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International cooperation in combating organized crime

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ABSTRACT

From the institutional point of view, state bodies play the main role in ensuring the safety of citizens of the Republic of Poland in the country. The airport is a special place where state and non-state entities deal with security issues. The object of the article are institutions and services that guarantee security at the airport, as well as infrastructure and organization requirements in the field of airport security.

Keywords: Cooperation, service, police, fight, organized crime

1. INTRODUCTION

Organized crime dates back to the origins of the organized action of the first human communities. This is a phenomenon that throughout history has been a problem not only for local communities, but also for public safety in the scale of entire regions. Today, the threat of organized crime is a serious threat not only for individual states, but also for international security. Fighting crime is an important element of state security policy, as modern criminal groups in addition to typical criminal activities also try to influence law enforcement agencies, courts, media, state officials or politicians at various levels to ensure their own interests.

Gradual institutionalization of criminal groups also leads to the creation of mafia structures that often interfere with the decision-making structures of public administration. Criminal organizations most often have a clear hierarchical structure, and their members perform a variety of functions. Organizational criminal groups operating in various countries of the world are usually characterized by a transnational range of action. The profit-oriented criminal activity of criminal groups includes a number of ventures, including drug trafficking, arms trade, explosives, stolen cars and works of art, and "money laundering"

2. LEGAL BASIC FOR INTERNATIONAL COOPERATION IN COMBATING ORGANIZED CRIME

Various international institutions create a legal framework, and documents issued by them are usually binding parties (conventions) and are not legally binding (recommendations). International organizations involved in the prevention and fight against organized crime determine the directions, standards, strategies and activities in this area. They also undertake a number of various political ventures as well as operational and procedural activities (in the legal and criminal context), in which many specialists are involved, as well as police, border and tax services of individual states. The confrontation of states and criminal organizations is a natural consequence of their conflicting interests [1].

Organized criminal groups of a transnational nature, striving to maximize profits through illegal activities, try by all available methods and means to reduce the effectiveness and credibility of the competent state authorities in law enforcement in order to prevent prosecution of the perpetrators of these crimes. The state from Koelis strives to maintain a monopoly on the use of coercive measures that allow to maintain public order and protect its fiscal interests both within the state and in its international environment. In the face of the expansion of transnational crime, entities of international relations have been forced to join forces in order to establish effective legal instruments, based primarily on multilateral international cooperation, which should provide powers and forces in countering international organized crime. Such aspirations have been manifest in the international community for a long time, although the subject and subject matter of such international agreements differed significantly from myself [2].

As a consequence of such diversity of international law in the field of preventing and combating organized crime, both bilateral agreements and multilateral agreements are distinguished. Multilateral agreements include both regional and universal agreements developed mainly in the United Nations (UN). As a consequence, if we analyze the material scope of the international agreements in question, they refer either to international organized crime in a holistic sense as a comprehensive phenomenon or to specific types of crimes. Therefore, in the sectoral achievements of international legal norms, we find provisions referring to specific crimes, such as: migrant smuggling, trafficking in human beings, illicit manufacturing and trafficking of firearms, drug production and trafficking, etc. Another element differentiating international agreements in the area of prevention and the fight against organized crime is the level of state bodies and international organizations containing these agreements. These agreements can be concluded both at the inter-ministerial level within the state, intergovernmental and, finally, international, in the form of multilateral agreements, or through international organizations (an example of which we subtract from the activities of

specialized UN bodies). As demonstrated by the experience and examples of international practice so far, despite the important functions of regional and bilateral agreements in preventing and combating international organized crime, the most important of them are universal. Thus, their scope usually covers a wide range of countries, which seems to be of key importance for effective international crime counteracting in all its forms [3].

Considering the fact that in matters of international security the most universal and universal international organization is the UN, it is worth pointing to the universal multilateral regulations developed within its framework. Thus, the architecture of the international system of preventing and combating crime forms multilateral agreements, which are the basis for the functioning of specialized bodies, police, law enforcement agencies and cooperation between states in this respect. In addition to the UN and its specialized bodies in the global crime-fighting system, regional organizations play a special role, as the European Union is a great example of. When analyzing the role of the UN in the field of the subject of research, it should be noted that the activities of this universal organization in the area of strengthening international cooperation aimed at preventing and combating have been undertaken several decades ago.

This issue was present and discussed at consecutive, organized since 1955, every five years, UN Congresses on the prevention of criminality and criminal justice. So far, thirteen such congresses have been held so far, and the last one took place in Qatar on April 12-19, 2015.

Bearing in mind the modern efforts to prevent and combat crime, it should be noted that in 1991 the UN intensified its efforts in this area by establishing a special Commission for Crime Prevention and Criminal Justice). The effect of the work of the Commission was to organize international conferences on multilateral cooperation in the fight against international organized crime on 21-23 November 1994 in Naples. It was important because the conference adopted the Political Declaration and the Global Action Plan against International Organized Crime (the so-called Naples Declaration).

Less than a month later, the adopted declaration was approved by the UN General Assembly, which initiated the idea of a global convention against international organized crime. Of course, on the way to the final form of legal provisions in this area has many problems to resolve. What is more, the contemporary law governing the prevention and suppression of organized crime is also not without shortcomings⁵. Bearing in mind the above considerations, it is necessary to list the essential international law acts being the basis for solutions in the field of preventing and combating crime at the international level. When organizing certain information, one should mention both general law acts as well as those related to specific types of crimes committed by cross-border criminal groups.

And so: Organized crime is captured by the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on November 15, 2000, with the following protocols [4]:

- a) Protocol to Prevent, Suppress and Punish Trafficking in Persons, in particular Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000.

- b) Protocol against the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations 15 November 2000.
- c) Protocol against the illicit manufacturing and trafficking of firearms, their parts and components and ammunition, supplementing the UN Convention unified against international organized crime, adopted by the General Assembly of the United Nations on May 31, 2001. This is definitely one of the most important legal acts in this area. According to data on February 23, 2015, 185 countries are parties to the convention

The Convention and the three supplementing reports issued to it impose an obligation on states parties to take specific measures against manifestations of international (cross-border) organized crime. The basic purpose of the Convention is to strengthen international cooperation in this area. Interestingly, the Convention is a Polish initiative. In 1996, the then Polish president, Aleksander Kwaśniewski, at a meeting of the UN General Assembly presented her a project which was later accepted by the wider international community and implemented on the basis of an appropriate resolution.

The Convention regulates in a comprehensive manner the issues of prosecution, prevention and punishment of organized crime. Its parties were obliged to criminalize the following crimes: participation in an organized criminal group (Article 5), laundering of "dirty" money (Article 6), corruption of persons performing public functions, both in active and passive form (Article 8) and crimes against justice (article 23). The Convention also requires signatories to take measures in accordance with the legal rules in force in order to hold legal persons liable for participation in the offenses mentioned in the document. This can be both criminal and civil liability as well as administrative (Article 10 (2)). The Convention contains a number of regulations regarding international cooperation.

In addition to traditional forms of cooperation such as extradition and mutual legal assistance, it also provides for modern forms such as the creation of joint investigation teams (art. 19), the use of special investigative techniques (Article 20), interrogation using communication technologies. In addition, its adoption also meant a new chapter in the area of mutual assistance between developed (rich) and developing countries (mainly poorer countries and third world countries) by establishing effective mechanisms of supporting funds that allow effective implement the agreement and enforce its execution. Referring to the protocols supplementing the Conventions, it should be emphasized that each of them must be read, interpreted and applied in conjunction with the main convention.

While the basic convention contains general provisions on cooperation, technical assistance and legal assistance, each protocol contains more detailed provisions, adapting these general rules for their application with regard to specific problems related to trafficking in human beings, smuggling of migrants and the production and trade of arms.

2. 1. Drug trafficking is recognized [5]

- International Opium Convention, signed in The Hague on January 23, 1912 (spelling according to the original from the Journal of Laws);
- International Convention (Geneva) regarding opium (spelling according to the original from the Journal of Laws);
- The Convention on the Limitation of Fabrication and on the Regulation of the Division of Narcotic Drugs, signed in Geneva on July 13, 1931;

- the Single Convention on Narcotic Drugs, 1961;
- Convention on Psychotropic Substances, done at Vienna on February 21, 1971;
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, done in Vienna on December 20, 1988.

2. 2. Trafficking in human beings

- the International Agreement of 18 May 1904 and the International Convention of 4 May 1910, signed in Paris, concerning the fight against trafficking in human beings;
- International Convention on Combating Trafficking in Women and Children, signed in Geneva on September 30, 1921
- International Convention on combating the trafficking of older women, signed in Geneva on 11 October 1933. Convention on combating trafficking in human beings and exploitation of prostitution, open for signature in Lake Success, March 21, 1950
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted in New York on 25 May 2000
- Council of Europe Convention on Action against Trafficking in Human Beings, drawn up in Warsaw, May 16, 2005. Counterfeiting of money;
- International Convention for the Suppression of Counterfeiting Money, signed in Geneva on April 20, 1929, together with the minutes and optional protocol. He informs on combating corruption;
- the United Nations Convention against Corruption, adopted by the General Assembly of the United Nations on October 31, 2003. Combating international terrorism (strong links to crime) is recognized;
- The International Convention on Combating Terrorist Financing, adopted by the General Assembly of the United Nations on 9 December 1999.

As follows from the analysis, a large part of the provisions is universal and the work was primarily carried out within the framework of the United Nations. Legal activity and achievements of the UN in the field of preventing and combating organized crime are complicated and contain both instruments of a general nature and those of a character. sector. By analogy, this situation is similar to solutions in the field of combating acts of international terrorism. What is more, as shown by the present day, these phenomena are most often related to each other. The legal acts indicated above constitute the basis for institutional solutions in the field of preventing and combating organized crime. They create a framework for the functioning of the global system of combating crime and cooperation between states and other entities of international relations in this area [6].

Of course, you should keep in mind that it is in an international order There are much more legal provisions in the legal system relating to the issues discussed, however the most important ones are indicated. Combating crime on the basis of applicable international agreements at the operational level is most often carried out using police organizations, which have the greatest competence in this area. For example within the European Union and within the so-called "Third pillar", the competent entity in this regard is the European Police Office (Europol), and at the international level, assistance to national collection bodies is provided by Interpol - the International Criminal Police Organization [7].

Detailed issues of the activities of these organizations will be discussed later in this work. However, prevention and the fight against international organized crime are usually preferential in favor of operational ones. Cooperation in this field at the international level includes, in particular, exchange of information, cooperation of governments and institutions in the creation of relevant legislation, proper control of financial operations, joint analysis of crime data, international DNA data exchange, organization of international training and exercises for officers, and campaigns informative.

3. INTERPOL

The idea of establishing a police organization at the international level appeared at the beginning of the 20th century, interestingly well before the emergence of the concept of globalization. The international community has long recognized the need to cooperate in combating organized international crime before it became a global problem as it is nowadays. Nevertheless, there are even cases of nineteenth-century criminals whose behavior went beyond the jurisdiction of one state [8].

The first step towards the implementation of the discussed idea was the International Criminal Police Congress (MKPK), which took place already in 1914. At that time, the most important tasks in the global fight against crime were defined in Monaco. These are: exchange of information on international criminals, improvement of their arrest and extradition procedures. Due to the outbreak of the First World War, the second Congress, at which the goals were confirmed, it took place only in 1923. This time the initiative was taken by the Austrians, specifically Dr. Johann Schober, the police chief in Vienna, who was alarmed above all by the fact that after the war, with the emergence of a large number of new states, Europe became is a paradise for money counterfeiters and cheats.

What's more, the second Congress brought the creation of the International Police Criminal Police with the headquarters in Vienna and under the leadership of Austria (the head of the Vienna Police then became the president of the Commission). The Austrians also undertook to finance the costs related to the functioning of the MKPK and to maintain its headquarters. It is worth noting, at this time, the Austrian police had one of the best police files in the world, which was to be an important reference point in the later work of the Commission.

In the interwar period, the main areas of the Commission's work were to develop effective solutions to combat the most onerous crimes of those times: counterfeiting of money, checks and securities, trafficking in human beings, drug trafficking and serious thefts. An important decision was also made regarding the Commission's activities, which assumes that it remains impartial in political and religious matters, and its aim is only to investigate crime. Unfortunately, this rule was broken in 1938 with the capture of Austria by Germany and the proposal to take the Presidency of the Commission issued by the head of the German police in Bucharest, Reinhard Heydrichao. After taking up the position of the Commission, they did not arouse any interest of its members other than Germany. Interpol's reactivation took place only a year after the end of World War II, and Belga, Florent Louwage, is considered the main initiator of the resumption of work. The new seat of the Commission was chosen France, and according to the old rules the Secretary General was automatically granted to the Frenchman Louis Ducloux.

The new composition of Interpol included the majority of countries that were members before the war. For understandable reasons, the Soviet Union was not invited to the organization, although it sometimes happened that the countries of the Eastern bloc cooperated with it. The contemporary structure and the name of the International Criminal Police Organization along with the recommendation to use its abbreviated "Interpol" (already in 1946 the telegraph has been registered Interpol - international police) was established in 1956 in connection with the statute of the organization, named Interpol constitution. Of course, it was changed by means of amendments that were made by the members of the organization [9].

3. 1. The structure of the International Criminal Police Organization is presented as follows

- General Assembly; - Executive Committee; - General Secretariat; - Branch I: General Administration;
- Branch II: Liaison and criminal intelligence; - Branch III: Legal;
- Branch IV: Technical support;

In addition to the structure of the organization, the Constitution also defines its main tasks, which include:

- Ensuring and promoting the widest mutual assistance of all criminal police authorities in accordance with the laws in force in various countries and in the spirit of the Universal Declaration of Human Rights;
- Establishing and developing institutions that can contribute to preventing and combating criminal offenses.

It was noted that the organization can not undertake any interventions or activities of a political, military, religious or political nature nationality. It should be noted that Interpol is not an international police because it does not have law enforcement agencies. The organization is an international tool for the exchange of information on crimes and makes it possible for police institutions of individual countries to cooperate in combating international crime [10]. In the Member States of the organization, the National Interpol Bureau was established, employing only officers and officials from a given country. The main task for the National Offices is to cooperate on specific manifestations of crime. With their help, police actions are also initiated in the Member States. In the context of combating international organized crime, branch II is the most important cell in the Interpol structure.

In practice, it is a working cell that has been divided into sections dealing with specific areas of activity of criminal groups.

3. 2. Today, the main areas of interest of Interpol include

- Drug trade and production;
- Organized crime;
- Crimes of a financial nature and in the sphere of modern technologies (cybercrime);
- Search for escaped criminals;
- International terrorism;

- Human trafficking;
- Corruption.

One of the levels on which the organization is notably successful is the search for fugitives. It is also one of the most important areas of Interpol's activity. In order to effectively implement tasks in this area, the world's largest database of wanted criminals was created, which significantly supports investigative activities in the Member States and coordinates cooperation between Member States in this area. It is worth noting that in 2008 alone, Interpol sent over 3,100 notifications on wanted people, and more than 1,000 people were identified on the basis of fingerprints.

Another important area of Interpol's activity is related to the fight against drug-related crime. This is due, among other things, to the fact that the problem of the illicit production and distribution of psychoactive substances concerns basically all Member States. In this context, Interpol focuses primarily on collecting and analyzing information and reports coming from the member countries, cooperation in providing local assistance, and international organizations fighting drug trafficking, assistance and coordination of investigations, and organized international conferences and training on combating drug business [11].

The work of Interpol officers, especially in the criminal division, focuses on the four most popular types of psychoactive substances - cannabis, cocaine, heroin and synthetic drugs. In addition to specific types of crime, the fight against local (at the level of individual states) and transnational organized criminal groups remains in the circle of serious interest of the organization. To this end, a Special Group for Organized Crime was established in the General Secretariat.

3. 3. Her tasks include

- creating databases on international organized crime groups;
- providing important information to National Bureaux in the form of special reports;
- coordination of undertakings at the international level in the area of combating specific forms of organized crime.

As part of the fight against economic crime and "hi-tech", the organization focuses its efforts primarily on the practice of "money laundering", counterfeiting of currencies and securities as well as payment and credit cards, that is crimes that are particularly severe for the economies of the Member States. In this context, Interpol's activities also focus on crimes against intellectual property. This applies first of all to counterfeiting of all types of goods (medicines, clothing, electronics, etc.). Interpol's officers also pay attention to the increasingly widespread use of new technologies by criminal groups, including the Internet in particular. In order to effectively combat crime of this kind, the Organization actively cooperates with drug manufacturers, companies producing computer software, Internet providers, and financial institutions of Member States [12].

As part of the fight against trafficking in human beings, Interpol focuses mainly on abducting and transporting women against their will in order to provide them with sexual services. Organizational experts also focus their efforts on combating smuggling of people for use in forced labor.

An increasingly serious problem is the relatively new phenomenon of interest to international criminal groups - trade in human organs. Another area that remains in the organization's interest is corruption. This phenomenon undermines the political, social and economic stability of many Member States. In the area of anti-corruption, apart from undertaking standard cooperation with the Member States, the Expert Group for Combating Corruption and the Anticorruption Academy based in Austria are taking significant steps. Its purpose is, inter alia, conducting academic research on the phenomenon of corruption, conducting specialist training, undertaking initiatives aimed at preventing and combating corruption, and developing new methods to combat this phenomenon.

Summing up, it should be stated that Interpol is the most important organization of the international community in the area of combating and preventing organized crime. Interpol's activities translate into results, and equally important is the fact that Interpol remains one of the most common organizations. The organization brings together 187 member states. In response to the contemporary threat of crime, Interpol develops organisationally and technologically, it is also always ready to reform and adapt to the current needs of the international community in this area [13].

4. EUROPOL

The European Police Office was set up to provide support to European Union Member States in preventing and combating organized crime and terrorism. The genesis of this institution should be sought in the establishment of the European Drugs Unit (EDU). The decision to create the EDU was taken in Copenhagen on the second of June 1993. The main objective of the Unit was to provide and coordinate information on drug trafficking and intoxicants¹⁶. However, the Convention on the establishment of a European Police Office has been drawn up on the basis of Article K3.

Of the Treaty on European Union only on July 26, 1995, and then replaced by the Council Decision of 6 April 2009 establishing Europol. The Haga headquarters is the seat of the next decision. This specialized institution supports competent authorities of member states, including through assistance in investigations or investigations, exchange of information (including personal data), and provision of specialist knowledge and technical support. An important stage in the development of Europol came with the adoption of the new Internal Security Strategy of the European Union in 2017.

In the Strategy, and then on the basis of relevant executive documents, the agency was given a significant function and extensive development opportunities were ensured in subsequent years. Police activities based on intelligence support were recognized as the priority of Europol's activities. The institution was also entrusted with the role of a body preparing regular assessments of the threat to the security of Member States related to the activities of criminal and terrorist groups presents operational support provided by Europol to the Member States of the European Union in 2010 [14].

One of Europol's most important agencies is to provide efficient authorities in areas that have been included in the mandate of the organization, as well as in cases of horizontal concern for several areas of crime. However, operational support may be extended to the Member States through the decision of the Europol mobile office, with specialized analysts and experts, to provide the needed assistance on the spot¹⁹. Europol's bodies include the

director and the board of directors. The director shall be appointed by the Council, by a qualified majority, on a proposal from the management board for a term of four years. The work of the director supports three deputies. The Director is also the official representative of Europol in contacts with other states or supranational institutions. He is responsible, inter alia, for the implementation of tasks, day-to-day administration, implementation of Europol's budget and cooperation with management. The board consists of one representative of a Member State and a representative of the Commission. It is headed by a chairman who is assisted by a deputy. Management is responsible for Europol's strategy and a general report on the Agency's activities [15].

4. 1. The most important areas of Europol's interest in combating organized crime include

- drug crime;
- human trafficking;
- sexual exploitation of children;
- illegal immigration;
- falsification of the Euro currency;
- fraud with the use of payment cards;
- technologically advanced crime
- crimes against intellectual property;
- fraud and economic crime;

It is also worth mentioning that Europol cooperates with many partners both in the EU itself and from outside. Information exchange with these partners is based on relevant cooperation agreements. Two of them define the nature and scope of cooperation with third parties. Strategic agreements, on the other hand, allow both parties to exchange all information in addition to personal data, while operational agreements also allow the exchange of personal data.

5. CONCLUSIONS

In order to ensure the desired state of security and public order, the state maintains specialized institutions, services and guards. In the light of the applicable legal regulations, the Police is a armed and uniformed protective formation, which is to serve the public, and its main task is to protect people's safety and maintain public safety and order. It should also be noted that the legislator has established a relatively extensive catalog of tasks for this formation. The most important task carried out by the police is to protect the life and health of citizens and their property against all unlawful attacks.

Then citizens will have a sense of security and will be able to trust the state in which they operate on a daily basis. Another police task is related to the implementation of the internal security policy of the state and includes combating all forms of crime. It is also the police's task to initiate preventive actions aimed at preventing crime. While realizing the tasks entrusted to him, this formation cooperates with other services. A particular threat to the internal security of the state is the phenomenon of organized and mafia crime. The origins of

this type of crime reach the end of the nineteenth century and are associated with the rise of the Italian mafia. The strongest mafia organizations also include the contemporary Sicilian *cosa nostra* and Neapolitan *camorra*. Influential criminal organizations also operate in the United States, Russia, Southeast Asian countries, South America and Europe.

Also in Poland, both in the past and nowadays, criminal groups pose a serious threat to public safety and order. Organized crime groups operating today in many countries of the world get their income from, among others, drug production and trafficking, smuggling of arms, alcohol and tobacco products, as well as trafficking in human beings. The profits of criminal groups are estimated at millions of dollars, and their influence is noticeable in the world of business and even politics, which creates many problems in effectively combating this phenomenon. The over-specification of this type of crime creates requirements for cooperation both at the level of individual services responsible for state security as well as at the supranational level. In order to ensure the desired level of internal security of the state, the Police and other services cooperate with each other in a conscious, purposeful and organized manner.

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