

## Europol

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The free movement of persons must be accompanied by an improvement in their safety. As long ago as 1975, the establishment of the Trevi Group had led to intergovernmental cooperation to combat serious crime, terrorism and drug trafficking. The Schengen Agreement advocated the strengthening of police cooperation in these areas and the Implementing Convention established the Schengen Information System, a computer system which enables the police forces in the Schengen area to track wanted criminals or stolen property.

The exchange of information is, nonetheless, inadequate. Germany, backed by Spain, called for the establishment of a real European federal police force, modelled on the American FBI, allowing the police force from one country to have the right of hot pursuit in a neighbouring country (as is the case in the Benelux countries) and also the right to arrest people. However, France, the United Kingdom and most of the countries of the Community were opposed to the idea. On a proposal from the German Chancellor, Helmut Kohl, the principle of the establishment of a European Police Office (Europol), responsible for combating international drug trafficking and organised crime, was adopted at the Luxembourg European Council on 28 and 29 June 1991. Europol came into being with the establishment of a 'Drugs Unit' by the Maastricht European Council on 9 and 10 December 1991.

The Convention establishing Europol was signed on 26 July 1995, but, because of the slowness of ratification procedures, it did not enter into force until July 1999. Europol's powers are limited to dealing with offences committed on an international scale, including drug trafficking, illegal immigration, trafficking in human beings, radio-active substances or motor vehicles, money laundering, counterfeiting and terrorism, etc. By a unanimous decision, the Council of Ministers may extend Europol's jurisdiction to other offences not included in the list. This is how Europol came to cover areas ranging from drug trafficking to terrorism.

Europol has its headquarters in The Hague. The Member States, not the Community, fund its budget directly. Its Management Board consists of one representative of each Member State and one representative of the Commission with non-voting status and operates under the political responsibility of the JHA Council of Ministers. Europol collects and publishes information supplied by the Member States on offences falling within its jurisdiction. It is merely an information agency which assists European police forces and, while it is indeed very useful, it lacks operational powers — an area reserved for national police forces. Hence, its inadequacies, which require joint police action in the short term and, in the long term, the gradual establishment of a European Criminal Investigation Service. The JHA Council adopted a 'joint action' on 5 December 1997, with a view to enhancing judicial cooperation, which, on 29 May 2000, culminated in the Convention on Mutual Assistance in Criminal Matters.