

The Organized Crime – Peace Operations Nexus

BY WIBKE HANSEN

Since the al-Qaeda attacks against the U.S. on September 11, 2001, and along with the debate about transnational security threats emanating from fragile states, transnational organized crime has entered the international security policy agenda. Various national and international security policy documents – such as the U.S. National Security Strategy (2002), the European Security Strategy (2003), the UN’s report on “Threats Challenges and Change” (2004), and NATO’s new strategic concept (2010) subsequently emphasized the threat posed by organized crime (OC). Many of these documents point to the linkages between organized crime and fragile states. The UN’s “Threats, Challenges and Change” highlighted in particular the linkages between organized crime and conflict noting that, “responses to organized crime during and after conflict have been decentralized and fragmented.”¹

More recently, the impact of organized crime on peace, security and stability has received increasing attention in the Security Council. In 2010, the Council considered transnational organized crime, piracy and trafficking in drugs and human beings as “evolving challenges and threats to international peace and security.”² On numerous occasions, the Council has voiced concern about emerging linkages between terrorism and organized crime.³ In a 2012 Presidential Statement it noted that transnational organized crime “negatively impact[s] the consolidation of peace in countries emerging from conflict.”⁴ The Council furthermore highlighted the challenges that organized crime – whether drug trafficking, illegal resource exploitation or piracy – poses in a number of countries currently supported by peace operations, including Afghanistan,⁵ Haiti,⁶ Somalia,⁷ Guinea Bissau, Liberia and the sub-region,⁸ as well as, more recently, Mali.⁹

In light of this increased attention – most notably with regard to the linkages between crime and fragility as well as crime and conflict – it is astonishing that there has not yet been a commensurate debate on the implications of organized crime for stabilization (peace-building and state-building) processes and indeed peace operations, one of the international community’s primary tools for stabilizing fragile or conflict-ridden states.¹⁰ Serious research on the subject matter is only just beginning.

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More importantly, heightened threat awareness has not yet translated into policies and strategies for the field. Considerations of the threats posed by organized crime have been largely absent from mandates, strategic guidance and capacities provided to peace operations.¹¹ So while the threat posed by organized crime is part of the larger rhetoric around stabilizing fragile and post-conflict states, peace operations with their early peace-building and state-building processes are rarely designed to specifically deal with this challenge. They lack strategies, instruments and capacities to do so.

A more strategic approach for countering organized crime in the context of peace operations, however, is important – not only to contain the spread of criminal networks in fragile states but also to protect the achievements of

peace operations and to make stabilization successful as well as sustainable. Such a strategic approach requires, as a basis, a deeper understanding of the various linkages and interfaces between organized crime and peace operations. By peace operations I understand operations mandated by the UN Security Council and led by the UN, NATO, the EU, AU, or other regional organizations.¹²

Organized Crime: Definitions and Labeling

There is no commonly agreed definition of organized crime. The Palermo Convention offers a frequently referenced definition of an organized criminal group; “For the purposes of this Convention: (a) ‘Organized criminal group’ shall mean a structured group of three or more persons, existing for a period of time



Pirates holding a Chinese fishing crew captive in the Indian Ocean.

and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.”¹³

A joint working group of German police and justice authorities (“AG Justiz/Polizei”) provides a definition of organized crime as an activity, which is also used as a basis for Germany’s National Situation Reports on Organized Crime; “Organized crime is the planned commission of criminal offences determined by the pursuit of profit and power which, individually or as a whole, are of considerable importance if more than two persons, each with his/her own assigned tasks, collaborate for a prolonged or indefinite period of time, a) by using commercial or business-like structures, b) by using force or other suitable means of intimidation, or c) by exerting influence on politics, the media, public administration, judicial authorities or the business sector.”¹⁴ Only one of the three criteria (a, b, or c) has to be in place for the classification of an offence as organized crime.

Differentiating between organized crime as an entity and organized crime as an activity is particularly important when analyzing crime in fragile and post-conflict states. In these states, it is not only criminal entities or cartels that engage in organized crime. A broad range of actors uses organized crime as means to different ends. The distinction between organized crime as an entity and an activity, as Williams and Picarelli argue, “...allows analysis to identify the role of transnational criminal enterprises, on the one side, and the local warlords, ethnic groups, governments, and terrorist organizations, on the other, that have appropriated

what is, in effect a ‘do-it-yourself’ (DIY) form of organized crime.”¹⁵

Even with a definition at hand, however, a central challenge remains: Particularly in fragile and post-conflict contexts, it is often difficult to clearly categorize activities as organized crime. Reliable information or documentation is scarce. In some cases unresolved questions regarding the applicable legal code make a clear classification impossible. And in yet other cases, activities that are illegal according to the law may be seen as legitimate – and are indeed practiced – by large segments of the local population. Particularly in post-conflict situations or under conditions of severe economic hardship, divergences between the law and popular notions of legitimacy are to be expected.

In such situations, caution in applying the label “organized crime” is therefore required, particularly as such labeling usually comes with predispositions for certain types of responses. As Cockayne and Lupel note, “Calling violent disorder ‘crime’ suggests that there has been a violation of an international norm. And crimes are typically met with coercive responses to correct the deviation and hold the responsible actor accountable.”¹⁶ However, coercive responses might not be the most appropriate or effective response in all cases. Being aware of the diversity of the phenomena and the effect of labeling is therefore of direct relevance for policy and operational responses.

The Organized Crime - Peace Operations Nexus

Even though organizations such as NATO, the EU, the AU and others have become increasingly active in the field of peace operations, the UN is still the largest deployer with more than

97,000 uniformed personnel currently serving in 16 operations worldwide.¹⁷ Although each operation is unique, an analysis of UN missions from the past two decades allows the identification of possible interfaces between peace operations and organized crime and offers insights for the broader field of stabilization, peace-building and state-building efforts.¹⁸ The seven most relevant interfaces are outlined below.

Interface 1: Organized Crime Fuels Conflict

Organized crime can prolong or exacerbate conflict by funding or resourcing armed groups and, at the same time, providing economic incentives for the continuation of conflict and the undermining of peace agreements. Aspects of this have been thoroughly researched in the context of the debate on so-called “war economies.” Terms such as “blood diamonds” point

to the linkages between illegal resource exploitation and armed conflict.

The nexus between organized crime and non-state armed actors has become stronger since the end of the Cold War, when state funding for insurgent groups decreased. More and more rebel groups today are “self-financed” including through proceeds from criminal activities. Illegal resource exploitation and the drug trade are probably the most significant streams in this regard.¹⁹

In some cases illicit profits seem to even have changed the motivational incentives of rebel-groups from political to criminal-economic motives. This was clearly visible in Eastern Congo. In his last report on MONUSCO, the UN Secretary General noted that, “[a]ll armed groups, whether Congolese or foreign, have also engaged in the illegal exploitation of the vast mineral and other



U.S. Marine soldier and Haitian National Police SWAT team member conduct joint exercise.

natural resources of eastern Democratic Republic of the Congo, as well as other criminal activities. For those groups, the benefits derived from the illegal exploitation of those resources not only finance their acquisition of illicit weapons, but have also become an end in themselves.²⁰

Such “economic spoilers” are particularly difficult to deal with. Political strategies aimed at inclusion or power sharing are not necessarily an incentive for these groups whose business model could be threatened by the end of conflict. As the UNODC (UN office on Drugs and Crime) notes, “... drugs pay for bullets and provide a lifestyle that makes them less likely to come to the negotiating table.”²¹

Such dynamics can not only prolong active conflict but also extend into the post-conflict phase. Challenges for peace operations emerge, where as a consequence, peace agreements falter, or proceeds from organized crime provide incentives for the continued existence and operations of armed groups.

Interface 2: Organized Crime Undermines Security

Organized crime undermines security in fragile and post-conflict states in a variety of ways. Assessments by the UN itself – as contained in the Reports of the Secretary General to the Security Council – indicate to what extent organized crime is seen as a challenge to security in various mission areas.²²

In some cases, such as in Haiti, insecurity has prompted UN missions to take robust action against actors involved in or supported by organized crime.²³ In other cases, criminal actors have targeted UN personnel directly. Attacks on members of the UN Police in Kosovo, for example, were thought to be

motivated by the mission’s increasing activities in combating organized crime.²⁴

Proceeds from OC can also fuel the emergence or prolonged existence of non-state armed groups – even in the absence of armed conflict or once a peace process is under way. One example is the impact of the drug trade on the proliferation of gangs and other armed groups in Haiti. In Liberia and Sierra Leone, armed groups – oftentimes ex-combatants – still controlled areas rich in natural resources long after the civil wars had ended. At times these groups also acted as providers of security for segments of the population. At the same time such presences challenge the state’s monopoly of the use of force.

Interface 3: Peace Operations are Infiltrated by Organized Crime

There have been cases where peacekeepers themselves have been involved in organized crime. The issue attracted public attention notably during the 1990s Balkan missions – not least when an UNPROFOR (UN Protection Force) contingent was redeployed due to its involvement in the drug trade. However, such incidents are neither limited to one particular operation nor to a particular troop contributor. Such cases, when they become public, attract a considerable amount of media attention and fan public debates on the faults of peace operations and peacekeepers. As a consequence, the public perception of the extent of this problem might not necessarily match reality. Even single cases show, however, that peace operations, too, are vulnerable to infiltration by organized crime. Peace operations should be prepared for this, particularly as the impact on the credibility of a mission – even of isolated cases – can be considerable.

Interface 4: Peace Operations Fuel Organized Crime

Peace Operations have “side effects” or unintended consequences.²⁵ One of such side effects can be that peace operations – or accompanying measures – create opportunities for organized crime networks. The causal linkages between a rising demand for prostitution and an increase in human trafficking is well known, fairly well researched and documented, and has led the UN Secretariat as well as missions to adopt counter-measures. In fact, this is one of the few areas where missions can impact the demand side. However, the predominant OC activities in mission areas are generally driven by an international demand.

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Peace operations are sometimes accompanied by restrictions and sanctions on individual actors, groups or states. “Embargo busting” is an important business for criminal networks, not only in the context of peace operations.²⁶ This was perhaps nowhere more clear than in Sierra Leone and Liberia. Sanctions on the export of Sierra Leonean diamonds at first primarily resulted in increased smuggling of Sierra Leonean diamonds through Liberia. It was only after additional sanctions were imposed on the Liberian diamond trade that this dynamic could be reversed. Meanwhile, Liberian President Charles Taylor, the Revolutionary United Front (RUF) in Sierra Leone and wide international criminal networks benefited immensely from a flourishing diamond and weapons trade – to the

detriment of attempts to end Sierra Leone’s civil war.²⁷

Also deployment decisions, particularly during start-up, can advantage criminal actors. In Kosovo, Haiti and Sierra Leone security gaps during the deployment phase provided criminal networks with opportunities to establish themselves. UNMIK’s (UN Interim Administration for Kosovo) Central Intelligence Unit has found that Kosovo came to be seen as a safe transit area for illegal goods in 1999 and 2000 – a period of time during which KFOR and UNMIK were already deployed.²⁸ Similar patterns can emerge when a mission withdraws. Regarding Afghanistan, the Secretary-General has noted that, “[t]he financial impact of the large-scale departure of international forces may make the illicit economy, notably that based on narcotics, even more attractive to those with large patronage systems to sustain.”²⁹

Questions that arose about the impact of the procurement and contracting procedures of the International Security Assistance Force in Afghanistan (ISAF) on criminal networks highlight yet another area where decisions by the mission can inadvertently benefit criminal actors.³⁰

Interface 5: Peace Operations Co-Opt Organized Crime

In principle, strategies of co-optation make sense in the context of peace operations particularly as capacities to act against spoilers are limited and broad-based local ownership is essential for the sustainability of peace-building efforts. However, co-opting groups of actors into the peace process is more likely to be successful where actors pursue a political agenda and can be motivated by political incentives. The same kind of approach will

reach its limits where actors are motivated by a criminal-economic agenda.

In Kosovo, the Kosovo Liberation Army (KLA) largely financed its political and armed struggle through organized crime and its close ties with the Albanian Mafia. With the end of the war in 1999, the KLA was seen as the political representation of the Kosovo-Albanians and thus as a key partner for the international community in the ensuing transitional administration and peace-building process. Members of the KLA were successively integrated into Kosovo's emerging governance and administrative structures without necessarily shedding their criminal ties. What was once a crime-rebel-nexus thus turned into a crime-politics-nexus.³¹ Three peace operations, UNMIK, KFOR and EULEX (European Union Rule of Law Mission for Kosovo) subsequently struggled with the implications.

In Sierra Leone, the peace process that followed the 1999 Lomé Peace Accord granted Foday Sankoh's Revolutionary United Front (RUF) participation in a transitional government – which the former rebels used to further their illegal economic agenda.³² Proceeds from the illegal diamond trade provided them with the incentive but also the capacity to violently challenge and undermine the peace process and bring the UN Mission in Sierra Leone (UNAMSIL) close to failure during its first year of deployment.

Interface 6: Organized Crime Corrupts Elites

For peace operations, the politically relevant elite is one of the key partners in the host nation. Without the cooperation of this group, sustainable stabilization and peace-building processes are almost impossible to achieve. For organized crime groups, the corruption of a country's elite is a key strategy for conducting

illegal activities with impunity. In various countries that currently host peace operations there is evidence of close linkages between members of the political elite and organized crime. The UN has on numerous occasions drawn attention to this. In relation to Guinea-Bissau, the Secretary-General argued that “[v]ery weak law enforcement capacity [...] continued to provide organized criminal groups with an avenue for the unchallenged use of the territory as a transit point for international drug trafficking. Allegedly, this happens with the support of members of the defense and security forces, as well as members of the political elite. This has led to the unabated spread of cocaine trafficking in Guinea-Bissau.”³³

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In Haiti, members of the elite were not only suspected of involvement in the drug trade but also of employing the services of armed gangs for that purpose. The fact that the police service was also implicated in the cocaine trade raised questions about the sustainability or even the feasibility of police reform and capacity building.

Interface 7: Peace Operations Combat Organized Crime

Over time, peace operations have employed a wide range of measures aimed at countering organized crime and illicit economic activities or reducing its most detrimental impact on the host nation and on mandate implementation. Much experience has been gained by the UN

Police, be it in building the capacity of a host nation to combat organized crime, in providing planning and operational support to action against organized crime or in boosting a mission's own capacities to detect criminal spoilers and take action against them.

Other measures that missions have previously employed fall outside the immediate activities of UN police. They include observation and/or patrolling of borders and coasts, control of ports and airports, policy advice to government and administration or measures aimed at strengthening community resilience against organized crime. In some cases missions were able to compensate for some inherent restrictions in countering organized crime – such as the lack of intelligence capabilities

or of powers of arrest. In Haiti, the mission made use of its Joint Mission Analysis Cell (JMAC) to prepare for operations against gangs in Port-au-Prince. This included the use of informants. Operations were then conducted in close cooperation with the Haitian police who arrested criminals apprehended by MINUSTAH (UN Stabilization Mission in Haiti) during the operations.

In most cases, however, where missions actually took active measures to combat OC and illegal economic activities, these operations were not based on a strategy defined along with the mandate. Rather, instruments and measures were acquired and developed on an adhoc basis responding to concrete threats or challenges encountered on the ground. In



U.S. Navy photo by Mass Communication Specialist 1st Class Scott Taylor

Members of a visit, board, search and seizure team from the guided-missile cruiser USS Chosin (CG 65) keep watch over the crew of a suspected pirate dhow as fellow teammates conduct a search for weapons and other gear. The boarding was conducted as part of counter-piracy operations in the Gulf of Aden. Chosin is the flagship for Combined Joint Task Force 151, a multinational task force established to conduct counter-piracy operations off the coast of Somalia.

Kosovo, UNMIK's Organized Crime Bureau was established more than three years into the mission's life. Five years after its deployment, MINUSTAH was reinforced by a maritime component in order to support the Haitian coast guard in efforts to reduce cocaine smuggling via sea. The time-lags that occur until missions have strengthened their own capacities to tackle the problem are easily exploited by the criminal groups.

Implications for Peace Operations; Cross-Cutting Patterns

Not all of these interfaces are relevant in each and every mission area but none of them is limited to a few isolated cases. In fragile and post-conflict states, peace operations are frequently confronted with a whole array of illegal economic activities – some are clearly organized crime, others are organized but not criminalized and yet others are criminal but not organized – the lines between those different phenomena are often blurred. While many of these activities (often the better organized ones) are of a transnational nature, “local” organized crime – for example in the form of protection rackets, kidnapping or organized forms of robbery – is also a frequent phenomenon.

The examples above illustrate the range of actors involved in organized crime and the variety of motives behind their involvement: for cartels or criminal groups these activities are an end in itself; for rebels they can be a way of funding a political agenda; for elites, illicit profits can be a political resource; for ex-combatants crime can be a way of earning a living in a post-conflict situation.

The specific motivation that drives actors to engage in organized crime is not necessarily decisive for the impact on the state.

Ex-combatants occupying resource-rich areas create zones out of state control just as drug-cartels controlling strategic territory. However, the motivation is a key factor when it comes to devising appropriate counter-strategies. In some cases, a narrow focus on law enforcement might end up criminalizing whole segments of the population where the creation of job-opportunities might have been a more effective counter-measure. However, where greed is the main driver, such measures will prove futile in light of the high profits organized crime yields.

The UN itself has highlighted how severe of a threat organized crime and the corruption that accompanies it pose to this core aim of its missions.

Counter-strategies will have to take into account that local groups and individuals are not necessarily coerced into criminal activities. In fragile and post-conflict countries, organized crime has a lot to offer: it offers jobs, income and opportunities for enrichment that are not available in the legal economy often dwarfing not only local salaries but also the financial potential of international donors.

Organized crime does not come as a total surprise in each instance. Certain sets of factors inevitably heighten the risk of certain criminal activities. Particular vigilance is warranted, for example, where:

- a geographic position along smuggling routes, high unemployment, larger numbers of non-state armed actors and weak border regimes come together, as was the case in Haiti;
- an arms embargo and the control of resource rich areas by armed groups come

together. Such constellations likely lead to arms-for-illicit goods barter arrangements such as in Sierra Leone and Liberia;

- peace agreements include power-sharing arrangements with groups erstwhile financed through criminal activities, as Sierra Leone, Kosovo, Afghanistan and other cases illustrate.

Organized Crime Affects the Core Business of Peace Operations

Clearly, a peace or stabilization operation as such is no sufficient deterrent for OC groups. However, there are cases where missions are believed to have a deterrent effect against the spread of organized crime, e.g. in Liberia which seems less affected by the growing cocaine trade through West-Africa than its neighbors.³⁴ In other places – including in Kosovo – a sizeable international presence failed to prevent criminal networks from establishing roots and business in the area.

Corruption or infiltration of institutions by criminal actors – undertaken to protect their own operations – can further weaken the fragile relations between states and their citizens.

Missions are severely affected by the presence of organized crime in the mission area, and the impact is not limited to those parts of the mission explicitly dealing with issues of crime, such as the police component. In fact, OC seems to affect many areas of mandate implementation and, indeed, the core business of peace operations. OC can undermine a secure environment, spoilers motivated by criminal proceeds can undermine the

implementation of peace agreements and – perhaps most critically – OC threatens to undermine peace-building processes and with that the sustainability of a peace operation's efforts – and its exit options.

It is well established by now, that legitimate, functioning and reliable institutions are critical for long-term peace and stability. Peace operations today are also concerned with supporting the emergence of such institutions and with the extension of state authority. The UN itself has highlighted how severe of a threat organized crime and the corruption that accompanies it pose to this core aim of its missions.

Criminal proceeds influence the preferences of those involved to the detriment of state-building efforts. They can affect the will for genuine reform among political elites, reduce the attractiveness of critical disarmament, demobilization and reintegration (DDR) programs for ex-combatants, and undermine law enforcement if profiteers include members of the security services – a central dilemma for peace operations or other actors involved in stabilization and state-building processes.

In Haiti, corruption in the police service fueled the local cocaine trade and at the same time weakened the population's confidence in the security sector. This led to an increased use of and reliance on non-state or private security actors (gangs, etc.) by parts of the population, which further weakened the states' monopoly on the use of force. The example illustrates that corruption or infiltration of institutions by criminal actors – undertaken to protect their own operations – can further weaken the fragile relations between states and their citizens. It also directly affects the

implementation of mandated tasks such as police reform or the extension of state authority.

Mainstreaming Counter-Crime Efforts into Peace Operations

Neither the problem of organized crime nor the detrimental impact it can have on security, stability and state institutions in fragile and post-conflict states will go away by itself. Indeed, the challenges organized crime pose for peace operations will most likely continue to grow. In order to mainstream awareness of organized crime and strategies for protecting the mission, the mandate and the host nation against the most detrimental impacts of organized crime, the following measures should be considered priorities – a starting point.³⁵

Strengthen Capacities for Analysis and Intelligence

A precondition for devising specific measures to counter organized crime is the detailed knowledge of the streams and networks as well as those power structures or clientele networks that underpin criminal activities. Peace operations therefore require specific capacities for information gathering and analysis.³⁶

In the context of UN operations, “intelligence” has long been a sensitive term, however, this is beginning to change. Previously, missions have at times tried to compensate for the lack of intelligence capacities: MINUSTAH’s use of its Joint Mission Analysis Cell is one example. Today there is increasing recognition that in modern peace operations environments, intelligence becomes more and more indispensable and missions are starting to acquire requisite capacities. In Mali, MINUSMA (the UN Mission) is in the process of building up an intelligence fusion cell while

MONUSCO in the Congo saw the first ever use of an unmanned, unarmed aerial vehicle (UAV) for information gathering purposes in December 2013.

Consider Threats Posed by Organized Crime in Mission Mandates and Planning

Consideration of the threat posed by organized crime, however, should not start once a mission is on the ground but well ahead of its deployment. Mission planning processes as well as pre-mission assessment missions need to include threat assessments focused specifically on organized crime and its potential impact on mandate implementation and staff security. In fact, the UN Security Council, in a 2013 Presidential Statement, explicitly invited the UN Secretary General to consider the threats posed by organized crime “in conflict prevention strategies, conflict analysis, integrated missions’ assessment, planning and peace-building support.”³⁷ The operation should then be mandated and equipped to deal with likely scenarios from the outset. This way, time-lags which in the end benefit criminal actors might be avoided.

While concern about the “crime-terror-nexus” is warranted, such focus eclipses large parts of the networks and actors that enable crime and profit from organized criminal activities.

To mainstream consideration of OC threats into assessment and planning but also to strengthen mission capacities for analysis and response, the UN will require requisite personnel resources from member states. Sufficient expertise on organized crime is not automatically present in the contingents of police or troop contributing countries. Ideally

teams of experts could be made available by member states to support mission planning, mission start-up or information gathering throughout a mission's life.

Difficult to integrate into peace processes or state-building processes are those actors solely motivated by criminal gains, particularly as the legal economy does not offer commensurate incentives or options.

Recognize the Multiplicity of Actors Involved

Counter-strategies will need to recognize the multitude of actors that have links to organized crime. In much of the security policy debate, the focus has been limited to one single constellation; the linkages between organized crime and terrorism. While concern about the "crime-terror-nexus" is warranted, such focus eclipses large parts of the networks and actors that enable crime and profit from organized criminal activities – including other non-state armed actors. Elsewhere I have suggested the term "OC-plus" for a conceptualization of linkages that recognizes the multitude of actors involved.³⁸

The broad range of actors that draw on organized crime, and the diversity of motives behind such engagement, also means that quite different responses are required to lure such actors away from criminal activities. It also implies that countering organized crime is not limited to one particular section of the mission but is a crosscutting task involving various parts of the mission, whether it is the political affairs, DDR (disarmament, demobilization and reintegration), or the rule of law sections.

For peace operations, two questions are particularly critical for mission planning and mandate implementation; first, who is involved or profits from the predominant organized crime activities in a host country; and second, what is the relationship between these actors and the state? If non-state actors profit, there is a danger they will become spoilers of the peace process. If state-actors are involved, there is a danger that state institutions will be hollowed out from within.

Create Checks and Balances

In some cases, peace operations – or the international community overall – have employed fairly intrusive measures to counter the threat posed by organized crime and the corruption that accompanies it. This includes international oversight provided in the context of Liberia's Governance and Economic Management Assistance Program (GEMAP), or the deployment of international judges to Kosovo to guarantee the independence of the judiciary in cases of organized crime.

The legitimacy of measures that constitute a deep intrusion into the politics and institutions of a sovereign state is often contested. However, particularly when organized crime and corruption are prevalent within the governing and politically relevant elite, considering such measures makes sense. Placing particularly vulnerable sectors under international oversight for an interim period for example, can contribute to making states – and state institutions in particular – more resilient against organized crime. GEMAP in Liberia is an example for such strategy.

Develop Strategies for Managing Economic Spoilers

The international community's approach to dealing with economic spoilers is primarily reactive. In peace operations, too, a concept for proactive spoiler-management where actors disrupt peace and state-building processes out of criminal-economic interests is as of yet missing. For countering such spoilers, knowledge of their motives is paramount: is organized crime a means to an end or is it the end in itself? Difficult to integrate into peace processes or state-building processes are those actors solely motivated by criminal gains, particularly as the legal economy does not offer commensurate incentives or options. In such cases, a combination of pressure or sanctions that limit market options for illegally traded goods might be more appropriate. Le Billon suggests some very practical measures that peace operations can take to limit the access by spoilers to lootable natural resources: identify relevant actors; demilitarize resource rich areas; reduce illegal activities by monitoring transport routes, bridges and ports.³⁹ Particular challenges occur for peace operations where economic spoilers are part of the government on whose consent the peace operation is based. Achim Wennmann poses another critical question: "How do you manage non-state actors that, as a result of their control of parallel markets, are more powerful than the state or the donor community?"⁴⁰

Focus on the Overall Environment/ Increase Local Level Initiatives

Principally, measures to counter crime can begin from different starting points; they can be aimed at the actors, the criminal activities, or at the overall environment that enables

crime. It seems that most activities focus on the former two, combating actors and activities, with repressive or coercive strategies dominating. However, it is at least as important to address overall factors that make a country vulnerable to organized crime and provide opportunity structures or serve as enablers for criminal groups.

Particularly in the context of internationally supported state-building processes, more strategies aimed at countering the political economy of organized crime need to be developed and mainstreamed into these processes.

In that context, it is critical, for example, to also respond to strategies by criminal groups that seek to create loyalties and support among the local population, whether this is through the provision of protection, other basic services or through charity. Tolerance of or even support for criminal activities by the local population can be a powerful enabler for organized crime. This is particularly the case where organized crime as a method for various actors or parts of society is common or where it comes with the control of strategic territory.

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Regionalize Efforts to the Extent Possible

Many aspects of OC activities are outside of the reach and sphere of influence of peace operations. This is true for the international demand that drives criminal activities in host nations just as much as for the transnational

character of most organized criminal activities. In countering organized crime, peace operations have the distinct disadvantage in that their mandate is usually tied to one national territory, whereas OC-groups operate transnationally. Moreover, nationally focused counter-crime strategies can result in a balloon-effect with activities simply shifting to neighboring states. For these reasons, efforts by peace operations to counter organized crime should be regionalized as far as possible.

Evaluating lessons, assessing risks and rethinking strategies will not only be a task for the United Nations but also for the EU, the AU, NATO and others.

Several missions have in the past supported regional approaches, for example by fostering police cooperation between neighboring countries or cooperation with Interpol. And where various peace operations are deployed in one region, synergies between those operations can be created. The UN Secretary General has made a number of suggestions for such “regionalization” including the flexible placement of personnel in different host nations or options for operating transnationally, for example in the case of hot pursuit.⁴¹ Even in regions where only one peace operation is deployed, options for acting transnationally should be considered, despite the legal hurdles that would need to be overcome.

Link Existing Instruments

A broad approach to countering organized crime, which includes local and international measures against actors, activities and enablers/opportunity structures, can only be

realized through the combination, coordination and linking of various different instruments. Due to the inherent restrictions outlined, peace operations in particular can only be effective in countering crime when they are part of a larger strategy. In the UN System alone, there is a range of instruments and mechanisms aimed at countering illicit economic activities and organized crime. UNODC was created specifically for that purpose.

Holt and Boucher note that the work of expert panels supporting the UN sanction committees and that of peace operations could be much more closely linked. Analysis by expert panels could inform mandate implementation much more closely. Practical cooperation however, should not be limited to analysis and information sharing but could also be advanced in relation to mandated tasks such as border monitoring.⁴²

The West-African Coast Initiative, where UNODC, INTERPOL, UNDPKO (UN Department of Peace-Keeping Operations) and peace operations deployed in the region cooperate, is one example, where different mechanisms and expertise are linked. However, coordination within the UN as well as in the international community overall – or of specific projects focusing on the same region or the same illicit streams – is so far insufficient.

Conclusion

Peace operations and organized crime intersect in a variety of ways – not only because they share the same operational environment but also because they pursue diametrically opposed goals and often depend on the same actors for realizing them.

It is obvious that peace operations are not primarily a crime-fighting tool. It is also obvious, that organized crime in fragile and

post-conflict states cannot be contained through measures employed by peace operations alone. However, if the overall aim is to avoid a further destabilization of these countries through organized crime and, at the same time, to limit the space for transnational criminal groups in those states, then peace operations – with their security, peace-building and state-building tasks – play an important role. As peace operations are already involved in countering crime in various ways, it only seems logical to at least enable them to do so more effectively. It could also be a way of supporting effective mandate implementation and the sustainability of achievements.

Though the end of large stabilization and peace operations has often been predicted, it has in fact never arrived. While the international community is drawing down its largest operation – that in Afghanistan – new theatres have emerged in places such as Libya, Mali and the Central African Republic, while in other hotspots – notably Syria – future needs are still unclear.

Evaluating lessons, assessing risks and rethinking strategies will not only be a task for the UN but also for the EU, the AU, NATO and others. Within member states, too, there is a need for fresh thinking on organized crime and security. Organized crime in fragile states is a security concern because it could threaten homeland security but also because it threatens security in regions where there is a strategic interest in stability. [PRISM](#)

Notes

¹ A/59/565, 2 December 2004, p. 50, para 169. UN documents in this article are referenced with document number and date.

² S/PRST/2010/18, 23 September 2010, p. 1.

³ See for example Security Council Resolutions S/RES/2083 (2012), 17 December 2012, and S/RES/2129 (2013), 17 December 2013, as well as Presidential Statements S/PRST/2012/17, 4 May 2012, and S/PRST/2013/5, 13 May 2013.

⁴ S/PRST/2012/29, 20 December 2012, p. 3.

⁵ See S/RES/2096, 19 March 2013, p. 6.

⁶ See S/RES/2070 (2012), 12 October 2012, p.6.

⁷ See S/RES/2125/2013, 18 November 2013, p.1.

⁸ See S/RES/2048, 18 May 2012, p. 2; S/RES/2066, 12 September 2012.

⁹ See S/RES/2071, 12 October 2012, p. 1.

¹⁰ There are some notable exceptions, see for example the contributions in the special issue of *International Peacekeeping* by James Cockayne, Adam Lupel (eds): *Peace Operations and Organized Crime: Case Studies, Lessons Learned and Next Steps, International Peacekeeping*, 16 (2009); see also Walter Kemp, Mark Shaw and Arthur Boutellis: *The Elephant in the Room: How Can Peace Operations Deal with Organized Crime?* International Peace Institute, June 2013.

¹¹ In fact, the new UN police policy which came out in February 2014, is one of the first official UN documents with explicit reference to responsibilities in an operational context, policy and tools.

¹² For an overview see Center for International Peace Operations, *ZIF World Map Peace Operations 2013*, Berlin 2013.

¹³ see A/RES/55/25, 15. November 2000, article 2.

¹⁴ Bundeskriminalamt: *Organised Crime National Situation Report*, Wiesbaden 2010.

¹⁵ Phil Williams, John T. Picarelli, “Combating Organized Crime in Armed Conflict”, in: Karen Ballentine/Heiko Nitzschke, *Profiting from Peace. Managing the Resource Dimensions of Civil War*, Boulder/London 2006, S. 123-152 (125).

¹⁶ James Cockayne, Adam Lupel, "Introduction: Rethinking the Relationship Between Peace Operations and Organized Crime", in: *International Peacekeeping*, 16 (2009) 1, p. 4.19 (7f).

¹⁷ Figures are from April 2014, see UN Department of Peacekeeping Operations, *Peacekeeping Fact Sheet*, April 2014. Figures refer to the number of peacekeeping operations. Additional UN deployments include the so called "Special Political Missions, see UN Department of Political Affairs: *United Nations Political and Peacebuilding Missions. Factsheet*, 31 January 2014.

¹⁸ The model offered below is largely derived from research on the UN operations in Sierra Leone (UNAMSIL), Liberia (UNMIL), Haiti (MINUSTAH) and Kosovo (UNMIK). Full research results have been published in Wibke Hansen, *Mehr Interaktion als geplant. Friedenseinsätze und Organisierte Kriminalität in fragilen Staaten*, Münster 2013.

¹⁹ On the latter see for example Svante Cornell, *The Interaction of Narcotics and Conflict*, in: *Journal of Peace Research*, 42 (2005), p. 751-760.

²⁰ S/2013/119, 27 February 2013, para 48, p. 12.

²¹ UNODC, *Crime and instability. Case studies of transnational threats*, February 2010, p. 1.

²² See for example S/2004/300, 16 April 2004, p.6, para 22 on Haiti, S/2010/429, 11 August 2010, p. 10, para 21 on Liberia or S/2013/189, p. 17, para 87 on Mali/the Sahel.

²³ See Michael Dziedzic/Robert M. Perito, *Haiti: Confronting the Gangs of Port-au-Prince*. Washington D.C.: *United States Institute for Peace*, September 2008 (USIP Special Report 208).

²⁴ S/2003/421, 14 April 2003, para 14, p. 4.

²⁵ For an in depth discussion of unintended consequences see Chiyuki Aoi, Ramesh Thakur: *Unintended Consequences of Peacekeeping Operations*, Tokyo/NY/Paris 2007.

²⁶ See Peter Andreas: *Criminalizing Consequences of Sanctions. Embargo Busting and Its Legacy*, in: *International Studies Quarterly* (2005) 49, p. 335-360.

²⁷ This is fairly well documented in the reports of the Expert Panels that supported the sanctions committees on Liberia and Sierra Leone, see for example S/2001/1015, 26 October 2001; S/2002/470, 19 April 2002; S/2002/1115, 25 October 2002.

²⁸ See UNMIK, *Pillar 1 Police and Justice Presentation Paper*, p. 36.

²⁹ S/2012/462, 20 June 2012, para 69, p. 16.

³⁰ See for example *Commander of the Joint Chief of Staffs Address to the Troops at ISAF HQ Afghanistan*, accessed at: <http://www.isaf.nato.int/article/transcripts/commander-of-the-joint-chiefs-of-staff-address-to-the-troops-at-isaf-hq-kabul-afghanistan.html>

³¹ A leaked 2005 memorandum of the Bundesnachrichtendienst (BND) illustrates quite clearly the extent to which the political elite was involved in organized criminal activities, see Bundesnachrichtendienst, BND Analyse vom 22.2.2005, accessed at: <http://wlstorage.net/file/bnd-kosovo-feb-2005.pdf>

³² Aspects of this are well documented in the reports of the Secretary-General for the time period concerned as well as in the reports of the expert panel, see for example S/2000/1195, 20 December 2000, p. 8, para 3 as well as p. 19 para 90.

³³ S/2012/889, 27 November 2012, para 32, p. 8.

³⁴ S/2009/299, 10 June 2009, para 14, p. 5.

³⁵ Concrete suggestions on how peace operations can improve are also offered in James Cockayne, Adam Lupel, *Conclusion: From Iron Fist to Invisible Hand –Peace Operations, Organized Crime and Intelligent International Law Enforcement*, in: *International Peacekeeping* 16 (2009) 1, pp.151-168; as well as Walter Kemp, Mark Shaw and Arthur Boutellis: *The Elephant in the Room: How Can Peace Operations Deal with Organized Crime?* International Peace Institute, June 2013.

³⁶ See for example James Cockayne, *State Fragility, Organised Crime and Peacebuilding: towards a more strategic approach*, Oslo: Norwegian Peacebuilding Resource Centre, September 2011 (NOREF Report) p. 9, 12f; James Cockayne, Adam Lupel, *Conclusion: From Iron Fist to Invisible Hand –Peace Operations, Organized Crime and Intelligent International Law Enforcement*, in: *International Peacekeeping* 16 (2009) 1, pp.151-168 (164f).

³⁷ S/PRST/2013/22, 18 December 2013, p. 4.

³⁸ See Wibke Hansen, Judith Vorrath, *Atlantic Basin Countries and Organized Crime: Paradigms, Policies, Priorities, Atlantic Basin Working Paper*, Center for Transatlantic Relations, 2013.

³⁹ See, Phillippe Le Billon, *Bankrupting Peace Spoilers: What Role for UN Peacekeepers?*

in: *Sustainable Development Law & Policy* 12 (2011) 1, p. 13-17.

⁴⁰ Achim Wennmann, „Resourcing the Recurrence of Intrastate Conflict: parallel Economies and Their Implications for Peacebuilding“, *Security Dialogue*, 36 (2005) 4, S. 479-494 (488).

⁴¹ S/2005/2135, 2 March 2005.

⁴² See Victoria K. Holt and Alix J. Bouchner, Framing the Issue: UN Responses to Corruption and Criminal Networks in Post-Conflict Settings, in: *International Peacekeeping*, 16 (2009) 1, S. 20.32; see also James Cockayne, Adam Lupel, Conclusion: From Iron Fist to Invisible Hand –Peace Operations, Organized Crime and Intelligent International Law Enforcement“, in: *International Peacekeeping* 16 (2009) 1, pp.151-168 (162).



A soldier guards centrifuges - sensitive equipment used for producing highly enriched uranium.