and police patrol officers whose task is also to perform queries in SIS and national databases) (training will be conducted in 2007, a few months before joining SIS);
  - 4) IT personnel (technical training will be conducted immediately before joining SIS).
- The Police Board plans to train internal Schengen instructors, who will conduct internal Schengen-related training at police authorities. We expect to cooperate with the Ministry of the Interior and its divisions on the training of internal instructors.

# RESTREINT UE

The Police Cooperation Handbook (15732/03 ENFOPOL 119 COMIX 744, updated on 14 February 2005 with room document 2005-02-15/02) is available electronically on the police nationwide Intranet in English and Estonian and can be used in all police units. The handbook is also available at the central authority and will form part of Schengen training.

The necessary updates concerning our country have been sent to the Council GS. Other countries, especially ESTONIA's closest cooperation partners, may also be informed using other, direct channels, and at bilateral or multilateral meetings.

Of the total number of police officers only 27% (including 98% in border areas) have already undergone training related to the Schengen Convention. The rest will be trained in the coming years. The Estonians pointed out that all police personnel working in the border area have received enough training.

## ***Comments and recommendations of the Evaluation Committee:***

*Police preparations (organisational and technical) and priorities concerning their future in the Schengen area are considered positive. They have a clear understanding of their present and future obligations in the Schengen field. The establishment of the Schengen Working Group in the Estonian police, with coordination tasks, is an essential step in this process.*

*The concept of intelligence-led policing with a multi-agency approach has been introduced in the Estonia Law-Enforcement Agency.*

*There are shared on-line databases for both information and intelligence between LEAs. This common database is outstanding and offers many advantages such as better coordination, no duplication of work, operational support for swift information exchange, etc.*

*It is very positive that all LEAs work together (police, prosecutors, customs, border guard). It should be noted that customs are very active, as they have access to police systems, including flight passenger records, and also have the right to investigate throughout the country.*

*The Sirene integrated office (Front Desk) with 24-hour operation is definitely a very good and positive approach (best practice) towards Schengen, including Arts. 36 and 46, as it ensures control of information exchange. 1st Desk (Sirene Office) is well prepared for its future tasks as 18 people already work there.*

*The Estonian authorities have some planning in place for the training of police officers in Schengen issues. Although at the moment training has been completed for only a small number of them (27%), the Estonian side estimate that they will fulfill this obligation in due time before full application of the Schengen Convention.*

## ***Comments of Estonia:***

*1. The Police Cooperation Handbook (15732/03 ENFOPOL 119 COMIX 744, updated on 14 February 2005 with room document 2005-02-15/02) has been available electronically on the police nationwide Intranet in English and Estonian since summer 2006 and can be used in all police units. The Estonian translation may need further finalisation, but it is available and was also briefly demonstrated during the evaluation in Tartu on 8 September 2006.*

# RESTREINT UE

2. *At the moment Schengen training has been completed for 27 % of all policemen in Estonia (940 policemen out of 3400) and the relevant figures were presented as additional material on CD to the evaluation team on 9 September 2006. The Estonian police have some plans in place for the training of police officers in Schengen issues. The training will be completed by the time Estonia joins the Schengen area (initially by September 2007).*

3. *The Border Guard has been using the common intelligence and information database since 2004. 0,83 % of all users of the database work in the Border Guard and they have entered 0,57 % of the records. The relevant figures were presented to the evaluation team on CD on 9 September 2006.*

## 4. OPERATIONAL COOPERATION

### 4.1. Mutual assistance (Article 39)

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

Estonia has a joint Communication Centre with Interpol/Sirene/Europol as a front desk to handle all incoming requests concerning Article 39.

The central authority in the Schengen context is the Central Criminal Police, where liaison officers of the Tax and Customs Board, the Board of Border Guard and the Pohja Police Prefecture are represented. The Central Criminal Police has access to all databases available to police.

Within the framework of cross-border cooperation and according to the national law, the data 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 can be used without judicial authorisation.

All information accessible via public databases can also be used for investigation purposes without judicial authorisation.

Estonia accepts judicial assistance applications that arrive by fax, and in special circumstances authorisation applications that arrive by e-mail. Applications that arrive by e-mail, however, must later be sent by fax or mail.

According to the applicable rules on judicial assistance and/or data protection, all documents which contain information on the subject of proof, including documents received through police channels from third countries, can be used as evidence.

Where data are exchanged with police authorities of Schengen/non-Schengen States, the data protection level of the other country is always examined.

If the data protection level in the country concerned is satisfactory, there are no restrictions on exchanging police data. However, forwarding to a third party without prior consultation is prohibited, as is publication before the court decision. Appropriate notification about such restrictions is enclosed with the letters.

# RESTREINT UE

According to relevant national police legislation, there is an obligation to inform the central body, which is the Central Criminal Police, if in an urgent case the direct channel (similar to Article 39(3), second sentence of the Schengen Convention) is used. This can, however, also be done by entering the relevant information in the police information system.

The office of the General Prosecutor decides if letters rogatory have to be sent abroad or if Estonia is to give a positive answer to a request for legal assistance.

## **4.2. Exchange of information (Article 46)**

**(via central or other authorities; between concerned authorities)**

The central body (Criminal Intelligence Department of the CCP) is the same for cases under Article 39 and under Article 46 of the Schengen Agreement.

While they have detailed statistics concerning exchange of information by the CID, at the moment they do not keep separate statistics concerning exchange of information under Articles 39 and 46.

## **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 not yet binding on Estonia and therefore not yet applicable due to the arrangements of the Treaty on Accession. Therefore, the Evaluation Committee could only assess the capacity of the Estonian authorities to implement these Articles in due time, based on existing legal provisions and practice on cross-border surveillance and hot pursuit undertaken pursuant to existing bilateral agreements.

According to Estonian legislation an attempt to commit a crime qualifies as sufficient grounds to take measures pursuant to Article 40(1) and (2) of the Schengen Convention, so that cross-border surveillance can also be conducted at the attempt stage.

The Estonian Penal Code treats an attempt to commit a crime as a deliberate act. Since an attempt is itself an offence, then all three essential features specified in the Penal Code as the necessary elements of an offence must also be present in an attempt—the necessary elements of an offence, unlawfulness, and guilt. An attempt is considered to have started from the moment when an individual directly starts to commit an offence according to his/her perception of the action.

Concerning the right of police officials of Schengen States conducting cross-border surveillance to be allowed to carry their service weapons in Estonia for standard surveillance operations pursuant to Article 40(1) as provided for under Article 40(3)(d) of the Schengen Convention (with the exception of urgency pursuant to Article 40(2) of the Schengen Convention, where it is obviously not possible to seek the prior authorisation of the corresponding central authority designated in Article 40(5)), the relevant conditions are currently being drawn up, bearing in mind the practical details of the relevant situations.

# RESTREINT UE

The type and number of the service weapon must be forwarded prior to crossing the border. The firearms may be used only for self-defence as described in national legislation.

## Cross-border police cooperation with Latvia and Finland

### LATVIA

A new agreement *on cross-border cooperation in combating crime* between Estonia and Latvia was signed on 7 June 2006 in order to enable the two countries to develop and enhance their previous cooperation framework. This agreement is still awaiting for ratification.

The abovementioned agreement contains provisions on forms of cooperation and also on joint performance in border areas.

The central authority for the application of this agreement in Estonia is the Central Criminal Police, while a wide range of other authorities are also involved, such as : the Ministry of the Interior, the Police Board, the Central Law-Enforcement Police, the Police Prefectures, the Security Police Board, the Board of the Border Guard, the Tax and Customs Board and the Prosecutor's Office.

The agreement contains provisions concerning cooperation in cases of cross-border surveillance and hot pursuit. In hot pursuit cases there is a time limit of one hour for crossing state borders (the pursuit cannot last any longer). There are no territorial limits set, probably due to the small size of the two countries.

Detention is permitted, while weapons can be used only if there is a danger to life.

The prosecutor's permission is required in requests for surveillance. This is not a problem for the Estonians as the prosecutor is available 24 hours a day.

In cases of hot pursuit there is operational cooperation between the competent authorities.

At the moment joint cooperation is very formal and takes place at a relatively high level.

### FINLAND

The two countries have some common points of reference, such as: similar language, a significant number of Estonians in Finland (among them some criminals and prisoners) and a distance between them of only 8 km.

These common points of reference lead the two countries to cooperate closely in fighting crime, especially in cross-border areas.

Cooperation between the two countries is facilitated by participation in joint working practice (FINESTO) and the presence of liaison officers of the two countries (one Estonian in Finland and two Finnish in Estonia (one of them for customs issues). The most common communication channel is e-mail. The Border Guard and Customs Service also participate in cooperation in addition to the police.

The 2<sup>nd</sup> Desk (organised crime) of the Criminal Intelligence Department participates in cooperation between the two sides in FINESTO.

There is also a bilateral agreement between the two countries on operational combating and detection of drug-related offences.

# RESTREINT UE

In Estonia, the authority responsible for cooperation with Finland is the Central Criminal Police. In addition there is direct cooperation between police prefectures in Estonia and police departments in Finland, e.g. between Pohja Police Prefecture and Helsinki Police Department or between Lane Police Prefecture and Hameenlinna Police Department .

The day-to-day cooperation work includes:

- Exchange of information
- Analysis
- Identification of persons and crime groups involved (mainly in drug crimes)
- Coordination of cross-border operations
- Coordination of seizures and arrests

There is room for improvement in existing cooperation between the two countries through:

- Exchange of information
- Contacts
- Joint teams in the future

At the moment cross-border surveillance operations take place between the two countries. Finnish officers conducting surveillance have to stop when entering Estonia and the Estonian police take over.

## Mixed patrols in border areas

Generally, in ordinary circumstances, other authorities (the police, customs, or Migration Board) are not used for physically guarding the border and for patrol activities, since this is the sole competence of the Border Guard. However, this is possible in crisis situations, when there is a justified need for the use of other authorities (police, Defence League), primarily to provide extra help with the physical sealing of the border, or to prevent large numbers of illegal border-crossers from moving further into the territory of the country. However, in these cases also, the Border Guard will maintain sole responsibility for border control.

In border areas the local police cooperates with the Border Guard in many ways, mainly on the control of illegal immigrants and the detection of illicit trafficking.

The setting up of joint patrols in the future is under examination.

The implementation of joint patrols is planned primarily for the future internal borders and in stage I, primarily on the basis of domestic authorities.

Foreign officers have no autonomous right to conduct investigations or any related actions . They have the right to be present when our officers are conducting investigations or carrying out any other police tasks.

There are no formal language requirements, although a common language needs to be found.

There are no common regional operational centres, although the relevant law-enforcement agencies do have representatives in the central body for Schengen cooperation. The creation of such multi-agency centres is under consideration in border regions. However, close cooperation in the form of direct contacts takes place between various border crossing-points at sea and air borders.

# RESTREINT UE

Communication between the regional cooperation centre and the central body for Schengen-related cooperation is under consideration and will probably be managed using the same information system environment, which ensures that the central body is informed about directly exchanged information.

The Estonian police lacks means of direct cooperation with the police authorities of other countries on the sea, rivers, and in the air. Domestic cooperation agreements have been signed with the Board of the Border Guard and the Estonian Maritime Administration to guarantee public order on rivers and seashores (cooperation agreements cover joint patrols, if necessary).

Estonian-Latvian joint patrols are planned for the future (December 2006).

At the moment there are no precise plans but they estimate that these will be twice a week and when athletic or other events are held. Policemen will wear uniform and will have radio but they will not carry weapons.

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

**Measures/provisions regarding the use of technical means in cross-border surveillance.  
(e.g. what kind of direct links will be used to facilitate cooperation and communication, as provided for in Article 44. )**

Cooperation is conducted with Finland and Latvia within the framework of different agreements, and communications equipment is exchanged when necessary. E-mails, mobile phones and telephones are widely used, and contact numbers and addresses have been exchanged with partner organisations. Communications officers are also used by the police. A cooperation channel for radio communications between the Finnish and Estonian Border Guards has been developed on the Gulf of Finland, which will operate pending the completion of a new radio communications system into which it will then be integrated. More precise cooperation is planned to be specified in agreements.

The basic communications equipment used is based on industrial standards and it can be interfaced with different manufacturers' systems.

Initiatives pursuant to Article 44(1) and the options set out in Article 44(2) to ensure cross-border interoperability of radio telecommunication systems

Regarding Article 44(1):

Telephone, e-mail and radio are used to guarantee communications between countries and authorities in border areas. Authorities use radio communications systems where cooperation corresponding to Schengen operational-tactical requirements is hampered and therefore needs to be changed. Telexes are no longer widely used in Estonia.

# RESTREINT UE

Regarding Article 44(2):

As a short-term measure, the exchange of telephone and mobile phone numbers as well as e-mail addresses between the respective authorities is planned. The police and the Border Guard have the relevant equipment. For radio communications internal systems will be used, in which a cooperation channel will be used for domestic inter-agency cooperation. For international cooperation, equipment will be interchanged, if necessary. The Finnish and Estonian Border Guards will continue to use a cooperation channel for joint radio communications on the Gulf of Finland until the new Estonian inter-agency radio communications network is completed as a long-term measure.

As a long-term measure, an inter-agency digital radio communications system will be established on the harmonised frequency band 380-400 MHz, which complies with Schengen technical, operational and tactical requirements. On 3 November 2005 a call for tenders was announced for the purchase of an operational radio communications system. There were two tenders submitted by the deadline of 29 March 2006. The contract requirements are currently being clarified.

Both tenders offered TETRA technology as recommended in the Police Cooperation Manual of the Schengen Catalogue. TETRA is planned to be fully implemented in 2008 (partially in 2007). Similar systems have been established in Finland, Belgium, the Netherlands and the UK and are being implemented in Sweden, Austria and Hungary. A contract for a nationwide TETRA digital radio network for German security authorities entered into force in August 2006. Procurement has been announced in Lithuania.

Estonia has signed coordination agreements, which are related to frequency bands, with Finland, Russia and Latvia for using the frequency band 380-400 MHz in Estonia.

It is planned to integrate the systems on the Gulf of Finland, so it will be possible to conduct joint operations. In the border region with Latvia it is planned to expand the range of the system coverage area to be established according to the coordination agreement on frequency bands, and allow overlapping of coverage to the minimum extent needed, because Latvia has another type of radio system implemented as TETRA technology.

#### **4.5. Liaison officers (in/from other Schengen States, cooperation in third countries)**

There is agreement to exchange liaison officers between Estonia and Finland. The Estonian liaison officer in Finland has been appointed to liaise also with Sweden and the other Nordic countries, if necessary and advisable. Additionally, Estonia has sent a liaison officer to St. Petersburg in the Russian Federation. There is a practical agreement with Finland for their liaison officer network to provide assistance to Estonia, if necessary.

Estonia has also seconded a liaison officer to Europol (The Hague) .



# RESTREINT UE

The police liaison officers of foreign countries posted to other countries but also responsible for Estonia are the following:

Finland: Tallinn

Sweden and the Nordic countries: Tallinn

France: Tallinn

Germany: Riga

The Netherlands: Warsaw

Canada: Moscow

Israel: Kiev

USA (FBI): Tallinn

## 4.6. Statistics

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

Estonian authorities do not currently keep separate statistics on the application of Articles 39 and 46.

**Use of the registration forms mentioned in Article 45 by the competent authorities (to prevent threats, conduct criminal investigations or to clarify the circumstances of missing persons or accident victims).**

According to § 24 of the Tourism Act, accommodation establishments are obliged to register users of accommodation services in accommodation establishments. Upon registration, a visitor's card is filled out, on which the name, residence and period of stay of the user of the accommodation services is entered and which is signed by the user of the accommodation services. The visitors' cards are to be stored in accommodation establishments for two years from the date on which they are filled out.

§ 15 subsection 4 of the Aliens Act specifies, among other things, that accommodation establishments are obliged to present visitors' cards with the information on foreigners resident to the relevant authority at the request of the Citizenship and Migration Board, the Security Police Board, a Border Guard authority or a police authority designated by the Minister of the Interior.

Generally, the policy authorities do not use the said visitors' cards/registration forms, since such registration in accommodation establishments is not carried out in a coordinated manner and this information is not kept centrally. The lists of hotel guests may nevertheless be checked, if necessary, in the course of surveillance or other proceedings.

Police activities will be specified upon the actual implementation of the Schengen Convention in Estonia.

# RESTREINT UE

## *Comments and recommendations of the Evaluation Committee:*

*The Criminal Intelligence Department (CID) of the Central Criminal Police is competent for Articles 39 and 46. However, no separate statistics are kept at the moment.*

*The Evaluation Committee is of the opinion that the Estonian authorities should develop reliable and comparable statistics, in order to be able to continue the evaluation of cross-border cooperation and compare these findings with those of other Member States. It is felt that the compiling of statistics would, at a strategic level, help to determine the threat assessment and assist in the prioritisation of resources. In the longer term this can influence the threat assessments and the solutions that are worked out in response to them.*

*According to existing criminal procedure the competent authority for Article 40 is the police, but they need authorisation by the prosecutor's office (available 24 hours a day according to the Estonian officials). However, the availability of the prosecutors 24 hours a day and their authorisation to give surveillance permission for the whole territory minimise the disadvantages of the prosecution service's involvement in surveillance cases.*

*The Evaluation Committee regards the Estonian authorities' plans to conduct joint patrols for 12 hours every weekend as a positive step*

*The Committee encourages Estonia to conduct even more patrols. Increasing the number of joint patrols would lead to closer police cooperation.*

*Estonia has a very good level of international police cooperation, especially with Finland, due to good bilateral agreements between the two countries. This makes police cooperation practical and unproblematic in fighting crime, mainly in the border area. There have been many successful joint investigations, but the concept of JITs - Joint Investigation Teams – with all its advantages in terms of information exchange, has not yet been used.*

*The Evaluation Committee encourages the Estonian authorities to reach the same standards of international police cooperation with other countries, and especially Latvia, and also to make use of the concept of JIT.*

*Estonia is engaged in a tendering procedure for setting up a telecommunication system (TETRA technology) which complies with Schengen technical, operational and tactical requirements.*

*A similar system exists in Finland and in many other EU countries. Concerning Latvia, where a different system is used, technical solutions are being examined, so the problem is expected to be solved. The Evaluation Committee stresses the need for compatible communication systems between neighbouring countries so that the different forms of police cooperation will be facilitated.*

*The Evaluation Committee considers that there was a lack of trained police personnel with some knowledge of Schengen Arts. 39 and 46, in case they needed to obtain information or to pass on information they came across during their daily work. All police personnel should at least know that Schengen Arts. 39 and 46 exist, and where to channel the information.*

# RESTREINT UE

## *Comments of Estonia:*

1. *As regards sections 4.2 and 4.6 of the current report, it is true that the CID of the Central Criminal Police does not at the moment keep separate statistics concerning exchange of information under Articles 39 and 46. The new information system (the CID workflow system) that will be available by the end of 2007 will contain the necessary statistics relating to Articles 39 and 46.*
2. *As regards section 4.3 of the current report, although cooperation between Estonian and Latvian police in principle goes through the central authorities, efforts have been made to introduce everyday close, direct cooperation with Latvian police at the level of police stations, and the following joint actions have been conducted between Valga and Valka police since 1994:*
  - 2.1. *Constant information exchange, information exchange between criminal police and patrols etc. The information exchanged is mostly about offences.*
  - 2.2. *There are quarterly joint meetings, where information is exchanged and the problems that have emerged are solved.*
  - 2.3. *Since 2005 joint information days have been organised, at which the police meet citizens and acquaint them with the work of the police in both countries. Policemen from Estonia and Latvia take part in these information days.*
  - 2.4. *Policemen from both countries take part in the processing of criminal matters with the prosecutor. In 2004 a group (involving Estonians and Latvians) committed crimes in Valga and Valka . Processing operations were carried out in Valga and Valka.*
  - 2.5. *In August 2006 a serious crime was committed in Valga and the criminal escaped to Latvia. The police in Valka was informed of this, and the Latvian police caught the criminal two weeks later in Valka. The person will be handed over to Estonia in accordance with the application for judicial assistance.*
  - 2.6. *In August 2006 there were two joint training sessions on Art 41 that showed good cooperation between Valga and Valka.*
3. *As regards section 4.4 of the current report, a contract for the purchasing of a new operational radio communications system for Estonia was concluded by the Ministry of Internal Affairs on 28 September 2006. The new system is based on the TETRA standard and will be used by all law-enforcement and emergency agencies in Estonia. The system will be fully operational in 2008.*
4. *There will be two liaison officers posted to Russia by the end of 2006 (one has already been posted to St Petersburg and the second will be posted to Moscow until the end of the year).*
5. *The prosecutor's office, available 24 hours a day, gives surveillance permission (for the whole territory). This does not reduce efficiency and operativity in surveillance cases. The role of the prosecutor is to confirm the legality of surveillance activities and ensure that the request is justified.*

# RESTREINT UE

6. *All police officers dealing with international cooperation and 98% of police officers in border areas have received training on Schengen matters. These issues are also included in the curriculum of the Public Service Academy. The Criminal Procedure Code covers the exchange of spontaneous information (as mentioned in Article 46), and all police officers are aware that the Central Criminal Police is the international police cooperation authority.*

\*

\* \*

## 5. REPORTS ON INDIVIDUAL SITES VISITED/CASE STUDIES

### LOUNA POLICE PREFECTURE (SOUTH ESTONIA)

The Evaluation Committee visited LOUNA Police Prefecture, where there was a general presentation of the police structure in Estonia and the local authorities were also given the opportunity to explain the particularities of their region and the day-to-day management of international police cooperation.

Louna Prefecture measures 15533 km<sup>2</sup>, with a population of 351954. It is composed of six counties and has 204 km of border with Russia and 316 km with Latvia.

The personnel of Louna Police Prefecture comprises 1010 employees (787 police officers and 223 civilians). There are 6 police departments in the Prefecture, one in each county.

Valga Police Station is responsible Valga County, which measures 2046 km, with a population of 36 000 inhabitants. In Valga town, where the Police Station is situated, there is also the border with Latvia, which divides the town into two parts. The Latvian part is called Valka. In the wider area of Valga-Valka there are also three rural municipalities.

66 % of crime is concentrated in the town (58 % of which in Valga).

The local police cooperates with the Valga Border Guard in many ways, mainly on the control of illegal immigrants and the detection of illicit trafficking.

The setting up of joint patrols in the future is being considered.

There is also cooperation with the Latvian Border Guard (detection of items suspected of having been stolen and their transfer to Valga police).

Furthermore, there is a framework of cooperation with the Prosecutor's Office, which began with the 1992 agreement on judicial assistance, and legal relationships between Estonia, Latvia and Lithuania.

# RESTREINT UE

Police Cooperation between Valga and Valka is based on relevant agreements (1995 and 1996) between Estonia and Latvia. At the moment the forms of cooperation include joint meetings (regular meetings a minimum of four times a year plus ad hoc meetings, operational meetings between criminal police every day, if necessary), information exchange between criminal police, joint actions, joint information days and joint training.

In the future it is planned to start Estonian-Latvian joint patrols (December 2006).

At the moment there are no precise plans but they estimate that these will be twice a week and when athletic or other events are held. Policemen will wear uniform and will have radio but they will not carry weapons.

Language will not be a problem as 90 % of Estonian police officers speak Russian, while 45% of police officers (mainly the younger ones) speak English.

The only problem has to do with radio communication, as the police of the two countries do not have compatible systems. The Ministry of the Interior of Estonia is aware of the problem and is searching for technical solutions.

Finally, it has to be mentioned that during border surveillance at present the officials of the other country have limited rights after crossing the border. The local police take over. This method has the disadvantage that some cases will be lost through lack of personnel.

Joint training that took place on 15-16 of August 2006, in Valga-Valka, concerning the way to Schengen Article 41 (hot pursuit) resulted in one positive and one negative conclusion.

Positive: operational and rapid information exchange between Valga-Valka.

Negative: slight delay in information flow between Riga - Tallinn.

The Evaluation Committee had the opportunity to visit the Operational Centre of Louna Police Prefecture (Southern Estonia) and to observe the way it operates.

A short presentation was made by the head of the Centre.

The Operational Centre is a structural unit under the law-enforcement department of the Louna Police Prefecture, with the following tasks:

- - Receiving incoming information on events and offences
- - Registering and forwarding received information
- - Immediate implementation of measures for preventing offences, providing help for victims and detaining offenders
- - Operational management of police teams operating in the area of activities of the police prefecture.

The total staff complement of the Centre is 22 and there is a 24-hour shift of 5 persons.

All police teams operating in the area of activities of Louna Police Prefecture are subordinated to the Operational Centre.

In the operations room there is a large map on which police patrol cars are controlled and directed by the Centre according to requirements, while the Centre knows at all times the exact location of the patrol cars (GPS-positioned) and their situation: on the scene, en route to the scene, free (awaiting deployment), in need of emergency assistance.

# RESTREINT UE

There are also cameras in the more central areas of the city of TARTU, controlled by the Operational Centre for better vision and coordination.

Half (232) of all police cars in the Estonian police are equipped with the latest computers, and the same proportion applies to local police cars.

According to the officers of the Centre, every day there are 25 police patrols deployed in the field, while the Centre receives on a daily basis 1000 phone calls at the police emergency number (110), and there are around 150-160 call-outs.

The Operational Centre has the following role in cross-border police activities:

- Management of joint patrols
- Management of joint operations
- Information exchange with the central agency in cross-border surveillance and hot pursuit.

The Evaluation Committee also had an opportunity to visit the other rooms in the Centre, including the gym and the target practice centre. According to the local officers, target practice is compulsory twice a year and a minimum score is required. If a police officer fails to participate in the training a penalty (cut in salary) is imposed on him.

In addition, the Evaluation Committee visited the Operational Centre of the Northern Police Prefecture in Tallinn, which has a smaller geographical area of responsibility but serves a much larger population. Accordingly this centre has a larger staff and has very advanced technical equipment. The Committee also inspected some police cars and had an opportunity to check out the high level of their technical equipment.

## ***Comments and recommendations of the Evaluation Committee***

*The outcome of joint training on hot pursuit between Estonia and Latvia was that there was a slight delay in information flow Riga-Tallinn, while the exchange of information Valga-Valka was operational and rapid. Consequently, local communication and cooperation appears to be more effective.*

*The Evaluation Committee would be in favour of a joint police station in the Valka-Valga area . As this is in reality one town that belongs to two countries (Latvia-Estonia), the establishment of a joint police station with the presence of police officers from both countries could be very helpful in implementing closer police cooperation between the two countries.*

*The Evaluation Committee was impressed by the visit to the two Operational Centres (Louna, Tallinn) and the inspection of the police cars.*

*The Operational Centres look very sophisticated while the police cars have outstanding technical equipment, which is also operational.*

*More specifically:*

*A large number of cars in TARTU prefecture are equipped with the latest computers and more are being equipped. All of them have GPS. Most of the other advanced countries in the EU do not have such equipment.*

## RESTREINT UE

*The command room in the Police Prefecture contains the latest means of communication and the position of each patrol car can be plotted on a large map and identified as being on duty, free or not available.*

*The target training seems to be very professional. Two mandatory tests a year, minimum scoring requirements and penalties for absence create a very strict framework.*

*According to the Head of the Operational Centre they can put 25 police patrols in the field at any time.*

*It is recommended that they provide, if possible, a permanent police patrol at the borders without destabilising the general deployment on the field diagram, since the position of the police patrol can be monitored at all times by the command room.*

*In addition, although Estonia has received funds from the EU for police buildings and equipment, their quality and the good impression they created gave the Committee the feeling that they have invested a lot of money in the internal security field, which shows a desire to fulfill Schengen requirements.*

### **Comments of Estonia:**

*There are altogether 450 police patrol vehicles in Estonia, of which 232 are currently equipped with a computer, GPS and communication module and are able to make direct queries to police databases. This project is continuing, and it is planned that by 2008 all police patrol cars will have such equipment.*

DECLASSIFIED

# RESTREINT UE

## 6. GENERAL CONCLUSIONS, INCLUDING RECOMMENDATIONS AND FOLLOW-UP

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

The Evaluation Committee noted that the Estonian law-enforcement community is implementing the model of intelligence-led policing.

The Estonian authorities have a clear understanding of their present and future obligations in the Schengen field. The establishment of the Schengen Working Group in the Estonian police with coordination tasks is an essential step in this process.

Additionally, they have introduced the concept of intelligence-led policing with a multi-agency approach, including an outstanding shared on-line database for both information and intelligence between LEAs.

Estonia has set up a Sirene integrated office (Front Desk) with 24-hour operation, which is definitely a very good and positive approach (best practice) towards Schengen, as it ensures control over information exchange. 1st Desk (Sirene Office) is well prepared for its future tasks, including the receiving/handling of Arts 39 and 46 requests.

There are a few other areas that require further improvement:

Although the Estonian authorities have some planning in place for the training of police officers in Schengen issues, at present training has been completed only for a small number of them (27%). Therefore the Evaluation Committee recommends that the training of the remaining police staff continue as planned. Furthermore, the Police Cooperation Handbook (available electronically to all relevant police cooperation units at all levels) should form part of the training in Schengen matters.

The Evaluation Committee is of the opinion that the Estonian authorities should develop reliable and comparable statistics, in order to be able to continue the evaluation of cross-border cooperation and compare these findings with those of other Member States. It is felt that the compiling of statistics would, at a strategic level, help to determine the threat assessment and assist in the prioritisation of resources. In the longer term this can influence the threat assessments and the solutions that are worked out in response to them.

The Evaluation Committee regards the Estonian authorities' plans to conduct joint patrols for 12 hours every weekend between Valga and Valka as a positive step.

The Committee encourages Estonia to conduct even more patrols. Increasing the number of joint patrols would lead to closer police cooperation.



# RESTREINT UE

Estonia has a very good level of international police cooperation, especially with Finland, in fighting crime and organised crime, mainly in the border area.

The Evaluation Committee encourages the Estonian authorities to reach the same standards of international police cooperation with other countries, and especially Latvia.

Estonia is engaged in a tendering procedure for the setting up of a telecommunications system (TETRA technology) which complies with Schengen technical, operational and tactical requirements.

A similar system exists in Finland and in many other EU countries. Concerning Latvia, where a different system is used, technical solutions are being examined, so the problem is expected to be solved. The Evaluation Committee stresses the need for compatible communication systems between neighbouring countries so that the different forms of police cooperation will be facilitated.

As joint training with Latvia on hot pursuit cases has revealed, police cooperation between the two neighbouring countries is more effective at local level, as information exchange is taking place without problems and operational cooperation is facilitated. Therefore Estonia has to focus on reinforcing the structures of local and border cooperation.

## *Comments of Estonia*

- 1. A new agreement between Estonia and Latvia on cross-border cooperation in combating crime was signed on 7 June 2006 in order to enable the two countries to develop and enhance their previous cooperation framework. The abovementioned agreement contains provisions on forms of cooperation and also on joint performance in border areas. This agreement is still awaiting ratification. This agreement will enter into force thirty days after the date of receipt of the last notification whereby parties have notified each other of the fulfillment of the legal procedures necessary for the entry into force of the Agreement.*
- 2. The Police Cooperation Handbook (15732/03 ENFOPOL 119 COMIX 744, updated on 14 February 2005 with room document 2005-02-15/02) is available electronically on the police nationwide Intranet in English and Estonian and can be used in all police units. The Estonian translation may need further finalisation, but it is available and was also briefly demonstrated during the evaluation in Tartu on 8 September 2006.*
- 3. At the moment Schengen training has been completed for 27% of all policemen in Estonia (940 policemen out of 3400) and the relevant figures were presented as additional material on CD to the evaluation team on 9 September 2006. The Estonian police have some planning in place for the training of police officers in Schengen issues. The training will be completed by the time Estonia joins the Schengen area (initially by September 2007).*
- 4. As regards sections 4.2 and 4.6 of the current report, it is true that the CID of the Central Criminal Police does not at present keep separate statistics concerning information exchange under Articles 39 and 46. The new information system (the CID workflow system) that will be available by the end of 2007 will contain the necessary statistics relating to Articles 39 and 46.*

## RESTREINT UE

5. *As regards section 4.3 of the current report, although cooperation between the Estonian and Latvian police in principle goes through the central authorities, efforts have been made to introduce everyday close, direct cooperation with the Latvian Police at the level of police stations and the following joint actions have been conducted between Valga and Valka police since 1994:*
  - a. *Constant information exchange, information exchange between criminal police and patrols etc. The information exchanged is mostly about offences.*
  - b. *There are quarterly joint meetings, where information is exchanged and the problems that have emerged are solved.*
  - c. *Since 2005 joint information days have been organised, at which the police meet citizens and acquaint them with the work of the police in both countries. Policemen from Estonia and Latvia take part in these information days.*
  - d. *Policemen from both countries take part in the processing of criminal matters with the prosecutor. In 2004 a group (involving Estonians and Latvians) committed crimes in Valga and Valka . Processing operations were carried out in Valga and Valka.*
  - e. *In August 2006 a serious crime was committed in Valga and the criminal escaped to Latvia. The police in Valka was informed of this, and the Latvian police caught the criminal two weeks later in Valka. The person will be handed over to Estonia in accordance with the application for judicial assistance.*
  - f. *In August 2006 there were two joint training sessions on Art. 41 that showed good cooperation between Valga and Valka*
7. *As regards section 4.4 of the current report, a contract for the purchasing of a new operational radio communications system for Estonia was concluded by the Ministry of Internal Affairs on 28 September 2006. The new system is based on the TETRA standard and will be used by all law-enforcement and emergency agencies in Estonia. The system will be operational in 2008.*
8. *As regards section 4.5 of the current report, another liaison officer will be posted to Moscow in 2007.*
9. *previously stated in this report, the competent authority for Article 40 is the still the Central Criminal Police. The prosecution service, available 24 hours a day, gives surveillance permission (for the whole territory). This does not reduce efficiency and operativity in surveillance cases. The role of the prosecutor is to confirm the legality of surveillance activities and ensure that the request is justified.*
10. *There are altogether 450 police patrol vehicles in Estonia, 232 of which are currently equipped with a computer, GPS and communication module and are able to make direct queries to police databases. This project is continuing and it is planned that by 2008 all police patrol cars will have such equipment.*

## List of bilateral agreements

### **1) Arrangements concluded in matters of police cooperation in general with Schengen and non-Schengen States** (including arrangements or declarations referred to in Articles 40(6), 41(9) and 41(10) of the Convention)

#### **Departmental protocols and cooperation agreements:**

##### **Cooperation agreements with Latvia:**

A new agreement between Estonia and Latvia *on cross-border cooperation in combating crime* was signed on 7 June 2006 in order to enable the two countries to develop and enhance their previous cooperation framework. This agreement is still awaiting ratification.

The abovementioned agreement contains provisions on forms of cooperation and also on joint performance in border areas.

The central authority for the application of this agreement in Estonia is the Central Criminal Police, while a wide range of other authorities are also involved, such as: the Ministry of the Interior, the Police Board, the Central Law-Enforcement Police, Police Prefectures, the Security Police Board, the Board of the Border Guard, the Tax and Customs Board and the Prosecutor's Office.

In the agreement there are provisions concerning cooperation in cases of cross-border surveillance and hot pursuit. In hot pursuit cases there is a time limit of one hour for crossing the State border (the pursuit cannot last any longer). There are no territorial limits set, probably owing to the small size of the two countries.

##### **Cooperation agreements with Lithuania:**

- 7 October 1999 Memorandum of Understanding between the competent authorities of Lithuania and Estonia concerning cooperation in the exchange of financial intelligence related to money laundering

##### **Cooperation agreements with Finland:**

- 10 December 2001 Cooperation Agreement between the Tallinn and Helsinki Police Prefectures
- 22 February 2002 A joint Estonian-Finnish Task Force of the Estonian and Finnish Police (FINESTO) responsible for combating drug crime is working on reducing cross-border drug-related criminal activity
- 6 November 2003 Cooperation Protocol between the Estonian and Finnish Police
- 11 November 2004 Cooperation Agreement between the Helsinki Regional Police and the Northern Police Prefecture
- 8 March 2005 Cooperation Agreement between the West-Finland County Police and the Western Police Prefecture. An agreement is being prepared for signing in 2006. It covers the exchange of different officials (the new agreement should also cover the exchange of information)

# RESTREINT UE

## Cooperation agreements with Russia:

- 27 December 2002 Cooperation Protocol between the Police Board of the Republic of Estonia and the Central Directorate of the North-West Federal District of the Ministry of the Interior of the Russian Federation
- 1 April 2003 Agreement between the Money Laundering Information Bureau of the National Police Board of the Republic of Estonia and the Financial Monitoring Committee of the Russian Federation concerning cooperation in the sphere of combating legalisation (laundering) of proceeds from crime
- 13 August 2004 Cooperation Plan between the Police Board of the Republic of Estonia and the Domestic Affairs Central Directorate of St. Petersburg and the Leningrad Oblast of the Ministry of the Interior of the Russian Federation for combating crime in 2004-2006

## Multilateral agreements:

- 13 June 2000 Cooperation document between the Finnish, Estonian, Latvian and Lithuanian Structures
- 6 October 2000 Protocol of Cooperation between Estonian, Latvian and Lithuanian criminal police authorities
- 10 November 2000 Cooperation Protocol between the Police of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania
- 14 June 2001 Agreement on operational police cooperation between the police authorities of Finland, Estonia, Latvia and Lithuania to combat and investigate serious and organised crime
- 22 August 2002 Agreement on Cooperation between the Police Department of the Ministry of the Interior of the Republic of Finland, the Estonian Police Board and the Ministry of the Interior of the Russian Federation in Preventing and Investigating Narcotics-Related Crimes
- 7 November 2003 Cooperation Protocol between the Tallinn Police Prefecture, Helsinki Police Department, the Principal Police Department of Riga, Vilnius City Chief Police Commissariat and Warsaw Metropolitan Police
- 19 May 2005 Joint statement of the meeting of the Heads of Police, Customs and Border Guard in Estonia, Finland, Latvia and Lithuania
- European Network for the Protection of Public Figures (ENPPF), which the Estonian Security Police joined in 2003

## RESTREINT UE

**2) Arrangements concluded or in preparation or under study with Schengen and non-Schengen States in matters of police cooperation in border zones referred to in the provisions of Article 39(4) of the Convention** (see also Executive Committee Decision SCH/Com-ex (98) 51 Rev. 3 of 16.12.1998)

There are negotiations in progress with Finland in order to conclude an agreement on police cooperation, i.e. with special attention to border regions. There are existing agreements with Latvia on legal assistance in criminal matters, and with Finland on cooperation in combating crime, but these are not sufficient for Schengen cooperation.

A new agreement between Estonia and Latvia *on cross-border cooperation in combating crime* was signed on 7 June 2006 in order to enable the two countries to develop and enhance their previous cooperation framework. This agreement is still awaiting ratification.

The abovementioned agreement contains provisions on forms of cooperation and also on joint performance in border areas.

The central authority for the application of this agreement in Estonia is the Central Criminal Police, while a wide range of other authorities are also involved, such as: the Ministry of the Interior, the Police Board, the Central Law-Enforcement Police, Police Prefectures, the Security Police Board, the Board of the Border Guard, the Tax and Customs Board and the Prosecutor's Office.

In the agreement there are provisions concerning cooperation in cases of cross-border surveillance and hot pursuit. In hot pursuit cases there is a time limit of one hour for crossing the State border (the pursuit cannot last any longer). There are no territorial limits set, probably owing to the small size of the two countries.

DECLASSIFIED