

THE AFRICAN POLICE COOPERATION ORGANIZATION (AFRIPOL)

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Abstract: The author dedicates his work to the regional police cooperation of African countries, which is a reflection of the global security concept on the African continent. This connection between regional and global is presented as a special mechanism of the African Union dedicated to the member states' national police forces' cooperation. The author emphasizes the parallel between the African Police Cooperation Organization (AFRIPOL) and the International Criminal Police Organization (INTERPOL), through introducing the organizational, normative, and police aspects of the AFRIPOL's activities. We are introduced to the AFRIPOL's independent and collective governing and decision-making bodies in the organizational segment, such as the President of the General Assembly, Executive Director, General Assembly, Executive Committee, and Permanent Secretariat. The normative part of the paper is dedicated to documents that are of fundamental importance for the establishment and existence of the AFRIPOL and form its legal basis, which the author cites as the Algiers Declaration of 2014, the African Union Agenda 2063 of 2015 and the AFRIPOL Statute of 2017. Finally, the author presents the police activities of the AFRIPOL through an analysis of the African Union member states' strategy for combating cybercrime. The intention of the author is to point out the importance of international police cooperation in his work, considering the role of the AFRIPOL, regardless of whether it is a part of regional or global levels that are complementary manifestations of the same phenomenon.

Keywords: International police cooperation, AFRIPOL, African Union, Algiers Declaration, Agenda 2063, cybercrime, INTERPOL.

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INTRODUCTION

The matter of global police cooperation is based on an international police network focused on combating both transnational and organized crime phenomena. Nowadays, national police services collaborate on a regional, continental, and international level. This kind of cooperation is quite daily as being maintained through various kinds of models such as: the global issue of International Criminal Police Organization (ICPO-INTERPOL); some continental associations like the European Police Office (EUROPOL), the Police Community of the Americas (AMERIPOL) and the AFRIPOL; as well as a couple of regional initiatives like the Southeast European Law Enforcement Center (SELEC), the Police Cooperation Convention for Southeast Europe (PCC SEE), the Southeast Europe Police Chiefs Association (SEPCA), the Caribbean Community Implementation Agency for Crime and Security (CARICOM IMPACS), the Association of Caribbean Commissioners of Police (ACCP), the National Police Organization for the Association of Southeast Asian Nations (ASEANAPOL), the South Pacific Chiefs of Police Conference (SPCPC), the West African Police Chiefs Committee (WAPCCO), the Central African Police Chiefs Committee (CAPCCO), the Eastern Africa Police Chiefs Cooperation Organization (EAPCCO), the Southern African Region Police Chiefs Cooperation Organization (SARPCCO), and others (Uljanov & Ivanović, 2010; Uljanov 2013; Sciarabba & Sullivan, 2010; Hughes, Hunt & Curth-Bibb, 2013). This structure of global security is created through interoperable communication, information-exchanging systems, and regional hub offices, including liaison officers' operational activities in the field (Barnett & Coleman, 2005). Core social values are harmed by international criminal activities in the way of endangering global economic and political stability. Hence, the common goal of joint efforts of many national police services, law enforcement units, and security agencies is to combat illegal acts through consistent police cooperation worldwide using, *inter alia*, innovative information technology (Szumski, 2015). Just like the others, African leaders have been challenged to make certain choices to stand for the idea of intensifying mutual police collaboration in Africa, although with very low commitment (Williams, 2014). In the post-Cold War era, African countries faced misbalanced conditions for achieving peace and security, and therefore the Organization of African Unity (OAU) was established to address the major concerns (Robinson, 2014). The collaboration of the national police services of African states was required to protect the goal of continental stability and to avoid criminal perspectives as a *cul-de-sac* of socio-economic development and progress. Subsequently, national police forces

in Africa got together to consider two essential steps forward to be taken, such as enabling rapid response and enhancing modern technology logistics. Both steps are inevitably solid ground for new dimensions of police work to be boosted. However, the absence of a police association to follow the OAU political and security schedule was overpowered by tailoring different normative and law enforcement standards through numerous peace and security summits in Africa (Van der Spuy, 2009). So, it helped African leaders integrate economic and political goals regionally. Yet, stability on the continent was still to be accomplished, but not through poor police cooperation (Sunshine & Tyler, 2003). Actually, that state of play triggered the AFRIPOL to be established as an African Union mechanism for police cooperation *per se*. Having in mind that the AFRIPOL is not just a formal organization or some part-time *deus ex machina*, let us get to know its organizational structure, normative framework, and both police and security capacities and issues.

ORGANIZATIONAL STRUCTURE

According to the Preamble of the AFRIPOL Statute, African sub-regions are suffering from an emerging scale of crime that affects technologies of communication and information, illicit ways of transferring capital, as well as smuggling and trafficking of natural resources illegally. Therefore, there has been an evolving specific converged poly-criminalized phenomena reflecting the correlative consequences of money laundering, corruption, arms smuggling, drug trafficking, people smuggling, and kidnapping for ransom increased by terrorist networks and organized criminal syndicates. To have an effective police response to the various *modi operandi* of criminal activity affecting African states, the following steps are required through the AFRIPOL connectivity: strengthening of police capabilities, harmonization of police methods, and exchange of best practices in the matter of investigative techniques, forensic expertise, prevention, constant education, and intensive training. The success of the AFRIPOL mission, to enhance coordination in combating and preventing existing and potential forms of transnational organized crime, relies on the functionality of its organizational structure, though. First and foremost, the AFRIPOL is required to follow the following principles (Article 5 of the AFRIPOL Statute). It is forbidden to interfere in the international affairs of any member state and not to respect both their sovereignty and national laws. Human rights, democratic standards, good governance and the rule of law have to be respected, as well as the presumption of innocence, integrity, neutrality and ethics in performing police

duty. Essentially, as an organization, the AFRIPOL is under African ownership with headquarters in Algiers, the capital of the People's Democratic Republic of Algeria, and has Arabic, English, French, and Portuguese as working languages (Articles 24, 25, and 29 of the AFRIPOL Statute). The AFRIPOL organizational structure consists of several organs, such as the General Assembly, Steering Committee, Secretariat, and National Liaison Offices (Article 7 of the AFRIPOL Statute). The supreme one is the General Assembly in both consulting and technical ways. Member states' chiefs of police are delegated to the General Assembly (Article 8 of the AFRIPOL Statute). This AFRIPOL major organ runs policies, creates guidelines and sets strategic priorities, appoints and terminates the mandate of the Executive Director, recommends the amendments of the Statute, adopts its Rules of Procedures and elects five members of the Bureau on behalf of five African regions, having the roles of President, three Vice Presidents and Reporter for a non-renewable term of two years (Article 8 of the AFRIPOL Statute). These members of the Bureau, together with the Commissioner for Peace and Security of the African Union, the Executive Director of the AFRIPOL and the Heads of Regional Police Chiefs' Cooperation Organizations for West, Central, Eastern and Southern Africa, create the Steering Committee (Article 9 of the AFRIPOL Statute). The President of the General Assembly chairs the Steering Committee as well. The AFRIPOL Secretariat is headed by the Chief Executive Officer, assisted by proper staff, and has the role of the Director appointed by the General Assembly upon recommendation of the Steering Committee (Article 10 of the AFRIPOL Statute). This organ keeps the AFRIPOL's administration efficient, convenes and serves meetings, implements decisions of both the General Assembly and the Steering Committee, keeps contact with African and international law enforcement authorities, draws up the annual draft working schedule of the General Assembly, and submits to it AFRIPOL's annual activities and related financial reports (Article 10 of the AFRIPOL Statute). Last but not least, National Liaison Offices enable effective coordination and realization of the AFRIPOL activities being established in each of the member states (Article 11 of the AFRIPOL Statute).

NORMATIVE FRAMEWORK

The operational workflow of any organization is almost impossible if it is not built upon a solid normative framework. Legal sources that tailor the formal determinants of a particular association, institution, or organization are timely defined to be dichotomous. In the case of the AFRIPOL, one can sort out two exact types of legal sources having *ex tunc* or *ex nunc* effects on

the functional mainstream of this organization. The first group of pre-AFRIPOL period legal documents are dedicated to African regional police associations, such as the EAPCCO, the WAPCCO, the CAPCCO, and the SARPCOO, covering the eastern, western, central, and southern parts of this continent. East African countries recognized the need to enhance police cooperation in combating cross-border illegal activities as well as to put common efforts into sharing operational information, creating law enforcement strategies, and harmonizing laws against transnational organized crime.¹ Actually, the first member states have gathered their capacities through the cooperation of the heads of national police services.² Their major concerns, according to the Constitution of the EAPCCO, have been affecting East Africa through forms of economic and financial illegal offences; trafficking of drugs and arms; armed assaults; terrorism; stolen artifacts and stolen vehicles; as well as trafficking in human beings and cybercrime. Almost following the very same pattern, the countries of West Africa formed the WAPCCO as a regional police organization derived from the West African Police Chiefs' Collaboration.³ The aims of the WAPCCO are focused on improving cooperation among West African national police forces and increasing effectiveness in the matter of crime prevention and combating cross-border illegal activities. The WAPCCO mission relates to creating a regional strategy for countering crime, detecting emerging forms of crime, establishing the presence of organized criminal groups and coordinating the collaboration of West African countries' police services.⁴ The CAPCCO was initiated as a prospective organization, resulting from the joint efforts of the Central Africa Police Chiefs Committee.⁵ The main attention of police forces in Central Africa

¹ The first EAPCCO member states were: Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, Sudan, Tanzania, and Uganda. Later, they were joined by the Comoros, the Democratic Republic of Congo, and South Sudan.

² Formally, the EAPCCO was founded in Kampala, Uganda on February 19, 1998, but its Constitution was signed on June 20, 2000, in Khartoum, Sudan, and came into force on August 21, 2002.

³ The idea of the WAPCCO originated from resolutions adopted by the 1st and 2nd Meetings of West African Police Chiefs held on 20th and 21st March in Abuja, Nigeria; and from 18th to 22nd June 1998 in Ougadougou, Burkina Faso, the WAPCCO member states are: Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

⁴ Article 2 of the WAPCCO Constitution.

⁵ The CAPCCO was created by the Central Africa Police Chiefs Committee in 1997 in Congo. It has the following member states: Cameroon, Gabon, Chad, Central African

is paid to enhancing police effectiveness and cooperation in combating illicit drug trafficking, using lost and stolen documents and smuggling of both weapons and stolen vehicles. Finally, the SARPCCO is a regional organization of police forces in Southern Africa, created to foster collaboration and mutual assistance among its member states.⁶ Its objectives are to promote cooperation, enhance strategies, disseminate relevant information, ensure efficient joint police operations, make recommendations to the member states' governments, and so on (Dissel & Tait, 2011, p. 2). As principles of cooperation, the SARPCCO respects national sovereignty, equality of police forces, non-political professionalism, mutual benefit, protection of human rights, non-discrimination and goodwill (Articles 14 and 15 of the Algiers Declaration). It should be noted that the SARPCCO's objectives and principles are governed by the Code of Conduct for Police Officials, which standardizes the following issues: human life, use of force, torture, protection in custody, victims of crime, rule of law, trustworthiness, corruption, abuse of power, the performance of duty, confidentiality, and property rights (Articles 1-13 of the Code of Conduct for Police Officials of the SARPCCO in accordance with the Harare Resolution from August 31, 2000). One can say that SARPCCO has an adequate normative ground to combat core security challenges in Southern Africa, such as organized criminal syndicates, cybercrime, terrorism, drug trafficking, violent crimes, illicit mercenary activities, trafficking in small arms, criminal intelligence networks, money laundering, people smuggling, trafficking in human beings, abuse and violence against women and children, illegal mining, and maritime piracy. As a result of the aforementioned legal documents and actions, the idea of the AFRIPOL as a roof organization to unite and coordinate all efforts of regional police bodies, such as the EAPCCO, the CAPCCO, the WAPCCO, and the SARPCOO, was born. Besides the Statute of the AFRIPOL, the other *ex nunc* legal source and needed part of the AFRIPOL normative framework is the Algiers Declaration on the Establishment of the AFRIPOL.⁷ Let us have an overview of the Declaration's

Republic, the Republic of Congo, the Democratic Republic of Congo, Equatorial Guinea, and Sao Tome and Principe.

⁶ The SARPCCO was established in Harare, Zimbabwe, in August 1995. This organization has the following member states: Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe.

⁷ The Statute of the AFRIPOL was adopted by the 28th Ordinary Session of the Assembly of the African Union in Addis Ababa, Ethiopia, on January 30, 2017, and the Algiers Declaration on the Establishment of the AFRIPOL was signed at Algiers, Algeria, on February 11, 2014.

essential parts. The Algiers Declaration, as a legal instrument that triggered the formation of AFRIPOL, represents an important normative milestone in enhancing police cooperation among African states, regardless of region. Firstly, this legal source reflects the commitment of the African Union member states to enable peace, security, stability, and safety on the entire African continent (Article 1 of the Algiers Declaration). It demonstrates the Pan-African need to protect society from the menaces of both organized crime and terrorism (Article 3 of the Algiers Declaration). Influences of the INTERPOL, as a model organization, and the African Union, as a patron organization, were obvious in establishing the AFRIPOL. The African Union gave and supported the *raison d'être* of having the AFRIPOL created (Article 8 of the Algiers Declaration). Nevertheless, the INTERPOL offered logistical support and provided its services to increase the technical and communication capacities of African national police forces, ensuring a good start for the AFRIPOL operational methodology and coordinative network (Articles 5 and 9 of the Algiers Declaration). In the Declaration, it has been acknowledged that African regional police organizations have been achieving progress and have to be consolidated as an overall African framework of prevention and combating all modes of criminal activity (Article 10 of the Algiers Declaration). As major criminal threats for African states, besides terrorism and organized crime, the Declaration recognizes as the AFRIPOL priorities: smuggling of drugs; migrants and light arms; human trafficking; cybercrime; illicit trade of false medicine products; maritime piracy; environmental crimes; public disorder; and social unrest (Article 11 of the Algiers Declaration). According to the Declaration, African natural resources are a vulnerable category targeted by national and cross-border criminal networks, and it is of the AFRIPOL's special interest to prevent and counter their illicit trafficking and smuggling (Articles 12 and 13 of the Algiers Declaration). The final part of the Algiers Declaration tailors the AFRIPOL objectives at strategic, tactical, and operational levels to coordinate African states' police forces to detect, prevent, and combat major criminal threats and security challenges through risk assessments, criminal intelligence analyzing, planning actions, and accomplishing tasks in active collaboration with the INTERPOL and the United Nations Office on Drugs and Crime (UNODC) (Articles 14 and 15 of the Algiers Declaration). It is determined by the Declaration, as a crucial part of the AFRIPOL purpose, that the African Union Mechanism for Police Cooperation is to deal with harmonizing police methodology, exchanging of best practices, training and education, prevention, investigative techniques, matters of expertise and strengthening of police force effectiveness in Africa. One more document has its *ex nunc* effect, even though its goals are set as

wishing perspectives and guidelines for the future period still to come. Due to the fact that these perspectives are to be realized, the development of African society is predefined with major courses given already in the so-called Agenda 2063 (Agenda 2063, 2015, January 31). As an echo of the Pan-African vision, the Agenda is the normative sum of aspirations for a developed and progressive Africa in future times. One of the aspirations relates to the ideal of a peaceful and secure Africa and does have to do with the objectives and principles of the AFRIPOL (*Ibid.*, pp. 2, 6-7). Hence, the normative framework of the AFRIPOL has past, present, and future dimensions depending on the very legal source and the particular document as its own elementary factors.

POLICE AND SECURITY ISSUES

Having in mind the very role of the AFRIPOL, as directed towards future perspectives of global police cooperation among African countries, and according to the kind of criminal activities connected to the development of communication and informatics technology as well as to both transnational and organized crime, it deems necessary to point out the legal significance, security importance, and police strategic and operational values of the AFRIPOL Cybercrime Strategy (AFRIPOL Cybercrime Strategy, 2019, October 3). The Strategy has the purpose of enhancing the development of skills and capacities in fighting cybercrime and dismantling organized crime hubs and networks related to cybercrime illicit acts. The AFRIPOL Cybercrime Strategy refers to the next lines of action aiming to provide coherent control patterns considering smooth information exchange: fostering the capacities of the AFRIPOL cyber unit, just as of cyber units of member states, by developing logistic support in collecting relevant facts for running digital investigations; organizing specialized training courses of member states' police forces in combating cybercrime; harmonizing national legislation of the member states; and achieving effective threat assessment regarding the danger of cybercrime (*Ibid.*, pp. 3-4).

The problem of information gaps in communication among the AFRIPOL member states is to be overcome with the support of the INTERPOL informatics sources and technical capacities. Cooperation between the INTERPOL and the African Union is vital for the AFRIPOL to increase the degree of the success in the fight against cybercrime in Africa. Accordingly, there is a special Agreement between the INTERPOL and the African Union on having interoperability between the protected I-24/7 communication system for information exchange of the INTERPOL and the

African Police Communication (AFSECOM) system for information disseminating of the AFRIPOL. This cooperation is also intensified by the INTERPOL Support Program for the African Union (ISPA). So, the INTERPOL has a guiding role for the AFRIPOL in optimizing organizational consistency and operational effectiveness. Based on the AFRIPOL Cybercrime Strategy, the strategic priorities of this Pan-African police organization are designated as: enhancing the human resources and material possibilities of the AFRIPOL Cyber unit; implementing standard operational procedures for collecting and preserving digital evidence as well as conducting digital investigations; using standardized hardware and software; developing technical protocols and legal procedures in the matter of criminal proceedings for cybercrime offences; respecting methodology for collecting, storing, and analyzing of both digital traces and proofs; setting up digital laboratories for forensic expertise and analysis of cybercrime *modi operandi*; running advance training courses for cybercrime investigators; organizing workshops on digital fingerprints detection; launching the AFRIPOL e-learning platform to be hosted by support of the African Union; creating specialized investigative manuals with guidelines and best practices to be shared with the AFRIPOL member states; establishing working groups by having the member states' digital experts gathered to consider particular cases of cybercrime; developing tactical approach and operational actions in Africa and globally; intensifying relations between public and private sector to optimize results of countering cybercrime; promoting joint assignments of the member states' cyber units in the matter of having occasional task forces and mobile response teams; coordinating activities with the INTERPOL and the UNODC network; standardizing the use of communication channels among the member states' police forces; staying focused on cybercrime trends; creating a particular monitoring system to detect potential risks and possible cyber attacks; and establishing an operational alert system for disseminating warnings on cyber attacks (*Ibid.*, pp. 5-8).

CONCLUSIONS

One can say that the AFRIPOL's capacities are limited by the heavy burden of imposed balance between challenges and possibilities. African states' police forces are an important factor on the continent as being potentially formidable opponents to African and non-African organized criminal syndicates, illegal networks, criminal hubs, and illicit markets (Gyamfi, 2019, p. 51). Yet, financial difficulties, obstructive political

influence, cultural differences, traditional conflicts, colonial heritage, ethnical inequality, and the devastating impact of corruption on social life and the poverty of a vast number of citizens challenge African states in uniting efforts to evolve regarding Pan-African future perspectives. However, the INTERPOL and the UNODC support, constant education and training sessions, and a global approach to combating transnational criminal networks, terrorism, emerging illegal activities, and cybercrime forced African countries' governments to choose better solutions to enable the existence of their nations. This requires a serious commitment to change kleptocracy for the rule of law. As an organization, the AFRIPOL is like a lighthouse in the stormy seas of African controversies.

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