



Council of the  
European Union

007996/EU XXVI. GP  
Eingelangt am 16/01/18

Brussels, 16 January 2018  
(OR. en)

5161/07  
DCL 1

CRIMORG 7

## DECLASSIFICATION

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of document: 5161/07 RESTREINT UE

dated: 9 January 2007

new status: Public

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Subject: **EVALUATION REPORT ON THE  
THIRD ROUND OF MUTUAL EVALUATIONS  
"EXCHANGE OF INFORMATION AND INTELLIGENCE BETWEEN  
EUROPOL AND  
THE MEMBER STATES AND BETWEEN THE MEMBER STATES  
RESPECTIVELY"**  
**REPORT ON THE SLOVAK REPUBLIC**

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**EVALUATION REPORT ON THE**  
**THIRD ROUND OF MUTUAL EVALUATIONS**  
**"EXCHANGE OF INFORMATION AND INTELLIGENCE BETWEEN EUROPOL AND**  
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**REPORT ON THE SLOVAK REPUBLIC**

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## 1. INTRODUCTION

- 1.1. Following the adoption of the Joint Action of 5 December 1997, a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime was established.
- 1.2. Following a proposal originating from the Swedish delegation and taken up by the Presidency to evaluate the supply of information and intelligence to Europol and the exchange of information and intelligence between Member States, the MDG adopted the proposal at its meeting on 3 and 4 June 2002.
- 1.3. At its meeting on 3 December 2002 the MDG approved the questionnaire on the third round of mutual evaluations on the topic "exchange of information and intelligence between Europol and the Member States and among the Member States respectively".
- 1.4. Following discussion at the MDG meeting on 9 January 2003, a list showing the order of Member States to be visited was agreed. The Slovak Republic is the twenty-fifth Member State to be evaluated during the third round of evaluations.
- 1.5. The questionnaires and the objectives of this evaluation are contained in document 11679/3/02 REV 3 CRIMORG 71.
- 1.6. The experts in charge of this evaluation were: Mr Miroslaw KACZMAREK (Poland), Mr Rudolf KLIKA (Austria), Mr Joaquim PEREIRA (Portugal). Two observers, Mr Erik LANGHOFF (EUROPOL) and Mr Jean-Baptiste ROCHE (Commission), were also present together with the General Secretariat of the Council.
- 1.7. The evaluation team has prepared the following report with the assistance of the Council Secretariat, on the basis of the observations and conclusions of the experts in the team together with the Slovakian authorities' answers to the questionnaire.

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1.8. The report first deals with the general information and structures (2), followed by the internal organisation of the exchange of information (3) and of the external exchange of information (4) and then deals more specifically with Europol (5). In the last chapter, the experts make a global and technical evaluation and then propose some recommendations to enhance cooperation and effectiveness in the exchange of information within the Slovak Republic and with other Member States and Europol.

## 2. GENERAL INFORMATION AND STRUCTURES <sup>1</sup>

### 2.1 LEGAL BASIS

The general framework for exchange of information and intelligence with other EU Member States is as follows:

#### 2.1.1 Act No. 171/1993 Coll. on the Police Force as amended:

##### Article 77a

1. The Police Force shall cooperate with the police forces of other states, with international police organisations, international organisations and organisations operating in the territories of other states, in particular by exchanging information, exchanging liaison officers, or by other forms of cooperation.
2. The Police Force may also perform tasks of the Police Force outside the territory of the Slovak Republic, if stated in the international treaties by which the Slovak Republic is bound, or with the agreement of the parties concerned.
3. For the performance of the tasks of the Police Force outside the territory of the Slovak Republic the Ministry of the Interior may also delegate police officers to international police organisations, police forces of other states, international peace missions, international civil crisis management operations or, by agreement with the Ministry of Foreign Affairs of the Slovak Republic, to diplomatic missions of the Slovak Republic or to international organisations.

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<sup>1</sup> This part of the report is based largely on the answers to the answers to the questionnaire.

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Minister is the authority which decides on the secondment of the police officers abroad.

2.1.2 Act No. 428/2002 Coll. on the Protection of Personal Data, as amended:

(Transfer of Personal Data within Member States of the European Union

"Article 23"

- (1) A free flow of personal data between the Slovak Republic and the Member States of the European Union shall be ensured; the Slovak Republic shall not restrict or prohibit transfer of personal data for reasons of protection of fundamental rights and freedoms of natural persons, in particular their right to privacy in respect of processing of their personal data.
- (2) An operator with his registered office or permanent residence on the territory of the Slovak Republic who simultaneously processes personal data by means of his organisational unit or several organisational units on the territory of one or several Member States of the European Union shall be obliged to take measures and ensure that each of his organisational units processes personal data in accordance with the laws in force in the Member State where the organisational unit concerned has its registered office.
- (3) An operator who does not have his registered office or permanent residence on the territory of a Member State of the European Union and for the purposes of processing of personal data uses fully or partially automated or other than automated means of processing located on the territory of the Slovak Republic, where these means of processing are not used solely for the transfer of personal data through the territory of Member States of the European Union, shall be obliged to appoint, before commencement of the processing of personal data, a representative with his registered office or permanent residence on the territory of the Slovak Republic; this shall not affect the domestic law of the third country in which the operator has his registered office or permanent residence. The operator's representative shall be obliged to provide to the Office at any time, upon request, an original of the document confirming his appointment as the operator's representative. The authenticity of signatures and the operator's stamp on the original document must be verified by the authority competent for its verification or by a notary in the State concerned, while the verification must bear a stamp of the authority representing the Slovak Republic in this State.

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2.1.3 Further information concerning the protection of personal data in the filing systems operated by the police is available on the official website of the Office for Personal Data Protection of the Slovak Republic: [http://www.dataprotection.gov.sk/buxusnew/generate\\_page.php?page\\_id=420](http://www.dataprotection.gov.sk/buxusnew/generate_page.php?page_id=420)

- The Criminal Code – Act No. 300/2005 Coll. (see Annex/Legislation/04)
- The Code of Criminal Procedure – Act No. 301/2005 Coll.
- Act No. 215/2004 Coll. on the protection of classified information and on the amendment and supplementing of certain Acts
- Act No. 652/2004 Coll. on State Administration Bodies in the Field of Customs and on the Amendment and Supplementing of certain Acts
- Act No. 171/1993 Coll. on the Police Force, Art. 69 and further.

2.1.4 Bilateral Agreements:

1. Agreement between the Slovak Republic and the Czech Republic on Cooperation in Combating Crime, Protecting Public Order and Protecting State Borders (No. 35/2005 Coll. –
2. Agreement between the Slovak Republic and the Republic of Austria on Police Cooperation (No. 252/2005 Coll. –
3. Agreement between the Government of the Slovak Republic and the Government of Austria on Establishment of the Joint Contact Point on the Highway Border Checkpoint Kittsee - Jarovce in the State Territory of the Slovak Republic (No. 186/2003 Coll. –
4. Agreement between the Government of the Slovak Republic and the Government of the Kingdom of Spain on Cooperation in Combating organised Crime (No. 94/2000 Coll.
5. Agreement between the Government of the Slovak Republic and the Government of the Republic of Latvia on Cooperation in Combating Terrorism, Illicit Drugs Trafficking and Other Organised Crime (No. 216/1999 Coll.
6. Agreement between the Government of the Slovak Republic and the Government of the Kingdom of Belgium on Police Cooperation (No. 568/2002 Coll. –
7. Agreement between the Government of the Slovak Republic and the Government of the Republic of Slovenia on Cooperation in Combating Terrorism, Illicit Trafficking in Drugs, Psychotropic Substances and Precursors and Organised Crime (No. 123/1995 Coll. only available in Slovak language
8. Agreement between the Czech and Slovak Federal Republic and the Government of the Federal Republic of Germany on Cooperation in Combating Organised Crime (No. 631/1992 Coll. -

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9. Agreement between the Government of the Slovak Republic and the Government of Malta on Cooperation in Combating Organised Crime (No. 362/2001 Coll)
10. Agreement between the Federal Ministry of the Interior of the Czech and Slovak Federal Republic and the Ministry of the Interior of France on Police Cooperation (only available in Czech language)
11. Agreement between the Czech and Slovak Federal Republic and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Cooperation in Matters of Terrorism, Drug Trafficking, Organised Crime and General Policing and Enforcement Matters
12. Agreement between the Slovak Republic and the Republic of Poland on Cooperation in Combating Crime and Cooperation in the Border Area (in the process of ratification)
13. Agreement between the Slovak Republic and the Republic of Hungary on cooperation in prevention of cross-border crime and in the fight against organised crime (in the process of ratification).

### 2.1.5 UN Agreements:

1. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organised Crime (No. 21/2006 Coll. -
2. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (No. 34/2005 Coll.
3. Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime (No. 33/2005 Coll)
4. Agreement on Illicit Traffic by Sea, Implementing Article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (No. 163/2004 Coll)
5. United Nations Agreement against Transnational Organised Crime (No. 621/2003 Coll.
6. International Convention for the Suppression of the Financing of Terrorism (No. 593/2002 Coll. (b) with Europol



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The Slovak Republic ratified the Europol Convention and the amending Protocols in 2004 and 2005. Following this, the Minister of the Interior regulated the exchange of information by Regulation No 5/2005 on Cooperation between the Departments of the Police Force and the European Police Office. This Regulation is available only in the Slovak language at present.

## 3. INTERNAL ORGANISATION OF THE EXCHANGE OF INFORMATION

### 3.1. STRUCTURES

3.1.1 The exchange of information and intelligence between Europol and the Slovak Republic is carried out through the Europol National Unit (ENU) to the extent and in a way laid out in the Convention on the Establishment of the European Police Office. The ENU is directly connected with the Slovak Liaison Bureau at Europol via ISDN phone link and by VPN, both cases processed through cryptographic equipment. Some communication is also done by couriers. Communication between the Slovak Liaison Bureau and Slovak Police authorities and Customs must be channelled through the ENU. The same means of communication are generally also used for Analysis Work Files (AWFs) contributions. The Europol Liaison Officers (ELOs) have direct access to some of the national police databases.

3.1.2 Information and intelligence is also exchanged between the competent Slovak authorities and other Member States through the following channels:

- Cooperation with Interpol is carried out through the National Central Bureau of Interpol (NCB). The NCB uses a secure global network (IGCS 24/7) that operates via internet protocols and state-of-the-art security technology. The technical architecture of the network includes encryption over a VPN;  
Most criminal investigation correspondence is still channelled via Interpol channels because of the brief existence of the Europol channel and also because of Europol's limited mandate;

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- Elcrodat, established by PWGT (Police Working Group on Terrorism). The Counter Terrorism Unit uses this channel for the exchange of information concerning terrorism;
- the BdL cryptochannel established by the Working Party on Terrorism (E.12). The Counter Terrorism Unit uses this channel for the exchange of information concerning terrorism;
- ESW (Egmont Secure Web) cryptochannel is used for communication with Financial Intelligence Units – members of the EGMONT Group;
- FIU-NET – protected communication among Financial Intelligence Units of Member States, including Bulgaria and Romania;
- Communication with Slovak police attachés seconded abroad is regarded as very useful from the international cooperation point of view. The Slovak Police Force has dispatched representatives to Ukraine, Austria (extension activities on the territory of Slovenia), Hungary, the Czech Republic, Poland, Serbia and Montenegro (including Macedonia and Albania), Russia and Romania (also for Moldavia). It is intended to second a Police Attaché to Bulgaria (also for Turkey) and Italy this year;
- The competent police authorities maintain liaison with representatives of foreign police authorities accredited in the Slovak Republic. There is close cooperation with representatives from the Czech Republic, Russia, Ukraine, Poland, France, Germany, Austria, United Kingdom, Belgium, and Romania;
- The competent Slovak authorities also exchange information with foreign colleagues directly by means of communication and personal appointments. Generally, this method is preferable, especially in certain cases (criminal customs offences, drugs issue, etc). Emphasis is placed on the need to be in close contact with colleagues from neighbouring countries in order to exchange information regarding operative or ongoing criminal investigations. Bilateral contacts are still considered by the competent authorities to be the quickest and most reliable way of exchanging information.

3.1.3 The Slovak Police Force is an armed security body that performs its duties in the field of maintaining public order, security, combating crime, including its organised and international forms, and the tasks arising for the Police Force from the international obligations of the Slovak Republic. Current powers and responsibilities were laid down by the adoption of the Act of the National Council of the Slovak Republic No. 171/1993 Coll. on the Police Force. The said act has been amended several times as a consequence of the development of society itself, the foreign policy orientation of the Slovak Republic and its ambition to join the European Union.

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At the same time, the need arose to respond flexibly to new emerging types of crime and to improve and intensify international police cooperation in combating them. The activities of the Police Force are governed by the Constitution of the Slovak Republic, constitutional laws, acts and other generally binding legal regulations and international treaties entered into by the Slovak Republic.

The Police Force is subordinated to the Minister of the Interior of the Slovak Republic. Its activities are subject to the control of the National Council of the Slovak Republic and the Government of the Slovak Republic. The Police Force is headed by the Police President. He is appointed and dismissed by the Minister of the Interior.

The structure of the Police Force is centralised. The units of the Police Force are, as a rule, organised in accordance with the administrative arrangements of courts. There are 41 district headquarters of the Police Force at the local level, 8 regional headquarters at the regional level, headed by the Police Presidium (Slovak central police authority) at the central state administration level.

Only the services of the Police Presidium and of the Regional Headquarters of the Police Force are competent for Europol mandated areas.

3.1.4 The Customs Criminal Office, which is subordinated to the Ministry of Finance, has competence for Europol mandated areas in the area of drug trafficking, trafficking in radioactive and nuclear substances and in other areas (e.g. cigarette and alcohol smuggling).

3.1.5 The Slovak Intelligence Service and Military Intelligence Service are also competent for some of Europol mandated areas but generally use their own channels for the exchange of information and intelligence with foreign partners.

The Slovak Police Force uses the information system POLYGON for the gathering, collection, distribution, analysis and evaluation of criminal information and intelligence. Transfer and exchange of information run in a protected dedicated encrypted network. For the clarification it is to say, that IS POLYGON is a simple system from the point of serviceability and compatibility. It allows creating interconnections and charts and screening in various manners.

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The system was created only for a particular purpose and it is not compatible with other police information systems what is its main disadvantage. IS POLYGON is an outdated system; for that reason a new project Analytical Co-ordination Centre (AKC) was started in 2003. Analytical software Analyst Notebook is the basis for this new system. Compatibility of the system with systems of other state agencies and with police systems of other EU Member States is its main advantage.

After putting the system into operation, the AKC is intended to be one of the main sources for the automatic provision of data to the Europol Information System taking valid evaluation criteria into account.

The ENU has no direct access to POLYGON, but a check can be made by written request. Similarly, the Customs Criminal Office and the intelligence services have their own central points for the collection and dissemination of information and intelligence, but no common coordinating body exists.

## 3.2. CHOICE OF COMMUNICATION CHANNEL

In general, the criteria for the choice of a particular information exchange channel flows from the particular international agreements, the laws of the Slovak Republic and the internal regulations of the Ministry of the Interior which regulate the activities of the Police Force. In principle, the main criteria are the following:

- the purpose of the particular information exchange;
- the type of crime;
- the geographical area (from which country the information is requested or is sent to);
- the desired speed and quality of the requested/sent information.

On the basis of internal legal instruments, the case officer should be aware of the most appropriate channel for the exchange of particular information. The case officer can himself decide which communication channel to use. Several communication channels are sometimes used simultaneously (e.g. Interpol + Europol) with a view to receiving as comprehensive an answer as possible.

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The ELOs are subordinated to the Head of the ENU. According to Article 3 of Regulation No 5/2005 of the Ministry of the Interior, the ENU is the national contact point between the Slovak competent authorities and Europol. The ELOs may exceptionally also be contacted by the competent authorities directly if time may be short or if the case needs to be solved urgently. The ENU must be informed immediately of this procedure (Article 8, point 5).

Generally, the distinction between bilateral and multilateral cases has rarely been made. Interpol is used as a communication channel both in bilateral and multilateral cases, as well as Europol. Moreover, the Europol channel is used in cases where the transmission of sensitive data is needed. Direct contacts with foreign colleagues are used by Slovak LEAs mostly in bilateral cases.

The Slovak Police Force uses its own internal network, protected by firewalls. It is not technically compatible with the information channels of other LEAs.

## 4. EXTERNAL EXCHANGE OF INFORMATION

### 4.1. DATA EXCHANGE PROCESS

The perception of the quality of information flow between the Member States and the Slovak Republic is influenced by the short time it has been a member of Europol - the ENU started regular full information exchange on 1 September 2004 (from 01/01/2004 to 31/08/2004, information exchange was governed by the Agreement between the Slovak Republic and Europol on cooperation). In the light of this fact, Slovakia may consider the quality of information flows satisfactory.

In general, the most important partners are the neighbouring countries (the Czech Republic, Austria, Hungary and Poland), because the Slovak Republic is most affected by trans-border crime.

The Slovak Republic, together with Austria, has established a Joint Contact Point on the Highway Border Checkpoint Kittsee - Jarovce in the State Territory of the Slovak Republic, in order to improve the cross-border police co-operation and to facilitate and speed up border traffic. The ENU is not involved in the communication process of this unit because there is no need for such involvement.

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## 4.1.1. INFORMATION OWNERSHIP

There are no known problems arising from Slovak data protection legislation in connection with information exchange. The relevant Slovak legislation has been fully harmonised with EU legislation. All personal related data are made secure by handling codes and transmitted via the secured VPN line.

Occasionally the Slovak authorities have encountered some problems emerging from the differences of legal environment in different Member States. One way to solve the problem is through the participation of the Slovak Republic in the process of harmonisation of law in the EU in the areas mentioned. Some of these problems have been solved by the concluding of bilateral agreements.

According to the information obtained, the Europol channel is considered faster than e.g. the Interpol channel, but the exchange of information via Europol is sometimes delayed due to the need to translate almost all documents received and sent. That is why the competent police authorities consider bilateral exchange of information more effective.

## 5. EXCHANGE OF INFORMATION BETWEEN MEMBER STATES AND EUROPOL

### 5.1. DEFINITION OF INFORMATION AND INTELLIGENCE

There is no legal definition of information and intelligence. Regulation No 51/2005 of the Minister of the Interior on criminal intelligence activities defines "criminal information" as follows: Criminal information is a piece of information of operational significance, which a police officer has acquired by performing criminal intelligence activities.

According to Act No 215/2004 Coll. on the protection of classified information and on the amendment and supplementing of certain Acts, there are four classification levels, "Restricted", "Confidential", "Secret" and "Top Secret", used by all Slovak law enforcement agencies (LEAs). All these levels are fully compatible with the Europol security levels. The secured VPN line can be used for the transmission of restricted and confidential information. For the security level "Secret" the courier of the Ministry of Foreign Affairs may be used.

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The staff of the ENU have security clearance for the level "Secret". There are no restrictions for passing on sensitive information to Europol under Article 4 of the Europol Convention, which imposes the obligation on the ENUs to supply information and intelligence to Europol, with the exception of three cases, namely:

- \* when there is a risk of "harming essential national interests",
- \* when there is a risk of "jeopardising the success of a current investigation or the safety of individuals",
- \* when there is a risk of "involving information pertaining to organisations or specific intelligence activities in the field of State Security".

The ENU has no practical experience of the situation mentioned above.

Information is forwarded to Europol in accordance with Article 8(3) of the Europol Convention and in accordance with Regulation No 5/2005 of the Ministry of the Interior. Forwarding information does not depend on the stage and type of investigation. The Europol Convention has the legal status of an international agreement and thus it has priority over national law. However, in practice, information is usually forwarded before and/or after investigation.

## 5.2. NATIONAL EUROPOL UNIT

5.2.1 The national contact point (already called ENU) was established on 1 January 2001. It was transformed into the Europol National Unit after the Europol Convention entered into force in the Slovak Republic on 1 September 2004. The ENU is a central office competent for the whole territory of the Slovak Republic. It is the national contact point between Slovak LEAs and Europol. For communication with other LEAs it uses various technical means – fax, e-mail, phone and courier.

5.2.2 The planned number of personnel is 12 police officers (the Head + nine senior police officers + two ELOs.). At present, seven police officers (excluding the Head of the ENU) have been working at the ENU and two others have been seconded as ELOs to Europol. ENU Bratislava is not divided into units.

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The ENU is continuously (24/7) connected with its Liaison Bureau at Europol through the virtual private network (VPN), with 2 workstations and a secure phone link (5 IP phones). There is also a non-stop cell phone service available for emergencies. The ENU is connected to the internal network of the Ministry of the Interior and has direct access to most of the police information systems.

5.2.3 In autumn 2004 and spring 2005, the ENU implemented an awareness program in the framework of the Twinning Project "Improvement of the readiness of the police of the Slovak Republic for accession to Europol" together with the Austrian Ministry of the Interior . The project was mainly aimed at promoting Europol and its tasks and products. The Head of the ENU organises regular meetings with the Heads of competent units of the Police Presidium and the Customs Criminal Office in order to discuss the development of Europol, new products and current operational and strategic issues which might have an impact on their activities.

Various Europol documents, bulletins and information are published on the internal website of the International Police Cooperation Bureau. A handbook has been developed by the ENU and disseminated to LEAs in order to help them to choose the most appropriate channel for international information exchange and to explain the various products of Europol and how to ask for them. Various documents and bulletins have also been transmitted to the Academy of the Police Force in order to promote Europol's activities among the students. Europol, Interpol and Schengen issues are the topics lectured on at the Academy.

5.2.4 The International Police Cooperation Bureau, in which the ENU is incorporated, belongs to the Police Presidium. The Bureau is headed by a director, who is subordinated directly to the President of the Police Force. The Bureau consists of the following offices:

- International Police Cooperation Unit
- EUROPOL National Unit
- National Schengen Information System Unit
- National Bureau of SIRENE
- National Central Bureau of INTERPOL
- Police Liaison Officers and Police Missions Unit
- Management Support Unit



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5.2.5 The ENU usually receives information and intelligence from the competent LEAs, but it can also seek information on its own account, from internal situation reports, from police databases, via informants, from open sources etc. Thereafter it asks the relevant authorities to provide additional information, with the aim of receiving more comprehensive intelligence.

The process of sending information to Europol is governed by Regulation No 5/2005 of the Ministry of the Interior. Information coming from Slovak LEAs is processed by the ENU and sent to the Slovak Liaison Bureau at Europol through the secured channel. This encrypted connection can be used for continuous transmission of information; however, most information is exchanged during working hours. As mentioned under point 3.2, after working hours and in case of emergency, the LEAs can contact the ELOs directly (the contact numbers of their 24/7 duty cell phone, fax numbers and e-mail addresses are published on the web site of the International Police Cooperation Bureau).

There are no liaison officers from national authorities working at ENU nor liaison officers from ENU working at national authorities. The Slovak Police Force has been informed about the role, mandate and tasks of Europol and the ENU through Regulation No 5/2005 of the Ministry of the Interior No. 5/2005. Other awareness activities are mentioned in point 5.2.3.

## 5.3. USE OF INFORMATION AND EUROPOL ANALYSIS CAPABILITY

The Slovak Republic is involved in five AWFs at present (COPPER, EEOC Top100, ISLAMIC TERRORISM, MUSTARD and SMOKE). According to the information obtained, the competent authorities would feed information into AWFs which are not in their particular interest and which they do not belong to. They suppose that this information could help other MS to tackle organised crime.

Not all presently existing AWF files are necessary to cover all areas of crime which Slovak LEAs are facing. Moreover, most of them were opened before the Slovak Republic became a member of Europol. But those AWFs in which the Slovak Republic participates are considered helpful for the fulfilment of the tasks of the participating police and customs authorities.

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## 5.4. PERCEPTION OF EUROPOL VALUE

The competent Slovak authorities perceive Europol as an important institution with an eminent role in the provision of information and intelligence exchange between LEAs in the EU.

One of Europol's priorities is providing analytical support to operations of Member State LEAs focused on combating organised crime and terrorism. However, limited resources in terms of personnel and finance remain the main obstacle to this. Member States as stakeholders should therefore pay more attention to removing this obstacle by increasing the personnel and budget directly linked to analytical support activities to adequately satisfy the operational and analytical needs of all Member States of Europol.

More generally speaking, it may be said that EUROPOL has brought added value to Slovak law enforcement authorities, particularly in the case of AWFs.

## 6. EVALUATION BY THE EXPERT TEAM

### 6.1 Introduction

6.1.1 The evaluation of Slovakia was conducted between 12 and 14 September 2006. The experts received a courteous welcome from all players to whom this evaluation relates and were also able to meet the President of the Slovak Police Presidium, which oversees all police services, as well as Slovakia's Deputy Public Prosecutor. These meetings, which took place at the highest level and included all the main players responsible for combating serious international crime enabled the team of experts to gain an accurate – and, more importantly, a comprehensive overview of the organisation of working methods put in place by the Slovak authorities. While it would be inappropriate to enter into comparisons with other countries, it remains evident nonetheless that many of the problems and/or difficulties apparent in the Slovak Republic are sometimes mirrored in the Czech Republic. Given that these two countries split only recently, in 1993<sup>1</sup>, these similarities can no doubt be attributed to the fact that they shared a common history until quite recently. The schedule of visits agreed on by the General Secretariat and the Slovak authorities certainly made it possible to hold meetings with a large number of key departments and interlocutors in this area.

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<sup>1</sup> Czechoslovakia split to form the Czech Republic and the Slovak Republic on 1 January 1993.

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That said, the experts were unable to see for themselves how one or more police departments actually operate and were therefore not in a position fully to gauge the extent to which fundamental reforms embarked on had had a useful impact on the departments' daily business. Although this was absent from the schedule, all interlocutors' familiarity with the relevant issues and their positions of responsibility in different administrative bodies enabled the experts to distinguish between departmental heads' expectations and their existing means.

In a country in which the departments involved in combating international crime lack the latest IT and telecommunications equipment, the introduction over time of new tools such as SIS II and/or cooperation with European agencies will provide an opportunity for economies of scale, which ought to serve to reverse some of the significant shortcomings discovered by the team of experts.

6.1.2 Following the peaceful split on 1 January 1993, Slovakia joined the European Union and NATO in the spring of 2004. This landlocked country shares a border with Austria ( 107,1 km), the Czech Republic (251,8 km), Hungary (654,9 km), Poland (541,1 km) and Ukraine (97,9 km). Once border controls have been lifted, the border with Ukraine and international airports in Bratislava, Presov and Kosice will be its only EU external border. According to the July 2006 census, the population stands at 5 439 448. It is worth noting that more than 80 % of the population speaks Slovak and 10 % speaks both Slovak and Hungarian, while most people can understand and speak in Czech. Another point of relevance is that some 10 % of the population is made up of Romany ethnic origin (however only 1,8 % officially proclaim themselves as Romanies). In terms of structure, the country is divided into eight separate administrative regions.

## 6.2 INTERNAL ORGANISATION OF INFORMATION EXCHANGE

6.2.1 In order to gain a better understanding of the internal structure of the Slovak police force, the experts think it worthwhile to draw attention to some peculiarities of the Slovak system. Two separate types of criminal police activity have become apparent since 2004. Firstly, there are criminal intelligence operations, i.e. the legal activities prior to a criminal investigation supervised and controlled by the judicial authorities, including public prosecutors, within which a competent law-enforcement authority is entitled, under national law, to collect, process and analyse information concerning crimes or criminal activities. Broadly speaking, this matter concerns all criminal intelligence activities such as crime detection, crime prevention, etc.

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Secondly, there is the role of the investigator, defined as a body acting in criminal proceedings in accordance with criminal law. Official acts carried out by the investigator are used as evidence in court. The experts would like to emphasise that investigators are independent and bound solely by legislation and prosecution and court orders <sup>1</sup>.

6.2.2 A further distinguishing feature worth highlighting for its atypical nature is the fact that the competent authority is determined according to the severity of the sentence handed down. As a result, crimes are investigated at district, regional or national level, depending on whether they incur sentences of less than 3 years, between 3 and 10 years or more than 10 years. Although perfectly adequate in theory, this system seems complex in practice, given that departments tend to be compartmentalised and internal information exchange has its complications .

## 6.3 Organisation of different Law Enforcement Authorities

6.3.1 As is the case with all police departments across the European Union, the Slovak Republic has a wide range of departments within the Ministry of the Interior. For that reason, the experts focused only on those departments directly involved in combating organised crime. At national level the departments examined more closely herein are the Criminal Police and Investigation Bureau, the Organised Crime Bureau, the International Police Cooperation Bureau and the Border and Aliens Police Bureau, together with one of the regional police headquarters.

All police departments are overseen by the Slovak Police Presidium, which in turn is answerable directly to the Minister for the Interior. The Presidium acts as the executive body for the Ministry of the Interior. With a president and two vice-presidents at the helm, the police structure includes 8 regional and 44 district police headquarters.

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<sup>1</sup> An investigator is quite similar to a *juge d'instruction* (examining magistrate) in France.

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6.3.2 The Criminal Police and Investigation Bureau brings together various departments such as the General Crime Department, the Economic Crime Department and the Wanted and Missing Persons Targeted Search and Registers Department, which are discussed below. However, the experts focused in particular on the Strategic Analysis and Planning Department, whose many tasks include most notably that of drawing above all on intelligence gathered at regional and district level to monitor underlying trends in criminal behaviour <sup>1</sup>.

6.3.3 It is worth noting that on 1 January 2004 the Criminal Police and Criminal Investigation bureaux merged.

The General Crime Department is concerned above all with violent crime (attacks on people and property) and with action against prostitution, child pornography and the high level of vehicle theft prevalent in the country.

The Economic Crime Department is mainly involved with:

- forgery of money and means of payment and of duty stamps,
- misuse of means of payment,
- computer crime,
- environmental crime,
- infringement of copyright and other intellectual property rights,
- different types of fraud.

6.3.4 The experts were unable to gain a detailed insight into intelligence distribution at the Criminal Police and Investigation Bureau. Experts should qualify this remark by pointing out that, at domestic and international level alike, it has been consistently observed the practice across departments of giving priority to personal – and, moreover, direct – contact between departmental heads and their extra-departmental counterparts and contacts. Consequently, the experts were unable to determine whether all intelligence passed via the Strategic Analysis and Planning Department.

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<sup>1</sup> According to national authorities, 96 % of crime reports came from the regions and districts, as against a mere 4 % at national level.

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This would appear rather unlikely, however, since files are not accessible across departments and do not seem to be available online.

6.3.5 Although the title of the Wanted and Missing Persons Targeted Search and Registers Department is instructive, its operations appear rather complex. In fact, it deals not only with wanted and missing persons, but also with stolen documents, weapons and vehicles. As was pointed out earlier, vehicle theft is also part of the remit of the General Crime Department, a situation which must make conducting investigations rather complicated. Furthermore, this department has devised six databases: PATROS, PATRMV, PATRDOC, ZBRANE and ASF-SV.<sup>1</sup> It has also been working on biometric identification.

6.3.6 A distinction needs to be drawn between the Criminal and Investigation Bureau just described and the Organised Crime Bureau, which encompasses i.a. the Counter terrorism Unit, the Financial Intelligence Unit and the National Anti-Drug Unit. The Bureau also has regional units (the Bratislava, West, Centre and East field offices).

It is interesting to observe that the FIU in Slovakia is manned by police officers. Originally set up on 1 November 1996 as the Financial Division, it became the FIU on 1 January 2004 and was incorporated into the Police Presidium's Organised Crime Bureau. The experts ascertained further that the unit strictly covers intelligence and has no investigative power in relation to the Code of Criminal Procedure. Apparently, this unit is also involved in anti-terrorism activities, thereby giving its agents access to classified information held by other entities detailing the revenue of individuals and/or undertakings. The FIU, staffed by 30 agents, did not indicate how it exchanges information with its partners internally.

6.3.7 The National Anti-Drug Unit took up its nationwide remit in 1992. Since 1999 it has been responsible for managing and monitoring three regional units (the East, Centre and West field offices). In 2004, the National Anti-Drug Unit was incorporated into the Organised Crime Bureau. Nowadays, the regional anti-drug units are supervised by the regional field offices.

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<sup>1</sup> See abbreviation list (Annex F).

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Based on the agreement between Police Presidium and the Custom Directorate on cooperation in the field of monitoring drug precursors and basic chemical agents with aim to prevent their misuse, the Joint Police – Customs Desk was set up. The above mentioned agreement facilitates the indirect access of police officers to custom database and vice versa. However, an agreement with the Police Presidium to post a customs officer to the unit has enabled police forces to gain indirect access to databases managed by the customs authorities. The unit's duties include enforcing Community rules <sup>1</sup>, especially in relation to the use of precursors and the EU's Drugs Strategy <sup>2</sup>.

6.3.8 Another body under the responsibility of the Organised Crime Bureau is the Counter Terrorism Unit, which performs two essential tasks:

- intelligence gathering, detection and investigation of terrorist and racist activities, and combating extremism (under the supervision of the police investigator within the Organised Crime Bureau), and
- criminal intelligence analysis and use of a separate intelligence database (the Organised Crime Bureau also looks into coordination and undertakes criminal intelligence analyses).

In order to fulfil these tasks the Bureau is able to draw on all sources of information available in the country, including sources supplied by the Slovak Intelligence Services and the Military Intelligence Service. From the facts observed at first hand, and given the unit's brief, the experts suspected that difficulties might arise with the flow of information between the unit and the Slovak Information Service (SIS), set up in 1993 <sup>3</sup> to safeguard the Constitution, public order and State security. The SIS is run by an appointee of the President of the Slovak Republic and overseen by the Security Council, which sets and approves SIS priorities.

Some of the more relevant tasks relate to matters such as terrorism, organised crime, extremism, illegal immigration, fraud, money laundering and corruption are amongst the main activities of the Organised Crime Bureau. The SIS has no judicial powers.

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<sup>1</sup> Regulation (EC) No 273/2004 of 11 February 2004 on drug precursors; Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

<sup>2</sup> European Union Drugs Strategy 2005-2012.

<sup>3</sup> See Act No 46/1993 Coll. on the Slovak Information Service.

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There is an agreement on mutual cooperation between Police Force and the Slovak Information Service signed on 13/02/1997. Several operational protocols are assigned to the agreement. However there is a pressing need to set up a priority information exchange and access circuit between this institution and the Organised Crime Bureau.

6.3.9 The Border and Aliens Police Bureau is another department responsible for fighting crime, whose remit covers aliens, border controls and measures to combat illegal immigration. It is assisted by five regional units (in Bratislava, Banská Bystrica, Nitra, Prešov and Sobrance). The illegal immigration issues are dealt by the National Unit Combating Illegal Immigration, which is responsible for criminal intelligence activities; and the Investigation of Serious Crime Department, which is responsible for criminal investigation of the related cases. Its inter-departmental approach was of particular interest to the experts.

According to the Administration's representatives, the units with responsibility for borders and illegal immigration cooperate with other national police force bureaux and units (also beyond the Ministry of interior) in matters of relevance to them. The experts would, however, draw attention to the large number of databases managed by the bureau – these include i.a. INO, IBO BORIS, ECU, CDO, ENAP, EDO and EPOS<sup>1</sup>. Alongside these specific databases an analyst's notebook has been put in place for the manual or automatic creation of diagrams drawing on various information sources such as personal knowledge, written reports, photos, videos, e-mail, word processing files and databases. There are grounds for concern as to the impact that incorporating European databases may have on the structure of the information chain. Besides the project to establish the AKC the experts were unable to gauge how information as a whole will be passed on to other police departments, since at present the various systems are not compatible.

6.3.10 The Customs Administration employs some 4 000 officers across Slovakia. Within this ministerial department a Customs Criminal Office (CCO), with a total of 405 officers, has been formed. The CCO itself has 8 regional branches, and is peculiar in the sense that it is independent of the rest of the Service. In order to make customs law enforcement activities more effective and efficient, the Act on State administration bodies in the field of customs was amended, and as of 1 January 2005 the CCO was established as an independent organisation within the Slovak Customs administration.

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<sup>1</sup> See Annexes C.



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The work undertaken by Customs is on a par with that in all Member States, with one subtle difference as regards powers in criminal matters. As regards criminal matters within the remit of Customs the Penal Code does not provide for competence *ratione materiae*, except in respect of sentences not exceeding three years' imprisonment. Furthermore, all matters relating to technical means of surveillance or alert are subject to police authorisation and involvement. This system causes some difficulties to the Custom administration in spite of the good interpersonal relations between both ministries (Finance and the Interior).

The Customs Administration is especially eager to set up its own surveillance and observation system. According to the expert team CCO officers do not always obtain the information they have requested, because at times the police departments operate with a different set of priorities, and also because staff shortages in some police units make it difficult for them to respond appropriately to the Customs Administration's expectations. One of the Administration's priorities is to propose amending legislation to give it wider powers, notably by abolishing the 3-year sentence ceiling for criminal powers.

The Slovak Ministry of Justice is in the process of drafting a legislative amendment to that effect, in close cooperation with the two ministries concerned. In time the Customs Administration will enjoy full powers which do not depend on the severity of the sentence handed down in matters within its remit. In the experts' view, this legislative change ought to ensure that the roles of both ministries are clarified and, of course, boost the efficiency and motivation of those customs departments dealing with criminal offences.

## 6.4 Systems for exchange of information

6.4.1 The Slovak Republic's great difficulty in this area derives from the multitude of databases dispersed throughout the country. The experts identified several different databases, many of which use mutually incompatible electronic media.<sup>1</sup> The Ministry of the Interior currently uses an information system called "POLYGON", which was created in 1996 and came on stream in 1998. This system is designed to process criminal intelligence relating to three main classes of offence:

- suspected preparation of a crime

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<sup>1</sup> See Annex C.

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- suspected attempted crime
- crime committed.

POLYGON's primary purpose is to establish links between events and persons and to make criminal intelligence available to system users. POLYGON is managed as part of the Criminal Police and Investigation Bureau. Regional departments can input information into the database via three decentralised servers (in Bratislava, Banská Bystrica and Košice). The limits of the system seem however to have been reached in particular because of POLYGON's incompatibility with many other existing software programs.

As the experts learnt from the many interviews they conducted, information has to be transmitted from district to regional or to central level in hard copy. At present, information collected at district level is sent in writing to the regional level where they are processed. The investigators use the information system DVS (Investigation files journal) for their work with investigation files. It is an independent information system which serves as a tool for registration of investigation files. The technology enables to fill the data also at the local departments of the Police Force. These both systems cannot continue as it is; a comprehensive computerised system is urgently required for exchanging information.

6.4.2 Given that the situation is no longer compatible with materials available on the market and with current standards of performance in data processing, the Slovak authorities have decided to develop a new national data-processing application; this will be piloted by and placed under the responsibility of the Information Technologies and Telecommunication Office in the Ministry of the Interior. A prime objective of this project is to put a stop to divergent local developments in the field of information technology, ensure software compatibility and establish common servers so that each user can be assigned a single password. For the police in particular, the project is also designed to integrate the new SIS II system <sup>1</sup> and enable all authorised staff and departments to access the various existing data bases directly. It will be possible to consult those databases from a single screen.

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<sup>1</sup> The representative of Director of the Police Presidium feared that any delay in finalising SIS II would postpone the installation of Slovakia's new national electronic data-processing system.

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Under the new national data-processing system, the police will have on-line access to the following databases (see Annex C):

- Driving licences
- Passports
- Slovak citizens' ID cards
- Foreigners' ID cards
- PATROS IS
- INO IS
- IBO IS
- PATRMV
- EZP
- PATRDOC.

6.4.3 The experts consider it important to outline these features of the future system as a reminder of the fact that, as things stand, this information is not directly accessible to police officers on the ground; at present any checks and/or searches that have to be carried out involve sending requests by fax or in writing because data processing media are incompatible or non-communicating.

The experts accordingly recommend that the new system planned at national level should be put in place forthwith, irrespective of whether or not the national section of the future SIS II is established. The experts wish to insist, however, on the need to develop the UDALOST database, which is intended to store information on all occurrences prompting an investigation. According to national authorities interlocutors, this database should be centralised around 2009/2010. The experts consider it essential to keep to this target in the interests of improving the coordination of police activity throughout national territory.

6.4.4 The Slovak authorities have a very clear measure of the shortcomings of their current data-processing systems. As a result they have decided to set up the Analytical Coordination Centre within the Slovak Police Presidium. Its goal is twofold:

- to ensure an efficient and effective complex integrated information flow, which respects modern information technologies, and is compatible with the European criminal intelligence model and the information system of EUROPOL;

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- to create a common centralised information system for the criminal and the financial police, which will serve as an intelligence database on criminal groups and be targeted on analyses of organised crime, with due regard to classified information and personal data protection.

The units concerned by the project are: the Criminal Police and Investigation Bureau, the Organised Crime Bureau, the Anti-Corruption Bureau, the National Unit for Combating Illegal Immigration and the Undercover Operations Department. These specialised bodies will work in association with the eight regional and 44 district police headquarters. The overarching idea is to establish a system of criminal information processing which will tighten control over criminal intelligence flow, ensure oversight of police activities and enable links to be made with the body of relevant information held by the police authorities throughout the country. In addition, the system should ultimately enable the authorities to avoid duplicating investigations.

AKC system which fully supersedes the IS POLYGON will use central system of storing information. Nowadays tree servers exist with more independent databases. Besides the owner of the information, the centre can enter the databases and browse the information but it can not change or use the full information. The owner of the particular information can make it available for another user of POLYGON when it is necessary. Policemen of the criminal police will have online access to AKC using only one log in name, but there will be defined more levels of access. AKC will be also a powerful analytical tool.

Implementation of the system was originally planned in four stages:

- 2004/2005: creation of the pilot project
- replacement of the POLYGON system by 31 December 2005 at the latest
- connection of the Anti-Corruption Bureau to the AKC system by 31 December 2006 at the latest
- connection to the other selected units by 31 December 2007 at the latest.

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6.4.5 Although the original deadlines have not in principle been called into question, they have unfortunately been put back with the appearance of new priorities including the integration of the European databases, in particular SIS II. However, the officials whom the experts met confirmed that the objective of establishing the new data-processing platform in the Ministry of the Interior and the AKC database remained priorities for 2009. Nevertheless the experts consider it constructive to recommend making priority budgetary provision for these innovations and to warn against any further deferral of these investments. Any delay in this project would jeopardise the work of the criminal police departments.

## 6.5 EXTERNAL EXCHANGE OF INFORMATION

6.5.1 During the evaluation exercise the experts found that many police departments were extensively engaged in international cooperation. The role of the International Police Cooperation Bureau discussed in detail below. However, questions about the efficiency of the system in place are unavoidable.

In terms of legislation, the Slovak Republic introduced the national laws necessary in order for it to join the EU and has, in addition, ratified numerous international conventions <sup>1</sup>. By the same token, since April 2001 the national Schengen Information System has been in place, as has the Schengen Action Plan. The latter has been updated, and progress has been made in its implementation. Preparations for integrating SIS II, however, are still at the preliminary stage as regards the development of national applications, and work needs to be speeded up. However, the overall picture of international information-sharing raises two related problems.

Many departments maintain direct bilateral contacts with their foreign counterparts (including at regional level), and the fact that it is impossible to access national or inter-service databases directly prevents the various law enforcement agencies from grasping the overall consistency of the activities of the Ministry of the Interior in this area.

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<sup>1</sup> For example the UN Convention against Transnational Organised Crime and the International Convention for the Suppression of the Financing of Terrorism.

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6.5.2 By way of illustration, the Organised Crime Bureau can directly contact the Liaison Officers (LOs) posted abroad and even the external departments with which it is in touch. Without entering into further detail, many departmental representatives whom the experts met during the evaluation exercise confirmed that such contacts were frequent because they were fast and flexible. The experts can only note the facts, but the question inevitably arises as to why no circular has been issued on the practices to be followed by the various departments so that, at least, each operates on the basis of standard procedural instructions and information is systematically returned to the International Police Cooperation Office. This would seem to be an essential point, particularly looking ahead to the setting up and development of the AKC project.

The need to establish standard procedures is especially pressing and desirable since many contacts between domestic and external departments are with third countries and this might be at odds with EU policy on external relations. In addition to that it will be also desirable that the ENU staff could access directly to the AKC databases which is not the case at present.

6.5.3 Admittedly these difficulties are partly addressed by the fact that an Interministerial Coordination Secretariat operates within the Criminal Police and Investigation Bureau. However, during their visits the experts were unable to take cognisance of the rules of procedure laying down the operating conditions of this interministerial body. It would nevertheless seem reasonable to expect that international strategies in complex cases should be filtered by this interministerial body and that, at the very least, the procedures for transmitting information should be circulated to all police departments dealing with international cases.

## 6.5.4

The experts also visited a Joint Contact Point on the Highway Border Checkpoint Jarovce-Kittsee, on the outskirts of Bratislava. The visit provided the opportunity to observe how a joint contact point on the Slovak-Austrian border worked in practice. The joint contact point was established under an agreement signed between the two countries in April 2003; it has been operating round the clock since September 2004. In practical terms, this joint checkpoint performs seven basic tasks:

- cross-check in the national databases and exchange of information
- cooperating in cross-border surveillance and pursuit
- preparing reports for joint situation reports;

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- cooperating in joint security operations;
- cooperating in the readmission of persons on the basis of existing agreements between the Contracting Parties;
- specifying the range of activities performed by joint patrols in the territory of the Slovak Republic and the Republic of Austria;
- exchange of information during joint patrol duty.

6.5.5 In January 2001 Slovakia established an International Police Cooperation Bureau to deal with international cooperation at central level.

This bureau brings together the NCB Interpol, the National Schengen Information System, the Sirene Office, police liaison officers, police peacekeeping missions Unit, and the Europol National Unit (this point will be discussed in Part 2).

At the level of international police exchange, the experts observed the clear preference for exchange through bilateral channels, especially via LOs, rather through multilateral, centralised channels. Whilst the preference for and the frequent recourse to Los, is understandable from a practical point of view, the lack of a policy to direct such information exchange, via the International Police Cooperation Bureau, through multilateral channels, especially Europol, is regrettable. It could prevent, *inter alia*, that this information is made available to other Member States, for whom it might also be useful.

6.5.6 The NSIS Unit was created on 1 March 2001<sup>1</sup>. The experts had no opportunity to visit the premises of the International Police Cooperation Bureau. ; the Bureau is not located in either the Criminal Police and Investigation Bureau or the Organised Crime Bureau. Moreover, the Bureau does not at present have a translation department and therefore cannot meet the rapidly growing demand for translation services. With regard to the NSIS, the expert team is unable to say whether the IT functionality is in place.

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<sup>1</sup> Government Resolution No 836/2001, Regulation of the Minister of the Interior No 26/2001 and Government Resolution No 1250/2002.

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However, given the complete overhaul of data-processing systems at the Ministry of the Interior, the experts understood that the Police Presidium is standing by its goal of establishing SIS II at the same time as installing its new national computer architecture. Migration of SIS I is thus not envisaged; the plan is to install SIS II directly.

6.5.7 Cooperation still takes place primarily via Interpol, as the new opportunities for cooperation via Europol arose only very recently. . With regard to Slovakia's Interpol NCB, the country having become the 170th member of Interpol on 29 September 1993.

The level of cooperation via this channel has been consistently high ever since. This is illustrated by the fact that between 1995 and 2005 the number of new cases increased from 10 223 to 19 060. Similarly the number of requests for assistance sent to the Slovak NCB rose from 36 940 in 2003 to 52 320 in 2005, which is a very considerable increase.

As in other Member States, the various specialist departments also draw on the full range of new European-level cooperation instruments; in Slovakia this also applies to the Financial Intelligence Units Network (FIU) and to Customs, which possess their own channels of international cooperation.

6.5.8 As stated earlier, bilateral cooperation remains the preferred approach in many situations. It is a particularly useful reflex for the intelligence services but also for regional police forces. The latter prefer direct contact with LOs and will not apply to Europol, for example, unless they need legal assistance.

The Slovak authorities would be well advised when establishing the future national coordination centre to introduce procedural instructions for use by all law enforcement agencies in international contacts; this would rationalise internal means and techniques and, by encouraging clarity, would improve the efficiency of the cooperation process, make it more readily understandable to external partners and minimise the risk of duplication<sup>1</sup>.

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<sup>1</sup> The project of the National coordination centre for combating crime was created in 2003 and in 2004 it was approved by the Slovak government. However, in 2005 the project was cancelled.



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6.5.9 The International Police Cooperation Bureau currently focusing its efforts on completing connections between the various communication channels and is preparing the tests for Sirene so that it can operate for this purpose as from 1 October 2007. A joint Sirene-Interpol-Europol desk is planned to avoid overlapping and to ensure the internal work flow. It should be noted that in renovating the premises which will accommodate this new international platform the Slovak authorities have made no special provision for offices which could be used by LOs accredited in Slovakia. Many LOs cover several Member States and are not resident in Slovakia; the cooperation process thus continues to be carried on via the foreign representations to which the LOs belong. It was confirmed however that if need be, such LOs had complete freedom to contact the investigation services directly.

## 6.6 EUROPOL

6.6.1 It will be remembered that an initial agreement with Slovakia concerning Europol was signed on 13 June 2003 and that Slovakia became an official member of Europol on 1 September 2004<sup>1</sup>. A Regulation of the Ministry of the Interior lays down the rules governing cooperation between the police services, the Slovak Police Presidium and Europol<sup>2</sup> (see Annex A). Slovakia's Europol National Unit (ENU) has a present staff of eight in Bratislava, seconded in the Hague with plans for two additional ELOs.. The experts wish here to highlight the request made by the Head of Customs to post a Customs representative to the ENU and in addition to consider a secondment of a Customs Liaison Officer to Europol itself.

6.6.2 More generally, the Slovak authorities explained that domestic legislation preventing national officials from retaining their status as national civil servants – **policemen** while working for Europol made it difficult to recruit staff for that body. A reform of the law - which should make it easier to post staff to Europol - is in the pipeline. The experts would stress the urgent need to bring this reform to completion so that Slovak police officers can join Europol under flexible conditions and not lose their national administrative status.

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<sup>1</sup> The Slovak Republic has ratified all the Protocols amending the Europol Convention.

<sup>2</sup> Regulation No 5/2005.

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6.6.3 The experts wish to highlight a persistent problem arising partly from the lack of a dedicated translation service in the International Police Cooperation Bureau and partly from the poor use of foreign languages in the police force. The officials whom the experts met reported that efforts are under way in the police colleges to improve foreign-language learning. The experts would stress the importance of devising a vigorous plan of action in this area and urge the authorities to solve the problem of essential translation staff.

Solutions will have to be found quickly so as to avoid translation backlogs at the International Police Cooperation Bureau when all the international cooperation channels are in place and fully operational.

6.6.4 Given the difficulties described above and the lack of secure means of communication country-wide, the bulk of the information disseminated by Europol would appear to remain with the central authorities and not to be routinely disseminated to regional or district levels. Very few (lengthy) analytical reports from Europol have been distributed to the local level partly due to the fact that they need to be translated from English into Slovak. Contributions to Europol on e.g. the OCTA report is handled from the central level. No involvement from the Prosecutors office was recognised in that respect. The experts recommend that a dissemination method and plan be devised to ensure that Europol reports and information of Europol's activities are distributed as widely as possible to the departments concerned.

6.6.5 From this viewpoint, the success of the events organised under cooperative twinning arrangements between Austria and Slovakia in 2004 and 2005 should be stressed, with six seminars being held in Slovakia, six study visits organised in Belgium and the Netherlands and two training courses run at the Vienna ENU. Police Presidium officials appear committed to continuing this approach: in 2007 seminars on Europol's products and services will be run for the central and regional departments, and an Intranet webpage is due to be created to circulate Europol reports and documents. The experts regard the implementation of this programme as a priority but would ask that it be accompanied by a computer plan to make these Intranet exchanges secure.

6.6.6 As regards raising awareness of Europol activities, it is worth pointing out that quarterly meetings take place with the departments chiefly concerned by Europol (the police and the Customs Criminal Office). ENU has also distributed its practical handbook for policemen.

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6.6.7. Slovakia is currently participating in five analysis work files (AWFs): EEOC, Mustard, Copper, Smoke, Islamic Terrorism. Slovakia provides on ad hoc basis information to Twins, Maritsa, Terminal and Soya. Slovakia's contributions are clear demonstration of its keen interest in the work of Europol, whose main partners at national level are the Organised Crime Bureau, the Criminal Police and Investigation Bureau and the Border and Aliens Police Bureau. The expert team see these activities and the organisation that has been set up as evidence of Slovakia's determination to develop its cooperation with Europol. This was confirmed in the team's conversation with officials in the national Public Prosecutor's Office (NPPO). In addition to its close cooperation with judicial police departments, the NPPO frequently makes use (via the competent police services) of Europol especially during preliminary investigations.

Nonetheless experts noted that FIU seems to prefer the use of dedicated network as EGMONT group and FIU network instead of exchanging information using other relevant channels as the EUROPOL one.

The representatives of the national Public Prosecutor's Office also stressed the need to reinforce cooperation with Europol to develop international investigations.

The secondment of a Customs representative to the ENU and the appointment of an LO at The Hague will clearly be an enhancement which should develop yet further the emerging cooperation between Slovakia and Europol.

6.6.8 All these plans are excellent in themselves but cannot flourish unless internal information technology infrastructures are developed in parallel. The experts support in particular the Slovak project to install an encrypted e-mail line between the ENU and the relevant police units. ENU officials stressed that discussions were underway on a forthcoming project to develop the national data loader with a view to inputting data into the Europol database (EIS), a project which is dependent on the prior installation of the new data-processing architecture in the Ministry of the Interior. As the current system does not allow to provide data for Europol Information System, it is recommended that new AKC (or another newly developed) system should be recognized as possible source for EIS data load. For the experts the completion of that task remains the top priority.

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## 7. GENERAL CONCLUSIONS AND RECOMMENDATIONS OF THE EXPERT TEAM

Since the Commission's first report in July 1997<sup>1</sup> Slovakia has clearly come a long way, more particularly in the area of Home Affairs and Justice. For the record, the expert team can cite various milestones in the areas directly concerned by this evaluation:

- Slovakia has completed the alignment of its data protection legislation. New data protection legislation entered into force in September 2002. Since December 2001 police databases have been subject to supervision by the Chairman of the Office for the Protection of Personal Data, as are the databases of the army, the prisons administration, customs and the railway police;
- Significant progress has been made with regard to the system of external border controls. The government has taken a number of administrative and legal measures to reinforce external border control. It seems that officials are aware of the difficulties in achieving the modernisation of technical equipment and the allocation of financial resources to give effect to the Schengen Action Plan;
- Since April 2001 the national Schengen Information System has been in place. But preparations for integrating SIS II could be rendered difficult by the global rescheduling of the SIS II<sup>2</sup>;
- With regard to police cooperation *stricto sensu* and the fight against organised crime Slovakia has signed the UN Convention against Transnational Organised Crime and the International Convention for the Suppression of the Financing of Terrorism;
- The Slovak Parliament adopted a new Police Act in October 2001 amending the 1993 Police Force Act;
- Many amendments have been made to the Criminal Code in order to handle important cases on corruption and money laundering;
- The new Customs Act and the State Administration Bodies in the field of Customs Act came into force in July 2001.

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<sup>1</sup> Commission opinion COM (97) 2004 final, not published in the OJEC.

<sup>2</sup> Commission staff working paper on the global rescheduling of the SIS II (12379/06 SIRIS 158 COMIX 710 of 1 September 2006).

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It can therefore be said that today Slovakia has the necessary armoury not only to tackle its own internal security challenges but also to collaborate fruitfully with its European partners. The expert's evaluation would however point out the internal difficulties encountered by the authorities in genuinely establishing an effective effort to counter international crime. First and foremost, Slovakia urgently needs to bring its data-processing architecture and tools up to standard. Existing databases must be simplified and, more especially, some of the databases must be made mutually compatible so as to allow fast, operational exchange of information. National budgetary constraints and the priorities adopted by the Government should encourage the authorities dealing with serious crime to concentrate on the most serious offences and to make the maximum use of European cooperation instruments. By strengthening its analysis capability and promoting the flow of information internally Slovakia should be able to tackle the problem of serious international crime.

## 7.1. FOR THE SLOVAK REPUBLIC

7.1.1 Set up an effective arrangement for systematic exchange of information and coordination of activities of relevant authorities on the basis of the agreement on mutual cooperation between Police Force and the Slovak Information Service. (See 6.3.8)

7.1.2 Complete the reform of the law to provide Customs with its own powers of criminal prosecution in the areas within its remit, powers which would be exercised irrespective of the level of the criminal penalty incurred. (See 6.3.10)

7.1.3 As soon as possible put in place the new data processing architecture planned by the Ministry of the Interior. (See 6.4.3 and 6.4.5)

7.1.4 Develop the new AKC database without delay. (See 6.5.2)

7.1.5 Circulate standardised operating instructions to the various law enforcement authorities so as to ensure that information sent to the International Cooperation Bureau is transmitted according to common standards applying throughout the country and to all the departments concerned. At the same time provide direct access to AKC database to ENU staff. (See 6.5.2 and 6.5.5)

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7.1.6 Ensure that the International Police Cooperation Bureau is provided with a basic translation capability. (See 6.6.3)

7.1.7 Draw up a national plan for the circulation of products sent by Europol. (See 6.6.4)

7.1.8 Finalise a secure Intranet system for intra-departmental communication within the Ministry of the Interior. (See 6.6.5)

7.1.9 In parallel with the establishment of the new data-processing architecture in the Ministry of the Interior, launch discussions on devising the future national system which will input data into Europol's EIS database. (See 6.6.8)

7.1.10 Bring a reform to national law to facilitate the secondment of police officers to Europol and other EU agencies. (See 6.6.2)

## 7.2 FOR THE OTHER MEMBER STATES

7.2.1 For countries having technical and/or scientific centres of excellence, whenever possible and necessary encourage all relevant cooperation measures with the least developed Member States. (See 7)

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ANNEX A

R e g u l a t i o n  
of the Minister of the Interior of the Slovak Republic  
of 27 January 2005  
on cooperation by police services and Police Headquarters  
with the European Police Office

Article 1  
Introductory provision

This regulation establishes the scope, forms and means of cooperation by the services with Europol, as well as the status and tasks of the Europol National Unit and of its liaison officers in their cooperation with Europol headquarters in The Hague (hereinafter referred to as headquarters).

Article 2  
Scope of cooperation

(1) Cooperation between the services and Europol shall focus primarily on preventing and combating serious forms of crime within Europol's mandate <sup>1</sup>, where there is suspicion of criminal activity on the part of an organised, criminal or terrorist group affecting two or more Member States, the extent, seriousness and consequences of which require a joint approach by Member States. Such activity includes:

- a) illicit drug trafficking,
- b) terrorism,
- c) smuggling of illegal immigrants,
- d) illicit motor vehicle trafficking,
- e) trafficking in human beings, child pornography,
- f) forgery of money and other means of payment,
- g) illicit trafficking in goods subject to a special trading licence,
- h) Laundering of the proceeds of crime.

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<sup>1</sup> Council Decision extending Europol's mandate to deal with the serious forms of international crime listed in the Annex to the Europol Convention, OJ C 36, 2001.

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(2) In the areas listed in paragraph 1, Europol supports Member States by:

- a) obtaining, gathering and analysing information and intelligence,
- b) providing the competent authorities in Member States with all relevant information and links between criminal acts,
- c) generating strategic reports and crime analyses on the basis of received information and intelligence,
- d) Providing expertise and technical assistance in preventing, thwarting, exposing and documenting criminal acts and detecting the perpetrators, and in investigating crimes in Member States.

## Article 3

### Europol National Unit

(1) The Europol National Unit within the International Police Cooperation Bureau at Police Headquarters (hereinafter referred to as the Unit) shall perform Europol tasks on the territory of the Slovak Republic pursuant to international treaties and agreements <sup>1</sup> and shall constitute the national liaison body between Europol and the services.

(2) In order to carry out the activities set out in Article 2, the Unit shall:

- a) second liaison officers to its Liaison Bureau at headquarters,
- b) provide headquarters with strategic and operational information and intelligence of use to Europol in fulfilling its tasks,
- c) evaluate and analyse information and intelligence received from headquarters and pass it on to the services,
- d) draw up requests from the services for information, intelligence, analyses and advice, and forward them to headquarters,
- e) ensure that information supplied by the services is input into the Europol Information System and kept up to date,

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<sup>1</sup> Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office, OJ C 316, 1995.



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- f) submit to headquarters requests from the services for operational analyses to support the work of joint investigation teams,
- g) Perform the tasks of a professional unit in the field of international cooperation in areas under Europol's remit, while ensuring that in doing so there is no breach of Slovak law, the rules governing the remit and operations of Europol or established international practice.

### Article 4

#### Liaison Bureau

In its relations with Europol the Slovak Republic shall be represented by its Liaison Bureau, whose operations shall be managed and overseen by the Director of the National Unit.

### Article 5

#### Liaison officers

The Unit shall second liaison officers to the Liaison Bureau; their tasks shall in particular include:

- a) coordinating information exchanges between the services, the Unit and Europol,
- b) supporting exchanges of experience between liaison officers seconded to Europol by individual Member States,
- c) coordinating working meetings between the specialist teams of the services and of foreign partners and arranging for police officers to attend training courses, seminars and conferences organised by headquarters,
- d) Analysing guidance material designed to assist the work of the various specialised units and ensuring it is applied as appropriate.

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## Article 6

### Selection and secondment of liaison officers

(1) As a rule, liaison officers shall be seconded from their posts at the Unit to the Liaison Bureau for a period of three years. Liaison officers shall be appointed to their posts by the Minister of the Interior of the Slovak Republic in accordance with specific regulations<sup>1</sup>, acting on a proposal from the Chief of Police. The Minister of the Interior of the Slovak Republic may also agree to a request from the Chief of Police to extend the length of the secondment by a maximum of one year. No specific provisions of the specific regulations shall refer to the selection and training of liaison officers<sup>2</sup>. Once the secondment period has expired, liaison officers shall return to a post at the Unit.

(2) If a liaison officer cannot be seconded to the Liaison Bureau in accordance with paragraph 1 for operational reasons, the selection, training and secondment process shall take place in accordance with specific regulations<sup>4</sup>.

(3) A police officer appointed as a liaison officer shall be assigned active reserve status in accordance with specific regulations<sup>3</sup>.

## Article 7

### Information exchange

Information exchange between the services and Europol shall chiefly take the form of:

- a) searching Europol databases or obtaining information from specific Member States,
- b) inputting data into the Europol Information System or a Europol analysis work file,
- c) Supplying information for a specially designated service at Europol.

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<sup>1</sup> Article 77a(2) of Act No 171/1993 Coll. of the National Council of the Slovak Republic on the Police Force, as amended by Act No 490/2001 Coll.

<sup>2</sup> Articles 6, 7 and 11 of Decree No 55/2003 of the Minister of the Interior of the Slovak Republic on police attachés and police liaison officers, as amended by Decree No 87/2004 of the Minister of the Interior of the Slovak Republic.

<sup>3</sup> Article 41(1)(a) of Act No 73/1998 Coll. on the civil service of members of the Police Force, the Slovak Information Service, the Court Guards and Prison Wardens Corps of the Slovak Republic and the Railway Police, as amended.

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## Article 8

### Request for information

(1) Any request for information submitted by a service to the Unit must be in writing. The request shall contain:

- a) a reasoned explanation as to the purpose of the request,
- b) a brief outline of the crime,
- c) the nature of the charge relating to the crime,
- d) particulars identifying the person or object,
- e) the requesting party's name and contact number, and
- f) Identification material, where available.

(2) Specimens and requirements for requests are contained in Annexes 1, 3 and 4.

(3) Should the reason for submitting the request no longer apply, the service shall notify the Unit to that effect without delay.

(4) Should the subject of the request fall outside Europol's remit, the Unit shall return the request to the service or pass the matter on for handling by another, competent service at the International Police Cooperation Bureau at Police Headquarters, and shall notify the requesting party to that effect without delay.

(5) If the matter cannot be deferred, or if a delay could prove dangerous, the service may contact the Liaison Bureau directly, and shall notify the Unit to that effect without delay.

## Article 9

### Europol Information System

The Europol Information System is a computer information system established by Europol, into which liaison officers input data on behalf of their respective Member States. The content of the system is governed by specific regulations <sup>1</sup>.

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<sup>1</sup> Article 8 of the Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office, OJ C 316, 1995.

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## Article 10

### Analysis work files

(1) Analysis work files are the sole means of processing, storing and analysing personal data at Europol<sup>1</sup>. They have been established by Europol in order to perform defined analyses involving the collection, processing or utilisation of data with a view to assisting in preventing, thwarting, exposing and documenting criminal acts and detecting the perpetrators, and in investigating crimes.

(2) Work files for analysis purposes are opened on the initiative of Europol or at the request of the Member State supplying the data, in accordance with specific regulations<sup>2</sup>.

(3) A service may become involved in work on an existing Europol analysis file further to a written request forwarded by it to the Head of the Unit and following the subsequent agreement of the participating Member States of Europol.

## Article 11

### Information provision

(1) In response to a written request from Europol or on its own initiative a service shall supply the information required for Europol to perform its tasks<sup>3</sup>. The service supplying the information shall remain the owner thereof, and the handling of the information shall be governed by Slovak law.

(2) In addition to supplying the information, the service shall state:

- a) the trustworthiness of the information source,
- b) the reliability of the information,
- c) the purpose for which it has been provided,
- d) Restrictions on its use (handling codes).

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<sup>1</sup> Article 10(1) of the Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office, OJ C 316, 1995.

<sup>2</sup> Council Act adopting rules applicable to Europol analysis files, OJ C 26, 1999, p. 1.

<sup>3</sup> Article 10(3) of the Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office, OJ C 316, 1995.

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## Article 12

### Trustworthiness of the source and reliability of the information

(1) The trustworthiness of the source of the information shall be marked as follows:

- a) with the letter A, where there is no doubt as to the source's trustworthiness, or where the information has been supplied by a source who, in the past, has proved to be reliable in all instances,
- b) with the letter B for a source from whom information received has in most instances proved to be reliable,
- c) with the letter C for a source from whom information received has in most instances proved to be unreliable,
- d) With the letter D, where the source's trustworthiness cannot be assessed.

(2) The reliability of the information shall be marked:

- a) with the number 1 for information whose accuracy is not in doubt,
- b) with the number 2 for information known personally to the source but not to the police officer passing it on,
- c) with the number 3 for information not known personally to the source but corroborated by other information already recorded,
- d) With the number 4 for information which is not known personally to the source and cannot be corroborated.

(3) The trustworthiness of the source of the information and the reliability of the information shall be marked using a 4x4 system (e.g. A1, B2).<sup>1</sup>

(4) If the information supplied to Europol is revised or deleted, or if there is reason to consider the information to be inaccurate or no longer up to date, the service shall notify the Unit to that effect without delay; the Unit shall then notify Europol of the same forthwith.

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<sup>1</sup> Act No 215/2004 Coll. on the protection of classified information and amending certain acts.

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## Article 13

### Handling codes

Handling codes are an indispensable addition to the evaluation criteria. A service shall use a code to indicate how the supplied information may be handled and the persons entitled to gain access to that information. A code shall serve as a guarantee that the supplied information will be used in accordance with the owner's wishes. The codes are set out in Annex 2.

## Article 14

### Classification levels

(1) Should the service supplying information to Europol decide that additional security measures are required for handling the information, it shall at the same time determine the appropriate classification level in accordance with specific regulations<sup>1</sup>. Before forwarding the information to the Liaison Office, the Unit shall assign to it a Europol classification level corresponding to the levels for classified information under the specific regulations.<sup>1</sup>

(2) The Europol classification levels for classified information are:

- a) "Europol RESTRICTED", for information and material the unauthorised disclosure of which could be disadvantageous to the interests of Europol or of one or more Member States,
- b) "Europol CONFIDENTIAL", for information and material the unauthorised disclosure of which could harm the essential interests of Europol or of one or more Member States,
- c) "Europol SECRET", for information and material the unauthorised disclosure of which could seriously harm the essential interests of Europol or of one or more Member States,
- d) "Europol TOP SECRET", for information and material the unauthorised disclosure of which could cause exceptionally grave prejudice to the essential interests of Europol or of one or more Member States.

(3) The service may ask for a classification level to be annulled, amended or updated at any time.

(4) The service may further specify the period of validity of a given classification level, together with any changes to that level once the period has expired.

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(5) Should the service or Europol, on the basis of information already in its possession, see the need to annul, amend or update the assigned classification level, it shall attempt, through the Unit, to reach an agreement on the appropriate classification level. No one shall be entitled to assign, annul, amend or update a classification level unless such an agreement exists.

## Article 15

### Personal data

(1) Personal data may be used solely for the purpose for which they have been supplied. Having received the personal data, the service shall immediately determine whether and to what extent they are required for the purpose for which they were provided.

(2) The service shall comply with the terms and conditions lay down by Europol or a Europol Member State governing the use of the personal data supplied.

(3) The need for continued storage of personal data included in an analysis work file shall be reviewed annually.

(4) If, when checking or processing personal data, the Unit or the service discovers that the data it has received are no longer required for the purpose for which they were supplied, it shall delete them immediately. The data shall also be deleted if the Unit or the service discovers that they are inaccurate, incorrect or no longer up to date, or that they ought not to have been supplied.

(5) Personal data may not be stored for more than three years from the date on which they were obtained. This time limit shall begin to run afresh on the date on which a new event leading to the storage of data occurs<sup>1</sup>.

(6) Personal data revealing racial or ethnic origin, political opinions, religious or other beliefs, membership of political parties or political movements, trade union affiliation and data concerning health or sexual life shall be supplied solely to supplement the other data if absolutely necessary in view of the nature of the crime.

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<sup>1</sup> Article 7 of the Council Act adopting rules applicable to Europol analysis files, OJ C 26, 1999, p. 1.

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Article 16

Entry into force

This regulation shall enter into force on 1 February 2005.

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





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ANNEX B

Annex 1 to Regulation No 5 /2005 of the Minister of the Interior of the Slovak Republic

		<b>Europol National Unit</b>														
<b>Information exchange with Europol</b>																
N°											InfoEx n°					
ENU n°											AWF					
Request - Reply from				(police service)												
Recipient	AT	BE	DE	DK	ES	FI	FR	GB	GR	IE	IT	LU	NL	PT	SE	
																
	CY	CZ	EE	HU	LT	LV	MT	PL	SI	EU						
																
Subject																
Created on (date)						Dispatched on (date)						To be dealt with by (date)				

Evaluation code								Handling code														
A	B	C	D	1	2	3	4	H-1	H-2	A	B	C	D	E	F	G	H	I	J	K	L	M
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	H-3:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The text of the request appears here

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Annex 2 to Regulation No /2005 of the Minister of the Interior of the Slovak Republic

<b>Handling codes</b>	
<i>Additional restrictions/authorisations (optional):</i>	
<input type="checkbox"/>	<b>H-1</b> In order to use this information as evidence in legal proceedings, the provider must be consulted.
<input type="checkbox"/>	<b>H-2</b> Before this information is used or disseminated, the provider must be consulted.
<input type="checkbox"/>	<b>H-3</b> <i>Reason for transmitting the information:</i> a) inclusion in an analysis work file, b) input into the Europol Information System, c) in response to a request from (name), d) other reason:  <i>The following additional authorisations shall apply:</i> a) the information may be divulged to any third country or third party which has concluded a cooperation agreement with Europol, b) the information may be divulged to I.C.P.O. Interpol, c) other authorisation:  <i>The following additional restrictions shall apply:</i> a) the provider must be notified after the information has been used, b) the information may not be divulged to a country outside the European Union, c) the information may not be divulged to international organisations, d) the information may not be divulged to or used by a specific country (name), e) the information may not be divulged to a third country or third party without the prior consultation and consent of the provider, m) other restriction:

## Key:

Code H1 denotes restrictions on the use of the information as evidence in court proceedings.

Code H2 is applied where the owner of the information asks to be consulted before the information is used or divulged to a third party.

Code H3 is applied where it is necessary to set further possible restrictions, authorisations or purposes for which the information must be supplied.

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Annex 3 to Regulation No /2005 of the Minister of the Interior of the Slovak Republic

## I. CRIME: FORGING AND FALSIFYING MONEY

**WARNING, ALERT:** e.g. FIREARMS, ARREST WARRANT

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## II. INFORMATION FOR PROCESSING

Member State	Submitted by (name of service)	Telephone/Fax/ e-mail	File n°

\* to be filled in by the ENU

Investigating party (name)	Location	Telephone/Fax/ e-mail	File n°

## III. EVALUATION (see table of codes)

Evaluation code				Handling code																		
A	B	C	D	1	2	3	4	H-1	H-2	A	B	C	D	E	F	G	H	I	J	K	L	M
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	H-3:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## IV. DESCRIPTION OF THE CRIME

<b>Date (from/to)</b>	
<b>Modus operandi</b> <b>(details of the means used to prepare and commit the crime)</b>	

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## V. PERSON(S)

Surname	Forename(s)	Date/place of birth	M/F	Nationality	Status (e.g. suspect)

### Other identity

Surname	Forename(s)	Date/place of birth	Type (e.g. alias/nickname)	Used by

## VI. CURRENCY

Banknote(s)		Coin(s)	
Nominal value		Nominal value	
Number of notes		Number of coins	
Symbol		Symbol	
International symbol		International symbol	
Serial number(s)		National emblem	
Block number(s)		Mint mark	
Plate number			
Serial/Code letter			
Year of issue		Year of issue	
FRB		Edge – description	

# RESTREINT UE

Means of duplication		Mint classification	
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## VII. PLACE OF PRESENTATION

Type	Place (full address)	Circumstances

## VIII. METHODS, MEANS AND MATERIALS

### *\* Method/means of transport*

Type	Manufacturer	Model	Registration number	User	Owner

### *\* Means of communication*

Type (e.g. phone/fax/e-mail)	Number	User	Owner

### *\* Devices/equipment (e.g. camera, scanner, printer)*

Type	Serial number/production number	Manufacturer	Owner

### *\* Material (e.g. paper, ink, etc.)*

Type	Features	Manufacturer	Owner

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## IX. DOCUMENT(S)

Passport/ID card/number	Status (e.g. forged)	Holder	Used by

## X. ORGANISATION(S)

Name	Type of organisation/Legal form	Registered in

## XI. OTHER INFORMATION

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Annex 4 to Regulation No /2005 of the Minister of the Interior of the Slovak Republic

## Background check request form

	Person 1	Person 2	Person 3	Person 4
Surname				
Forename(s)				
Date of birth				
Place of birth				
Nationality				
Address				
Town/City				
Country				
Telephone number				
Alias				
Previous convictions				
Vehicle registration plate				
Other information, attached identification material				

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ANNEX C

## INFORMATION SYSTEMS OF THE SLOVAK POLICE FORCE

Abbreviation	System / Database	Description
DVS/LEA	Investigation files journal / + Multilateral exchange of documents	Journal of investigation files - automated information system used at Investigation Bureaus for registration of investigation files, movement of documents, records of procedural activities and names of investigating officers, experts and persons connected with criminal cases
WPOLDAT	Criminal police information system	Central automated system used for recording manually collected criminal police data (OTE) forwarded from district and regional police headquarters
OTE	Criminal police data	Manual system - records of perpetrators' criminal history, modi operandi and crimes. Records in the system can be processed manually or automatically. This system will not be used since 01/01/2007 and the data will be migrated into the WPOLDAT.
UDALOST'	subsystem of WPOLDAT	Automated database of persons and events noted by the police. The case development can be traced in ZOP.
EŠSK	Crime statistics register	Automated crime statistics database, designed to assemble reports on suspected crime, crime data and known offenders identified or reported by investigations and police bodies. Systematic collecting of data on the basis of crime statistics forms.
ZOP	Persons of interest to the police - subjects of criminal investigation (investigation launched)	Persons of interest to the police; automated system for compiling data and providing information on offenders involved in crimes under investigation by the police or stored by police bodies. It also collects data on perpetrators of non-criminal offences when submitted. The main source of data are EŠSK forms (crime form, known offender form, data change form).



## RESTREINT UE

Abbreviation	System / Database	Description
<b>ŠEDN</b>	Traffic accidents statistics register	An automated system for compiling important statistics and data on traffic accidents known to the Slovak police in district or regional HQ areas
<b>DMDN</b>	Traffic accident scenes register	Information system used for documentation of traffic accident scenes. It consists of two applications, PC Draw and PC Rect
<b>FALZO</b>	Counterfeit money register	Record of appearance of forgeries. An automated database of reports on forged and falsified money, information on inquiries into cases of forgery and falsification, data modification, search and analysis, comparison and printing
<b>PATRMV</b>	Wanted vehicles register	Fully automated nationwide database used for registration of data on vehicles and other means of transport sought by the police (including searches initiated by other countries)
<b>ASF-MV</b>	International database of stolen vehicles	International database of stolen vehicles, managed by the Interpol General Secretariat
<b>CEZVO</b>	Central register of secured, released, seized and recovered vehicles	Secured, seized and recovered motor vehicles are recorded in this database
<b>PATROS</b>	Wanted persons register	Fully automated national database for recording data on persons wanted by the police (including searches initiated by other countries)
<b>CEONUD</b>	Central register of stolen or recovered works of art and antiques	National register of works of art and antiques stolen or recovered on the territory of the Slovak Republic

# RESTREINT UE

Abbreviation	System / Database	Description
<b>AUDIP</b>	Automatic search package distribution	System for automatic search package distribution
<b>POLYGON</b>	Criminal intelligence system	Automated information system for collecting, compiling, classifying, comparing and evaluating information, searching for connections between cases, persons and events, and information feedback from users. Particularly concerns relevant information on the most serious forms of crime, particularly organised crime, and the perpetrators thereof.
<b>PHANTOMAS</b>		Information system for recording data on the biometric identification of persons
<b>POLSIT</b>	Identikits of individuals	Information system used for recording identikits of individuals
<b>AFIS</b>	Automated fingerprint identification system	Automated system for fingerprint, palm print and footprint identification.
<b>EURODAC</b>	System for processing fingerprints of applicants for asylum in the EU	System for comparing the fingerprints of asylum seekers, persons detained in connection with unlawful entry into the territory of Slovakia and persons illegally resident in Slovakia.
<b>INO</b>	Information system "Register of undesirable persons"	Information system which contains data of aliens who will not be allowed to enter the Slovak Republic because they have been expelled or sentenced to be expelled, or for other legal based reasons.

## RESTREINT UE

Abbreviation	System / Database	Description
<b>IBO</b>	Information system “Register of alerts on persons, vehicles and objects”	Information system containing measures which should be taken in case the subject of the alert appears at the border
<b>BORIS</b>	Information system of cross-border movement of persons and motor vehicles	Screening and monitoring movements of persons and vehicles from third countries over border crossings. Record of cross-border movements of foreign nationals (who hold Slovak visas)
<b>IS FP</b>	Financial Police information system	Automated system based on full-text records and processing of documents
<b>IS ÚIS P PZ</b>	Information system of the Police Force Internal Affairs Office	Automated system for recording of reports and information on crimes committed by police officers, file registration, processing of statistical summaries, automatic analysis and securing information flow in real time

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# RESTREINT UE

<b>Information systems of administration offices</b>	
<b>IS REGOB</b>	Central register of residents
<b>IS JIS</b>	Former register of residents' addresses
<b>IS ECU</b>	Register of aliens with residence permit
<b>IS EZP</b>	Central register of weapons, firearms licenses and owners of weapons
<b>IS DSA</b>	District registers of driver's licenses and passports
<b>CEMVO</b>	Central register of motor vehicles
<b>Vehicle registration</b>	District register of motor vehicles
<b>IS SBS</b>	Private security services register
<b>IS EVOPOL</b>	Register of municipal police

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ANNEX D

## PROGRAMME OF VISITS

### Tuesday 12 September

- 09.00-10.45 Presidium of the Police Force: Organised Crime Bureau; THB, Sexual Exploitation and Victim Support Dept, Counter Terrorism Unit, Financial Intelligence Unit, National Anti-Drug Unit,
- 11.00-11.45 Information Systems POLYGON, AKC
- 12.00-13.00 Criminal Police and Investigation Bureau (CPIB); General Crime Department, Economic Crime Department, Wanted and Missing Persons, Targeted Search, Registers Dept
- 13.00-15.00 Lunch
- 15.00-17.00 Highway Border Crossing Point: Border and Aliens Police Bureau, National Unit for Combating Illegal Immigration, Common Contact Point
- 17.00-17.30 Transfer to the Hotel Danube
- 18.30-19.30 Sightseeing tour through the historical city centre
- 19.30-22.00 Dinner hosted by the President of the Police Force

### Wednesday 13 September

- 09.00-11.00 Presidium of the police Force, International Police Cooperation Bureau (IPCB); Europol National Unit, National Central Bureau of Interpol, NSIS Unit, SIRENE Office, Police Liaison Officers and Police Peacekeeping Missions Unit, International Police Cooperation Unit
- 11.20-12.00 Information Technologies and Telecommunication Office of the MOI
- 12.10-13.00 Slovak Intelligence Service
- 13.00-15.15 Lunch on the road to Trnava
- 15.15-15.50 Regional Police Headquarters Trnava, field Office West, Case Studies
- 17.00-18.00 Departure to Bratislava

### Thursday 14 September

- 9.00-10.00 General Prosecutor's Office
- 10.00-10.30 Transfer to the Ministry of Defence
- 10.30-11.30 Military Intelligence Service (MIS), Military Defence Intelligence (MDI)
- 11.30-12.00 Transfer to the Customs Criminal Office
- 12.00-13.00 Customs Criminal Office
- 13.00-14.30 Lunch and transportation to the airport
-

# RESTREINT UE

ANNEX E

## LIST OF PERSONS MET

### POLICE FORCE

#### **PRESIDIUM OF THE POLICE FORCE**

Mr. PACKA Ján - President of the Police Force

Mr. KOPČIK Michal - 1<sup>st</sup> Vice-president of the Police Force

Mrs. TALAPKOVÁ Daniela - Consultant of the 1<sup>st</sup> vice-president, the Slovak MDG delegate

#### **Organised Crime Bureau**

Mr. VALO Ján - Director

Mr. KAMENÁR Karol - Deputy Director

Mr. KAŇUK Ivan – Deputy Head of the THB, Sexual Exploitation and Victim Support Dpt.

Mrs. MATUŠKOVIČOVÁ Martina - Sexual Exploitation and Victim Support Dpt.

Mr. KUBÍK Martin - Head of the Counter Terrorism Unit

Mr. GREGUŠ Jozef - Head of the Financial Intelligence Unit

Mr. PECKO Ján - Head of the National Anti-Drug Unit

Mr. KOLNÍK Ivan - Director of the Field Office West

Mr. FILO Stanislav - AKC Project Leader

#### **Criminal Police and Investigation Bureau**

Mr. JANÍČEK Milan - Director

Mrs. JAĎUĐOVÁ Tatiana - Head of the Strategic Analyses and Planning Dpt.

Mr. BOUDA Stanislav - Head of the Intelligence Unit (Strategic Analyses and Planning Dpt.)

Mr. ŠUSTEK Pavol - Head of the General Crime Department

Mr. BLAŠKO Pavol - Head of the Economic Crime Department

Mr. MATIAŠKO Juraj - Head of the Wanted and Missing Persons, Targeted Search, Registers Dpt

Mr. ÓVARI Csaba - Wanted and Missing Persons, Targeted Search, Registers Dpt.

Mr. ORAVSKÝ Martin - Economic Crime Dpt.

#### **Border and Aliens Police Bureau**

Mr. ZÁBORSKÝ Miroslav - Deputy Director

Mr. SCHLOSSER Imrich - Head of the National Unit Combating Illegal Immigration

Mr. HROBÁR Michal - Head of the Regional Headquarters of the Border and Aliens Police Bratislava

#### **Police Information Systems Department**

Mr. BEREŠ Jozef – Head of Dpt.

#### **International Police Co-operation Bureau**

Mr. SLOPOVSKÝ Pavel - Director

Mr. PAŽICKÝ Ľuboš – Deputy Director and Head of the ENU

Mrs. BOUDO VÁ Eva – ENU Bratislava

Mrs. LÍŠKOVÁ Zuzana - ENU Bratislava

Mr. SÁSIK Rastislav - Head of the Organised Crime Unit, N.C.B. of Interpol

Mrs. KOLÁRIKOVÁ Adriana - Head of the Legal Assistance and Extraditions Unit, N.C.B. of Interpol

Mr. BÍŽ Ján – Head of the Police Liaison Officers and Police Peace-keeping Missions Unit

Mr. ONDRUŠKO Peter - International Police Co-operation Unit

Mrs. TURÁKOVÁ Veronika - SIRENE Office

# RESTREINT UE

## **REGIONAL POLICE HEADQUARTERS TRNAVA**

Mr. MIZERÍK Ján - 1<sup>st</sup> Deputy Director

Mr. MÜLLER Peter - Deputy Director

## **MINISTRY OF INTERIOR**

Mr. WÁGNER Ľubomír - Head of Unit for Development and Management of the S.I.S. and International Police Co-operation, Information Technology and Communication Office

Mrs. VOZÁRYOVÁ Miroslava - Head of International Agreements Dpt., Legal Affairs and External Relations

## **SLOVAK INTELLIGENCE SERVICE**

Mr. SLOVÁK Dušan - Deputy Head of the Counter-Espionage Dpt.

Mr. BAKITA Juraj - Head of the Central Analyses Security Dpt.

Mr. HYNEK Michal - Deputy Head of the International Affairs Dpt.

## **MINISTRY OF DEFENCE**

### **Military Intelligence Service**

Mr. TARABČÁK Ľubomír - Deputy Director

Mr. TIBENSKÝ Róbert - Director of the Internal Security Unit

### **Military Defence Intelligence**

Mr. BALCIAR Ján - representative of the Military Defence Intelligence

## **GENERAL PROSECUTOR'S OFFICE**

Mr. ČENTĚŠ Jozef - Deputy Director of the Penal Department

Mrs. KOVÁČOVÁ Alica - Deputy Director of the International Department

## **CUSTOMS CRIMINAL OFFICE**

Mr. TAKÁČ Pavol - Head of the Drug and Dangerous Substances Department

Mrs. MPANDOU-LOKO Jana, Drug Unit

Mr. ČURILLA Ondrej

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ANNEX F

## LIST OF ABBREVIATIONS/GLOSSARY OF TERMS

ACRONYM ABBREVIATION TERM	ENGLISH TRANSLATION OR EXPLANATION
AKC	Analytical Co-ordination Centre
AWF	Analysis Work File
BORIS	Records of cross-border movement of persons and motor vehicles
CCO	Customs Criminal Office
CDO	Register for travelling documents issued in Slovak Republic
DVS	Investigation files journal
ECU2	Database for aliens granted to stay in Slovakia
EIS	Europol Information System
ELO	Europol Liaison Officer
ENU	Europol National Unit
ESW	Egmont Secure Web
FADO	Register of sample of authentic and counterfeit travel documents
FIU	Financial Intelligence Unit
INO	Register of undesirable persons
LEA	Law Enforcement Agencies
NCB	National Central Bureau of Interpol
NPPO	Public Prosecutor's Office
PATROS	Wanted persons register
POLYGON	Information System
PWGT	Police Working Group on Terrorism



# RESTREINT UE

ACRONYM ABBREVIATION TERM	ENGLISH TRANSLATION OR EXPLANATION
REGOB	Central register of residents
SIS	Slovak Information Service
UDALOST	Project police application for events journal
VPN	Virtual Private Network

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