

Broken Laws, Broken Lives: When Organized Crime Shreds Human Rights

Aftab Haider

LLM Scholar, Abdul Wali Khan University, Mardan

Ashraf Ali

Associate Professor, Head of Law Department, Abdul Wali Khan University, Mardan

Bushra Zeb

LLM Scholar, Abdul Wali Khan University, Mardan

Abstract

History is marked by its coiling snake, organized crime that continues to entwine itself around human rights choking out dignity and justice. This paper reveals the hard truth of this destructive bond, from its historical origins to its modern incarnations. Powered by poverty, poor governance and digital frontiers the criminal network uses human weaknesses as pawns in their illicit games. The fundamental rights of individuals and communities is eroded by trafficking, extortion, violence, and corruption which are their currency. Women, children and minority groups are often the victims who get trapped in forced labor, exploitation and displacement. Case studies depict a rather gloomy picture of this complex threat. The porous borders of Southeast Asia take up human trafficking, while the drugs in Latin America become a stream of violence and corruption that breaks communities and trample dignity. Not even the digital world is immune, where cybercrime and identity theft take away privacy and liberty. As the roots of this crisis are woven into a complex network of socio-economic disparities, lax legal frameworks and corrupt structures. Their effects are far-reaching, reaching deep

into the society Fighting back demands a broad attack. The first steps should be strengthening the legal framework, empowering law enforcement, and addressing underlying injustices. International cooperation and creating a culture of transparency and accountability are important weapons in this war. It requires constant vigilance, relentless quest for justice and strong communities that are resilient in the face of organized crime. Only then can we escape the darkness and enter into true human rights.

Keywords: Human Rights Law, Organized crime, Criminology, International Law, Human Rights Violation

Introduction

The historical background and contextual setting of organized crime is essential in knowing the implications associated with human rights violations. This section explores the development of organized crime associations across the globe and their deep penetration of societies, economies and governance structures. The essence of global efforts to safeguard and uphold human rights lies in International Human Rights Law (IHRL) ¹. Based on a thorough analysis, this paper seeks to reveal the origins, dynamics, organization and chronological developments of criminal organizations in different regions and different periods. Organized crime is a historical phenomenon that can be traced from ancient civilizations of man and has morphed along with the changes in society. Organized crime is a complex and multifaceted phenomenon that poses a serious threat to international peace and security, generating an estimated \$870 billion annually ². It has evolved into an increasingly sophisticated and internationalized phenomenon, crossing geographical borders while exploiting governance system flaws. Organized crime groups have successfully adapted to the ever-changing socio-political environment, exploiting technological innovation and globalization in order to grow their operations and power. The establishment of organized crime networks is also dependent on socio-economic, political and cultural factors. Economic inequalities, political instability, a weak rule of law and social alienation are fertile breeding grounds for criminal enterprises. Organized

criminal organizations constantly change and adapt to police enforcement initiatives³. In addition, corruption, collusion with the state actors and illicit economy intensify organized crime entrenchment into different sectors of society such as politics, business and law enforcers⁴. The crossroads between organized crime and human rights is deep and all-encompassing. The systematic infringement of fundamental rights and freedoms through criminal activities including trafficking, extortion, corruption, and violence perpetuates cycles of fear, exploitation, and injustice⁵. Victims of organized crime are subjected to serious violations in their right to life, liberty and security as well as dignity, and they face coercion, threat and violence. However, one must understand the broader social and political contexts within which organized crime operates in order to effectively respond to its adverse effects on human rights and wellbeing of society. It involves a multipronged approach that includes legal, law enforcement, social and economic interventions. Through targeting the underlying causes, building institutions, enforcing transparency and developing international cooperation, societies can reduce the negative effects of organized crime on human rights and establish a culture of responsibility, justice and humanity. Based on a detailed analysis of historical background and contextual framework, this section hopes to offer a firm starting point for deeper analysis of the complex interplay between organized crime and human rights abuses. It highlights the demand for collective action to combat the sophisticated threats of organized crime and respect universal human rights values⁶.

Statement of the Problem

This research paper will outline key problems and challenges that emerge from the meeting point between organized crime and violation of human rights. It will highlight the key problematics related to the operations of organized crime groups, which frequently impinge and negate basic human rights standards. The statement of the problem will address various forms of human rights violations committed by organized crime syndicates ranging from human trafficking to forced labor, extortion, violence, and exploitation. Furthermore, it will highlight the negative effects of organized crime on

vulnerable citizens like women, children, migrants and marginalized populations who are more adversely affected by criminal activities and human rights violations. Additionally, the section will highlight the systemic nature of this problem because organized crime networks operate with impunity, undermine legal and institutional structures, and perpetuate vicious cycles of violence, fear and corruption that characterize many societies. This section seeks to highlight the urgency and importance of addressing this intricate, yet complex problem by outlining the precise challenges and consequences resulting from the link between organized crime and human rights violations.

Significance of the Study

This research article will clarify why and how the intersection between organized crime and human rights abuses is worth investigating. It will formulate the wider societal, legal and policy effects of understanding and dealing with this complicated phenomenon. To begin with, the importance of this study can be interpreted in its ability to explain hidden dynamics and widespread impacts of organized crime on human rights which will attract more attention from policymakers, law enforcement agencies, civil society organizations as well as the general population. By revealing the complex processes through which organized crime poses a threat to basic rights and freedoms, this study can guide the creation of better strategies and interventions that will be used in combating criminal networks while protecting vulnerable individuals. In addition, the importance of this study also includes its potential contribution to further development of legal and policy frameworks that will be able to prevent and combat organized crime while respecting human rights. By conducting empirical research, analyzing case studies and examining best practices, the study can give useful information about strengths and weaknesses of existing legal and institutional mechanisms for dealing with organized crime and violations of human rights. Similarly, this can guide initiatives aimed at reinforcing the legislative frameworks, bolstering law enforcement capabilities and fostering international collaboration against transnational criminal networks.

Research Objectives:

1-To study the type of human rights abuses committed by organized crime groups.

2-To understand the socio-economic, political and cultural context that creates organized crime and its effects on human rights.

3-To assess the success of legal and institutional interventions in curbing organized crime, while at the same time upholding human rights.

4-To recommend evidence-based policy reforms and interventions that will improve human rights protection with respect to organized crime.

Definition of Organized Crime

Organized crime is a criminal activity that does not operate as an individual or group but rather in structured and systematic ways whereby many individuals or groups come together to earn illegal profits by controlling specific markets or territories⁷. These criminal activities are characterized by the hierarchical structure, specialization of labor and code among members. The illegal activities undertaken by organized crime groups include drug trafficking, human trafficking, arms smuggling, extortion, money laundering and cybercrime as well as racketeering. These operations are usually carried out on large scale and may cross national or international boundaries. Organized crime is highly dependent on secrecy, corruption and violence to achieve maximum profits while circumvents law enforcement authorities and corrupts legal systems⁸. The definition of organized crime recognizes its ability to change and adapt even under intense law enforcement pressure, as criminal organizations are always adjusting their methods and approaches in order to take advantage of new opportunities or escape regulation.

Human Rights Framework:

The human rights framework is founded on the notion of inherent dignity and equal worth of all human beings irrespective of race, nationality, gender, religion or other status⁹. Human rights are universal, inalienable, indivisible, and interdependent; these include civil political economic social cultural rights. These rights are provided in the international human rights instruments like Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and International Covenant on

Economic, Social and Cultural Rights. Civil and political rights encompass the right to life, liberty, and security of person as well as freedom of speech, assembly, and association¹⁰. Economic, social and cultural rights include the right to education, health, housing and work and also the right to an adequate standard of living.

Intersection of Organized Crime and Human Rights Violations

Organized crime and human rights violations meet when the activities of organized crime groups directly or indirectly impact fundamental human rights and freedoms. One way in which organized crime negatively impacts human rights is through violence, coercion, exploitation and corruption. Human rights violations committed by organized crime groups can include trafficking of persons for forced labor or sexual exploitation, the recruitment of children into criminal organizations, extortion of businesses and individuals, and penetration into political and judicial structures. Vulnerable groups such as migrants, refugees, women, children and marginalized communities have been exploited by organized crime gangs through which inequalities are increased and cycles of poverty continue to persist. The link between organized crime and human rights violations highlights the importance of holistic, rights-based responses to deal with criminality at its roots, uphold victims' basic freedoms, and punish those responsible¹¹.

Case Study I: Human Trafficking in Southeast Asia

I. Background and Context

The problem of human trafficking is widespread in Southeast Asia due to poverty, inequality, and open borders¹². Vulnerable individuals such as women and children are trafficked by the organized crime syndicates through false promises of employment or education that they subject them to forced labor, sexual exploitation or contracted marriage. The region's geographic diversity and socio-economic inequalities provide a conducive environment for human trafficking networks to operate unhindered, sometimes with the complicity of corrupt officials and sympathetic businesses.

2. Human Rights Violations

Human trafficking establishes a gross desecration of human rights, comprising the rights to freedom, dignity, and security of person. Sufferers of trafficking are underprivileged of their independence and exposed to physical and psychological compulsion, manipulation, and abuse¹³. They are usually forced to work in risky environments, undergo sexual attacks and suffer from physical and mental health effects. Victims of trafficking have problems with the process of justice and support due to the fear of revenge, language barriers, and lack of awareness about their rights.

3. Impacts on Individuals and Communities

Human trafficking affects more than just the victims; it also has a broader impact on communities and societies as a whole¹⁴. Trafficking weakens social unity, diminishes trust in institutions, and reinforces patterns of poverty and abuse. The commodification of human beings provides profits for the trafficking networks, fostering a culture of impunity and reinforcing power relationships. Social stigma, economic vulnerability and increased susceptibility to exploitation are the hallmarks of communities that have been affected by trafficking. The effects of trafficking over the longer term may result in trauma, substance abuse, family breakdown and intergenerational patterns of exploitation which perpetuates a cycle of vulnerability and victimization.

Case Study 2: Drug Trafficking in Latin America

I. Background and Context

Latin America is a key transit zone for drug trafficking, with organized crime groups taking advantage of weak governance structures, open borders and socio-economic disparities to make the production, smuggling and distribution of illicit drugs possible¹⁵. The area's geographical location near key drug-consuming markets, such as the United States and Europe, makes it a profitable destination for drug trafficking networks looking to make the most profit and avoid law enforcement organizations.

2. Human Rights Violations

Violence, corruption and instability are fueled by drug trafficking which makes dangerous human rights challenges for people from all over Latin

America¹⁶. Traffickers use coercion, intimidation, and violence to entail control over drug routes and territories resulting in numerous human rights violations such as the extrajudicial killings forced disappearances and displacements. Marginal, indigenous people, and youth bear the brunt of drug-related violence that is a consequence of turf wars and territorial conflicts.

3. Impacts on Individuals and Communities

The effects of drug trafficking go beyond the direct victims to communities dealing with the socio-economic and psycho-social impact of violence and insecurity. Drug violence erodes the people's trust in institutions, undermines law; and enables fear and impunity to hold power¹⁷. The affected communities suffer more trauma, grief and social fragmentation due to existing inequalities and vulnerabilities. The vicious cycle of violence that is fueled by drug trafficking undermines attempts to foster peace, reconciliation and social harmony which in turn impedes both sustainable development and human rights.

Case Study 3: Cybercrime and Identity Theft

I. Background and Context

The technological advancements, globalization, and interconnectedness have led to the pervasion of cybercrime and identity theft. Organized crime groups take advantage of flaws in online platforms and digital systems to commit an innumerable of crimes including identity thefts, financial fraud, phishing scams and malware attacks¹⁸. The advent of cyberspace has enabled cybercriminals to operate anonymously and regardless of borders, which presents huge challenges in terms of policing and regulation.

2. Human Rights Violations

As a result, cybercrimes encroach upon individuals' privacy, security and freedom of expression on the internet. The risks faced by victims of cybercrime include identity theft, financial loss, reputational harm, and psychological injuries. Cybercriminals use advanced strategies to hijack personal data, influence online conduct and blackmail people into compromised circumstances¹⁹. Cybercrime has led to the loss of trust in

online platforms, threatened digital rights and normalized surveillance and control practices.

3. Impacts on Individuals and Communities

Cybercrime does not only affect individuals, but it also affects businesses, governments and the society at large. Cyberattacks disrupt critical infrastructure, wreck economic stability, and threaten national security. Communities that are victims of cybercrime have increased vulnerability, fear, and mistrust in online interactions. The digital divide widens disparities regarding the access to technology and cybersecurity resources, increasing marginalized individuals' vulnerability toward exploitation and victimization. The emergence of cybercrime brings about a lot of complex challenges that policymakers, law enforcers and civil society organizations who seek to protect human rights in the digital age have to grapple with²⁰. Using these case studies, the research reveals how human rights abuses committed by organized crime are many-faceted and that in order for effective and rights based responses be formulated there is need to comprehensively address the causes of criminal activities as well as their manifestations.

Causes of Human Rights Violations by Organized Crime

I. Socio-Economic Factors

Socio-economic factors help in creating an environment that is suitable for human rights violations by organized crime groups²¹. Exploitation and coercion by criminal networks thrives in the presence of poverty, inequality, and absence of economic opportunities. People in marginal social groups with low levels of education, healthcare, and employment are likely to join criminal activities such as drug trafficking, human trafficking, and forced labor. Social exclusion deepens due to economic disparities and the cycles of poverty and vulnerability continue, enabling human rights abuses by organized crime networks

2. Political Factors

Political factors such as corruption, weak governance and political instability provide safe haven for organized crime to flourish and commit human rights abuses with impunity²². Corruption in political institutions and law

enforcement agencies weakens the rule of law, erodes public trust, and enables collusion between criminal syndicates and state agents. Political instability and conflicts offer sanctuary to organized crime groups as they can embark on their nefarious activities without being detected. Organized crime can penetrate state institutions, co-opt political elites and influence public policy to their advantage in settings where democratic systems are weak or non-existent, thus worsening human rights abuses.

3. Legal and Law Enforcement Challenges

Legal and enforcement issues constitute major barriers to the prevention of human rights violations committed by organized gangs. Lack of proper legal frameworks, loopholes in legislation and lenient sentencing for criminal offences provides a sort of freedom for organized crime. Complex criminal networks are particularly difficult to investigate and prosecute because law enforcement agencies tend not to have enough resources, training, or capacity in cases of transnational crime and corruption. In addition, corruption and collusion among members of the law enforcement agencies work against efforts to fight organized crimes as well as securing human rights thereby hindering accountability to victims of abuse.

4. Globalization and Transnational Crime Networks

Globalization and the interdependence of economies and societies have enabled the rise of transnational crime networks that transcend borders by capitalizing on regulatory holes to elude detection and prosecution²³. Advancement in technology, communication, and transportation has led organized crime groups to establish international networks for drug trafficking, human trafficking, arms deals among others. Transnational crime networks utilize the challenges in global supply chains, financial systems and digital platforms to launder money, hide assets and supporting criminal activities. However, the spread of transnational crime contributes to more human rights abuses due to violence, corruption and instability in communities worldwide that undermines peace security and human dignity²⁴. The analysis of factors that lead to human rights violations by organized crime allows policymakers, law enforcement agencies and civil society

organizations design better strategies and interventions in order to address the root causes of criminality, strengthen legal systems, improve capability of national actors in enforcing the law as well as promote international cooperation for fighting organized crimes while upholding human rights standards and principles.

Implications and Challenges of Dealing with Human Rights Violations

I. Legal Implications

The legal challenges associated with dealing with human rights abuses by organized crime are many and include the problem of jurisdiction, the issue of standards of evidence, and procedural complexities²⁵. However, in most cases crimes organized by criminal groups go across jurisdictions making it hard to prosecute the offenders and enforce the law. Additionally, legal frameworks may be inadequate to deal with new forms of organized crime such as cybercrime and human trafficking which demand specialized expertise and coordinated actions. Other legal implications include issues related to due process rights, fair trials and victim and witness protection in situations where corruption or political interference erodes the impartiality of judicial systems.

2. Challenges in Prosecution and Enforcement

The complexities in prosecuting and enforcing laws against organized crime include a lack of resources, institutional weaknesses and the nature of criminal networks. Evidence collection, surveillance operations and coordination of cross border investigations can pose logistical challenges for the law enforcers particularly in cases involving transnational crime and corruption. In addition, organized crime groups use various tactics to intimidate, threaten or bribe law enforcers and this makes it almost impossible to prosecute and get convictions in criminal cases. The multitude of digital technologies and use of encrypted communications only compound the efforts to monitor criminal activities, making it harder for prosecutors and enforcement agencies.

3. Impacts on Victims and Survivors

Human rights violations committed by organized crime have profound physical, emotional and psychological effects on victims and survivors that last long after the abuse has stopped. Victims suffer from traumas, anxiety

and depression after their ordeal, toiling to restore normal life with safety and confidence. Victims of human trafficking, forced labor, and sexual exploitation are left with physical injuries, sexually transmitted infections, and reproductive health complications that make their predicament worse²⁶. Additionally, victims may also be victims of social stigma, discrimination and ostracization from their peers which intensifies the feeling of isolation and hopelessness.

4. Psychological and Social Repercussions

In addressing human rights violations perpetrated by organized crime, the psychological and social effects reach beyond individual victims to communities and societies at large. Organized crime brings about high levels of fear, suspicion and insecurity as criminal networks continue cycles of violence, corruption and impunity. The deep rooted organized crime undermines social integrity, destroy community relations and erodes trust in institutions thereby derailing peace, justice and reconciliation.

Tactics for Countering Human Rights Abuses Posed by Organized Crime

I. Strengthening Legal Frameworks and Law Enforcement

A fundamental tactic for countering human rights abuses by organized crime is improving legal frameworks and law enforcement capabilities at both national and international levels²⁷. Such comprehensive legislation should include criminalization of organized crime activities, human rights abuses with due process rights and protections for victims and witnesses. Therefore, the legal frameworks governing various activities should be regularly reviewed and updated to ensure that they address emerging threats and vulnerabilities such as cybercrime, human trafficking, and corruption. Furthermore, law enforcement agencies should be provided with sufficient funds, training, and machinery to successfully explore, impeach, and dislocate criminal networks, while keeping human rights values and doctrines.

2. International Cooperation and Collaboration

The fight against transnational organized crime and human rights abuses across several jurisdictions requires international cooperation and collaboration²⁸. This includes enhancing cooperation between law

enforcement agencies, judicial officers as well as other relevant stakeholders across borders in sharing intelligence and coordinating investigations and also facilitating extradition and mutual legal assistance. It is necessary to ratify and implement international treaties, conventions, and protocols in order to improve cooperation in the fight against organized crime with a view of protecting human rights. Additionally, international bodies like Interpol, Europol and the UNODC facilitate dialogue, capacity building and technical assistance to promote global efforts aiming at fighting organized crime while respecting human rights.

3. Empowering Communities and Civil Society

Building community and civil society capacity is necessary to stop human rights abuses by organized crime, promote resilience and social cohesion. Communities that are affected by organized crime should be actively involved in the decision-making process, disbursement of resources, and policy formulation to address the causes and vulnerabilities²⁹. Civil society is a major player in promoting human rights, sensitization, and supporting victims of abuse while holding governments and institutions responsible for their actions. Strengthening communities and civil society actors enhances social networks, builds trust, and encourages collective action against organized crime and impunity.

4. Victim Support and Rehabilitation Programs

Comprehensive support and rehabilitation programs for victims of human rights violations committed by organized crime are essential to fostering healing, recovery, and reintegration into society. Victim support services have to be reachable, culturally responsive and designed in such a way that they provide needed medical care, psychosocial support, legal help and economic empowerment. Rehabilitation programs should be aimed at regaining victims independence, respect, and self-respect while analyzing the sources and effects of their victimization. Furthermore, stigma and victimization should be challenged by protecting the rights of victims and improving their agency to participate in decision-making processes.

Ethics in Researching Organized Crime and Human Rights

I. Ensuring Confidentiality and Security

Confidentiality and security are extremely important issues in research projects, especially when the studies deal with sensitive topics such as human rights abuse by organized crime. Researchers need to ensure that strong measures are in place to protect the confidentiality and integrity of all involved participants, data, and sensitive information throughout the process of conducting research³⁰. This also involves obtaining the informed consent of participants and keeping their identity and individual information in private from unauthorized access or release. In addition, researchers should utilize safe data storage and transmission means such as encrypted technologies and access controls to ensure that data breaches or leaks do not occur. Also, ethical issues pose a challenge for researchers to weigh the need for transparency and accountability against the need to protect research subjects and colleagues in situations where there are risks of retaliation or harm.

2. Protecting Vulnerable Populations

When researching human rights violations committed by organized crime, an important ethical principle to follow is the protection of vulnerable populations³¹. Research activities can also put vulnerable populations such as the victims, survivors, and marginalized communities at risk of harm, exploitation or retribution. Participants are vulnerable and, as such, researchers have a responsibility to give them priority by minimizing risks while ensuring support and protections through voluntary participation without coercion or undue influence. This should involve detailed risk assessment, specifically the setting of protocols for securing vulnerable participants and providing referral services such as counseling, legal aid or any other support that may be required. Researchers should also build partnerships with community stakeholders and advocates to make research activities culturally appropriate, ethical, and sensitive towards the needs and interests of vulnerable groups.

3. Ethical Reporting and Dissemination of Findings

One of the principal features that ethical reporting and dissemination of findings reflect research integrity and accountability, especially in human rights violations by organized crime. While collecting, analyzing, and reporting research findings, researchers are to ensure that they observe ethical guidelines and principles which ensures transparency, accuracy, and fairness in their representations of data and interpretations. Such aspects as situating findings in a broader socio-political and cultural context, addressing limitations and uncertainties in cautionary terms, and refraining from sensationalism or exploitation of vulnerable populations for the sake of sensational headlines should be taken into consideration. In addition, researchers should reflect on the potential implications of their findings for affected groups, stakeholders, and policy debate by attempting to promote understanding empathy and productive conversation about difficult topics³². In addition, researchers should emphasize open access and knowledge sharing by ensuring that research findings are accessible to different target groups such as policymakers, practitioner's intellectuals and the public without violating the rights of confidentiality and privacy of participants. By following these ethical ethics and strategies, researchers can contribute to the development of knowledge, encourage human rights, and nurture social change while keeping the highest standards of veracity, competence, and admiration for human dignity in their research accomplishments.

In summary, this study has emphasized the widespread nature of human rights violations committed by organized crime and the complexities inherent in dealing with these abuses. The central findings unveil the interplay between socio-economic, political and legal variables that prop up human rights violations such as trafficking, exploitation and violence. The case studies reviewed highlighted the severe consequences of organized crime on people, communities, and societies as well as the necessity for a multi-layered response to ensure human rights protection and justice.

Policy Implications and Recommendations

This research has important policy implications for governments, international organizations and civil society actors in the fight against

organized crime to protect human rights. Policy measures include strengthening the legal framework, enhancing law enforcement capacities, enacting international cooperation and collaboration, empowerment of communities and civil society as well as comprehensive assistance to victims and survivors of human rights violations. These recommendations seek to curb the root causes of organized crime, maintain responsibility and strive to maintain human rights standards and principles in the face of criminal impunity.

Suggestions for Future Research

Although this research has offered enlightening insights into the dynamics of human rights violations by organized crime, there are still some gaps that need further investigation and inquiry. Research in the future ought to address the new trends and patterns of organized crime, evaluate the implementation of policy interventions and law enforcement strategies, analyze how technological developments influence criminal activities, and assess international cooperation as one way to fight transnational organized crime. Furthermore, there is a lack of studies about victim and survivor experiences and views, as well as the socio-economic impacts of organized crime over time on individuals and communities.

Conclusion

To summarize, dealing with human rights abuses committed by organized crime calls for a pan-dimensional approach that addresses the underlying causes, strengthens institutions and empowers communities. Promoting accountability, justice and human dignity allows us to create a world free of organized crime where everyone is protected by their fundamental rights. Let us be alert, understanding, and determined to maintain the principles of equality, justice and human rights when fighting organized crime for peace and good life.

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