TRANSNATIONAL CRIMINAL NETWORKS AND THE LIMITATIONS OF INTERNATIONAL LAW ENFORCEMENT INSTITUTIONS: A LITERATURE REVIEW

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Abstract

This paper reviews the literature on transnational criminal networks and analyses key scholars' works. This paper provides a deliberate review on the definition, dimensions, roles, and characteristics of criminal networks. Further, this paper examines criminal networks under globalization and draws attention to their impacts on states and at the international level. Next, this paper scrutinizes the dimensions and roles of international law enforcement institutions and surveys some critical international and regional law enforcement institutions. After providing the abovementioned arguments, this paper offers some major limitations of international law enforcement cooperation in dealing with transnational criminal networks.

Introduction

Over the past decade, transnational organized crime has expanded in size, scope, and menace, destabilizing globalized economies and markets alike and creating insecurity in communities around the world. As criminal entrepreneurs and transnational illicit networks hijack the technological, financial, and communications advances of globalization for illicit gains, they continue to present new harms to the governance and security of all nations. The proliferation of these networks and the convergence of their illicit activities threaten not only the

interdependent commercial, transportation, and transactional systems that facilitate free trade and the movement of people throughout the global economy but are jeopardizing governance structures, economic development, security, and supply chain integrity(Luna 2013). In recent years, TOC has kept evolving in its form, and some alarming developments can be observed, in particular, drug trafficking, the international sex trade, and internet-based crimes. From the transnational criminal networks point of view, they vary in size, shape, cohesion, function, purpose and *modus operandi*.

This paper aims to conduct a literature review on the transnational criminal networks and, and the paper posits that the existing arrangements of international security and law enforcement institutions are inadequate in addressing transnational organized crime. This paper focus on the two *research questions*: First, what are the features of criminal networks under the era of globalization, and what are the impacts of those criminal networks? And second, what are the limitations of the existing arrangements of international security and law enforcement networks? This paper posits that the existing arrangements of international security institutions are inadequate and have some significant limitations which have allowed criminal networks in taking advantage of the limitations in the era of globalization. The source of data in this paper includes academic journal articles, governmental reports, and open sources from the internet.

Different Perspectives

Different scholars studied criminal networks from different perspectives. The traditional paradigm for studying organized crime networks emphasized identifying the hierarchical or pyramidal structures of criminal organizations. Finding its fullest expression in the 1967 report on organized crime by the President's Commission on Law Enforcement and Administration of Justice and Donald Cressey's important analysis in Theft of the Nation, this interpretation of organized crime was based on the example provided by La Cosa Nostra in the United States. It emphasized the existence of a "nationwide illicit cartel and confederation," the governing role of a national commission, hierarchical structure, and the clear division of labor between local branches (Cressey 1967). Francis Ianni (1974) looked at the role of African American and Puerto Rican criminal networks in New York, while Joseph Albini contended that even Italian organized crime in the United States could best be understood through patron-client relations rather than formal hierarchies (Ianni 1974, Albini 1971). Alan Block (1980) discovered that it was not only more fragmented and chaotic than believed but also that it involved "webs of influence" that linked criminals with those in positions of power in the political and economic world. These patterns of affiliation and influence were far more important than any formal structure and allowed criminals to maximize opportunities (Block 1980).

Some scholars examine the concept of social networks. For example, Malcolm Sparrow (1991) not only applies concepts from social network analysis to the operation of criminal networks but also offers innovative insights

into ways in which the vulnerabilities of these networks might be identified and exploited(Sparrow 1991). Fijnaut et al. (1998) further argue that the frameworks need not necessarily exhibit the hierarchic structure or meticulous division of labor often attributed to mafia syndicates. Intersections of social networks with a rudimentary division of labor have also been included as groups in the sub-report on the role of Dutch criminal groups, where they are referred to as cliques. As is demonstrated, there can be sizeable differences in the cooperation patterns within these cliques and between the cliques and more extensive networks of people they work with on an incidental basis (Fijnaut 1998).

In studying the criminal networks globally, Manuel Castells (1996) has outlined the rise of the networked, information society in his landmark trilogy The Information Age: Economy, Society, and Culture. Specifically, Castells envisioned the emergence of powerful global criminal networks as one facet of the shift to a new state/sovereignty structure where the state no longer controlled all aspects of the economy and society (Castells 1996). Networks currently take two shapes: positive networks that inform civil society and dark side or negative networks that exploit society. These dark side actors are essentially "criminal net-warriors." Transnational gangs and cartels operating as net-warriors are a threat to the sovereignty of nations. "When states fail to deliver public services and security, criminals fill the vacuum (UNODC 2010)."

Criminal Networks Analytical Frameworks

Defining criminal networks

Williams (2001a) notes, a criminal network is a "highly sophisticated organizational form" (Williams 2001a). They can infiltrate the legal economy, undermine public morals and neutralize law enforcement through corruption at national, regional and even global level. Such groups are often characterized by significant linkages between people, places, and events. These networks pose the single greatest challenge to border security. In many countries, criminal networks have infiltrated both private and public institutions and as a result, have blurred the line between licit and illicit activity (James 2005).

Bruinsma and Bernasco (2004) emphasize the relationship between the characteristics of the illegal markets and the size and structure of the collaborative relationships between actors in these markets (Bruinsma and Bernasco 2004). They come up with three hypotheses. A first hypothesis is that networks that are characterized by high density and a large proportion of effective relationships (in short: cohesive networks) are pre-eminently suited to criminal collaborations where a great deal of mutual trust is needed. Trust is principally vital in activities that link to significant criminal and financial risks. The second hypothesis is that collaborative relationships between persons, who jointly participate in cohesive networks, are more durable and stable than collaborative relationships between persons who participate in less cohesive networks. A third hypothesis is that criminal groups with a few mutually segregated clusters in less risky criminal activities collaborate more than criminal groups in which the

clusters are more directly connected (Bruinsma and Bernasco 2004).

Dimensions and characteristics of criminal networks

Williams (2001) argues that there are some dimensions of criminal networks (Williams 2001b):

- A network can be created and directed by a core of organizers who want to use it for specific purposes (a "directed network"), or it can emerge spontaneously as a mechanism to add efficiency to the functioning of a market (a "transaction network").
- Networks can range from small, very limited associations at the local level to transnational supplier networks that move a variety of goods, either licit or illicit—or even both—across national borders.
- Networks can be highly structured and enduring in nature, or they can be loose, fluid, or amorphous in character, with members coming and going according to particular needs, opportunities, and demands.
- Networks can be focused very narrowly on a single purpose or the supply of a single product, or they can supply a broader range of illegal products or engage in more diverse criminal activities.

As regards the structure, Williams (2001) further argues that there are network cores and network peripheries.

- *Network cores:* Networks of any substantial size will generally have both a core and a periphery, reflecting asymmetries of power, influence, and status within the network. The core is characterized by dense connections among individuals who, in the case of a directed network, provide the steering mechanism for the network as a whole. Usually the originators of the criminal enterprise, the core members initiate specific criminal activities, arbitrate disputes, and provide direction. Their relationship is often underpinned by bonding mechanisms that help to create high degrees of trust and cohesion.
- *Network peripheries:* criminal networks resemble agile corporations: The ability to obtain warning is complemented by a capacity for rapid reconfiguration of internal structures and operational activities. Because they have limited fixed assets, networks not only have limited exposure to risks but also adapt in ways that further reduce this exposure and exploit the paths of least resistance.

Framis (2011) differentiates criminal organizations and illegal networks, and find the following features between the two:

【 Table 1】 Features of criminal organizations versus Illegal networks (Framis 2011)

Criminal organizations	Illegal networks
Hierarchical structure	Horizontal structure
Division of labor, specialization	Interchangeable operational roles
Promotional systems and recruitment procedures (merit or competency oriented)	Recruitment and placement based on the nature of the activity: prior working relationships, kinship/ethnicity, short term assignments, and contacts. (Donald & Willson, 2000, Schiray, 2001, Zaitch, 2002)
Formal and secret rules	Flexible and non-stable rules
Vulnerable structures	Resilient structures
Formal communication	Direct communication

Various roles in criminal networks

Networks feature a considerable division of labor among members. Indeed, it is possible to identify a series of critical roles, some of which occur in all networks, and others that are found in specific types of "business" in which criminal networks are involved. In some networks, the tasks will be implicit and intuitive; in others, they are explicit and formal. In most criminal networks, the following roles are likely to be discernible (Williams 2001b):

【Table 2】Roles and function in a criminal network (Williams 2001b)

Role	Function
Organizer	Those core individuals and groups that provide the steering mechanism for the network.
Insulators	Individuals or groups whose role is mainly to insulate the core from the danger posed by infiltration and compromise.
Communicators	Individuals who ensure that communication flows effectively from one node to another across the network as a whole.
Guardians	Enforcers are concerned with the security of the network who take measures to minimize vulnerability to external attack or infiltration.
Extenders	Those whose role is to extend the network by recruiting new members, by negotiating with other networks regarding collaboration, and by encouraging defectors from the world of business, government, and law enforcement.
Monitors	Those who ensure the effectiveness of the network and whose responsibilities include reporting weaknesses and problems to the core organizers, who can then initiate remedial action.
Crossovers	People who have been recruited into a criminal network but who continue to operate in legal institutions, whether governmental, financial, or commercial.

(Table made by Leo S.F. Lin)

With the development of internet and telecommunication technology, criminal networks have undergone a transformation process. Take the Internet and telecommunication organized crime as an example; Lin argues that there are some features of transnational telecom fraud criminal networks can be identified (Lin 2018):

- The utilization of internet and communication technology (ICT) — Fraud organizations have evolved in such a way that they now commit high-tech crimes involving ICT, with the internet's capacity for interflow and exchange having unburdened their criminal behavior of temporal, spatial and regional restrictions. In particular, the integration of ICT systems allows fraudsters to reroute communications from one system to another across the internet and to conceal account identities and IP addresses.
- Control over long distances — Fraud organizations employs remote controls to commit transnational crimes. Nowadays, the control techniques have extended to the use of illegal sites of operation or remote controls, such as Internet telephony, Type II telecoms or various other forms of ICT, in directing

money mules to withdraw illegally gotten funds from Taiwanese ATMs.

- Corporate-style management — Fraud organizations are continuously recruiting new members. They have also adopted performance management, bonus, and dividends systems, thus systematizing, organizing and incorporating corporate patterns of behavior into their criminal undertakings.
- The high replicability — Analysis has shown that their senior members are easily able to reproduce fraudulent activities and transplant their experience to other fraud organizations with a high degree of replicability. Downstream members of these organizations, when apprehended by the police, are also easily replaced by new members, which lends a high degree of regenerative capacity to these criminal organizations.

Criminal Networks and their Impacts Under Globalization

Dark side networks under globalization

The propensity of criminals to cross national borders--to engage in "transnational crime"-- is indeed not a new phenomenon; it is probably as old as the borders themselves. Borders were established to delineate the jurisdiction claimed by each state, and crossing national borders has often provided criminals with a way to mitigate or avoid the consequences of illegal acts. Despite a long, eventful history, there is strong evidence that transnational crime has become more prevalent and severe today than ever before (Balzer 1996). Transnational crime, gangs, terrorism, and insurgency are threats influencing the current and future conflict environment. These separate—and increasingly linked or networked —threats result in a diffuse security environment that blurs distinctions between crime and war. A consequence of this convergence is the rise of new political and economic actors including gangs and TCOs that alter the internal and external security dynamics of states and the relationship between states and their citizens (Sullivan 2014).

Criminal organizations and networks based in North America, Western Europe, China, Colombia, Israel, Japan, Mexico, Nigeria, and Russia will expand the scale and scope of their activities. They will form loose alliances with one another, with smaller criminal entrepreneurs, and with insurgent movements for specific operations. They will corrupt leaders of unstable, economically fragile, or failing states, insinuate themselves into troubled banks and businesses, and cooperate with insurgent political movements to control substantial geographic areas (Council 2000). Globalization includes illicit flows on a massive scale. The illicit enterprises behind them compose large businesses that are shadow reflections of multilateral corporations like Shell, Huawei, Gazprom, and Google. TCOs use modern institutions and means, including cyberspace and the contemporary financial system, but often operate as well along ancient smuggling routes. The total proceeds of transnational organized crime are estimated at $6.2 Trillion or about 10 percent of the Gross Global Product. These illicit economies generate and control enormous concentrated power and embody the gravest contemporary challenge to public

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order and safety (Bersin 2018).

Impacts on the states

Complex criminal networks where multiple criminal factions interact by "cooperating and competing for the control of illicit markets are impacting democratic environments and transforming themselves into a real force that could end up determining the destiny of institutions and communities (Garzón 2008)." Specific variables/indicators that are germane to understanding the impact of TCOs and networked criminal enclaves on the state include: violence both among cartels and directed at the state, corruption, degree of transparency, cartel/gang reach, effectiveness of governance/ policing, community stability, effectiveness of economic regulation, and the degree of territorial control (loss or gain by the state vs. cartels). The impact of transnational criminal enterprises on state capacity, control of territory, and legitimacy is critical. All of these activities occur across time. Some changes are slow-moving, while some are rapid in their expression (Sullivan 2014). Critical factors in the pace of change include: social/environmental modification to further a criminal gang's perceived social legitimacy connections between and among criminal enterprises impact of illicit economic circuits on the legitimacy of borders in global cities and border zones; criminal penetration and reach usurpation of state fiscal roles by criminal enterprises through street taxation, protection rackets, and other diversion of public goods or funds force including the use of instrumental and symbolic criminal violence challenging the state's monopoly on legitimate force(Sullivan 2014). From Sinaloa to Tirana to Caracas to Lagos, as transnational criminal organizations and "third-generation gangs"—gangs that have morphed from local groups of individual actors to cross-border, networked entities that toe the line between crime and war—increasingly forge alliances with corrupt government officials, undermine competition in key global markets, and diversify their illicit portfolios with ventures into legitimate commerce, they are unraveling the social fabric of the community of nations(Luna 2013).

Impacts at the international level

Today's global threat environment is characterized by convergence: the merging and blending of an ever-expanding array of illicit actors and networks. In an interconnected world, the pipelines linking these threat actors and networks cut across borders, infiltrate and corrupt licit markets, penetrate fragile governments, and undercut the interests and security of our partners across the international community. The direct links among specific illicit actors are of increasing concern, as well as the growing illegal economy that supports and enables corrupt officials, criminals, terrorists, and insurgents. The illicit global economy is becoming increasingly flush with cash derived from a broad spectrum of illicit activities: narcotics, kidnapping-for-ransom, arms trafficking, human smuggling and trafficking, the trade in stolen and counterfeit goods, bribery, and money laundering (Luna 2013). These networks are structured more fluidly than traditional hierarchical organized crime syndicates, and this makes them strategically more difficult to target. Network organizers are harder to identify than syndicate leaders,

and the loose links among network elements can impede efforts to identify the full range of activities in which they are involved. Some transnational criminal groups, such as the Mara Salvatrucha (MS-13) gang, have been networked, loosely coordinated organizations since their inception, while traditional organized crime groups such as the Albanian Mafia, Chinese Triads, and Japanese Yakuza are increasingly restructuring their vertical organizations into horizontal networks (Luna 2013). Illicit networks seek to navigate, infiltrate, and dominate global supply chains to further their activities and enhance their power. They thrive in open societies with the free flow of goods, people, and capital. Just like licit businesses, illicit networks are matching the supply and demand for goods, services, capital, and information for their clients. Illicit actors utilize and even seek to control or co-opt supply chains around the world to facilitate the movement of "bad people and bad things" such as drugs, guns, and counterfeit goods(Realuyo 2013).

International Law Enforcement Institutions

Dimensions of International law enforcement institutions

Deflem and McDonough (2012) argue that the apolitical nature of international police organizations allows for the cooperation of police from nations with different political and legal systems. At the same time, however, nationality remains a persistent element in international policing regarding forms and objectives (Deflem and McDonough 2010). They further identified three dimensions of international law enforcement:

- **Forms**: International law enforcement emerges within the context of critical societal developments such as political and economic transformations (notably, the spread of capitalism and democratization), which affect the organization and practices of police institutions across nations (Deflem 2015). Whatever the form, the nationality of police organizations is persistent, and is manifested in three ways (Deflem 2015): First, police organizations prefer to conduct international policing unilaterally rather than through cooperation with foreign policy. Second, arrangements of cooperation are most often made on a temporary basis, rather than through multilateral organizations, and occur in the context of specific investigations in which cooperation is necessary to accomplish criminal objectives. Third, police cooperation in the context of a permanent multilateral organization does not involve the formation of a supranational police force. Instead, police institutions of different nations engage in collaborative efforts with one another to attain their respective nationally or locally defined goals.

- **Organizations**: Many law enforcement organizations are involved in international operations. At the international level, Interpol and Europol (the European Police Office) are among the most prominent international police organizations with permanent multilateral structures. Among the many U.S. federal agencies involved in international policing activities, the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA) have the highest international impact and presence (Miller and

Wright 2013, Deflem 2015). The FBI serves the investigative function of the Department of Justice and is responsible for the policing of federal crimes, e.g., terrorism and drug trafficking. The Bureau manages a system of legal attachés (or legats), employed in at least fifty-two countries, who participate in investigations and help foreign police forces make arrests. The FBI also oversees international training programs for foreign police at the FBI National Academy in Quantico, Virginia, and, in cooperation with the Diplomatic Security Service, at the International Law Enforcement Academy in Budapest, Hungary (Deflem and McDonough 2010).

- **Activities**: The current era of globalization has produced an increase in international criminal activities, which have greatly expanded the scope of international policing. Moreover, advances in technology have shaped the nature and forms of international crime and its control. Thus, the internationalization of crime, along with the essential organizational and technical developments of police agencies (i.e., bureaucratization and institutional autonomy), have facilitated international police activities and cooperation in the fight against international crime. In particular, growing concerns over border control, illegal immigration, drug trafficking, international money laundering, cybercrimes, and international terrorism have steadily affected the development of international police cooperation (Nadelmann 2010, James 2005).

International and regional law enforcement institutions

The world of international policing varies regarding practices and structures. International police work has been transformed from a preoccupation with political violations to a focus on international crimes. Moreover, unilaterally enacted transnational activities and bilateral cooperative networks have been gradually supplemented with multilateral international law-enforcement organizations. The recent past has witnessed a general expansion of international policing in the wake of global concerns surrounding border controls, illegal immigration, the drug trade, money laundering, crimes relying on advanced border-transcending technologies, and terrorism (Deflem and McDonough 2010). As the guardian of the Palermo Convention, the United Nations Office on Drugs and Crime (UNODC) helps countries create the domestic legal framework to investigate criminal offenses related to organized crime and prosecute offenders and adopt new frameworks for extradition, mutual legal assistance, and international law enforcement cooperation (Consumption 2010). UNODC is a global leader in the fight against illicit drugs and international crime. Established in 1997 through a merger between the United Nations Drug Control Program and the Center for International Crime Prevention, UNODC is headquartered in Vienna, with 54 field offices covering more than 150 countries around the world. It is one of the world's leading sources of reliable data, analysis, and forensic science services related to illicit drugs and crime. UNODC also provides practical tools and resources for policymakers, legislators, and criminal justice professionals (Consumption 2010).

Interpol and Europol are two of the most prominent international law-enforcement organizations. Interpol has steadily developed since its formation in 1923 to become the most significant international police organization, with a membership drawn from 1876 nations. The organization relies on a collaborative model of cooperation to facilitate technologically advanced systems of information exchange and communication among its member agencies. Since the events of September 11, 2001, international terrorism has become a key concern for Interpol. In the EU, Europol has also expanded its activities in the wake of concerns over global security and the proliferation of serious crimes affecting EU member nations. Although Europol's function and organization are subject to political control from the EU leadership, the organization relies, like Interpol and other international police organizations, on police professionals drawn from highly bureaucratized agencies that claim expertise and institutional independence (Deflem and McDonough 2010). Interpol is evaluated as a success when it comes to information exchange. This might be the case because it is the primary institution for it and the only one that has the competence to share information to this extent. Even for checking driving license plates, Interpol is being approached (Weltschinski 2014). Interpol and Europol also support collaborative efforts in the policing of cybercrimes. For instance, Interpol has instigated some activities related to cybercrime, including a system of working parties around the world that specialize in information technology crimes, to facilitate the sharing of information on computer security-related matters between member nations(Deflem and McDonough 2010).

Limitations of International Law Enforcement Institutions

International law enforcement confronting transnational criminal networks

Although criminal networks are resistant to disruption and have high levels of redundancy and resilience, they are not impervious to attack by law enforcement. The nature of these networks, however, suggests that the attacks need to be carefully orchestrated, finely calibrated, and implemented comprehensively and systematically. Indeed, there are several vital prerequisites for initiating effective attacks on networks, especially clear delineation of objectives and enhanced intelligence assessments (Williams 2001b). It is therefore critical that the international community work together in a coordinated manner to staunch this flow and dismantle the criminal opportunity structure at every node, pipeline, and channel across the illicit global landscape. By combining forces in response to the relentless convergence of illicit threat networks and reducing their ability to exploit market opportunities, we will have a much higher chance of success if we target their center of gravity in this landscape including their financial flows—the whole indeed can be greater than the sum of all parts. Collective action can be harnessed via an array of responses to disassemble today's formidable criminal and terrorist adversaries by disrupting their pipelines and ill-gotten financial assets (Luna 2013).

Since the late twentieth century, international policing has shifted its focus toward more technologically advanced crimes (Deflem 2015). Advancements in computer technology have brought about new opportunities for crimes

involving the Internet and information technology, transcending national borders and affecting multiple national jurisdictions. The transnational nature of cybercrime requires international policing activities ranging from unilateral activities to the establishment of bilateral agreements and multilateral law enforcement regimes. Unilateral transnational police activities are sometimes necessary because the legal systems of nations do not always harmonize. Law enforcement agencies from different countries do cooperate to police cybercrimes, but collaborative efforts may be hindered when laws related to cybercrimes differ among the nations involved. Thus, international legal frameworks have been developed to facilitate cooperation among nations. For example, the Council of Europe's Convention on Cyber-Crime serves to organize procedures of cooperation to aid in the policing of cybercrimes (COUNCIL 2001).

Strategies to combat transnational criminal networks

Fighting transnational crime and dismantling illicit networks is not something that any government or agency can do alone (Luna 2013). In attacking networks, it is vitally important to determine the central objectives: Are they to destroy the network, merely to degrade its capacity to carry out criminal actions, or to detach the network from its support apparatus in the licit world? The objectives can range from making operations more difficult for the network through creating instability in the environment to more direct attacks on the network itself that are aimed at disruption of its activities, dislocation or degradation of its capabilities, or even its destruction. While all are legitimate objectives, it is essential that there is clarity about precisely which of them is being chosen (Williams 2001b). Illicit networks that include criminals, terrorists, and facilitators have brokered strategic alliances to promote their interests, threatening the rule of law, global supply chains, and free and fair markets around the world. To counter the convergence of these threats, governments need to develop interagency and international strategies that leverage the diplomatic, development, intelligence, military, and law enforcement instruments of national power. To this end, collaborative models for security and development require the following critical elements: political will, institutions, mechanisms to assess threats and deliver countermeasures, resources, and measures of effectiveness to ensure success against illicit networks. All of the international and interagency initiatives examined in this chapter demonstrate the political will to combat illicit networks. In 2000, the United Nations formally recognized the threat from illicit networks with the adoption of the UN Convention against Transnational Organized Crime and had engaged in many activities to combat drug trafficking and organized crime through the UN Office on Drugs and Crime(Realuyo 2013).

Limitations of international law enforcement cooperation:

- **State sovereignty:** State sovereignty may be durable, but it has not stopped illicit networks from trying to overcome the obstacles it throws in their way. Transnational criminal organizations (TCOs) and gangs challenge states and sovereignty in a variety of ways. These include eroding state solvency through corruption, subtle co-option of state officials and institutions, a direct assault on state functions, and in

the worst case, state capture or failure under the threat of criminal challengers. Rarely do criminal enterprises entirely supplant states; instead, they change the nature of state functioning (Sullivan 2014).

- **Borderless versus border-ness:** Globalization is the cumulative cause and effect of the intensified, and (often) instantaneous "borderless" flows of labor, capital, people, goods, ideas, images, data and electrons that characterize the modern world. Borders traditionally have been viewed as lines in the sand (and on a map) demarcating the edges of sovereign states (or empires) according to the Westphalian system dating from the Seventeenth Century. As the process of globalization expands, the concept of "borderless" is enlarged to encompass the unprecedented flows of all kinds that cross border lines continuously on a 24/7/365 basis. Borders in a globalized world are flows toward and across lines marking national sovereignty. The new border paradigm thereby links jurisdictional lines to flows toward and across them (Bersin 2018).

- **Jurisdiction:** Transnational crime, by definition, involves two or more countries, each claiming sovereignty and exclusive criminal jurisdiction within its borders. Hence, when a criminal crosses the border, any pursuing police officers "lose" their jurisdiction (Balzer 1996). TCOs function in the seams between the boundaries of nation states. In the context of globalization, TCOs operate successfully, and mainly with impunity, within these seams -- the gaps -- between national law enforcement jurisdictions. The global framework of national sovereignty – begun with the Treaty of Westphalia in 1648 -- is not equipped as such to deal with the threat of transnational crime. The TCOs which operate in the netherworld of globalization control that dangerous space and have outstripped the capacity of international law enforcement including the United States Government to control it. There is a pronounced need to develop a revised approach (Bersin 2018).

- **Normative barriers:** Mutual legal assistance treaty (MLAT) serves as a crucial tool for linking and enhancing the networks among nation states. However, the time delay in processing requests and the inefficiency with which digital data is retrieved in the current MLAT process renders it an ineffective law enforcement cooperation tool. There is a need to reform the MLAT process, to make it an effective instrument in transnational cybercrime investigation. MLAT procedures must be simplified and streamlined to ensure speedy compliance checking and processing. A time limit must be stipulated, within which governments must be required to capture and provide online data to the requesting state. Law enforcement officers and attorneys must be sensitized to the nature of data that can be accessed through MLAT and the correct manner of advancing these requests. There must be increased transparency in the entire MLAT process that allows the requester to track the status of a trans-border data access request. Few countries have also demonstrated a lack of political will in sharing data that is critical to a criminal investigation in a foreign country. This should not impede international law

enforcement cooperation, and the MLAT process must be made more equitable. MLAT agreements must be reviewed at regular intervals to adapt it to any relevant technological advances (Shalini).

● **Informal limitation:** there are other informal limitations such as language difference, culture, corruption, bribery, instability, diplomatic immunity, intense competition, (non-) existing trust and certain crime areas(Weltschinski 2014). Other barriers are the different status quo on democracy, the rule of law, principles of freedom, bureaucracy, and respect for human rights. Regarding the police cooperation between Europe and Russia politics serves as a stepping stone. Slow bureaucracy, hierarchy, differences in the legal system result in different ways of organizing and prioritizing police investigation (Block, 2007).

Conclusion

Since the end of the Cold War, the world has witnessed the expansion of transnational criminal organizations beyond their traditional boundaries. They are quick to identify new opportunities and spread into new geographic areas where national and international responses have yet to pose a credible threat to the survival of their operations. No region is immune. Today, the major organized crime groups have become even more global in reach, operating not only in the United States and Latin America, but also in West Africa, Southeast Europe, Asia, and Russia, integrating within and across networks in all regions of the world (Luna 2013).

This paper has provided a literature review on criminal networks under the era of globalization and examines how the criminal networks impact the states and the world. By examining some critical international and regional institutions, such as UNODC, INTERPOL and EUROPOL, this paper highlights that the existing arrangements of international security institutions are inadequate and have some significant limitations which have allowed criminal networks in taking advantage of the limitations in the era of globalization, despite nation-states develop different strategies to combat transnational criminal networks.

There are some significant limitations provided by this paper. For instance, state sovereignty provides borderlines of jurisdiction and legal boundaries. However, the criminal networks are borderless and are not easily preventable by countries who are not cooperative to foreign counterparts or who are not institutionalized in mutual legal assistance treaty (MLAT). There are other informal limitations such as language difference, culture, and corruption. Noticeably, state sovereignty and the effort of crime-fighting through international institutions have been challenged by transnational criminal networks in the era of globalization.

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