The Role of INTERPOL in the European Integrated Border Management

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Abstract

Aim: The study focuses on how the cooperation between the EU and INTERPOL fits into the European integrated border management system, how it contributes to the effectiveness of external border management, and what challenges it faces.

Methodology: The paper examines cooperation from the perspective of European integrated border management, drawing on relevant international and national literature on the topic.

Findings: By examining this cooperation, the author demonstrates that the relationship between INTERPOL and the EU border administration is vital to enhancing the EU’s ability to effectively manage its borders. INTERPOL provides valuable intelligence, training and operational support to EU Member States in the fight against terrorism, organised crime and other transnational threats. Cooperation contributes significantly to improving border management practices, strengthening cross-border cooperation and ensuring the safety and security of EU citizens.

Value: The study presents the relationship between INTERPOL and the EU border management agencies through the European integrated border management model and highlights the challenges involved.

Keywords: INTERPOL, integrated border management, European Union

Introduction

One of the greatest achievements of the European Union (EU) is the abolition of internal borders and the creation of the right to free movement. The principle
of free movement allows every EU citizen to travel, work and live in any EU
country without special formalities. The Schengen Agreement\(^1\) complements
this freedom by allowing citizens to move within the Schengen area without bor-
der controls.\(^2\) However, EU integration entails many responsibilities and tasks
for Member States. As illegal migration and crime are not subject to geograph-
ical borders, the creation of the Schengen area has placed particular emphasis
on the management of external borders. The free movement of goods, services,
capital and persons within the EU requires a well-functioning border manage-
ment infrastructure.

To compensate for the so-called security deficit resulting from the uncontrolled
crossing of internal borders, the countries participating in cooperation must de-
velop a common border management policy that guarantees the maintenance of
internal security in the area. A border management system that can effectively
tackle cross-border crime, terrorism and illegal migration, as well as facilitate
trade and the legal movement of people, is therefore essential for security and
stable economic growth. Borders must therefore be both open and closed both
gates and walls (Marenin, 2006).

The study examines the challenges recently identified, presents the European
Integrated Border Management (EBM), discusses the border management as-
pects of the cooperation between the EU and INTERPOL, and examines how this
type of cooperation contributes to the effectiveness of external border control.

**European Integrated Border Management**

Although responsibility for the borders lies primarily with Member States,\(^3\) the
EU has set up a number of internal mechanisms, instruments and agencies, as

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\(^1\) The Schengen Agreement was signed by five members of the European Economic Community – France,
Germany (then known as the Federal Republic of Germany), Belgium, the Netherlands and Luxem-
bourg – on board the Princesse Marie-Astrid, simplifying border crossing formalities and opening up
the prospect of a complete dismantling of borders.

\(^2\) The Schengen area currently consists of 27 European countries (22 of which are EU members): Bel-
gium, the Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania,
Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland
and Sweden, as well as Iceland, Liechtenstein, Norway, Switzerland and Croatia. As part of the area
without internal border controls, these countries do not carry out border control at their internal bor-
ders (i.e. the border between two Schengen States), but carry out harmonised checks at their external
borders (i.e. the border between a Schengen State and a non-Schengen State) based on clearly defined
criteria. As a result, EU citizens and non-EU citizens alike can travel freely within the Schengen area:
they are only checked when they cross the external border.

\(^3\) Article 7 of Regulation (EU) 2016/1624 of the European Parliament and of the Council on the Europe-
an Border and Coast Guard and repealing Regulation (EU) 1052/2013 and Regulation (EU) 2016/1624.
well as various forms of cooperation with Schengen associated countries and other third actors, to ensure the effective management of its common external borders. Since the establishment of the Schengen area, it has been faced with constant challenges and the demands for more effective control of the external borders have increasingly necessitated the development of an integrated border management system.

Integrated border management is a comprehensive and coordinated approach to border management in which all relevant authorities, agencies and stakeholders work together to achieve common objectives. The EU has long been committed to developing European Integrated Border Management (EIBM), with the main objective of ensuring the smooth and efficient flow of people and goods across the EU borders and addressing the security challenges facing the EU. This requires the development of procedures, standards, practices and consistent border management mechanisms that provide a level playing field for all Member States, preventing criminals and criminal organisations from exploiting the weaknesses of a country.

The idea of developing the EIBM was born in the context of the development of the Schengen area following the signing of the Schengen Agreement and the Schengen Implementing Convention.4

The Treaty on the Functioning of the European Union5 (Treaty of Lisbon) provides the legal and policy framework for the EIBM. Article 77(1)(c) of the Lisbon Treaty states that the EU must develop a policy aimed at the gradual introduction of an integrated management system for external borders (URL1). The Lisbon Treaty concept of integrated border management was consolidated as a legally binding instrument by the Regulation on the European Border and Coast Guard (hereinafter ‘the Regulation’) (Kiss, 2018). In addition to establishing the European Border and Coast Guard, composed of Frontex and the authorities responsible for border management in the Member States, the Regulation defined the components of the EIBM:

• border control;
• operations to search for and rescue people in distress at sea;
• analysis of the risks to security;
• cooperation between Member States supported and coordinated by Frontex;

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4 The Schengen Implementing Convention, signed on 19 June 1990, set out the process for implementing the agreement. The Convention entered fully into force in 1995, with the participation of the five founding members as well as Spain and Portugal.

5 The Lisbon Treaty, also known as the ‘Lisbon Treaty amending the Treaty on European Union and the Treaty establishing the European Community’, was signed in Lisbon on 13 December 2007 and entered into force on 1 December 2009.
The Regulation was revised in 2019 in response to the protracted migration crisis in Europe. Regulation (EU) No 2019/1986 of the European Parliament and of the Council (hereafter the EBCG Regulation) has on the one hand expanded the main elements of the EIBM, specifically mentioning cooperation between the relevant EU institutions, bodies, offices and agencies. On the other hand, it has set the framework for the policy governance of European IBM by defining the policy cycle for European and national IBM strategies. The EIBM therefore includes several key elements:

- First, the establishment of common rules on border controls, visa issuance and asylum applications.
- Secondly, cooperation and coordination, both at national and EU level, between the different border control agencies and authorities. The latter will allow for the sharing of information, resources and best practices between border guards, customs officers, police and other relevant stakeholders to respond more effectively to threats and challenges to border security.
- Third, the use of technology and information systems to enhance surveillance, risk assessment and data sharing capabilities. The introduction and further development of modern technologies such as biometric identification, automated border control and secure communication networks will enable efficient and accurate verification of travellers’ identity and documents, reducing the possibility of fraud or unauthorised entry. The EU will support the use of advanced information systems, including the Schengen Information System (SIS), the European Asylum Dactyloscopic Database (Eurodac) and the Visa Information System (VIS), and ensure interoperability between

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6 The European migration crisis, also known as the European refugee crisis, is the result of the migration of people fleeing various armed conflicts, political and religious persecution or economic insecurity in the Middle East, Africa, the Balkans and Central Asia. The term was first used in the press in April 2015.

systems to facilitate the exchange of information. These technologies will help streamline border processes, improve data integrity and security, and facilitate the detection and prevention of crime.

- Fourth, the importance of capacity building and training of border guards and other relevant staff. This will ensure their proficiency in the use of new technologies, their understanding of EU legislation and their ability to identify potential risks and vulnerabilities. By increasing their skills and knowledge, Member States can strengthen their border control capabilities and effectively address emerging challenges.

- Last but not least, close cooperation with third countries and international organisations. This includes sharing intelligence information, data and best practices, promoting capacity building and training programmes, and establishing joint operations and initiatives to identify potential threats, track suspects and dismantle criminal networks. By working with external partners, the EU can more effectively address the root causes of irregular migration, enhance regional security and promote stability and prosperity in neighbouring regions (Ritecz, 2014).

Despite its many advantages, the EU’s integrated border management also faces a number of challenges. One of the most significant is the balance between security concerns and the free movement of people. While maintaining security is essential, excessive border controls can disrupt the smooth flow of goods and persons and hamper economic activity. Striking the right balance is therefore critical both for security and for ensuring the benefits of the Schengen area.

Another challenge is the changing nature of threats. Criminal networks and terrorists are becoming more sophisticated and adaptable. They exploit weaknesses in border control systems, use false identities and their criminal activities are increasingly intertwined.

In addition, the uncontrolled influx of refugees and migrants is also putting significant pressure on the external borders and migration systems of Member States. A comprehensive approach that combines effective border control with humane and fair asylum procedures is needed to reduce this pressure. Striking the right balance between respect for human rights and the management of migration flows is complex, but key to maintaining the legitimacy of EU border management.

To respond adequately to the challenges, the EU’s integrated border management needs to continuously evolve and adapt. One of the means to do so is to develop closer cooperation and partnership with third parties, including INTERPOL.
Cooperation with INTERPOL

The International Criminal Police Organization\(^8\) (INTERPOL) is an intergovernmental organisation that works across jurisdictions to fight crime and maintain global security. It currently serves as a platform for 195 member countries, including 27 EU Member States, to share and access law enforcement-related data. Its primary objectives include combating crimes such as terrorism, organised crime, cybercrime, drug trafficking, human trafficking and smuggling.

The EU and INTERPOL have long and closely cooperated in a number of areas related to crime fighting, including the fight against terrorism and organised crime, and integrated border management.

In Common Position 2005/69/JHA,\(^9\) the Council called on the Member States to take the necessary measures to improve cooperation between their competent law enforcement services and between themselves and those of third countries by exchanging passport data with INTERPOL with a view to preventing and combating serious and organised crime, including terrorism.

In addition, EU agencies have also concluded a number of agreements\(^10\) with INTERPOL, which set out the purpose and content of their cooperation. One of the most important of these is the cooperation agreement between INTERPOL and Europol, the text of which was approved by the Council of the European Union on 27 June 2001 and by the INTERPOL General Assembly at its 70th meeting in Budapest on 26 September 2001. This has enabled, among other things, INTERPOL to play an active role in the operational implementation of the EU policy cycle, known as EMPACT,\(^11\) by supporting Member States’ operational actions in cooperation with EU justice and home affairs agencies.\(^12\)

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8 Constitution of the ICPO-INTERPOL [I/CONS/GA/1956 (2017)].
9 Council Common Position of 24 January 2005 on exchanging certain data with INTERPOL.
10 The cooperation agreement between INTERPOL and Europol was signed on 5 November 2001. The Memorandum of Understanding on cooperation between Europol and INTERPOL was signed on 15 July 2013. The Memorandum of Understanding between INTERPOL and Frontex was signed on 27 May 2009. The Memorandum of Understanding between CEPOL and the INTERPOL Secretariat General was signed on 6 December 2017. The Cooperation Agreement between INTERPOL and the EMCDDA was signed on 25 September 2001.
11 The multi-annual EU policy cycle aims to address the main threats posed to the EU by organised and serious transnational crime in a coherent and systematic way by improving and strengthening cooperation between the competent services of the Member States, EU institutions and agencies, and third countries and organisations, including the private sector where appropriate.
12 Justice and home affairs agencies are EU agencies set up under Title V of the TFEU on an area of freedom, security and justice. The justice and home affairs agencies are: The European Union Agency for Law Enforcement Cooperation (Europol), the European Border and Coast Guard Agency (Frontex), the European Union Agency for Criminal Justice Cooperation (Europol), the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), the European Union Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA).
INTERPOL’s cooperation with the European region is supported by the INTERPOL European Commission and the Office of the INTERPOL Special Representative to the European Union. The European Commission of INTERPOL identifies regional priorities, region-specific problems of police cooperation and prepares the meetings of the European Regional Conference. On the one hand, the INTERPOL EU Special Representative’s Office handles international warrants, ensuring that warrants issued by European police forces are effectively transmitted to police forces in other countries, thus facilitating cross-border criminal cooperation and the success of investigations. On the other hand, it coordinates and supports the development and implementations of operational plans between European countries, taking into account the specific crime trends and threats in the region. This activity helps European police forces to take appropriate measures (Hegyaljai, 2017).

The relationship between INTERPOL and EU border management is complex and multifaceted. In recent years, the rise of global threats such as terrorism and organised crime has made cooperation even more important. Increasing interconnectivity and mobility have led to criminals exploiting weaknesses in border management systems to facilitate their illegal activities, making the relationship between INTERPOL and EU border agencies of paramount importance in addressing the global challenges posed by transnational crime.

INTERPOL’s activities in support of border management can be structured as follows:

- use of INTERPOL databases,
- providing information exchange between law enforcement agencies,
- operational and investigative support programmes,
- training and capacity building programmes.

The sharing of data and information available to INTERPOL and the coordination of international law enforcement efforts between Member States play a key role in supporting EU border management. This cooperation contributes to improving the EU’s border management capabilities by helping to identify, track and arrest cross-border criminals.

An encrypted, internet-based global communications network at the Organisation’s headquarters in Lyon allows INTERPOL officials and member countries to contact each other at any time. The I-24/7 secure communication system ensures that EU Member States can quickly exchange information with other Member States on suspected terrorists, foreign fighters and their networks. This real-time exchange of information is essential for border control officers to identify potential threats and prevent the movement of such persons. Joint
efforts have successfully led to the identification and arrest of individuals involved in the planning and execution of terrorist attacks. Strengthening this type of information exchange, sharing intelligence on foreign fighters and disrupting financing networks are areas where cooperation plays a key role.

INTERPOL’s criminal information system databases can provide effective support in the fight against the various aspects of international organised crime. Among these, the databases on wanted persons (Nominals), stolen and lost travel documents (SLTD), stolen works of art and stolen motor vehicles (SMV/SV), as well as the database on travel documents flagged in INTERPOL warrants (TDAWN) play a key role in identifying criminals at border crossing points. This information assists border control officers in intercepting persons with stolen passports, illegal goods or wanted persons and contributes to the prevention and detection of transnational crime (Hegyaljai, 2015).

In the framework of INTERPOL cooperation, a number of initiatives have recently been implemented, such as the IDEA project, which aims to make the widest possible use of INTERPOL databases, and the FIELDS project, which are specifically related to the border management field and focused on supporting the work of border management professionals.

A key objective of the 2019–2022 IDEA project was to integrate systematic monitoring in INTERPOL databases into border control processes, which can bring significant added value to the fight against serious crime with a cross-border dimension and to enhance the EU’s internal security (URL4).

Frontex, in cooperation with INTERPOL, launched in 2022 the Frontex INTERPOL Electronic Library Document System (FIELDS), which provides law enforcement officers and border guards with visual information in a simple format on the security features of travel documents and the most important characteristics of counterfeit or falsified documents (URL5).

The information has been collected by Frontex and can be used directly by Member States’ law enforcement authorities for border control and document verification. The system displays the original and genuine documents as well as the main counterfeiting features detected on the type of document, thus facilitating the work of front-line border control officers and supporting immediate operational decision-making during document checks (URL5).

Document fraud is a driver of many other crimes, such as smuggling and trafficking of human beings, terrorist mobility, drug and arms trafficking, and the detection of counterfeit and falsified documents is therefore of paramount importance.

In addition to the above, INTERPOL plans to launch its Biometrics Centre (the Centre) in October 2023, which will provide timely, accurate and relevant identity confirmation information to support investigations, security checks
and border control activities. The Centre aims to facilitate the management and sharing of biometric data by offering a single point of access to INTERPOL biometric services for all Member States. The Centre will allow requests to search fingerprints or facial images to be submitted for comparison with data recorded in INTERPOL’s biometric databases, requests to be followed up and the submitter will receive a response to the result of the search via a hit/no hit notification.

However, the relationship between INTERPOL and EU border management agencies goes beyond the mere exchange of information. INTERPOL also assists EU Member States in achieving more effective border management through its various operational and investigative support programmes. Joint operations such as Operation Neptune are a good example of successful cooperation against illicit activities on high-risk routes and transit areas. The latest Neptune IV operation, which ran from 1 July to 3 September 2022, targeted suspected terrorists and other criminals involved in serious organised crime on maritime routes between North Africa and Southern Europe, focusing on the threats posed by suspected foreign terrorist fighters using maritime routes between North Africa and Southern Europe. The operation involved eight countries – Algeria, Cyprus, France, Italy, Lebanon, Morocco, Spain, Tunisia and Algeria. During checks at seaports and airports, officers carried out more than 2.6 million checks through the SLTD database. These checks generated 140 hits, which led to a further 14 arrests, and seizures of drugs worth USD 3.6 million, 33 kg of cocaine, around 39,400 ecstasy tablets, 133 kg of cannabis, ten stolen cars and ten firearms. The operation also targeted traffickers along the route, with French, Italian and Spanish authorities arresting several suspected traffickers and smugglers (URL6).

To give a domestic example, a joint Danube law enforcement operation has been organised every year since 2014 to detect smuggling, trafficking, illegal migration offences, document fraud, drug, cigarette and other smuggling activities, carry out general waterborne law enforcement checks on vessels and in ports, search for wanted persons, carry out enhanced labour inspections and control dangerous goods transport.

The operations, known as DARIF, involve ten countries along the Danube (Austria, Bulgaria, Croatia, Germany, Hungary, Moldova, Romania, Serbia, Slovakia, Ukraine), as well as INTERPOL, Europol and Frontex (URL7).

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13 The name DARIF refers back to the Hungarian project ‘Establishment of the Danube River Forum Structure – DARIF’, which was implemented between 1 July 2013 and 30 June 2015, and which was linked to the 11th priority area of the European Union’s Danube Macro-regional Strategy. At the final conference of the project, the representatives of the ten Member States of the project recommended the support of joint law enforcement operations to strengthen the safety of Danube transport.
In the joint operation in 2022, 1,126 officers from the 10 Member States took part, using an average of 53 service vessels and 71 service vehicles per day. A total of 105 passenger vessels, 328 cargo vessels, 212 barges, 108 fishing vessels, 34 yachts, 100 containers, 8,862 persons and 7,636 documents were checked during the operation. Checks in Europol, INTERPOL and national databases led to the arrest of three illegal migrants and two traffickers and the seizure of four forged identity documents (URL8).

In addition to information exchange and operational support, INTERPOL also offers training and capacity building programmes to EU Member States to improve their border management practices. These programmes help border control officers to develop their skills in areas such as document examination, profiling and risk assessment. By participating in the training programmes, EU border management agencies can benefit from INTERPOL’s expertise and best practices to detect and apprehend persons involved in cross-border crime. This support will facilitate intelligence sharing, joint operations and the development of harmonised approaches to border management in the EU.

**Challenges in Cooperation**

Cooperation between INTERPOL and the European Union has the potential to bring greater efficiency and effectiveness in the fight against international crime, but it faces a number of difficulties and challenges.

The first and perhaps most important difficulty is that INTERPOL is an international organisation, whereas the European Union is a regional cooperation with Member States. INTERPOL works with many countries around the world, whereas the European Union is limited to a specific area of the continent. As a consequence, cooperation requires the development of comprehensive agreements and legal frameworks. The EU has to take into account the different legal and political regimes of the Member States as well as the general provisions of INTERPOL. Since INTERPOL is in contact with a number of countries with different legal systems and procedural rules, the EU needs to compensate for these differences in order to adopt a unified approach and develop common strategies. This can be challenging as different legal cultures and systems have different priorities and different approaches.

Negotiations for a cooperation agreement between the EU and INTERPOL14 are still ongoing, with the aim of concluding an agreement to regulate cooperation

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between the EU and INTERPOL in the fields of law enforcement, judicial cooperation in criminal matters and border security (as part of border management).


Interoperability between EU systems aims to ensure that end-users – in particular border management and law enforcement agencies, immigration, asylum and judicial authorities – have fast, smooth, regular and controlled access to the information they need to carry out their tasks. Thus, once the interoperability framework is fully implemented, the possibility to check INTERPOL’s SLTD and TDAWN databases will be available to all authorities with access, including border control authorities, at central level, which should further increase the efficiency of border control.

The third challenge is the issue of information exchange. INTERPOL and the EU aim to track and apprehend criminals, for which efficient and rapid exchange of information is essential. However, as Member States hold a wide range of information and maintain separate databases, the collection and sharing of national data for INTERPOL and EU activities can pose serious difficulties, especially with regard to data protection aspects. Harmonising legal frameworks, extradition procedures and operational protocols remains a complex task. Coordination challenges arise mainly from differences in procedural rules, privacy concerns and data protection rules. Striking the right balance between information exchange and the protection of citizens’ rights remains a critical issue in this context.

Finally, political and diplomatic challenges can also have an impact on INTERPOL-EU cooperation. The EU must consult and negotiate with different Member States and therefore reach consensus on common strategies and
activities. This process can be time-consuming and Member States may have different priorities. This is further complicated by the possible different interests and priorities of other INTERPOL members. The effectiveness of cooperation therefore depends to a large extent on the commitment of Member States and the resources made available. INTERPOL can only be as effective as its member countries allow it to be. It is therefore crucial that EU Member States provide sufficient financial and human resources to support INTERPOL’s activities and maximise the benefits of cooperation.

**Summary**

The study highlighted that integrated border management is a vital element in the EU’s efforts to enhance security, facilitate trade and travel, and promote cooperation between Member States.

Through its objectives, key elements, challenges and future perspectives, the EU’s integrated border management is constantly evolving and adapting to changing circumstances and will remain a key element of the EU’s overall governance and security framework.

The link between INTERPOL and the EU border management is vital to enhance the EU’s ability to effectively manage its borders. INTERPOL can provide valuable intelligence, training and operational support to EU Member States in the fight against terrorism, organised crime and other transnational threats. Cooperation will facilitate information exchange, joint operations and training initiatives.

Cooperation between INTERPOL and the European Union can therefore be useful in the fight against crime, but it poses a number of challenges and difficulties. International legal and political differences, challenges to the proper exchange of information and interoperability, as well as political and diplomatic issues, can all be significant barriers to successful cooperation.

The EU’s position of compromise and flexibility, and the development of closer links between Member States, can help strengthen cooperation between INTERPOL and the EU. By adopting a comprehensive and harmonised approach to border management, strengthening the partnership with INTERPOL in capacity building efforts, facilitating information exchange and cooperating in joint operations, the EU can better address transnational threats, which will help to build a safer, more prosperous and integrated Europe.
References


Online links in the article


Laws and Regulations

Agreement between INTERPOL and Europol
Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders
Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders
Council common position 2005/69/JHA of 24 January 2005 on exchanging certain data with INTERPOL
Council decision (EU) 2021/1312 of 19 July 2021 authorising the opening of negotiations for a cooperation agreement between the European Union and the International Criminal Police Organization (ICPO-INTERPOL)


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