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RESEARCH ARTICLE

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MECHANISMS AND INSTRUMENTS FOR INTERNATIONAL COOPERATION OF PUBLIC SECURITY AND DEFENSE IN THE FIGHT AGAINST TRANSNATIONAL ORGANIZED CRIME: INTEGRATIVE REVISION

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ABSTRACT

Transnational organized crime (TOC) as a phenomenon evolves every day, causing fear to the population of any country, causing irreparable damage to society, not only in terms of monetary values and perceptions of insecurity, but also in violation of the right to life. In this context, transnational criminal organizations specialize and branch out into various criminal modalities, with the possibility of interconnections, always in the illicit search for resources to obtain profits for self-financing to perpetuate power parallel to the state. In this context, countries seek to establish policies to combat these criminal actions, but with timid results when compared to the transnational dimension of crime. These fights against COT take place through the mechanisms and instruments of international cooperation in the areas of public security and defense. Therefore, this integrative review sought to identify and select bibliographic productions dealing with mechanisms and instruments of international cooperation, through qualitative analysis obtained from the SCIELO, MICROSOFT ACADEMIC, BDTD and CAPES journals. Thirty-two bibliographic productions that meet the inclusion criteria established by this integrative review were selected, all of which were submitted to analysis and interpretation. In the end, it was verified in the referred bibliographical productions that the low international cooperation in the scope of public security and defense, using the current mechanisms and instruments, results in obstacles in their implementation, thus causing inexpressive results in the confrontation with COT.

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INTRODUCTION

Organized crime in its growing evolution seeks, more and more, to establish itself in parallel way to the democratic rule of law, applying in its criminal policy, a non-military hierarchy structure (ARAÚJO, 2010) with active action of corrupters and corrupted (CRESSEY, 1969, *apud* WERNER, 2009) with the objective of profit and parallel power. Its way of consolidating bases is through several illicit practices, according to the manner it is inserted, often using excessive violence, where it always causes not only fear and a feeling of insecurity suffered by society, but also promotes disrespect to the sovereignty of the constituted powers.

As SOARES explains (2019).

Organized crime, all over the world, from mafias to terrorism, when adopts violence as its language, invents signatures in murders, competes with rival groups the intensity of torments applied to victims and can be measured by its ability to change its power into pain, fear and humiliation. (SOARES, 2019, p.173).

This phenomenon, day by day, adapts itself to new arisen opportunities, always seeking to fulfill the space left by the legal state, bringing to itself the action of regulating and fiscalizing the economic flows and hidden domains, recruiting on many occasions, individuals without any prospect of improvement in their lives, not

making acceptance of these in relation to creeds, religions, social classes, age groups, genders, or any other levels of difference. Transnational organized crimes can have relations to become stronger, helping one another through illicit financing, with the criminal practice of “money laundering” promoting trade in the criminal underworld, by using multiple currencies and transactions, as well as coercion and extortion, creating a structural net in crime.

According to Gomes (2000, apud CARDOSO, 2011, page10) it is established as a definition for criminal organization, in order to build a political legal framework.

Criminal organizations are minimally organized associations, constituted of qualified people, specifically by the ever-increasing search for social and economic penetration, as well as the ever-widening acquisition of power infiltrating and mingling with the structures of public power, no more acting in a parallel way to or with the State, vying for positions, or otherwise, passing to act freely through it (GOMES, 2000, apud CARDOSO, 2011, p.10).

In growing number of members, criminal organizations proliferate in several countries, characterized by transnationality, overcoming boundaries and territorial limits in search of international criminal coalitions, obtaining advantages of different kinds (SOUZA, 2017) Through the narrow physical nearness between border countries, illegal commerce of illicit drugs, warfare materials, currency losses by foreign exchanges, among other crimes, change that region into an entrance door for interiorization of the illicit into each one of these countries, making it difficult their conceptualization, due to their referred amplitude (MENDRONI, 2012, apud FRIEDE 2019), depending on several characteristics (CARDOSO, 2011). To combat this global phenomenon of transnational characterization, which not only destroys families, but also unbalance the legally constituted power, actions by public authorities arise, what internationally shared, show the ideal way to be followed to really combat organized crime, by creating a cooperative agenda (ARAÚJO, 2010). In a more globalized way, Palermo Convention (2000) defined an organized and established criminal group, in its 2nd. article as being any structured group of three or more people, existing for some time, acting together to commit one or more serious crimes to obtain economic or other material benefit. From this context, then appeared mechanisms and other instruments of international cooperation in the fight against transnational organized crimes, so that social peace, order and territorial defense are established, reaching satisfactory results in this confrontation.

For Houaiss *et al* (2009, apud KLEBA, COMERLATTO, FROZA, 2015, p. 1064) the mechanism is defined as being “ the set of elements involved in the operation of any structure or system” Therefore the mechanisms are management processes carried out by the social actors in the decision-making action, in order to obtain positive results at facing TOC.

For KLEBA, COMERLATTO, et FROZA, Instruments areas base and ground which compose the official, legal, rightful ordering to guide the decision-making process in the management of policies, instructing their formulation, deliberation, implementation, inspection and evaluation. One may cite, for example, laws, policies, normalizations, plans, annual programming (with regulatory, propositive character) of an analytical/indicative nature, which feed and concretize the continuous process of planning in public management.

In this scenery we ask within our area of interest: what are the mechanisms and instruments of international cooperation adopted in fighting the transnational organized crime? Therefore, this study uses an integrative revision, for being this a method of knowledge synthesis that promotes to point out blanks in obtained knowledge, serving like support to new research discoveries.

Goal: Analyzing mechanisms and instruments in international cooperation for public security and defense in the fight against

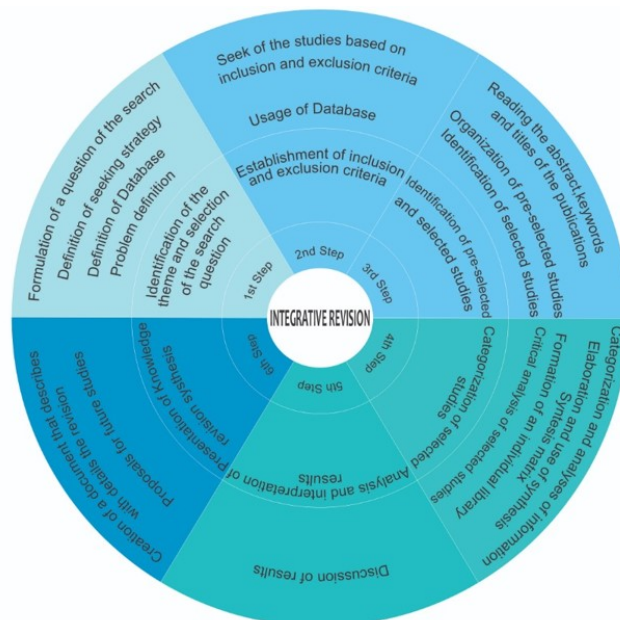
transnational organized crime from published literature on the subjects from 2016 to 2020.

METHODS

This research is an integrative revision which makes possible the synthesis of literary publications related to the addressed study.

The literature integrative revision is also one of the research methods used at PBE, which permits the incorporation of evidence in clinical practice. This method has the purpose of gathering and synthesizing results on a specific topic or issue, in a systematic and orderly manner, contributing to the deepening of the investigated topic. (MENDES; SILVEIRA; GALVÃO, 2008)

The knowledge synthesis and analysis provide the condensation of study ideas to the researched subject obeying the final inclusion criteria, in order to establish integration of the presented ideas. For Ursi and Galvão (2006), the integrative revision of literature makes possible the synthesis and analysis of the produced knowledge of the investigated topic. For Silveira (2005 apud SOUZA, SILVA E CARVALHO, 2010) integrative revision arises like a methodology which establishes knowledge synthesis and incorporation of applicability of the meaningful study results at practicing the investigated topic. SOUZA, SILVA E CARVALHO (2010) state that “Integrative revision is finally the broadest methodological approach, thus permitting the inclusion of experimental and non -experimental studies for an utter understanding of the analyzed phenomenon. (SOUZA; SILVA; CARVALHO, 2010, p.103). For Botelho, Cunha, Macedo (2011, p. 129) integrative revision must be carried out in six steps called: Identification of the theme and selection of the search question Establishment of inclusion and exclusion criteria, identification of pre-selected and selected studies, categorization of such studies, analysis and interpretation of results, and presentation of knowledge synthesis revision.



(Adapted of Botelho et al., 2011)

Figure 1. Steps of an integrative revision

To carry out the first step of the Integrative Revision, it was sought the guide question of the research by using the PICO strategy, from an English acronym P=Problem, I=Intervention, C=Comparison and O=Outcome: Result (CONSIDINE et al., 2017), to obtain descriptors' identification, with the intention of localizing important studies in the selected databases. In this study, P is the international cooperation at combating Transnational Organized Crime (TOC), I is related to outcomes, which are the mechanisms and instruments of international cooperation, O is the act of understanding the

phenomenon, becoming able to direct a better driving. So, the guide question consisted in: "What are the main instruments and mechanisms of international cooperation in public security and defense to combat organized crime?"

The second step of this research was carried out by adopting eligibility criteria to guide the search, i.e., bibliographic production were selected like articles, monographs, dissertations and theses in full, with free access, published between 2016 to 2020, which meet this study objective, besides being written in all languages. The central theme of this research was identified as instruments and mechanisms of international cooperation in the fight against transnational organized crime systematic and integrative revisions about the theme were excluded, as well as as studies without abstracts or with duplicated titles. For fulfillment of the 3rd. Step of this Revision it was carried out the identification, pre-selection and selection of the bibliographic production, being used the following DATABASE: SciELO (*Scientific Electronic Library Online*), MICROSOFT ACADEMIC, BDTD (Digital Library of Theses and Dissertations) and Periodics (CAPES) as a multidisciplinary form of research, subsequently evaluated, analyzed and interpreted to obtain the questioning result.

Digital Library of Theses and Dissertations and Periodic Capes, as a multidisciplinary manner of research, subsequently evaluated, analyzed and interpreted to obtain the questioning result. Respective accesses were made through the following electronic addresses: <https://scielo.org/>; <https://academic.microsoft.com/home>; <https://bdtd.ibict.br/vufind/and> <https://www-periodicos-capes-gov-br.ezl.periodicos.capes.gov.br/index.php?>. The choice for the referred bases was made due to the scope in relation to the area and the topic addressed in this research. For location of bibliographic productions in the above mentioned bases, were used the following descriptors: "Transnational organized crime, international cooperation, Public safety and Defense, as well as making use of the boolean operator OR to obtain the result intended by the research objective. The final sample for analysis and interpretation of the research results is obtained through the performance of the four actions of the collection process, which are: identification, selection, eligibility and inclusion. This procedure is necessary so that the integrative revision and its proposed goals present a knowledge synthesis related to the study item. Thus, the research was carried out as the first action to survey bibliographic productions, gathered in each database, obtaining in the end, a general result, in a generalized way, with the identification of each one of the bibliographic productions.

As second action, it was carried out the selection of the bibliographic productions in all the bases in this research meeting the initial criteria of inclusion, being made, in previous attendance, the exclusion of those productions which were not related with the instruments and mechanisms of international cooperation of public safety at combating the transnational organized crime, when in the recuperation of their titles. In parallel procedure, were eliminated bibliographic productions with duplicated titles, besides those productions with inaccessible reading. At the end, the productions were traced for reading the respective abstracts. As third action, in the evaluation of bibliographic productions, traced in whole text for eligibility, were selected only those ones that did not meet exclusion criteria. In the procedure sequence it was carried out a research of accessible bibliographic productions that met inclusion criteria, having as source the references of those selected ones, in order to perform the fourth action as the last adopted procedure to obtain the final sample. Established the final sample, it will be performed the analysis and interpretation of the obtained results of the bibliographic productions included, for the synthesis of knowledge looking for answers to the guide question in this study, that is instruments and mechanisms of international cooperation of public safety and defense at combating the transnational organized crime. Below, figure 1 can be seen as the graphic representation of this research categorization, being this one the 4th Step of the Integrative Revision, which establishes the proceedings of identification, selection, eligibility and

inclusion to obtain the final sample in order to establish the proposed objectives when oriented by the question that guides this study.

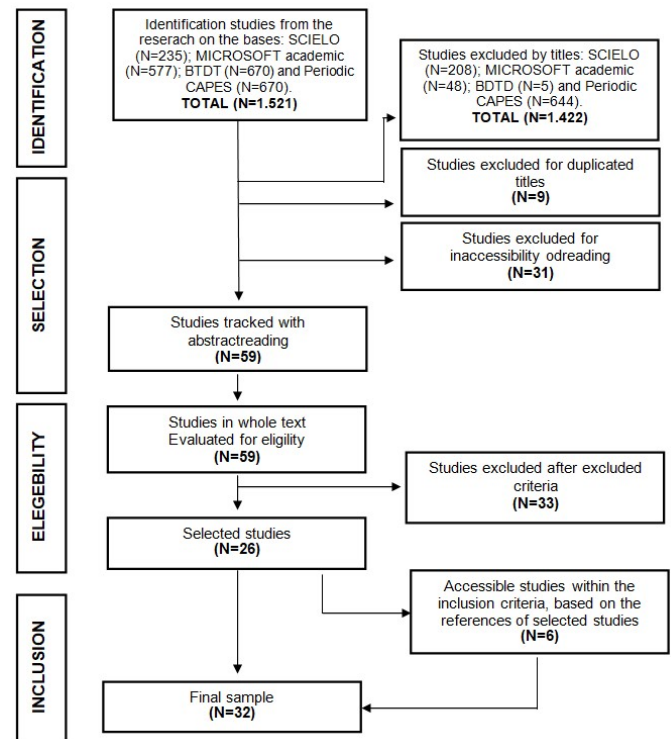


Figure 2. Flowchart of identification and study selection. 1521 studies were previously selected but only 32 studies were employed in this study

This is the systematized representation of the methodological process applied to this research, according to inclusion and exclusion criteria, in achieving the proposed objective.

ANALYSIS AND RESULT INTERPRETATION

The present research, established by the retrieval of information through searches in databases, assessment and evidence synthesis in bibliographic productions in relation to its central theme, has sought to join and synthesize these results related to main instruments and mechanisms of international cooperation in the fight against the transnational organized crime, thus obtaining a systematic form of knowledge as being the 5th. Step of the Integrative Revision, bibliographic productions data were organized into 02 (two) tables, being the first one constituted of sorting numbers. This is the systematized representation of the methodological process applied to this research, according to the inclusion and exclusion criteria to obtain the proposed objective. As being the 5th Step of the Integrative Revision, bibliographic productions data here included were organized in 02 (two) tables, the first constituted by sorting numbers, database, authors, year, country and objective, being such production totally of qualitative type. Such productions that arose in databases, provided the summation of 32 (thirty two) items for the research sample, that is 2,10 % of 1.521 productions, identified in the initial phase of this research sample, according to figure 1. In these productions, selected in eligibility and inclusion and exclusion criteria to obtain the final sample, it is possible to verify their origin as it follows: Brazil presented 24 (twenty four) of their utter number, that is 75%, while Colombia presented 04 (four), 12,50 %, and Argentina, Ecuador, Portugal and Uruguay provided 01 (one) study, respectively, and when added, presented 12,50% of the total number of bibliographic productions joined together for the research. In Research Databases 26 (twenty six) bibliographic productions were identified and selected after inclusion criterion: SciELO with 05 (five) articles (19,23%), Microsoft Academic with 08 (eight) articles and 01 (one) Dissertation (34,61%), Periodic CAPES 04 (four)

Table 1. Main information about the bibliographic productions found in databases

Nº	Base	Study	Author	Year	Country	Study Type	Study Objective
01	Periodic CAPES	Article	Rocha	2018	Brazil	Qualitative	Raising and analyzing the main instruments and mechanisms of prevention of conflicts developed and put in practice by UNASUL and specially by South American Defense Council since its foundation in 2008 up to the year 2017
02	Periodic CAPES	Article	Souza	2016	Brazil	Qualitative	Analyzing the CDS through its systemic, institutional and operational factors.
03	Periodic CAPES	Article	Costa; Campos; Brasil	2017	Brazil	Qualitative	Making brief notes about money laundering and the international cooperation, as well as analyzing the performance of the International Monetary Fund (IMF) (FMI) contributing to the study of the thematic involving the international cooperation in criminal matter,
04	SciELO	Article	Garzón; Avellaneda	2019	Colombia	Qualitative	Carrying out a regional characterization, by establishing a context that favors criminal schemes, identifying its respective involved ones.
05	SciELO	Article	Alle	2017	Brazil	Qualitative	Analyzing the international legal cooperation
06	Microsoft Academic	Article	Baqueiro	2017	Brazil	Qualitative	Analyzing the mechanisms of international legal cooperation in criminal matters in the European Union. Implementation of the European Public Prosecutor's Office to the resistance of countries which belong to the European Union at their admittance.
07	SciELO	Article	Bragatti; Gonçalves	2018	Colombia	Qualitative	Understanding the creation process of CDS and the complexity of perspectives that permeate the Defense Area in South America
08	Microsoft Academic	Artigo	Souza	2017	Brazil	Qualitative	Investigating the reasons which constitute the preventive methodology of the international criminal organization from the understanding of the legal definition of transnational criminal organization.
09	Microsoft Academic	Article	Faccioli	2020	Brazil	Qualitative	Analyzing the performance of Police Community of Americas (AMERIPOL) as a mechanism of transgovernmental governance in preventing and confronting C O T.
10	Periódicos CAPES	Article	Galicía	2018	Brazil	Qualitative	Presenting concept standards of Transnational Crime and International Legal Cooperation
11	Microsoft Academic	Article	Succi Junior; Castro	2019	Brazil	Qualitative	Understanding social and political processes that define or redefine activities considered to be criminal and how to combat them.
12	Microsoft Academic	Article	Vaz	2019	Brazil	Qualitative	Evaluating the use of the Brazilian Army in the fight against COT at global level and in South America
13	SciELO	Article	Espinoza	2017	Ecuador	Qualitative	Describing the regulamentation form in Equatorian penal legislation as for the mechanisms of international legal cooperation.
14	Microsoft Academic	Article	Lago; Almeida	2017	Brazil	Qualitative	Analyzing the treatment given by the Brazilian legislation to illicit drug traffic as a modality of transnational organized crime.
15	Microsoft Academic	Article	Chichoski	2019	Brazil	Qualitative	Analyzing how strategies of securitization develop in face of new menaces that develop in the context of International Organized Crime (IOC) (TOC) in South America.
16	Microsoft Academic	Article	Framento; Ferreira	2018	Brazil	Qualitative	Understanding what the impact is from the institutionalization of CSSCJDOT in the promotion of regional peace, through the building of a South American agenda for its three key- themes..
17	SciELO	Article	Vitelli	2020	Brazil	Qualitative	Analyzing competing security perspectives of hemispheric and South American defense cooperation initiatives.
18	BDTD	Dissertation	Bragatti	2016	Brazil	Qualitative	Understanding the creation process of CDS and the complexity and perspectives that permeate the Defense Area in South America, and, specially, at UNASUL.
19	BDTD	Dissertation	Brasileiro	2018	Brazil	Qualitative	Finding out if international legal cooperation in criminal part has limits at facing terrorism and how to understand it.
20	BDTD	Dissertation	Girardi	2018	Brazil	Qualitative	Studying international legal operation for prevention and repression to money laundering, crime in expansion parallelly with new economic, social and political relations of the world society of risk.
21	BDTD	Dissertation	Romero	2017	Brazil	Qualitative	Analyzing the true importance of international legal cooperation for the for the confrontation of money laundering crime within the framework of (GAFI) (FATF) through the recommendations 36 to 40, since they have proved to be useful and efficient
22	BDTD	Dissertation	Mansani	2017	Brazil	Qualitative	Analyzing as the role of Armed Forces (FFAA) (AF) in South America has changed and has been addressed in the redemocratization context.
23	Microsoft Academic	Dissertation	Castro	2019	Colômbia	Qualitative	Analyzing the regional safety complex as being the best strategy to fight against the organized crime of the Triple Border composed of Argentina, Brazil and Paraguay.
24	BDTD	Thesys	Almeida Júnior	2018	Brazil	Qualitative	Investigating the drug theme from an integrated analysis among the notions of safety and defense required perspective for investigation of border crimes, as the international drug traffic.
25	BDTD	Thesys	Teixeira	2019	Brazil	Qualitative	Having arguments about the new model of military alliances established post WWII, called here Cooperation Organizations in Defense (OCD's) (COD) as well as their influence in elaboration and operation of the South American Defense Council.
26	BDTD	Thesys	Souza	2019	Brazil	Qualitative	Verifying the causal variables of the creation of CDS-UNASUL and the cooperation dos EUA.
27	Reference	Article	Elias	2016	Portugal	Qualitative	Rebuild in a critical form the conceptual framework of organized criminality and its connection with mass criminality.
28	Reference	Article	Souza	2017	Brazil	Qualitative	Understanding the role of menaces for the cooperation in regional defense
29	Reference	Article	Cozzi	2017	Uruguay	Qualitative	Analyzing the main instruments of criminal assistance and extradition against COT, approved by MERCOSUR COUNTRIES.
30	Reference	Monograph	Cortes	2017	Colombia	Qualitative	Addressing the characteristics of transnational crime in the border, shared by Brazil, Argentina and Paraguay to better fight against such terrible crime.
31	Reference	Article	Frenkel	2016	Argentina	Qualitative	Identifying and analyzing factors which had positive impact in the performance of Southamerican School of Defense (ESUDE)-UNASUL, verifying related processes.
32	Reference	Dissertation	Medeiros	2018	Brazil	Qualitative	Analyzing how the cooperation between Brazil and Paraguay has developed for fighting against organized crime in the frontier between both countries.

artigos (15,39%), BDTD 05 with 05(five) Dissertations and 03 (three) Thesis (30,77%). The 26 (twenty six) bibliographic productions, identified and selected from a total of 59 (fifty nine) represent 44,07 of the studies which contain whole text evaluated for eligibility. The 33 (thirty three) productions left were removed, following the criterion of exclusion adopted (55,93%). In the references of bibliographic productions obtained in the bases above listed and meeting all inclusion criteria, were identified and selected 04 (four) articles, 01 (one) monograph and 1 (one) dissertation, thus totalizing 06 (six) bibliographic productions (18,75) of the final sample. Therefore, the sample is constituted of 21 (twenty one) articles, (66,62%) 07 (seven) dissertations (21,88%), 03 (three) thesis (9,38%) and 1 (one) monograph (3,12%). The bibliographic productions which met inclusion criteria are grouped according to the following publication periods: 04 (four) of them were published in 2016 (12,50%) being two of them in the database of this research (6,25%), and 2 (two) in the obtained references of the selected bibliographic productions (6,25%); 11 (eleven) productions were published in 2017 (34,37%), being 08 (eight) in databases (72,73%) and 03 (three) in the references (27,27%); 08 (eight) bibliographic productions were published in 2018 (25%), being 07 (seven) (87,5%) and 01 (one) in the references (12,5%); 07 (seven) productions were published in 2019, all of them coming from database (21,88%) and 02 (two) also from database (6,25%).

In relation to the objectives of bibliographic productions, it is possible to group the following main themes: 02 (two) of them related to activities of the transnational organized crime (TOC), 02 (two) of them about securitization at fighting against TOC, 03 (three) about the utilization of police and military institutions at combating TOC, 04 (four) bibliographic productions about the region where TOC acts, 04 (four) of them about cooperation in defense and international security, 07 (seven) of them about the performance of Union of South- American nations (and international NASUL in the fields of international security and defense and 10 (ten) productions about international legal cooperation. The second table is constituted by the enumeration of the respective data bank, plus the outcomes, results and conclusion. Finally it was carried out the categorization of the bibliographic productions, through their correlations. To exercise effective activities in the fight against transnational organized crime, one must understand beforehand the social and political processes that involve and characterize the criminal actions, as well as the adoption of a universal legal conception to be perceived for all those that do mutual actions to combat the studied phenomenon. (SOUZA, 2017; SUCCI JÚNIOR; CASTRO, 2019; ELIAS, 2016). Defining the universal characterization of transnational organized crime, it is necessary to identify the environment where it is established the referred criminal act, and it can be by dividing the region, due to border geographic conditions, vinculating its objectives. (GARZÓN; AVELLANEDA, 2019), taking as reference the security complex where the combat is, involving the triple border, composed by Argentina, Brazil and Paraguay (CASTRO, 2019; CORTES, 2017; MEDEIROS, 2018), as also through criminal schemes, like "money laundering (COSTA; CAMPOS; BRASIL, 2017; GIRARDI, 2018; ROMERO, 2017), terrorism (BRASILEIRO, 2018), drug traffic (ALMEIDA JÚNIOR, 2018) other transnational threats which establish cooperation necessity in regional defense (SOUZA, 2017).

Several international organizations create cooperation mechanisms and instruments so that their member countries can perform combat actions against transnational organized crime in a shared way to obtain satisfactory results. Following this context, as a form of prevention and reaction, UNASUL, through instruments and management mechanisms to solve conflicts, adopts an international policy to its member states, cooperating mutually, protecting sovereignty of each one, trying to keep the balance of peace. (ROCHA, 2018; VITELLI, 2020). For subjects related to defense, it was created the South American Defense Council (CDS), as an international cooperation mechanism, that, through systemic, institutional and operational factors, promote balance in the field of nations' defense (ROCHA, 2018; SOUZA, 2016; BRAGATTI; GONÇALVES, 2018; SOUZA, 2019). UNASUL, through one of

CDS instruments (ROCHA, 2018) of defense and security cooperation, being one of them the South American School of Defense - ESUDE (FRENKEL, 2016), has fostered 'mutual confidence among its members, in treating not only in the constitution of a block of military protection among its members, but also related to Transnational Crimes with active participation of their respective Armed Forces (FFAA). The contemporaneous panorama of security and defense in South America promotes the fortification of its structures because of the advance of transnational organized criminality, occurring this way, new conceptions so that the confronting obtain positive results. Despite the efforts made, the improvement presents some difficulties in relation to consensus and transparency, causing loss of motivation in some countries in their active participation, because of several uncertainties. In this try of fortification, the United States cooperation along with South American Defense Council (CDS) (SOUZA, 2019) is accepted as a link to defense actions and security policies, but some members are not favorable to this North American influence in the block, with restrictions to this participation, for it causes displeasure to some countries. The Council on Citizen Security, Justice and Coordination against Transnational Organized Delinquency (CSSC DOT) is the UNASUL mechanism, responsible for Social and Economic Policies in the confrontation at COT. This Council has low impact in the solution of problems of Citizen Security, Justice and combat to transnational Organized Crime, due to its recent arise, as well as by the few and inefficient instruments of international cooperation, added to some countries resistance in relation to respective sovereignties and active cooperation of the USA. (FRAMENTO; FERREIRA, 2018; SOUZA, 2019).

The cooperation of international defense and security is established through the integrated analysis between the notions of these aspects against threats, requested perspective for the investigation of cross-border offenses for the coverage of the legal definition (SOUZA, 2017; ALMEIDA JÚNIOR, 2018) in a current and globalized way, having as an example, the initiatives of cooperation in hemispheric South American Defense which are optimized in participatory dynamics, acting as instruments of cooperation in the confrontation. (BRAGATTI, 2016). Among the international legal cooperations one can find mechanisms and instruments related to the combat against transnational organized crime, when standardizing their own definition. (ALLE, 2017; GALÍCIA, 2018; COZZI, 2017), having the necessary legal framework, inserted in a legal contextualization, associated with pre-established norms, encompassing at the same time, the legislation of countries, in the form of extension and legal certainty, such as the performance of IMF) (COSTA; CAMPOS; BRASIL, 2017) and the mechanisms of international legal cooperation in criminal matter in European Union. The implementation of the European Public Ministry and the resistance of the European Union in its admission are perceived like opposite dimensions in the process of legal fortification in the region, causing, this way, some disagreements in the resolution of actions in the fight against cross-border criminality (BAQUEIRO, 2017). The International Legal Corporations promote the fortification of public power of the countries that integrate international organizations, but for that to happen, the involved nations must fortify their internal legislations. In this analysis, one verifies that the Equatorial Legal System, through the State Attorney General, performs actions such as the use of the Organic Integral Penal Code as a tool for establishment of the International Legal Corporation (ESPINOZA, 2017). But, at analyzing the treatment given by Brazilian Legislation at confronting drugs traffic as a modality of Transnational Organized Crime, it is verified an existing problem at its applicability, because with the current definitions of judicial framework of the Law 11.343/2006, which is available in the Brazilian System of Public Policies about Drugs (SISNAD), they generate a policy of mass incarceration, not really reaching the purpose of fighting criminal organization what truly is the purpose of combating criminal organizations, which is the main focus (LAGO; ALMEIDA, 2017). Still in the context of Legal Cooperation, in the field of GAFI, the recommendations it adopts, show themselves as useful and efficient, especially in the questions financial and economic (ROMERO, 2017),

being the referred actions applied in Brazil, through National Strategy of Combat Corruption and Money Laundering. (ENCCLA) (GIRARDI, 2018). Legal Cooperation and extradition against COT, approved by the countries linked to MERCOSUL, formed as cooperation mechanisms, through the application of strategies instituted in international conventions for the use of established protocols, and extraditions, (COZZI, 2017).

Securitization strategies of the region where transnational criminal organizations are established with extreme application of resources for Defense and Security, as a result of the emergence of new threats that evolve in international context, as occurs in South Hemisphere (CHICHOSKI, 2019) This way Military models of Alliance are presented to contribute for strategic Actions of South America Council (TEIXEIRA, 2019). As a mechanism for transgovernmental governance in the region, in terms of prevention and confrontation to transnational organized crime, the securitization strategy can be attributed to police community of the Americas (AMERIPOL) the role of agglutination of police actions (FACCIOLI, 2020), while the Armed Forces, as Defense instruments to International Cooperation, as also a warranty of National sovereignty nacional, pass through a process of adaptation to the new demands of redemocratization and confrontation against COT (VAZ, 2019; MANSANI, 2017). In view of the above, they are identified in bibliographic productions that are part of the final sample for the realization of this research, as being the main mechanisms and instruments of international cooperation in public security and defense in the fight against transnational organized crime, those that are in the following analysis. As researched mechanisms in the bibliographic productions of the Final Sample, 21 (twenty one) productions approached the International Councils as International Cooperation Mechanisms, being that the South American Defense Council was approached by 11 (eleven) bibliographic productions (SOUZA, 2016; BRAGATTI; GONÇALVES, 2018; SUCCI JÚNIOR; CASTRO, 2019; CHICHOSKI, 2019; VITELLI, 2020; BRAGATTI, 2016; ALMEIDA JÚNIOR, 2018; TEIXEIRA, 2019; SOUZA, 2019; FRENKEL, 2016). The South American Council in the matter of Citizen Security, Justice and Coordination of Actions against Transnational (CSSCJDOT) for 07 (seven) bibliographic productions (ROCHA, 2018; SOUZA, 2016; SUCCI JÚNIOR; CASTRO, 2019; CHICHOSKI, 2019; FRAMENTO; FERREIRA, 2018; CORTES, 2017). The South American Council for the World Problem of Drugs (CSPMD) for 03 (three) bibliographic productions (SUCCI JÚNIOR; CASTRO, 2019; ALMEIDA JÚNIOR, 2018; CORTES, 2017) (ONU), for 01 (one) study (BRASILEIRO, 2019).

Therefore, 19 (nineteen) bibliographic productions approached international Conventions as mechanisms, being that the United Nations Convention against the Transnational Organized Crime (UNTOC – free translation), known as Palermo Convention, was approached for 06 (six) bibliographic productions (COSTA; CAMPOS; BRASIL, 2017), (BAQUEIRO, 2017), (SOUZA, 2017), (GALÍCIA, 2018), (COZZI, 2017) e (MEDEIROS, 2018), the Inter-American Convention about mutual assistance in criminal assistance, also known as Nassau Convention, was approached for 02 (two) bibliographic productions (BAQUEIRO; COZZI, 2017) the United Nations Convention against Corruption, also known as Merida Convention, was approached for 03 (three) bibliographic productions (COSTA; CAMPOS; BRASIL, 2017; SOUZA, 2017; COZZI, 2017), the Convention about Psychotropic Substances, also known as Vienna Convention, was approached for 03 (três) bibliographic productions (COSTA; CAMPOS; BRASIL, 2017; LAGO; ALMEIDA, 2017; COZZI, 2017). The Convention about International Commerce of Wild Species of Flora and Fauna in Extinction Risk (CITES) and Strasbourg Convention were approached for the Study (SOUZA, 2017). The Convention about Corruption of Foreign Public Agent in International Commercial Transactions was approached by study (ALLE, 2017). The Unique Convention about Narcotics was Convenção Única sobre Entorpecentes foi pesquisada pelo researched by study (LAGO; ALMEIDA, 2017). The Inter American Convention against Corruption by the study (COZZI, 2017).

The International Treaties were approached for 03 (three) bibliographic productions (COSTA; CAMPOS; BRASIL, 2017; BAQUEIRO, 2017; MANSANI, 2017), being MERCOSUL Treaties, the Mutual Support in Criminal Matter between the Portuguese Republic Government and the Government of Federative Republic of Brazil in 1991 (Decree 1.320/94 and that of Mutual Assistance in Criminal Matter and that other of Mutual Assistance between the government of Federative Republic of Brazil and Canada Government (Decree 6.747/09) (COSTA; CAMPOS; BRASIL, 2017). The treaties of Amsterdam and the Third Cornerstone, the Lisbon's, and that of the European Union. (BAQUEIRO, 2017). The Inter American (TIAR) Period of Cold War – Defense Aims (MANSANI, 2017). Other studies were approached for only one unique study. Other mechanisms were approached for just one study, and they do not fit in the bibliographic studies cited above (GARZÓN; AVELLANEDA, 2019; FACCIOLI, 2020; VAZ, 2019; ESPINOZA, 2017; GIRARDI, 2018; ROMERO, 2017; CASTRO, 2019; ELIAS, 2016).

As instruments of international cooperation approached in bibliographic productions of the Final Sample, 07 (seven) researches about formation and capacitation/ Center of bibliographic productions strategies of Defense (CEED) and by the South American School of Defense (ESUDE) (BRAGATTI; GONÇALVES, 2018; FACCIOLI, 2020; CHICHOSKI, 2019; VITELLI, 2020; BRAGATTI, 2016; CORTES, 2017; FRENKEL, 2016). 05 (five) researches about the use of Armed Forces (FFAA) as instrument JUNIOR; CASTRO (2019) (VAZ, 2019; VITELLI, 2020; MANSANI, 2017; ALMEIDA JÚNIOR, 2018). The actions of international legal cooperation approached for 04 (four) bibliographic productions. (COSTA; CAMPOS; BRASIL, 2017; ALLE, 2017; BAQUEIRO, 2017; SOUZA, 2017). The Inter-American Defense Board (JID) was approached for 03 (three) bibliographic productions (VITELLI, 2020), (MANSANI, 2017) and (SOUZA, 2019) The action of Financial Action Group against money laundering and terrorism financing (GAFI) was researched for 03 (three) bibliographic productions (COSTA; CAMPOS; BRASIL, 2017), (GIRARDI, 2018) and (ROMERO, 2017) and with relation to integrity of financing system (GALÍCIA, 2018) and (COZZI, 2017). The Defense Policies, Peacekeeping (Military Cooperation, Humanitarian Actions and Peace Operations) and the Industry and Defense Technology were approached for 02 (two) bibliographic productions (BRAGATTI; GONÇALVES, 2018) e (BRAGATTI, 2016). Other instruments were approached for just one study and do not fit in the bibliographic productions above referenced. (ROCHA, 2018), (SOUZA, 2016), (GARZÓN; AVELLANEDA, 2019), (ESPINOZA, 2017), (LAGO; ALMEIDA, 2017), (FRAMENTO; FERREIRA, 2018), (BRASILEIRO, 2018), (CASTRO, 2019), (TEIXEIRA, 2019), (ELIAS, 2016), (CORTES, 2017) (MEDEIROS, 2018).

CONCLUSION

As synthesis of knowledge, being this the 6th step of the integrative revision, the bibliographic productions, despite the methodological weakness of some studies, what hinders analysis to the identification of the mechanisms and instruments, shows that the combat against transnational organized crime must be optimized by the cooperation among countries, through coordination of mutual actions, with the aim of implementing several initiatives and strategies, by means of mechanisms and instruments. International cooperation is obtained through political dialogue, as a mechanism in search of institutional development in the security and defense field, by using international instruments, such as the bilateral or multilateral agreements, with effective norms internationally valid and that generate rights and obligations of them all. International cooperation mechanisms establish instruments in order to help mutually, in a way to not cause impunity or violation of the rights and warranties of the defendants of transnational crimes, stating that the punishment will be linked to the legal system of each country they belong to or have had their freedom taken away by the act of committing a crime that transcends territorial boundaries of sovereign States, and this way, international cooperation is opportune and necessary for harmony of actions and

legislations applied in each country. The Member States of international organizations seek through cooperative actions establish a policy of mutual help, in international dimension, being a policy of mutual help, in territorial defense or in the field of public security, always with fortification of cooperation of their legal bases, transposing through councils, conventions, treaties and other mechanisms, the territorial limits of country, through legal instruments so that there are conditions that meet the demands in facing criminal threats. Among their ways of acting, international organizations join together systems, legislations and strategies that meet their basic principles, fortifying mutually those who are part. The countries that integrate them must accept their resolutions established by acts of mechanisms of international cooperation at combating transnational organized crime, in the form of padronization of international actions and dynamic, as well as in legal ordering compatible, always guided in promotion of harmony in the region and in conflict solutions among their member countries. In this conception, the American States Organization (OEA), as a mechanism, emphasizes its actions in the combat against internal threats crime, as terrorism, always recognizing each country sovereignty, seeking the consonance in the region and the combat against external threats, ensuring security, peace and democracy establishment, according to its respective Constitutive Letter. It is verified that the participation of civilians and military in this international communities aiming to modify structures and cultures is necessary, so that the countries can accomplish new actions and dynamics in defense policies in Latin America, because the referred participation, through mutual complementation of perceptions, get to extract current policies and of context in international dimension. OEA instrument to treat military and Defense subjects is the Inter American Defense Board (JID), being vinctulated to it the Inter American School of Defense (CID), performing the promotion of international teaching of multidisciplinary character in the study of South American identity in Defense subject.

Following this perception of International cooperation, the South American Nations Union (UNASUL) established strategies, plans and mechanisms of coordination and strategies, plans and mechanisms of coordination and cooperation among its Member States, as well as constructed a South American identity of security actions in context of International Defense, through the mechanism of international cooperation called South America Defense Council (CDS), having this the finality of firming political, economic and social of the region. South America Defense Council (CDS) can be defined as a consult, cooperation and coordination mechanism in the defense subjects of UNASUL, respecting the sovereignty, territorial integrity and no intervention in internal subjects of its member countries. This International Council established through joint actions, the fortification of security in South America in its scopes, international and regional, as also in conflict resolution, counting on significant advances in the field of confidence and defense industry and technology, as well as in the construction of permanent structures through several initiatives and strategies, added to the entire institutional architecture of the organization, acting in a way to stimulate dynamic actions that can offer political answers to the problems. The actions guided by South American Defense Council (CDS) were approached for several several bibliographic productions of this research, showing to be the most referenced mechanism in the Final Sample of this Integrative Revision, also realizing a context of divergences between its security conception and the policy of security adopted adopted by OEA member countries, reflecting, thus, a disharmony in the promotion of a Latin America defense policy abordadas por várias produções bibliográficas desta pesquisa, demonstrando ser o mecanismo mais referenciado na amostra final desta Revisão Integrativa, percebendo também um contexto de divergências entre a sua concepção de segurança e a política de segurança adotada pelos países membros da OEA, refletindo assim numa desarmonia na promoção de uma política de defesa latino-americana on the part of this last one. To carry out its actions, the South American Defense Council (CDS) sustains the traditional perception of using the Armed Forces (FFAA), in the fight against external threats as a war action in a context of conventional war,

being this an obstacle that makes it difficult the cooperation among its members in establishing partnerships in relation to conflict solutions. The CDS (SDC) presents a situation of possible fragility and loss of focus of its member countries, especially in relation to conflict solutions between countries which divide borders, the presence of internal instabilities and government changes in each country of the region, having as result of this context, a low presence and institutional actuation, showing difficulties in relation to consensus and transparency, having the necessity of being consolidated as an active defense institution. But, due to diplomatic approximation among some South American countries with potencies of other continents, being one of these the USA, added to the specific interests of each nation, makes that the defense field has obstacles in its essence. Therefore, for CDS to be strengthened, each one of its member states must have their commitments signed at the moment of its admission, in order to strengthen it and make it active, meeting the existing demands in the international field, being this of fundamental relevancy. Another UNASUL mechanism is the Council in Citizen Safety, Justice and Action Coordination against Transnational Organized Delinquency (CSSCJDOT), being this the second mechanism more cited in bibliographic productions, always focusing on consult, coordination and cooperation of actions related to security, justice and fighting against the transnational organized crime in South America.

The Council in Citizen Security, Justice and Action Coordination against Transnational Organized Delinquency (CSSCJDOT) can have a low impact in its functions since the referred Council faces great challenges as the one of being newborn, and also for the deficit of efficient instruments to promote cooperation, already tangible by the resistance from the States in renouncing part of its sovereignty, since the referred council face great challenges like being newborn, as also by the deficit of efficient tools to promote cooperation, because of the resistance already apparent from the United States in *visto que o referido conselho enfrenta grandes desafios como o de ser recém criado, como também pelo déficit de instrumentos eficientes para promover a cooperação*, and by the influence of United States of America (USA). The instruments of these councils, perceived in bibliographic productions are referenced through the formation and capacitation, promoted the Center of Strategic Studies of Defense (CEED) and by the South American Defense (ESUDE), preparing the social actors in combating the Transnational Organized Crime in a multidisciplinary way, but by the lack of cooperation from the countries that integrate the UNASUL, the actions of these institutions cannot get considerable results. With the low actuation of cooperation mechanisms in South American region, the securitization at combating the Transnational Organized Crime in South America needs to be widely studied and clarified, so that the international relations be fortified and get near to obtain a more efficient and effective combative actions inserted in nowadays reality of the continent, to obtain satisfactory result. In this perception of securitization, as a means of intensifying security in border regions, one verifies that the several uses of the Armed Forces (FFAA) of each member country constitute one of the obstacles for this consolidation of the security and defense policy in the region. As a result of this lack of international cooperation of actions and the scarcity of international instruments, in Brazil in 2019, for example, decided no longer integrate the UNASUL, opting by the securitization process through the employment of the Armed Forces FFAA, as an instrument in the fight against transnational threats architected by criminal organizations.

Nowadays in Brazil, as defense instruments, are designed the Armed Forces (FFAA) in 03 (three) forms of employment, being the first one with military sendo a primeira exclusively with strictly military actuation, like in convencional wars, the second is policial power, employed extraordinarily in subjects in the scope of public security through constitutional dispositive, and the third in a mixed form, with the possibility of utilization in public security in specific affairs. However, these employments of the Armed Forces need analysis and deeper comprehension of the legal, social and political processes that involve them, because their military actions are

regulated by constitutional dispositives of the democratic state of right, which limit military actions and dynamics, having the possibility of conflicting internal legal dispositives, causing possible functions deviations of the institutions. The engagement of the Armed Forces in the fight against transnational organized crime needs a more transparent and in conformity with current legislation, in search of satisfactory results in relation to transnational flows, for in current functional context these forces exert actuation of territorial defense in the international field and police in internal actuation, in cooperation with constitutionally responsible along with public security. As a way of regional cooperation in the fight against COT, involving frontier limits among Brazil, Argentina and Paraguay, it was proposed by them the implementation of the Regional Security Center in this Triple Border, in spite of existing bases for its creation, the referred center did not get a follow-up and remained only in the idea field and nowadays, there is no longer a mutual collaboration in the referred combat in this region, depending only on the political interest of these countries. In this same context, there is a discrepancy between Brazil and Paraguay, in relation to public policies of fighting against the Transnational Organized Crime, added to the absence of social actions in the region in relation to the referred confronting, causing, this way, obstacles to the mechanisms, as also leading to inoperative instruments.

Besides actions in border regions, there is also the need to firm international legal cooperation that provides greater range and speed for judicial actions involving countries which establish mutual confidence relations. With the establishment of international legal cooperation, the police corporation is also strengthened, because actions are optimized in legal dynamics, in search of satisfactory results at combating the Transnational Organized Crime. This cooperation has always been linked to legal principles, but it needs to be updated in International Law, established through mechanisms and instruments of international cooperation. The International Criminal Policy, signed in International Penal Law, established through prevention the manner of facing transnational criminality by establishing the concept of Transnational Organized Crime, with the aim of cooperation that put instruments to be used in its combat. It is then perceived that in the European Union (UE), the EUROPOL, institution of police community and the EUROJUST, UE agencies act like international mechanisms of cooperation and thanks to this partnership, they get satisfactory results in the states that adhere to their norms and actions. In this institutional context we can quote the European Decision of Investigation (DEI), as cooperation instrument that aims to facilitate the taking of evidence by the judicial authorities in the context of Transnational Criminal Investigations, and with that to obtain the speed and efficacy in respective legal and police actions and extraditions. Between the legal system of some European countries and the mechanisms of international cooperation, when they are in disharmony, there may be misunderstandings in relation to justice application in the international perception, thus obtaining unfavorable results when using them.

Making a relation to the crime of terrorism, as a transnational organized criminal action, one then depends on an enhanced study of of its limits with flexible structure, as a form of shaping it legal framework to be received by the legislation of each nation and thus creating a network of understanding related to the cited crime. In South America, Uruguay in its legal ordering, only the common crimes are regulated, there being no transnational organized crimes, being observed that extraditions are handled through international diplomacy. The Police Community of Americas, AMERIPOL, as a cooperation mechanism, has positive and negative points in its actuation in security when it is supposed to exert governance in prevention and combat against Transnational Organized Crime. AMERIPOL has the capacity of joining directly officials of police institutions, establishing instruments for interaction of information flows, diminishing this transaction costs established through agreements with the European Union. However, the respective participation of its members are constituted in a different way, presenting a deficiency in the accountability of transaction costs and results, as well as the lack of an agenda to address the issue of arms

trafficking. The finding of inefficiency to punish Transnational Organized Criminality encourages the increase of such crimes, combined with lack of cooperation with member countries, in addition to the advances of globalization with the use of technology. This way, the money laundering, for example, needs to be fought in a multiple way, in order to encompass elements of economics, politics, criminal sciences, with legislation applied to the recovery of assets, notably to the property precautionary provisions, the repatriation of assets located abroad and for civil confiscation actions, following the standards recommended by the Financial Action Group against Money Laundering and the financing of terrorism (GAFI). The current agreements of international cooperation in the areas of Security and Defense are limited only in the military sphere among the countries, being observed in this study the securitization through the employment of the Armed Forces. To make the combat against Transnational Organized Crime be effective and successful, there must be multilateral relation of International Cooperation in Security and Defense simultaneously, through the integration of strategies, programs, plans of police and military, among others, as instruments of International Cooperation as well as Development of the Institutional Organizations like mechanisms, with their fundamental principles signed through agreements, terms and resolutions, among others. These bibliographic productions become a fertile field for the realization of new research works, in order to contribute in the identification of new actions, strategies, dynamics, measures of cooperation and confidence, making use of International Cooperation Instruments for fighting the TRANSNATIONAL ORGANIZED CRIME.

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