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From: Hungarian delegation

To: Law Enforcement Working Party

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Subject: Final report on Joint Police Operation RAILS (24-Blue)

Delegations will find in annex the final report on the Joint Police Operation RAILS (24-Blue), prepared on the basis of the guidelines set out in the Guide for Joint Police Operations (JPOs) (doc. 16825/10 ENFOPOL 343 JAI 995 COSI 76).

The LEWP is invited to approve the recommendations contained in this final report.

Final report on Joint Police Operation RAILS (24-Blue)

1. Background, general description and operational methodology

The prevention and tackling of thefts and other illegal acts committed on international passenger trains and at railway junctions (railway stations or stops), of illegal migration and related illegal acts, of illegal trafficking and theft of metal and non-ferrous metal, the detection and closing down of illegal sites collecting and buying up metal and non-ferrous metal can only be achieved efficiently by merging various resources and instruments available in the field of police and customs cooperation at the European level.

In order to improve railway safety in relation to rail passenger and goods traffic and to encourage the cooperation between Member States, Hungary had initiated a joint police operation (JPO) called RAILS (24-Blue).

JPO RAILS (24-Blue) focused essentially on checking the passenger trains and railway border-crossing points at the international level from the criminal investigation and policing point of view. Law enforcement authorities of 16 European countries – mainly members of the RAILPOL network – and of the United States of America participated in the operation. The railway security organisations of the participating countries took individual measures to involve partner organisations so as to improve the effectiveness of their checks.

The operation took place between 06.00 on 18 May 2011 and 06.00 on 21 May 2011, including the RAILPOL Action Day (19 May 2011), which was organised to achieve the similar objectives.

During that period, measures in accordance with the objectives of this JPO and in line with the national legal framework were carried out by the participating law enforcement authorities (police, border guard, customs and other agencies) together with the other national partner authorities which they had involved. These authorities carried out their tasks in line with their areas of competence and national legal framework.

During the enhanced controls carried out as part of the operation, special emphasis was put on the traffic at external railway border-crossing points of the EU (Záhony, Kelebia), in order to filter out wanted persons, illegal migrants and false documents. These activities were assisted by close cooperation between the participating police, border policing and customs agencies, FRONTEX, Interpol, Europol and the RAILPOL network.

2. Leading Member State of the operation and coordination structure

The commander of the operation was the head of the Public Order Department, DG for Law Enforcement, National Police HQ, representing Hungary as the country holding the Presidency of the Council at that time. The national contact points were designated in the participating countries.

The operational contact points in Hungary were:

NATIONAL:

Public Order Department, DG for Law Enforcement, National Police HQs
(hereinafter: ORFK RFI KVFO)

Phone: +36 30 430 5277

Fax: +36 1 443 5548

E-mail: kozrendfo@ork.police.hu

Criminal Investigation Department, DG for Criminal Investigation, National Police HQs
(hereinafter: ORFK BFI BFO)

Phone: +36 30 430 5277

Fax: +36 1 443 5535

E-mail: bunugyfo.ork@ork.police.hu

INTERNATIONAL:

International Law Enforcement Cooperation Centre, National Police HQs
(hereinafter: ORFK NEBEK)

Phone: +36 1 443 50 87

Fax: +36 1 443 50 88

E-mail: rails@nebek.police.hu

The tasks of the ORFK RFI KVFO were:

- coordinating with the participating countries,
- receiving information requests from the national contact points,
- compiling a summary report at the end of the operation, on the basis of the forms filled in by the participating countries.

The tasks of the ORFK BFI BFO were:

- coordinating with the participating countries,
- receiving information requests from the national contact points.

The tasks of the ORFK NEBEK were:

- receiving international requests from police units involved in carrying out the operation,
- replying to foreign partner organisations (Interpol, Europol, FRONTEX, the RAILPOL network) on the results of requests.

During the operation the ORFK NEBEK ran the Operations Centre, where the requested data were checked against the databases of Interpol, Europol and the SIS. It also ensured the continuous flow of information to the national contact points of the participating countries. The requests for data checks were received by the Operations Centre via phone, e-mail and radio transmission.

During the preparatory phase following the suggestion of Hungary, which had initiated and coordinated the operation, RAILPOL drew up a single form for evaluation that became an annex to the operational plan.

All participating countries indicated in due time their intention to participate in the operation, their national contact points and the contact details thereof.

Following the operation, the forms were collated and assessed in cooperation with RAILPOL.

3. Participating countries, authorities and organisations

- **Hungary:** central unit of the Police, Budapest county police headquarters, police stations and border policing stations.

Cooperating agencies: National Tax and Customs Authority, National Transportation Authority, Hungarian Labour Inspectorate, railway security units of the Hungarian State Railways Co. Ltd.

The RAILPOL network and police, border-enforcement and customs authorities of the EU were invited to join the operation, and to inform the Presidency of their intention to participate no later than 1 April 2011.

The following countries participated in the operation:

- **France, the Czech Republic, Slovakia, Italy, the Netherlands, Belgium, Spain, Latvia, Luxembourg, the United States of America:** railway policing and criminal investigation units and international police cooperation units,
- **Germany:** Federal Police units and international police cooperation units,
- **Austria, Switzerland, Romania, Bulgaria:** railway policing, criminal investigation and border-enforcement units and international police cooperation units,
- **Finland:** railway policing, criminal investigation, border-enforcement and customs units and international police cooperation units.

FRONTEX delegated two liaison officers to the Kelebia railway border-crossing point, situated at the Hungarian-Serb (Schengen external) border section and one liaison officer to the FRONTEX Focal Point at Záhony, situated at the Hungarian-Ukrainian border section. Romania supported the carrying out of the operation by delegating two border policing experts to Kelebia border-crossing point. Interpol did not delegate any experts, but their Operations Centre in Lyon was available for the entire duration of the operation.

4. Objectives of the operation

The operation aimed to achieve the following results:

- to prevent and counteract infringements and crime against travellers on international passenger trains or those taking place at railway traffic junctions, by paying special attention to trains running at night and to sleeping-cars;
- to efficiently fight illegal migration and related illegal acts;
- to protect railway infrastructure, especially structures and cables made of metal and non-ferrous metal;
- to control legal and illegal dealerships of metal and non-ferrous metal, to control road transport consignments of metal and non-ferrous metal;
- to gather information on perpetrators of larceny of metal and non-ferrous metal and on their modi operandi.

5. Summary of the operational results (based on indicators) and statistics

During JPO RAILS (24-Blue), 17 participating countries carried out checks involving 17 288 officers, in the course of which 5531 trains, 6434 railway junctions and 1014 commercial sites selling metal and non-ferrous metal were checked.

Out of the 39 891 persons subject to police measures, 861 were subject to measures restricting their personal freedom. In the course of the operation 18,63 tons of metal and non-ferrous metal were seized, 17,53 tons of which by the Hungarian authorities. The Hungarian customs authority recovered a significant amount of metal at an illegal commercial site. In addition, Germany seized 0,5 tons and Austria seized 0,6 tons of metal. As a result of checks carried out during the operation, 213 grams of drugs (12,1 grams of heavy and 200,9 grams of light drugs) were seized.

During the operation, 5 persons wanted by Hungary were apprehended abroad – in Austria, Switzerland, Germany and Slovakia.

The operation produced excellent results, especially relating to Germany, France, Italy, Austria and Belgium.

Statistical figures on the measures carried out by the participating countries:

- **Hungary:** 3128 police officers checked the background of 19 866 persons by controlling 1142 trains and 1106 railway junctions. 254 persons were subject to measures restricting their personal freedom, 9 of whom for rowdyism, 13 for metal theft, 19 for illegal acts relating to migration and 213 for other cases. 182 minor offences and 94 public administration procedures were initiated against perpetrators, and HUF 2 627 000 in fines were imposed on 507 persons. During the checks, 17 530 kilograms of metal and non-ferrous metal were seized, the vast majority of which (12 700 kg) were seized by the customs authority at an illegal commercial site. In the course of the checks, 7,9 grams of drugs (light drugs) were seized. 3 persons wanted by the SIS and 1 wanted by Interpol were apprehended, furthermore 134 foreign persons were checked against the database of Europol, 3 of which were subject to an alert.
- **Germany:** 1738 police officers checked the background of 2935 persons by controlling 1357 trains and 1095 railway junctions. 48 persons were subject to measures restricting their personal freedom, 25 of whom for illegal migration, 4 for rowdyism, 9 for pickpocketing, 2 for metal theft and 8 for other illegal acts. Out of the 63 infringements detected and proceedings initiated, 21 related to illegal migration, 9 to vandalism, 10 to graffiti and 23 to other illegal acts. In the course of the checks, 500 kilograms of metal and non-ferrous metal were seized.
- **France:** 4800 police officers checked 1096 trains and 2668 railway junctions. Furthermore, the controlling of 2 commercial sites dealing with metal and non-ferrous metal also took place. 391 persons were subject to measures restricting their personal freedom, 7 of whom for luggage theft, 2 for metal theft, 2 for bank card falsification, 21 for drug abuse, 105 for acts against public order, 2 for border-enforcement infringements and 252 for other illegal acts.

- **Bulgaria:** 506 police officers checked the background of 522 persons by controlling 147 trains and 100 railway junctions, and controlled 37 commercial sites dealing with metal and non-ferrous metal. 24 registered illegal acts formed a basis for proceedings, while 5 persons were subject to measures restricting their personal freedom, 1 of whom for pickpocketing and 4 for other cases.
- **Romania:** 583 police officers checked the background of 98 persons and applied sanctions/initiated a minor-offence procedure in 154 cases, while they initiated criminal proceedings in 29 cases. Regarding the large number of measures, it must be noted that national legislation in Romania allows for imposing sanctions against economic associations.
- **Czech Republic:** 1787 police officers checked the background of 3832 persons by controlling 90 trains.
- **Slovakia:** 787 police officers checked the background of 719 persons by controlling 465 trains and 536 railway junctions. 395 proceeding were initiated for illegal acts and fines amounting to 11 610 EUR were imposed.
- **Italy:** 1315 police officers checked the background of 1738 persons by controlling 120 trains and 255 railway junctions. 27 persons were subject to measures restricting their personal freedom, 5 of whom for pickpocketing, 10 for luggage theft, 7 for metal theft and 5 for drug abuse. Sanctions and proceedings were initiated in 18 cases for pickpocketing, 13 cases for luggage theft, 11 cases for drug abuse and 27 cases for illegal border crossing. In the course of the checks, 68 grams of drugs (light drugs) were seized.

- **Austria:** 275 police officers checked the background of 3212 persons by controlling 104 trains and 151 railway junctions. In addition, 24 commercial sites dealing with metal and non-ferrous metal were checked, in the course of which 600 kilograms of metal and non-ferrous metal were seized. 42 persons were subject to measures restricting their personal freedom, 1 of whom for pickpocketing, 25 for border violation, 7 for money laundering and 9 for other cases. In the course of the checks, 44 grams of drugs (6 grams of heavy drugs, 38 grams of light drugs) were seized.
- **The Netherlands:** 163 police officers checked the background of 3286 persons by controlling 265 trains and 42 railway junctions. 12 persons were subject to measures restricting their personal freedom; sanctions were applied/proceedings were initiated in 208 cases for having committed an act against public order.
- **Belgium:** 148 police officers checked the background of 471 persons by controlling 72 trains and 22 railway junctions. In addition, they checked 5 commercial sites dealing with metal and non-ferrous metal. 44 persons were subject to measures restricting their personal freedom, 1 of whom for pickpocketing, 11 for luggage theft, 12 for drug abuse and 20 for traffic infringements. Sanctions and proceedings were initiated in 69 cases (9 luggage thefts, 2 illegal acts relating to the trade of metal and non-ferrous metal, 35 drug abuses and 23 other illegal acts).
In the course of the checks, 69,1 grams of drugs (6,1 grams of heavy drugs and 63 grams of light drugs) were seized.
- **Spain:** 329 police officers checked the background of 1665 persons by controlling 350 trains and 84 railway junctions. Furthermore, 216 commercial sites dealing with metal and non-ferrous metal were checked. 27 persons were subject to coercive measures restricting their personal freedom. In the course of the checks, 24 grams of narcotic drugs (light drugs) were seized.
- **Latvia:** 102 police officers checked the background of 334 persons by controlling 116 trains and 96 railway junctions.

- **Finland:** 60 police officers checked the background of 8 persons by controlling 18 trains and 1 railway junction.
- **Luxembourg:** 186 police officers checked the background of 355 persons by controlling 59 trains and 54 railway junctions.
- **Switzerland:** 113 police officers checked the background of 850 persons by controlling 130 trains and 20 railway junctions. 11 persons were subject to measures restricting their personal freedom, 5 of whom for document falsification, 2 for illegal migration and 4 for other cases.
- **United States of America:** 1268 police officers checked 204 railway junctions.

The aggregated statistical figures for JPO RAILS (24-Blue) are set out in annex of this report.

6. **Costs**

The participating countries, FRONTEX and Europol bore their own costs related to carrying out this operation.

7. **Evaluation of the operation**

JPO RAILS (24-Blue) relating to international railway security was the first JPO organised together with the members of RAILPOL network, which played a key role in carrying out the operation. Such operations could be considered as a first step towards enhancing cooperation between the Law Enforcement Working Party and the RAILPOL network.

In the course of negotiations, the participating countries agreed on the priorities of the series of activities suggested by the Hungarian Presidency. Among these priorities, special emphasis was put on the theft of metal and non-ferrous metal and on tackling illegal trade in order to protect the railway infrastructure. The national provisions determining the competence of respective law enforcement authorities did not allow certain participating countries to achieve the latter objective.

It can, however, be noted that most of the participating countries managed to achieve tangible overall results. The measures aimed at reducing the illegal trade in metal and non-ferrous metal which were taken in Hungary produced exceptional results due to the efficient cooperation of the National Tax and Customs Authority.

The operation was carried out effectively both within the participating countries and internationally. The participation of the numerous countries, national and international partner organisations, Interpol, Europol, FRONTEX and the RAILPOL network and the results of the operation show that JPO RAILS (24-Blue) was the most successful JPO organised by the Hungarian Presidency. The operation went beyond the unified action and strong cooperation of RAILPOL network and those Member States not parties to it (Luxembourg and Finland) since, at Hungary's invitation, 34 federal States of the United States of America also joined the international series of activities, thereby acknowledging the importance of the safety of rail passenger traffic and expedition, railway infrastructure and the safety of passengers.

The running of the Operations Centre in Budapest allowed to set a kind of example, which – through the targeted use of Interpol, Europol and Schengen channels – created a new information module linking the international law enforcement and criminal investigation organisations.

- **Recommendations for possible future improvements or best practices and/or further action**

During JPO RAILS certain best practices were identified, on the basis of which the following recommendations are suggested:

- In order to achieve the planned objectives, the priorities of JPOs should be determined in the Operational Plan, on the basis of which national action plans should be prepared in line with the national legal framework. However, during the planning period it should be taken into consideration that certain recommended priorities cannot be carried out by all participating countries due to national legal limitations and differences (e.g. measures against the illegal trafficking of metal and non-ferrous metal).
- When JPOs are organised in the field of railway safety, special attention should be paid to the trains with sleeping cars.
- During the whole period of JPOs organised at the European level the exchange of information should be carried out by using Interpol, Europol and Schengen (SIRENE) channels.
- Operations Centre available 24/7 should be established, as it proved to be efficient during JPO RAILS (24-Blue).
- It is recommended to organise further JPOs in this field and to involve experts from the public safety and criminal field, customs and other agencies as well as border guards when carrying out such operations.
- Future JPOs could focus on the traffic at external railway border-crossing points of the EU. Such JPOs should be organised in cooperation with existing agencies, such as Interpol, Europol, FRONTEX and the RAILPOL network, and their guest officers operating in the field could be invited. It could also be beneficial to invite non-EU countries to participate in such JPOs, for example, the USA as in JPO RAILS (24-Blue).

Total statistical figures/results of JPO RAILS (24-Blue)

	Time schedule		General information					Specific information						
	Total hours	Total of staff	number of trains	number of stations	number of crossings	checked persons	checked metal depots	penalties	arrested	amount of money	weight in kg	weight in gr	number of victims	pieces of cigarettes
Pickpocketing	104	789	691	440		582		80	18	120			4	
Petty theft	109	637	125	266		366		179	32					
Skimming	23	24	10	10										
Credit card fraud	31	33	10	2					2					
Metal theft	87	952	37	105	2	190	51	177	24		18630		3	
Metal depots	35	192	48	12		171	961	7						
Alcohol checks on train staff	36	30	104	8		123								
Checks of crossings	77	543	18	159	4437	635		10583	5					
Hard drugs	61	119	66	63		125		18	9			0,0121		
Soft drugs	96	248	99	109		943		59	38			0,2009		
Public safety	313	6055	2015	3598	50	28601	2	683	125					
Cross-border actions	71	63	54	13		711		24	6					
Human trafficking	68	92	85	22		553		20	20				1	
Frontier-running	103	112	85	93	12	1144		30	45					
Money laundering	23	30	11	2		33		14	15					
Other	812	6354	1183	914	41	3420		285	486					3160
Illegal Immigration	32	477	644	289		1783		48	27					
Vandalism	3	254	227	256		327		9	4					
Graffiti	8	185		69		43		10						
Document fraud	4	16	15	3		141			5					
Organised begging/ antisocial behaviour	6	80												
Control of hazardous substances	8	3	4	1				22						
Total	2110	17288	5531	6434	4542	39891	1014	12248	861	120	18630	0,21	8	3160