



Brussels, 25 January 2018
(OR. en)

6649/01
DCL 1

MI 31

DECLASSIFICATION

of document: ST6649/01 RESTREINT UE/EU RESTRICTED

dated: 6 March 2001

new status: Public

Subject: Meeting of liaison officers of Member States of the European Union in
Moscow on 23 February 2001

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**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 march 2001

6649/01

RESTREINT

**CRIMORG 24
NIS 13**

REPORT

From : Presidency and the General Secretariat
To : Multidisciplinary Group on Organised Crime (MDG)

No. prev. doc. : 5406/01 ENFOPOL 6 + COR 1

Subject : Meeting of liaison officers of Member States of the European Union in Moscow on 23 February 2001

In presence of representatives of the Commission/the Council Secretariat and Europol, liaison officers of Member States of the European Union met on 23 February 2001 in Moscow. The meeting was chaired by Mr Ekberg and Kjaersgaard (Swedish Presidency).

The list of participants is in Annex I whereas the adopted agenda and the conclusions are in Annex II and III. The conclusions of the meeting with an introductory note of the Presidency are also in a separate document that the Swedish Presidency intends to present to senior bodies dealing with Russia related organised crime (cfr doc. 6667/01 CRIMORG 25 NIS 14).

I. Opening of the meeting and adoption of the agenda

A. 1. In opening the meeting, the Swedish chair reminded that similar meetings of liaison officers of Member States based in Moscow in presence of the Commission/Council Secretariat/Europol have been held in Moscow (January 1998), Vienna (September 1998), Moscow (June 1999), Helsinki (December 1999). A meeting of a more informal nature was held under the French Presidency in autumn 2000 in Moscow. Liaison officers of Member States of the European Union are meetings on a regular informal basis in Moscow.

2. The role of the liaison officers in Russia is referred to in B II, ii on page of 13 of the European Union Action Plan on common action for the Russian Federation in combating organised crime (doc. 12381/4/99 CRIMORG 154 NIS 107 REV 4) that was endorsed by both sides in May 2000. Moreover, in the common strategy of the European Union on Russia (doc. 7073/1/99 REV 1) on page 10 under 4 c) the need for intensification of cooperation of the EU-liaison officers of the Member States in Moscow in respect of national law has been stressed.

On a more general basis, the Presidency noted the existence of the Joint Action on liaison officers (cfr OJ L 268 19.10.1996 p. 2). The Swedish Presidency has presented suggestions aimed at enhancing cooperation between Member States as regards liaison officers (cfr doc. 5406/01 ENFOPOL 6 + COR 1). The Presidency highlighted as an example cooperation between liaison officers of Nordic Union countries.

3. The Presidency said that the objective of the meeting was
- to support daily work of EU-liaison-officers in Russia;
 - to increase awareness in Moscow of the EU activity in field of organised crime notably as regards Russia and to improve communication between practitioners in Moscow and decision-makers in Brussels.

B. The meeting adopted the agenda set out in Annex II to this note.

II. Follow-up of latest meetings

The Presidency noted that most points agreed at in previous meetings had been implemented. The liaison officers are now meeting on a regular basis in Moscow. Attention was drawn to the fact that a few of the conclusions of the meetings of September 1999 in Vienna had not yet been implemented (cfr. doc. 11710/1/98 REV 1, p.3) referring to

- establishment of a programme of exchange training sessions;
- involvement of liaison officers in drawing up TACIS finance programs in the field of organised crime.

The Presidency questioned the value of keeping these two points for future implementation.

III. New crime tendencies between EU-Russia

A. The Presidency emphasized the early warning role of liaison-officers in signalling new forms of organised crime to EU decision-making bodies. The ongoing work with the changed format of the annual organised crime report was in this context noted. The representative of Europol, while referring to the project on East-European organised crime of his organisation, said that 80 organised crime groups are active in the European Union Member States.

B. In the ensuing discussion liaison-officers drew the attention to the following forms of organised crime:

- child pornography (German delegation);
- illegal immigration (Belgian delegation);

In 2000, 3.600 persons have illegally entered Belgium from Russia. At least 14 organisations are active in this field. Russia is a transit country for immigrants from Central Asia and Sri Lanka. Last year 2000 persons from Kazakhstan arrived in Belgium. Often legal documents are destroyed after arrival. The Finnish delegation informed the meeting that last year 185.000 visas had been issued in Petersburg. Multiple identity is a major problem. Some persons asking for a visa are in possession of eight official and legal identity documents.;

- trafficking of human beings (Netherlands delegation). The Presidency pointed at the considerable size of trafficking of human beings as well as to the ongoing discussions in the JHA Council. The Netherlands delegation insisted on the need for prevention and information. A major problem is the lack of sanctions in the Russian penal code (German delegation). It was particularly noted that trafficking as such is not a crime in Russia. The liaison officers requested that this be particularly brought up on a political level between EU and Russia.
- trafficking in diamonds/money-laundering (Belgian delegation);
- IT Crimes (Presidency);
- trafficking in organs and hormones (Europol). The German delegation felt that trafficking in organs for the moment seems difficult for technical reasons;
- white heroin (Finnish delegation);

- product piracy (counterfeiting). The Swedish delegation noted that as much as 80% of cellular telephones in Russia could be counterfeited. The quality of counterfeited compact discs is very high. It was noted that Russian tax authorities could have an interest in fighting counterfeiting.

C. The creation of an EU financial facility for covering operational costs, in particular when carrying out or planning joint investigations, involving Russian counterparts was recommended. It was pointed out by a number of delegations that TACIS procedures are too cumbersome.

IV. Specific items to be discussed jointly with Russian counterparts.

Conclusions of the meeting on this point are found in Annex III under the point "Draft agenda for the meeting of EU liaison officers and their Russian counterparts in the EU as well as officials from Russian law enforcement bodies, 27 April 2001, Moscow".

The Netherlands delegation highlighted that for statistical reasons cases are sometimes transferred or even traded between Russian authorities. More transparency is needed on internal rules and regulations of concerned Russian agencies.

The Finnish delegation said that cooperation with authorities in Petersburg was efficient and smooth and apparently better than with Moscow based ones. As regards money-laundering the French delegation noticed substantive recent improvement of cooperation of Russian counterparts.

V. Stolen vehicles

The Presidency, based on its recent experience as chairman of the Baltic Sea Task Force on Organised Crime, informed the meeting on ongoing work of the Task Force as regards stolen vehicles. Russia and Norway are the forerunner countries for this field of cooperation. Main results of joint operations have been in the field of intelligence and locating stolen vehicles, less in the actual return of the stolen vehicles. The cooperation has also been fruitful in the Kaliningrad region.

Information was furthermore provided concerning the report on the return of stolen vehicles and the question of acquisition in good faith of stolen vehicles drawn up by the Task-Force. The report concludes that acquisition in good faith is not a formal and legal obstacle in the Baltic Sea region as regards the actual return of stolen vehicles except in very few cases. It was particularly pointed out in the report that a majority of the Baltic sea countries found Russia to be a country from which it is particularly difficult to have stolen vehicles returned.

The Danish Presidency of the Baltic Sea Task Force informed of the creation of a "Task Force Stolen Vehicle Return Team" (SVRT), based on the results of the early mentioned report and decisions taken by the Task Force in November 2000. Some liaison officers (Belgium, Germany and Netherlands) said that for them stolen vehicles are not a main concern in their daily work as liaison officers. The Swedish Presidency replied that stolen vehicles was a special item at the recent meeting of the PCA subcommittee in October 2000 during which Russia had agreed on pursuing joint measures with EU based on the experience gained in the Task Force. Appropriate connection between work of Baltic Sea Task Force and the Multidisciplinary Group has to be made.

The representative of the Commission wondered whether it was appropriate at this moment to press for changes in Russian legislation in the same way as regards money-laundering and trafficking of women.

Based on proposals from the Swedish Presidency the liaison officers agreed that the following points could be part of future discussions between EU and Russia:

- A more comprehensive approach should be applied in the fight against stolen vehicles between EU and Russia.
- The work so far carried out in the Baltic Sea Task-Force could be used also in the EU framework. For this a suitable co-operation mechanism needs to be established.
- An EU-Russia control operation could be implemented as a first step of concrete and operative co-operation. The main purpose of such an operation is to gather experience for future operative work as well as disturbing/confusing some of the traffickers. The Task-Force intelligence operation Caarina should be taken into account when planning the operation. It is suggested that there would be two forerunner countries for the operation; Russia and one MS.
- An EU report on the return of stolen vehicles, building on the Task-Force report, could be completed by the EU Member States.
- EU Member States could, to the extent possible, be invited to participate in the Task-Force Stolen Vehicle Return Team (SVRT) and its sub teams.

VI. Inventory of EU-Networks in which Russia might wish to participate.

It was agreed that in view of the recent discussion of the Article 36 Committee on this matter as regards accession candidates pursuit of examination of this matter is not a priority.

VII. Inventory of existing EU-Russia law enforcement contact points.

No need was felt to clarify the situation.

VIII. Follow-up of operations Goldfinger and Raid as examples of best practices (Finland)

The Finnish delegation presented operations Goldfinger (money-laundering) and Raid (double invoicing).

- A. Operation Goldfinger was conducted in the framework of the Baltic Sea Task Force. The operation, carried out between 1 November 1999 and 31 January 2000, has as an objective to collect data on cash transports between Task Force countries exceeding a value of 10.000 US\$. An other objective was to initiate criminal investigations and enhance overall cooperation in money laundering cases within the Baltic Sea region.

The successful operation has led to change in Russian legislation. A similar operation at EU-level has been conducted (Moneypenny).

- B. Operation Raid

The objective of the operation, conducted on the basis of a protocol on the cooperation between administrative authorities in the field of customs and in the framework of the PCA is to obtain detailed information on the scope and character of the phenomenon called double-invoicing. The operation will be carried through during two five-day exercise stages (30 November-4 December 2000) and January/February 2001. The liaison officers may have a supporting task.

IX. Establishment of a long-term structure and agenda for future liaison officers meetings.

- A. Moscow-based liaison officers said that they strongly recommend to hold meetings in Moscow. In view of their workload and nature of activities (operational) they did not consider the EU dimension as an added value to their activities and a potential for enhanced effectiveness. No strong advice could be given to EU decision-makers on filling so-called gaps.

- B. After a discussion on how best to proceed with these type of meetings and making sure not putting any unjustified extra work-load on the EU liaison officers the meeting agreed that meetings of EU liaison officers, in an EU context, should be held every six months. Meetings with Russian counterparts should be held at least once a year. The EU liaison officers expressed that these meetings should preferably be held only in Moscow. It should be the responsibility of the EU Presidency to arrange and convene the meetings. If a future EU Presidency does not have a liaison officer stationed in Russia suitable arrangements for this need to be found.

In order to ensure that the meetings are useful, in particular for the EU liaison officers, the agenda points should focus on operative and current issues in the daily work with Russian authorities. The agenda should always include a discussion on new crime tendencies between EU-Russia as well as information on operations and other operative measures mainly with a link to Russia.

X. Items to be forwarded to the ministerial meeting on 6 April 2001

For this point, see conclusions in Annex III under point IV.

XI. Any other business

A. The representative of the Commission informed the meeting of

1. the follow-up to the completed TACIS study on money laundering in which training and creation of Financial Intelligence Unit are key priorities.
2. Forthcoming EU/US information campaign on trafficking of women for which terms of reference have been established.

B. The Swedish Presidency informed the meeting of its work on liaison officers (cf. doc.

ENFOPOL 6 + COR 1) in the Police Cooperation Working Party and the main activities of the Customs Cooperation Working Party (notably French/Italian questionnaire on powers of customs services).

DRAFT AGENDA
Meeting of EU Liaison Officers
23 February 2001, Moscow, Russia

1. Adoption of the agenda
2. Follow-up of latest meetings. (Vienna and Helsinki)
3. Discussion on specific new crime tendencies between EU-Russia.
Expected development. Risk and threat assessment.
(Priority issues: see 11. i) point a in the Action plan)
4. Specific items to be discussed jointly with Russian counterparts.
5. Stolen vehicles (Based on discussions in PCWG, Schengen working groups as well as the Baltic Sea Task-Force)
6. Inventory of EU Networks in which Russia might wish to participate (See chapter D conc. implementation of the Action Plan)
7. Inventory of existing EU-Russia law enforcement contact points. Is there a need to clarify the situation? (Contact points: see 11 i) point c in the Action Plan)
8. Follow-up of operations Goldfinger and Raid as examples of best practices. (Forerunner: Finland)
9. Establishment of a long-term structure and agenda for future liaison officers meetings.
10. Items to be forwarded to the ministerial meeting and/or senior level meeting. (Monitoring: see chapter E in the Action Plan)
11. Any other business.

PARTICIPANTS
Meeting of EU Liaison Officers
23 February 2001, Moscow, Russia

Liaisons in Moscow

Serge HAUPPE, Belgium
Kari RANTANEN, Finland
Seppo LUTONEN, Finland
Anti NISSINEN, Finland
Jean Michel NICOLAS, France
Patrice BERGER, France
Andreas FELDMANN, Germany
Marco MESSINA, Italy
Ludo BLOCK, Netherlands
Rolf MARTINSSON, Sweden
Per THUNING, Sweden
Andrew LANGLEY, United Kingdom

Liaison in St. Petersburg

Kari ONWXJ, Finland

Participants from EU countries

Anders KJAERGAARD, Swedish Police
Christer EKBERG, Swedish Police
Ulrik ASHUVUD, Ministry of Justice, Sweden
Eva-Lotta HEDIN, Swedish Customs
Elisabeth PIHLGREN, Swedish Police
Carl-Henrik HAMRIN, EU Commission, Brussels
Mikael BOOLSEN, Danish Police
Uwe KRANZ, Europol, Haag
Gerhard JOSZT, Ministry of Interior, Austria
Johannes VOS, EU Council, Brussels
Juan A DENIS VENTOSA, Spanish Police

CONCLUSIONS**Meeting of EU Liaison Officers
23 February 2001, Moscow, Russia****Follow-up of the latest meetings**

It was noted that the EU liaison officers in Moscow are meeting on a regular basis.

Discussion on specific new crime tendencies between EU-Russia: Expected development. Risk and threat assessment.

The liaison officers pointed at the following new crime tendencies

- Child pornography
- Increase towards some MS of illegal immigration
- IT crimes
- Trafficking in hormones.
- White heroine (potential future threat)
- Product piracy (counterfeiting)

In terms of trafficking in human beings it was particularly noted that trafficking as such is not a crime in Russia. The liaison officers requested that this should be particularly brought up on a political level between EU and Russia.

It was generally felt that there is a need for the possibility of special EU funds for covering operational costs when needed to ensure Russian participation eg. in joint investigations.

Draft agenda for the meeting of EU liaison officers and their Russian counterparts in the EU as well as officials from Russian law enforcement bodies, 27 April 2001, Moscow

- Discussion on specific new crime tendencies between EU-Russia. Expected development. Risk and threat assessment.
- Specific items concerning co-operation brought up by Russia. (details to be provided by Russia before the meeting)
- Specific items concerning co-operation brought up by EU.
 - Trafficking in human beings (trafficking not a crime in Russia)
 - Problems concerning multiple identities (facilitating illegal migration)
 - Product piracy (counterfeiting)
 - Internal procedures (regulations for law enforcement authorities)
- Suggestions for improved co-operation in the field of stolen vehicles between EU and Russia.
- Information concerning the work on crime prevention in the EU.
- Future meetings. Should this type of meetings be repeated at least once a year as a part of the implementation of the Action Plan?

Stolen vehicles

Based on proposals from the Swedish Presidency the liaison officers agreed that the following points could be part of future discussions between EU and Russia:

- A more comprehensive approach should be applied in the fight against stolen vehicles between EU and Russia.

- The work so far carried out in the Baltic Sea Task-Force could be used also in the EU framework. For this a suitable co-operation mechanism needs to be established.
- An EU-Russia control operation could be implemented as a first step of concrete and operative co-operation. The main purpose of such an operation is to gather experience for future operative work as well as disturbing/confusing some of the traffickers. The Task-Force intelligence operation Caarina should be taken into account when planning the operation. It is suggested that there would be two forerunner countries for the operation; Russia and one MS.
- An EU report on the return of stolen vehicles, building on the Task-Force report, could be completed by the EU Member States.
- EU Member States could, to the extent possible, be invited to participate in the Task-Force Stolen Vehicle Return Team (SVRT) and its sub teams.

Inventory of EU Networks in which Russia might wish to participate

The liaison officers in Russia stated that they do not have any opinion on the possible extension of existing EU Networks.

Inventory of existing EU-Russia law enforcement contact points

It was concluded that there was no need for any joint EU inventory on the existing contact points with Russian authorities since all contacts are based on a bilateral approach.

Establishment of a long-term structure and agenda for future EU liaison officers meetings

It was agreed that meetings of EU liaison officers, in an EU context, should be held every six months. Meetings with Russian counterparts should be held at least once a year. The EU liaison officers expressed that these meetings should preferably be held only in Moscow. It should be the responsibility of the EU Presidency to arrange and convene the meetings. If a future EU Presidency does not have a liaison officer stationed in Russia suitable arrangements for this need to be found.

In order to ensure that the meetings are useful, in particular for the EU liaison officers, the agenda points should focus on operative and current issues in the daily work with Russian authorities. The agenda should always include a discussion on new crime tendencies between EU-Russia as well as information on operations and other operative measures mainly with a link to Russia.

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