Cooperation in Policing Schengen Area Borders: the Czech Republic/Austrian Example
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To cite this version:
Mathilde Darley. Cooperation in Policing Schengen Area Borders: the Czech Republic/Austrian Example. Penal Issues, 2010, pp.1-4. hal-00835978

HAL Id: hal-00835978
https://hal.archives-ouvertes.fr/hal-00835978
Submitted on 20 Jun 2013

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ransdisciplinary research on borders has flourished since the late 1980s, but most so called Border Studies focus on social and cultural life in border areas, or on the effects of frontiers on the experience and perceptions of local populations. In contrast to this now well-established trend in research, studies concerned with the practices and perceptions of professional groups stationed on the border – that is to say, the police – are relatively underdeveloped. Police cooperation on borders, as a specific aspect of policing activities, has received little attention by social scientists, as well. The few studies to be found are written by English-language researchers who often prefer to investigate supranational cross-border cooperation policies and the policing schemes such as Interpol in charge of enforcing them, rather than observing local cooperative practices on the borders themselves. For Europe as a whole, research on border protection is particularly valuable, since border control is central to the EU project: the Schengen Agreement, signed by Belgium, France, Germany, Luxembourg, and the Netherlands in 1985, provides for the elimination of border checks within the Schengen area, in exchange for the reinforced control of its outer limits (with provisions made, essentially, by the Convention implementing the agreement, adopted in June 1990). The distinction between internal and external borders then became central to the EU project as well as to the integration of new member states.

The present research project, based on observations made between 2004 and 2007 at the border between Austria and the Czech Republic (an external frontier of the Schengen area at the time), attempted to determine how police border control practices were modified on a Schengen area border destined to become an internal EU border. To do so, interviews were conducted with upper-echelon police officers in Vienna and Prague, completed by field observations and interviews with border police officers stationed at the Czech/Austrian border.

### Structural Conditions for Police Cooperation

One of the main symbolic functions of borders resides in their supposed ability to provide security for the inhabitants of a given territory, which promise is also fundamental to the legitimacy of States. Most governments are therefore reluctant, a priori, to relinquish part of their power with respect to border control and the protection of their internal security. Police management of borders, symbolic of State authority, involving protection of the territory, order-maintenance, and the control of crime, as well as the choice of methods for achieving these goals, has long been one of the most important spheres expressing national sovereignty. Many writers have stressed the fact that international cooperation between public policing institutions is intrinsically contradictory to their state-centred function. Consequently, the existence of such cooperation raises the question of police motivations for transnational cooperation. According to the theoretical model developed by Mathieu Deflem, the police agencies engaged in forms of policing cooperation must, above all, dispose of reliable structural conditions making joint action possible. Most important requisites are sufficient autonomy of the policing institution on the national scene, and the need for the police forces involved to occupy similar positions within their respective administrations.

For the German and Polish police, for instance, whose cooperation is often cited as exemplary at the European level, the history of their respective institutions and their position in the national administration have been shown to constitute structural conditions theoretically auspicious to the development of joint action. The Polish and East-German police departments were in close contact inasmuch as both countries belonged to the socialist block and the Warsaw Pact, and once the socialist regimes collapsed the demilitarized police agencies on both sides of the Oder-Neisse line rapidly engaged in various forms of bilateral cooperation. Conversely, the Czech and Austrian police forces were weighted down by their contrasting national – and corresponding institutional – histories, which seem to impede the development of transnational action. The fact that the Czech Republic used to be communist is an argument often heard from Austrian police officials and border guards to explain why they are somewhat reluctant to see the two institutions join up. Although they

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1. Studies include Josiah McC. Heyman’s research on the police forces on the Mexican-American border, Alexandra Schwell’s work on police cooperation on the German-Polish border, and the work of Ailis Magnus on the French-German border.
hail the « advances » and « incredible efforts » of the new member States, the people interviewed in Austria stress the fact that « the difference between East and West is still considerable », that « in the new member States the police is still run along the old (socialist) model » and that « corruption (…) still exists, because wages are still much, much lower, especially for police officers ».

« Czech police officers are corrupt, they agree to close their eyes as soon as they are given money. It will take a long time for that to change. And it will be worse when they become part of Schengen ».

Moreover, the agitated history of the Czech-Austrian border regions seems to have contributed to the petrifaction of the border, with respect to both police border-crossing practices and their perception of the border area. So, although the development of police cooperation (and of binational patrolling, in particular) leads them to cross the national borders increasingly often on their job, most of the interviewed police officers, both Austrian and Czech, reported that they never crossed the border when off the job, whereas cross-border shopping is very popular with local people, and Austrians in particular, who take advantage of the lower prices for many goods such as liquor and cigarettes on the Czech side.

« I went to M. (a Czech border town) once, to Prague twice, but I don't like the Czechs, actually. There are historical reasons: the border was closed for so long, people are different. Then, there's another historical reason: many of the elderly people here were chased out of the Czech border area, so they have a negative attitude toward the Czech Republic. (...) Most of us distrust them, and for good reasons... ».

This quote from an Austrian border guard illustrates the weight of history in the imagination presiding over perception of the border: there are repeated allusions to Czechoslovakia's 1945 Beneš decrees, on the basis of which the Sudetenland Germans were expelled from the Czechoslovakian border areas, and sent to Germany and Austria. The number of people who died during the expulsions, en route or in camps, is estimated at close to thirty thousand.

The Beneš decrees surfaced again on the European political agenda in 2002, during the negotiations for the Czech Republic's membership in the European Union. Several Hungarian, German and Austrian officials demanded that acceptance of the Czech Republic in the Union be conditioned by the repeal of the Beneš rulings (still in force at the time).

### Police Cooperation, in Practice

Discourse aside, observing the day-to-day practical cooperation between Czech and Austrian police forces between 2004 and 2007 was interesting. Faced with the prospect, already scheduled, of having the Czech Republic become part of the Schengen area, with the Czech-Austrian border becoming an internal border, these practices primarily took three forms, briefly discussed below: the police cooperation centre, opened at the border between Moravia and Lower Austria in the fall of 2006, aimed at facilitating the exchange of information between the two police forces so as to enhance cross-border crime control; joint patrolling of the « green border » (the term designating the part of the border between the two frontier posts) by Czech and Austrian officers, coordinated since late 2006 by the police cooperation centre; and « one stop » checks, in which Czech and Austrian officers, working together, do border checks, so that travellers are only obliged to stop once.

The Czech-Austrian police cooperation centre is the cornerstone of cross-border cooperation. Plans call for it to employ 24 officers (12 Czech and 12 Austrian, all supposedly bilingual), but less than 10 were present in the period immediately preceding the entry of the Czech Republic in the Schengen area. While some Czech officers assigned to the cooperation centre do speak German, the reverse is rarely true. This linguistic asymmetry is coupled with differences in on-the-job organisation and access to resources, which the grass-roots officers depict as curtailing cooperation. For example, the Austrian officers assigned to the cooperation centre are on duty 12 hours a day, as opposed to only 8 hours for their Czech counterparts – officially because of a personnel shortage in the Czech police force. But the Austrian officers view this apparently reduced investment as the result of the heavily bureaucrati zed Czech administration, as well as of reluctance to engage in cross-border cooperation. Furthermore, the Austrian officers, driving along the « green border » in their brand new, expensive, high-powered cars, condescendingly describe the run-down vehicles used by the Czechs, their rationed gas, and their low wages, « a third » of theirs. Designed as a place for free-flowing exchanges, this place where the two national police forces cohabit turns out, during its first months, to be essentially a place where the two institutions size each other up, sometimes even confrontationally, and at the same time one where former political and/or symbolic borders are reactivated.

Joint patrolling, presented as the « cement » of cross-border cooperation, and as such highly publicized, is also an excellent place for observing day-to-day cooperation practices. It is done once or twice a month by two Austrian officers and one Czech officer when conducted on Austrian territory, and the reverse on Czech territory. Although the upper echelons claim that only officers capable of speaking the language of the land in which the patrolling is
done are involved, the patrols observed during field work rarely had any language
in common. On the eve of the entry of the Czech Republic in the Schengen area,
when the border posts are supposed to di-
sappear, to be replaced by reinforced joint
patrols, the latter take place in daytime and
usually focus on small roads. They make
few encounters, with scarcely any proba-
bigity of taking anyone in, as a result of
which they are often cut short by the offi-
cers present, weary of staring down empty
back roads. They justify the little enthu-
siasm generated by joint patrols and their
extremely minor role in cross-border crime
control by the fact that they are aimed, for
the moment, at « getting to know each other »
and that their functioning is not yet quite clear (although it is described in
article 14 of the police cooperation treaty
signed by the ministries of the Interior of
the two countries on July 14, 2005):
« Actually, no-one really knows what our
rights and duties are, for the moment. For
example, we don’t know whether we are sup-
posed to do road checks, and we don’t know
what rights we would have, and what the righ-
ts of our Czech colleagues would be if some-
things happened (that is, if an arrest was ma-
de) during a joint patrol »11.

Last, « hand in hand » control operations
set up by the Czech and Austrian police,
according to which people crossing the
border are to be checked jointly, have only
been introduced at a small number of bor-
der posts. One of these posts is commonly
cited as an example of how well Czech-
Austrian cooperation functions, and the
border guards working there are frequently
asked by their superior to pose for picture-
taking visitors (for journalists in particular).
However, this is a small outpost, of very li-
imited strategic importance for controlling
illegal immigration and cross-border crimi-
nal offending. It is only open in daytime
and is reserved for citizens who do not
need a visa; it is therefore mostly used by
local workers and tourists. Most of these
people have been crossing the border regu-
larly for several years now, and the officers
therefore know them personally. Moro-
over, whereas the « hand in hand » control
model theoretically calls for « one stop », the
Czech and Austrian police continue to 
operate at separate posts a few meters dis-
tant, requiring that travelers actually stop
twice. A Czech officer sums up the chan-
ges introduced by « hand in hand » controls as follows:
« In fact, I think that hasn’t changed any-
thing at all, it’s just a political decision. Any-
way, if you’re working on controlling migrants,
you’d be better off going somewhere else. The-
re’s nothing happening here »12.

So, cooperation attempts are made in
spite of a very limited strategic importan-
tce for the control of cross-border criminal
activity and illegal immigration (marked
as the key concern of cooperation). The legal
context in which joint patrols are run is ra-
ther vague (or at least perceived as such by
officers), they take place during the slack
periods of policing activity and in areas
with remarkably low rates of offending.
« One stop » checks are set up at strategi-
cally unimportant border posts cross-
border-crime-wise, and actually are still
« two stop » checks, while the functioning
of the police cooperation centre is hinde-
red by various forms of linguistic and ma-
terial asymmetry. The outcome is that
Czech-Austrian cooperation in the form
developed between 2004 and 2007, does
not challenge the notion of national sove-
ignty in protecting the land against possi-
ble external threats.

**Combating Cross-border Criminal Activity: the Difficulty in Developing a « Common Enemy »**

Aside from the agitated history of
Czech(oslovakian)-Austrian relations and the special role played by their shared bor-
der (owing to the large population trans-
ports), there seem to be other reasons ac-
counting for the Czech and Austrian police
forces’ lack of enthusiasm for cooperation. The theoretical model developed by
M. Deflem also emphasizes the need for « operational reasons » for cooperating. In
the case of cross-border police coopera-
tion, these operational reasons primarily ta-
f the form of a shared myth regarding common enemies13, which is to say, illegal
immigration, trafficking in migrants, or fal-
sified papers. In other words, the organisa-
tions which are to cooperate must share
some perceptions of these phenomena and
of the means susceptible of combating them.

The Austrians are apparently convinced
that combating illegal immigration is cen-
tral to the mission of their police, with
borders playing a key role in their control
policy: as early as 1990, when most of the
nearly newly independent post-communist
countries were working toward transfer-
ring their border control to the civilian ad-
ministration, the Austrian Cabinet decided
to involve the army in border surveillance
—a decision that has been repeatedly reite-
rated since, making Austria unique in Eu-
rope in this respect. Furthermore, the
Austrian police’s investments in border
surveillance technology, the human resour-
ces allocated for border protection and the
frequent advertising campaigns encoura-
ging citizens to join together to control the
outskirts of their land testify to the bor-
der’s symbolic value as a protective ram-
part. The Austrian police department is rel-
atively well accepted and viewed as social-
ly legitimate. Its efficiency is repeatedly ex-
tolled by the most widely read populist
newspapers, and a number of polls rank it
among the institutions most trusted by the
population14.

Conversely, in the Czech Republic the
police department is widely described (by
its members and by outside observers) as
« crisis-ridden ». The immigration police, in
particular, has had its powers restricted
with respect to immigration control, to the
benefit of non-policing departments of the
ministry of the Interior. These restrictions,
added to the uncertainty of immigration
police workers as to the future of their job
once their country’s borders become inter-
national Schengen area borders, starting on
December 21, 2007, may account for the
impression, gathered in the various inter-
views (with rank-and-file officers and peo-
ple on the higher echelons of the adminis-
tration), of slight police involvement in the
immigration control policy.

The actual physical borders and airports
—and their control—are definitely particu-
larly good places for European agencies to
evaluate the Czech Republic’s ability to
participate in the EU. However, aside from
such observation periods, the actual physi-
cal border plays only a marginal role in the
repertoire of activities engaged in by the
Czech police to show its ability to control
the territory. The reason is certainly the
considerable visibility of border control
and the hero-working of formerly standing
border guards under the communist regime
(as in the other Soviet Union-dominated countries)15. It seems inap-
propriate for the present non-communist regi-
me to reactivate the discourse and control
practices directly associated with the mili-
tary tension characteristic of the borders
under the socialist block. So border control becomes a relatively silent part of
its national territorial security policy. Ac-
tually, for most of our police interviewees,
the fight against illegal immigration as a
manifestation of organised international
criminal activity was not self-evidently
central:
« I must admit that here, in the Czech
Republic, the Arab and African countries do
not represent any particular security risk. (…)
In Europe, there are priorities: the EU, and for NATO of course, of which we’re a member,
so… we adjust »16.

Aside from the observable differences in
the course followed by policing institutions
in Austria and the Czech Republic and in
their perceptions, as well as in the forms of
control implemented, it is also probable
that the geographic locations of the two
countries determine the important bor-
der are considered respectively, depending
on whether or not they represent the outer
borders of the Schengen area. At the time
of our field work (between 2004 and
2007), Austria was still responsible for
controlling the outer Schengen border,
whereas the Czech Republic was bordered
by Slovakia and Poland, which were then

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11 Quote from an Austrian border guard at the Czech/Austrian border on June 4, 2007.
12 Quote from a Czech border guard at the Czech/Austrian border on September 25, 2006.
13 DEFLEM, 2000, 746.
14 74 % of Austrians questioned by the Eurobarometer 2002 cited the police as the institu-
tion they most widely trusted (ahead of the justice system – 69 % and the army – 64 %) (downloadable from: http://ec.europa.eu/public_opinion/archives/eb/ebl/pb57_en.pdf, 9).
16 An interview with a senior official from the Administration of the border and immigration police in Prague on September 5, 2006.
to shoulder responsibility for the external EU borders.

This asymmetry, both institutional and geographic, may at least partially explain why it is seems difficult, a priori, to set up illegal immigration as a « common enemy » for the two national police agencies, resulting in the rather shaky cooperation developed, on the eve of the extension of the Schengen area, for combating cross-border criminal activity. The evolution in the months following the entry of the Czech Republic in the Schengen area, with its corresponding statistical changes in cross-border offending figures, actually fed previous reluctance and warnings expressed by police officers and local border zone residents. Both the newspapers and the townships in Austrian borderlands unanimously announced an increase in offending, and of property offences in particular, in the border areas. As for the Austrian ministry of the Interior, it announced a regrettable, unprecedented influx, starting at the end of December 2006, of asylum seekers entering through the Czech Republic. Among other things, this situation was the object of a meeting between the Czech and Austrian heads of government in early 2008, with Austria accusing the Czech Republic of not shouldering its responsibility for border control. The Austrian extreme right-wing parties seized the opportunity to demand the reinstatement of border checks.

However, both a communications strategy and some form of bilateral policing were rapidly implemented so as to halt this process: starting in 2009, « micro-teams » combining Czech and Austrian police forces were set up, the goal being to facilitate the exchange of information and the more efficient control of cross-border criminal activity, especially theft. The Czech and Austrian police departments then began to make announcements in the press on the higher numbers of offenders taken in by the « micro-teams », and the benefits of cooperation for enhancing safety in the border areas. They also made sure to emphasize the lack of any increase in illegal immigration to the older EU member countries following the opening of the former Schengen borders.

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What deductions can be made from these observations, with respect to the goals of transnational police cooperation? First, it should be clear that the observations discussed here took place in the context of unusual tension tied to the scheduled extension of the Schengen area: whereas border control is the grounds for basing officers on their country’s boundaries, the latter often interpreted the proclaimed end of border posts not only as questioning their professional legitimacy, but also as synonymous with great uncertainty as to their own career. This feeling may have been encouraged, shortly before the extension of the Schengen area, by the relatively unclear position of the upper echelons of the police department as to the future of the officers assigned to controlling borders that would no longer exist. This context of professional uncertainty and tension therefore most probably further fed the expression of reluctance, sometimes even of distrust, with respect to cross-border cooperation, the corollary of the extension of the Schengen area. The information collected between 2004 and 2007 should therefore be completed by further observation at the Czech-Austrian border since its transformation into an inner-EU border.

It is nonetheless possible, at present, to draw some preliminary conclusions as to the role and effects of cooperation at the Schengen borders, based on analysis of the policing practices and discourse reported here. Control, depicted as mechanical and inflexible, turns out to be random, whereas cooperation, touted as a vector of efficiency as well as a way of transcending divisions between countries, shows how national frontiers retain their material existence in local perceptions. Because it is a fact that the Schengen border separating Austria from the Czech Republic is not only the focus of attempts to overcome the traumatic episodes of regional history, but also, concomitantly, the place where those episodes are constantly reactivated.

But police communication around bilateral cooperation actually seems more important than the results obtained, making this cooperation a particularly good tool for producing symbolism. The object behind the symbol is not so much « transnational », as the field of action of these police departments would lead us to believe, as « national »: before and after the extension of the Schengen area, the border remains the place where the State exerts, and above all demonstrates to its own population, its sovereign exclusionary power.

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