



CUSTOMS – POLICE COOPERATION HANDBOOK



MARCH 2018



INTERPOL



WORLD CUSTOMS ORGANIZATION

CUSTOMS – POLICE COOPERATION HANDBOOK

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Abstract

Transnational criminal organizations continue to pose a threat to the global commercial and financial systems, as they continually capitalize on economic globalization and integration and on the advancements in technology, such as e-commerce, electronic currency and more efficient port processing. The activity of organized criminal groups across borders represents a threat to both national and global security with direct implications on public health, safety and economic stability.

In response to the threat posed by criminal networks, law enforcement organizations such as customs services and national police agencies (here on out referred to as “customs” and “police” are increasingly called upon to work in unison to disrupt transnational criminal activity that targets the customs and financial infrastructures. The challenge posed by organized crime across national borders mandates not only improved coordination between customs and police services, but it also a more comprehensive understanding of each other’s investigative jurisdiction, expertise, and unique abilities.

A precursor for a heightened cooperative approach between customs and police is political will, which is necessary to formalize a more cooperative and efficient working relationship. A comprehensive agreement that fully engages the assets of both organizations will foster an environment of mutual trust and respect and raise the prospect of strong and lasting cooperation. Understanding each other’s goals and objectives is a critical aspect of good cooperation and it allows organizations to better delineate common areas of intervention and joint strategies. Customs – police cooperation is ultimately about exchanging information and sharing their individual talent and assets.

Improved cooperation often results in increased efficiency and effectiveness at the operational level. It also helps prepare organizations to deal with a climate of disruption. Through joint planning, customs and police agencies can provide coordinated emergency responses and thereby better protect the nation from criminal threats. This aspect of customs – police cooperation has become more important than ever in the face of the myriad terrorist attacks occurring around the globe in recent years.

The Customs – Police Cooperation Handbook aims to foster increased cooperation between the two types of agencies at the national level. While this document highlights the need for customs – police cooperation, on the one hand, it also offers professional insight on how to strengthen the collaboration between these institutions that are so important to a country’s national security.

I. Introduction

In the present context of globalized trade, market integration, widening economic interdependence and increasing competition, public authorities are coming under growing pressure to ensure that border crossing and clearance procedures are efficient, effective and reliable.

The concept of coordinated border management was first captured during the discussions on trade facilitation. While the concept is referred to by different names depending on the organization, for the World Customs Organization (WCO), coordinated border management refers to a coordinated approach involving all those responsible for border control, both at national and international levels, aimed at facilitating the movement of goods, people and means of transport while ensuring a balance with law enforcement requirements. INTERPOL for example shares this viewpoint, calling it integrated border management. Whatever the title, it is recognized that only through constant and full cooperation among national and international law enforcement entities will the ideal level of border security be realized. This requires human, technological, and information integration. As a simple but typical example, when customs identifies contraband being carried by a passenger, it can work with police to turn the passenger into an informant, conduct a controlled delivery, and perform deep analysis of the passenger and the intended recipient, all in an attempt to uncover a larger criminal organization. Stopping action at the initial seizure destroys the opportunity to fight crime on a larger scale.

The notion of comprehensive border management, further developed by the WCO in its CBM Compendium of 2015, aims to ensure more efficient service provision at the border by reducing contradictions and repetition in the policies, goals and mandates of the various border agencies. The approach entails international cooperation between states and their respective authorities, as well as cooperation on a national level involving inter-agency cooperation, between different departments of the same government body, and inter-governmental cooperation between the different national authorities. One of the more important aspects of this latter form of cooperation is the relationship between customs and police and how they can best work together to pursue common goals.

In recent years there has been an increasing demand to enhance the cooperative efforts of customs and police, in recognition of the fact that both share common compliance and law enforcement objectives within the framework of the missions assigned to them. The WCO and INTERPOL took a leadership role on this matter with the adoption of a Memorandum of Understanding in 1998, recently supplemented by several different types of operational arrangements and cooperation structures. In effect, while international cooperation between customs and police has proven to be constructive and fruitful, challenges associated with overlapping mandates and objectives have been difficult to overcome at the national level.

The absence of harmonized tools on the subject of customs – police collaboration has led to a disparity in national practices, in some cases marked by high levels of collaboration and in other instances characterized by very little interaction. In the case of the latter, the rapport is often beset with inefficiencies. While there can never be a “one size fits all” type of solution, it is however possible to improve the coordination between both organizations through the adoption of simple, mutually agreed upon key components. For this purpose, it is paramount

to assess and understand the present state of play with regards to the relationship between national customs and police authorities and to implement appropriate measures that aim to enhance coordination between both organizations. The aim of this document is therefore to look at the various forms of cooperation that exist, to provide practical tools and some guidance to those customs administrations wishing to strengthen their relationship with their police counterparts.

II. Customs - police cooperation

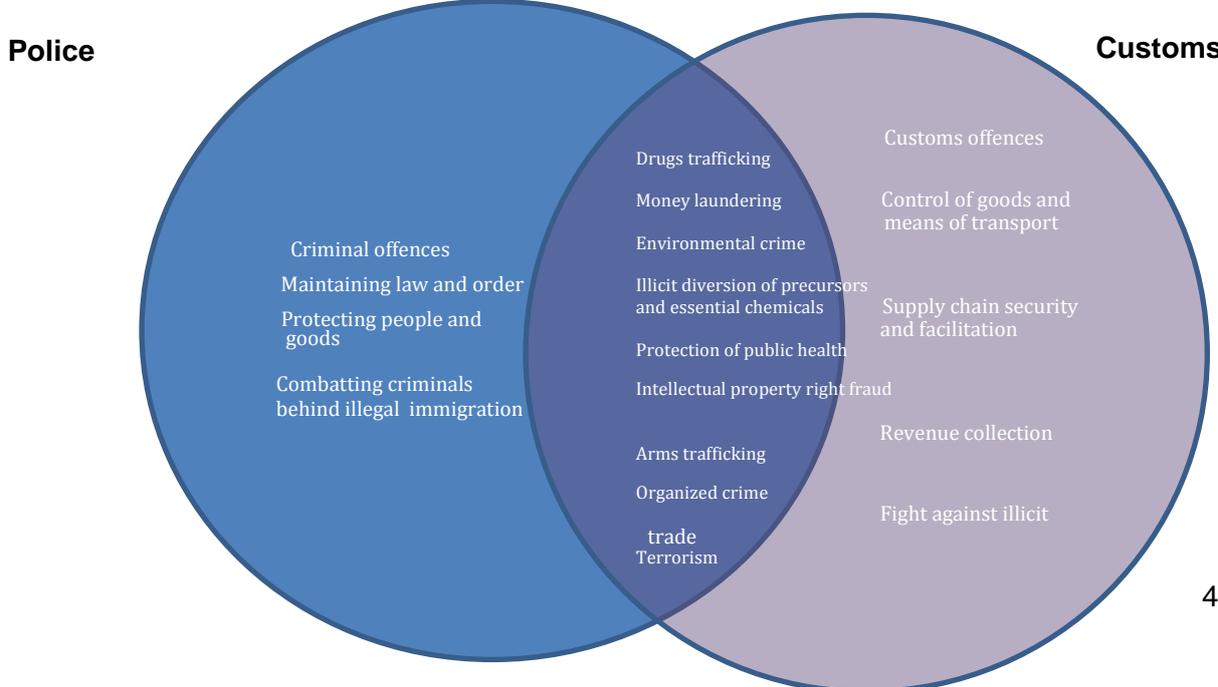
a. ON THE ROLE OF CUSTOMS AND POLICE

Customs is responsible for improving the flow and security of goods, means of transport (and to a certain extent people) as they move across borders, while ensuring compliance with customs legislation and any other law or international instrument that falls under their responsibility.

The common role of the police is to apply criminal law, provide security to citizens, goods and institutions, and, in some cases, to combat illegal immigration and maintain the general law and order in their states.

Police often have broad legal authorities to investigate crime and make arrests but lack detailed knowledge of daily customs procedures and customs-specific detection and enforcement techniques. Conversely, customs often neither has the ability nor the training to work outside of Customs environments. In many countries, both groups work only within their safe “spheres” of expertise and fail to capitalize on the greater enforcement achievements that could result from joint efforts.

Police and customs have mutual interest in combatting fraud and illegal trafficking. Both institutions share the common goal of preventing, detecting and investigating criminal activity, as well as enforcing specific laws and regulations within their respective areas of responsibility. In many cases, their respective mandates, objectives and areas of competence overlap, and thereby generate the duplication of efforts, lack of cooperation and poor use of taxpayer money.



Many types of fraud and trafficking violations fall under both criminal law and customs legislation, hence the importance of better coordination between both organizations. Customs and police must invest in a coordinated approach to address the aforementioned enforcement priorities, as these entities share a common goal in providing for the public safety and they will also mutually benefit from each other's expertise and resources.

b. THE INFLUENCE OF NATIONAL LEGISLATION

The national legal framework is a crucial element to take into consideration as it sets out the competences and capacity afforded to customs and police and plays a major role in defining customs - police relations. This explains why, in the absence of harmonised practices, customs - police cooperation has witnessed varying degrees of progress across different countries. The legislative framework becomes even more complex when these two entities fall under different ministries.

In countries where customs has a high-level of authority in the area of law enforcement, customs commonly acts as the policing agency at the border and pursues border-related law enforcement tasks in a semi-independent – if not completely independent fashion (e.g. US ICE/HSI, German ZKA and others). In other cases, police often share mutual responsibilities with customs, particularly when it comes to cross-border crime (organized crime, money laundering, terrorism-related offences, etc.)

In many countries, customs has some level of investigative power and is authorized to conduct simple administrative investigations. It is more often the case, however, that the most serious customs offences are investigated by the police and/or other competent law enforcement agencies because customs does not have the mandate, requisite training or resources available to undertake broader enforcement/investigative activities. It is in this setting that close cooperation between customs and police is vital, as the latter is inevitably part of the border enforcement process (i.e. customs possesses the mandate for detention and seizure of goods or means of transport and the police possess the mandate to enforce the criminal law).

At the other end of the spectrum, there are the limited cases where customs administrations do not have any enforcement authority and in which violations and cases of non-compliance get passed to the police for investigation by mandate. In these cases, the role of customs in enforcement is to detect non-compliance and conduct border interdictions. In this case too, close cooperation between customs and police is required in order to achieve better results in the pursuit of public safety and security.

Whatever the model in place in a particular country, cooperation and collaboration between customs and police is critically important and mutually beneficial.

c. COORDINATION TO MANAGE LIMITED RESOURCES

Customs and police face increasing pressure to maintain and even improve the services they provide, while resource levels available to them remain the same. Both therefore deal with the issue of how to best utilize their existing resources under increasing financial constraints. Coordination can present the beginning of an answer to the challenges presented by the

scarcity of resources because it allows organizations to maximize their resources in the most effective manner possible, as well as to develop economies of scale.

The definition of resource scarcity has been provided by the WCO Coordinated Border Management compendium which describes it as:

- The scarcity of time to ensure value preservation for legitimate trade, and effective control on high-risk cargo;
- The scarcity of manpower and competencies to conduct the necessary border control functions;
- The scarcity of information to determine the risk-status of cargo;
- The scarcity of land and other fixed assets necessary for effective border control; and
- The scarcity of equipment and other movable assets necessary for effective border control;”

Even though the concepts developed in the WCO compendium are generally relevant to all cross-border regulatory agencies, the same considerations are equally applicable to customs and police cooperation.

In presenting what the concept entails, it suggests that the first three factors - time, manpower and information can be tackled through process re-engineering, as they are typically consequences of process-design. Through common work, organizations tend to make an efficient use of the limited resources available to them and achieve better results.

Process re-engineering allows customs and police to streamline procedures, and as a result of increased coordination, to thereby perform tactical and operational activities in a harmonized fashion. This coordinated approach also encourages information sharing which paves the way for the best practice of shared-decision making.

Unlike time, manpower and information, the issue of limited infrastructure and equipment cannot be solved through re-engineering of processes. Both are however linked since it can be postulated that by aligning processes and sharing resources, less personnel are needed and it therefore reduces the need for additional equipment and infrastructure.

III. Opportunities for cooperation

The primary role of law enforcement is to prevent and detect criminal acts, with the expected result being the protection of the public from crime. When this expectation is not satisfactorily met, an investigative process is often undertaken with the desired outcome being to identify, apprehend, and prosecute the perpetrators. The diagram below helps visualize the processes involved in intelligence analysis, risk profiling, operations, and investigations, as well as the way in which they all interconnect within the enforcement continuum. Each sprocket feeds into the capabilities of the subsequent sprocket, thereby making the entire gear a more effective machine.

Operations built on the use of intelligence and analysis in the development of risk indicators are those which most often result in multiple and larger seizures, as well as arrests. The importance of having an investigations component within this continuum cannot be understated as this is what culminates in the true dismantling of criminal organizations through prosecution. The intelligence garnered through investigations frequently serves as invaluable source material. This intelligence also completes the cycle and, in turn, increases the credibility, reliability and accuracy of the information used for analysis to support the development of risk profiles and to thereafter define operational priorities.

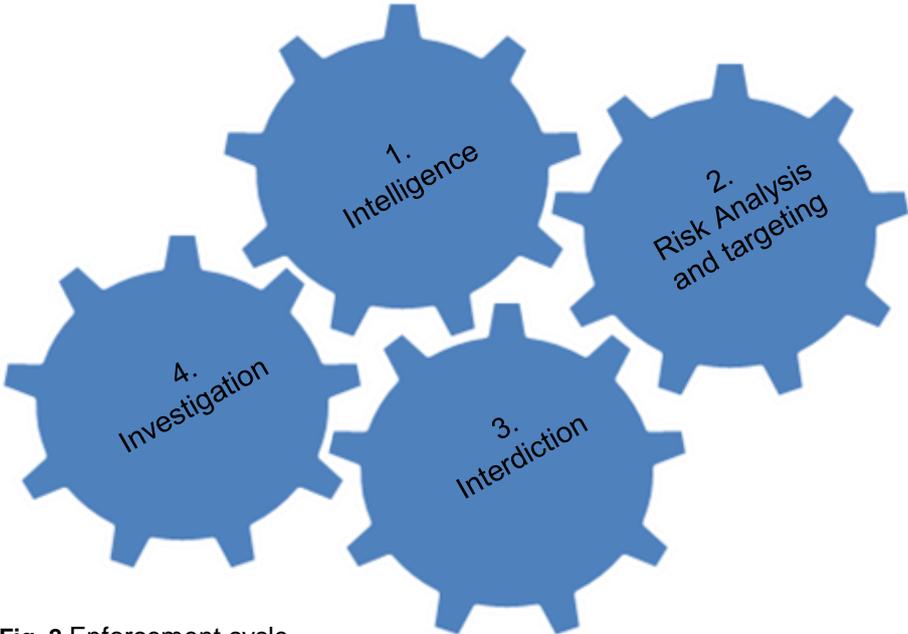


Fig. 2 Enforcement cycle

a. INTELLIGENCE EXCHANGE

The efficiency of controls, both for customs and police, depends on the quality of information and intelligence collected from different sources. Police often hold a great deal of intelligence on organized crime and criminal groups. While these groups are not behind all customs offences, customs often have to deal with the activities of transnational criminal groups. There may be cases whereby a suspect shipment undergoing customs checks is linked to the illicit activities of a criminal group known to the police. Several tactical objectives can be achieved through better information and intelligence exchange. For example, customs receives additional data to support its targeting and risk assessment efforts. The sharing of intelligence generally make risk analysis and targeting systems more effective, directly improving the success rate of controls and other broader enforcement efforts for both organizations. On the other hand, customs hold a lot of valuable data on legal trade, but also on illicit trade activities undertaken by criminal groups as well. Customs can in turn, provide police with better leads for their investigative efforts. As a model of information exchange, the INTERPOL databases, such as the nominal database, Stolen Lost Travel Document (SLTD) database, and Stolen Motor Vehicle database, allow for international information exchange that is actionable by both customs and police. Similar information exchange procedures can be implemented at a national level among law enforcement agencies for similar purposes.

b. COOPERATION FOR RISK ANALYSIS AND TARGETING PURPOSES

In controlling cross-border movement, customs is often tasked with the responsibility of executing activities on behalf of other national ministries or agencies. This constantly expanding role, along with the growth of cross-border trade and the development of new techniques and methods used in trafficking and commercial fraud have led to the introduction and development of risk management and targeting within customs' operations. The need for strong risk analysis is also relevant for police, as it allows the identification of trends and patterns in criminal activities. This process ultimately helps determine the deployment of resources into what presents a higher risk. In that regard, a growing number of customs administrations have been reorganizing their business unit functions, resulting in the establishment of specific risk assessment/targeting centres to ensure better:

- Management and fusion of information;
- Application of a nationally coordinated approach to risk assessment and targeting;
- Coordination of the intelligence and operational activities;
- The ability to holistically manage enforcement risks across the border.

In some countries, police have been invited to join and work in the centres. This has enabled better planning, coordination and response actions and it has generally contributed towards a more efficient and cost-effective delivery of whole-of-government border management goal. Profiling passengers in using Passenger Name Records (PNR) as well as Advanced Passenger Information (API) databases by law enforcement agencies are good examples in generating risk and threat assessments at airports. Depending on the national legal restrictions, certain customs and police services are able to request access to this data from the different airlines. In certain cases, joint customs and police units are also able to access the same information.

c. COOPERATION IN INTERDICTION AND INVESTIGATIONS

The commodity or contraband seized, as well as the related documentation, can be among the most critical elements of physical evidence needed to prove a criminal act. In this, customs can assist police in building stronger cases when it involves organized crime groups that are involved in cross-border activities. Although it is generally accepted that information obtained from physical items usually reflects a higher evidentiary value, it is important to stress that this concept also applies to other types of evidence, such as personal evidence obtained through inspections, eyewitness statements, statements of suspects detained at time of seizure. The latter include spontaneous utterances, admissions of guilt and confessions, which are very often first collected by frontline customs officers, prior to the involvement of an investigator.

In cases falling under both criminal law and customs legislation, there is added value in creating joint investigation teams that can be setup for a fixed period and a specific purpose or longer, depending on high level agreement terms. Through joint investigations and operations, customs and police can better follow the financial and other traces in order to disrupt criminal networks and bring to justice the people in higher level positions, instead of ending up with lower level operators at their respective ends. This outcome results in bigger asset seizures and eventually leads to bigger cut of proceeds of crime and related asset distribution to both organizations.

IV. Enhancing cooperation

a. PARTNERSHIP LEVELS

Forward deployed (or) field personnel from the two organizations often exchange information on new challenges, concerns and needs as they arise in the operational environment; however this cooperative model may also serve well at the institutional level, and can be organized through various agreements and formal legal instruments. Informal cooperation, whether it be organized through an ad-hoc basis or evolve naturally, are often short-lived and therefore long-term results may not be as ideal as those achieved under the framework of formal agreements. Informal arrangements that are not subject to any formal framework may also lead to a lack of standardized procedure which can strain accuracy in accountability and documentation, making the management of these informal relationships too difficult and unviable. Historically, such informal arrangements often see a very low level of information exchange taking place and very few resources pooled.

It is often the case that frameworks for more formal arrangements are the key steps between organizations striving for deeper cooperation at all levels (strategic, operational and legislative).

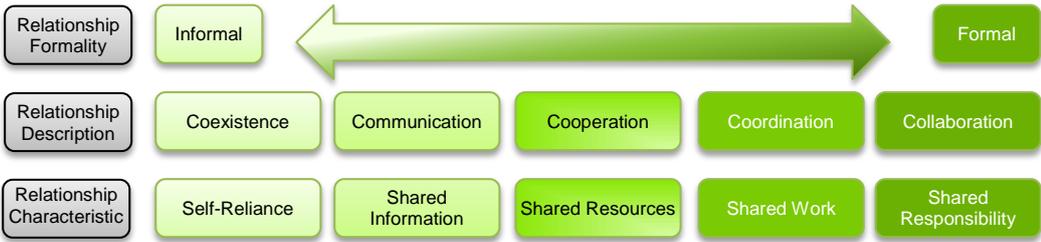


Fig. 3 Continuum of Inter-Governmental Integration (Source: taken from “*A Discussion Document For Managers and Front-Line Staff*”, Institute of Policy Study, New Zealand)

Figure 3 is part of the “*Discussion Document for Managers and Front-Line Staff on Better Joining Horizontal and Vertical*” and describes the different levels of formality involved in inter-governmental relations, from coexistence, based on informal interaction, right through to established collaboration.

Coexistence is the lowest level of interaction. The agencies work independently of one another and do not cooperate on strategies or operations. No formal arrangements are in place.

Communication involves informal meetings, which may lead to limited and sporadic information exchange subject to the pressing needs of either of the parties, or on immediate situations and events that they may be facing.

Cooperation implies a more formal structure whereby official meetings are organised and information is exchanged more regularly in order to allow both border agencies to achieve their respective objectives. This level also involves the sharing of resources.

Coordination is a more advanced level whereby tasks are shared, still in order to achieve respective objectives. Front line staff work hand in hand on a daily basis in order to avoid any overlap or duplication and to ensure greater efficiency and effectiveness overall.

Collaboration is the highest level of integration. At this level, information is exchanged continuously through integrated databases and resources are pooled at the institutional level. Methods, practices and values are harmonized and conditions are created for the emergence of a new organizational culture and common language. The majority of objectives and the responsibility for achieving them are shared.

Leaving aside any notion of a mandatory move towards the collaboration model outlined herein, it must be noted that the very nature of the challenges faced by modern customs today will progressively lead us to strengthen relations between customs and police.

b. KEY ELEMENTS OF CUSTOMS – POLICE COOPERATION

A precondition for good cooperation is having clearly defined mandates respected by all stakeholders and political will at the highest levels of government as well as the agencies themselves.

In order to set up an environment of strong and lasting cooperation, aside from mutual respect and trust, a well-defined structure is needed across all levels of customs and the police. Securing political will at the organizational level, by engaging with ministers for example, is the crucial first step when setting up such a cooperative framework. Once guidelines on cooperation have been established, they should be formalized in writing as soon as possible.

It is recommended that agreements on customs – police cooperation also cover emergency responses to situations of disruption to trade or national security. For this purpose, organizations need to have deep understanding of each agency's enforcement mandate and its response plans in order to facilitate coordination.

For those countries where very little or no cooperation already exists between customs and police, it is recommended to explore the establishment of a Customs - Police Cooperation Committee (CPCC), jointly-led by strategic level decision makers or managers from the two agencies, acting as the designated representatives of their respective directors.

The CPCC would implement key decisions, fostering a positive culture of cooperation at all levels of the two organisations. High-level managers should be committed in ensuring that the guidelines established by the CPCC are enacted and that cooperation strategies and action plans are shared with transparency at all levels of each administration.

In order to respond to tactical and operational needs, it may be worth considering setting up regional CPCCs or committees organised by sector of criminal activity, each made up of mid-level managers. This type of system may prove useful in encouraging a better understanding of the mandates of each authority and lead to deeper collaboration between front line staff. Cooperation at an operational level should be organised in line with the higher-level cooperative framework and its objectives in order to achieve tangible results. At a tactical level, cooperation often requires the ability to react quickly to unfolding situations. This can be done by deploying liaison officers or having rapid response mechanisms in place.

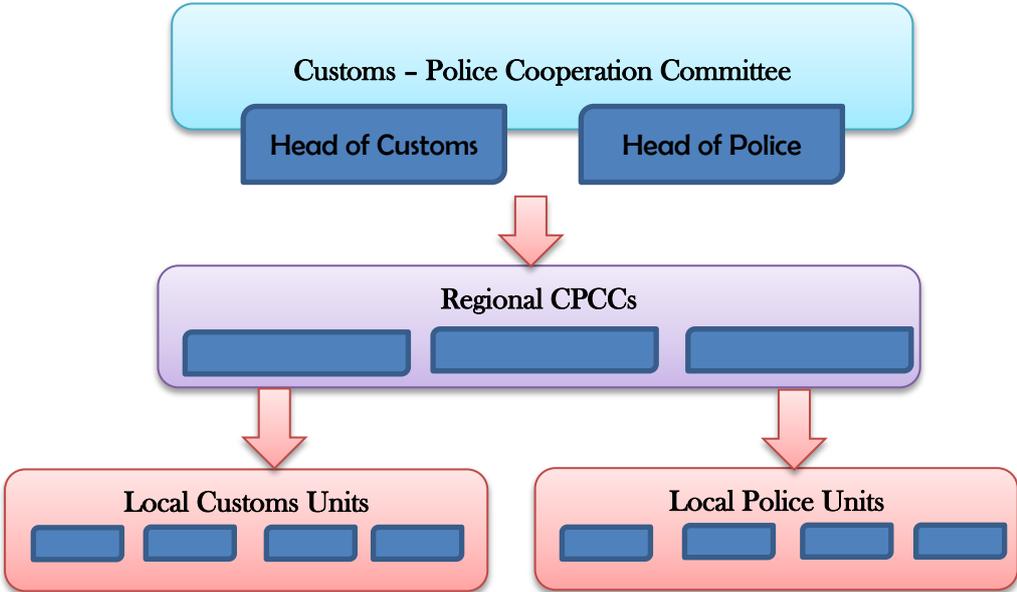


Fig. 4 CPCC Cooperation model

V. Implementing customs - police cooperation

a. MEMORANDUM OF UNDERSTANDING OR AGREEMENT

Countries that desire to enhance coordination between customs and police can choose to do so by adopting a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA). While the first one describes a mutual understanding of goals, and plans shared by the parties, an MOA details the specific responsibilities of, and actions to be taken by, each of the parties so that their goals may be accomplished. This MOA can be tested and put into practice through joint operations, joint training, and even simulated exercises in preliminary stages, either independently on the national level or with assistance from international organizations such as the WCO and INTERPOL, which have significant experience in coordinating such events.

b. JOINT ACTIVITIES

In order to give substance to any kind of cooperative agreement, it is important for customs and police to engage in joint activities to allow each party to not only gain a deeper understanding of each other's methods and cultures, but also to create routines and habits between the organizations that are essential to a coordinated and efficient approach to operational activities. In time, regular joint activities will become commonplace and will be considered a standard operating procedure in furtherance of achieving the highest levels of public safety and national security.

In implementing common activities, both organizations may decide to merge resources. This can potentially help alleviate the conundrum of limited equipment, as well as both reduce the need for additional human resources and make operations more efficient and effective.

Joint activities between customs and police can potentially include:

- Joint risk analysis and targeting;
- Joint interdictions;
- Joint investigations;
- Joint operational activities;
- Joint controlled delivery operations.

From a strategic point of view, joint planning activities can be envisaged with the purpose of aligning strategies and setting common objectives. It is recommended that joint planning activities cover emergency responses to situations of disruption to trade or national security. For this purpose, organizations need to have deep understanding of each agency's response plans in order to facilitate coordination.

c. LIAISON OFFICERS

The deployment of liaison officers can contribute to improved information exchange and coordination both at the operational and strategic levels. The roles and responsibilities of these officers should be clearly delineated from the outset of the new relationship and must be agreed to by both organizations. Liaison officers present an exceptional opportunity for building bridges between customs and police, as they traditionally have a panoramic view of the goals and objectives of each organization. The WCO and INTERPOL have already implemented this strategy to enhance cooperation and to facilitate information exchange by employing a Customs/Police Coordinator as an intermediary between the both organizations.

d. COMMON TRAINING COURSES AND OFFICER EXCHANGE

Joint training forums offer the first opportunity to introduce officers to the roles and objectives of the other organization. Common training not only helps them understand those responsibilities and shared goals of customs and police, but it also fosters a sense of unity and friendship between officers of different organizations. Joint training ultimately allows networking among staff and helps build the necessary trust between the organizations. This can be facilitated by organizations such as the WCO and INTERPOL which routinely gather law enforcement officers from a wide spectrum of specializations for joint group training forums. These training forums take place at both in-country and regional locations, so that officers can appreciate working with their own colleagues but also their counterparts in other countries. Often, regional best practices are taught at these training events.

Countries planning to implement common training for customs and police officers, can envisage initiating this process with topics such as leadership, stress management and first aid, before delivering more technical subjects.

The exchange of officers should also be viewed as a good way to enhance cooperation and increase officer's knowledge of the goals, objectives and modus operandi of each organization.

VI. International projects to assist member states and to enhance cooperation between border forces

a. UNODC/WCO/INTERPOL PROJECT AIRCOP

Project AIRCOP was launched in 2011. It is funded by the European Commission and Canada, managed by the United Nations Office on Drugs and Crime (UNODC) and implemented by the WCO and INTERPOL in close cooperation with the WCO members and other law enforcement agencies. Project AIRCOP is aimed at combating illicit cocaine trafficking by air from South America to Europe, via Africa, as well for fighting airport crime. It is primarily focused on West and Central African airports, where the first multidisciplinary

Joint Airport Interdiction Task Force (JAITF) units, comprising officers from customs, police, the Gendarmerie and other law enforcement agencies, were established.

The Project AIRCOP annual programme includes operational activities. It was through this program that five phases of Operation Cocair were conducted to test the real-time operational capabilities of JAITFs.

JAITFs bring together experts from custom, police, immigration and airline companies who work together at major airports to combat international illicit drug trafficking by air passengers. The JAITFS collect and analyze passenger information in furtherance of conducting risk assessments. In addition to the intelligence and risk assessment, the JAITFS also conduct interdiction operations, with designated JIATF members serving as control officers. The intelligence obtained from customs RILOs or customs agencies and from police is operationalized as a joint initiative by JAITF.

b. UNODC/ WCO CONTAINER CONTROL PROGRAMME (CCP)

The Container Control Programme, developed jointly by the World Customs Organization (WCO) and the UNODC, has been operational for more than 10 years (2004). It assists countries in creating sustainable law enforcement structures called “Port Control Units / PCUs” in selected sea- and dry-ports.

One of the key elements of the CCP is the concept of national ownership and empowerment which makes it possible for law enforcement agencies in one country to overcome counter-productive interagency competition and lack of coordination, and to unite their efforts and resources for multi-faceted risk analysis, profiling and investigations as part of a strategic “dismantle a criminal network” approach.

c. COLLABORATIVE EFFORT ON API and PNR

API and PNR are used by governments and law enforcement agencies to analyze and make, where appropriate, the necessary interventions. Thus API/PNR enables law enforcement agencies to conduct a proper risk assessment and precise checks. It can be provided by airlines by sending the information electronically (“push” method) or allowing the appropriate authorities to access the parts of their reservation systems where the PNR information is stored (“pull” method).

In that regard, the WCO joined forces with the International Civil Aviation Organization (ICAO) and the International Air Transport Association (IATA) under the framework of a committee established in 2004, responsible for the management and maintenance of the guidelines on API and PNR data.

Advanced Passenger Information (API) is an electronic data interchange system established by US Customs and Border Protection. It provides a limited number of data elements (identification details from the passport and basic flight information) from commercial airline and vessel operators to the computer system of the destination country. API is not required for airline processes and will therefore only be collected in case of a legal requirement by the passenger/travel-agency at the moment of reservation, check-in or boarding; legal requirements for the collection of API currently exist in 23 countries.

Personal Name Records (PNR) is the generic name given to records created by the airlines for each flight a passenger books. They contain information provided by the passenger and information used by the airline for their operational purposes. It may include elements of information that will also be reported under API.

VII. WCO tools and resources to assist members

To strengthen customs - police coordination, the WCO provides different tools that facilitate exchanges between customs and other law enforcement organizations.

The SAFE Framework of Standards (SAFE FoS) provides standards to guide customs in working together with foreign counterparts, the private sector and other government agencies in ensuring the security of the supply chain. The third pillar of the SAFE FoS promotes cooperation between customs administrations and other government and inter-governmental agencies. This pillar strives to ensure a whole-of-government approach to securing the movements of goods in a manner that facilitates trade. This is achieved by streamlining processes, harmonizing national control measures and stimulating mutual cooperation.

Through different operational activities led by the WCO Compliance and Enforcement Programme, the WCO is able to bring together local customs administrations and international law enforcement organizations like INTERPOL, Europol or the European Anti-Fraud Office.

The WCO CENcomm is an encrypted communication tool for the exchange of information and intelligence, available 24/7. This tool is part of the WCO Customs Enforcement Network (CEN) that assists member administrations in combatting transnational organized crime through the real-time exchange of information for intelligence purposes within a secure information technology network. CENcomm is the primary tool used by customs and other relevant law enforcement agencies when carrying out joint international operations.

VIII. INTERPOL policing capabilities

a. INTERPOL NOMINAL DATABASE

As of January 2018, contains some 205,000 records of known international criminals and missing persons.

Data storage on individuals, details of offences and all items of information linked to persons and events

Records consist of known international criminals, missing persons or dead bodies, to include their criminal histories and identifiers (i.e. photographs, fingerprints, DNA, etc.).

b. INTERPOL DNA DATABASE

Countries use the INTERPOL DNA database to exchange and compare DNA profile data from crime scenes and known persons, as well as missing persons and unidentified human remains. This international DNA database can be directly accessed by national authorized entities such as INTERPOL National Central Bureaus (NCBs) and forensic laboratories. As a new service, INTERPOL will soon offer the use of family DNA comparisons for the identification of missing persons.

c. INTERPOL's FINGERPRINT DATABASE

The fingerprints database contains more than 182,000 fingerprint records (as of December 2017). Authorized users in member countries can view, submit and cross-check fingerprint records using I-24/7, INTERPOL's secure global police communications network, via a user-friendly automatic fingerprint identification system (AFIS). Law enforcement officers can either take fingerprints using an electronic device or manually using ink and paper, then use a special scanner to save the data electronically in the appropriate format. They then submit the data to the INTERPOL General Secretariat to be uploaded to the database. Records are saved and exchanged in the format set by the National Institute of Standards and Technology (NIST).

The INTERPOL Fingerprint Unit provides a service called AFIS gateway, which allows member countries to remotely submit a fingerprint search (INT-I compliant file) against the INTERPOL database and receive an automated response.

Automated ten-print verification has been introduced, along with a high-volume search facility that allows more than 1,000 comparisons per day against the INTERPOL fingerprint database which runs 24 hours a day, seven days a week.

d. INTERPOL STOLEN AND LOST TRAVEL DOCUMENTS (SLTD) DATABASE

The SLTD is the global repository for invalidated travel documents because they were reported to INTERPOL as having been stolen, lost, stolen in blank or revoked by their legitimate issuing authority.

As of January 2018, in compliance with the INTERPOL Rules on the Processing of Data, the ASF SLTD contains 74.4 million records on invalid documents, without any nominal data. Mandatory data for each record is: document identification number (DIN), type of document, country of issue, loss/theft/revocation status; optional data is mainly: NCB reference, place and date of theft/loss, date of issuance/expiry.

In case of a match between the search data given and the information in SLTD, a first level reply (positive query result) is displayed. The information contained is:

- Document Identification Number
- Document Type
- Issuing Country.

The officer checking the information must decide whether or not it matches the search criteria before accessing the details of the second level reply.

Accessing detailed information generates an automatic hit alarm notification. It is automatically sent to the NCB that recorded the data (or to the General Secretariat, on behalf of an international organization), to the enquiring NCB and to INTERPOL's Command and Coordination Centre.

In border control situations, the bearer of a travel document which exactly matches the search criteria (document identification number, issuing country, type of document) should be guided to a secondary inspection area while the search result is being confirmed by the NCBs. Any further check should be conducted by an experienced law enforcement official.

The NCB of the checking authority must contact the source NCB to confirm the validity of the data.

This validation process must be completed before taking any further action, within the time limit given under national laws. The recommendation regarding validation of an exact positive search reply is one hour on a 24/7 basis.

e. INTERPOL STOLEN VEHICLE (SMV) DATABASE

Its purpose is to provide police, customs, investigators and vehicle registration authorities worldwide with an effective tool, essential in the fight against the illegal import/export of stolen motor vehicles and identifiable spare parts, to facilitate their recovery.

The database contains some 7.2 million records of all types of motor vehicles, such as cars, trucks, trailers, plant and machinery, and motorbikes which have been reported as stolen to authorities. It contains extensive identification details enabling the identification of a stolen vehicle.

Through a special arrangement between the organizations signed in November 2016, the WCO was officially provided access to the INTERPOL SMV database and is therefore able to perform queries on its own or, in urgent situations, on behalf of their member countries.

f. INTERPOL STOLEN WORKS OF ART (WoA) DATABASE

This database centralizes worldwide information on stolen cultural objects and contains around 50,000 records, submitted by 134 INTERPOL member countries, with more than 27,000 searches carried out in 2017.

The Stolen Works of Art database is accessible to law enforcement agencies through the INTERPOL NCB in each member country. Authorized members of the public as well as international organizations, state authorities, cultural institutions, art professionals and private collectors can also receive access rights.

g. INTERPOL FIREARMS PROGRAMME

INTERPOL Illicit ARMS RECORDS AND TRAINING MANAGEMENT SYSTEM (IARMS)

Funded by the European Union under the Instrument for Stability and Peace, iARMS is a state-of-the-art tool that facilitates information exchange and investigative cooperation between law enforcement agencies in relation to the international movement of illicit firearms, as well as licit firearms that have been involved in the commission of a crime.

INTERPOL BALLISTIC INFORMATION NETWORK (IBIN)

IBIN is the only large-scale international ballistic data sharing network in the world. It supports the global networking of Integrated Ballistics Identification Systems (IBIS) and provides a global platform for the centralized collection, storage and cross-comparison of ballistics data. IBIN provides the opportunity to find critical investigative leads, identify links between crimes more quickly and effectively, and find connections between separate crimes from different countries that might otherwise remain undetected. Law enforcement agencies have direct access to the IBIN server through a dedicated secure network.

INTERPOL FIREARMS REFERENCE TABLE (IFRT)

IFRT is an interactive online tool for authorized law enforcement users which provides a standardized methodology to identify and describe firearms, and enables an investigator to obtain or verify the details of a firearm. Access is managed by the NCB in each member countries.

h. HOW TO ACCESS INTERPOL's DATABASES

INTERPOL's secure global police communications network called I-24/7 connects the INTERPOL Secretariat General and every INTERPOL National Contact Bureau (NCB) to each other and to INTERPOL's databases. Access to I-24/7 can be extended from the NCB to police, customs or other law enforcement agencies, allowing the agency to perform queries independently. If your administration wants to get access to the INTERPOL databases, please contact your NCB.

i. 24/7 ASSISTANCE – COMMAND AND COORDINATION CENTRE (CCC)

GLOBAL COVERAGE

The CCC's main function is to support international police cooperation in real time. By offering 24-hour support seven days a week in all four official languages (English, French, Spanish and Arabic), the CCC facilitates communication and coordination between NCBs worldwide.

Another key activity of the CCC is the issuing of INTERPOL international alerts, known as notices, allowing police to share critical crime related information about modus operandi or potential threats.

MAIN ACTIVITIES

The CCC's activities focus on:

- Assessing incoming communications and determining the priority of each message;
- Conducting instant checks against all INTERPOL databases and replying to urgent queries;
- Monitoring open sources in order to assess threats and to ensure all resources are ready and available if needed;
- Coordinating the exchange of intelligence and information for important operations;
- Issuing global or regional alerts and publishing notices of potential threats;
- Assuming a crisis management role during serious incidents, such as terrorist attacks, and coordinating specialized assistance.

SPECIALIZED ASSISTANCE

At the request of member countries, INTERPOL can deploy specialized teams comprising relevant experts to assist national police and other law enforcement agencies with major incidents or security preparations.

INTERPOL Incident Response Team (IRT): An IRT is deployed during or immediately following a crisis or emergency, such as a terrorist attack, hurricane or a serious police incident. The team is tailored to the specific nature of the incident, and can provide a range of analytical and investigative support.

INTERPOL Major Event Support Team (IMEST): An IMEST is deployed to assist member countries with the preparation and coordination of security for major international events. The team members help the national police make the best use of INTERPOL's databases and facilitate real-time exchange of data

j. INTERPOL TRAINING AND ONLINE LEARNING TOOLS

INTERPOL GLOBAL LEARNING CENTRE (IGLC)

INTERPOL Global Learning Centre (IGLC) is a web-based learning portal allowing authorized users access to a comprehensive range of more than 50 e-learning resources. IGLC is the ideal tool to reach a wide law enforcement community all around the world.

All law enforcement agencies, including customs and police, can access the IGLC via the INTERPOL secure website. Any new user wishing to access the site must request an authorization to their NCB. Usernames and passwords will then be created by INTERPOL's General Secretariat.

INTERPOL TRAINING CATALOGUE FOR MEMBER COUNTRIES

INTERPOL is seeking to become a global centre of excellence in facilitating new training opportunities for member countries, as well as developing a culture of learning and exchange of expertise between all law enforcement communities. INTERPOL also intends to ensure that law enforcement agencies are fully aware of the services provided by INTERPOL and are encouraged to use them.

This training portfolio serves as a useful tool in helping us to achieve a high standard of active lifelong learning. It includes 42 training activities (specific and generic) which are aligned with INTERPOL's strategic priorities.

IX. Conclusion

While the growth and acceleration of the cross-border movement of goods, people and means of transport are beneficial for legal trade, they also present opportunities for transnational criminal organizations, which never stop their efforts in attempting to circumvent law enforcement, their safeguards and operations at the borders. It is clear that in order to efficiently and effectively address this new operating reality, customs and police must work more closely together to combat criminal activities and face the challenges brought about by both new trafficking methods and means of fraud.

While it is important that such coordination efforts occur within a formal and mutually agreed upon framework, countries must first assess the current state of relations between both organizations to identify potential avenues to strengthen and enhance customs – police cooperation. Engagements such as joint operations and regular exchange of information will better enable customs and police to achieve their objectives, in line with their respective mandates and missions and improve the efficiency and effectiveness of operational activities.

X. Diagnostic tool

The diagnostic tool is supposed to be used as a guideline for member countries to assess the current situation on customs - police cooperation in order to start the process or to work on missing requirements.

| A.1. | | |
|---|--|--|
| Question | Common weaknesses | Possible solution |
| What arrangements exist in your country for customs-police cooperation? | No arrangement in place. Coexistence with no significant interaction. | Implementation of MOU/MOA between customs and police |
| Answer: | | |

| A.2.1. | | |
|---|---|--|
| Question | Common weaknesses | Possible solution |
| Does the agency have a formal protocol for secure exchange of information with one another? | Lack of or at best ineffective information exchange between customs and police. | Encourage active participation in the use of national information and data sharing systems using fusion centres, single points of contact or liaison officers. |
| Answer: | | |

| A.2.2. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Please describe how often and in which way such exchange occurs ? | | |
| Answer: | | |

| A.3.1. | | |
|--|---|---|
| Question | Common weaknesses | Possible solution |
| Do the agencies cooperate with each other during risk analysis and targeting | No communication between customs and police. Absence of identification of common risks. | Implement joint-risk profiling/analysis operations. |
| Answer: | | |

| A.3.2. | | |
|--|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, is this arrangement supported by an MOU or legislation? | | |
| Answer: | | |

| A.4.1. | | |
|---|---|-----------------------------|
| Question | Common weaknesses | Possible solution |
| Do the agencies cooperate with during the control of modes of transport and controlled delivery operations? | No communication. Duplication of control activity.. | Implement joint operations. |
| Answer: | | |

| A.4.2. | | |
|--|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, is this arrangement supported by an MOU or legislation? | | |
| Answer: | | |

| A.5.1. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have the authority to make seizures in all risk areas (drugs, counterfeits, endangered species, cash smuggling...)? | No authority | |
| Answer: | | |

| A.5.2. | | |
|--|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If not what areas are exclusive to each service? | | |
| Answer: | | |

| A.6. | | |
|--|--|--|
| Question | Common weaknesses | Possible solution |
| Do the agencies cooperate with one another during investigations ? | No communication. Duplication of efforts | Implement joint-investigations at coexistence, communication and cooperation levels. |
| Answer: | | |

| A.7.1. | | |
|---|--|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have powers to investigate offences or organized criminal groups? | Officers may not have the power to conduct criminal investigations. There may be a shared responsibility or competency with other national administrations | |
| Answer: | | |

| A.7.2. | | |
|--|--|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, how are cases referred for investigation? | No mechanism in place to gather intelligence and or investigate information provided by fellow officers or third parties | |
| Answer: | | |

| A.8. | | |
|--|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have the legal powers to conduct investigations with the national prosecuting authority? | | |
| Answer: | | |

| A.9. | | |
|--|---|--------------------------|
| Question | Common weaknesses | Possible solution |
| Is it possible for the agency to undertake surveillance of people, goods and premises including using communication interception systems and other surveillance equipment? | No authority or formal policies and procedures for the use of electronic interception equipment. Lack of skills/expertise/equipment required. | |
| Answer: | | |

| A.10. | | |
|--|--|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have its own staff of undercover officers? | No authority or relies on other administrations to conduct covert operations . | |
| Answer: | | |

| A.11. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have the power to authorize the deployment of informants? If so, what are the arrangements for sharing? | No authority. | |
| Answer: | | |

| A.12. | | |
|--|--|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency have forensic science capabilities or do they rely on other agencies to provide the expertise? | No authority or formal policies and procedures for the use of forensic science techniques. Lack of skills/expertise, equipment required. | |
| Answer: | | |

| A.13. | | |
|--|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Are Customs and Police resources (Infrastructure, equipment, means of transport) shared during joint operations? | . | |
| Answer: | | |

| A.14.1. | | |
|--|---|--|
| Question | Common weaknesses | Possible solution |
| Does the customs administration or police contribute liaison officers to work at each other's premises for enforcement purposes? | No liaison officers. No communication. Duplication of control activity. | Consider national virtual task forces when resources do not allow for physical placements in ongoing units |
| Answer: | | |

| A.14.2. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, please describe the role of customs and/or police liaison officers | | |
| Answer: | | |

| A.15.1. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the customs agency provide training to police officers?? | No training available. | |
| Answer: | | |

| A.15.2. | | |
|------------------------------------|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, in what areas of expertise? | | |
| Answer: | | |

| A.16.1. | | |
|---|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the police agency provide training to customs officers?? | No training available. | |
| Answer: | | |

| A.16.2. | | |
|------------------------------------|--------------------------|--------------------------|
| Question | Common weaknesses | Possible solution |
| If so, in what areas of expertise? | | |
| Answer: | | |

| A.17. | | |
|---|--|---|
| Question | Common weaknesses | Possible solution |
| What challenges do you encounter as part of the cooperation between customs and police? | Duplication of mandates and initiatives in certain risk areas. | Create customs – police cooperation committee through a MOU, outline cooperation areas and methods, and establish regular meetings to review any concern. |
| Answer: | | |

| A.18. | | |
|--|---|--------------------------|
| Question | Common weaknesses | Possible solution |
| As per Fig. 2 above, how would you rate the level of relations between customs and police in your country? | Coexistence with no communication and no relations. | |
| Answer: | | |

| A.19. | | |
|--|---|--------------------------|
| Question | Common weaknesses | Possible solution |
| Does the agency provide recognition for work conducted in cooperation with the other agency? | No credit or recognition for joint customs-police work conducted. | |
| Answer: | | |



INTERPOL

INTERPOL's role is to enable police in our 192 member countries to work together to fight transnational crime and make the world a safer place. We maintain global databases containing police information on criminals and crime, and we provide operational and forensic support, analysis services and training. These policing capabilities are delivered worldwide and support three global programmes: counter-terrorism, cybercrime, and organized and emerging crime.



WORLD CUSTOMS ORGANIZATION

The World Customs Organization (WCO) is an independent intergovernmental body whose mission is to enhance the effectiveness and efficiency of Customs administrations. Today, the WCO represents 182 Customs administrations across the globe that collectively process approximately 98% of world trade. As the global centre of Customs expertise, the WCO is the only international organization with competence in Customs matters and can rightly call itself the voice of the international Customs community.



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