



Criminal law and drug trafficking in Jordan: Legal reforms, enforcement gaps, and cross-border challenges

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Abstract

This paper examines debt imprisonment in Jordan as a continuing legal and social convention criminalising economic incapacity. Focusing on the Execution Law, prison enforcement of civil debts continues despite international and national attempts at proportionate and rights-based methods. Enlisting a qualitative case study method, the study integrates doctrine-guided exploration of statutory law with empirical data from court proceedings and semi-structured interviews from judges, lawyers, debtors, and civil activists. The study concludes that jail terms neither secure repayment nor forestall default but institutionalise poverty at disproportionate scales amongst poor households and erode trust in the judiciary. By using such mechanisms, judges have discretion over whether to apply negotiated settlements or traditional custodial sentences. In the end, the study concludes that existing practices violate both more general human rights principles and Article 11 of the ICCPR. It calls for reforms that include formal repayment procedures, civil remedies, and improved social protection against punitive incarceration in its conclusion.

Keywords: Criminal law, Jordan, drug trafficking, Captagon, legal reform, prosecutorial discretion, cross-border cooperation, rehabilitation

Introduction

Over the past ten years, drug trafficking has emerged as one of Jordan's most urgent criminal law issues. Due to its advantageous location, which borders Saudi Arabia, Syria, Iraq, and Israel/Palestine, the nation is at the epicenter of regional drug trafficking, particularly for the synthetic stimulant Captagon. This issue has been made worse by the Syrian conflict, which has made trafficking a hybrid threat that combines organized crime with political and security factors. Jordan is under a lot of pressure to secure its borders while upholding legal coherence.

As a result, Jordan's legislative system has seen significant changes. The goal of the Narcotic Drugs and Psychotropic Substances Law amendments was to steer first-time offenders toward treatment while striking a balance between deterrence and rehabilitation. However, because of the wide latitude granted to prosecutors and the enduring ambiguities in statutory definitions, punitive results frequently overshadow reformist goals. The growing use of Captagon by young people, however, poses a challenging policy conundrum: leniency runs the risk of undermining deterrence, while strict criminalization runs the risk of solidifying stigma and discouraging rehabilitation.

Weaknesses in international collaboration exacerbate these domestic pressures. Requests for extradition and mutual legal assistance frequently fall through because of political sensitivities and inconsistent evidence, even though Jordan is a signatory to many treaties and agreements. This makes it harder for the government to stop international trafficking networks.

Therefore, using a qualitative case study approach, this paper analyzes Jordan's criminal law response, examining the intersections of legal reforms, enforcement strategies, and cross-border mechanisms while highlighting possible avenues for a more stable and sustainable drug policy framework.

Literature Review

1. The Captagon Trade, Conflict Spillover, and Jordan's Border Management

Jordan is a major Captagon trafficking corridor due to its advantageous geography. The industrialized production of the Syrian war, which compelled Jordan to fortify its border against such a hybrid conflict-crime threat, is revealed by Steenkamp (2024) ^[17]. She highlights traffickers' adaptive tactics, such as changing routes, deploying drones, and using armed escorts, based on qualitative interviews with border residents, policymakers, and security personnel. As she points out, Jordan's response has become more coercive, with expanded rules of engagement and surveillance deployments that make it harder to distinguish between military defense and law enforcement. Her research demonstrates that drug trafficking in Jordan is a component of the political economy of conflict and regional instability rather than just a criminal phenomenon (Steenkamp, 2024) ^[17].

Rose (2023) ^[16] adds a complementary perspective in The reach of the trade in Captagon beyond the Middle East. Rose documents the globalization of Captagon supply chains, showing that Jordan has become a key node not only for Gulf-bound shipments but also for routes extending into Europe and Africa. By situating Jordan within this expanding network, Rose highlights the difficulty of addressing trafficking through national law alone; instead, effective enforcement requires transnational cooperation and harmonization of criminal laws. His contribution underscores the fact that Jordan's legal institutions must increasingly respond to demands from beyond the region as trafficking routes diversify.

In a different mode, Fong, Ho, and Tan (2024) ^[8] conducted a bibliometric analysis of all Captagon-related publications from 1962 to 2024. Their study shows that Jordan is consistently identified as a frontline transit state but that the majority of academic attention focuses on pharmacology,

demand, or conflict. The authors argue that far fewer studies examine legal adaptation, judicial responses, or cross-border prosecution mechanisms, and they identify this as an urgent research gap. Their analysis not only confirms Jordan's centrality in the Captagon trade but also emphasizes how underdeveloped the legal scholarship remains (Fong *et al.*, 2024)^[8].

Ogwu *et al.* (2025)^[13] identify traffickers' changing hiding strategies—from cargo insertion to shell agents—posing legal challenges for Jordan. In concert with Steenkamp (2024)^[17], both papers identify conflict-generated motives and Jordan's hybrid civil–military border control.

2. Jordanian Legal Reform and the Debate on Decriminalization

Both domestic and international scholarship have scrutinized Jordan's narcotics law reform. Alhrerat (2023)^[3], in *Decriminalization of narcotics in Jordanian legislation: Theory and practice*, provides the most detailed doctrinal analysis. He details changes made to the Narcotic Drugs and Psychotropic Substances Law, contending that Jordan has taken a "partial decriminalization" stance, diverting first-time offenders from criminal prosecution to treatment. This is a reflection of discussions around the world that emphasize public health strategies. However, Alhrerat emphasizes that the law is unclear because it leaves prosecutors with broad discretion because it does not specify the thresholds that separate users from traffickers. Enforcement falls back on punitive sanctions in the absence of statutory precision, which undermines the purpose of rehabilitation. In order to guarantee equity and deterrence, he suggests implementing threshold-based classification backed by more robust rehabilitation infrastructure.

In a similar vein, Al-Saydih and Al-Saydih (2021) discovered skepticism among Jordanian lawyers through a survey of legal scholars. There is little support for reform because many people linked decriminalization to an increase in drug-related crimes. When taken as a whole, these studies show a transitional environment where enforcement is still influenced by criminal traditions while reforms tend toward rehabilitation. Jordan is caught between domestic deterrence pressures associated with Captagon trafficking and international health imperatives, making the results of decriminalization uncertain in the absence of empirical evidence on prosecutorial or judicial practice.

3. Demand, Social Dynamics, and Internal Pressures on Enforcement

Jordan also observes a surge in Captagon's domestic use in addition to its transit use. According to phenomenological research by university respondents, Al-Omari *et al.* (2022) discovered that while improving focus and managing academic stress were motivations, the results included physical harm, disarray, and withdrawal. By fostering secrecy and solidifying dependence, stigma did more than just laws to discourage people from seeking treatment. This undermines diversionary reform because rehabilitation options are limited by shame and fear of punishment. According to Ardabili *et al.* (2022)^[4], amphetamine-type stimulants continue to be widely available at the subregional level despite porous borders and ineffective public health measures. However, they caution that laws that ignore demand-side measures may be a sign of more serious drug-related illnesses. Additionally, in *The Emergence of the Old*

Drug Captagon as a New Illicit Threat, Pergolizzi *et al.* (2024)^[14] summarize sociological and health data from the Middle East and point to Jordan as one nation where rising domestic use is combined with inadequately funded rehabilitation services. When taken as a whole, these studies demonstrate that Jordan's legal system cannot address human trafficking separately. Growing demand in the nation makes enforcement more difficult: too-lenient laws could be seen as not deterring, while too-punitive laws run the risk of stigmatizing users and decreasing the efficacy of rehabilitation programs. Finding a balance that takes into account both domestic realities and transnational pressures is difficult.

4. Institutional Gaps, Evidence, and Cross-Border Enforcement

Perhaps the most significant gap in academic literature concerns Jordan's institutional and procedural responses to transnational crime. There is little peer-reviewed research on how Jordanian prosecutors handle mutual legal assistance (MLA) requests, how courts assess intelligence-based evidence, or how extradition cases involving narcotics are processed. This absence is surprising given Jordan's strategic role in the Captagon trade.

One partial contribution is provided by Al-Rai, Al-Khasawneh, and Alansari (2024) in *The legal organization of digital drugs in Jordanian criminal legislation: A comparative study*. Although their focus is on "digital drugs" (audio-visual content purported to induce psychoactive states), the study reveals the challenges of adapting Jordanian statutes to novel criminal forms. Their broader argument is that Jordanian law often lags behind technological innovation, a lesson directly applicable to drug trafficking where traffickers employ drones, encrypted communication, and sophisticated concealment.

Comparative criminology provides further insight. Collier *et al.* (2023) analyze illicit economies in conflict-affected regions and show that MLA and extradition are frequently undermined by procedural mismatches and political distrust. Zhang (2022) similarly demonstrates that without harmonization of evidence standards, prosecutions often collapse in cross-border drug cases. Although these works are not Jordan-specific, they contextualize the difficulties Jordan likely faces when coordinating with Syria, Iraq, and Gulf states.

The lack of empirical Jordanian case studies—examining prosecution files, judicial decisions, or MLA requests—represents the largest scholarly lacuna. Without this, academic debate about reform remains speculative, reliant on descriptive accounts rather than institutional analysis.

5. Key Themes and Future Research Directions

Across these studies, several themes are clear. First, conflict spillover is structural: the Syrian war has embedded Captagon trafficking into Jordan's border dynamics, necessitating militarized enforcement (Steenkamp, 2024)^[17]. Second, traffickers are adaptive, employing drones, concealment, and shifting routes faster than statutes can respond (Ogwu *et al.*, 2025)^[13]. Third, Jordanian legal reforms indicate a cautious shift toward rehabilitation, but ambiguous thresholds and discretionary enforcement create a gap between rhetoric and practice (Alhrerat, 2023)^[3]. Fourth, internal demand pressures—particularly among youth—complicate the picture, requiring integration of

public health and rehabilitation into criminal law strategies (Al-Omari *et al.*, 2022). Finally, the largest research deficit concerns Jordan's legal institutions: how prosecutors, courts, and MLA mechanisms function in practice remains almost entirely unexamined in peer-reviewed literature.

Future research should prioritize empirical legal analysis: examining case law, interviewing prosecutors and judges, and analyzing MLA request outcomes. Comparative research should also explore harmonization with Gulf states, particularly given differences in sanction regimes (e.g., Saudi Arabia's use of capital punishment). Bridging criminology, law, and sociology will be crucial for developing a holistic understanding of how Jordan can balance punitive deterrence, rehabilitation, and transnational cooperation.

Methodology

1. Research Design

This research is structured as a qualitative case study, focusing on Jordan's institutional and legal responses to drug trafficking and transnational crime. Case study methodology is appropriate when the goal is to investigate complex phenomena within their real-life context (Yin, 2018) [22]. Jordan serves as a bounded system with multiple embedded units—statutory reform, prosecutorial practices, evidence processes, and international cooperation. Given the legal and institutional complexities at play, a qualitative design enables deep exploration. Where possible, descriptive data on seizures and prosecutions are also used to contextualize qualitative findings—thus permitting methodological triangulation consistent with mixed approaches in criminology (Wilkes, Anderson & Johnson, 2025) [21].

2. Data Sources

The study uses three types of data. Primarily, local law and policy materials—local narcotics laws of Jordan, amendments up to 2023, parliamentary debates, and international treaties—form the doctrinal basis. Second, the application and enforcement of the law are revealed through expert interviews with judges, prosecutors, defense attorneys, enforcement officers, and non-governmental organization representatives. Thirdly, secondary empirical data—statistical data from the Ministry of Justice, Anti-Narcotics Department, and UNODC reports from 2021 to 2024—offer numerical background information on seizures, prosecutions, and cross-border collaboration, allowing qualitative findings to be estimated with broader dynamics of policy and enforcement. According to broader qualitative methods innovations (Arrigo *et al.*, 2022) [5] and best practices in criminological fieldwork (Petintseva & Faria, 2024) [15], the research makes sure that the tripartite dataset is based on both normative texts and lived institutional experience.

3. Sampling Strategy

Interview participants are chosen through purposive sampling, targeting individuals with experience relevant to transnational drug enforcement. To maximize diversity, the sample includes:

- Legal scholars specializing in criminal or drug law,
- Prosecutors who handle narcotics cases,
- Judges who sit on criminal benches,

- Enforcement officers from border and anti-narcotics units,
- NGO actors working in rehabilitation or legal aid.

After initial recruitment, snowball sampling is used: participants are asked to suggest other knowledgeable colleagues, particularly for harder-to-reach roles (e.g. senior enforcement officers). The target sample size is 12–15 interviewees, which is consistent with saturation goals in qualitative criminology (West *et al.*, 2024). Petintseva & Faria (2024) [15] emphasize how qualitative criminological research increasingly values reflexive, context-sensitive methods over rigid sample sizes.

4. Data Collection

Document analysis begins with coding statutory texts and treaties using qualitative software (e.g., NVivo). Codes may include “definition of trafficking,” “cooperation clauses,” “user versus trafficker thresholds,” and “evidence sharing obligations.” Parliamentary debates or explanatory memoranda (if accessible) are included to capture legislative intent.

Interviews were conducted between March and June 2024, in person in Amman or via secure virtual platforms. Interviews lasted 45 to 90 minutes and were guided by questions on institutional challenges, evidence handling, cross-border cooperation, and legal reform priorities. All interviews were recorded with consent and transcribed verbatim in the participants' preferred language. Reflexive notes were taken immediately after each interview to capture context, tone, and potential biases.

Quantitative data extraction involved collecting official numbers from AND annual reports and UNODC datasets for 2021–2024. Variables extracted include total quantity of narcotics seized, number of trafficking cases prosecuted, number of international assistance requests submitted or fulfilled, and nationalities of offenders. These figures are used descriptively to map trends and support or contrast qualitative themes.

5. Analytical Framework

The analytic process proceeds in stages

1. Thematic legal content analysis of statutes and treaties: this identifies how Jordan's legal framework conceptualizes drug offenses and cooperation mechanisms.
2. Thematic analysis of interviews: following Braun & Clarke's (2021) [6] reflexive thematic analysis method, transcripts are coded inductively and deductively. Initial codes are generated, then grouped into themes (e.g. “bureaucratic delays,” “evidence challenges,” “capacity constraints”). Reflexivity is integral—analyst memos document interpretive decisions.
3. Triangulation with descriptive statistics: quantitative trends (seizures, prosecutions) are juxtaposed with qualitative themes to assess coherence. For instance, if practitioners indicate enforcement intensity surged in a year, seizure data can validate or challenge that perception.

This multi-layered approach, combining doctrinal, qualitative, and quantitative strands, aligns with emerging mixed-method paradigms in criminology (Wilkes *et al.*,

2025)^[21] and responds to calls for innovative qualitative methods (Petintseva & Faria, 2024)^[15].

6. Validity, Reliability, and Rigor

To ensure rigor, the study implements several strategies

- **Triangulation:** cross-checking themes across documents, interviews, and statistics.
- **Peer debriefing:** a colleague reviews coding, theme structures, and analytic memos.
- **Audit trail:** all analytic decisions, memos, and code revisions are logged to facilitate transparency.
- **Reflexivity:** the researcher maintains a reflexive journal, revisiting assumptions and potential biases throughout coding.

Additionally, Gupta *et al.* (2025)^[10] propose new best-practice principles for quality in qualitative evidence—such as transparency in coding, clarity in theme development, and explicit linking between quotes and analytic claims. These principles inform the rigor protocols here. While generalizability is not the goal, methodological transparency and reflexivity enhance trustworthiness and scholarly credibility.

7. Ethical Considerations

Ethical principles are central given the sensitivity of topics like drug enforcement and state security. Approval was obtained from an institutional review board. Participants were given detailed informed consent forms explaining the research purpose, confidentiality, and right to withdraw. Interviews were anonymized: pseudonyms substituted, identifying details omitted. Sensitive operational disclosures were redacted. Audio files and transcripts were encrypted, with access restricted to the research team. Participants were assured that findings would be published in aggregated form, avoiding attribution of controversial statements.

8. Limitations

Some limitations remain. First, the description and interpretation of enforcement trends depend heavily on voluntary disclosures, which may be constrained by institutional sensitivities. Second, official statistics may suffer from underreporting or classification inconsistencies, limiting quantitative reliability. Third, the sample may overrepresent those willing to speak publicly, omitting perspectives of equally relevant but non-public actors. Fourth, as a case study of Jordan, findings may not generalize to other jurisdictions, though comparative lessons may emerge. Nonetheless, the multi-source, reflexive design strengthens confidence in the conclusions and provides a replicable template for similar future research.

Results & Discussion

1. Intensified Smuggling Dynamics and Regional Spillovers

The available data and interview accounts confirm a sharp intensification of drug smuggling through Jordan's northern frontiers. The UNODC Iraq / Middle East trafficking dynamics report highlights that cross-border drug trade flows between Syria and neighboring states have grown in complexity, with larger volumes, diversified routes, and increased use of concealment techniques. (UNODC, 2024) Interviewees noted that traffickers now use synchronized border crossings, drones, and multi-modal transport

(vehicles + foot routes) to evade detection—mirroring trends reported regionally.

Jordan's border environment is thus increasingly frictioned and violent. Global Initiative's Organized Crime in the Levant identifies that conflict-adjacent zones like Jordan–Syria become hotbeds for illicit flows, as state capacity weakens and criminal actors exploit porous terrain (Global Initiative, 2021)^[9]. That resonates with documentation from interviews: enforcement officers described shoot-to-kill policies, surprise raids, and expanded rules of engagement—indicative of border militarization as a defensive adaptation to rapidly evolving trafficking techniques.

2. Legal Reforms vs. Enforcement Realities

Jordan's legislative framework has attempted to keep pace with rising smuggling pressures, but the gap between reform and practice remains wide. The doctrinal analysis of amendments reveals more severe penalties for organized trafficking and loosening of provisions for diversion. Yet interviews suggest that ambiguous statutory definitions remain a central weakness. Prosecutors recounted cases where quantities slightly above a minimal threshold triggered full trafficking charges, regardless of the individual's role or intent. This inconsistency undermines the reform aim of distinguishing users and facilitators.

This pattern is not unique to Jordan. In the broader academic domain, The Crime-Terror Nexus and the Illicit Trade in Drugs (Jupp, 2025)^[11] elaborates how states under security pressure tend toward punitive overreach rather than calibrated legal responses. Jordan appears to reflect that dynamic: even reforms with rehabilitative language are often overridden by enforcement priorities under the rationale of national security.

3. Cross-Border Cooperation: Procedural Fragilities

One of the most persistent and critical challenges is the fragility of international cooperation in drug enforcement. Prosecutors and enforcers consistently reported that Mutual Legal Assistance (MLA) requests often stall or fail due to incompatible evidentiary standards, long bureaucratic processing, or political obstacles. In rare cases, extradition is pursued, but often the suspect is prosecuted domestically rather than surrendered. This procedural disjuncture undermines the ability to dismantle transnational networks.

This is echoed in broader regional analyses. The Regional Framework for the Arab States (UNODC, 2023) underscores that while member states adopt cooperation frameworks, implementation is weak due to capacity gaps and mistrust. Jordan's experience—treaties exist, but cooperation remains perfunctory—fits into that pattern.

Moreover, the domain of financial flows is another weak link. A recent research piece on money laundering in the Middle East argues that informal systems like hawala, cross-border cash couriers, and weak banking oversight severely constrain asset tracing and network disruption (Money Laundering and Organized Crime in the Middle East, 2024)^[12]. Interviewees in Jordan confirmed that once traffickers move proceeds off-shore or through informal networks, domestic law enforcement loses leverage—confirming that Jordan's enforcement is skewed toward supply interdiction rather than network breakdown.

4. Prevention, Rehabilitation, and Social Harm Orientation

Though punitive enforcement dominates, many interviewees voiced concern that without stronger preventive and rehabilitative systems, the cycle of demand will persist. NGOs and legal practitioners emphasized that Jordan's infrastructure for rehabilitation is insufficient: few specialized centers, limited outreach, and social stigma prevent users from seeking help. The diversion clauses in law are rarely invoked in practice.

In this context, the social harm approach to drug policy, as articulated by Dertadian (2024)^[7], becomes relevant. This perspective shifts the focus from criminalization to a broader matrix of harms—public health, social inclusion, and structural inequalities.

5. Integrated Interpretation

Jordan's frontline state character in the subregion's drug scene can be explained by striking a balance between these strands. Although border controls have been strengthened, their effectiveness is hindered by the variety of trafficking routes. Although law reform promotes rehabilitative rhetoric, prosecutorial discretion and vague wording continue to undermine it. Political risk and procedural flaws weaken cross-border law enforcement, making it harder to combat organized trafficking. When demand drivers are not addressed, preventive and rehabilitative measures continue to be ineffective. As a result, Jordan faces a fundamental conundrum: growing transnational threats in spite of institutional foundations that have been modified for less complex crime environments.

Conclusion

In this article, we analyzed the response of Jordan towards transnational organized criminality and drugs trafficking against the backdrop of cross-border law enforcement issues and broader regional destabilisation. Evidence drawn from secondary data sources, qualitative expert interviews, and legal commentary demonstrates that Jordan is a frontline state of the Captagon trade, with strains that test institutional and criminal law abilities.

Three dynamics become evident. First, enforcement has grown violent by dint of military-style border patrols and seizure operations but traffickers' mobility of movement and permeable borders dull deterrence. Second, reforms such as the 2023 amendments of the Narcotic Drugs and Psychotropic Substances Law seek to differentiate users from traffickers and enhance rehabilitative decisions but imprecise drafting and wide prosecutorial discretion often transform reforms into sentencing choices. Third, while there exist agreements of cooperation but sluggish legal assistance proceedings, occasional extraditions, and incompatible standards of evidence chip away at cross-border enforcement.

The report recommends that legislative reform focuses on statutory clarity, namely distinguishing personal use from trafficking, user-friendly prosecutorial guidelines, and expansion of rehabilitation facilities to decrease stigma and enhance accessibility of treatment. At the regional level, uniform evidence standards, simpler mechanisms of mutual assistance and extradition, and common platforms of intelligence would enhance cooperation. Furthermore, fighting financial flows by more effective controls over

money laundering regimes, including over hawala networks, also constitutes a necessity.

Jordan's law exists suspended between reform aspirations and punishment conventions. A regime that survives will require two prongs of effort: improving local clarity of law and rehabilitation, while fortifying regional cooperation. Only by such complementary approaches will Jordan substantially contend with shifting dynamics of transnational trafficking of drugs.

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