E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

TRANSNATIONAL ORGANIZED CRIME AND ITS COUNTERMEASURES IN INTERNATIONAL LAW

Chahrazed BOUCHACHIA *
Lecturer Class B, University of AinTemouchent- Belhadj Bouchaib (Algeria)
chahrazed.bouchachia@univ-temouchent.edu.dz

Received:31- 07- 2026 **Accepted: 18- 08- 2026** **Published: 22- 09- 2026**

Abstract:

This study evaluates the effectiveness of the international legal framework—particularly the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its judicial and security cooperation mechanisms—in addressing transnational organized crime, notably drug and human trafficking. Using a descriptive-analytical approach, it examines relevant legal texts and international conventions while identifying practical challenges to cooperation. Findings show that despite offering essential legal tools, the framework's effectiveness is limited by legislative disparities, weak harmonization, sovereignty concerns, political considerations, and insufficient technical and human resources. The study recommends accelerating legislative harmonization, strengthening institutional capacities, and intensifying bilateral and regional agreements.

Keywords: Organized crime, judicial cooperation, human trafficking, legal harmonization.

INTRODUCTION

Transnational organised crime ranks among the most dangerous manifestations of modern criminality. Criminal organisations no longer restrict their operations to the territory of a single state; rather, they capitalise on advances in transport, communications, and financial technology to expand their operations simultaneously across several countries, employing sophisticated methods that elude conventional detection mechanisms. This cross-border extension, combined with the hierarchical structure of these groups, their internal division of labour, and their strategic deployment of concealment techniques, money laundering, and other obfuscation strategies, produces effects that jeopardise not only the economic and social stability of individual nations but also constitute a genuine threat to international peace and security.

Confronted with this reality, the inadequacy of isolated national legislation in effectively countering this type of crime has become increasingly apparent, owing to its international character and the dispersion of its constituent elements across several states. This situation impelled the international community to seek a shared legal framework capable of regulating countermeasures and coordinating state efforts against these criminal networks. Accordingly, a series of international instruments have been concluded, chief among them the United Nations

* **Corresponding author**

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

Convention against Transnational Organised Crime and its supplementary protocols, alongside numerous regional and bilateral agreements dedicated to enhancing security and judicial cooperation—whether through information exchange, mutual legal assistance, extradition of offenders, or the deployment of special investigative techniques tailored to the specific nature of these crimes.

In light of these considerations, the importance of studying transnational organised crime and its countermeasures in international law becomes manifest, as such study facilitates understanding of the legal characteristics of this phenomenon on one hand, and enables analysis of the effectiveness of the international regime established to confront it on the other—including its limitations, strengths, and shortcomings.

From this perspective, the central research question that emerges is: "To what extent does international law, through the United Nations Convention against Transnational Organised Crime and mechanisms of security and judicial cooperation between states, provide an effective framework for confronting transnational organised crime?"

THE FIRST TOPIC : THE NATURE OF TRANSNATIONAL ORGANISED CRIME

Transnational organised crime constitutes one of the most serious contemporary criminal phenomena, posing a significant challenge to states and the international community at large, by virtue of the grave threat it presents to national, regional, and international security and stability. This form of criminality has emerged as a consequence of commercial expansion between nations, the globalisation of national economies, and the resultant globalisation of both culture and crime alike. It is characterised by several fundamental attributes: it arises from the globalisation of economies and trade between states; it employs the latest technological and communications tools; it generates enormous profits from illicit sources; and its risks are not confined to a single country but extend across multiple states.

Transnational organised crime is defined as a criminal activity undertaken by an organised criminal group composed of three or more persons, possessing an organised structure and temporal continuity, and operating in concert to commit serious offences to obtain, directly or indirectly, a financial or material advantage, where such activity crosses national borders—whether by virtue of being committed in more than one state, by having planning or direction originating in another state, or by producing severe effects that transcend territorial boundaries. The forms of this crime are diverse, encompassing trafficking in narcotics, arms, and human beings, migrant smuggling, money laundering, and the exploitation of women and children—all of which generate enormous revenues from illicit sources.

FIRST REQUIREMENT: THE CONCEPT OF ORGANISED CRIME AND ITS CHARACTERISTICS

Firstly: Definition of Organised Crime

Definitions of organised crime abound; some focus on its characteristics or attributes, while others emphasise the organisational element. Organised crime involves complex, large-scale criminal activity carried out by groups of individuals possessing a certain degree of organisation, aimed at achieving wealth for participants at the expense of society and its members. Such activity frequently encompasses crimes that threaten persons and is sometimes linked to political corruption—a conclusion reached by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Geneva in 1975. In more detailed terms, organised crime may be defined as a relatively large group of permanent, regulated

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

criminal entities that commit crimes for profit and seek to establish a system of protection from social controls through illegitimate means such as violence and large-scale theft. This definition highlights the element of offenders, describing them as a relatively large group of permanent, regulated criminal entities[1]. Among the most significant definitions specifically addressing organised crime is that which characterises it as unlawful act or acts, generally aimed at profit, committed by a criminal group using violence, threats, and bribery—where such a criminal group is distinguished by its permanence, its graduated hierarchical structure, its members' adherence to an internal system delineating the role of each, and their loyalty to the directives of their superiors, alongside the transnational extension of its criminal activities[2].

Within the framework of the long-term action plan for combating transnational organised crime adopted by the United Nations, the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was convened in early 2000, focusing primarily on means of confronting the challenges posed by this crime without centring on providing a definition. Perhaps the most notable contribution of the United Nations to defining organised crime is that found in the Convention against this crime, which stipulates under the heading "organised criminal group" that the term "organised criminal group" means a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, to obtain, directly or indirectly, a financial or other material benefit. The term "serious crime" refers to conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty, while a "structured group" means a group that is not randomly formed for the immediate commission of an offence and that does not necessarily require that its members have formally defined roles or that its structure be continuous[3].

Secondly: Characteristics of Organised Crime

From the various definitions, several characteristics of organised crime become apparent. Organised crime involves a group of individuals, each with a specific role—indicating that this is a form of collective crime in which multiple persons participate in its preparation and commission. It employs violence and terror to achieve its lawful and unlawful objectives. The danger of this crime lies in the fact that those behind it—leaders, planners, and organisers—shield themselves through both legitimate and illegitimate means, rendering them difficult to confront through traditional crime-fighting methods. Itsdistinguishingcharacteristicsinclude:

1. Number of Members: Some legal systems require a specific number of persons for a group to be characterised as organised—as in the Italian Penal Code—while others, such as French and German law, do not prescribe a specific number. Article 2 of the Convention against Transnational Organised Crime requires that the group be composed of three or more persons to qualify as organised[4].

2. Planning: Organised crime is based on long-term planning; it does not rely on individual action but rather on collective effort, the essence of which is the division of roles from preparation through execution. This is evidenced by the participation of a group of individuals who plan the crime and employ the most advanced means to achieve their objectives. This element both ensures the achievement of the goals and policies of organised crime and constitutes one of its most distinctive characteristics[5].

3. GraduatedHierarchicalStructure: Organised crime is distinguished by its organisational structure, which assumes the form of an ascending hierarchical pyramid of organised criminal

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

formations. Roles are distributed within this structure, and it is governed by a set of customary rules regulating relationships among members, with shared interests reinforcing these ties. These rules are characterised by their severity, showing no mercy or tolerance toward anyone who deviates from them or disobeys orders, as long as membership in the organisation is conditioned upon acceptance of these internal rules[6].

4. Professionalism and Continuity: The professionalism of organised crime members is evident in their specialisedengagement in certain criminal activities, such as murder, theft, armed robbery, alongside the organisation'sspecialisation in particular crimes like drug trafficking, human trafficking, money laundering, and arms smuggling. Additionally, the characteristic of continuity refers to the organisation's continued operation regardless of the fate of any individual member—even its leader. This means that when leaders die, new leaders replace them; these criminal organisations derive their continuity from their activity rather than from the lives of their members and leaders, as the criterion for the continuity of an organised criminal group lies in its pursuit of both legitimate and illegitimate activities, not in the life of any individual within it[7].

5. Use of Violence: The use of violence and threats constitutes one of the fundamental characteristics of organised crime. These groups rely on physical force, intimidation, extortion, and bribery to impose control and dominance over officials to ensure the continuation of their criminal activities. Violence serves as a primary tool for instilling fear within the organisation, intimidating outsiders who might attempt to resist or defect from the system, and exerting influence over government and judicial officials to prevent the discovery of criminal activities or the punishment of members. Threats manifest in various forms, including financial extortion, social stigmatisation, physical harm, and even attacks on family members of members or opponents—creating an environment of fear and obedience that enables the group to maintain its prestige and control. Extortion and bribery are also employed as pressure tools against officials to facilitate illicit activities and shield the group from legal accountability. Violence frequently escalates to murder or kidnapping, and may be exercised against ordinary citizens to subjugate them—whether to prevent them from reporting to authorities or to extract personal benefit at the expense of organisation members. It can also be directed against rival criminal organisations encroaching upon the gang's areas of specialisation or influence. The violence of these organisations is not limited to persons but extends to their families and property; the criminal group also exercises violence against anyone obstructing its pursuit of lawful and unlawful objectives[8].

6. Profit Generation: Members of organised crime are primarily motivated by profit through illicit activities. These groups often acquire legitimate enterprises alongside their illegitimate operations, leading to the development of strategies aimed at control, monopoly, and the elimination of competitors[9].

SECOND REQUIREMENT: Forms and Types of Organised Crime

1. Drug Trafficking: The problem of drug use, cultivation, production, smuggling, and illicit trafficking in narcotics and psychotropic substances has become one of the challenges facing the majority of the world's states and continues to constitute a major threat, particularly given its association with various patterns of crime, violence, corruption, and its menace to security, stability, and development. Drug offences, as one manifestation of organised crime, represent the

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

second largest illicit trade after arms trafficking. In light of global changes and developments, it has become difficult for any state—regardless of its power or level of advancement—to confront this crime alone, due to the vast scope of its commission spanning continents, facilitated by the ease with which criminal elements, especially organised ones, can move, flee, and conceal themselves[10]. Some authorities emphasise that international measures concerning the fight against illicit trafficking in narcotic drugs and psychotropic substances, in light of contemporary international conventions, rest on several main pillars: suppressing illicit drug trafficking, controlling the supply of narcotic substances, and preventing illicit demand. Consequently, drug trafficking offences are extremely serious, as they violate both national legislation and international conventions alike[11].

2. Trafficking in Persons: Human trafficking constitutes a transnational crime and represents one of the major challenges confronting societies. It is a form of violation of human sanctity, dignity, and freedom, transforming human beings into commodities traded among people—with women and children being the most vulnerable groups. This crime represents the modern face of slavery and servitude, resulting in a clear violation of human rights. Human trafficking has become a global phenomenon of extreme complexity, ranking third among the largest families of organised crime worldwide after drug and arms trafficking. It generates enormous profits and constitutes an internationally punishable offence, given that its effects extend across borders[12]. It is noteworthy that the United Nations has concluded numerous international conventions and protocols to combat human trafficking, reflecting the international community's need for such instruments—the most prominent being the United Nations Convention against Transnational Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons. Article 3 of the United Nations Protocol of 2000 defines trafficking in persons as "the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force, coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or through the giving or receiving of payments or benefits to secure the consent of a person having authority over another, for the purpose of exploitation"—even if this occurs with the consent of the victim, particularly women and children[13].

THE SECOND TOPIC : THE INTERNATIONAL LEGAL FRAMEWORK FOR COMBATING ORGANISED CRIME

Organised crime currently represents one of the greatest scourges threatening the international community as a whole, given the magnitude of its negative impacts on all states. Consequently, the issue of combating organised crime has become a major priority in all international forums, particularly within the framework of the United Nations, for several years. In light of the inability of states to effectively confront the activities of organised crime individually, an urgent need emerged for international legal cooperation to combat this phenomenon, leading the international community to conclude numerous international conventions and adopt a range of judicial mechanisms aimed at eliminating organised crime in all its forms.

The international legal framework for combating organised crime refers to the substantive and procedural provisions established by international conventions and instruments, as well as national laws, to confront transnational organised crimes in administrative, police, and judicial spheres—particularly in information exchange, judicial investigation methods, and the provision of legal and technical assistance such as evidence collection and witness testimony. This

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

framework encompasses crucial judicial procedures including extradition of offenders and the confiscation and freezing of proceeds of transnational organised crime. It is characterised by the diversity of areas of international cooperation among security, legal, judicial, and administrative domains, with the aim of achieving global security for the international community as a whole. The United Nations Convention against Transnational Organised Crime (the Palermo Convention) constitutes the primary international instrument in this field, supplemented by additional protocols combating trafficking in persons, migrant smuggling, and illicit trafficking in firearms, along with the establishment of international and regional security bodies to coordinate efforts in this domain.

Each state party to the Convention is required to take appropriate measures to encourage persons who participate in organised criminal activities or have participated in organised criminal groups to provide useful information to competent authorities for identifying and apprehending organised criminal entities, through sentence reduction mechanisms. Additionally, states must undertake cooperative steps to enhance the effectiveness of law enforcement measures aimed at combating organised crime, including effective coordination among their authorities, agencies, and competent departments, the exchange of information, personnel, and other experts through bilateral agreements, and the designation of liaison officers for this purpose. States parties are also required to establish specialised bodies to analyse trends in organised crime within their territories, the conditions in which organised crime operates, and to cooperate in this regard with international and regional organisations, as this serves the fight against organised crime[14].

FIRST REQUIREMENT: The United Nations and Its Role in Combating Organised Crime

Since its establishment following the end of the Second World War in 1945, the United Nations has undertaken sustained efforts, in cooperation with member states, to combat crime worldwide—particularly organised crime, which began spreading with scientific and technological progress and the emergence of international gangs everywhere. Consequently, most states intensified their efforts to develop their penal policies toward offenders and the importance of appropriate treatment commensurate with their criminal dangerousness during imprisonment. Many states took the initiative to improve and develop their correctional systems and to impose harsher penalties on offenders. In 1955, the Ninth Congress was held in Cairo under the auspices of the United Nations on crime prevention, with its most significant resolution being the call for states worldwide to enact legislation criminalising certain organised crimes such as money laundering, organised fraud, and information technology crimes. The Tenth United Nations Congress on Crime Prevention, held in Vienna in 2000, stands as the most prominent in the history of the United Nations' efforts against organised crime, while the Twelfth United Nations Congress on Crime Prevention, convened in Salvador in 2010, was considered a continuation and affirmation of the Tenth Congress[15].

In 2000, the United Nations General Assembly adopted the United Nations Convention against Transnational Organised Crime (Resolution 54/129), known as the Palermo Convention, along with its two supplementary protocols: the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons. The Convention represents a comprehensive strategy on both substantive and procedural levels to prevent, prosecute, and punish the phenomenon of organised crime and certain specific criminal phenomena—particularly money laundering and corruption. As Article 1 of the Convention states, its purpose is to promote cooperation to prevent and combat transnational organised crime

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

more effectively[16]. The Convention essentially aims to enhance international cooperation in preventing and combating organised crime more effectively, through the harmonisation of legal definitions, the criminalisation of participation in organised criminal groups, and the activation of extradition and mutual legal assistance mechanisms. The Convention is complemented by three protocols addressing trafficking in persons, migrant smuggling, and firearms trafficking, together forming an integrated legal system serving international security.

The declared purpose of the Convention is to promote cooperation to prevent and combat transnational organised crime more effectively, through the harmonisation of certain criminal law concepts and the coordination of national legislation. It encourages states to criminalise acts such as participation in an organised criminal group, money laundering, corruption, and obstruction of justice, as these constitute primary manifestations of organised crime. The Convention is supplemented by three main protocols addressing specific aspects of organised crime: trafficking in persons, especially women and children; migrant smuggling; and the illicit manufacturing of and trafficking in firearms. These protocols expand the Convention's scope and provide states with more precise legal tools to address the most dangerous contemporary forms of organised crime. This system of Convention and protocols constitutes an international reference for states in formulating their substantive and procedural legislation, guiding them in enacting laws against trafficking in persons, money laundering, corruption, and organised crime generally. The Palermo Convention is therefore regarded as a turning point in building a coherent international system to confront transnational criminal networks.

Moreover, the Convention transcends traditional penal policy assumptions based primarily on custodial sanctions in combating organised crime. It is notable that the Convention has given clear attention to financial sanctions and measures, both at the national and international cooperation levels. It also regulates the disposition of criminal proceeds or confiscated property and has even introduced unprecedented provisions in this regard—such as using such proceeds or property for victim compensation[17]. Thus, the United Nations Organisation, since its inception, has devoted considerable attention to the prevention of transnational organised crime, in addition to providing a set of conventions that serve as a foundation for member states in their efforts to combat this crime—whether these conventions relate to directly confronting this crime, the criminal activities committed within its framework, or those pertaining to international cooperation in addressing it[18].

SECOND REQUIREMENT: INTERNATIONALCOOPERATIONMECHANISMS IN COMBATING ORGANISED CRIME

International cooperation mechanisms in combating organised crime represent the set of substantive and procedural provisions established by international conventions and national legislation to coordinate state efforts in confronting transnational organised crimes in the security, police, judicial, and administrative domains. These mechanisms are today regarded as an essential condition for the effectiveness of any international penal policy, given that organised crime exceeds the capacity of any single state to combat it alone. Transnational organised crime has become one of the most serious security challenges facing the international community, due to the profound economic, social, and political impacts it leaves on states—necessitating a transition from limited national approaches to the adoption of organised, multidimensional international cooperation. By international cooperation mechanisms in this context, we refer to the means and procedures adopted by states, based on multilateral conventions such as the

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

United Nations Convention against Transnational Organised Crime, with the aim of exchanging information, coordinating investigations, providing judicial assistance, and prosecuting perpetrators of organised crime wherever they may be found. The importance of these mechanisms lies in the fact that they are not limited to the repressive aspect of pursuing and extraditing wanted persons but extend to preventive aspects, including the exchange of expertise, capacity building, and the adoption of joint strategies to curb the causes of organised crime proliferation. These mechanisms also include judicial procedures such as mutual legal assistance, international judicial commissions rogatory, and extradition of offenders, alongside financial measures such as the freezing and confiscation of criminal proceeds—all tools ultimately aimed at protecting global security for the international community while respecting the rights of states, defendants, and victims.

Firstly: The Role of INTERPOLin Combating Organised Crime

The International Criminal Police Organisation is an intergovernmental organisation facilitating international cooperation in combating crime worldwide. Through it, mutual assistance can be achieved among various police agencies in member states, enabling them to pursue, extradite, and prosecute offenders. It is among the most prominent international organisations working in the field of crime control[19]. INTERPOL has undertaken numerous activities and initiatives in combating organised crime—whether through establishing specialised committees to combat various forms and manifestations of this crime, convening conferences to explore means of confronting it and mitigating its risks, or providing states with vital information about offenders to facilitate identification, arrest, and prosecution. INTERPOL has focused particularly on organised crime and related criminal activities such as money laundering. In pursuit of its efforts against organised crime, INTERPOL has issued numerous resolutions and recommendations[20].

INTERPOL represents one of the oldest forms of police cooperation in combating organised crime, aiming to raise the level of cooperation among law enforcement agencies in different states across various domains—information exchange, investigation, legal follow-up, unifying the political will of states in confronting this crime, and encouraging the development of legislation ensuring its effective control. In 1999, a specialised unit for combating organised crime was established within INTERPOL's General Secretariat, tasked with implementing the organisation's policy on confronting this crime by providing member states with various information about criminal organisations—whether persons or entities—studying the problems and difficulties, and preparing studies on organised crime[21].

Secondly: The Role of International Judicial Cooperation in Combating Organised Crime

International judicial cooperation constitutes one of the most important operational pillars in the system for combating transnational organised crime, as it enables states to transcend geographical boundaries and legislative differences in pursuing offenders and tracking crimes characterised by their cross-border nature. It provides a legal framework for the exchange of judicial assistance in investigation, evidence collection, witness testimony, and enforcement of judgments, alongside mechanisms for extradition, freezing, and confiscation of criminal proceeds—thereby limiting opportunities for impunity and weakening the financial and organisational structure of criminal groups. This cooperation enhances coordination among judicial authorities and public prosecution offices in various states, contributes to unifying efforts and exchanging judicial and practical expertise, thereby increasing the effectiveness of

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

international penal policy and making criminal justice more capable of keeping pace with the evolving methods of organised crime.

The United Nations Convention against Transnational Organised Crime includes a specific section on extradition procedures, stipulating that the offence for which extradition is sought must be criminalised and punishable under the domestic law of both the requesting state party and the requested state party, and that extradition shall be subject to the extradition treaties concluded between states or to the adoption of this Convention as the legal basis for extradition, subject to the conditions set forth in the domestic law of the requested state party[22]. Thus, the extradition system constitutes one of the most important judicial mechanisms adopted by the United Nations Convention against Transnational Organised Crime to enhance international cooperation in confronting these crimes. Article 16 of the Convention is devoted to a detailed elaboration of its provisions and conditions. The Convention considers the offences covered by it to be extraditable offences and obliges states parties to include them as extraditable offences in any extradition treaty they conclude among themselves. It also permits states that make extradition conditional on the existence of a treaty to consider this Convention itself as the legal basis for extradition in the absence of a specific treaty. The extradition system, in this framework, is based on a state surrendering a person present in its territory to another state requesting that person for prosecution or for the execution of a judgment rendered against them, provided that the act is punishable under the laws of both states and that procedural and substantive guarantees are observed—such as the minimum penalty threshold, non-discrimination, and protection against persecution on grounds of gender, religion, race, or nationality. Thus, extradition within the framework of the Organised Crime Convention serves as an effective means of preventing offenders from finding refuge in differences of national borders and legal systems, contributing to the reduction of impunity and strengthening the effectiveness of international criminal justice in confronting organised criminal networks.

Furthermore, international judicial assistance represents one of the most important means of international cooperation in combating organised crime, resting on several philosophical and legal foundations—particularly the defence of the security and safety of the entire international community and the international obligation incumbent upon states to establish international cooperation, pursue perpetrators, and bring them to trial for punishment. This international obligation is embodied in the conclusion by many states of multilateral and bilateral international conventions[23]. The Convention emphasises the activation of mutual legal assistance between states during investigation or trial phases. Article 18 provides that states parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions, and judicial proceedings in relation to the offences covered by this Convention, and that such assistance shall be afforded to the fullest extent possible under the relevant laws, treaties, and arrangements of the requested state party concerning investigations, prosecutions, and judicial proceedings in relation to offences for which a legal person may be held liable[24].

It is worth noting that among the innovative means are the use of modern technological tools in judicial cooperation—such as hearing witnesses or interrogating defendants via remote audiovisual communication, exchanging judicial and security information through secure electronic channels, and establishing comprehensive databases on organised crime and the application of conventions, as is the case in some Arab and international initiatives. The Convention calls for enhanced cooperation among judicial authorities, law enforcement agencies, and financial supervisory bodies, along with the development of specialised units such as financial intelligence units and the adoption of special investigative techniques—including controlled delivery, undercover operations, and electronic surveillance—all means aimed at

making judicial cooperation more capable of keeping pace with the evolution of organised crime and protecting global security for the international community.

CONCLUSION:

This study has demonstrated that transnational organised crime represents a distinctive pattern of criminality characterised by organisation, continuity, geographical extension, and reliance on complex technological and financial means, rendering its effects beyond the capacity of individual national legislation to confront. It has also become clear that the international community has responded to this danger through the construction of a graduated international legal framework, spearheaded by the United Nations Convention against Transnational Organised Crime and its supplementary protocols, alongside numerous regional and bilateral agreements enhancing security and judicial cooperation among states.

Through analysis of the texts and adopted mechanisms, it has become evident that this international framework provides a significant array of tools—including the criminalisation of participation in an organised criminal group, money laundering, and corruption, the adoption of judicial cooperation mechanisms such as mutual legal assistance, extradition, international judicial commissions rogatory, and the use of special investigative techniques suited to the nature of this crime. However, the effectiveness of these mechanisms remains influenced by several obstacles, including disparities among national legal systems, weak legislative harmonisation in some states, considerations of sovereignty and political calculations, in addition to limited technical and human resources in law enforcement and judicial bodies in a number of countries.

Based on these findings, a set of recommendations may be offered as follows:

- The need to accelerate the harmonisation of national legislation with the provisions of the United Nations Convention and its supplementary protocols, through the incorporation of clear definitions of organised crime, the criminalisation of acts required by the Convention, and the updating of procedural criminal rules to enable dealing with the transnational character of such crimes.
- The enhancement of institutional and human capacities of police, prosecution, and judicial bodies through specialised training in the field of organised crime and international cooperation, and the provision of these bodies with the necessary technical means for pursuing complex crimes and tracing their financial proceeds.
- The intensification of bilateral and regional agreements complementing the UN framework, with the activation of direct communication channels between central authorities responsible for mutual legal assistance and extradition, thereby reducing bureaucracy and accelerating cooperation procedures.
- Working to establish mutual trust among states through transparency in cooperation requests and responses, respect for fair trial guarantees and human rights, to ensure that international cooperation does not become a pretext for violating fundamental rights.

CITATIONS:

[1] Muhammad Nur Khalid al-Dabbas, *The Reality of Organised Crime*, Dar Yafa al-Ilmiyya, Jordan, 2006, p. 21.

E.ISSN: 2661-7404 Academic Journal of Legal and Political Researchs P.ISSN:2571-9971
Year: 2026 Vol : 10 No : 02 Page : 1581 - 1592

[2]Mu'tasim al-Turki al-Dala'in, *Criminology: Concept, Punishment, Prevention*, Dar al-Khalij for Publishing, Jordan, First Edition, 2021, p. 107.
[3]AymanFakhr al-Din, *Corruption Crimes and the Role of Artificial Intelligence in Combating Them*, Dar al-Nahda al-Arabiyya, Egypt, First Edition, 2025, p. 343.
[4]Abdullah Hassan Muslim, *Insurance and Risk Management*, Dar al-Mu'taz, Jordan, 2015, p. 196.
[5] Muhammad Ali Suwaylim, *Terrorism Crimes and Cyber Terrorism*, Egyptian Publishing House, Egypt, 2018, p. 69.
[6] Muhammad Ali Suwaylim, *Criminal Policy in Combating Money Laundering*, Egyptian Publishing House, Egypt, 2022, p. 71.
[7]RadwanBuhedil, *The African Coast*, Alpha Publishing, Algeria, 2023, p. 208.
[8] Abdullah Hassan Muslim, *op. cit.*, p. 199.
[9] Muhammad Ali Suwaylim, *Criminal Policy in Combating Money Laundering*, *op. cit.*, p. 73.
[10]KhaledAkasha, *Sinai: Land of the Sacred and the Forbidden*, Dar al-Nahda, Egypt, 2015, p. 398.
[11]Abd al-Ali al-Dirbi, *Illicit Drug Trafficking and International Prevention Efforts*, National Centre for Legal Publications, Egypt, First Edition, 2016, p. 74.
[12]FarhanJamil al-Amoush, *The Crime of Human Trafficking in International Conventions and Jordanian Law*, Dar Zahran, Jordan, 2020, p. 11.
[13]As'adAbd al-Hussein Khanjar, *Illegal Migration and Its Repercussions on Political Systems in Europe*, Arab Publishing House, Egypt, 2021, p. 31.
[14]Talal Abu Afifa, *Fundamentals of Criminology and Punishment*, Dar al-Jundi for Publishing, Jerusalem, First Edition, 2013, p. 403.
[15]Talal Abu Afifa, *op. cit.*, p. 400.
[16] Muhammad Sabah al-Sa'id, *The Crime of Migrant Smuggling: A Comparative Study*, Arab Centre for Publishing, Egypt, First Edition, 2018, p. 43.
[17]Muhammad Sabah al-Sa'id, *op. cit.*, p. 45.
[18] Omar Farahatiya, "The Role of the United Nations in Combating Transnational Organised Crime," *Journal of Legal and Economic Research*, Volume 2, Issue 2, 2020, p. 24.
[19]AymanFakhr al-Din, *Corruption Crimes and the Role of Artificial Intelligence in Combating Them*, Dar al-Nahda al-Arabiyya, Egypt, First Edition, 2025, p. 224.
[20]Salini Muhammad al-Saghir, "Resolutions of the United Nations and International Organisations and Their Role in Combating Organised Crime," *Sawt al-Qanun Journal*, Volume 9, Issue 2, 2023, p. 745.
[21] Sab' Ziyan, "Organised Crime and International Efforts to Combat It," *Abhath Journal*, Volume 6, Issue 1, 2021, p. 764.
[22]NasibNajib, "Mechanisms of International Legal Cooperation in Combating Organised Crime," Critical Journal of Law and Political Science, Volume 14, Issue 1, 2019, p. 150.
[23]Mu'ayyidUbaid Hassan al-Izzi, The Defendant's Right to a Fair Trial, Arab Centre, Egypt, 2016, p. 264.
[24] Sab' Ziyan, op. cit., p. 746.

BIBLIOGRAPHY LIST:

Books:

1. Muhammad Nur Khalid al-Dabbas, The Reality of Organised Crime, Dar Yafa al-Ilmiyya, Jordan,2006.
2. Mu'tasim al-Turki al-Dala'in, Criminology: Concept, Punishment, Prevention, Dar al-Khalij for Publishing, Jordan,*2021.*
3. AymanFakhr al-Din, Corruption Crimes and the Role of Artificial Intelligence in Combating Them, Dar al-Nahda al-Arabiyya, Egypt, 2025.
4. Abdullah Hassan Muslim, Insurance and Risk Management, Dar al-Mu'taz, Jordan, 2015.

5. Muhammad Ali Suwaylim, Terrorism Crimes and Cyber Terrorism, Egyptian Publishing House, Egypt,2018.
6. Muhammad Ali Suwaylim, Criminal Policy in Combating Money Laundering, Egyptian Publishing House, Egypt,2022.
7. RadwanBuhedil, The African Coast, Alpha Publishing, Algeria, 2023.
8. KhaledAkasha, Sinai: Land of the Sacred and the Forbidden, Dar al-Nahda, Egypt,2015.
9. Abd al-Ali al-Dirbi, Illicit Drug Trafficking and International Prevention Efforts, National Centre for Legal Publications, Egypt, 2016.
10. FarhanJamil al-Amoush, The Crime of Human Trafficking in International Conventions and Jordanian Law, Dar Zahran, Jordan, 2020.
11. As'adAbd al-Hussein Khanjar, Illegal Migration and Its Repercussions on Political Systems in Europe, Arab Publishing House, Egypt,2021.
12. Talal Abu Afifa, Fundamentals of Criminology and Punishment, Dar al-Jundi for Publishing, Jerusalem,2013
13. Muhammad Sabah al-Sa'id, The Crime of Migrant Smuggling: A Comparative Study, Arab Centre for Publishing, Egypt,2018.

Journal Articles:

14. Omar Farahatiya, "The Role of the United Nations in Combating Transnational Organised Crime", Journal of Legal and Economic Research, Vol. 2, No. 2, 2020.
15. Salini Muhammad al-Saghir, "Resolutions of the United Nations and International Organisations and Their Role in Combating Organised Crime", Sawt al-Qanun Journal, Vol. 9, No. 2,2023.
16. Sab' Ziyan, "Organised Crime and International Efforts to Combat It", Abhath Journal, Vol. 6, No. 1,2021.
17. NasibNajib, "Mechanisms of International Legal Cooperation in Combating Organised Crime", Critical Journal of Law and Political Science, Vol. 14, No. 1,2019.