

The Republic of India as a transit location for committing transnational crimes in South Asia

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Crimes of a transnational nature have covered most of the states of South Asia, and their growth leads to the destabilization of both national and regional security. In this sense, individual states, such as the Republic of India, act as a transit location when committing crimes of a cross-border nature. Purpose: to assess the challenges and threats in the field of the spread of cross-border crime in the Republic of India and nearby states. To analyze the existing practices of combatting transnational crimes in the Republic of India. To propose qualitatively new mechanisms to combat this type of crime. To highlight the main reasons for the growth of transnational crime in South Asia. To outline the routes of committing cross-border crimes through India, both actually existing and used by criminals, and potential ones. Methods: general scientific methods (analysis and synthesis, induction and deduction, dialectics, abstraction and concretization); private scientific methods (formal-legal method, technical-legal method, method of interpretation of legal norms, historical-legal method and comparative legal method). Results: a schematic map of real and potentially possible ways of moving criminals, taking into account various types of information, is proposed and demonstrated. The role of India as a transit location in the commission of transnational crimes is evaluated. The author also presents methods of combating and preventing transnational crimes in India. Conclusions: the study showed that in many cases India acts as a transit location when committing cross-border crimes: criminals actively use the geographical location of India, as well as the ability to move freely across the border. It was concluded that transnational criminal groups affect not only the Indian law and order, but also the security and stability of nearby states. Despite the identified shortcomings in the work of law enforcement agencies, there are also positive practices in India.

Keywords: transnational crimes, human trafficking, cybercrime, terrorist acts, terrorism, civil society, South Asia, Republic of India.

1. Introduction

Back in 1997, Louise I. Shelley, the director of the Terrorism, Transnational Crime and Corruption Center (TraCCC), Professor at George Mason University, identified transnational crime as "the main problem of the 21st century, the same as the Cold War in the 20th and colonialism in the 19th century" (Bilenchuk, Erkenov, Kofanov 1999; Gonzalez 2016). Her prediction was more than justified. Indeed, the key threat to the security of states in the 21st century has been the unprecedented growth of transnational organized

crime (TOC) around the world and in its individual parts¹. In particular, if we talk about the South Asian region, due to the rather long existence of the TOC, some trends and features of its formation can be traced. For example, illegal migration, human trafficking, money laundering, interstate (cross-border) drug trafficking, contract killings, terrorist crimes, and cybercrimes are extremely widespread in South Asia.

Currently, the question of the effectiveness of the measures taken to combat crime in South Asia remains open, because the crime rate is steadily increasing. Criminal groups are increasing their influence and expanding the boundaries of their illegal activities not only at the regional, but also at the international level. Organized crime as a phenomenon of high public danger threatens state security and destabilizes the situation in many Asian countries (Shesler 1999; Viano 2010). Members of Asian criminal groups integrate into various spheres of public life (Van Dijck 2007, 46), occupying high positions in the hierarchy of public administration, bribe public servants and use official connections for illegal purposes.

A 2019 report by the United Nations Office on Drugs and Crime (hereinafter — UNODC) notes that TOC is not a new phenomenon for the South Asian continent. Many ways of committing crimes have not changed, and the routes of smuggling of goods, illegal migration and illegal sale of wild animals, on the contrary, have taken root and are well established in current practice². The UNODC report shows that the transportation of narcotic drugs and psychotropic substances through India to Southeast Asia or, conversely, to the United States and European countries is one of the most typical routes for the sale and purchase of drugs. Moreover, South Asian countries receive a fairly large number of decongestants, most of which are imported from China, India, the Republic of Korea and Thailand³. All these routes are known to law enforcement agencies, but despite attempts to strengthen and stabilize interstate and interdepartmental cooperation, there is a permanent increase in transnational crimes.

In the period from 2012 to 2017, the states of Southeast Asia annually imported about \$ 9.5–11.6 billion pharmaceutical products, of which approximately 10 % were in India and China⁴. The production of, for example, methamphetamine in these States depends on the illegal acquisition of precursors, as well as pharmaceuticals⁵. Indian and Chinese pharmaceuticals often rely on unreliable and unverified suppliers of goods, since there is a chance to reveal their shady and illegal activities. It is obvious that the consequences of treatment with such drugs can lead to a deterioration in the health of citizens, if not

¹ “Transnational Organized Crime in East Asia and the Pacific: A Threat Assessment”. UNODC. April 2013. Accessed March 20, 2025. https://www.unodc.org/roseap/uploads/archive/documents/Publications/2013/TOCTA_EAP_web.pdf.

² Transnational Organized Crime in Southeast Asia: Evolution, Growth, Impact. Accessed March 18, 2025. https://www.unodc.org/documents/southeastasiaandpacific/Publications/2019/SEA_TOCTA_2019_web.pdf.

³ Transnational Organized Crimes: India; A Battleground. Accessed March 18, 2025. <https://www.legalbites.in/transnational-organized-crimes-india>.

⁴ “Precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances 2018”. *International Narcotics Control Board, Vienna*. Accessed March 20, 2025. https://www.incb.org/documents/PRECURSORS/TECHNICAL_REPORTS/2018/Report/E_ebook_with_annexes.pdf.

⁵ “The Internet Pharmacy Market in 2016: Trends, Challenges, and Opportunities”. *Center for Safe Internet Pharmacies, Washington, D. C.* Accessed March 20, 2025. <https://safemedsonline.org/wp-content/uploads/2016/01/The-Internet-Pharmacy-Market-in-2016.pdf>.

to a fatal outcome in the end⁶. Organized crime in India has earned about \$ 800 million from such shipments.

Illegal transportation of animals across the state borders is also widespread in South Asia. Due to poaching and trade in tigers, their population decreased by more than 95 % in 2019⁷. According to media reports, representatives of the business elite, officials and the military are involved in the illegal trade in tigers. The Republic of India still remains the world's largest commercial supplier of tigers, leopards and their organs (Mondol et al. 2015, 557).

Thus, as practice and available data show, crimes of a cross-border (transnational) nature are extremely common in South Asia, including India. Taking into account even the initial statistical and operational intelligence data, in many cases India acts as a transit location in the commission of such crimes, for example, cross-border transportation of goods for commercial purposes or drug trafficking. At the same time, the legislation of India still does not provide for the full range of legal norms that make it possible to effectively counteract new challenges and threats in the field of TOC. At the doctrinal level, an insufficient number of comprehensive studies have been conducted on the causes of TOC in India and South Asia as a whole. To this day, no qualitatively new measures and methods have been announced and proposed to combat TOC, as there is a continuous increase in crimes of a transnational nature, new threats to the regional and national security of Asian states arise.

2. Basic research

2.1. *The main causes of the growth of transnational organized crime in India*

The causes of a certain phenomenon always seem to be complex and interdependent. The TOC is not an exception here. In our opinion, the high level of poverty and unemployment affects the overall growth of crime in India, and the transnational nature is only a consequence of the deteriorating crime situation. A large number of individuals lack education, so for them, engaging in criminal activity can act as the only possible way of existence (Shestak, Karpovich 2021, 26). There was also a special extraordinary trend in India — because of the strong ethnic unity, many residents assist criminals, shelter them, provide information about the security measures taken by law enforcement agencies in a particular state, district or region.

At the same time, low-ranking criminals in South Asia do not have close ties with other groups, therefore, they are more isolated and independent, although less protected. There are also some trends in the commission of crimes with a mercenary motive by more privileged persons, for example, money laundering (mostly in foreign banks and financial structures) and illegal cross-border drug trafficking. The situation is aggravated by the fact that in India, criminal gangs at the local level, in fact, control its citizens, especially the

⁶ Global Tiger Recovery Program 2010–2022. Accessed March 20, 2025. <https://documents1.worldbank.org/curated/en/874191468331048098/pdf/732050WP00Box30110Final0Version0Eng.pdf>.

⁷ “Sin City: Illegal wildlife trade in Laos’ Special Economic Zone”. *Environmental Investigation Agency*. London. Accessed March 20, 2025. <https://eia.org/report/sin-city-illegal-wildlife-trade-in-laos-special-economic-zone>.

poor slum dwellers. Their functions are as follows: state administration of specific territories, as well as, in their opinion, the proper maintenance of public order.

The COVID-19 pandemic has presented new threats and obstacles to cooperation between states in the fight against crime, because when protecting public order, investigating crimes and interdepartmental cooperation, it is necessary to observe sanitary and epidemiological security measures. Most of the thematic scientific conferences were held in an online sphere, the number of visitors of face-to-face specialized events decreased significantly, therefore, not enough citizens are aware of current problems in the field of combatting TOC. This fact is also confirmed at the highest level — in September 2020, at the ASEAN Foreign Ministers' meeting, the participants stated: "We also recognize that COVID-19 can affect our cooperation in combatting transnational crime"⁸.

In the era of pandemic and post-pandemic, due to the transition of services and goods into electronic form, the "darknet network" has received a new round of development⁹. This has significantly affected the growth of transnational crime, because it has become easier for citizens to illegally purchase prohibited goods abroad. In turn, the criminals themselves use the "darknet" because it provides anonymity and confidentiality.

2.2. Geographical location of India as a reason for the spread of transnational organized crime

The high level of TOC is also explained by India's geographical location in South Asia: India borders Pakistan to the west, Afghanistan and Iran to the northwest, Myanmar (Das 2018), Thailand and Laos (Patil, Pandey 2022, 35) to the northeast. In violation of all international trade procedures and rules, borders with neighboring states are used to transport rosewood, African rhino horn and ivory, fake bags and perfumes, and other goods (Nafiu 2017, 37). Regular supplies of rosewood to Southeast Asia and India have stimulated the movement of goods to some parts of Africa, which is becoming an increasingly active exporting region. Based on the available information, it can be concluded that state borders are not provided with an adequate level of safeguarding and therefore are constantly used for illegal cross-border activities (Gonzalez 2016, 3). To a large extent, the reason lies in the lack of specialized law enforcement officers and specific terrain (mountains and plains, flora and fauna).

One of the most potentially dangerous, as it seems to us, is the route through the Indian union territories of Jammu and Kashmir (especially the city of Gilgit in the north), which are in sufficient proximity to Afghanistan. Also, the border with Pakistan runs throughout the western part of India, both in mountainous and flat terrain, and across the sea. In the east, India borders China, with the entire border consisting of mountainous terrain.

The rugged terrain is a huge problem for security agencies, as the region consists of high mountains in the north, hills and river channels in the south, as well as dense

⁸ Joint communiqué of the 53rd ASEAN Foreign Ministers' Meeting September 9, 2020. Accessed March 18, 2025. <https://asean.org/wp-content/uploads/2020/09/FINAL-Joint-Communique-of-the-53rd-AMM.pdf>.

⁹ Cyber Criminals Hide in the 'Dark web' to Remain Anonymous. Accessed March 18, 2025. https://economictimes.indiatimes.com/tech/internet/cyber-criminals-hide-in-the-dark-web-to-remain-anonymous/articleshow/69139795.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

rainforests¹⁰. The largest rivers Ganges and Brahmaputra, through which trade communications between countries are carried out, can be used by criminals. There is no basic communication in these places, and roads and railways are damaged due to regular natural disasters. This location plays into the hands of criminals: organized groups began to study in advance the movement of India's few national security forces.

Taking into account the geographical features of India, the most common and probable ways and routes of illegal movement of criminals and smuggling of goods (Das 2018, 581), the opinions of representatives of the scientific doctrine on this issue (Bajwa, George, Sinha 2016, 6), as well as own conclusions and assumptions, a detailed infographic was compiled taking into account these factors (Fig. 1).



Fig. 1. Used and potential routes of movement of goods and criminal groups

¹⁰ Most illiterate adults live in India. Accessed March 18, 2025. <https://ria.ru/20140130/992149652.html>. (In Russian)

Thus, the geographical location of India directly determines the availability of ample opportunities for the commission of cross-border crimes. From a number of crimes, four most frequently committed and especially dangerous categories of crimes can be distinguished: terrorist crimes, drug trafficking, human trafficking and cybercrime. Each of the mentioned crimes may have a sign of cross-border (transnationality), in particular, when transferring criminal groups, illegal transportation of goods or people or their organs, any routes described in Fig. 1 can be used.

As for cybercrime, in the era of information technology development, criminals have become more likely to commit crimes while being in one country and attacking the same objects of critical infrastructure of another state¹¹. However, such criminals do not always aim to commit large-scale hacker attacks, because it is not difficult to deceive a simple ordinary citizen of another country, having a sufficient amount of information about him or her, since it is extremely difficult to subsequently establish the location of a criminal. The reason lies in special programs that allow you to constantly change your geolocation (IP-address) when performing the actions necessary for a criminal¹².

Such a concept as “transit” location of India, first of all, lies in the diversity and variability of existing routes of movement of both goods and people, as well as criminals themselves. That is, for example, the illegal transportation of various goods can be carried out from the countries of Southeast Asia through India and sent to Africa or Europe — this is a classic example of cross-border trafficking in people or narcotic and psychotropic substances. Thus, Afghanistan is recognized as one of the major producers of narcotic drugs, in particular heroin, which redirects its goods to other countries using various established routes and methods of transportation¹³.

For militants and criminal organizations, India can also act only as a temporary haven for preparing terrorist acts in other states, recruiting its supporters. For example, a terrorist group from Bangladesh, Jamaat-ul-Mujahideen (a terrorist organization banned in the territory of the Russian Federation), recruits Indian citizens both for attacks on India and Bangladesh (in 2016, there was an attack on a restaurant in the capital of Bangladesh in Dhaka, as a result of which 22 people were killed¹⁴).

2.3. Transnational nature of terrorist crimes

The Institute for Economics and Peace annually publishes reports on the Global Terrorist Index, which analyzes the level of danger and exposure of states to terrorist threats based on various quantitative indicators. In 2022, India took 12th place in the ranking¹⁵, rising two places higher compared to 2021. The number of terrorist acts committed

¹¹ Italy announced a large-scale hacker attack on computer servers around the world. Accessed March 18, 2025. <https://www.kommersant.ru/doc/5810671?ysclid=ldzrhqx1f2471119448>. (In Russian)

¹² Hackers enabled VPN. Accessed March 18, 2025. <https://www.kommersant.ru/doc/5358851?ysclid=ldzrphzcs66584701>. (In Russian)

¹³ Afghan opiate trafficking along the northern route. Accessed March 21, 2025. https://www.unodc.org/documents/publications/NR_Report_21.06.18_low.pdf.

¹⁴ Terrorist groups are preparing terrorist attacks in Indian cities. Accessed March 18, 2025. <https://rossaprimavera.ru/news/terroristicheskie-gruppirovki-gotovyat-terakty-v-gorodah-indii>. (In Russian)

¹⁵ Global Terrorism Index 2022. Accessed March 18, 2025. <https://www.visionofhumanity.org/wp-content/uploads/2022/03/GTI-2022-web.pdf>.

annually in India is off the scale: 10887 terrorist acts were committed between 2000 and 2020¹⁶. Their number has been steadily growing since 1970. Terrorism in India is often divided into different types, in each of which a specific purpose of committing specific terrorist acts prevails. In particular, in India, terrorism can be conditionally divided into the four largest categories: ethno-nationalist, religious, leftist and narcoterrorism.

As noted earlier, India is notorious for a significant number of constantly committed terrorist acts. Due to their scale, many of them have become known to the whole world, for example, the attack on Mumbai on August 25, 2003, the bombings of trains in Mumbai in 2006, the explosion on a train in Assam on December 30, 1996, the detonation of explosive devices in Bombay on March 12, 1993, the bombings in Hyderabad in 2013 — and this not the whole list of tragic events¹⁷.

It is also noteworthy that terrorist activity is becoming cross-border in nature — many of the terrorist acts committed in India were planned and prepared from abroad. Already today, it is reported that about 300 militants are operating in the allied territories of India, Jammu and Kashmir, supported by Pakistan¹⁸.

In 2015, the Indian army conducted a special operation to destroy insurgents on the state border between India and Myanmar, as a result of which several criminal groups were eliminated. Then the official representatives of the Indian authorities claimed that their armed forces crossed the border and carried out a “cross-border operation” to eliminate criminals in Myamna. At the same time, Myanmar denies such information, considering that the operation was carried out only on the territory of India¹⁹. According to various estimates, the number of militants killed reaches 100 people²⁰.

In August 2022, it became known that the competent authorities of the Russian Federation had discovered an alleged suicide bomber from Uzbekistan, recruited by the Islamic State (a terrorist organization banned in the territory of the Russian Federation) in Turkey, who, after his trip to Russia, intended to carry out self-detonation against high-ranking government officials in India²¹. The organs of the Federal Security Service of Russia were in close cooperation with the relevant security services of India and planned the arrest of this citizen. He was arrested on the territory of the Russian Federation, testified on the fact of preparing a terrorist act and confirmed to law enforcement officers his criminal intentions.

As for the “transit status” of the Republic of India in the context of terrorist acts, it seems difficult to draw an unambiguous conclusion here, since the management system of

¹⁶ Number of terrorist attacks, 2000 to 2020. Global Terrorism Database. Accessed March 18, 2025. <https://ourworldindata.org/grapher/terrorist-incidents?time=2000.latest>.

¹⁷ List of Terrorist Incidents in India. Accessed March 18, 2025. https://en.wikipedia.org/wiki/List_of_terrorist_incidents_in_India.

¹⁸ Mumbai Attacks: Four Years Later. Accessed March 21, 2025. <https://www.brookings.edu/articles/mumbai-attacks-four-years-later>.

¹⁹ Myanmar denies Indian Army raid inside its territory. Accessed March 18, 2025. <https://www.deccanchronicle.com/150611/nation-current-affairs/article/myanmar-denies-indian-army-raid>.

²⁰ Inside story: Over 100 northeast militants may have been killed in Army's Myanmar operations. Accessed March 18, 2025. <https://timesofindia.indiatimes.com/india/inside-story-over-100-northeast-militants-may-have-been-killed-in-armys-myanmar-operations/articleshow/47609757.cms?from=mdr>.

²¹ Russia detains IS suicide bomber plotting terrorist attack in India. Accessed March 18, 2025. https://economictimes.indiatimes.com/news/defence/russia-detains-is-suicide-bomber-plotting-terrorist-attack-in-india/articleshow/93705897.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

criminal terrorist groups is comprehensive and often strictly anonymous. In most cases, terrorist acts are planned and prepared to be committed specifically on the territory of India. That is, in other words, from neighboring countries, criminal groups illegally move and commit terrorist acts in India. However, of course, terrorists can move through the territory of India as a transit location and a way of moving, as well as transferring their groups to other states, let's say, from Southeast Asian countries to Islamic, African and European states in theory, but this is most likely an exception to the rule and such plans are quite difficult to investigate and to identify by law enforcement agencies. Nevertheless, there is enough evidence for the thesis that terrorist acts are being prepared from abroad, therefore, they have a transnational character.

Transnational criminal organizations with colossal influence, infrastructure and capabilities around the world are also actively developing (Williams 1994, 102). They carry out, among other things, the preparation of terrorist acts on the territory of other countries (Avant, Haufler 2012, 254).

"Company-D" is one of the most famous and dangerous Indian criminal gangs on a global scale. The organization aims to finance terrorism, illegal cross-border drug trafficking, arms trafficking, money laundering. The syndicate has a serious influence on the territories of Asia, Europe and even Africa. According to media reports, the founder and ideological inspirer is Dawood Ibrahim. At the same time, more than 40 % of its income comes from India.

In 2003, Dawood Ibrahim was declared an "international terrorist" by India and the United States of America²². He is wanted by the Federal Bureau of Investigation and Interpol, was third in the Forbes list of "10 most wanted persons in the world". There is a widespread opinion in society and the media about the involvement of the head of Company-D, Dawood Ibrahim, in the Bombay bombings in March 1993²³. Dawood Ibrahim's direct relation to the terrorist acts in Mumbai under the auspices of Lashkar-e-Taiba (a terrorist organization banned in the territory of the Russian Federation), including the attack on the famous Taj Mahal Hotel, is also revealed (Weinstein 2008). There are also such assumptions that it was Dawood who secretly transported criminals across the state border to India.

With sufficient financial influence and administrative resources, the head of Company-D, Dawood Ibrahim, invests in real estate in Karachi, Dubai and India. It is known that he supports militants in the allied territory of India — Kashmir, as well as in Northern Nigeria. According to some reports, Dawood Ibrahim controls a significant part of the Hawala financial system²⁴. He is also linked to the financing of terrorist attacks in Gujarat²⁵.

²² Dawood Ibrahim is a Global terrorist: US. Accessed March 18, 2025. <https://www.rediff.com/news/2003/oct/17daw.htm>; US slaps sanctions on Dawood Ibrahim. Accessed March 21, 2025. <https://timesofindia.indiatimes.com/world/us/us-slaps-sanctions-on-dawood-ibrahim/articleshow/1606795.cms>.

²³ Elusive "Tiger" on RAW's radar as India hunts for mastermind of Mumbai blasts. Accessed March 18, 2025. <https://www.onmanorama.com/news/india/2020/09/16/tiger-memon-1993-mumbai-serial-blasts-dawood-ibrahim.html>.

²⁴ The mystery of Indian gangster Dawood Ibrahim. Accessed March 18, 2025. <https://www.esquireme.com/crime-the-mystery-of-indian-gangster-dawood-ibrahim>; How India plans to weaken Dawood Ibrahim and his syndicate. Accessed March 18, 2025. http://timesofindia.indiatimes.com/articleshow/48674950.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

²⁵ Possible al-Qaida link to India train attacks. Accessed March 18, 2025. <https://www.nbcnews.com/id/wbna13815413>.

According to “India Today” Dawood Ani (brother of Dawood Ibrahim) controls the betting of the entire Indian Premier League. In 2018, one of the criminals of Company-D spoke to a news correspondent and said that he could influence the outcome of $\frac{2}{3}$ of all games around the world. Despite the extensive international cooperation of the competent authorities in the capture of Dawood Ibrahim, he was never brought to criminal liability and was not brought to trial.

2.4. Illegal cross-border trafficking of narcotic drugs and psychotropic substances

According to the UN, about 284 million people use narcotic drugs in the world by 2022. Since April 2021, due to the COVID-19 pandemic, the number of people who use drugs on a regular basis has increased significantly — about 100 million people as of June 2022²⁶. The consumption of narcotic drugs and psychotropic substances among the young population has also significantly increased.

The Republic of India is recognized as one of the ten largest opiate markets and regions of their use²⁷. Moreover, about 13 % in the statistics of opiate use are persons under 20 years of age²⁸. Opium is also intended for further sale for pharmaceutical purposes, which makes it difficult to track it on the international market.

As noted earlier, India acts as a transit location for the transportation of drugs from Afghanistan to European countries, Africa, as well as nearby CIS countries²⁹. From Southwest Asia (mainly Pakistan and Afghanistan) and Southeast Asia (for instance, Laos, Thailand), large quantities of heroin destined for the European market arrive in India³⁰. In particular, a number of cases of drug seizures from persons traveling to Europe have been recorded at the New Delhi airport.

Numerous UN studies note³¹, that India is a transit country due to its geographical location, namely, it is located near the countries that produce the most drugs. If Japan is used as a transit location for the illegal transportation of drugs through air and sea routes, then transit through India is carried out mainly by land and air routes. Although criminals also use sea routes, such as the Arabian Sea and the Bay of Bengal³². This report mentions that “the number of cases of interception of maritime drug trafficking has increased, especially

²⁶ Around 100 million Indians consume drugs like cocaine and cannabis, says narco top cop. Accessed March 18, 2025. <https://www.cnbctv18.com/india/drug-abuse-among-indian-youth-higher-traffickers-using-anonymous-parcel-route-narco-top-cop-13770352.htm>.

²⁷ India's Fight Against Drug Abuse. Accessed March 18, 2025. <https://newsonair.com/2022/09/14/indias-fight-against-drug-abuse/>.

²⁸ 13 % Of Drug Abuse Victims In India Below 20 Years Of Age: UN Official. Accessed March 18, 2025. <https://www.ndtv.com/india-news/13-of-drug-abuse-victims-in-india-below-20-years-of-age-un-official-3529342>.

²⁹ Analysis of current situation on illicit drug trafficking. 116th International Training Course. Accessed March 18, 2025. https://www.unafei.or.jp/publications/pdf/RS_No58/No58_19RC_Group1_Phase1.pdf.

³⁰ “Southwest Asia”. U. S. Department of State. Accessed March 18, 2025. <https://2009-2017.state.gov/j/inl/rls/nrcrpt/1999/923.htm>.

³¹ Report of the Twenty-second Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held at Kuala Lumpur from 26 to 30 October 1998. Accessed March 18, 2025. https://www.unodc.org/pdf/document_1998-12-02_1.pdf.

³² Drug trafficking through maritime routes, postal services on rise: NCB. Accessed March 18, 2025. <https://www.hindustantimes.com/india-news/drug-trafficking-through-maritime-routes-postal-services-on-risen-101664305955719.html>.

in the western region of India. Drugs come from the ports of Afghanistan and Iran, which are sent to India or are in further transit to countries such as Sri Lanka, Maldives, etc.”

Asian states (Afghanistan and the countries of the “Golden Triangle”), which produce drugs more than others, need to sell their goods. As a result, not only is the level of consumption of narcotic drugs and psychotropic substances increasing in India, but also the number of illegal drug transportation routes to the countries of further destination is growing. However, it is obvious that in some cases drugs are intended for consumers in India itself. So, in 2021, about three tons of Afghan heroin worth \$ 2.7 billion were seized in one of the Indian ports³³.

2.5. Cybercrime as one of the types of transnational crime

South Asia is recognized by many experts as a hotbed of cybercrime for a reason (Rogozhin 2017). Cybercrime is increasingly cross-border in nature, since it is quite difficult to track the actions of violators and their location for a number of reasons: changing the IP address, using public places like Indian Internet cafes to commit a crime, high-tech equipment to ensure the anonymity of actions (Rohret, Kraft 2011), an extensive management system for criminal groups (Dar, Lone 2020). The scheme is simple: criminals use their capabilities and commit cyber-attacks on foreign information devices, while being in other countries.

It should be noted that in the full sense of the word, it is impossible to call India or any other country a transit location when committing cybercrimes, since crimes are committed either from India to a foreign state or from a foreign state to India, which proves the transnational aspect of cybercrime.

Thus, the numerous and incessant mutual cyberattacks of Pakistan, India and China negatively affect the stability and information security of states and their critical infrastructure facilities³⁴. At the same time, these countries pay sufficient attention to the development of information technologies, as well as create the necessary legislative mechanisms to counter threats in the information environment. The criminal legislation of many countries describes such crimes on the basis of “using IT”. However, there are also those countries where, in addition to the national Criminal Code, special laws have been adopted to combat cybercrime, providing for separate signs of cybercrime, including cyberterrorism (Panneerselvam 2022, 30). In particular, the Republic of India adopted “The Information Technology Act” on June 9, 2000³⁵, The Republic of Pakistan adopted “The Prevention of Electronic Crimes Act” on August 11, 2016³⁶. It is noteworthy that

³³ Almost three tons of heroin from Afghanistan worth \$ 2.7 billion were seized at the port of India. Accessed March 18, 2025. <https://newizv.ru/news/2021-09-21/v-portu-indii-iz-yali-pochti-tri-tonny-geroina-iz-afganistana-stoimostyu-2-7-mlrd-334506?ysclid=le00mznkd7207411591>. (In Russian)

³⁴ Pakistan emerges as China's proxy against India. Accessed March 21, 2025. <https://www.orfonline.org/research/pakistan-emerges-as-chinas-proxy-against-india>; India confirmed the fact of the September cyberattack on the nuclear power plant computer network. Accessed March 18, 2025. <https://regnum.ru/news/2767222.html> (In Russian); India in the era of cyber warfare. Accessed March 18, 2025. <https://russiancouncil.ru/analytics-and-comments/analytics/indiya-v-epokhu-kibervoynt/>. (In Russian)

³⁵ The Information Technology Act, 2000. Accessed March 18, 2025. <https://eprocure.gov.in/cppp/rulesandprocs/kbadqkdlcswfjdelrquehwuxcfmijmuixngudufgububgubfugbububjxcgfvbsdihbgfGhdgFHytyhRtMjk4NzY=>.

³⁶ The Prevention of Electronic Crimes Act, 2016. Accessed March 18, 2025. https://na.gov.pk/uploads/documents/1470910659_707.pdf.

in Afghanistan, as an addition to the main Criminal Code, the so-called “Cyber Crime Code” was also adopted³⁷.

Since 2002, the National Crime Records Bureau of India has been keeping special records of cybercrimes, which are provided for by the Indian “The Information Technology Act”, which entered into force in 2000³⁸. Using statistics from the National Crime Records Bureau of India from 2002 to 2020, a table was compiled describing quantitative indicators of cybercrime in India (Fig. 2).

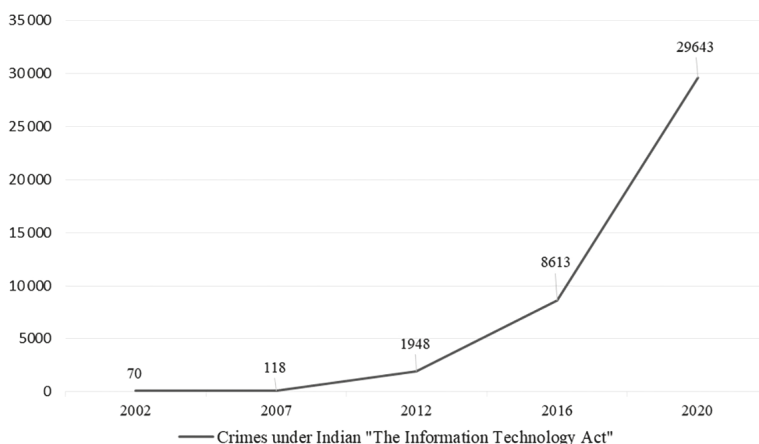


Fig. 2. The number of registered cybercrimes in India in accordance with the Indian “The Information Technology Act” (based on: “Crime in India Table Contents”. *National Crime Records Bureau of India*. Accessed April 8, 2022. <https://www.ncrb.gov.in/crime-in-india-table-content.html?year=2022&category=>)

Analyzing the data presented in Fig. 2, it can be concluded that the adoption of a special law makes it possible to record a large number of illegal acts that until some time remained out of sight of Indian law enforcement agencies (latent crimes) and were actually legal. It is in connection with the adoption of a special law in the IT sphere that the detection of crimes is also increasing. The Indian “Information Technology Act” is constantly being amended, new acts are being criminalized, which also increases the level of registered crimes. Another trend that this table demonstrates is that with the development of IT, the capabilities of criminals have significantly expanded, new ways of committing crimes have appeared, and therefore there is a significant increase in quantitative indicators of cybercrime in India.

2.6. Human trafficking as a cross-border crime

India is recognized as the leader in recorded cases of human trafficking in South Asia³⁹. Human trafficking and related acts are prohibited by a whole block of laws, but

³⁷ Afghanistan: Cyber Crime Code Signed into Law. Accessed March 18, 2025. <https://www.loc.gov/item/global-legal-monitor/2017-08-16/afghanistan-cyber-crime-code-signed-into-law/>.

³⁸ “Crime in India Table Contents”. *National Crime Records Bureau of India*. Accessed April 8, 2022. <https://www.ncrb.gov.in/crime-in-india-table-content.html?year=2022&category=>.

³⁹ India leads South Asia in human trafficking: UN. Accessed March 18, 2025. <https://gulfnnews.com/world/asia/india/india-tops-in-south-asias-human-trafficking-un-1.1364474>.

one of the most fundamental is, of course, The Constitution of India (Art. 23)⁴⁰ and The Indian Penal Code⁴¹ (Art. 370–374). The crime is often of a cross-border nature: using already known illegal routes for the transportation of goods, criminals transport people from India (or from Southeast Asian states through India) in order to further sell them into slavery to European or African states. In this sense, India actually acts as a transit location for the transportation of people and their organs to Europe and Africa from countries such as Thailand, China, Vietnam, Myanmar and Indonesia.

Obviously, due to the high level of poverty (although local rural households allow you to earn at least some financial means for survival (Jacoby 2016)), low social status, historically established traditions and caste system, it is extremely difficult for residents of India to protect themselves and their rights. For others, on the contrary, the lack of financial resources, social elevators predetermine the motivation to voluntarily agree to slavery (Sahni, Shankar 2013, 35).

So, based on the statistics of the National Crime Records Bureau of India⁴², a table was compiled revealing the main trends in the commission of crimes in the field of human trafficking from 2015 to 2020 (Fig. 3).

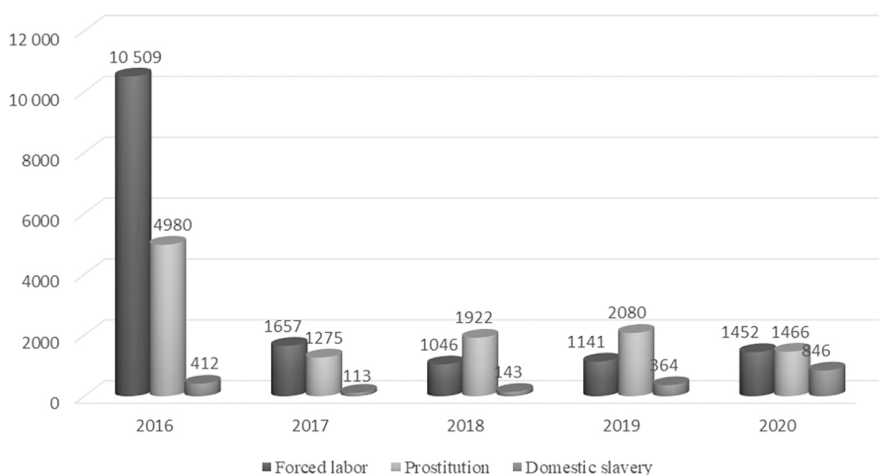


Fig. 3. Registered cases of human trafficking in India (based on: “Crime in India”. *National Crime Records Bureau*. Accessed March 18, 2025. <https://www.ncrb.gov.in/crime-in-india.html>)

Figure 3 shows the three most common aims of human trafficking in the Republic of India. So, according to the National Crime Records Bureau of India, these are forced labor, prostitution and domestic slavery. It is essential to mention that the number of registered cases includes all states and union territories of India. The transnational aspect of human trafficking is not considered or described in the annual reports of the Indian Bureau, although in many cases it is an integral part of the *corpus delicti*.

⁴⁰ “The Constitution of India”. *Legislative Department of the Ministry of Law and Justice of the Republic India*. Accessed March 18, 2025. <https://legislative.gov.in/constitution-of-india>.

⁴¹ Indian Penal Code. Accessed March 18, 2025. <https://legislative.gov.in/sites/default/files/A1860-45.pdf>.

⁴² “Crime in India”. *National Crime Records Bureau*. Accessed March 18, 2025. <https://www.ncrb.gov.in/crime-in-india.html>.

Based on the data in Fig. 3, a logical question arises — why has the number of registered cases decreased significantly? The answer lies in the word “registered”, because most crimes have become latent, and it has become more difficult for law enforcement agencies to identify and register them⁴³. At the same time, Thomson Reuters believes that the decrease in human trafficking rates is the merit of non-governmental organizations and charitable institutions that carry out the prevention of human trafficking, as well as help people affected by such crimes. In fact, the systematic development of Indian legislation in the field of combating human trafficking and the adoption of new acts also play a key role here. In particular, the draft law “The Trafficking in persons (Prevention, Care and Rehabilitation) Bill” is under consideration from 2021⁴⁴. It includes provisions such as the extension of the scope of Art. 370 of the Indian Penal Code, provides for the death penalty for certain crimes. It should be considered by the Parliament of India in the near future⁴⁵. It is likely that the qualitative functioning of civil society institutions that interact with Indian law enforcement agencies also affects the reduction of quantitative indicators of human trafficking.

The number of cases of forced labor from 2017 to 2019 is on the decline, although in 2020 an average of 1466 people was recorded. As for domestic slavery, it is steadily growing — from 113 cases to 846, respectively. There is also an increase in the number of cases of prostitution — from 2017 to 2020 from 1275 to 2080, although in 2020 there was a slight decline to 1466.

There were no statistics on crimes committed in separate periods of 2021, since the COVID-19 pandemic destabilized the activities of courts and law enforcement agencies. Although some courts attempted to conduct online sessions, most criminal cases were not recorded in statistics⁴⁶. For these and other reasons, and in the absence of official data, it is not possible to trace all the current trends in cybercrime and human trafficking in 2020–2021.

2.7. Legal regulation of countering transnational organized crime in India

The main provisions concerning criminal prosecution for the commission of cross-border crimes are regulated by the Indian Criminal Code. Criminal liability for the commission of cross-border (organized) crimes occurs, first of all, provided that there is an institution of complicity in the legislation of a particular state. Thus, criminal conspiracy is prohibited by the Indian Penal Code and is a separate crime (Art. 120B).

At the same time, it is also necessary to outline the spatial effect of the Indian Criminal Code. According to Art. 2 “Punishment of offences committed within India” — any person is criminally liable for an act or omission that violates the provisions of the Indian

⁴³ Indian trafficking cases fall sharply fuelling concern over “undetected victims”. Accessed March 18, 2025. <https://www.reuters.com/article/us-india-crime-trafficking-idUSKBN1X11WK>.

⁴⁴ “The Trafficking in persons (Prevention, Care and Rehabilitation) Bill, 2021”. *Citizens for Justice and Peace*. Accessed March 21, 2025. <https://cjp.org.in/wp-content/uploads/2021/07/DRAFT-TRAFFICKING-IN-PERSONS-PREVENTION-CARE-AND-REHABILITATION-BILL-2021-1.pdf>.

⁴⁵ Don't delay the passage of the Anti-Trafficking Bill 2021. Accessed March 18, 2025. <https://www.hindustantimes.com/opinion/dont-delay-the-passage-of-the-anti-trafficking-bill-2021-101646470168377.html>.

⁴⁶ 2021 Trafficking in Persons Report”. Accessed March 18, 2025. <https://www.state.gov/reports/2021-trafficking-in-persons-report/india/>.

Penal Code. Article 5 provides for criminal liability for the commission of an unlawful act under Indian law if a person commits a crime outside India. Article 4 of the Indian Penal Code extends the action of the Criminal Code in relation to extraterritorial crimes in three cases:

- an Indian citizen commits a crime outside the territory of India;
- any person who has committed a crime on any ship or aircraft registered in India, regardless of the place of its commission;
- any person who has committed a crime outside the territory of India directed against a computer device located in India.

Human trafficking is criminalized both by the Indian Penal Code (Art. 370–374) and by special laws. Other crimes that may have a cross-border feature, such as drug trafficking, cybercrimes are also prohibited in accordance with Indian law.

At the same time, some legal and technical features of the Indian legal tradition should be noted. In particular, the same Art. 366B of the Indian Penal Code provides for criminal liability for “Importation of girl from foreign country”. That is, unlike many other cases, it is the cross-border nature of the crime that stands out here. However, neither the Criminal Code nor special laws single out other, separately named signs of crimes exclusively of the aforementioned transnational nature. Consequently, the Indian legislator took the following path: there is an ordinary crime, and the transnational nature of the crime is only a special case of it. However, this approach can also be traced in Russian legislation, but it also has its drawbacks. For example, law enforcement officers analyze such crimes as the most typical, having no specific distinctive features and do not even assume that criminals may have accomplices in other states, have close ties with foreign criminal groups and carry out their tasks and assignments. Such a concept, it seems, can be considered extremely limited, because a significant amount of evidence and operational information is missing, allowing to establish the circle of persons involved and the circumstances of the crime, and sometimes it is not possible to detect signs of transnational (organized) crime at all. Thus, the allocation of special cross-border signs of crimes will allow criminalizing new socially dangerous acts of a transnational nature, as well as significantly improve the quality of crime investigation (Khizhnyak 2015).

In addition to Art. 366B of the Indian Criminal Code, similar signs of crimes of an exclusively cross-border nature can be found in the Russian Criminal Code⁴⁷, for example, Art. 226¹ of the Criminal Code of the Russian Federation (Khizhnyak 2017, 198). Based on this, it can be concluded that each state criminalizes only those cross-border acts that have an inherent sign of high public danger, taking into account the criminogenic situation in the state. At the same time, given the prevalence of a number of transnational crimes in India, the possibility of expanding such a list should probably be considered.

2022 marks the 20th anniversary of India’s signing of the UN Convention against Transnational Organized Crime⁴⁸. Despite the progressive nature of the provisions of this international act, there are no effective mechanisms to combat TOC at the level of national legislation of India. Currently, a number of federal laws have been adopted that only

⁴⁷ Criminal Code of the Russian Federation, 1996. Hereinafter all the Russian acts are cited from SPS “ConsultantPlus”. Accessed March 18, 2025. <https://www.consultant.ru>. (In Russian)

⁴⁸ India: Significance of the United Nations Convention against Transnational Organized Crime (UNTOC) to address human trafficking. Accessed March 18, 2025. <https://www.unodc.org/southasia/en/frontpage/2011/june/significance-of-the-untoc-to-address-human-trafficking-interview-with-mr-g-k-pillai.html>.

indirectly affect this issue, namely: The National Security Act (1980)⁴⁹, The Prevention of Illicit Traffic in Narcotic Drug and Psychotropic Substances Act (1988)⁵⁰. It is noteworthy that for the first time TOC was given a definition in Indian legislation, but the federal law on this issue has not been adopted in India. Nevertheless, according to the absolute majority of representatives of the Indian scientific doctrine, there is still an urgent need in India to create a unified act that would give the concept of TOC, define the main mechanisms in the fight against TOC, consolidate the relevant competent authorities, their powers, as well as procedural aspects of interstate and interdepartmental cooperation in the field of combating with TOC.

2.8. Interaction of civil society and law enforcement agencies in combatting crime

In 1991, during the riots in India, Inspector General of Police Prateep V. Philip, who was seriously injured, was saved from imminent death by a bystander⁵¹. At that time, police officers ensured law and order in other parts of the city. It should be mentioned here that India is the most populous state in the world and due to the fact that there is a shortage of personnel ensuring public order, this prompted many to think about the establishment of special public structures working together with law enforcement agencies. In our opinion, a natural step could be to expand the scope of activities of public structures, namely: ensuring the organization of work to prevent cross-border crimes, expanding the scope of activities, providing tips and special operational information from law enforcement agencies.

In this regard, the experience of “Mitra Police” or “Friends of Police” is extremely remarkable⁵². This is a public project established in 2015 to maintain law and order and improve communication between government organizations and citizens of India. The members of this structure are former state civil servants, military personnel in reserve and retired, ex-lawyers, students and activists. Employees of the organization are entitled to interact with law enforcement agencies in the investigation of crimes, as well as act as informants for the latter. It is noteworthy that representatives of Mitra carry out their activities *pro bono*. The website of the Ministry of Home Affairs of the Republic of India indicates 23 types of activities that such persons can engage in: checking data on crimes, environmental protection, analytical and informational assistance in social networks, informing about anti-social cells and elements. An analysis of the activities of various Indian organizations allows us to establish that, as a rule, public initiatives in India function

⁴⁹ The National Security Act, 1980. Accessed March 18, 2025. https://www.mha.gov.in/sites/default/files/ISdivII_NSAAAct1980_20122018.pdf.

⁵⁰ “The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988”. *Ministry of Home Affairs of the Republic of India*. Accessed March 18, 2025. https://dor.gov.in/files/acts_files/PITNDPS_Act.pdf.

⁵¹ Sriperumbudur attack survivor Prateep Philip, DGP, hangs up boots. Accessed March 18, 2025. <https://timesofindia.indiatimes.com/city/chennai/sriperumbudur-attack-survivor-prateep-philip-dgp-hangs-up-boots/articleshow/86661239.cms>.

⁵² Civilians to now assist police as “Police Mitra”. Accessed March 21, 2025. URL: https://www.business-standard.com/article/pti-stories/civilians-to-now-assist-police-as-police-mitra-116102800866_1.html.

successfully due to any unifying factors: social group, political views, belonging to a certain profession⁵³.

In contrast to the classical model of combatting crime, when considering the approach of involving citizens in assisting in the fight against crime, some significant advantages can be identified. Firstly, if the motivation of police officers to perform their official duties is often associated with receiving a salary or a sense of so-called “duty”, then representatives of civil society are driven, to a greater extent, by certain moral values, a sense of justice. Of course, appropriate qualification requirements should be imposed on such persons, and it is necessary to allow them to a particular type of activity taking into account personal characteristics and professional qualities.

It is well known that India has one of the lowest levels of trust in police officers in the world⁵⁴. That is why the establishment of the activities of public organizations can improve the criminogenic situation in the state, as well as eliminate existing barriers in the interaction of the police and citizens, especially with the younger generation. It is also interesting that a criminal tends to trust a simple citizen with similar habits and habits more than a policeman who can work “undercover”. In this case, for a policeman, the randomness factor does not play at all in his favor, since the chance of being detected remains invariably high. Undoubtedly, it is not a secret that in the practice of investigating criminal cases, law enforcement officers often have to “infiltrate” a certain structure in order to obtain information or evidence in a criminal case.

As mentioned earlier, the lack of personnel, high density and population size affect the effectiveness of the fight against crime in India. At the same time, the issue of allocating appropriate financial resources is particularly acute. In this case, if activists have a desire and a clear civic position, it is extremely important to provide them with work, even if it is gratuitous. Public activists could be involved, for example, in protecting the state borders of India, patrolling the relevant territories, facilitating public raids together with law enforcement officers, and other types of socially useful labor. Since there are many national and cultural holidays in any state, it is necessary to ensure public safety at such events. Again, taking into account the number of population in India, ensuring public order is not the easiest thing.

The adoption of a special law (including on the TOC), giving participants of state and non-governmental organizations the appropriate rights and responsibilities would help formalize the institution of cooperation with law enforcement agencies. Due to clear and, most importantly, formally fixed mechanisms of interaction with state structures, the effectiveness of the investigation and prevention of crimes (including TOC) could increase significantly. Note that the form of assistance can be any, be it information, equipment, special skills and the like.

⁵³ Police reach out to accident victims' families to help clear insurance hurdle. Accessed March 21, 2025. <https://timesofindia.indiatimes.com/city/kolkata/police-reach-out-to-accident-victims-families-to-help-clear-insurance-hurdle/articleshow/85846465.cms>; Women in law: How police Mitras combat crime in this UP district. Accessed March 18, 2025. <https://www.thehindu.com/features/magazine/Women-in-law-How-police-mitras-combat-crime-in-this-UP-district/article16437578.ece>; 2000 people are helping the police fight crime — for no pay. Find out why. Accessed March 18, 2025. <https://www.youthkiawaaz.com/2017/09/police-mitra-delhi-civilians-fight-crime>.

⁵⁴ Only 25 % Indian trust police: Survey. Accessed March 18, 2025. <https://timesofindia.indiatimes.com/india/only-25-indians-trust-police-survey/articleshow/72302944.cms>; India's police force among the world's weakest. Accessed March 18, 2025. <https://www.livemint.com/news/india/india-s-police-force-among-the-world-s-weakest-1560925355383.html>.

3. Conclusions

Transnational organized crime is an extremely specific phenomenon, because in order to minimize its impact on the security of states, it is necessary to establish channels of interaction between the competent authorities of various countries (Naumov 2000). In all likelihood one of the problems in the fight against TOC in the context of interstate cooperation is limited access to Asian resources and operational bases, since each state has its own sovereignty and does not open access to secret information. It is necessary to build up the potential of interstate cooperation and, probably, it would be necessary to establish new own regional structures with operational investigative functions, to provide mechanisms to combat crime — like Europol or Afripol. At the same time, international cooperation in the fight against crime begins with the first level — the national one, where the state must realize all its capabilities, provide legislative mechanisms to counter TOC, allocate appropriate funding for the development of various socially important programs, establish a department for combating TOC under a specific state body or even a separate independent structure.

As for India, it is necessary to strengthen cooperation within the framework of international organizations such as Interpol and UNODC, as well as regional ones such as the SCO or BRICS. In particular, it is particularly worth noting the mutually beneficial and fruitful relations between the Russian Federation and the Republic of India. Cooperation consists not only in taking similar positions on a number of key political issues, but also in the fight against crime. So, the extradition treaty has been concluded⁵⁵, the treaty on mutual legal assistance in criminal matters⁵⁶, the agreement on cooperation in the field of security in the use of information and communication technologies⁵⁷.

This study shows that India often acts as a transit location for crimes of a transnational nature. The research schematically displayed the ways in which criminals, for example, illegally transport goods across the state borders of nearby states. Moreover, on the basis of various data (information reports in the media, analytical reports of competent authorities, own assumptions), various routes were presented that could potentially be used by criminals. In this regard, better work is needed to protect state security, ensure full control and video surveillance of the relevant territories.

The South Asian region is particularly vulnerable and susceptible to the influence of organized criminal groups. They have unprecedented influence not only within the South Asian region itself, but also beyond its borders, while controlling multibillion-dollar industries and the economy of other states. The existence of transnational criminal organizations negatively affects the normal functioning of nearby states: various sectors of the economy are damaged, the activities of the state apparatus and the work of law enforcement agencies are destabilized, and the overall crime rate increases. It seems rather difficult to deal with criminals who are constantly changing their location, have

⁵⁵ Extradition Treaty between the Government of Republic of India and the Russian Federation.

⁵⁶ Treaty between the Russian Federation and the Republic of India on Mutual Legal Assistance in Criminal Matters, 2000.

⁵⁷ Agreement between the Government of the Republic of India and the Government of the Russian Federation on cooperation in the field of security in the use of information and communication technologies, 2016 (Russia and India have confirmed their readiness to continue cooperation in the field of cybersecurity. Accessed March 18, 2025. https://tass.ru/politika/12323877?utm_source=yandex.ru&utm_medium=organic&utm_campaign=yandex.ru&utm_referrer=yandex.ru. (In Russian)).

an extensive management system of a criminal organization and special technical means and equipment (Moore 1987, 54), and are often closely connected with state structures. Different limits of proof, approaches to the recognition of an act as a crime, methods of investigating crimes, legal and cultural traditions, as well as the corruption of state bodies and political differences also make it difficult to effectively organize the fight against corruption. Overcoming such difficulties is possible only with the establishment of interstate and interdepartmental cooperation, the improvement of the national legislation of Asian states, the development of special regional acts in the field of combatting terrorism (for example, the BRICS Convention on extradition, the BRICS Convention on combating Transnational Organized Crime, etc.).

In India, far from the entire list of measures that are necessary for effective counteraction to TOC is being implemented. However, one of the most effective measures to combat TOC in India can be called the institute of interaction of civil society institutions with law enforcement agencies in the fight against TOC. It should also be noted the adoption of some special Indian legislative acts providing for individual crimes with a transnational character (for example, cybercrime and human trafficking). One way or another, a single law on combating transnational crime has not been adopted to this day.

After the adoption of the Federal Law on Combating TOC in India, the next logical step could be considered the allocation of funds from the federal budget, the creation of special structures to combat TOC, as well as the hiring of qualified personnel with high theoretical and practical training in the field of countering TOC. Despite the fact that public organizations working together with government agencies have been established in India, in the future it is necessary to involve citizens in large volumes of work, to inform about current problems, and, in general, to give this process a formal character — to clarify employment mechanisms that are understandable to everyone. That is, to ensure the systematic implementation of citizens in the fight against crime.

Despite the tightening of criminal legislation, criminals are moving to nearby states, which to a lesser extent control internal security and ensure law and order. Such persons can both continue their criminal activities in the new state and hide from justice.

As it was noted earlier, the study schematically examined the main routes of movement of criminals, presented potential routes of smuggling of goods through India. In this regard, there is a need for more extensive Internet coverage of rough terrain, data development, the settlement of new or border territories (especially taking into account the overpopulation of India), providing the establishment of special social and public projects.

The growth of transnational crimes, the constant movement of criminals from one state to another, difficulties in establishing the geolocation of persons involved in an illegal act directly predetermine the need to strengthen and expand cooperation in the field of extradition of persons for criminal prosecution or execution of a sentence, mutual legal assistance in criminal matters, transfer of criminal jurisdiction, as well as a number of other significant issues related to international cooperation in the field of criminal justice. Such cooperation should develop not only at the bilateral level, but also at the level of regional organizations (for example, within the framework of BRICS or SCO), which will improve the quality and level of interaction of the relevant competent authorities, departments and special state services.

Many Indian scientists claim that law enforcement officers have difficulties in the process of establishing a sign of the hierarchy of organized crime⁵⁸. After all, criminals are not connected to each other and receive tasks from anonymous managers, although in reality they form a single network. At the same time, there are also public criminal groups of the “Company-D” type, therefore, work should be carried out in all possible directions — latent crime and already known groups.

Due to the fact that India has advanced in the development of IT-technologies, it is quite acceptable for law enforcement agencies to use algorithms and artificial intelligence capabilities in the investigation of crimes of a transnational nature, analysis of a large amount of data, automatic identification of perpetrators by video cameras (in this case, data exchange between countries acquires a qualitatively new role), prediction of AI routes for cross-border crimes taking into account geographical features.

Currently, the fight against TOC is carried out both at the regional level and at the international level⁵⁹. In particular, in 2021, ten Southeast Asian countries established a new organization to combat TOC — South East Asia Justice Network (SEAJust)⁶⁰. SEAJust is an international organization that unites law enforcement agencies and their employees from nine members of the Association of Southeast Asian Nations, with the exception of Indonesia and East Timor. The new network amplifies the ASEAN Action Plan to Combat Transnational Crime, which is designed for 10 years — from 2016 to 2025. Currently, SEAJust is engaged in strengthening cooperation with the ASEAN Secretariat. The creation of such interaction networks has a positive effect on the quality of cooperation and the speed of information transfer. However, it is worth noting that it is necessary to improve the mechanisms of cooperation in the field of combating crime in those organizations that have already shown their effectiveness in practice, such as the BRICS or the SCO. It is necessary to legally consolidate the operational exchange of information by special services, the creation of special sections and units specializing in the study of problems related to TOC. Within the framework of these structures, it is necessary to develop the conventions already mentioned, to present qualitatively new and comprehensive recommendations on combating TOC, as well as to consult on an ongoing basis with the special services and departments of the participating states. The development and adoption of such acts may make it possible to simplify the criminal prosecution of fugitives from justice in foreign countries who constantly change their place of residence, to organize closer cooperation of competent authorities in the fight against transnational crime.

References

- Avant, D., V. Haufler. 2012. “Transnational organisations and security”. *Global Crime* 13 (4): 254–275. <http://dx.doi.org/10.1080/17440572.2012.715392>
- Bajwa, J. S., N. G. George, D. Sinha. 2016. “Makeover of rainbow country: Border security and connecting the northeast”. *Manekshaw Paper* 63: 1–28.
- Bilenchuk, P. D., Se. E. Erkenov, A. V. Kofanov. 1999. *Transnational crime: Status and transformation*. Ed. by P. D. Bilenchuk. Kiev, Atika Publ. (In Russian)

⁵⁸ Hierarchical model of Organized Criminal Groups. Accessed March 18, 2025. <https://www.unodc.org/e4j/zh/organized-crime/module-7/key-issues/hierarchical-model.html>.

⁵⁹ Regions under stress: when TOC threatens governance and stability. Accessed March 18, 2025. https://www.unodc.org/documents/data-and-analysis/tocta/11.Regions_under_stress.pdf.

⁶⁰ “South East Asia Justice Network”. *UNODC*. Accessed March 21, 2025. <https://www.unodc.org/roseap/en/SEAJust/index.html>.

- Dar, S. A., N. A. Lone. 2020. "Cyber crime in India". *Sambodhi UGC Care Journal* 43 (4): 118–130.
- Das, P. 2018. "Security challenges and the management of the India — Myanmar border". *Strategic Analysis* 42 (6): 578–594. <https://doi.org/10.1080/09700161.2018.1557932>
- Gonzalez, C. 2016. *Partners in crime: A case study on Hezbollah and Los Zetas*. <https://doi.org/10.13140/RG.2.2.24753.99683>
- Jacoby, H. G. 2016. "Food prices, wages, and welfare in rural India". *Economic Inquiry* 54 (1): 159–176.
- Khizhniak, D. S. 2015. *Combating transnational crimes and their investigation: Strategic aspects*. Ed. by A. G. Volevodz. Moscow, Iurlitinform Publ. (In Russian)
- Khizhniak, D. S. 2017. "Transnational criminal activity and its subjects". *Vestnik Saratovskoi gosudarstvennoi iuridicheskoi akademii* 2 (115): 196–201. (In Russian)
- Mondol, S., V. Sridhar, P. Yadav, S. Gubbi, U. Ramakrishnan. 2015. "Tracing the geographic origin of traded leopard body parts in the Indian subcontinent with DNA-based assignment tests". *Conservation Biology* 29 (2): 556–564. <http://dx.doi.org/10.1111/cobi.12393>
- Moore, M. H. 1987. "Organized crime as business enterprise". *Organized Crime Control*, 51–64. Washington, Government Printing Office.
- Nafiu, A. 2017. "Transnational organized crime in India: A new framework of analysis". *European Journal of Social Sciences* 2 (5): 33–49. <http://dx.doi.org/10.5281/zenodo.815514>
- Naumov, A. B. 2000. "Comparative study of regional characteristics of organized crime". *Organizovannaiia prestupnost' i korruptsiia* 3: 15–29. (In Russian)
- Panneerselvam, A. 2022. "Framework and challenges of cyber security in India: An analytical study". *International Journal of Information Technology and Computer Engineering* 2 (4): 27–34. <http://dx.doi.org/10.55529/ijitc.24.27.34>
- Patil, K., A. Pandey. 2022. "Drug trafficking: A growing problem for India". *Asian Journal of Forensic Sciences* 1 (1): 34–41. <http://dx.doi.org/10.55141/AJFS.2022.000112>
- Rogozhin, A. A. 2017. "Southeast Asia as a hotbed of cybercrime". *Institute of World Economy and International Relations*. Accessed March 18, 2025. <https://www.imemo.ru/news/events/text/yugo-vostochnaya-aziya-kak-ochag-kiberprestupnosti>. (In Russian)
- Rohret, D., M. Kraft. 2011. "Catch me if you can: Cyber anonymity". *Journal of Information Warfare* 10 (2): 11–21.
- Sahni, R., K. V. Shankar. 2013. *Sex work and its linkages with informal labour markets in India: Findings from the first pan-India survey of female sex workers*. IDS Working Paper. Accessed March 18, 2025. <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.2040-0209.2013.00416.x>
- Shesler, A. V. 1999. *Criminological aspects of group crime*. Krasnoyarsk, Sibirskii iuridicheskii institut MVD Rossii Publ. (In Russian)
- Shestak, V. A., V. E. Karpovich. 2021. "Causes of crime in the Republic of India". *Mezhdunarodnoe ugovnoe pravo i mezhdunarodnaia iustitsiia* 5: 24–26. <http://dx.doi.org/10.18572/2071-1190-2021-5-24-26> (In Russian)
- Van Dijk, J. 2007. "Mafia markers: Assessing organized crime and its impact upon societies". *Trends in Organized Crime* 10 (4): 39–56. <http://dx.doi.org/10.1007/s12117-007-9013-x>
- Viano, E. C. 2010. "Globalization, transnational crime and state power: The need for a new criminology". *Rivista di Criminologia, Victimologia e Sicurezza* 3 (1): 63–85.
- Weinstein, L. 2008. "Mumbai's development mafias: Globalization, organized crime and land development". *International Journal of Urban and Regional Research* 32 (1): 22–39. <http://dx.doi.org/10.1111/j.1468-2427.2008.00766.x>
- Williams, P. 1994. "Transnational criminal organizations and international security". *Survival* 36 (1): 96–113.

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