MEĐUNARODNI NAUČNI SKUP "DANI ARČIBALDA RAJSA" TEMATSKI ZBORNIK RADOVA MEĐUNARODNOG ZNAČAJA

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PERSPECTIVES FOR THE DEVELOPMENT OF INTERNATIONAL POLICE COOPERATION IN SOUTH-EASTERN EUROPE

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Abstract: Despite the existing opportunities offered by international police organizations, the recent efforts of European countries are aimed at upgrading and improvement of the police cooperation. Because states individually do not have enough capacity to effectively deal with crime, the association of polices is an adequate response in dealing with domestic and international crime. To this purpose many of the states are more actively involved in the regional security initiatives and international police cooperation. According to the objectives that arise from dealing with crime, the bases for regional cooperation are specifics to certain forms of crime that go beyond national borders.

In the Balkans, the characteristics of the social changes that occurred in the last two decades were the products of the disintegration of former Yugoslavia related to the escalated armed conflicts and increased ethnic tensions, transformation of ownership that permitted the development of high occurrence of corruption and organized crime, national police and other law enforcement institutions are still adapting to the changes slowly, poor border control facilitates the development of human trafficking, trade with drugs, radioactive materials, and illegal weapons. Regarding the fact that the countries of South East Europe share many similarities, they actively expressed their commitment to fight against the crime. After the conflicts in the region, police structures had asserted that they were the most competent to overcome the security challenges on which the issues of crime dominated. Faced with the professional approaches of the national polices in solving their tasks, the states' issues related to national sovereignty and the barriers to cooperation that as a basis have unresolved bilateral disputes among the countries were interposed.

Through the comparative method and the method of content analysis, the paper makes an overview of current problems which are still an active obstacle for effective regional and international police cooperation. At the same time, it is an attempt to identify the future directions that should be an integral part of regional police cooperation.

Keywords: police, cooperation, security, crime, perspectives, obstacles.

Basis for the development of international police cooperation in Europe

Recently, because of globalization, dismissal of offenses related to transnational crime has become an important priority in the work of the national police forces. The influence of modern technological development, growth of transnational markets and the effects of social change are imposed as the main factors that dictate the dynamics of crime and characteristics of threats and dangers of the citizens and states. Technological and transportation advances will facilitate growth in transnational criminal operations. The ease of modern communications makes contact among criminal organizations easy, fast, and more secure. New digital technologies make it more difficult for law enforcement agencies to intercept communications

(Godson and Olson, 1995). In Europe, the changes that occurred during the past two decades were remarkable, such as: the fall of the Berlin Wall; the collapse of the USSR and Yugoslavia; commencement of democratic processes, the change of ownership, and declining standards of living; replacing the role of military with police in keeping state borders; changes in the national legislations regarding the criminal and procedural law (especially the parts pertaining to criminal prosecution and detention) in post-socialist countries under the processes of transition; market globalization associated with economic migration to larger cities; need for enhanced border control due to heavy rush of people to the developed parts of Europe; trade with the illegal goods and more. Thus, circumstances associated with the expansion of crime have become the foundation that has forced countries to cooperate in activities aimed to detect and combat crime.

In defining the concept of international police cooperation, there are several explanations. Thus, the international police cooperation can be termed as an organized activity of the police of certain countries on the international plot (Babovic, 1997: 101). Consequently to the activities carried out in accordance with the purposes of international police cooperation, it is a collaboration between the police forces of two or more countries in the fight against the forms of international criminality, based on bilateral and multilateral agreements, or membership of the state in international police organizations, with specified conditions of cooperation, defined roles and status of the entities that implement the cooperation and many other formalities and regulations.

Police cooperation covers a wide range of areas, from education to the unification of means and methods, and among the countries where there are smaller or larger differences in legislation and police practices that should be harmonized in the area of joint action (Stojanovski, 1997:334). The harmonization of procedures in the police action is a current trend in the creation of police strategies. Especially important is the creation of regional centers for police training or organization of regional police courses. Through the Minister of the Interior, police as the executive authority, has the opportunity to initiate the adoption of laws related to international police cooperation as an integral part of police work.

As a result of international police cooperation, the efforts of countries have resulted in concrete actions in the fight against crime and the formation of international police organizations. The adoption of key documents such as Resolutions of Interpol (although the first convention was adopted in 1951, the frequency of adoption of the conventions became more frequent in the early 1990s), the Europol Convention (1995), its acts and two Protocols (2002 and 2003), regulated international police cooperation in the function of the general security and fighting against crime. The main objectives of international police cooperation within international relations are connected with the protection of citizens and community from the dangers and threats caused by criminal acts. Because cooperation has an epithet "international", it further implies the establishment, development and improvement of relations between the state and its police organization(s) with neighboring and other countries, bilaterally and multilaterally, within regional and global organizations for the maintenance of public order, fighting against crime and improving the degree of regional and global security. In order to strengthen police cooperation and to define the terminology, a major step forward was made with the adoption of the United Nations' Convention against Transnational Organized Crime (well known as the Convention of Palermo) from December 2000. It was significant that it defined a challenge called "transnational crime" as the basis for the states and police organizations to introduce the concept of international police cooperation. In the paragraph 2 of the Article 3 (the United Nations Office on Drugs and Crime [UNODC], 2004), an offence is transnational in nature if:

- It is committed in more than one State;
- It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or
- It is committed in one State but has substantial effects in another State.

Several factors explain the trans-nationality of organized crime. This type of organized crime has three basic differences with respect to previous manifestations of the phenomenon: it tends to operate at a regional or global level, mobilizing extensive cross-border connections and, above all, has the ability to challenge both national and international authorities (Godson and Olson, 1993).

In order for the effects of cooperation to be more impressive, the states and the international community embedded the institute "extradition" as an instrument of international law in the framework of international agreements. The tendency of development of international police cooperation goes so far that the traditional forms of cooperation are complemented by dynamic and less formal forms that interact heavily with the etiology and phenomenology of crime.

Contemporary needs of the concept of international police cooperation are contradictory to traditional notions of police work. According to traditional understanding, the international police cooperation would be impossible or difficult as a viable concept for policing because the national policing includes the legitimate monopoly of force in a country. In situations in which the foreign police units are involved in solving the crime, it comes to endangering the statehood, its interests and sovereignty. Contrary to traditional understanding of police work, the modern concept of fighting crime treats the question of sovereignty as a weakness and difficulty in the implementation of international police cooperation. In the analysis of advantages and disadvantages of international police cooperation the possibilities for abuse of expanded police powers by the national police organizations should be taken into account. Abuse of police powers imposes the question "Does police law allow convergence in terms of commitments and exceeding the powers in the implementation of international policing?" The tasks arising from international police cooperation should be based on police law, and situations that are not clearly defined or put in doubt the police officers in their work should be further regulated by bilateral and multilateral agreements. Therefore, the objectives of international police cooperation require clearly defined principles that are based on national and international laws. The content of the acts govern international police cooperation, but internal affairs have to be related to the legislation under which the courts and the prosecution work. Whereas all forms of transnational crime, including terrorism have thrived with globalization, the national mechanisms for cooperation between States still lack cohesion and are often ineffective. Yet international cooperation is essential to criminal justice practitioners faced with new forms of transnational criminality and terrorism. It is indeed unrealistic today to confine all criminal investigations or prosecutions related to terrorism within national borders. This is even more so as criminals profit from the advantages obtained for the protection of citizens within the framework of state sovereignty (the United Nations Office on Drugs and Crime [UNODC], 2009:2). For example, as a starting point for cooperation, all the situations may be taken when the suspect, the victim, the principal evidence, the principal witnesses, the principal experts or the proceeds of the crime do

not come under the authority of the country concerned to transnational crime. A prerequisite for effective interstate cooperation should be regulated national interinstitutional communication in dealing with transnational crime.

The international community has developed a series of mechanisms for international cooperation in criminal matters concerned in particular with extradition, mutual legal assistance, the transfer of criminal proceedings, the transfer of convicted persons, recognition of decisions of foreign criminal jurisdictions, the freezing or seizure of assets, and cooperation between law enforcement agencies. Those mechanisms relate to all types of criminality – international, transnational or national – including terrorism (the United Nations, 2005: paragraph 56). Police are forced to find a model that will be offered to the states and international organizations. That model should tackle transnational crime and its effects will become visible. It involves the simplification of procedures for international criminal prosecution and arrest the perpetrators of criminal acts, but also the creation of mechanisms to counter the "black holes" that are embedded in national laws, and they are contrary to the principles of international police and judicial cooperation.

Regional context and interests of the EU and the international community for police cooperation in SEE

Following the collapse of the former Yugoslavia and the independence of the countries that emerged from it, the 1990s were marked by the accession of countries in the region of Southeast Europe to international police organizations (primarily Interpol) and the achievement of bilateral and regional agreements on police cooperation with police organizations established within the EU and beyond. It involves cooperation with the Europol, the Frontex, but also with organizations that made a great contribution to the reforms of the police organization as: the United Nations Office on Drugs and Crime (UNODC), the Organization for Security and Cooperation in Europe (OSCE), the Geneva Centre for the Democratic Control of Armed Forces (DCAF) programmes, the donors from the EU countries, the United States agencies, Norway, Switzerland, other partners and developmental agencies. Although the region is still a sensitive area because of the past conflicts, ethnic tensions and political instability in the countries, the countries overcame the stigmatization by the international community and they had fought to create a strong base for the development and intensification of police cooperation. Countries' efforts resulted in: general democratic changes, democratically elected governments in all countries in Southeastern Europe, improving of security and political status, the general progress of countries, clear Euro and Euro-Atlantic orientations, participation in regional and international police associations and initiatives, openness to cooperation, promotion of bilateral and multilateral relations with neighboring countries and beyond, and more. These characteristics of the countries are the main prerequisite for reducing the possibilities for escalation of security threats and to strengthen the joined fight in tackling crime. The basis for the cooperation of police in the region is confronting with identical threats and dangers that arise from the similarities in the dynamics of social development, common history and traditional characteristics of the region. However, the problem of crime in the region in many areas of society is the main reason to which all relevant international actors point. Not one country in the region can define the national police priorities and security interests without establishing their dependence on security challenges and interests of other countries. A particular challenge to the region is facing instability as a result from long transition processes, which means its lag behind the developed part of Europe.

The Balkans in particular need to mark the creation of the regional initiatives that have a major impact on international policing, such as: the Southeast European Cooperative Initiative - SECI (1996), the Stability Pact for Southeastern Europe (1999), the initiatives that emerged from it and its successor the Regional Cooperation Council - RCC (2008) and other efforts of the international factors. As an epilogue in the dynamics of the development of regional police cooperation is represented by the adoption of the *Police Cooperation Convention for Southeast Europe* – PCC SEE (2006). A part of regional security initiatives includes components of international police cooperation and they are focused on the forms of organized crime and corruption that dominate the region.

As the vanguard of the processes, there were a number of meetings of the highest authorities of the European Union and a lot of adoptions of a series of strategic documents that had contributed to the development of regional initiatives in South Eastern Europe. In 2000, parallel to the Stabilisation and Association Agreement with EU, just one year after the launch of the Stability Pact, the EU made a framework which served to start the negotiations with Western Balkan countries until they would eventually join. In Chapter 24 - Justice and Home Affairs reports on the progress of candidate countries for EU membership has special emphasis on international police cooperation. According to the reforms that are a condition for starting negotiations, the cooperation takes part in the area of rule of law, particularly in fighting organized crime and corruption.

In 2008, with full support and commitment of the SEE countries, donors and other international actors, such as the European Commission, the Stability Pact promoted its transformation into its successor - the Regional Cooperation Council based in Sarajevo, which succeeded mandatory tasks relating to conflict prevention, assistance and strengthening the efforts of the SEE countries to preserve peace, democracy, respect for human rights and economic prosperity. At the end of that year, the European Commission launched a project in which the Western Balkan countries within the International Law Enforcement Cooperation Units (ILECUs) are strengthening the national platforms for international police and law enforcement cooperation. With the project police and other law enforcement agencies are integrated on the issues related to international requests for assistance and support to and from the countries. The project provides for the centralization of the contact with Europol, Frontex, Interpol and the SECI Center. The project establishes an international unit for coordination for law enforcement in the Western Balkans. Project goals include: improving cross-border cooperation in the fight against organized crime in Southeastern Europe and the introduction of international standards of quality. ILECU, as an integral part of national models for criminal intelligence, has been made to facilitate information exchange in international investigative activities and to facilitate communication at the operational level. It should be mentioned that the contribution of the Southeast Europe Cooperation Process (SEECP) is crucial for the political support of regional police cooperation among the countries.

With joint efforts, six regionally owned organizations and initiatives were setup to counter trans-border organized crime, corruption and illegal migrations, with effective operational mechanisms, common policies and proceedings on police and law enforcement cooperation, implementation of projects on anticorruption and combating illegal migration all in place. Within this context, the *Southeast European Cooperative Initiative's Regional Center for Combating Trans-border Crime (SECI)*/ the *Southeast European Law Enforcement Centre (SELEC)* (operational police andcustoms cooperation), the *Police Cooperation Convention for South East Europe (PCC* –addressing the security of borders) and the *Southeast Europe Police Chiefs*

Association (SEPCA – creating a framework for strategic cooperation at the highest levels of police) are particularly worth highlighting. Operational activities of the SECI/SELEC are supported through the Southeast European Prosecutors' Advisory Group (SEEPAG) facilitating prosecutorial part of cooperation and giving advice. The Regional Anti-Corruption Initiative (RAI) focuses on promotion of anti-corruptionand good governance, sharing best practices and promoting relevant international instruments. The Migration, Asylum, Refugees RegionalInitiative (MARRI) aims at strengthening cooperation and information exchange among the members in respective areas (Regional Cooperation Council Secretariat, 2010: 30). The work of these government organizations are down to joint action through projects financed by the states themselves, the EU, the U.S. and third-party partners who have an interest to be part of international efforts to combat crime. Organizations often face the problem of their financing, especially in the early stages when they need to win over the authorities to give financial support on the initiatives. Restrictive budget is also a problem, especially with budget cuts as a result of the global economic crisis of 2008. People who are delegated in these initiatives require funds to have greater mobility in the region where their role not only as national representatives, but also as experts, has great importance for international police cooperation. Also within the sharing of experiences in areas of common interest to two or more initiatives, it is important that there is openness among them to cooperate and exchange the ideas, information and advice. Although the region is not numerical population versus the number of states, it plays a key role for the stability of Europe.

In an interview with the director of the MARRI Regional Centre, Trpe Stojanovski, PhD, emphasized that the choice of regional police initiatives to be placed in one of the countries of the region, contributing to the employment of staff from countries and developing the secondary and tertiary activities in the host country. The number of employed people is symbolic but sends a message to the citizens and authorities in countries that are working on an initiative that multi-functionally serves to the countries. In the interview it was mentioned that with the presence on the "crime scene", police initiatives for international cooperation easier follow all the social, political, economic and security events relevant to the dynamics of transnational crime. That actively impacts on the police and political entities to implement activities that are part of the initiatives and are aimed at the prevention from transnational crime. On the other hand, the representatives of the initiatives are more informed and involved than in cases where the headquarters are located outside the region. Other experts explained that the displacement of the seats of police initiatives in Brussels, Vienna or other influential political centers, provided the political will of European partners which was essential for initiatives' survival and financing.

So today we can point out a few forms of regional cooperation that have good reputation among national police and the paramount importance of regional and international policing.

SECI Center objectives are (Southeast European Cooperative Initiative [SECI], 2011):

- Setting-up a mechanism based on enhanced law enforcement cooperation at national level to be used by the Parties in order to assist each other, in preventing detecting, investigating, prosecuting and repressing trans-border crime;
- Support the field activities of the law enforcement officers;
- Provide assistance to the Parties in order to harmonize their law enforcement legislation in respect to the EU requirements;
- Support national efforts in order to improve domestic cooperation between law enforcement agencies; and

- Support the specialized "Task Forces (TF)": TF on Human Trafficking and Migrant Smuggling, Anti-Drugs Trafficking TF, Anti-Fraud and Anti-Smuggling TF, Financial and Computer Crime TF, TF on Stolen Vehicles, Anti-Terrorism TF, Container Security TF, and Environmental Crimes TF.

The Convention of the Southeast European Law Enforcement Center (SE-LEC) was signed on December 9, 2009, by the representatives of the 13 Member States: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Hellenic Republic, Hungary, Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia and Turkey. The SECI Center will transform into SELEC - Southeast European Law Enforcement Center - once two thirds of the Member States have deposited their instruments of ratification, acceptance and approval (the Convention of the Southeast European Law Enforcement Center [SELEC], 2011). The SELEC's objective is to provide support and enhance coordination between Member States in preventing and combating crime, including serious and organized crime, where such crime involves or appears to involve an element of trans-border activity. The SELEC Convention will enable the Center to create an analyses capacity using a broader data system and an adequate level of protection of personal data in accordance with EU requirements.

The Police Cooperation Convention for Southeast Europe (PCC for SEE) located in Ljubljana (Slovenia), envisages modern forms of cooperation among the Contracting Parties, such as joint threat analysis, liaison officers, hot pursuit, witness protection, cross-border surveillance, controlled delivery, undercover investigations to investigate crimes and to prevent criminal offences, transmission and comparison of DNA profiles and other identification material, technical measures for facilitating transbroder cooperation, border search operations, mixed analysis working groups, joint investigation teams, mixed patrols along the state border and cooperation in common centres. The full implementation of the Convention will thus help those signatory countries not members of the EU to accelerate their eventual accession (Police Cooperation Convention for Southeast Europe [PCC for SEE], 2011). The Convention entered into force on 10 October, 2007, after ratification by all seven signatory states (Albania, Bosnia and Herzegovina, Macedonia, Moldova, Montenegro, Romania and Serbia). In addition, Bulgaria acceded to the Convention on 25 September, 2008.

The work of the **Regional Cooperation Council (RCC)** focuses on six priority areas: economic and social development, energy and infrastructure, justice and home affairs, security cooperation, building human capital, and parliamentary cooperation as an overarching theme. The priority areas will include: fighting organized crime, in particular through the activities at the South East European Cooperation Initiative (SECI) Centre and the South East European Prosecutors Advisory Group (SEEPAG); the SEE organized crime training network; anti-corruption activities, including cooperation with the Regional Anti Corruption Initiative (RAI); migration and asylum related activities, including close contacts with Migration, Asylum and Refugee Regional Initiative (MARRI) and observation of the EU developments in this area; and cooperation with SEE police chiefs association – SEPCA (Regional Cooperation Council [RCC], 2011). The RCC main goals are to provide technical expertise to existing initiatives, as well as assist them in gaining access to regional and international political, technical and financial support, required to fulfill their objectives. The fact that a smaller part of the RCC structure is present in Brussels, the initiative represents balance between wishes of the European partners and the need for regional cooperation in Southeastern Europe.

The **Southeast Europe Police Chiefs Association (SEPCA)** promotes police transformation with the view to enhance effective and democratic police services in

member countries in the region of Southeast Europe, for the benefits of the whole population. The SEPCA hence contributes to the regional security environment. The SEPCA aims to be the organisation steering police cooperation. With a flexible permanent secretariat and various sub-boards, it focuses on the strategic level. The SEPCA favours partnerships to reduce duplications and increase synergies: between public security institutions (border-police-prosecution) and with other international organisations and is the partner of the EU for strategic police cooperation (the Southeast Europe Police Chiefs Association [SEPCA], 2011). Strategic level of police cooperation allows easier exchange of ideas and expertise at the highest level in the police organization. Also at this level, it is easier to determine the guidelines for regional police action.

With entering into force of the Lisbon Treaty on 1 December 2009, the EU defined the values (the European Union [EU], 2008: Article 2) within the internal and external relations. By accepting the values and meet criteria for membership in the enlargement process, the opportunities are opening for future member-states to improve their societal state. As in relations with third countries, the EU is committed to introducing a high degree of compatibility for achieving political, security, economic and other cooperation. In general, the EU is open to providing any assistance and share experience from gained advantages from many areas in relation to other countries and regions covered by its cooperation and interest. The range of influence of the EU in the region of SEE has been upgraded with the establishment of strategic guidelines covered by the EU security policies (the European Neighborhood Policy, the EU's Common Foreign and Security Policy and the European Security and Defense Policy). The efforts of the international community for the development of regional police cooperation in Southeastern Europe are aimed at introducing a high degree of compatibility between the police and the region between the region and the EU, the U.S. and third partners. All the EU initiatives in the SEE are targeted to meet the vacuum on its borders which may cause its destabilization. The desire of the Union for peace in both Europe and the world has proved with the abandoning of the passive concept on the events that happen in its neighborhood and beyond. Indirectly, the Western Balkans within the framework of meeting the standards for membership, through police cooperation are adapting the national police and security strategies to the EU policies. Thus, with building the partnership relations with aspiring countries, the EU stimulates their progress in regional form and reduces differences in operational and strategic police actions in combat against transnational crime.

Future actions in regional and international police cooperation

in order to enhance international police cooperation, states and the international community should provide clarification on issues related to future directions that need to be developed. Or, whether it should cover only specific areas that should be the subject of cooperation, such as: joint performance of law enforcement tasks, negotiating when there is a hostage situation, investigations related to murders, police dog training, learning standards in communication and patrolling, special training sessions for standardization and compatibility of certain segments of the police structure, or it should be extended to other areas that give better results that are not now part of educational and ethical contents of police training. Additionally, within the framework of the cooperation it is very important to define:

- The types of police cooperation, i.e. the forms of transnational crime that are subject for cooperation;
- The type of information that will be exchanged, i.e. the degree of confidentiality according to the hierarchical level of police bodies participating in the cooperation. In this information their use should be accurately specified to eliminate possibilities of misuse of information;
- What are the rules for handling, storing and deleting data? It should specify the subjects, i.e. individuals who will be the administrators and users;
- Who is responsible or which institution manages the data. Within a state it is desirable to have one institution - the police, who will be responsible for the data. All other institutions, which would benefit from the international police cooperation, will obtain data through requests submitted to police authority responsible for managing data;
- The procedures for issuing requests and data. Procedures should be clear and unified to enable faster delivery of information to foreign police organizations. It would be good if the proceedings are conducted in a single language (for example, English) to save time. Within interviews for FP7 Security program's project titled "Composite: Comparative police studies in the EU", several activities of international police cooperation related to regional data exchange were identified. The regional project which started in 1998 at the beginning was aimed to establishing of criminal intelligence database for the crimes related to drugs. The monitoring mission of the United Nations International Drug Control Program (UNDCP) visited the Anti-Drugs Department in MOI within the UN' Program for combating organized crime and drug trafficking. In that monitoring, they concluded that the Department and MOI work without any informatics support in this area. They proposed to MOI this project. The Ministry of Interior and Ministry of Foreign Affairs accepted the project and first steps were made by the group of enthusiasts in the Ministry of Interior (in Anti-Drug Department in MOI) as a consequence of the real needs in the combat against treats and dangers related to drugs. Even it was sponsored by the UN institution (technical support and financial aid), the Interpol was engaged with its instructors on the implementation. The Interpol instructors were deeply committed to the transfer of their knowledge. The instructors worked with the information technologists and enabled them to be administrators of the database. They learned the rest of the unit how to use it. This project was followed up by many other related projects and it shaped the basic criminal intelligence database. By expanding the project on the other acts related to transnational crime, but Macedonia, Bulgaria and Romania were not included. That was the reason that the project was extended several times. In order to achieve the maximum effects of police cooperation in the exchange of data, the idea was to import the data into English. Romanians inserted the information in Romanian. The logic was that it was easily available for operational employees and domestic law enforcement agencies if they entered the data in the native language. Macedonians submitted data in English until 2006, then in Macedonian but Latin letters. Bulgarians introduced into English, thus enabling the implementation and planning of joint police operations between Bulgarian and Macedonian police services. The services of the three countries met and participated in joint workshops, but in no case the base was used for common shares except when it came to the actions of the Macedonian and Bulgarian police. It is unfortunate that at that time there was no initiative, disposition and finance of the Ministry of Interior and other domestic institutions, but the aid came from abroad; and

- What kind of supervision will be agreed upon? Supervision should be defined in a legal framework that regulates police cooperation. For an equal representation, it is the international body responsible for surveillance which must have at least one representative from member countries in the regional police initiatives. It should not be the same as delegated to liaison officer, because of the essential differences in their tasks.

The idea of joint investigative teams was quite active the last time. Although it was derived by the Europol, recently it received a regional approach and internationalization. With them, police cooperation gets extra features, such as multi-disciplinarily, information and records can be directly shared, delegated members may be assigned to support the teams or to take investigative measures, and requirements of joint investigative teams to the members who participate in the Europol may be marked as a request coming from the national police. In regional terms, at the end of 2010, this concept was supported by Europol and Eurojust, in cooperation with the PCC for SEE from Ljubljana and the DCAF from Geneva. It will contribute to more efficient fight against organized crime and other forms of cross-border crime.

CONCLUSION

Regional initiatives on police cooperation to achieve the full effect must be seated in the region. This allows active monitoring of the field activities, gaining more information and opportunities for greater cooperation with authorities in the countries in the region. In the future, police cooperation among the countries of the region should be derived from their own efforts. The international community, particularly the EU, will always want to have a dominant degree of influence. Through the partnership ot the region with the Europol, Frontex and Eurojust, the EU is allowed to secure their borders and implement strategies in the area of foreign policy and security. In the future, when the region will become an intrinsic part of the EU and NATO, it will be directly exposed to problems as the surge of refugees from Africa and Asia, and it will serve as a gateway for combat against human trafficking, drugs and other goods. The role of police cooperation will contribute to strengthen the borders and control. Solidarity in the implementation of international police cooperation today can be seen in aid of personnel and equipment that the EU has given to Greece and other states within the Frontex to prevent illegal crossing of borders.

Agreed solutions between the countries in SEE, in the form of conventions and agreements, greatly clarify the problems that are facing to police services, such as: national sovereignty and territorial limits of authority. Extradition problem is still current issue in some national legislation because it is not properly resolved and it allows the perpetrators of criminal acts to survive in the regional and international space.

In the future, the national police organizations should make additional efforts to remove any shred of reservations and mistrust in the EU, the U.S. and third countries which support regional police cooperation in SEE. Through the execution of joint operational tasks, adapting national legislation in the field of policing and the fight against transnational crime, and other activities associated with the work of law enforcement agencies, the region becomes a serious partner of the EU who can effectively deal with challenges of crime.

REFERENCES

- 1. Babovic, B. (1997). Policija u svjetskom poretku. Belgrade, Serbia: NEA.
- 2. European Union [EU]. (2008). *Lisbon Treaty*. Official Journal of the EU (C 115, Volume 51, ISSN 1725-2423). Brussels, Belgium.
- 3. Godson, R., and Olson, W.J. (1993). *International organized crime: emerging threat to US security*. Washington, USA: National Strategy Information Center.
- 4. Godson, R., and Olson, W.J. (1995). International Organized Crime. *Society*, 32 (2), 18-29.
- 5. PCC Website, available at http://www.pccseesecretariat.si/index.php?item=9&page=static
- 6. RCC Website, available at: http://www.rcc.int/index.php?action=page&id=7&link_id=14
- 7. Regional Cooperation Council [RCC] Secretariat. (2010). *Annual Report of the Secretary General of the Regional Cooperation Council on regional co-operation in South East Europe*. Sarajevo: Regional Cooperation Council Secretariat.
- 8. SECI and SELEC Website, available at: http://www.secicenter.org/
- 9. SEPCA Website, available at: http://www.sepca-see.eu/about-sepca/purpose-and-mission
- 10. Stojanovski, T. (1997). *Policijata vo demokratskoto opstestvo*. Stip, Macedonia: 2 Avgust.
- 11. United Nations Convention against Transnational Organized Crime and the Protocols Thereto (United Nations Office on Drugs and Crime Vienna United Nations, New York, 2004),
- 12. United Nations Office on Drugs and Crime [UNODC]. (2005). *Working paper prepared by the Secretariat (A/CONF.203/5)*. Eleventh United Nations Congress on Crime Prevention and Criminal Justice, Bangkok, 18-25 April 2005. New York: United Nations.
- 13. United Nations Office on Drugs and Crime [UNODC]. (2009). *Manual on International Cooperation in Criminal Matters related to Terrorism*. New York: United Nations.