



Transnational crimes: a growing menace around the Indian subcontinent

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Abstract :- Transnational crimes are criminal activities that involve multiple countries or cross-border operations, which pose significant challenges to law enforcement agencies and national security. The globalization of commerce and communication has facilitated the rise of transnational crimes, creating a complex and sophisticated network of criminal organizations that operate across different regions and jurisdictions. To address this challenge, countries must work collaboratively and use innovative strategies to detect, investigate, and prosecute transnational crimes. International cooperation, intelligence-sharing, are essential to counter the threat of transnational crimes and promote global security and justice. There are various types of transnational crimes but they can be narrowed down into three major crimes they are,

1)Human trafficking

2)drug trafficking

3)cyber crime

These are interrelated to each other forming a cycle of crime. All the other transnational crimes such as terrorism, illegal migration, organ trafficking, data theft are all influenced by these three niche mentioned above 1,2,3.these three niches of crime will seriously affects the economy, health, peace and harmony, lifestyle, privacy, human rights of the Nation.

Keywords:- Human trafficking, Drug trafficking, Cyber crime , Transnational crimes.

I. Introduction

Crime is an act made by an individual or an group of individuals it'll be physical, mental, digital, which are against laws affecting others rights, privacy, emotions. When these crimes are made at international levels they are called as transnational crimes. The three main types of transnational crimes are :-

A. Human trafficking :-

human trafficking is a serious global issues which involves the exploitation of vulnerable individuals for commercial purposes. It is a violation of human rights and affects the people worldwide. There are various types of human trafficking which includes sex trafficking, organ trafficking and labor trafficking.

1)*Sex trafficking* :- this is a part of human trafficking, where the act is made for the work of commercial sex. Here the women and the children are highly affected, they may be transported across other countries and may be forced to work in strip clubs, massage parlor, brothels and escort services. Pornography could be considered as the back bone the sex trafficking, as it grows and promotes the demand for these type of heinous crimes. Sex trafficking affects the victim both physically and mentally which develops psychological disorders such as schizophrenia, anxiety, and many more. Traffickers use various methods for controlling of the victims such as debt bondage, drug abuse, emonophoniconal abuse, threat against their families.

2)*Organ trafficking*:- Organ trafficking is the illegal trade of human organs for transplantation with a commercial gain. It is a form of human trafficking and a serious violation of human rights, peace, laws etc. Organ trafficking usually targets vulnerable individuals living in poverty, who are willing sell their organs in exchange for money, and another form of organ trafficking is based on the blood group such as O-ve, AB +ve, AB -ve are high in demand. It is also found in the Dravidian states of India (TN, AP, KA, KL, MH) , South Africa, organ trafficking based on blood group is high in number. according to the world health organization, around 10% of all organs transplant world wide involve organs acquired through illegal means.

3)*Labor trafficking* :- Labor trafficking is another form of human trafficking where humans are forced to work against their will. It can happen in various industries such as agriculture, domestic works and labor trafficking is highly used for the Work of slavery, mining, construction etc. As per the records of life research works the countries with high labor trafficking among BRICS nation are china, India, Russia. victims of labor trafficking are often forced to work under harsh conditions and face physical emotional and financial abuses. Children and women are particularly affected by unemployment, poverty, illiteracy are highly vulnerable to labor trafficking .

4)*Pornography* :- pornography is a commercial exploitation of sexuality or explicitly sexual material. It can also be a form of human trafficking, where individuals, including children, are coerced or forced to participate in production of pornography. These individuals may have been promised a better life or job opportunity, only to find that they are trapped in the pornography industry with no way out. pornography can also have a negative impact on the victim both physically and psychologically pushing them into disorders. In another view it also affects the society, contributing to the objectification and sexualization of women and perpetuating harmful stereotypes. Pornography could be considered as the top most reason for the human trafficking through its high demand in the society. As per the annual statistics report released by the pornhub company BRICS nation porn consumption is India 60%, Brazil 40%, Russia 38%, South Africa 31%, china 19% is the rate of porn viewers which includes both people of above and below 18 years of age.

B. Illicit Drug Trafficking

The BRICS countries are among the top drug trafficking hotspots in the world, making drug smuggling an advanced, profitable and worldwide business. Drug trafficking affects the society in a negative manner especially in

terms of health, social and political stability. Weak law enforcement, corruption and extreme poverty are the main causes of the rise in drug smuggling in these nations.

A 2013 report by the United Nations Office on Drugs and Crime (UNODC) stated that the drug traffic in the BRICS nations had reached levels never seen before with an annual market value of \$87 billion. The same report stated that India has smuggling routes open over its borders with Pakistan, Nepal, Bangladesh and Myanmar that is why it is one of the world's top manufacturers of drug including Opium and Hashish.

Drug dealers use organized networks of dealers to transport drugs, which has been linked to the predominance of drug smuggling along certain routes across the nation. Drug smuggling has increased the misuse of drugs which in turn has increased the demand for treatment and rehabilitation services.

The National Drug Dependence Treatment Center (NDDTC) states that India has taken necessary steps such as increase in border patrols increase in sharing intelligence with other nations and stronger enforcement of drug laws. The amount of drugs entering the nation has not significantly decreased despite these attempts.

Another significant problem that India faces is human trafficking especially when it comes to the exploitation of women and children for sexual purposes and organ harvesting. The victims of human trafficking are moved across India's borders to its neighboring countries sometimes even to the countries across globe depending upon the organization of the traffickers.

India has set up anti-trafficking organization, victim rehabilitation centers and penalties for traffickers to prevent human trafficking. Lack of funding, corruption and lack of public awareness are the many reasons why these organizations do not work properly. Non-government organizations and civil society organizations have also been helpful in bringing attention to and helping victims of drug misuse and human trafficking.

The 4th Session of the BRICS Anti-drug working group held on August 12 2020 talked about the ways to prevent drug smuggling via shipping routes and the objectives of meeting are as follows:-

“Fruitful exchange of opinions concerning the drug situation in the BRICS states, the international and regional trends of illegal trafficking in narcotic drugs, psychotropic substances and their precursors, as well as the impact of various internal and external factors on the situation took place during the summit. The common points emerged during the discussions include need for real time information sharing among the member states and need to curd increased drug trafficking through maritime routes. Misuse of dark net and other advanced technologies for drug trafficking was one of the key focal areas of the meeting.

BRICS is an informal group of states comprising the Federative Republic of Brazil, the Russian Federation, the Republic of India, the People's Republic of China and the Republic of South Africa. The growing economic might of BRICS countries, their significance as one of the main driving forces of global economic development, their substantial population and abundant natural resources form the foundation of their influence on the international scene and are the driving forces behind the grouping. Among other areas of collaboration, matters pertaining to drug trafficking are an important area of cooperation among the BRICS member states.” – Press Information Bureau

The 5th Meeting of BRICS Anti-drug working group meeting of Heads of Drug control agencies under India's chairpersonship was held on 24th June 2021 via video conferencing and the objective of meeting are as follows:-

- They reaffirmed their collective commitment to combat drug trafficking for the well being of their citizens.
- The deliberations and exchange of opinions on the prevailing drug trafficking and abuse scenario in the BRICS countries, international and regional trends as well as its impact on the member states were arrived at achieving mutual cooperation to contain the drug menace.
- They recognized the serious challenges being faced in the areas of drug trafficking owing to new and emerging technologies and border-less crime and stressed the need for enhanced cooperation under BRICS.

- With the objective of containing both illicit supply and demand of narcotic drugs, psychotropic substances and precursor chemicals, the BRICS countries resolved to work towards establishing a mechanism for exchange of information within context of BRICS. Further, to combat drug trafficking through dark net and courier or postal parcels, they agreed to exchange the expertise garnered by them to enhance the capacity in the field of drug interdiction.
- They expressed concerns at increased maritime drug trafficking by international drug conduits which has posed a major challenge to BRICS countries having vast maritime boundaries. Brazil pledged to offer vacancies to BRICS countries in the Intercrops program, which fights drug trafficking thorough passenger's profiling in Brazilian airports, when the corona virus pandemic is under control.
- The participants highlighted the need to curb illicit financial flows to contain drug trafficking, primarily aimed towards accrual of monetary gain, and agreed to offer capacity building assistance to track and disrupt money laundering, including the use of convertible virtual assets associated with trans-border drug trafficking, based on the expertise and experience of the BRICS countries.
- They also agreed to call an expert meeting on frozen assets management, coordinated by Brazil, so as to further develop mechanisms to defund criminal organizations. BRICS countries further agreed to exchange, preferably within 60 days after this 5th Anti Drug working group, the contact details of a focal point that works in the fight of the money laundering of drug trafficking proceeds, in order to facilitate the exchange of information on the matter among the countries.
- They also took a note of the exploitation of legitimate supply chains by traffickers for trafficking of non-medical synthetic opioids and related dangerous substances through e-wallet services, social media and other internet-based services.
- BRICS countries agreed to explore maximum possibility of conducting Controlled Delivery operations provided under the ambit of UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.
- During the general discussion session of the meeting, the detailed deliberations were also held on the Questionnaire on Asset Management prepared by Brazil and Mechanism of BRICS Anti-Drug Liaison officers proposed by India.
- The BRICS countries acknowledged the need to continue collective actions in the spirit of cooperation to combat prevailing challenges and threats emerging from world drug problem, in compliance with the three international drug control conventions.

To monitor the smuggling of drugs various steps have been taken and to address it effectively law enforcement should be strong and punishments and fines should be high. Moreover Government officials and international organizations must work together. Strong legal systems, enhanced border security and raising funds for treatment and rehabilitation services for Victims should be taken care.

Below is the statistics of drug and human trafficking cases as per NCRB

Crime Head	2017	2018	2019	2020	2021
Human Trafficking Cases	2854	2278	2260	1714	
Narcotic Drugs & Psychotropic Substances Act committed by Foreigners		358	381	205	318

C. Cyber crime

Today internet has become an inevitable part of our lives and it is difficult to imagine a life without the internet and social media. With the growing technology, fast spread of mobile information and social media, our lives have become dependent on online media for all the information and also provide platforms for easy communication across the globe. Technology while providing so many advantages poses threats to individuals and social media has become a haven for the criminals as it has given rise to crimes committed in the online world. The latest form of social media is available to all. The major reason behind the popularity of social media is that of anonymity and also the creation of a virtual world where people can share information, exchange pictures, become friends, play games, fall in love, fight etc. without having actually met. However, infringement of privacy has become common especially in cases of women where personal information like name, address, location, photographs etc. are misused by the offenders. The factor of anonymity and fakeness in social media and the jurisdictional issues has hiked the cyber violence amongst individuals of all age groups and poses a problem at a global level. The threats posed by social media can be seen on the security, privacy and also on the dignity of an individual.

Relation of Human Trafficking to Cyber Crime.

Cyber-crime is called the crime committed in Internet environment. There are crimes committed in cyberspace and cyberspace related Crimes that use Internet as means to their commission, such as trafficking in persons. Cyberspace related crimes can also be committed with The traditional way. In trafficking, perpetrators use all kind of means to Recruit victims from traditional to more modern ones. When trafficking Is committed with the use of Internet it is called “cyber-trafficking”. However, there is no official definition of cyber-trafficking, because There are no texts relating cybercrime with trafficking. The only text at International level that relates cyberspace to trafficking (however Through child pornography) is the 2001 Council of Europe Convention On Cybercrime (ETS No 185). The Convention does not give any definition on cyber-trafficking. Cyber-trafficking refers to the use of cyber-space for:

- the recruitment of victims;
- advertisement of victims,
- advertisement of victims’ services or victims’ organs; and for
- attracting clients. Very often the term of “virtual trafficking” is used instead of “cyber-trafficking”. I believe that the use of the term “virtual trafficking”
- Data trafficking is also a major problem in bricks counties where the personal data of individuals collected.

UNODC/UN.GIFT (2009), Global Report on Trafficking in Persons, Feb. 2009, A survey carried out by the Human Rights Centre of Berkeley University, California shows that between 1998 and 2003 more than 500 people from 18 countries were ensnared in 57 forced labor operations in almost a dozen cities Throughout the state. There were a large number of cases concerning prostitution, Which accounted for 47.4 percent of the cases. Domestic service cases comprised 33.3 percent. Sweatshop work accounted for only three cases 5.3 percent, but involved 143 victims (25.8 percent of the victims). The survey data for California included only one case of agricultural labor involving two individuals. See, As mentioned in the UNODC report, it is important to note also that these Numbers may be the result of trafficking legislation being in many countries focused on trafficking in women and children and also that the public opinion and Law enforcement is more aware of that type of trafficking.

Cyber space or the internet has become the Most secure and highly preferred way for drug trafficking. Cyber criminals make uses of the dark net to catch over victims of drug and make sales of illicit drugs which in return enhances the growth of drug trafficking. The platforms such as dark net has become a safe house for the cybercriminals to commit these types of transnational crimes by being behind the screen. Customers intending to buy drugs over the dark net typically access it through the onion router (TOR) in order to conceal their identities. Specialized dark net explorers such as , DuckDuckGo, Ahmia, Torch, Hidden Wiki, etc. enable them to access their desired market platforms. The goods bought on the various dark net marketplaces are then typically paid for in cryptocurrencies, most notably

bitcoins, which are also used for licit transactions on the open web. These cryptocurrencies can subsequently be used to buy other goods and services, or they may be exchanged for various national currencies.

Dark net platforms bring anonymous suppliers and anonymous customers together. Although some dark net drug sales are from dealer to dealer, there are indications that most are still from dealer to user. Purchasers may benefit from other customers' feedback about the quality of the drugs sold, which can help them to evaluate the perceived reliability of the supplier. The platforms may guarantee the payments of the goods sold, typically by making use of escrow account systems,²⁶⁰ into which the client is required to pay immediately for the required goods but the finalization of the payment to the supplier is postponed until the goods have actually been received by the customer.

III. Conclusion

As mentioned above these three types of trafficking are interrelated to each other forming a chain of cycle of crime. We can consider pornography as the base of the chain of crime as it is the highest time spent by individuals over internet to see, which in turn creates a demand for that resulting in human trafficking, among them women and children are the highly affected by trafficking. In relation to cyber crime, as individuals use internet as the source to view pornographic videos cybercriminals uses this opportunity and performs acts such as data theft, drug trafficking by using virus such as Trojan, malware, cross site, which will be directly injected to the websites making them more dangerous. In relation to drug trafficking, as porn consumption directly affects the cognitive and hormonal architecture of the human brain resulting in excessive release of dopamine, increased aggression, lack of empathy. Once getting addicted to the dopamine which gives them a reward feeling, provokes them to use illicit drugs, which is more addictive in nature, resulting in higher sales, production, usage, trafficking of illicit drugs such as heroin, cocaine, methamphetamine. The highest porn consumption nation as per the studies are eastern countries which includes BRICS nation. Banning of these porn websites helps in controlling of other transnational crimes such as human trafficking, drug trafficking, cyber crime. As BRICS nations contains a large number of population which contributes to the 60% of world population, if avoids porn consumption then there will be a great fall in the crime market resulting in controlling of transnational crimes.

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