

CONTEMPORARY INTERNATIONAL POLICE COOPERATION

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INTRODUCTION

Consideration of what police cooperation means is almost impossible without a complex multidisciplinary and multi-level analysis of the crucial international procedures, agreements and external procedural justice that have led to the process of cooperation. Developments in international police cooperation can serve as useful foundation for exploring the political dynamics of policing, police system reforms, police relations to state and civic society, their contribution to the improvement of security, democratization process, legitimization of political and security structures and police capacity for autonomous action.

Information and communication technology (ICT) has not only changed the way of communication between people, but also introduced changes in almost every aspect of human life. Technological development and rapidly growing use of ICT contribute to evolving criminal techniques. In contemporary society there is an enormous risk of modern forms of crime such as: transnational organized crime, terrorism, cybercrime, cyber terrorism and other forms of crime. Accordingly, international police cooperation presents imperative for the survival in the modern world.

In this paper, we do not seek to offer a detailed overview of international police cooperation. That would be too big a task to comprise in one paper. We will focus on global police cooperation studies that already exist and crucial international

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police procedures, agreements and external procedural jurisdiction to formulate a coherent explanation of international police cooperation framework. We believe it is important for police executives, researchers, policy and jurisdiction makers to understand the actual functioning of the international police cooperation. This study has been conducted to better understand police cooperation on all three levels: national, regional and international and to direct the literature on policing towards two areas. First, this research offers clear understanding of the international police cooperation framework. Second, provided material is a basis for evaluation of existing procedures and debate which may lead to improvement in future.

International police cooperation primarily takes place in the fight against criminality, but it also has other aspects. Criminality is one of the most dangerous social phenomena, especially criminality with foreign elements. Technology development and globalization enabled quick and easy communication between people regardless of distance between them. In contemporary society criminality acquired a cyber dimension. The terms “cybercrime”, “computer crime”, “computer related crime” or “high-tech crime” are synonymous and often used interchangeably (Luknar 2022b, 149). Cybercrime may involve a wide range of attacks. According to the European Commission, cybercrime refers to the: 1) “crimes specific to the internet”, 2) “traditional” crimes that are committed online, and 3) “illegal online content”, such as: pornographic and child sexual abuse material, glorification of violence, terrorism, racism and xenophobia etc. Besides, cybercrime, organized crime and terrorism (also: cyber terrorism) are among the most serious forms of crime that threaten contemporary society.

INTERNATIONAL POLICE ORGANIZATIONS AND AGREEMENTS

Police are regarded to be an essential organization for maintenance of the order and crime-fighting practices. Given the unique nature of work of the police as one of the most important organizations for state and society, studying international police cooperation requires multiple levels of analyses and use of different methodologies, approaches and theoretical frameworks.

Criminal activities go beyond existing state boundaries. Technology development and its use has accelerated in recent decades. Information-communication technologies (ICT) offer possibilities for rapidly increasing the number of the users and account for the softening of some regional borders. The computing technologies have become indispensable part of our lives. Criminals expand their activities on cyber space and use of ICT, which makes crime more complex. As information and communication technology power grows exponentially, the range of illegal cy-



ber activities continues to grow (Luknar 2020). Contemporary circumstances have shown that the majority of future crimes will contain a cyber-component which will require police and other agencies cooperation on the international level.

International police cooperation is dynamic and complex. "Police cooperation refers to the intentional or unintentional interaction between two or more police entities (including private and public agencies) for the purposes of sharing criminal intelligence, conducting investigations, and ultimately apprehending suspects." (Leieux 2010, 1) The main purpose of international police cooperation is to allow sharing of the information with other countries in order to better understand and prosecute the perpetrators of crime and to maintain the order. Reaching successful international police cooperation is a difficult process because nations differ in several factors that may complicate developing of an effective international police cooperation framework among nations. These mentioned differences between nations include:

a) the justice system structure (different procedures, standards and rules that determine how their justice system works; also, behaviours that are recognized as a violation of criminal law may differ between nations, etc.);

b) cultural values (different values regarding the role of the police in the lives of the citizenry and police interactions with the community, values related to civil liberties and human rights, etc.)

c) political system (varying levels of the role of government in community may differ across nations; political ideas and values may vary from nation to nation, as well as the way in which the government legitimizes its authority, etc.)

d) economic capacities (different financial possibilities to fund police, national security operations and public safety).

After World War II (1946), the first post-war conference was held in Brussels as an initiative for organization reform and on this occasion, states renewed their membership (Nikač, 2003). International police cooperation is based on the reciprocal nature of networking. Much of support for reforms in international police cooperation originates from those countries that consider themselves to be democratic. But this may lead to Western hegemony in the criminal act standardization process (Gerspacher, 2002). Despite these numerous challenges, police forces make efforts to establish effective cooperation on the international level. Interpol, Europol and IPA may serve as best examples in practice. They provide important lessons to ensure more effective fight against crime on a multilateral basis. Besides them, a few words will also be said about Eurojust, Frontex, and SELEC as important organizations in international police cooperation.

International Criminal Police Organization (Interpol) has great importance in the fight against organized crime, terrorism and other forms of crime. It is a very important entity in international police cooperation. This organization provides



inter-governmental fight against crime. It was officially established in 1923. Its main goal is to make the world a more secure place. Interpol offers to its 195 member countries technical and operational support and access to data on crimes and criminals through three main crime programmes: counter-terrorism, organized and emerging crime and cybercrime (Interpol 2022). Interpol is a leader in the international police cooperation. This has been confirmed by a series of successful projects, such as: BESA, I-24/7, Red Road, Pink Panther, etc.

Europol has its origins in the Trevi group. Established in 1970, it was the first step towards cooperation among European police forces. Central European Investigation Office (Europol) was established in 1991. In the beginning, its main purpose was to fight against international drug trafficking and organized crime. Later The European Union Agency for Law Enforcement Cooperation began to extend its activities to many other areas. Over time, as crime was gaining more international form, Europol expanded its field of activity. Europol drugs unit was established in 1993. Then in 1995 Europol continued its work under Agreement of the Convention under Article K3 of the Maastricht Treaty. Europol Information System was set up in 2000. The first cooperation agreements with Third Parties (Iceland and Norway) were signed in 2001. Then in 2002 Europol made its Cooperation Agreement with the United States. In 2010 Europol became an EU agency. As crime began to gain the cyber form, Europol established the European Cyber-crime Centre in 2013. In 2015 Joint operational team was launched. In 2016 the European Migrant Smuggling Centre and European Counter Terrorism Centre were established in 2016. In 2020 the European Financial and Economic Crime Centre was established. Contemporary Europol recognizes: terrorism, international drug trafficking and money laundering, organised fraud, the counterfeiting of euros and trafficking in human beings as biggest security threats in contemporary society (Europol 2022). "The principal tasks of Europol consist of:

1. facilitating the exchange of information between the Member States,
2. obtaining, collating and analysing information and intelligence (including the preparation of annual reports on organized crime),
3. notifying the competent authorities of the Member States of information concerning them and of any connections identified between criminal offences,
4. aiding investigations in the Member States by forwarding all relevant information to the national units, and
5. obtaining a computerized system of collected information" (Joutsen, 2002: 396).

European Union Agency for Criminal Justice Cooperation (Eurojust) is also an important entity in the process of international police cooperation that was established with the purpose to "reinforce the fight against serious organized crime" (Eurojust 2022). The idea for the establishment of such an entity came from the 1999 summit in Finland, when all the parties agreed on the need for such an en-



tity. “Eurojust’s unique and unprecedented structure represents an important step forward to enhance multilateral co-operation in EU criminal matters. It is also at the heart of its added-value as it allows Eurojust to assist Member States in a way they could either not achieve, or achieve with difficulty and slowness, on their own” (Thwites 2006: 294). Over time, Eurojust has grown along with its operational tasks and today it deals with “a wide range of serious cross-border crime, such as: drug trafficking, serious fraud, terrorism, money laundering, murder, human trafficking, child pornography, cybercrime, criminal offences affecting the European Community’s financial interests and participation in a criminal organisation” (Thwites, 2006: 294).

The European Border and Coast Guard Agency (Frontex) was established in 2004 as the organization primarily responsible for coordinating border control efforts. It has great importance in the fight against crime on the international level.

The International Police Association (IPA) is also an organization which plays an important role in international police cooperation. It is a friendship non-governmental organization, and one of the biggest police associations in the world with more than 372,000 members. Its main purpose is “to create and strengthen bonds of friendship between members of the police service, promote international cooperation in social, cultural and professional fields, encourage peaceful co-existence between peoples and preservation of world peace, improve the public image of the police service and enhance recognition of the IPA by international bodies” (IPA 2022).

Schengen group was established as a fast solution based on the Schengen Agreement of 1985 and the Schengen Convention of 1990. Its main purpose was to eliminate internal frontier controls and to provide a more comprehensive data-sharing system for police. “Police cooperation within the framework of Schengen includes cross-border supervision, ‘hot pursuit’ across borders into the territory of another Member State; and controlled delivery (i.e., allowing a consignment of illegal drugs to continue its journey in order to discover the *modus operandi* of the offenders, or to identify the ultimate recipients and their agents, in particular the main offenders)” (Joutsen 2002: 398). Schengen has been subject of criticism mostly because of non-EU members and practical difficulties. The Schengen group currently consist of “the EU countries, except Ireland and the countries that are soon to be part of Romania, Bulgaria, Croatia and Cyprus. Although not members of the EU, countries like Norway, Iceland, Switzerland and Lichtenstein are also part of the Schengen zone” (Schengen visa 2022).

International police organizations and agreements are part of a transnational police collaboration system that was established to facilitate communication and information exchange among police worldwide. For better understanding of the nature of transnational police cooperation, we have briefly mentioned here some



of the very first agreements which were the foundation of contemporary international police cooperation:

- the Second additional protocol to the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959;
- the Protocol to the European Convention on Extradition (1957);
- the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);
- the United Nations Convention against Transnational Organized Crime (2000);
- the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000;
- Council Framework Decision of 13 June 2002 on joint investigation teams;
- the United Nations Convention against Corruption (2003);
- the Police Cooperation Convention for South East Europe (2006);
- the Agreement on Mutual Legal Assistance between the European Union and the United States of America (2010);
- INTERPOL and International Organization for Migration agreement to enhance border security (2014);
- the model agreement establishment of a joint investigation team (JIT) (2017) which has been developed 2021;

International documents are divided into: bilateral and multilateral documents and agreements. For efficient transnational cooperation, harmonised legislation is necessary. Joutsen mentions the following information, which we present in Table 1.

Transnational police fight against crime unfolds through many concepts, which differ from each other, but they are complementary. For the purpose of this paper, we briefly mention the following:

- “1) Mutual Legal Aid- as the oldest and most efficient concept the mutual legal aid is prominent throughout the countries around the world, through searching and delivering help in collecting facts and evidence available in one country with the aim to help another country.
- 2) International Police cooperation which occurs with the help of a single, standardized, centralized, and coordinated international police body.
- 3) International judicial assistance as the third concept of international cooperation in the fight against organized crime between the courts and the public prosecutions of specific countries and cooperation with ECHR.
- 4) International customs cooperation as one of the concepts of international cooperation.
- 5) Lastly, there is Direct operational assistance in the investigation phase (Trajkovski, Životić & Pekić, 2020, 46).



Table 1. Framework for specific international issues (Joutsen 2002: 411)

Issue	Framework
Fraud and counterfeiting	• fraud and other crimes against the financial interests of the Communities (Convention of 26 July 1995, protocols of 27 September 1996 and 19 June 1997)²⁴ • fraud and counterfeiting of non-cash means of payment (framework decision on 28–29 May 2001) • counterfeiting of the euro (framework decision on 28–29 May 2001)
Drug trafficking	• illicit cultivation and production of drugs (Council Resolution of 22 November 1996) • “drug tourism” (Council Resolution of 22 November 1996) • sentencing for serious illicit drug trafficking (Council Resolution of 6 December 1996) • drug addiction and drug trafficking (Joint Action of 9 December 1996)
Trafficking in persons and related offences	• trafficking in human beings and sexual exploitation of children (Joint Action of 21 January 1997) • combating illegal immigration (Council recommendation of 22 December 1995)
Corruption	• corruption (Convention signed on 26 May 1997) • corruption in the private sector (Joint Action of 22 December 1998)
Other offences	• racism and xenophobia (Joint Action of 15 July 1996) • football hooliganism (Council Resolution of 28 May 1997) • money laundering (Joint Action of 3 December 1998) • arms trafficking (Council Recommendation of 7 December 1998) • participation in a criminal organization (Joint Action of 21 December 1998)
Procedural issues	• interception of telecommunications (Council Resolution of 17 January 1995) • protection of witnesses in the fight against international organized crime (Council Resolution of 23 November 1995) • individuals who cooperate with the judicial process in the fight against international organized crime (Council Resolution of 20 December 1996)

The Republic of Serbia belongs to South East Europe region where regional cooperation has great importance for the survival of states. Nikač and Juras have mentioned important mechanisms, forms and organizations of regional police and judicial cooperation: “a) The Southeast Europe Police Chiefs Association (SEP-CA) and its projects, b) Network of Police Officers (NETPOL), c) Police Forum, d) Migration, Asylum and Refugees Regional Initiative (MARRI), e) Regional Anti-Corruption Initiative (RAI-SEE), f) Southeast European Law Enforcement Center (SELEC), etc.” (Nikač & Juras, 2015, 288). Integral part of cooperation are



numerous other initiatives and processes such as: South East European Cooperation Process (SEECp), Stability Pact for Southeastern Europe (CERP), Regional Co-operation Council (RCC), etc. (Nikač, Simić & Aritonović, 2014).

INTERNATIONAL POLICE COOPERATION FRAMEWORK

The police efforts for international cooperation date from the middle of the 19th century. The beginnings were largely rooted in European governments' efforts undertaken in order to modernize and professionalize policing and security services and protect the status quo. To consider the form under which the process of internationalization of the police takes place, many authors (Deflem 2002, 3; 241) mentioned globalization as predominant form of the change.

The globalization process connected the world in global network (Castells 2010) and at the same time increased interdependence between geographically distinct social units (national states). Accordingly, there is increasing importance of surrounding concerns which are no more someone else's concerns. In a networked society consequences may overflow easily from one place to another. For example, due to capital flows and global networking, the war in Ukraine has caused a worldwide multi-level crisis (energy, economy, etc.).

We are living in the age under the pressures of multiple crises: health crisis, economic and energy crisis, the war in Ukraine and migrations (Luknar 2022a, 117). The COVID-19 pandemic push forward ICT and Internet use (Luknar 2021) and expended policing space on to cyber domain. As contemporary society is threatened by new risks and vulnerabilities, transnational police cooperation has great importance in contemporary circumstances.

Many authors wrote about international police cooperation and suggested good practices. We summarized those theories in several main elements (law, economy, political and situational) that effective international police cooperation framework should concern.

One of the theories that have been developed to analyse police organizations under conditions of increasing globalization is the theory of bureaucratization (Weber [1922]1980; Deflem 2000, 2002). This theory is based on the work of Max Weber who mentioned that real authority in the modern state "rests necessarily and unavoidably in the hands of the bureaucracy" (Weber 1922, 126). Due to "the increasing need, in a society accustomed to pacification, for order and protection ("police") in all areas" (Weber 1922: 561), police appear to be the state's most visible and concrete means of coercion. "As state bureaucracies always remain related to the political power of governments, the degree of a police institution's



institutional autonomy will vary and have variable implications, depending on social conditions, especially attempts by governments to politicize police activity during periods of intense societal upheaval.” (Deflem 2006, 242). Relying on Weber, Deflem specifies two prerequisites of bureaucratic autonomy of international policing: “1) as a structural condition for cooperation across national borders, police institutions must have gained a sufficient degree of independence as specialized bureaucracies from their respective governments; and 2) international police cooperation plans can be operationalized when participating police institutions share a system of knowledge on international crime, including information on its empirical state and expertise for its control” (Deflem 2002: 19).

Some authors see compatible laws as the premise for international police coordination (Andreas & Nadelmann 2006). Lemieux mentioned three essential elements that foster police cooperation:

1. a geo-political consideration – “Cooperation rests on the ability of nation-states to create that environment through the negotiation of bilateral agreements, regional accords, and intergovernmental and/or supranational organizations” (Lemieux 2010, 3);
2. material criteria - Existence of sophisticated police international bodies (Europol, Interpol etc.): “A judicial environment that either recognizes the procedures of other states or is standardized is another important material criterion” (Lemieux 2010, 3); diplomatic and political actors’ efforts to encourage and facilitate international police cooperation;
3. organizational element - The level of organization, “structural factors that nation-states must develop through compromise, standardization, and a mindset that embraces the internationalization of policing” (Lemieux 2010, 3) and the legitimacy of agreements.

All the above-mentioned elements need to be considered in the creation of the sophisticated framework of international police cooperation. International police cooperation depends on many factors: “strategies, bureaucracy priorities, and/or particular interests pursued at specific moments in specific issue areas” (Lemieux 2010, 3). Benyon offers a vertical model of three interrelated levels (macro, meso and micro), where each level consists of various set of actors that are involved in international police cooperation. Macro level implies constitutional issues and consists of policy and agreements makers. Meso implies operational issues and it is link between micro and macro level. Micro level implies police activities of specific forms of crime (Benyon 1996).

Efficiency of transnational police cooperation, among other things, depends on the political element, which refers to “reforms of policing systems, the relations of the police to state and civic society, and the effects of policing on the enhancement of security, processes of democratization, and the legitimation of new political



and security structures“ (Marenin 2005, 100); which non-local policing system models can be created; what means and processes are to be applied; what are the role and the effects of policing systems in the processes of governance legitimization, development, reproduction of the state and democratization.

Marenin (2005) noticed three common requirements for democratic policing:

- a) professionalism, refers to particular occupational orientations, values, skills and principles while providing effective security (commitment to police service and to the law, concern for human rights, fairness, integrity, impartiality, etc.);
- b) accountability, refers to “transparency, democratic and civilian oversight and control, and separation from the military (although this last assertion can be contested” (Marenin 2005, 109)
- c) legitimization.

Situational element refers to the conditions (socio-political, public opinion, economy situation, etc.) that have led to various conceptions, procedures and communication in international police practices. Deflem mentioned significance of the conditions that impact police and its bureaucratization, such as periods of societal change. “Intense social disturbances typically lead to attempts to redirect bureaucratic activity to again play a role intimately related to the political goals of national states (politicization). In the case of policing, periods of societal upheaval are seen to affect the institutional autonomy of police institutions in functional and organizational ways” (Deflem 2006, 243).

International police cooperation is complex. Good cooperation with the NGO security sector is also important (Životić, 2018). Some authors suggest “fair policing from the inside out framework” (Van Craen, 2016) in both internal and external police work and cooperation. The mentioned approach is a part of the broader “work relations framework”. Fair policing approach may be implemented into international cooperation. “The dimensions of procedurally fair policing include neutrality (even-handedness in decision making and equal treatment), voice (giving citizens an opportunity to tell their side of the story and formulate suggestions about tackling problems), respect (treating citizens with dignity and acting politely), and accountability (giving reasoned explanations for the decisions officers have made)” (Van Craen & Skogan, 2016: 2). There are three main factors of fair policing that are interrelated: internal procedural justice, external procedural justice and trust in citizens.

Giving the importance to fair policing is a necessity in democratic societies, because it can be taken for granted. “Internal procedural justice (i.e., fair leadership) stimulates police officers to produce external procedural justice (i.e., fair policing)” (Van Craen, 2016: 4). International police cooperation takes time because all procedures require patience and commitment of all parties to achieve successfully



completed actions. Van Craen mentioned four mechanisms to underpin and clarify aspects that should be concerned in achieving fair policing approach:

1. supervisor modelling – a mechanism that relies on social learning theory which explains that people's behaviours are the result of the behaviour models that have been learned as appropriate or rewarded in the past. So, "employees learn how to behave in a work context by observing and imitating other people in the organization" (Van Craen, 2016: 5)
2. indirect influence through negative emotions (such as frustration and anger) -interactions which take place in a negative emotion setting may serve as a trigger for aggression toward less powerful targets (Van Craen, 2016: 7-8).
3. indirect influence through officers' job satisfaction and morale – "When officers' morale and job satisfaction are low because of unfair supervision, they will not be inclined to make many efforts. They will only do the minimum." (Van Craen, 2016: 8);
4. indirect influence through officers' trust in citizens (Van Craen, 2016: 8-11)

Combining all of the abovementioned elements of the international police cooperation and their shortcomings and advantages, we have offered a better understanding of the process. We hope this paper will inspire future theorization and research.

CONCLUSION

It is true that we have the right to expect high-quality international police cooperation. After all, we are facing considerable increases in crime with a transnational dimension. The main contemporary changes, such as the ICT development that has brought about a lot of changes in transportation and telecommunications, massive impoverishment, multi-level crises, natural disasters, international relations conflicts related to the war in Ukraine and fundamental political changes in many parts of the world, all have led to new forms of crime and criminal groups that try to remove legal barriers at the transnational level and take advantage of these uncertainties.

As a result, international police cooperation is recognized as necessity in order to better prevent and control crime worldwide. This study provides useful information for all of the parties (police executives, researchers, policy and jurisdiction makers) that have a crucial role in international police cooperation. We believe that the methodological approach we advocate here (multi-level, multidisciplinary analysis) has several potential implications including: a) improved understanding



of international police cooperation; b) offers a view of different theories about main dimensions of the cooperation process, and c) future research directions.

The main theoretical perspectives on the topic that have been developed showed that strengths and effectiveness of the international police cooperation lie in all included parties (organizations, procedures, agreements) and each element of that cooperation (economic, political, material, situational and bureaucratic). Evaluation of contemporary international police cooperation remains a challenge because it is difficult to show a clear cause-and-effect relationship, while large extent of international crime remains difficult for processing. We still have a long way to go in the area of international police cooperation. However, first steps have been taken, and past practices and experiences can help in charting out the possibilities as well as obstacles on the road ahead. We recommend continuous communication and exchange of best practices among police worldwide and strategic planning of such activities. Continuous evaluation of the existing framework and achieved results in the field of international police cooperation can take us a step forward in international police cooperation development.

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