

Research on International Police Cooperation from the Perspective of Foreign - Related Rule of Law - Taking Lancang - Mekong Law Enforcement and security Cooperation as an Example

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Abstract: *The current level and capacity of China's international police cooperation is clearly unable to adapt to the evolving and increasingly rampant situation of transnational crime. In order to better safeguard national interests, it is necessary to strengthen the guidance of foreign-related rule of law thinking on international police work. As a good example of international police cooperation, the Lancang Law Enforcement and Security Cooperation (LLEC) is a good example of international police cooperation, which is a good example to think about the internal logic between international police cooperation and the rule of law, analyse the shortcomings and deficiencies in legislation, treaties, jurisdiction, platforms and talents, and then put forward a path to optimize the international police cooperation under the perspective of the rule of law and propose policies and recommendations for the deepening of China's international police cooperation in the Lancang Basin. Suggestions.*

Keywords: Rule of law in relation to foreign affairs; International police cooperation; Six Lancang countries; law enforcement security cooperation.

1. FORMULATION OF THE PROBLEM

As the reform and opening-up continue to deepen and the "Belt and Road" initiative is widely recognised, more and more Chinese enterprises and Chinese citizens are "going out", and China's domestic overseas interests are expanding in an all-round, multi-level and high-speed manner, with a consequent sharp increase in security risks, especially in the area of non-traditional security. The security risks faced by China have also increased dramatically, especially in the field of non-traditional security, transnational crime has seriously infringed on the legitimate rights and interests of enterprises, citizens and other subjects of interest. According to the World Crime and Security Index (2023), the global average of the crime index will be 45.394 in 2023, a slight increase compared with 45.275 in 2022, and the crime indexes of 16 out of 44 countries in Asia will be higher than the global average, with two Lancang countries, namely, Cambodia and Myanmar, ranking among them (Source: https://www.numbeo.com/crime/rankings_by_country.jsp, author's own collation).

Rampant transnational crime has given birth to the germination and development of international police cooperation, international investigative cooperation, criminal judicial assistance, fugitives and stolen goods, etc. have been carried out, and the signing of various types of legal documents, such as extradition treaties, treaties on mutual legal assistance in criminal matters and memorandums of understanding on international police cooperation has solidified the results, on which basis international law enforcement and security cooperation organisations have been set up, typified by Interpol, and have set up a platform for countries to strengthen their police liaison and police cooperation. On this basis, international law enforcement security cooperation organisations have been established, typical of Interpol, building a platform for countries to strengthen police liaison and cooperation. Compared with European and American countries, China's international police cooperation has shown a late start, a high starting point, and a fast pace of development. Since the 18th CPC National Congress, the internationalisation of public security work has entered a new stage of development, with the ranks of police liaison officers growing and the establishment of multi- and bilateral police cooperation mechanisms. Taking China's security cooperation with the Lancang countries as a typical example, China's international police cooperation has made great progress in the past ten years, but there are still many problems such as conflicts of criminal jurisdiction, inconsistent identification of electronic evidence, and denial of

extradition requests. The fundamental reason for this lies in the inadequacy of the rule of law at the level of foreign relations.

At the Central Working Conference on the Comprehensive Rule of Law, held in November 2020, it was explicitly stated for the first time that it was necessary to "insist on the integrated promotion of the rule of law at the national level and the rule of law in relation to foreign affairs". The concept of "rule of law in relation to foreign affairs" is based on strengthening the construction of a legal system for the extraterritorial application of Chinese law. Xi Jinping has pointed out that the rule of law in relation to foreign affairs is a wide-ranging and highly interlinked systematic project, and that it is necessary to integrate domestic and international affairs, development and security, and to promote foreign-related legislation, law enforcement, justice, law-abidingness and legal services in an integrated manner, so as to form a pattern of synergy in the work of the rule of law in relation to foreign affairs. As an integral part of the foreign-related rule of law, international police cooperation should explore innovative development paths under its guidance, improve the legal system, clarify legal procedures, give full play to the role of the law, and strengthen the construction of legal personnel, in order to solve the existing international police cooperation dilemma and to achieve the integration of the domestic rule of law and the rule of law relating to foreign affairs in the context of international police cooperation, with a view to better consolidating the relationship of cooperation with the outside world and safeguarding domestic and overseas interests.

2. THE DIALECTIC BETWEEN INTERNATIONAL POLICE COOPERATION AND THE RULE OF LAW IN RELATION TO FOREIGN AFFAIRS

With regard to the definition of international police cooperation, the academic community has formed a relatively unified viewpoint, which can be grasped from the three aspects of "subject", "purpose" and "means". International police cooperation refers to police and law enforcement activities such as intelligence information sharing, joint investigations, criminal judicial assistance and the posting of police liaison officers, carried out by police departments of various countries for the purpose of preventing and combating transnational crime, detecting and solving transnational cases, apprehending transnational fugitives, and recovering stolen money and property transferred abroad.

The rule of law in relation to foreign affairs is a novel concept. Relative to the rule of law at the national level, it refers to the synthesis of the concepts, principles, systems and rules of the socialist rule of law system with Chinese characteristics that regulate legal relations involving foreign countries, including foreign-related legislation, foreign-related law enforcement, foreign-related justice, foreign-related legal services, and Chinese and foreign judicial cooperation. Foreign-related rule of law is not the same as the international rule of law, the international rule of law is the international community based on the principles and norms of international law to deal with and regulate the behaviour and norms of the international community; foreign-related rule of law is from the actual starting point of a country, the purpose is to serve the overall situation of diplomacy and foreign affairs, and to safeguard national sovereignty and interests. International police cooperation under the rule of law mainly covers the following responsibilities and tasks: first, to make up for the shortcomings of foreign legislation in the field of international police cooperation; second, to converge with international conventions and improve the legal system; third, to rely on international organisations, multilateral and bilateral mechanisms and other platforms to strengthen international police cooperation in the field of law enforcement and justice; fourth, to build a team of international police personnel with a vision of the rule of law in foreign countries; fifth, to disseminate police culture and share the wisdom of China's rule of law; sixth, to disseminate police culture and share the wisdom of China's rule of law. The fifth is to disseminate police culture to foreign countries and share China's wisdom on the rule of law, and the sixth is to deeply participate in and guide global public security governance.

International police cooperation is closely related to the rule of law in foreign affairs, and in the face of the current hegemonic practices of Western countries led by the United States, we should adhere to the legal response as a guide to strengthen international police cooperation under the guidance of the idea of the rule of law in foreign affairs, in order to vigorously safeguard the sovereignty, security and interests of the State; at the same time, the practice of international police cooperation can also promote the theoretical summary of the rule of law in foreign affairs and the construction of the system. The two show a close logical relationship in terms of connotation, objectives and ideological guidance.

First, international police cooperation is an important element of the rule of law in foreign relations. The main body of international police cooperation is the police departments of different countries, and also includes international law enforcement cooperation organisations such as INTERPOL and the Lan Mekong Law

Enforcement Centre. As an important part of international cooperation, it is distinctly foreign-related and is a collaborative relationship based on the principle of reciprocity and mutual benefit. In the application of law, international police cooperation is characterised by duality, and in concrete practice, it should be based on international conventions, international customs, signed multi- and bilateral treaties and other international laws, and it needs to fully respect the authority of the international community and the sovereignty and interests of each country, and at the same time, it needs to be based on the Criminal Procedure Law, the Procedural Provisions for the Handling of Criminal Cases by Public Security Organs, and other domestic laws, in order to ensure that the legality, compliance and fairness of foreign activities. and impartiality. International police cooperation is an important component of the rule of law in relation to foreign affairs, and the strategic layout for accelerating the rule of law in relation to foreign affairs necessarily includes strengthening international police cooperation.

Secondly, international police cooperation is a manifestation of the objectives of the rule of law in foreign affairs. Foreign rule of law is an important part of the rule of law, the current international situation, country to country competition has become more and more of a legal system. The concept of the rule of law in foreign affairs is based on the comprehensive opening up to the outside world, to counterbalance the sanctions, interference and "long arm jurisdiction" of the Western countries, to promote the extraterritorial application of domestic law, to deal with the risks and challenges posed by the unstable and uncertain international environment, and to safeguard China's sovereignty, security and development interests. In recent years, China's international police cooperation has achieved remarkable results; as of September 2023, it had established bilateral law enforcement cooperation mechanisms and contact hotlines with more than 110 countries, signed more than 440 intergovernmental and interdepartmental documents on law enforcement cooperation, and has continued to expand pragmatic international police cooperation, achieving significant results in combating transnational crime, cooperating with the overall situation of the country's diplomacy, and servicing economic and social development, and maintaining domestic overseas interests while actively participating in the development of the country's sovereignty, security and development interests. In addition to safeguarding domestic and overseas interests, it has actively participated in and guided global public security governance, making positive contributions to building a just, peaceful and secure international order and realising the goal of a "community of human destiny".

Finally, international police cooperation needs to be guided by the idea of the rule of law in foreign affairs. The rule of law in relation to foreign affairs is led by thought, and through concrete practice it leads to the formation of institutional arrangements and theoretical summaries that serve the construction of a China governed by the rule of law. The idea of the rule of law in foreign affairs requires that in international police cooperation, international law and domestic law should be applied in a balanced manner, so as to achieve the docking of the two, and to follow the procedures established by law, so as to ensure that law enforcement and judicial acts of compliance and legitimacy. Foreign rule of law thinking also stresses the realization of the goals and demands of the rule of law, focusing on the unity of legal procedures and effects, upholding the principle of reciprocity, the parties can cede part of their sovereignty to ensure the effectiveness of cooperation; to make good use of the rule of law thinking and rule of law in carrying out international police cooperation, to convince people with the law, to address the symptoms and root causes of the problem, to be both strong and soft, and to enhance the level of trust and willingness to cooperate with other countries. The idea of the rule of law in relation to foreign affairs also has far-reaching significance for the construction of a long-term mechanism for international police cooperation, which can promote consensus among law enforcement authorities of different countries, form common legal concepts and the pursuit of values, lay a solid foundation for the long-term development of international police cooperation, and then promote the improvement and innovation of the cooperation mechanism in order to adapt to the ever-changing transnational crime situation and the international security environment.

3. ANALYSIS OF THE CURRENT STATUS OF LAW ENFORCEMENT COOPERATION IN MEKONG

3.1 Regional transnational crime situation

Lancang refers to the Lancang-Mekong River, and the Lancang countries include five Southeast Asian countries in addition to China: Laos, Myanmar, Thailand, Vietnam, and Cambodia. These five countries are struggling with social transformation, and are facing the disadvantageous situation of political instability, social unrest, and conflicts, while being continuously troubled by many problems such as difficulties in economic recovery, serious corruption problems, and obvious shortcomings in people's livelihoods, and are extremely vulnerable to interference by extraterritorial forces. With internal and external problems, the crime situation in these five

countries is extremely serious, and they are the "hardest hit areas" of many kinds of transnational organised crime. The current crime situation in the Mekong region is characterised by the following trends:

3.1.1 Transnationality - the example of human trafficking

Trafficking in persons is a large-scale and complex global illegal industrial chain, which has become the largest transnational crime after drug smuggling because of its low cost of crime and high illicit returns. The Lancang region is the global centre of organised human trafficking, and is the source, transit and destination of trafficking activities; China is not immune to this, and human trafficking flows in both directions between China and the other five countries. In recent years, a large number of Chinese had been abducted and trafficked to Laos, Myanmar and other regions to be forced to engage in telecommunication network fraud; the majority of those trafficked to China were young women from Viet Nam, Laos and Cambodia, who were victims of human trafficking for the purpose of forced marriage.

3.1.2 Syndication - the example of telecommunication network frauds

The current Lan Mekong region, especially in the northern region of Myanmar, telecommunications network fraud activities have formed a complete and huge industrial chain system. The local electric fraud group has introduced the modern company management mode into the daily operation of criminal activities, internal specialists are responsible for the development of "fraud script", build fraud platform, specific implementation of fraud, money laundering and bleaching, each link independent operation, self-contained system, and a clear division of labour, interlocking. Internal specialisation, organisation to promote the development of industrialisation, with stronger criminal kinetic energy, in the local military, the government's support for the establishment of the KK Park, Dongfanghui Park, Hengan Science and Technology Park, etc. specialising in telecom network fraud criminal activities, "industrial park", syndicated operation of telecom network fraud activities seriously infringed on the rights and interests of the Chinese citizens' property. Citizens' property rights and interests.

3.1.3 Intelligence - the example of drug offences

Drug-related crime in the Lancang region has always been serious, with the border areas of Myanmar, Thailand and Laos together forming the "Golden Triangle", one of the world's three major drug sources, with opium production accounting for 60 per cent of the world's total, and the infiltration of drugs by neighbouring drug sources and international drug trafficking syndicates being the biggest threat to China's anti-drug efforts in the long term. In recent years, network drug-related crimes have occurred frequently in China's border areas, especially in Yunnan and Guangxi, in which payment is made online or through virtual currencies on third-party trading platforms or even on the darknet, and then the loopholes in the logistics and express delivery industry are exploited to disguise the drugs as common health care products, coffee powder, etc., and the drug transaction is completed by sending parcels in a way that separates the goods from the people. The drugs are then disguised as common health products, such as coffee powder, and the parcels are sent in a "human-commodity-separated" manner to complete the drug transaction while avoiding identity exposure.

The crime problem in the Mae Hong Kong region shows great complexity and linkage; no kind of crime exists in isolation, and traditional crimes have been pushed forward in the context of the era of globalisation and networking, giving rise to a large number of new types of crimes. In recent years, a considerable number of Chinese people have been trafficked to northern Myanmar to engage in telecommunication network fraud, and criminal groups have used drugs to control them and force them to engage in criminal activities. In addition to the common types mentioned above, other problems such as terrorism, arms trafficking and the smuggling of biological resources are equally prominent, and various types of crime are intertwined and interact with each other, seriously infringing on China's national security and the interests of its people, as well as on the friendly relations between China and the Lancang countries.

3.2 Status of law enforcement security cooperation

The area of security has always been a priority for Lancang cooperation. Law enforcement and security cooperation in the broad sense of the term dates back to the twentieth century. As early as the 1970s, China attempted to carry out police cooperation with Lancang countries to jointly combat transnational crime. However, the cooperation was limited in scope, not in-depth, not institutionalised and regularised, and remained at a low level of information exchange.

The "10-5 Mekong Tragedy" in 2011 was a major turning point for law enforcement and security cooperation in the Mekong River, and a mechanism for law enforcement and security cooperation in the Lancang-Mekong River Basin was rapidly established, which has been in operation for 12 years now. In terms of the mode of cooperation, the main modes of co-operation established by LMSC in the past ten years are: treaty-based, mechanism-based and institutional-based. From treaty to mechanism and from mechanism to institution, the modes of cooperation have been constantly upgraded, the contents of cooperation enriched and the cooperation relationship tightened. Under the framework of organizations or mechanisms such as the Mekong Law Enforcement Centre, cooperation is carried out on the basis of treaties or agreements signed by the parties, fully reflecting the spirit of the rule of law in foreign affairs, and through the Mekong Law Enforcement and Security Cooperation, we have been able to combat transnational crime, safeguard legitimate interests, participate in depth in, and even lead the development of, international security affairs, and are gradually achieving the goal of strengthening the rule of law in foreign affairs in our country.

3.2.1 Treaty-based cooperation

Treaty-based cooperation refers to the form of cooperation based on the signing of legal documents at various levels since the inception of law enforcement and security cooperation in the Mekong region. The signing of treaties has been carried out throughout the development of law enforcement and security co-operation in the Mekong region.

Only 25 days after the "10-5 Mekong tragedy", China, Lao, Myanmar and Thailand jointly issued the "China-Lao-Myanmar-Thailand Joint Declaration on Law Enforcement and Security Cooperation in the Mekong River", marking the formal establishment of the mechanism for law enforcement and security cooperation in the Lancang Basin. In March 2016, the six countries of the Lancang jointly issued the Sanya Declaration, which emphasises strengthening law enforcement and security cooperation through information exchange, capacity building and joint operational coordination to address non-traditional security threats. Sanya Declaration, which emphasises strengthening law enforcement security cooperation through information exchange, capacity building and coordination of joint operations to address non-traditional security threats. In July 2022, the six countries jointly issued the Joint Press Communiqué of the Seventh Foreign Ministers' Meeting of the Lancang Mekong Co-operation, which clarifies the targets of transnational crimes, including but not limited to drug trafficking, terrorism, cybercrime, human trafficking, smuggling of trafficking in firearms and ammunition, trafficking in hazardous waste and electronic waste, cross-border gambling and telecommunication fraud.

So far, the six Lancang-Mekong countries have issued the Phnom Penh Declaration, the Vientiane Declaration, the Initiative on Deepening Local Cooperation between Lancang-Mekong Countries, and the Five-Year Action Plan for Lancang-Mekong Cooperation (2023-2027) in the security field. Treaty documents in various forms pointed out the necessity of Lancang-Mekong law enforcement and security cooperation, as well as the focus and work path of future cooperation, emphasizing that we should uphold a common, comprehensive, cooperative and sustainable security concept and strengthen law enforcement and judicial work on the basis of respecting the sovereignty of each country. Cooperate pragmatically in various fields, strengthen the fight against transnational crimes, and maintain social stability and the safety of people's lives and property in the Lancang-Mekong region.

Table 1: Relevant Treaty Documents Involving Law Enforcement and Security Co-operation in Mae Hong Kong

Name of the document	Release date	Provisions involved
Sanya Declaration of the First Leaders' Meeting on Lancang-Mekong Co-operation	2016.3	(1) Strengthen law enforcement and security cooperation through information exchange, capacity-building and coordination of joint operations in accordance with the provisions and procedures of each member, and support the establishment of law enforcement cooperation agencies to promote relevant cooperation. (2) Strengthening cooperation in dealing with non-traditional security threats such as terrorism and transnational crime.
Vientiane Declaration of the Third Leaders' Meeting on Lancang-Mekong Co-operation	2020.8	(3) Strengthening cooperation and information exchange and capacity-building in addressing non-traditional security issues such as illicit drug trafficking, money-laundering, cybercrime, human trafficking, smuggling and trafficking in firearms and ammunition.
Naypyidaw Declaration of the Fourth Leaders' Meeting on Lancang-Mekong Cooperation	2023.12	(4) Welcome the work of the Lancashire Centre for Integrated Law Enforcement and Security Cooperation, with which countries are cooperating on a voluntary basis. We support regular communication among the law enforcement and security authorities of the six countries. Sixth, we will further strengthen practical cooperation in the field of law enforcement and intensify the fight against cross-border criminal activities such as Internet gambling and electricity fraud, drug trafficking, human trafficking,

		terrorism, cybercrime and arms smuggling.
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Source: http://www.lmcchina.org/node_1009505.html , author's own collation

3.2.2 Institutional co-operation

Mechanistic cooperation includes both conference and operational mechanisms. Regular international conferences provide the six Lancang Mekong countries with a forum dedicated to exchanging information, experience and knowledge in order to formulate cooperation strategies at the regional level and set priorities for anti-crime and police cooperation, and conference mechanisms at various levels, such as summits, ministerial conferences, ambassadorial conferences and expert group meetings, have already been formed. In addition to summarising past work, the meetings can be used to state national positions, express willingness to cooperate, and expand the influence and scope of domestic laws.²⁰ At the Fourth Leaders' Meeting of the Lancang-Mekong Co-operation (LMC) in December 2023, Chinese Premier Li Qiang stressed the importance of continuing to promote the "Safe Lancang-Mekong Action" and to further combat online gambling and policing. At the Fourth Leaders' Meeting of the Lancang-Mekong Cooperation in December 2023, Chinese Premier Li Qiang stressed the importance of continuing to promote the "Safe Lancang Operation" to combat crimes such as Internet gambling and electricity fraud, drug trafficking, human trafficking, and terrorism, an initiative that is recognised and supported by the other five countries.

The mechanism of action originated from the China-Laos-Myanmar-Thailand Mekong River joint patrol and law enforcement operations, after the "10-5 Mekong tragedy", in order to return peace and tranquillity to the people along the river as soon as possible, the police of the four countries held a meeting to establish a four-nation Mekong River Basin Security and Law Enforcement Co-operation Mechanism, and the first joint patrols were launched rapidly on 10 December of the same year. At present, the joint patrol has long been a mechanism fixed, as of March 2024, a total of 138 times, from a single joint patrol to joint anti-drug, joint search and rescue, emergency response and other diversified mode of cooperation extension, and constantly expanding the connotation of the joint patrol law enforcement, including since the beginning of the 2017 "watch series" joint exercise, to the "watch series" joint exercise, to the "watch series" joint exercise, to the "watch series" joint exercise. "joint exercises, with anti-drug, anti-terrorism, disaster relief, combating cross-border crimes and other crimes as the theme of the simulation exercise activities, in order to improve the countries' emergency response and joint combat capabilities.

3.2.3 Institutional co-operation

Institutional cooperation mainly refers to the cooperation on the platform of the Lancang-Mekong Centre for Integrated Law Enforcement and Security Cooperation (hereinafter referred to as "LMLEC"), which is the first comprehensive intergovernmental organisation for law enforcement and security cooperation in the Lancang-Mekong Basin, and effectively fills the gap of international police cooperation in the Lancang-Mekong region, which is relatively lagging behind. It is the first comprehensive international intergovernmental organisation for law enforcement and security cooperation in the Mekong Basin, effectively filling the relatively lagging gap in international police cooperation in the Mekong region, and is an effective platform for cooperation in combating the "puddle effect" of crime in the Mekong Basin.

In 2015, the Ministerial Conference on Law Enforcement and Security Cooperation in the Mekong River Basin was held in Beijing, which initiated the establishment of the LAC to create an upgraded version of law enforcement and security cooperation in the LAC. In December 2017, the LAC was officially put into operation. Its establishment is of landmark significance for strengthening the law enforcement and security cooperation in Mekong, and has since served as an important platform for international police liaison and cooperation among government departments and law enforcement agencies of Mekong countries.

In accordance with the Memorandum of Understanding on the Establishment of the Lancang-Mekong Centre for Integrated Law Enforcement and Security Cooperation, the Centre will formulate a programme of action based on the law enforcement needs of member States, and will gradually build the Centre into a comprehensive platform for coordinating the prevention and combating of transnational crime in the region, integrating and exchanging intelligence and information, carrying out joint operations for special governance and strengthening law enforcement capacity building; It is committed to providing high-quality and efficient services to the law enforcement departments of member States, jointly addressing changes in the regional security situation and risk challenges, and providing security for the cooperation and development of the Lancang countries in various fields (Source: http://www.lm-lesc-center.org/pages_75_180.aspx , author's own collation). i.e., "coordinating the work

of various countries", "formulating programmes of action", "combating transnational crime", "formulating programmes of action", and "developing a comprehensive platform". "combating transnational crime", "exchanging intelligence", "conducting joint operations" and "building law enforcement capacity". It covers all aspects of international police cooperation.

Since its establishment, the Lancang Law Enforcement Centre has made great achievements, which have been highly recognised by the law enforcement agencies of various countries. In terms of training and exchanges, the Centre has repeatedly conducted thematic studies on joint operations, visited law enforcement departments in various regions for observation and research, and organised seminars on new types of crimes. In the month from the end of November to the end of December 2023, China alone hosted four seminars, teaching the application of new theories and technologies in the light of the current situation of crime and the needs of the countries' learning. In terms of joint operations, the Centre has actively participated in "Safe Passage" and "Operation Mekong", providing strong support in terms of equipment and information, and leading "Operation Thunder" and "Clearing the Source and Cutting off the Stream". It has also taken the lead in conducting joint law enforcement operations such as "Operation Thunder", "Operation Clean Source and Cut off Stream" and "Operation Safe Gun", which have effectively cracked down on the arrogance of transnational organised crimes such as drug crimes, gun smuggling and human trafficking in the Mekong region, and effectively safeguarded the safety of the waterways in the Mekong Basin as well as the social stability in the countries along the coastline. In terms of information sharing and coordination, the Centre has developed a database of criminal information to include information on wanted persons and missing persons, and has set up a corresponding transnational case coordination and intelligence information management system (LMIN system), and has deployed a number of national nodes and provincial nodes in the law enforcement agencies of member countries to provide technical support and service guarantee for case coordination and intelligence sharing. In addition, the 720P high-definition encrypted video conferencing system set up by the Centre has made non-contact face-to-face timely liaison a regular feature of its work.

Table 2: Seminars conducted by the Mission Law Enforcement Centre in December 2023

Name of the workshop	class start time	host location	Content of the study
Laos Railway Safety Seminar 2023	2023.11.27	Zhengzhou Police College	Railway safety
Seminar on Combating New Types of Crimes in the Mekong Countries, 2023	2023.12.5	Zhejiang Police College	Combating new forms of crime (Telecommunication network fraud)
Seminar on security for large events in Laos in 2023	2023.12.18	Chinese People's Police University (CPPU)	Security at major events
2023 Seminar on Combating Telecommunications Fraud in Laos	2023.12.25	Yunnan Police College	Combating telecommunications fraud

Source: <http://www.lm-lesc-center.org/list5.aspx> , author's own compilation

4. FOREIGN RULE OF LAW DILEMMAS IN LAW ENFORCEMENT AND SECURITY COOPERATION IN THE MEKONG REGION

4.1 Inadequate foreign-related legislation

"Law is the balance of power of the State and the rule of law of the times"; the foreign-related legal system is the basis and prerequisite for the rule of law in foreign affairs, and the importance and necessity of a systematic and complete foreign-related legal system is even more evident in the context of the great changes that have not been seen in the past hundred years. Marked by the introduction of the Foreign Relations Law, the basic system of China's foreign-related legal system has been constructed. In the field of law enforcement and justice, Chapter 13 of the Provisions on the Procedures for the Handling of Criminal Cases by Public Security Organs provides for the competent authorities, scope of co-operation, procedures for co-operation, deadlines and costs of international police co-operation, while the Extradition Law and the Mutual Legal Assistance in Criminal Matters Law make special provisions for extradition and mutual legal assistance in criminal matters. The Extradition Law and the Law on Mutual Legal Assistance in Criminal Matters make special provisions for extradition and mutual legal assistance in criminal matters. However, with the increasingly complex situation of transnational crime and the deepening of international police cooperation, the problem of insufficient legal detail has gradually become apparent, and new types of crime and laws and regulations in key areas have yet to be improved, and some of the laws and regulations formulated earlier are not in line with the current development of the situation, such as the review of electronic evidence abroad and the application of such issues have yet to be further improved through legislation or judicial interpretation; on the other hand, the existing foreign-related legislation attaches importance

to quantitative and quantitative issues, while the current foreign-related legislation attaches importance to quantitative and quantitative issues. On the other hand, the existing foreign-related legislation attaches importance to quantity but lacks systematic norms, and the design of rules is more domestic and lacks integration with international conventions. The UN Trafficking in Persons Protocol determines that trafficking in persons is "for the purpose of exploitation" and the object of protection is for all people; the corresponding offence in the domestic criminal law is based on "selling for the purpose of selling". The corresponding offence in domestic criminal law is "trafficking in women and children", which is based on "selling for the purpose" and does not include adult males. In fact, the current trend is that more and more adult males are being trafficked from various provinces of China to the Mekong region to be forced to engage in telecommunication network fraud, and there is a clear loophole in the law.

4.2 Insufficient bilateral agreements

Bilateral police cooperation is the most common and typical form of international police cooperation, involving agreements such as police cooperation treaties, extradition treaties, treaties on judicial assistance in criminal matters and treaties on the transfer of sentenced persons. In the case of extradition cooperation, for example, since there is no universal extradition convention in the international community, countries themselves have no legal obligation to extradite, and extradition work is carried out on the basis of treaties that have been signed by both sides or on the basis of reciprocity. Apart from Myanmar, China has signed extradition treaties with the other four countries in the Lancang, but the targets of extradition are strictly limited, and extradition is not granted in cases of political offences, military offences, or nationals. In contrast to current Chinese law, many acts are not criminalised in the Mekong region, for example, marijuana has been declared legal in Thailand, and gambling may be regarded as a legal betting industry, which also reduces the effectiveness of the treaty by preventing extradition co-operation due to failure to satisfy the "dual criminality" requirement. On the other hand, fewer treaties on judicial assistance in criminal matters and transfer of sentenced persons have been signed with the Lancang countries, especially with Myanmar, while the treaties on judicial assistance in criminal matters signed between Vietnam and Laos and our country only agree on basic matters such as the service of documents, the investigation and collection of evidence, and the recognition and enforcement of arbitration and awards. In recent years, due to the high incidence of telecommunication network fraud, security cooperation with Lancang countries has become a priority for public security's foreign-related work, and higher levels of cooperation such as transnational surveillance, undercover investigations, and controlled deliveries are necessary in order to gain an advantage in case handling. The lack of a treaty makes it necessary to convene meetings and sign memorandums of understanding to further clarify matters before cooperation can take place, which is inefficient and one of the reasons why it is difficult to investigate related cases.

Table 3: China's signing of bilateral international criminal justice treaties with the five Lancang countries (time of signing of agreements in parentheses)

nations	Extradition treaties	International treaties on mutual legal assistance in criminal matters	Treaties on the transfer of sentenced persons
Cambodian	✓ (1999.2.9)	×	×
Laos	✓ (2002.2.4)	✓ (1999.1.25)	×
Myanmar	×	×	×
Thailand	✓ (26.8.1993)	✓ (21.6.2003)	✓ (22.12.2011)
Vietnam	✓ (7.4.2015)	✓ (1998.10.19)	×

Source: <https://www.moj.gov.cn/pub/sfbgw/flfggz/flfggzflty/fltysfxzxfllfg/>, author's own collation

4.3 Conflicts of criminal jurisdiction

Criminal jurisdiction refers to the power of a State to prosecute, try and punish all offences committed within its sovereignty, in accordance with the principle of sovereignty. At present, countries around the world basically take territorial jurisdiction and personal jurisdiction as the basic principles for the application of criminal law in criminal law space, with other principles, such as universal and protective jurisdiction, as supplements and developments. The crime problem in the Lan Mekong region is extremely complex, the crime chain is long, the place of preparation, occurrence, result and the country of nationality of the victim of the criminal act may be different, if two or more countries declare criminal jurisdiction over a case at the same time, this creates an active

conflict of jurisdiction, which not only affects the efficiency of law enforcement co-operation, but also leads to judicial co-operation because the suspected criminal may face multiple trials further complicated. This is especially obvious in the transnational cybercrime, criminal acts can transcend national borders wantonly damage, and as one of the sovereign acts of criminal jurisdiction is national boundaries, based on the inherent virtual nature of cybercrime, hidden characteristics, the traditional principles of jurisdiction can not be a proper solution to the conflict of criminal jurisdiction. Corresponding to the "positive conflict", due to the lack of domestic law enforcement capacity and incomplete judicial system, some countries have a passive attitude towards jurisdiction and cooperation. Take Myanmar as an example, a large number of "industrial parks" like the KK Park have been set up for the purpose of committing telecommunication network fraud, as in the Kokang and Wa States in the northern region of Myanmar. In Myanmar, for example, in the northern region of Kokang and Wa, a large number of "industrial parks" like the KK Park have been established for the purpose of committing telecommunication network fraud, and the local government has taken a laissez-faire attitude towards this or even supported it. As criminal groups corrupt government and judicial officials by bribing them and asking them to obstruct the criminal justice process by threatening witnesses and other means, interfering with the prosecution of criminal acts, and as law enforcement agencies in other victim countries do not have the power to enter the country to investigate and collect evidence, these criminal groups have become more and more rampant under the umbrella of "sovereignty and asylum" of the local government.

4.4 Difficulty in constructing evidence

Evidence construction is one of the most difficult tasks in the detection of cross-border crimes. The difficulty is not only manifested in the difficulty of transnational investigation and evidence collection by law enforcement agencies, but also includes the applicability of various aspects of preservation, review and identification of evidence after its introduction into the territory. Transnational crime has a long criminal chain, the evidence involved in the case is often scattered in the sovereignty of different countries, once any one of the countries do not cooperate, the lack of evidence may affect the trial and conviction and sentence. The different criminal procedure and evidence laws of various countries make it extremely difficult to collect evidence across borders, and even if evidence is collected despite the difficulties, in many cases the evidence may lose its value because it does not comply with the legal provisions of our country. In recent years, with the development and popularisation of information technology, the incidence of transnational cybercrime has been high, and the object of evidence collection includes a large amount of complex electronic data, which, compared with ordinary evidence, is prone to destruction, forgery or tampering, and whose integrity is weakened and whose reliability and probative power are greatly reduced. In practice, after a complex transfer procedure, most judges will doubt the authenticity and integrity of the electronic evidence and scrutinise it strictly, and the defendant will also use it to defend himself. On the other hand, the investigators have a weak sense of evidence collection, resulting in many transnational cybercrime electronic evidence has not been collected all or the collection procedures have obvious defects, resulting in the criminal facts are difficult to determine, and the phenomenon of being unable to prosecute the suspects often occurs. Article 25 of our country's Law on Mutual Legal Assistance in Criminal Matters has already regarded "electronic data" as the same as other documents, records and articles as evidence that can be requested from foreign countries for investigation and collection of evidence, but for the preservation of electronic evidence after the entry of the preservation, review and determination of the issue of some guiding documents have been issued, but either a long time ago, or the scope of application of a narrow range of issues that have been It is impossible to adapt to the current "spurt" in the entry of evidence.

4.5 Limited effectiveness of the platform

There is no denying the contribution of the LMLC in combating transnational crimes and strengthening security cooperation, but at present, its role is still limited, which is inevitably related to the short period of its establishment. On the other hand, similar to the nature of security cooperation organisations such as Interpol, the LMLC has no actual law enforcement power and can only work within the legal scope of the six LMLC countries, mainly playing the role of information liaison and intelligence sharing, and still needs to be promoted through consultations and meetings before carrying out specific work and cooperation. It mainly plays the role of information liaison and intelligence sharing, and still needs to be promoted through consultations and meetings before carrying out specific work and cooperation. Although the Mekong Law Enforcement Centre has set up the Mekong Joint Patrol and Law Enforcement Command, it does not directly command the joint patrol and law enforcement operations of the four countries, but plays the role of an observer and participant in the process, and provides a certain degree of intellectual and intelligence support while forging consensus among the countries. As an important ally of the U.S. in Southeast Asia, Thailand has always maintained a prudent attitude on the issue of joint law enforcement,

stressing that according to the law, law enforcement vessels of other countries cannot enter the waters of their own countries, and that other vessels can only travel to the Laotian dock of Ban Muang in the Golden Triangle and cannot proceed, which seriously affects the advancement of the law enforcement cooperation in the form of joint patrols, joint exercises, and other law enforcement cooperation. The headquarters of the Lancang Law Enforcement Centre is located in Kunming, China, with coordination offices in Laos and Cambodia, but it does not cover all Lancang countries; Thailand and Vietnam have not yet signed the Memorandum of Understanding (MOU) and are only observer countries of the Centre, and there is no special agency responsible for this work in their countries, which makes the effectiveness of the platform very limited. In addition to the increasing importance of the location of the Lancang region, the United States, Japan, Australia and other extraterritorial powers frequently intervene in an attempt to counterbalance China's influence in the Lancang region, leading the establishment of the Mekong-United States partnership, Mekong-Australia transnational crime project and other cooperation mechanisms, the outstanding homogeneity and overlapping functions of the mechanism triggered difficulties in coordination between the different mechanisms, norms and conflicts and other problems. The outstanding homogeneity and overlapping functions have led to coordination difficulties and normative conflicts among different mechanisms.

4.6 Inadequate workforce

The competition among countries in the world today is ultimately a competition for talents. Talent teams are increasingly becoming a strategic resource that promotes the development of comprehensive national strength. In order to help promote the in-depth implementation of the “One Belt, One Road” initiative, our country needs a large number of foreign-related legal talents to provide technical and intellectual support. However, at present, there is a shortage of high-quality application-oriented police personnel who are proficient in business, proficient in foreign languages, familiar with rules, and capable of engaging in foreign-related police work, and cannot adapt to the current transnational crime situation and police cooperation requirements. A police liaison officer refers to a diplomat with the status of a police officer stationed by a country or international organization to other countries or international organizations [17], by carrying out liaison and exchanges with the police departments of the host countries, it can play a significant role as a bridge in combating transnational crime and strengthening police cooperation. Compared with other developed countries, my country's police liaison officer team started late, is small in scale, low-level, and has an imperfect layout. During the development process, it will also be affected by external factors such as fluctuations in international relations and changes in the international environment. From the perspective of student police training, the establishment of foreign-related police majors is based on the needs of foreign-related legal rule in the field of public security work. Currently, there are 34 public security colleges and universities in the country, and only eight offer foreign-related police majors, namely the People’s Public Security University of China, China Criminal Police College, Chinese People's Police University, Zhejiang Police College, Jiangsu Police College, Hubei Police College, Henan Police College, Beijing Police College, Xinjiang Police College, Jilin Police College, Chongqing Police College, three of which are provincial public security colleges , the remaining five are provincial public security colleges, mainly concentrated in the eastern and northeastern coastal areas. Provincial colleges mainly carry out enrollment work for the province, which is obviously unable to meet the needs of talent training, especially Yunnan, Guangxi and other countries bordering the Lancang-Mekong and responsible for international In border provinces where police cooperation plays a "bridgehead role", the gap is more obvious.

Table 4: Specialisation in "foreign-related policing" in Chinese public security colleges and universities

district (not necessarily formal administrative unit)	Number of institutions offering specialisation in foreign-related policing	Name of Institution	Nature of the institution
Beijing	2	People's Public Security University of China	Ministry of Public Security Colleges and Universities
		Beijing Police College	Provincial public security colleges
Hebei	1	Chinese People's Police University (CPPU)	Ministry of Public Security Colleges and Universities
Liaoning	1	China Criminal Police Academy (CPCA)	Ministry of Public Security Colleges and Universities
Jiangsu	1	Jiangsu Police College	Provincial public security colleges
Zhejiang	1	Zhejiang Police College	Provincial public security colleges
Henan	1	Henan Police College	Provincial public security colleges

Hubei	1	Hubei Police College	Provincial public security colleges
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Source: <https://gaokao.chsi.com.cn/zyk/zybk/ksyxPage?specId=73383279>, author's own collation

5. OPTIMISING THE PATH OF INTERNATIONAL POLICE COOPERATION IN THE LIGHT OF THE RULE OF LAW IN FOREIGN AFFAIRS

The increasingly serious crime problem in the Lancang region has seriously jeopardised China's social stability and national security. In order to better safeguard domestic interests abroad, international police cooperation based on the idea of the rule of law in relation to foreign affairs has increasingly highlighted its important and far-reaching theoretical value and practical significance.

5.1 Adhering to the legislative work first, enacting, reforming, repealing and interpreting simultaneously

The global governance system and the international order have entered a critical period of change, and the rule of law factor in international relations has been significantly strengthened. Good law is good governance, scientific and perfect foreign-related legislation is a powerful guarantee to improve the effectiveness of international police cooperation, should adhere to the problem-oriented, adhere to the systematic concept, and timely for the domestic law and international law of the "vacuum zone" and controversial areas of the legislative level of the provisions, in order to adapt to China's rule of law relating to foreign affairs in the field of law enforcement cooperation and mutual legal assistance. Development trend in the field of law enforcement cooperation and judicial assistance. In view of the insufficient amount of existing legislation and the relative backwardness of its content, we should actively promote the simultaneous implementation of the enactment, reform, abolition and interpretation of laws, legislate in a timely manner to regulate emerging and key areas, revise and improve the content of new forms of crime, new changes and new developments, abolish offences that are outdated or inconsistent with the current state of society, and carry out timely interpretation of legal provisions with multiple meanings, ambiguities and uncertainties, so as to combat transnational crime in a timely manner and to ensure that they can be used in a timely manner. The interpretation of legal provisions with multiple meanings, ambiguities and uncertainties should be carried out in a timely manner, so that there is a legal basis for combating transnational crimes, which is of great significance and practical value for international police cooperation. We should also pay attention to the domestication of international treaties and actively promote the convergence and transformation of domestic and international law. As a builder of world peace and a defender of international order, China should accelerate the integration and development of domestic and international law, actively assume responsibility for public security, effectively fulfil its international treaty obligations and promote the international rule of law process in global security governance.

5.2 Active use of existing mechanisms to expand the scope of joint law enforcement

Combating transnational crime has never been a matter for individual countries; it requires the concerted efforts of the international community, mutual cooperation and collaborative action. China and the ASEAN and Lancang regions have established a sustained and sound communication and dialogue, set up multi-level exchange platforms and cooperation mechanisms, and carried out a series of joint operations with satisfactory results. As a founding member of the Centre and a major participating country, China has played a key role in the development and growth of the Centre. In future practice, China should pay more attention to and make more use of the LMLC, pay more attention to and invest more in policies, funds, technology and equipment, give greater play to its role as a liaison, exchange, think tank and command in international police cooperation, and take the initiative to guide and participate actively in the The construction and improvement of the rule system for combating new types of crimes and key areas, and the promotion of the construction of the neighbourhood community of destiny, in order to better cooperate with the construction of China's neighbourhood diplomacy. Strengthening the exchange and sharing of intelligence information is the key to improving the effectiveness of combating transnational crimes. In order to further enhance the effectiveness of the Centre's work, it should continue to improve the existing information sharing and investigation mechanism, learn from the advanced practices of other law enforcement cooperation organisations, such as Interpol, attach importance to the construction and application of the LMIN intelligence information exchange network platform and criminal information database, and actively give full play to the application of the network platform and information technology in daily police liaison, joint operations and combating transnational crimes, timely exchange and sharing of intelligence information, and strengthening data analysis and research. We share intelligence information, strengthen data analysis and research and judgement, provide early warnings and organise operations, so as to achieve precise and effective combating of transnational

crimes. In addition, it is also extremely important to deepen interregional investigative cooperation mechanisms. On the basis of existing mechanisms such as joint patrols, joint exercises and joint operations, the six countries of the Lancang Mekong region can, to a limited extent, cede part of their sovereignty, try to expand the areas and extent of investigative collaboration, and through joint investigations, joint evidence-gathering and collaborative crime solving, effectively strengthen their efforts to combat transnational crime, and forcefully deter the forces of criminality in the Lancang Mekong region. The China-Cambodia Law Enforcement Cooperation and Coordination Office is the first bilateral police cooperation centre set up by China's police overseas, and has played an irreplaceable role in China-Cambodia's joint fight against transnational crimes such as online gambling and telecommunication fraud since its establishment in 2019. With the deepening of cooperation, there is a need to further clarify the principles, scope, case handling standards, cooperation procedures, and legal formulation of joint law enforcement operations through consultation, and to jointly promote effective solutions to issues such as law enforcement bases, jurisdiction, and space for law enforcement, so as to fix, legalise, fix, and make sustainable the practice of joint law enforcement, and to effectively enhance the effectiveness of international police cooperation.

5.3 Strict implementation of territorial jurisdiction and flexible use of jurisdiction by agreement

Article 6 of the Criminal Law stipulates that this Law shall apply to all crimes committed within the territory of the People's Republic of China, except for those specially provided for by law. The principle of territorial jurisdiction is the basic principle of criminal jurisdiction in China, and territorial jurisdiction makes it convenient for law enforcement departments of a country to obtain relevant evidence and arrest criminal suspects directly, so in order to safeguard the judicial sovereignty of our country and its lawful rights and interests, it should be regarded as the first principle of international police cooperation. Therefore, in order to safeguard China's judicial sovereignty and legitimate rights and interests, it should also be regarded as the primary principle of international police cooperation. For transnational crimes whose criminal process or criminal results obviously occur in our country, including the location of cybercrime victims, the location of the criminal's server, the location of network terminals, the place where the cybercrime is carried out, the place where the transmission takes place and the place where the result takes place, the police department of our country can intervene in time to carry out the investigation. As for the situation where other countries besides China also claim responsibility for the case and there is an active conflict of criminal jurisdiction, the role of jurisdiction by agreement should be actively played, and two or more countries should coordinate the conflict of jurisdiction by means of dialogue and consultation, and in the process of agreement, the relationship between national sovereignty and equality and mutual benefit should be coordinated, the principle of the closest link should be followed, and the connecting factors related to the case should be comprehensively analysed. Such as the place of the crime, the perpetrator of the crime related factors, victim related factors and other connecting points, the country with the most connecting points is the closest link country, and then determine the country that enjoys the priority jurisdiction, at the same time, taking into account the principle of facilitating the investigation of the collection of evidence and the principle of facilitating the implementation of the judgement of the principle of international custom, in order to properly solve the problem of conflict of criminal jurisdiction, in order to better play the advantages of the agreement of jurisdiction, the full use of the existing multi, In order to better utilize the advantages of the agreement jurisdiction, the existing multi-bilateral law enforcement cooperation mechanism and the platform role of the Lan Mekong Law Enforcement Centre should be fully utilized; for the cases that have not been resolved by the agreement, they can be referred to the ICC for adjudication. When other countries, such as Thailand and Myanmar, behave negatively and are unwilling to take responsibility, thus affecting the effectiveness of the crackdown, in addition to requesting the transfer of criminal proceedings, China can make use of the principle of universal jurisdiction over international crimes stipulated by the United Nations, and invoke international conventions, such as the United Nations Convention Against Transnational Organised Crime, to clarify the legality of foreign law enforcement actions, in response to the international crimes such as terrorism, drug crime and human trafficking that are extremely prevalent in the Lan Mekong region. (c) Legitimacy.

5.4 Sound cross-border evidentiary rules, taking into account sovereignty-efficient procedures

Compared with Europe and the United States, China's legal system on cross-border e-discovery exhibits an obvious lag. To speed up the establishment of sound rules for the collection of electronic evidence, it is necessary to take into account not only the vulnerability, tamperability and perishability of electronic evidence, but also the interests and demands of all parties for the national judicial sovereignty and the efficiency of the detection of cases. In the requesting process, the principle of reciprocity can be adhered to in consultations with other countries to establish a cross-border fast track for the collection of evidence, so that such time-sensitive evidence as electronic

evidence can be processed on a priority basis, and simplified application procedures and review criteria for criminal judicial assistance can be permitted. In the evidence-gathering process, in accordance with the recommendations of the United Nations Intergovernmental Group of Experts on Cybercrime, it is possible to take the lead in establishing a joint investigation and evidence-gathering system, whereby law enforcement officials from different countries, with the consent of all parties, will form joint investigation teams and travel to the country where the evidence is located to gather evidence in the case, so that, on the premise that the country where the evidence is located cedes a certain amount of its sovereignty, it will maximally regulate and supervise the process and procedures of evidence-gathering, and ensure the reliability and completeness of the material. Reliability and completeness of materials. In the review process, both legality and authenticity should be taken into account. Article 21 of China's Data Security Law states that a data classification and grading protection system shall be established based on the importance of data, the degree of harm caused by misuse of data and other criteria, according to which different levels of electronic evidence can be focused and targeted to carry out review of the subject of the forensic evidence, the source of evidence, the forensic procedure, the handover procedure and so on.²⁰²¹ The introduction of the Articles 58 and 59 of the Provisions on the Handling of Cybercrime Cases by the People's Procuratorates make special provisions for the collection of electronic evidence in transnational cybercrime cases, such as "transcripts shall be made," "the entire process shall be audio-recorded and video-recorded," and "the review of whether the source of evidence is lawful and whether the formalities are in order". Whether the source of evidence is legal and whether the formalities are complete", which has important reference value for the relevant departments of China in handling other types of cases to carry out forensic work and review of overseas electronic evidence.

5.5 Optimisation of procedures relating to extradition and flexibility in the pursuit of fugitives

Extradition treaties are the basis for extradition. With the exception of Myanmar, China has signed extradition treaties with all the other Lancang countries. On the one hand, China should strengthen active consultations with the Government of Myanmar to improve the extradition system and provide a treaty basis for the pursuit of fugitives abroad; on the other hand, it should try to simplify the extradition procedure on the basis of the existing treaties to ensure the interests of all parties and for the purpose of improving the efficiency of cooperation in extradition. Traditional extradition is time-consuming and has many variables, while simplified extradition improves efficiency on the basis of safeguarding the basic rights and interests of the extradited person. Article 13 of the Treaty on Extradition between China and Peru is a useful attempt to simplify extradition, and simplified extradition clauses can be added to existing treaties with other countries of the Lancang Mekong region. The signed extradition treaties stipulate that "extraditable offences shall be those which constitute offences under the laws of both parties and which are punishable by imprisonment for a term of more than one year or by other heavier penalties", i.e., extradition shall be carried out in accordance with the principle of double criminality. Some countries have not criminalised gambling, pornography and other black products, and in practice, judicial officers need to be flexible and make requests for these criminals with eligible offences such as human trafficking and drug trafficking, in order to achieve the purpose of extradition, so that these criminals who try to escape by means of the sovereignty of other countries will also be punished by the law. In the course of cooperation, alternative measures to extradition and extradition should be adopted in an integrated manner, with emphasis on the flexibility and effectiveness of alternative measures. In recent years, Cambodia, Laos and Myanmar have handed over to China a large number of members of wire extortion gangs, mainly through the cancellation of their passports by the relevant Chinese authorities, so that they lost their legal residence status outside the country, and then the governments of Cambodia, Laos and Myanmar handed over these "black households" to China in the form of repatriation. This method of repatriation of illegal immigrants, which takes advantage of the provisions of the immigration laws of other countries on illegal immigrants, is also known as de facto extradition because it achieves the same results as extradition, and is now widely used in the pursuit of fugitives from justice abroad because of its simplicity, rapidity and low level of difficulty in cooperating with the authorities. In the absence of a treaty on extradition, it is necessary to make alternative arrangements for the repatriation of illegal immigrants through consultations in order to achieve effective punishment of criminals.

5.6 Strengthening the training of professionals and improving the construction of professional teams

The training of foreign-related rule of law personnel is an inevitable and urgent requirement for the training of Chinese rule of law personnel in the context of globalisation. As far as the public security sector is concerned, with the increasingly serious situation of transnational crime and the growing importance of international police cooperation, it has become imperative to train a group of composite and applied police talents with a firm political stance, excellent professional qualities, a good understanding of international rules, and proficiency in

foreign-related law enforcement practices. On the one hand, it is necessary to strengthen the capacity building of existing cadres, pay attention to team building and optimise team management. It has been proved that the working mode of "fighting alone" is obviously unable to meet the work orientation and objectives of the police liaison officers, and the relevant rules and regulations should be improved in time while expanding the scale of the police liaison officers. Police liaison officers work in embassies and consulates abroad, accepting the leadership of the embassies and consulates, while the International Cooperation Bureau of the Ministry of Public Security also provides operational guidance to them. This management mode leads to ambiguous functions and unclear responsibilities, limiting the role they can play in promoting international police cooperation, and the responsibilities and authorities should be further clarified to solve the problem of overlapping management and to realise standardised management. On the other hand, there is a need to improve the mechanism for the introduction, selection, training, appointment and management of talents, and to do a good job of cultivating and reserving foreign-related rule of law talents. General Secretary Xi Jinping pointed out that we should "strengthen the construction of disciplines, do a good job in legal education, and improve the practice-oriented training mechanism", public security colleges and universities should increase the support and investment in the foreign-related police profession, the construction of foreign-related professions and the cultivation of students should highlight the "innovative", "complex", "innovative" and "complex". For the construction of foreign-related majors and the training of students, the basic requirements of "innovative", "compound", "applied" and "international" should be highlighted, and the programmes for training talents should be dynamically adjusted in a timely manner according to the latest trends in crime and the needs of police work. In addition to basic theoretical courses such as international jurisprudence, international politics, international relations, etc., it should also expand the construction of police characteristic courses such as international law enforcement cooperation, criminal judicial assistance, transnational crime combating, global security governance, etc.; in addition, in view of the situation of the frequent occurrence of grid fraud in recent years in Lancang area, it is necessary for the foreign police students to be exposed to the study of inter-disciplinary general courses such as the new type of network-related crimes and network security governance, so as to improve the quality of police work through the cross-study of professional disciplines and to enhance the quality of police work. In addition, through the cross-study of professional disciplines, it is necessary to cultivate innovative and compound public security talents who can adapt to the international work.

5.7 Strengthening the confidence of a great nation in the rule of law and telling a good story about the rule of law in China

The establishment and consolidation of the image of a country governed by the rule of law will help China to strengthen its foreign cooperation and participation in international affairs. The requirements of the report of the 20th Party Congress on telling China's story and the requirements of ruling the country in accordance with the law in a comprehensive manner echo each other and give birth to each other, and the construction of a perfect discourse system on the rule of law in relation to foreign countries is the key to shaping a good image of China under the rule of law on a global scale, which can enhance China's status and discourse in the international arena, reduce the bias and misunderstanding of China's cognition, and develop pragmatically to expand the police co-operation "circle of friends" in order to participate in global public security governance in greater depth. It is necessary to pay attention to the theoretical research on police cooperation, to dig out the profound connotations in documents such as the Concept Paper on the Global Security Initiative and concepts such as the "community of human destiny", and to summarise in a timely manner the methodology, process, results and experience of building the rule of law in relation to foreign affairs; and it is necessary to continue to give full play to the propaganda role of the public opinion media in the face of the excuse of Western countries that In the face of the groundless accusations of Western countries under the pretext of "human rights" and "freedom", we should actively take action and focus on reporting on the "Operation Fox Hunt" and "Operation Skynet" and other activities to track down fugitives abroad. We should actively take action, focusing on overseas activities such as "Operation Fox Hunt", "Operation Sky Net", and international police cooperation such as "Operation Great Wall" and "Operation Mekong", to seize the right to dominate international public opinion, and to show the good image of our police officers who work in accordance with the law and are responsible for their duties, as well as to make a statement in various channels, platforms and forms, and to boost our police force. China's international police co-operation has also been promoted through multi-channels, multi-platforms and multi-forms of publicity, boosting the influence and popularity of China's international police co-operation. In recent years, China has undertaken a large number of international conferences and training courses hosted by Interpol and the Lancang Law Enforcement Centre, and has made use of these platforms to demonstrate to the international community the superiority of China's policing system and the results it has achieved, and has carried out in-depth exchanges and practical cooperation with globally renowned think-tanks, international organisations, law-enforcement agencies, and police colleges and

universities. China also has sufficient capacity to continue to host seminars and recruit police students, taking this opportunity to publicise China's policing theories and practices, and to deepen the international community's understanding and recognition of the concept of "common, comprehensive, cooperative and sustainable security".

6. CONCLUSION

Globalisation and digitalisation have driven the continuous development of international police cooperation practices, but from a practical point of view, the theoretical assumptions and policy research on international police cooperation have been repeatedly surpassed by law enforcement practices, and academic research has not achieved the role of theoretical experience in guiding police practices. The Lancang law enforcement and security cooperation under the perspective of foreign-related rule of law is typical, and it should further overcome the current dilemmas, take practical measures, promote the work of legislation, law enforcement and justice in an integrated manner, cultivate foreign-related rule of law talents, participate in the governance of international organisations in depth, tell a good Chinese story, make a good Chinese voice, and build up a system of international police cooperation with Chinese characteristics. International police cooperation under the guidance of Xi Jinping's thought on the rule of law in relation to foreign affairs is the future development direction and construction path, and our country is destined to become one of the most important forces in global police and law enforcement cooperation, and make more and more contributions to the theoretical construction and practical development of the rule of law in relation to foreign affairs.

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REFERENCES

- [1] Huang Huikang. Accurately Grasping the Connotation of the Concept of "Rule of Law in Relation to Foreign Countries" and Coordinating the Promotion of the Rule of Law at the National Level and the Rule of Law in Relation to Foreign Countries[J]. Wudan International Law Review, 2022(1):12.
- [2] Zhao Y. Topical Study on International Law Enforcement Security Co-operation [M]. Beijing: People's Public Security University of China Press, 2019: 7-8
- [3] Wu Chunyang: A Great Power Takes Charge, International Law Enforcement and Security Co-operation Reaches New Levels, <https://baijiahao.baidu.com/s?id=1777615358034829490&wfr=spider&for=pc>
- [4] Gu Yifan, Zhao Yu. Research on Legal Issues of Anti-Drug Law Enforcement and Security Co-operation between China and the Five Countries of Lan Mekong [J]. Crime Research, 2021(5):57
- [5] Lei Fengqi. Analysis of the Current Situation of Cyber Drug-Related Crimes in the Lan Mekong Basin and Countermeasures for Detection and Prevention[J]. Law and Economy, 2021(8):38
- [6] Guo Lian. Exploration and Practice of Police Co-operation in China-Laos-Myanmar-Thailand Lan-Mei Basin--Taking China-Thailand Police Co-operation as an Example[J]. Journal of Yunnan Police Academy, 2021(6):70
- [7] Li Pengfei, Liu Bingjin: A Look Back at the 10th Anniversary of the China-Laos-Myanmar-Thai Mekong Joint Patrol and Law Enforcement Mechanism, <https://baijiahao.baidu.com/s?id=1718676101137263363&wfr=spider&for=pc>
- [8] Jiang Shui. An Analysis of the Platform Role of the Lancang Law Enforcement Centre in Regional Security Cooperation[J]. Journal of Yunnan Police Academy, 2020(6): 100
- [9] Jiang Shui. An Analysis of the Platform Role of the Lancang Law Enforcement Centre in Regional Security Cooperation[J]. Journal of Yunnan Police Academy, 2020(6):101
- [10] Li Xiaoshu. Research on Legal Issues of Combating Transnational Telecommunication Fraud Crimes under the Lan Mekong Co-operation [D]. Yunnan: Kunming University of Science and Technology, 2023:29
- [11] Li Chunzhen, Yu Fumin. On the Subject of International Criminal Jurisdiction [J]. Qilu Journal, 2018(3):88
- [12] Zhang J. Study on the Prevention of Telecommunication Network Fraud Victimization of Chinese Citizens Abroad under the Perspective of Foreign-related Rule of Law [J]. Journal of Zhejiang Police College, 2023(6):58
- [13] Jingying Han. Research on International Criminal Mutual Legal Assistance in Combating Cross-border Telecommunication Network Fraud Crimes[J]. Journal of Jiangxi Police College, 2023(1):19

- [14] Zhang Anle. Research on the Investigation Cooperation Mechanism of China-ASEAN to Combat Cross-border Telecommunication Network Fraud Crimes [D]. Guangxi: Guangxi Normal University, 2023:22
- [15] Chen Hongmei. Challenges of Law Enforcement and Security Co-operation in the Mekong River Basin between China, Laos, Myanmar and Thailand[J]. Southeast Asian Studies, 2014(4):31
- [16] Fan Shouzheng, Zhang Zhe. Problems and Future Path of Lancang Security Co-operation[J]. Modern International Relations, 2021(7): 48
- [17] Li Jing, Wu Xinming. Current Problems and Future Development of Police Liaison Officer Work in China [J]. Journal of the People's Public Security University of China (Social Science Edition), 2017(5):111
- [18] Yang Aruhan. Research on the Development of International Police Cooperation under the Rule of Law in Foreign Relations [D]. Beijing: People's Public Security University of China, 2023: 18.
- [19] Jingying Han. Exploration of International Criminal Mutual Legal Assistance in Combating Cross-border Telecommunication Network Fraud Crimes[J]. Journal of Jiangxi Police College, 2023(1): 20
- [20] Feng Zhihang. Conflict and Resolution of Criminal Jurisdiction of Transnational Cybercrime [D]. Tianjin: Tianjin Normal University, 2023: 28
- [21] He Zhipeng. Construction of foreign-related rule of law discourse system driven by national image[J]. Social Science, 2023(6):14
- [22] Chen Xiaoji. Research on International Police Co-operation under the Perspective of Global Security Governance[J]. Journal of Politics and Law, 2022(5):22

^[1]Li Jing, Wu Xinming. Current Problems and Future Development of Police Liaison Officer Work in China [J]. Journal of the People's Public Security University of China (Social Science Edition), 2017(5):111