The Legal Foundations of the Limits of Transnational Organized Crime

التأصيل القانوني لحدود الجريمة المنظمة العابرة للحدود الوطنية

Fatiha Mazouzi[1], University of Mohamed Ben Ahmed Oran 2 (Algeria), MAZOUZI.FATIHA@univ-oran2.dz

Received: 27/02/2026 Accepted: 25/05/2026Published:20/06/2026

Abstract:

Transnational crimes have emerged prominently due to political, social, and economic transformations on the international stage, along with massive digital innovations that have enabled individuals and groups to operate beyond traditional state boundaries, reinforced by economic openness and expansive global trade. In response, the international community has recognized the urgent need for coordinated efforts and precise legal frameworks to define and control the scope of transnational crime, limit its impact, and curb its rapid spread through effective legal and judicial mechanisms. Algeria, aware of the complexity and gravity of these crimes and their repercussions, has taken concrete steps to combat them by implementing measures aligned with the international conventions it has ratified and joined.

keywords: Crime; Organized Crime; Types of Crimes; The Algerian Legislator; Penalties.

الملخص:

لقد برزت الجرائم العابرة للحدود الوطنية إلى سطح بفعل التغييرات التي شهدتها الساحة الدولية في المجال السياسي والاجتماعي والاقتصادي، فضلا عن الابتكارات الرقمية الهائلة المتاحة أمام الأفراد والجماعات، وما تبعها من تلاشي فكرة حدود الدول والانفتاح الاقتصادي والامتداد التجاري اللامحدود ورفاهية المجتمعات.

وبناء على ما سبق، استفاق المجتمع الدولي على حتمية تضافر الجهود بالتشخيص الدقيق والكامن بغية ضبط حدود الجريمة العابرة للحدود الوطنية، ومنه السعي للحد من آثارها وكبح سرعة تفشيها عبر آليات ناجعة على مستويين القانوني والقضائي، والجزائر اقتناعا منها بتعقيد وخطورة الجريمة وانعكاساتها، اتخذت شوطا في تنصيب إجراءات لمحاربتها تفعيلا لمصادقتها وانضمامها للاتفاقيات المبرمة في هذا الشأن.

الكلمات المفتاحية: الجريمة؛ الجريمة المنظمة؛ أنواع الجرائم؛ المشرع الجزائري؛ العقوبات.

1. Introduction:

States across multiple domains have experienced obvious changes which brought about substantial progress in economic liberalization and international trade liberalization and digital societal improvements. The fast pace of modern society has enabled criminal organizations to take advantage of these advancements which companies have worked hard to establish. The organizations have become so complex that they now exceed the capabilities of traditional state systems because of their expanding activities. The growing threat of criminal organizations requires states to develop joint efforts for creating defense systems and international laws which protect human rights and operate under global legal frameworks.

The research shows that transnational organized crime creates major threats which endanger the security and stability of societies and their interests. The crime exists throughout history while it takes different forms depending on the cultural context of each society and it involves illegal operators who seek financial gain through various illegal activities. The criminal activity started in developed nations of the Global North but then spread to different parts of the world. The criminal operation extends beyond national borders because it performs its illegal activities while maintaining fast-paced operations with multiple criminal organizations. The organization has developed its operational methods through historical periods since it used to function through regular theft and robbery but now criminal activities have become more deadly because of scientific and technological progress which led to the emergence of homicide and drug smuggling and human trafficking operations.

StudySignificance:

An examination of this topic will undoubtedly elucidate the contours of organized crime from all its problematic dimensions, particularly through a legal lens, thereby dispelling ambiguity surrounding it. The theoretical grounding of such subjects is of paramount importance in resolving numerous problems and issues.

StudyObjectives:

This study seeks to deepen scholarly understanding of the delineation of transnational organized crime, to clarify the constituent elements required for its establishment, and to underscore the multiplicity of forms encompassed within its structure.

Study Problem:

In light of the foregoing, the contours of the research problem emerge, which may be framed as follows:

To what extent does the theoretical conceptualization of transnational organized crime correspond to its contemporary criminal activities?

A specialized and reflective examination of the subject reveals the complexity and gravity of the crime under consideration. The nature of the topic therefore necessitates the adoption of a methodical approach to ensure a comprehensive analysis. Accordingly, the study relies upon the analytical method in order to probe deeply and systematically into its intertwined and complex dimensions.

2. The Theoretical Foundations of Transnational Organized Crime

Crime in the contemporary era is undergoing a visible and rapid transformation as a result of the broader developments experienced by human societies. It has shifted from simplicity and spontaneity to organization, planning, and continuity—that is, from traditional crime to organized crime that disregards national political boundaries and operates through structured criminal organizations in the execution of its illicit activities. This section seeks to establish the conceptual foundations of transnational organized crime by addressing its theoretical and legal dimensions, and subsequently identifying the principal characteristics that distinguish it.

2.1 The Theoretical and Legal Framework of Organized Crime

Transnational organized crime is among the most serious categories of criminal activity. It consists of successive stages that complement one another, ultimately culminating in a fully constituted offense—one that exists independently, with its own specific circumstances and distinguishing characteristics. Initially regarded as an ambiguous concept circulated by the media, the term gradually gained currency in Arabic literature and subsequently entered international discourse, eventually becoming firmly established within the fields of criminal sciences and penal law (Al Shawa, 1998, p. 25).

Subsection One: Defining the Conceptual Parameters of Organized Crime

In the absence of international consensus regarding the meaning of organized crime, and given the failure of national legislations to provide a precise definition that would preclude interpretative ambiguity on the one hand, and considering, on the other hand, the modern adoption of the term “organized crime” in place of the

earlier designation “mafia,” it was anticipated that legal scholarship would assume a prominent role in delineating the contours of the concept in all its dimensions.

2.1.1 Linguistic and Terminological Definition

Arabic lexicons consistently define “crime” as signifying sin or offense (Arabic Language Academy, 1995, p. 402). In linguistic usage, the term “mafia” has been described as connoting audacity, risk-taking, refuge, and affiliation (Abu Zayd, 1998, p. 28). As for the linguistic meaning of “organized crime,” it refers to any conduct that constitutes an organized infringement upon the interests and rights of individuals, preceded by planning and coordination, extending beyond national borders, and subject to legal sanction (Mukhaymir, 2002, p. 281).

From a terminological perspective, organized crime denotes a set of complex and large-scale criminal activities undertaken by structured criminal groups through the use of illicit means that transcend the formal boundaries of states (Mukhaymir, 2002, p. 281).

2.1.1.1 The Definition of Organized Crime in Legal Scholarship

It appears that Islamic law addressed the concept of organized crime prior to both international and domestic positive legislation. As a comprehensive normative system applicable across time and place, Islamic law is replete with legal provisions derived from the Qur’an, the Prophetic Sunnah, and juristic reasoning. God Almighty states: “The recompense of those who wage war against God and His Messenger and strive to spread corruption on earth is that they be killed, or crucified, or have their hands and feet cut off on opposite sides, or be exiled from the land. That is their disgrace in this world, and for them in the Hereafter is a great punishment” (Surah Al Maidah Verse 33).

This noble verse addresses collective and organized collusion in spreading corruption on earth through the commission and pursuit of criminal acts, which Islamic jurists designate as the crime of ḥirābah. Linguistically connoting violent domination, ḥirābah constitutes the closest analogue to organized crime within Islamic jurisprudence. In this context, waging war signifies confronting and assaulting individuals, attacking them, and seizing their property—that is, the offender relies upon criminal force to instill terror in the victim. Accordingly, the criminalization of ḥirābah is intended to safeguard life and property and to ensure the maintenance of public security and tranquility (Abbasi, 2017, p. 20).

The jurist Thierry defines organized crime through his conception of the mafia, stating:

“Une mafia est un réseau formé de groupesautonomes de criminelsqualifiés et

ayant la réputation d'être capable de tout; unefoisen place, ce réseau a des chances de se maintenirs'il use parcimonieusement de la prédation, s'il coupe les forces de l'ordre de la population locale et sisesmembresdistribuentgénéreusementfaveurs et protection" (Thierry, 2002, p. 117).

A close reading of the foregoing definition reveals that the jurist conceptualizes organized crime through the notion of the mafia, characterizing it as an autonomous criminal organization seeking to perpetrate all forms of criminal conduct, and distinguishing it through a set of defining attributes.

Another strand of legal scholarship defines organized crime as follows: "Organized crime is fundamentally based on a stable institutional structure characterized by hierarchical organization, levels of leadership, an operational base, fixed roles and functions, opportunities for advancement within its internal structure, and a strict internal code that ensures loyalty to the organization; above all, it is marked by continuity and permanence" (Al Ashawi, 2009, p. 307).

Organized crime has also been described as "that form of criminality produced by material civilization, enabling the criminal to achieve illicit objectives through advanced methods that place him beyond the reach of the law, owing to the means he employs to conceal his criminal purposes; the realization of such objectives necessarily requires the cooperation of a group of offenders" (Brahimi, 2004, p. 09).

2.1.2 Organized Crime from a Legal Perspective

The emergence of organized crime across national borders has prompted action at the level of the international community through the conclusion of global and regional conventions aimed at delineating the parameters of this crime in order to confront and eradicate it effectively. Concurrently, and in light of the outcomes generated by the international community, domestic legislations have sought to incorporate organized crime within the core of their penal frameworks.

2.1.2.1 Organized Crime in Algerian Legislation and Comparative Law

As a general rule, the function of legislation does not primarily consist in providing definitions, but rather in establishing legal provisions. However, given its distinctive characteristics, organized crime constitutes an exception to this principle, as the urgency required to curb its rapid proliferation necessitates precise delineation to avoid ambiguity. Accordingly, defining it within national legislations becomes imperative in order to ensure clarity and legal certainty.

A. Organized Crime in Algerian Legislation

At the outset, it must be noted that the Algerian legislator has not provided a precise and explicit definition of organized crime. Instead, it has limited itself to defining certain offenses in specific provisions of the Penal Code and the Code of Criminal Procedure, which legal scholarship has regarded as falling within the ambit of organized crime. This approach stems from Algeria's ratification of relevant international conventions, particularly Presidential Decree No. 02-55 of 5 February 2002, concerning ratification—with reservations—of the United Nations (UN) Convention against Transnational Organized Crime Palermo Convention 2002.

With reference to the Algerian Penal Code (Law Number 04-15, 2010), the legal observer will note that there is only one provision reflecting the legislator's position on organized crime, namely Article 176, which provides: "A criminal association is defined as any alliance or accord, irrespective of its temporal extent or the count of its participants, that is formulated or instituted with the objective of planning or perpetrating grave offenses against individuals or their possessions; such an association is deemed to be inaugurated by the simple shared volition to engage in such activities." It may be observed that this provision lacks the substantive elements of organized crime, as it does not specify its constituent features, such as structured organization, continuity, or its transnational dimension.

In addition to the foregoing, and in the context of addressing organized crime, the legislator has identified certain manifestations thereof within the same Code, notably the offense of money laundering and crimes affecting automated data processing systems. Moreover, other legislative instruments further delineate forms of organized crime, including Law No. 05-01 on the prevention and combating of money laundering and the financing of terrorism; Law No. 06-01 on the prevention and combating of corruption; Law No. 01-08 amending the Code of Criminal Procedure, which authorizes the investigating judge to exercise jurisdiction in transnational felonies; and Law No. 04-14 amending and supplementing the Code of Criminal Procedure, which extends the local jurisdiction of the Public Prosecutor to the territorial competence of other courts in matters relating to organized crime.

B. Organized Crime in Comparative Legislation

At the outset, the Italian legislature addressed organized crime within the Italian Penal Code, specifically in Article 416, which defines it as the formation or participation of an organized association consisting of three or more persons for the commission of crimes, without specifying a particular type of offense. The

provision prescribes a penalty of imprisonment ranging from three to four years. The legislature further elaborated upon the boundaries of organized crime in Article 416 bis, characterizing it as criminal conduct emanating from a criminal organization operating according to Mafia-type methods, employing intimidation and the authority of the association as instruments for committing crimes, particularly with the objective of infiltrating the economic system through direct or indirect means, whether by consent or by coercive control, in order to secure unlawful profits.

Similarly, the French legislature addressed the concept of organized crime in the French Penal Code, notably in Article 450-1, which characterizes it as the formation of a criminal association or any agreement aimed at the commission of one or more offenses. However, this definition appears to be marked by ambiguity and a lack of precision. In this context, it is pertinent to refer to a draft proposal for a legal definition of organized crime submitted by a member of the French Senate, which defined organized crime as acts committed by organized groups established specifically to perpetrate crimes or offenses with the aim of harming persons or property, or of appropriation, thereby achieving personal gain or benefiting others, whether directly or indirectly, through control over all or part of economic, financial, commercial, or civil activities (Sabatier, 1996, p. 964).

In the context of analogous Arab legal frameworks, the Egyptian legislative body has engaged with the issue of structured criminal activity through Law No. 64 of 2010, specifically concerning the prevention of human trafficking. Article 1, section 2, delineates organized crime as any transgression perpetrated across multiple national jurisdictions, or in instances where the funding, oversight, or groundwork for said transgression occurs in a separate nation-state. Furthermore, the designation applies when the offense is executed within a single nation by a structured criminal syndicate involved in illicit operations spanning several nations. The definition also subsumes violations executed within a singular nation-state that yield consequences extending into another.

2.2 Characteristics of Transnational Organized Crime

Based on the foregoing definitions, organized crime possesses distinctive features that differentiate it from ordinary crimes, notwithstanding certain similarities in specific aspects.

2.2.1 Organizational Structure and Hierarchical Configuration

Organized crime operates within a structured system that delineates operational mechanisms and is founded upon a division of functions among its members, clarifying the relationships binding them to the criminal organization. This organizational and hierarchical configuration is not uniform across criminal organizations; rather, it varies and assumes multiple forms, ranging from quasi-familial relationships and complex networks to highly structured groups exhibiting a significant degree of institutional organization (Maya & Yasser, 2011, p. 513).

In this regard, the structure of criminal organizations is characterized by stability and continuity. It typically begins at the base level, where carefully selected members are assigned to carry out criminal activities, followed by team leaders, advisers, and deputies, culminating at the apex of the hierarchy where the president or leader of the organized group is situated. The latter wields absolute authority over all levels of the organization. The leader is often concealed in identity, rendering identification difficult, in addition to the difficulty of apprehending members of the group in flagrante delicto (Maya & Yasser, 2011, p. 513).

2.2.2 Planning and Financial Profit

The commission of organized crime is grounded in rational calculation, involving an assessment of available resources and the formulation of precise and highly efficient plans by individuals possessing expertise and specialization in various fields, including administrative, political, economic, and legal domains, thereby ensuring success and continuity. The primary objective is the attainment of financial returns and profits derived from illicit sources; accordingly, such criminal activity gravitates toward locations where financial gains are substantial and risks comparatively minimal (Hammoudi, 2018, pp. 81-82).

Moreover, a defining characteristic of organized crime lies in its pursuit of exorbitant financial profits generated through unlawful activities, particularly in the domain of goods and services, such as the trafficking of narcotics and weapons, given the extraordinary gains involved, irrespective of the adverse consequences associated with organized crime (Brahimi, 2004, p. 28).

2.2.3 The Means Employed by Criminal Organizations in the Cross-Border Execution of Criminal Activities

The implementation of criminal activities by organized crime relies on the use of highly specific methods, notably violence, threats, intimidation, and coercion. These methods may be deployed externally against foreign individuals who

obstruct the organization's operations or threaten its existence, or internally against members implicated in the organization who violate its governing rules and internal regulations. It is also noteworthy that criminal groups resort to additional means, such as bribery and the pursuit of governmental corruption (Gara, 2013, p. 284).

In a related context, beyond reliance on specialized methods, the execution of organized criminal activities is characterized by a global dimension arising from the profound technological revolution witnessed worldwide—commonly referred to as the globalization of organized crime. Most criminal organizations conduct their activities within what is termed internationalization; that is, they do not recognize the geographical boundaries of states (Gara, 2013, p. 285). This dimension is articulated in Article 3(b) of the Palermo Convention, which provides that an organized crime offense is considered transnational if:

- One of its constituent acts is committed in one State, while other elements—such as planning, direction, or supervision—occur in another State;
- Notwithstanding the localized commission of all constituents of the illicit act, the transgression is executed by a structured criminal syndicate involved in felonious enterprises across numerous jurisdictions.

Moreover, organized crime demonstrates a conspicuous penetration into society, which constitutes one of its most perilous distinguishing features, as it has become a normalized pattern of conduct within certain social contexts. This normalization stems from the dominance of criminality and the resignation that compels individuals to coexist with it; indeed, it may extend to the point of cooperation with such criminal organizations in the implementation of their schemes (Brahimi, 2004, p. 27).

2.2.4 The Complexity, Secrecy, and Continuity of Organized Crime

Organized crime is characterized by a high degree of complexity and is difficult to detect, as it finds fertile ground for the implementation of diverse methods designed to circumvent the law. Participants in organized crime conceal their unlawful and illicit activities, and the identity of those involved in such operations remains obscure. Moreover, organized crime is distinguished by a pronounced element of secrecy, which ensures its survival and enables the continuation of its activities beyond the scrutiny of competent legal authorities. Any individual who reports its activities to the authorities exposes himself to the

risk of assassination. Criminal organizations are further marked by continuity, in that the death or disappearance of one member does not affect the persistence of their criminal activities (Brahimi, 2004, p. 27). Members who are killed, imprisoned, or withdrawn from the organization for any reason are replaced, and to assert otherwise would imply an impact on the organization's survival and its capacity to sustain its criminal operations.

3. The Constitutive Elements and Forms of Transnational Organized Crime

Having outlined the theoretical and legal framework through which transnational organized crime has been conceptually grounded, the analysis now shifts to the empirical dimension, with a view to identifying its constituent elements and the multiplicity of forms it assumes.

3.1 The Constitutive Elements of Transnational Organized Crime

A careful reading of Article 2 of the United Nations Convention (UNC) against Transnational Organized Crime reveals that organized crime is subject to the same traditional classification applicable to ordinary offenses, namely the material element, the legal element, and the mental element, in addition to the international element.

3.1.1 The Legal Element of Transnational Organized Crime

Pursuant to the principle of criminal legality—according to which there is neither crime nor punishment except by virtue of a legal provision, and the presumption governing acts is permissibility—the establishment of organized crime and the imposition of penalties require the commission of an act or omission in violation of the law. A judge may apply a legal provision only where it is temporally and territorially applicable, in strict adherence to the constraints and conditions that define the offense and prescribe its sanction. Any contrary position would preclude the prosecution and punishment of an individual for conduct not criminalized by law (Suleiman, 2005, p. 79).

Concerning this matter, theUNC against Transnational Organized Crime, within Article 2, elucidates the juridical component through its designation of an organized criminal syndicate as a structured collective comprising a minimum of three individuals, persisting over a temporal duration and collaboratively endeavoring to perpetrate one or multiple grave contraventions or transgressions as delineated by the Convention, with the objective of procuring, either immediately or circuitously, monetary or other tangible emoluments.

3.1.2 The Material Element of Transnational Organized Crime

The material element of organized crime consists of the criminal conduct embodied in externally manifested acts capable of detection and assessment. Its realization requires the presence of specific components. First, there must be either positive or negative conduct, namely the criminalized act or omission attributable to the perpetrator. Second, there must be a criminal result arising from an infringement of an interest protected by law, as it is a settled principle that no crime exists without the occurrence of a legally cognizable harm. Third, there must be a causal link connecting the material act to the criminal result, constituting the nexus between the formation of the criminal organization and the commission of the offense, manifested in the harm resulting from its execution. An attempt is deemed to exist where the crime does not materialize due to circumstances beyond the will of the offender (Nabih, 2006, p. 87).

3.1.3 The Mental Element of Transnational Organized Crime

In addition to the existence of a criminalizing legal provision and the commission of the material elements of the offense in accordance with the statutory model, the perpetrator must also possess a degree of culpability. No crime can be said to exist in the absence of the mental element, for it constitutes the very essence of the offense and reflects the intent of its author. The mental element has been described as the psychological link connecting the criminal conduct and its consequences, on the one hand, with the perpetrator from whom such conduct emanated, such that the behavior may be attributed to the will of the offender (Abbasi, 2017, p. 262).

With regard to organized crime as an intentional offense, the imposition of criminal liability requires that a member of the organized group act with knowledge, awareness, and intent in participating with other members to achieve criminal objectives on a continuing basis, as a matter of profession and habitual practice. Thus, the establishment of organized crime is predicated upon the acts committed and the consequences produced by its members (Abbasi, 2017, p. 262).

In the same context, reference to the Palermo Convention allows for a clear delineation of the mental element of organized crime, as it requires the existence of a specific objective pursued by the criminal operations undertaken by the group. As previously indicated, this objective consists in the commission of one or more offenses, directly or indirectly, in order to obtain financial or material benefits.

Furthermore, Article 5, paragraph 2, of the UNC against Transnational Organized Crime stipulates that, for the mental element of organized crime to be

established, two conditions must be satisfied: first, intentional engagement in the criminal activity, that is, the existence of criminal intent; and second, fault arising from recklessness or negligence.

3.1.4 The International Element of Transnational Organized Crime

This element denotes that organized crime must encompass an international dimension. It is characterized by its transnational nature as an international offense, a quality that may be established through the nationality of the perpetrators and members of the criminal group engaged in the illicit activities, through the place of commission of the offense, or through the locus of the criminal act itself (Gara, 2013, p. 286).

3.2 Forms of Transnational Organized Crime

As previously indicated, organized crime manifests in numerous forms that cannot be exhaustively examined within this context. Accordingly, attention will be confined to the most prevalent forms upon which criminal organizations rely to generate substantial financial profits, notably money laundering and drug-related offenses.

3.2.1 The Offense of Money Laundering

Money laundering refers to banking transactions intended to obscure, conceal, or alter the identity and source of funds obtained through unlawful means, so that they appear legitimate and lawful. It encompasses the proceeds of illicit criminal activities, typically associated with the parallel market or drug trafficking, which are subsequently converted into assets ostensibly deriving from legitimate sources. These are continuous operations deliberately carried out by criminal organizations (Jabbari, 2017, p. 357).

The Algerian legislator, through the Penal Code, defines money laundering as: Encompassing illicit financial activities, the proscribed conduct includes:

- The transformation or conveyance of assets, undertaken with the awareness that said assets represent the yield of illicit activities, perpetrated with the intention of obscuring or misrepresenting the unlawful provenance of the assets, or with the objective of assisting any individual implicated in the perpetration of the primary offense from which the assets originated, thereby enabling them to circumvent the juridical ramifications of their actions.
- The obfuscation or misrepresentation of the authentic characteristics of the assets, encompassing their origin, geographical location, disposition,

movement, or proprietary rights, perpetrated with the cognizance that such assets are the product of illicit undertakings.

- The procurement, retention, or utilization of assets, predicated on the understanding, concurrent at the time of receipt, that such assets constitute the benefits derived from unlawful conduct.
- Engagement in the perpetration of any of the offenses delineated under this Article, in conjunction with involvement through complicity, conspiracy, assistance, instigation, facilitation, or the provision of counsel in the commission thereof (Law Number 19-15, 2015).

The legislature, through Law No. 06-01 on the Prevention and Combating of Corruption (Law Number 06-01, 2006), specifically in Article 2, paragraph (z), sought to clarify the meaning of criminal proceeds, defining them as "any property derived or obtained, directly or indirectly, from the commission of a crime."

In sum, money laundering, as a manifestation of organized crime, constitutes a complex offense intrinsically linked to other crimes. Its essential premise lies in the pursuit of illicit funds and their subsequent integration into the economic and financial system under the guise of legality for purposes of concealment.

3.2.2 Drug Offenses

Medical science defines drugs as substances which people consume through their mouths or their noses or through injections or other delivery methods that trigger particular body responses. The United Nations Commission on Narcotic Drugs defines drugs as natural substances which contain sedative or stimulant properties that people use for purposes beyond medical and industrial applications which result in addictive behavior that damages mental health and creates social problems for users (Ben Dimiya & Ben Chergui, 2023, p. 494).

The Algerian legislature has established specific drug classifications which enable judges to request expert evaluation for determining whether substances meet narcotic classification standards. Law No. 18-04, which establishes the general rules relating to postal services and electronic communications (Law Number 18-04, 2018), defines narcotic substances as "any natural or synthetic substance listed in Schedules I and II of the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol."

The criminal network which organizes drug-related offenses stands as their most visible illegal activity while their drug distribution operations generate their

main financial resources. Multiple global organizations along with various institutions have verified that drug trafficking operations span across multiple activities including drug cultivation and delivery and possession and international smuggling while also involving systems for managing operations and financial backing and personnel recruitment. The money which these activities generate becomes hidden through fake business operations that create the appearance of legal earnings.

4. Conclusion

The research paper titled "The Legal Foundations of the Boundaries of Transnational Organized Crime" reaches its conclusion after a theoretical and legal study which established fundamental knowledge about the topic to remove its confusing aspects. The research also conducted a practical study of its different components and its multiple appearance patterns. The research presents several key discoveries which include:

- The international community now faces an intricate and urgent problem because transnational organized crime threatens multiple security aspects which affect states across political and economic and social and cultural dimensions.
- There is no precise, comprehensive, and exclusive definition of transnational organized crime; rather, divergences persist among legal scholars, national legislations, and specialized international organizations.
- The basic components of transnational organized crime receive wide acceptance because they include organizational structure and strategic planning and unbroken criminal operations and the core drive which is financial gain and material acquisition.
- The United Nations leads international community efforts through treaty development which member states incorporate into their national legal frameworks to fight against this issue.
- Multiple states have worked to create legal frameworks which match organized crime operational methods yet these frameworks differ between countries because current laws fail to stop criminal activities.
- The organizational structure of transnational organized crime includes particular characteristics which stem from its complicated system and dangerous nature and its operational strategies and its international operational territory.

- TheUNC against Transnational Organized Crime shows that transnational organized crime operates through three fundamental components which include the legal element and the material element and the mental element.
- Organized crime exists through different forms which include multiple criminal activities such as money laundering and smuggling and drug-related offenses.

The research findings demonstrate an urgent need to create specific solutions which will help people understand this important subject fully to fight transnational organized crime effectively.

Study Recommendations:

The main recommendations include the following:

- The definition of transnational organized crime requires international legal collaboration together with domestic lawmaking to create an accurate definition.
- The international nature of organized crime requires countries to develop worldwide strategies for its elimination which need the United Nations to create new conventions that will establish operational frameworks and domestic legal systems will adopt these frameworks.
- States and governments need to make social problem solutions their top priority because they should maintain their commitment to stop people from joining dangerous criminal organizations.
- With specific regard to Algeria, it would be advisable to enact a distinct and comprehensive statute dedicated exclusively to transnational organized crime, rather than maintaining the current fragmented and dispersed regulatory framework.

References:

Abbasi, M. (2017). *Transnational Organized Crime.* Tlemcen: Faculty of Law and Political Science Abu Bakr Belkaid University.

Abu Zayd, I. (1998). The Scientific and Legal Aspects of Organized Crime. *Police Thought Journal*.

Al Ashawi, A. A. (2009). *Human Rights in International Law* (1st ed.). Algiers: Dar Al Khaldounia.

Al Shawa, M. S. (1998). *Organized Crime and Its Impact on Penal Systems.* Cairo: Dar Al Nahda Al Arabiya.

Arabic Language Academy. (1995). *Al Wajeez Dictionary.* Arabic Language Academy.

Ben Dimiya, J., & Ben Chergui, A. (2023). Drug Crime in Algerian Legislation and Its Impact on Social Structures and Relations. *Al Riwaq Journal for Social and Human Studies*.

Brahimi, F. (2004). *Transnational Organized Crime and Mechanisms for Combating It Internationally An Analytical Study.* Blida: Faculty of Law Saad Dahlab University.

Gara, W. (2013). International Organized Crime. *Notebooks of Politics and Law Journal*.

Hammoudi, M. (2018). Transnational Organized Crime and Mechanisms for Combating It. *Journal of Law*.

Jabbari, A. E. (2017). The Crime of Money Laundering Concept and Elements. *Al Maalem Journal for Legal and Political Studies*.

Law Number 04-15. (2010, 11 10). Containing the Penal Code Amended and Supplemented to Ordinance 66 156. *Official Gazette*. Algeria: Official Gazette of the People Democratic Republic of Algeria.

Law Number 06-01. (2006, 02 20). Relating to the Prevention and Combating of Corruption. *Official Gazette*. Algeria: Official Gazette of the People Democratic Republic of Algeria.

Law Number 18-04. (2018, 5 10). Determining the General Rules Relating to Post and Electronic Communications. *Official Gazette*. Algeria: Official Gazette of the People Democratic Republic of Algeria.

Law Number 19-15. (2015, 12 30). Penal Code Amending and Supplementing Ordinance Number 66-156. *Official Gazette*. Algeria: Official Gazette of the People Democratic Republic of Algeria.

Maya, K., & Yasser, A. (2011). Transnational Organized Crime and Methods of Combating It. *Damascus University Journal of Economic and Legal Sciences*.

Mukhaymir, R. (2002). *Criminal Confrontation of Transnational Organized Crime A Comparative Study.* Tanta: Faculty of Law Tanta University.

Nabih, N. (2006). *Transnational Organized Crime.* Cairo: Dar Al Fikr Al Jami.

Sabatier, M. (1996). *Organized Crime and Order in Society Colloquium of the Institute of Penal Sciences and Criminology.* Paris: Dalloz.

Suleiman, A. (2005). *Explanation of the Algerian Penal Code General Section Part One The Crime* (6th ed.). Algiers: University Publications Office.

Surah Al Maidah Verse 33. (n.d.). The Holy Quran.

Thierry, T. (2002). *Mafias of the World Transnational Criminal Organizations Current Developments and Perspectives* (3rd ed.). Paris: Revised and Expanded 3rd Edition.