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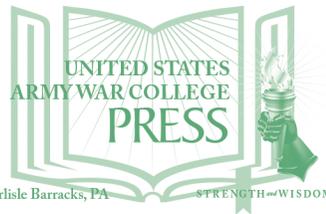
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SILENT PARTNERS: ORGANIZED CRIME, IRREGULAR GROUPS, AND NATION-STATES

Shima D. Keene



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**Strategic Studies Institute
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AND NATION-STATES**

Shima D. Keene

October 2018

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FOREWORD

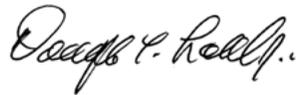
The threat environment is becoming increasingly complex, especially where it is difficult to determine exactly who the enemy is. This situation is further exacerbated by support provided to our adversaries by criminal entities as well as prominent individuals in nation-states to whom we may be providing assistance. Traditionally, organized crime has been deemed to be a problem for law enforcement agencies as opposed to the military. Similarly, any challenge related to host nation-states has been considered to be a political problem that must be dealt with through diplomacy. While law enforcement agencies and government departments may need to take the lead on these matters, it is no longer a problem for any one agency or department to solve. The problem affects us all and the U.S. Army needs to become actively involved in improving its understanding of the challenge in terms of how it will affect military operations, as well as find ways to counter the problem.

British academic and practitioner Dr. Shima Keene describes the collaboration between nonstate actors, organized crime, and subversive elements of host nations as “silent partnerships,” and explains how these partnerships can undermine military operations. In addition, Dr. Keene describes how the threat could potentially be turned into an advantage for the U.S. Army through exploiting the pressure points identified once the nature of these relationships are better understood.

Dr. Keene is an established subject matter expert in the fields of asymmetric warfare, counterterrorism, counter serious organized crime, and stabilization. Through her work in government, law enforcement,

the private sector, and academia, she has developed a deep insight into how the partnerships operate. In addition, her ongoing work as a civilian adviser in the Standing Joint Force Headquarters and the North Atlantic Treaty Organization's Allied Rapid Reaction Corps Headquarters based in the United Kingdom has given her insight into how the military could further its understanding of these silent partnerships. Critically, she suggests how this understanding could be incorporated into military planning at both strategic and operational levels to counter the threat.

The Strategic Studies Institute considers this monograph to be a useful assessment of the key issues related to the challenges presented by the collaboration of nonstate actors, criminal organizations, and nation-states, as well as their collective implications for the U.S. Army. It makes a valuable contribution to the debate on how to plan and shape future U.S. peace and stability operations.

A handwritten signature in black ink, reading "Douglas C. Lovelace, Jr." in a cursive script.

DOUGLAS C. LOVELACE, JR.
Director
Strategic Studies Institute and
U.S. Army War College Press

ABOUT THE AUTHOR

SHIMA D. KEENE is a British academic and practitioner specializing in defense and security. She is a director of the Conflict Studies Research Centre, Oxford, and a senior fellow at the Institute for Statecraft, London. Dr. Keene is also a deployable civilian expert for the United Kingdom (UK) Government's Stabilisation Group specializing in security and justice. She is a former senior research fellow and advisor at the Advanced Research and Assessment Group, Defence Academy of the UK, and special advisor to the UK Ministry of Defence (MoD).

Dr. Keene advises and works closely with a number of UK Government departments and law enforcement agencies to include the MoD, Foreign and Commonwealth Office, the Home Office, Department for International Development, Her Majesty's Treasury, and the National Crime Agency (NCA), as well as a number of regional law enforcement agencies. Outside the UK, she works with international organizations to include: the North Atlantic Treaty Organization; the Organization for Security and Co-operation in Europe; the Council of Europe; as well as U.S. Government departments, military, and law enforcement agencies. Dr. Keene has 27 years of practitioner experience obtained through investment banking, defense intelligence, and academia, and is a former British Army Reservist soldier with 7 years of military service, most of which was spent with 4th Battalion, the Parachute Regiment.

Dr. Keene has published numerous internal and external government and corporate reports, as well as award winning academic journal articles, and is the author of *Threat Finance: Disconnecting the Lifeline of Organized Crime and Terrorism* and a book chapter in the

Research Handbook on International Financial Crime. She is a visiting lecturer at the BPP Law School, London, and the Centre for Development Studies, Cambridge University. Dr. Keene holds a Ph.D. in international criminal law, an M.Phil. in defence and security studies, and graduated with honors in business studies.

SUMMARY

The U.S. Army increasingly faces adversaries that are difficult to define. The threat landscape is further blurred by cooperation between transnational organized crime groups and irregular armed formations, linked directly or indirectly to governments or individual authority figures in nation-states. At a fundamental level, the motivations and aspirations of transnational organized crime groups differ from those held by irregular groups. However, in practice, there are many similarities in terms of their modus operandi and the harm they cause, often making it difficult to distinguish one from the other. This collaboration, whatever its exact nature, is problematic, because it confounds understanding of the adversary, making existing countermeasures less effective and thus directly challenging U.S. national security interests.

Using the term “silent partners” to describe the collaboration between organized crime groups (OCGs), irregular groups, and nation-states is appropriate, as these partnerships are unlikely to be publicly or willingly acknowledged. In many cases, even the existence of such relationships is likely to be denied not only by those directly involved, but also by the international community tasked with providing assistance for the purpose of peace-building or state-building. This is because interventions to support and strengthen host nations will lose credibility if many of the key political figures are acknowledged as directly or indirectly involved with organized crime or irregular groups. In addition, there is also political pressure on those involved in state-building interventions to get positive results quickly.

However, these partnerships are a reality that cannot and must not be ignored as they have the ability to undermine interventions carried out not only by the U.S. Army and its military allies, but also by the international community more broadly, working toward the same goal to stabilize a fragile or post-conflict state. The risks identified in this monograph will impact military planning at an operational and strategic level, as well as impact U.S. foreign policy overall as a result of the involvement of nation-states.

Furthermore, military action taken without full appreciation of the dynamics of the nature of these relationships is likely to be ineffective at best or suffer negative second and third-order effects. This can be best avoided by developing a deeper appreciation of the relationship dynamics of adversary networks, enabling U.S. Army intelligence officers to identify the strengths and weaknesses of the relationships that can then be exploited as appropriate to the advantage of the U.S. Army.

SILENT PARTNERS: ORGANIZED CRIME, IRREGULAR GROUPS, AND NATION-STATES

INTRODUCTION

The U.S. Army increasingly faces adversaries that are difficult to define. The threat landscape is further blurred by cooperation between irregular armed formations and organized crime groups (OCGs). Tackling OCGs has traditionally been considered to be a law enforcement responsibility, therefore outside the remit of the military. However, close collaboration between OCGs and irregular groups often makes it impossible to make a clear distinction between the two. The approach to countering these adversaries continues to be to treat them as two distinct groups, but this makes interventions against both of them less effective. This is problematic for the U.S. Army as the inability to tackle the collective threat effectively has a direct impact on counterintelligence (COIN) operations. To further exacerbate the situation, OCG and irregular group networks are often linked directly or indirectly to governments in countries that are emerging from conflict. This has further negative implications for both peacekeeping and state-building interventions, which may be undertaken by the U.S. Army as part of unilateral, bilateral, or multilateral missions.

In the face of such complex interdependencies as well as fragility, military action taken without a full appreciation of the dynamics of the nature of these relationships is likely to be ineffective at best, or suffer unintended consequences. For example, measures intended to strengthen the host nation-state and bring stability may do the reverse by strengthening the enemy if the state has a collaborative relationship

with these groups. This can be best mitigated through developing a deeper appreciation of the relationship dynamics between the wider adversarial networks. This knowledge will enable U.S. Army intelligence officers to identify the strengths and weaknesses of these relationships that may be exploited. With the experience of operations in Iraq and current measures to counter the Islamic State of Iraq and Syria (ISIS), also know as the Islamic State of Iraq and the Levant (ISIL), in the Middle East and North Africa, the U.S. Army at an operational level is already acutely aware of the implications of confronting adversaries with covert nation-state support. Observation of Russian hybrid warfare techniques and especially leveraging OCGs for political aims suggests that the U.S. Army may also face similar challenges in Europe in the future.

Therefore, there is an urgent need for a preemptive study of the problem, as well as how it may be countered. Furthermore, the implications of this problem span a range of disciplines. Specifically, they affect both military planning at operational and strategic levels, and more broadly U.S. foreign policy because of the involvement of nation-states.

Using the term “silent partners” to describe the collaboration between OCGs, irregular groups, and nation-states is appropriate, as these partnerships are unlikely to be publicly or willingly acknowledged (see figure 1). In many cases, even the existence of such relationships is likely to be denied not only by those directly involved, but also by the international community tasked with providing assistance for the purpose of peace-building or state-building. This is because interventions to support and strengthen host nations will lose credibility if many of the key political figures are acknowledged as directly or indirectly involved

with OCGs or irregular groups. In addition, there is also political pressure on those involved in state-building interventions to get positive results quickly. This often results in a lack of appetite on the part of policymakers and decision-makers at home to recognize the reality on the ground.



Figure 1. Silent Partners

Nevertheless, these partnerships are a reality that cannot be ignored. Given that a country emerging from conflict is likely to have lacked any form of legitimate central authority for significant periods of time, this situation inevitably results in alternative “authorities” such as OCGs or irregular groups taking hold to fill the vacuum. Some individuals holding public office may also struggle to disengage from such groups as a result of economic and political pressures or fear. In many cases, there is a dependence on adversary groups for leadership, as this is where the real power post-conflict may still remain. As a result, any power shift to legitimate authorities is likely to take considerable time. In the interim, there is likely to be a need to continue to work with individuals and groups deemed undesirable. Consequently, these relationships are silenced. However, if not recognized and managed effectively,

these silent partnerships will only exacerbate instability in any fragile state.

In furthering the understanding of the dynamics of these silent partnerships, this monograph will examine their three main components; namely OCGs both local and transnational, irregular groups, and nation-states. As the three components interact with each other at multiple levels, the analysis will begin by examining the subject of organized crime, before examining the relationship between OCGs and irregular groups, followed by that of OCGs and nation-states, and ending with conclusions and recommendations.

ORGANIZED CRIME

For most of the 20th century, organized crime was predominantly seen as a law enforcement problem. However, this changed during the 1990s when organized crime, especially transnational organized crime (TOC), evolved to become a wide-ranging security issue as a consequence of globalization and market deregulation.¹ The end of the Cold War resulted in access to new markets, facilitated by deregulation, enabling the movement of both licit and illicit goods.² Globalization, together with technological advancements, further compounded the situation. As Internet and cell phone technologies became increasingly accessible and affordable, they also inadvertently supported the activities of global criminal networks. Consequently, OCGs flourished, taking advantage of all the technological, physical, and economic advantages globalization had to offer, enabling them to expand geographically across borders to become better networked and interconnected than ever before.

The 2000 United Nations (UN) Convention against Transnational Organized Crime represented a milestone in global policy response to the threat.³ However, the events of September 11, 2001 (9/11) shortly afterwards diverted the attention of the international community to terrorism. This is undoubtedly part of the reason why the subject of organized crime was not even in the vocabulary of policymakers, intelligence analysts, or military planners when the United States invaded Iraq in March 2003.⁴ Consequently, the rise of organized crime in Iraq was a strategic surprise for decision-makers.⁵ This is highly relevant for the U.S. Army not only in terms of current and future operations relating to Iraq, but with respect to military operations in general. This is because the situation regarding OCGs is not unique to Iraq—parallels have been observed in other countries including Mexico, Nigeria, Russia, and the Balkans, and in particular Albania.⁶ Experience to date has shown that OCGs play a considerable role in destabilizing any fragile environment and negatively impact interventions aimed at achieving stabilization, peacekeeping, and development objectives.

In recognition of this, attention has returned in recent years to questions regarding the impact of organized crime on development and security.⁷ For example, the *World Development Report 2011* published by the World Bank underscored the importance of treating organized crime as a new threat that compromises development, and called for a more strategic focus to broaden existing law enforcement initiatives.⁸ Warnings about the rise of organized crime also came from several additional sources including the UN Office of Drugs and Crime (UNODC).⁹ However, more needs to be done strategically as well as tactically to address the issue, which has historically been sidelined in defense.

The reason, as previously mentioned, is partly as a result of organized crime being viewed as separate to insurgency groups, and thus considered outside the immediate remit of the military. The matter is also far from straightforward from a legal standpoint. Military action must be justified as compliant with the law of armed conflict (LoAC).¹⁰ One issue is that members of OCGs are likely to be considered as non-combatants, and are therefore outside the scope of justification for military action.¹¹ However, this does not mean that intelligence assessments and strategic considerations should exclude non-combatants. Assessments of impact on civilians, especially as potential collateral damage, inevitably become greatly more complex when those civilians are a component of the enemy that the military is targeting.

The complex nature of the threat has been heavily debated in recent years alongside ongoing criticism that existing international law is no longer adequate to counter it. This is because in asymmetric warfare, the distinction between combatant and civilian is often far from clear.¹² The problem is that International Humanitarian Law (IHL) only recognizes wars as armed conflicts fought between two or more states or in the context of civil or internal wars, and not between states and substate entities, namely irregular forces.¹³ In other words, it is outdated. Consequently, the inevitable ambiguity surrounding the applicability of LoAC is becoming increasingly problematic in justifying military action, especially in relation to kinetic action.¹⁴ This partly explains why it is difficult for the military to engage in action that is likely to result in the killing of OCG members who are defined as non-combatants. However, this is far from being a new problem. Coordination between military action and the criminal

justice approach to tackle adversaries who are ill-defined is already well-established. For example, joint operations between the military and law enforcement have been ongoing in the fight against international terrorism to the extent that U.S. law enforcement, intelligence, and military operatives have been described as being “indistinguishable from each other.”¹⁵

The fusion model between military and civilian security forces and agencies is also not a new concept. One example is the Joint Narcotics Analysis Center, which was set up in 2007 as a collaboration between U.S. and United Kingdom (UK) agencies to counter narcotics in Afghanistan, consisting of military, civilian, and law enforcement personnel.¹⁶ The model works because military and civilian (to include law enforcement) elements are deployed appropriately as the situation demands on the ground. Similarly, in Northern Ireland, joint operations between military and law enforcement agencies to tackle Irish terrorism is well-established as a consequence of the Irish Republican Army’s (IRA) involvement with organized crime.¹⁷

However, an additional challenge in terms of the ambiguous nature of the adversary is that OCGs as an entity are often difficult to define. Although this monograph does not intend to enter a debate surrounding the definition of organized crime per se, a brief consideration of what OCGs actually are is necessary to understand what actions are needed to counter the threat. This monograph will therefore adopt the broad definition put forward by the UN Convention against Transnational Organized Crime, where OCGs are described as:

a structured group of three or more persons, existing for a period of time and acting in concert with the aim

of committing one or more serious crimes or offences in order to obtain financial or other material benefit.¹⁸

In practice, organized crime is about making money.¹⁹ It is about making as much money as possible as quickly as possible through any means available, both legitimate and illicit. In terms of how organized crime manifests itself, according to UK Prime Minister Theresa May, speaking as Home Secretary in July 2014, “Organised crime is not what you think it is.”²⁰

Public perception is often influenced by the glamorized portrayal of organized crime in fictional representations in television and film, as opposed to the less sophisticated groupings of “seedy, immoral, and grubby individuals” who make up a typical OCG.²¹ This mismatch between reality and perception equally applies to the methods and resources available to tackle the threat, and subconsciously influences expectations at every level. Public perception is important in democratic governments, as policies are often driven by public opinion since politicians need public support to be elected or re-elected. The voting public make their assessment as to whether a leader has been successful or not, based on their knowledge and understanding of what the issues are. Therefore, politicians need to be able to demonstrate that they are taking appropriate action against identified problems. It follows that if the public’s perception of a particular threat is incorrect, this will have an unintended effect on how the threat is handled.²² Politicians set security priorities as policy, which then filter down to security institutions such as the police. Those then become force priorities, irrespective of whether the security situation on the ground matches those priorities, impacting resources spent on issues deemed to be less of a priority to politicians. A

further problem is that a threat such as organized crime has numerous dimensions. However, for the problem to be easily understood by non-specialists, a gross simplification of the problem typically occurs which can be counterproductive.

The tendency for oversimplification and generalizations in describing and tackling organized crime has been observed widely by scholars and practitioners. In the context of fragile states in particular, there is a further tendency to use the term “OCGs” or “TOC” to describe all types of organized crime activity, as well as seeing TOC as an inevitable consequence of the fragile environment without understanding the dynamics of how and why this occurs. According to the 2012 Organization for Economic Co-operation and Development (OECD) report on transnational crime:

The sweeping generalisations which are often used to bracket together international crime and fragile states as a leading global “threat” tend to ignore important nuances in the way particular countries and regions have been incorporated into illicit markets.²³

This paradigm is not only misleading but also counterproductive. This is because different types of OCGs exist, each requiring a different response to counter their particular threat. For example, the OECD report identifies four distinct categories of OCGs that operate in these environments, namely local organizations primarily concerned with local crime; local organizations with global reach (illicit production); transnational logistical networks; and fragile states serving as transit points for TOC.

In terms of the first category, local crime may occur and become exacerbated as a result of the absence of a functioning state or in collusion with the state. Examples have been observed in post-conflict countries

such as the Central African Republic, Burundi, and Bosnia-Herzegovina, where OCGs have been involved in significant criminal activity with strong state links. However, their linkages to transnational illicit markets are of marginal importance, or are sporadic rather than systemic. In tackling localized crime, a localized disruption strategy utilizing local actors, while giving thought to how the delicate matter of state involvement should be handled, is required.

In comparison, a more international approach is necessary when tackling local organizations with global reach. These can be described as the origin of TOC as it is predominantly involved with producer nations of illicit or restricted goods, which are manufactured in conditions of conflict and distributed to the global market through international commercial intermediaries. Examples include Colombia for cocaine and Sierra Leone for diamonds.²⁴ In the case of Colombia in the 1980s, distribution was carried out through homegrown mafia groups with international scope.²⁵ Here, the effective distribution capability was arguably more important than the production of the cocaine itself, as without the ability to get the “product” to market, profit cannot be made. As such, the key factor that determines the success of this type of OCG is its illicit supply chain which requires logistical skills in transport and delivery, as well as domestic and international connections to succeed. Here, domestic and international interventions combined would seem most appropriate to disrupt the criminal network both in-country and internationally.

The significance of the third category identified, namely transnational logistical networks, is that they play a central role as intermediaries in the global distribution of illicit goods. Although as much as 85 percent

of the total value of TOC is estimated to derive from the drug trade according to the UNODC, established illicit networks can also be utilized for other criminal commodities.²⁶ The logistical skillsets and established contacts developed through these networks are also useful in human trafficking, piracy, counterfeit goods, and arms trafficking.²⁷ Cocaine routes from West Africa to Europe serve as a case in point, which are also utilized by OCGs for human smuggling and human trafficking.²⁸

The fourth and final category identified by the OECD is nation-states, which allow countries to become safe havens for global, local, and international crime. This is highly relevant as the state, which is supposed to disrupt crime, is instead a sponsor and an enabler of crime; here, to assume that all elements of the state are involved in OCG activity would be a mistake. Corruption plays a key role, and the reasons as to why and how this occurs will be explored in detail in the section entitled “OCGs and Nation-States.”

One key consideration when tackling OCGs is to recognize the shift of emphasis from production to logistics that has taken place over the last 10 years, which has resulted in significant changes in the way that an OCG, especially TOC groups, are now structured. Historically, hierarchical groups such as the Sicilian mafia, the Chinese triads, or the Japanese yakuza, usually based around kinship networks or a shared ethnic background, have dominated the organized crime space.²⁹ Although traditional hierarchical groups continue to exist, there is growing evidence to suggest that TOC activity has moved away from a system of hierarchical, turf-based groups into interconnected, flexible, and opportunistic networks. Unlike traditional OCGs, these new formations comprise

broader, devolved, and less formal structures, often lacking formally defined roles for its members, where continuity of membership is often less of a defining factor.³⁰ Additionally, they may move into new areas of action, leave old ones, or enter different criminal enterprises, depending on a series of political, economic, and structural factors.³¹

Another recent change that has been observed in many countries is the move away from a monopolistic setting where one or two larger criminal organizations control international criminal trade, to the emergence of smaller, more reactive networks. For example, in Kenya, approximately 10 groups with up to 20 members each that have strong connections to the political elite, account for the management of most of the drug trade.³² This flatter, more informal structure has come about partly as a result of advancements in communications technology which require less formalized command and control structures to be in place.³³ These less formal structures can make it difficult for intelligence analysts to conduct network analysis that is up-to-date and relevant operationally, as relationships and memberships constantly evolve.

Another factor that military intelligence officers and commanders must consider is the impact of OCGs on regional stability. Groups operating in hostile, as opposed to stable, environments are more likely to be openly involved in violent crime. Recent research has shown that many countries experiencing high levels of organized violent crime have emerged from significant armed conflicts.³⁴ Of course there are exceptions, like Mexico, where the level of extreme violence perpetrated by the drug cartels such as beheadings and disembowelments has caused parts of the country to be described as similar to a war zone.³⁵ Here, it was the

imported problem of drug cartels in Colombia seeking refuge that resulted in a state of violent conflict. However, in most cases, the general consensus is that the lawless environment of conflict or post-conflict states tends to foster more violent organized crime.

The significance to the U.S. Army is that organized crime can prolong or exacerbate conflict not only through the violent actions of OCGs, which cause instability, but also through OCG funding or resourcing of armed groups. In some cases, criminal enterprises have provided economic incentives for the continuation of conflict.³⁶ In addition, OCG activity can be harmful to stabilization, peace-building, and development in several other ways. For example, criminal funds may distort the political process by funding the activities of some political parties and not others. This in turn may result in corrupt parties getting into power or retaining power, leading to public discontent and ultimately to further conflict and violence.

Another destabilizing factor of widespread OCG presence is its impact on the local economy. This has several security implications. For example, economic instability can lead to public discontent and social upheavals, and can also lead to a further increase in crime where legitimate means of economic survival are not possible. Also, in fragile environments where interventions are taking place to strengthen the local economy, organized crime may undermine such actions through intimidation and violence. One consequence is that real or threatened violence is likely to prevent new businesses from opening, thus reducing legitimate employment opportunities as well as fair trade and market competition. A poor economic environment will also result in brain drain, as well as

scaring away foreign investors and donors who will take their investments elsewhere.

A case in point is Somalia, where wealthy Somalis travel to set up businesses in neighboring countries such as Kenya, illustrating that criminal money also migrates to more stable environments. For example, according to UK Foreign and Commonwealth Office estimates, only one-third of kidnap ransom payments from maritime piracy in Somalia remain in the country.³⁷ The poor security and economic climate in Somalia has resulted in Somali pirates investing and laundering money from their illegally obtained ransom payments in Kenya or sending it abroad to Somali diaspora communities further afield such as in Minneapolis, Minnesota.³⁸ This is partly because without a vibrant economy, there is no place to invest or spend the money. This phenomenon is often ignored in the context of international development, despite the fact that it constitutes one of the reasons why development funds are diverted to corrupt payments as the economic environment in-country does not allow for a sufficient influx of money.

Even where criminal money stays in-country, not only in relation to Somalia but to fragile states in general, there are other negative consequences which affect the local economy and have a destabilizing influence in the region. One example is price inflation, which can occur as a result of the circulation of criminal money. This in turn increases the cost of living and makes those struggling to survive even poorer, and even more dependent on aid. In situations where aid is unavailable, the only means of survival will be to resort to crime, joining an OCG or insurgency group in return for payment or sustenance, further strengthening the position of these groups.³⁹ Other negative

impacts of crime on society include the trafficking and distribution of narcotics. The objective of making as much money as quickly as possible irrespective of cost to life is a key characteristic of organized crime. Criminal groups have been and continue to be associated with narcotics, which is one way of amassing considerable profits quickly. The use of narcotics further exacerbates weak security environments by destroying communities and spreading disease. In terms of legal drugs and medication, OCGs are also involved in the production of counterfeit medicines causing harm to those who can least afford it.⁴⁰ In short, there is a wide variety of ways in which OCGs pose a threat to security and peace, and the problem is compounded when they collaborate with irregular groups.

Organized Crime and Irregular Groups

There is acknowledgment among scholars and practitioners that OCGs and irregular groups work together to enhance their own goals. Some scholars support the convergence theory whereby OCGs and irregular groups (to include terrorist organizations) collaborate through alliances and tactical appropriation, ultimately reaching convergence at some central point.⁴¹ Others have argued that these partnerships have gone even beyond convergence to emerge into hybrid groups, which share common ground in ideology, modus operandi, and profit generation.⁴² However, before elaborating on the precise nature of the relationship between the two entities, a brief overview as to what is meant by irregular groups may be helpful.

As irregular groups come in so many forms, it is easier to describe what they are not, as opposed to listing all their various forms. This approach has also been adopted under IHL, where the term “irregular forces”

refers to combatants that form part of a country's armed forces in an armed conflict and that do not belong to the country's regular forces.⁴³ To be categorized as "regular armed forces," the four Hague Conventions (1899, 1907, and Hague IV) conditions must be met. First, they are commanded by a person responsible for his subordinates to a party of conflict. Second, regular forces have a fixed distinctive emblem, recognizable at a distance. Third, they carry arms openly; and fourth, they conduct operations in accordance with the laws and customs of war.⁴⁴ Combat forces that do not satisfy these criteria are referred to as irregular forces. As such, insurgency groups and terrorist organizations fall under the definition of irregular groups.

In terms of the differences between OCGs and irregular groups, at a fundamental level, the motivations and aspirations of OCGs are arguably different. OCGs are driven predominantly by economic gain and power; whereas irregular groups may be seen as being more motivated by political change.

In many ways, the drivers for OCGs are similar to private sector organizations whose aim is also to maximize profit. The one key difference is that the latter attempt to achieve this through legitimate means, whereas OCGs will achieve this through any means available. The comparison is important as the countering of OCGs, and in particular their finances, should include adopting and adapting business competition models for disruption purposes. As OCGs are essentially a business, albeit criminal, they generally intend to enjoy the proceeds of their crimes whereas irregular groups may be more willing to die fighting for their cause.

The primary motivation for terrorism and irregular groups in general, however, is not financial. Finance

is a means to an end, in the form of ideological and political aspirations.⁴⁵ In the case of international terrorism, terrorists are able to generate income through their ability to raise money from donations from those who share their ideology and political ambitions. A significant portion of terrorist funding is derived from donors, some of whom are fully aware of the intended purpose of their contributions, and others who are not.⁴⁶ Given the choice, many terrorist groups would ideally fund themselves through legitimate means, especially in stable countries where there is a higher risk of prosecution and imprisonment if caught. This is because the planning and execution of terrorist activities is of high risk. As such, it needs to remain covert in order to minimize disruption from the authorities and to ensure that a successful terrorist attack can take place. Maintaining a low profile is a high priority, but involvement in illegal activities may attract unwanted attention. In terms of disruption, even if the terrorist organization and its activities are known to the authorities, there may be inadequate evidence to arrest or disrupt their activities based on terrorism charges. However, involvement in criminal activity enables arrests and subsequent criminal prosecutions based on this activity rather than terrorist activities. As such, it is in the interest of terrorists to appear as legitimate as possible at every level, for as long as possible.⁴⁷ Nevertheless, where legitimate sources of funding such as donations are inadequate or unavailable, terrorists seek alternative sources by turning to criminal activity. As with criminal networks, terrorist organizations also derive funding from a variety of criminal activities ranging in scale and sophistication from low-level crime to involvement in serious organized crime.⁴⁸

The situation is slightly different in the context of fragile states, where additional opportunities for income exist for terrorist organizations and irregular groups. For example, where a group is in control of a territory, their revenue will derive from local “taxes” collected at checkpoints or from local commodities such as oil. Other sources of income include: ransoms from kidnappings; the smuggling of natural resources, tobacco, narcotics, and human trafficking; fraud; and cybercrime.⁴⁹ Irregular groups have also been observed taxing the illicit flows of OCGs in exchange for securing transport routes for the trafficking of drugs, contraband, humans, and natural resources. Recent evidence with respect to ISIS highlights its use of illicit networks to help finance their operations.⁵⁰ According to the OECD and the Financial Action Task Force, ISIS:

manages a sophisticated extortion racket by robbing, looting, and demanding a portion of the economic resources in areas where it operates, which is similar to how some organized crime groups (and non-state conflict actors) generate funds. This vast range of extortion, including everything from fuel and vehicle taxes to school fees for children, is done under the auspices of providing notional services or protection.⁵¹

According to the report, ISIS earns revenue primarily from five sources. Listed in order of magnitude, the first is from the illicit proceeds from the occupation of territory such as extortion, robbery of economic assets and looting of banks, incomes generated from control of oil fields and refineries, and the taxation of goods and cash that transit territories where ISIS operates. The second source is kidnapping ransoms, and the third is donations including by or through non-profit organizations (NPOs).⁵² The latter happens because NPOs operating in ISIS territory have to pay for access

or to be able to operate in areas under ISIS control. An additional concern is that due to poor internal controls, much of the funds are simply lost in the process of transition, both intentionally and unintentionally.⁵³ The fourth source of income is material support such as support associated with free trade federations. The fifth and final source is fundraising through modern communication networks.⁵⁴

While some of the sources of ISIS funding are overtly criminal, such as kidnapping for ransom money, others are not. This is yet another similarity between irregular groups and OCGs, which also utilize a variety of both legitimate and illegitimate methods to make money. Another resemblance is that despite the importance of money for both entities, either as a means to an end or as the ultimate objective, there are additional strategic advantages that can be gained from involvement with criminal activities. For example, in Afghanistan, the Taliban's involvement in opium trafficking is not only strategic in terms of sustaining the organization financially, but also provides them with political support and legitimacy among the local population which depend on poppy cultivation for their livelihoods. In return, the Taliban provides them with critical services in the form of security and market access that would otherwise not be available.⁵⁵

Such criminal activity is rife in fragile states where the risk of prosecution is low as a consequence of weak or absent rule of law. OCGs or irregular groups perform basic activities that in functioning states would be provided by public sector organizations. This in itself makes it unclear as to what can be deemed legitimate or illegitimate activity, as criminal activity refers to activity that is outside the law. In these environments, the differences between irregular groups and

criminal organizations become even less clear. Even further blurring occurs as a result of similarities in modus operandi. Examples include the use of intimidation through the threat of physical violence, and the use of extreme and horrifying methods of violence to induce shock and trauma.⁵⁶

Both types of group have also demonstrated the ability to move between licit and illicit markets to finance their activities, which is particularly important in laundering money. Traditionally, money laundering is associated with the proceeds of crime, typically from the sale and distribution of narcotics, which is then moved in a way so as to disguise its origin and appear as legitimate funds. A complex financial trail is often used especially across geographical borders in order to make investigations as challenging as possible. Money laundering techniques are used not only to conceal money originating from narcotics, but also for a whole range of other criminal activity. In the case of terrorist finance, even “clean” money such as donations is turned “dirty” once it is associated with a proscribed group. Consequently, laundering techniques can also be used to disguise funds and disassociate them from the illegal entity.

A further resemblance relates to the organizational structures of both entities. These can vary from hierarchical to flat, the latter representing a structure that is more flexible and consisting of geographically diffused networks of autonomous cells (in the case of irregular groups) or units (in the case of OCGs).⁵⁷ Yet despite these commonalities of structure and modus operandi, the general approach to tackling the threat has been to distinguish between the two. The distinction between irregular groups and OCGs is reflected in official policy, both domestic and international, as

reflected in statements and approaches emanating from the United Nations Security Council (UNSC). For example, according to the Secretary-General's report to the UNSC on Resolution 2195: "terrorism and transnational organized crime are distinct phenomena, and have different modus operandi, aims and international legal frameworks."⁵⁸

Post 9/11, there was considerable research and discussions surrounding the so-called nexus between terrorism and organized crime. These primarily focused on the methods (not motives) framework where terrorist groups benefited from TOC in terms of financing and strategy. One limitation of this approach has been the tendency to preserve a sharp distinction between organized crime and terrorists, which has influenced policymakers to adopt the same differentiation. This approach has been criticized by scholars and practitioners alike, partly on the basis of the scale of convergence that has been observed between irregular/terrorist groups and criminal organizations which represents a deeper, more strategic connection between the two, but also because of these groups' ability to pursue multiple and diverse objectives simultaneously.⁵⁹

The situation is further blurred through the emergence of hybrid entities. The hybrid entities concept builds on the theory of convergence, whereby the entities continually converge to the point where the two groups actually became one hybrid group.⁶⁰ The process begins with OCGs and irregular/terrorist groups operating in a transactional, yet largely independent manner, where criminal services such as extortion and money laundering are exchanged in order to facilitate and fund terror and insurgency operations. This form of criminal business cooperation and partnership then evolves to a point where the organizations themselves

transform into a hybrid group that merges tactics as well as motives. In some cases, the merger occurs to the extent whereby the newly formed hybrid groups lose their original *raison d'être*. According to the report for the European Parliament in 2012:

hybrid groups either begin as organized crime groups that appropriate terror tactics and simultaneously seek to secure political aims, or they begin as terrorist groups that appropriate criminal capabilities to the point that they begin to use their political (ideological) rhetoric as a façade for perpetrating organized crime.⁶¹

Evidence to date suggests that the evolution into a hybrid group depends on several factors such as changes in the leadership structure, shifts in the membership base, and the loss of centralized control due to the emergence of independent factions or internal fractures. In fragile states in particular, an individual may join a terrorist organization or an insurgency not necessarily as a result of ideological aspirations alone, but other factors such as economic survival. In other cases, the organization may have an inspirational leader who may then be killed or replaced. If the successor does not have the same leadership qualities and the ability to inspire his followers, those individuals are likely to lose confidence, not only in the new leadership, but the organization as a whole. This situation could result in its members starting to question their ongoing support as they begin to view their cause as futile, and instead turn their focus toward crime, which may be more immediately financially rewarding.⁶² In other words, they may still operate under a political banner, albeit superficial, but they have essentially converted their terrorist cell into a criminal gang.⁶³

The hybrid model is not a new concept and examples of hybrid groups can be found throughout recent history. Examples include the Provisional IRA in Northern Ireland and drug cartels in Peru and Colombia during the 1980s, synonymous with narcoterrorism.⁶⁴ Other example groups include the Islamic Movement of Uzbekistan, Abu Sayyaf Group based in the Philippines, which affiliates itself to ISIS, and the Kurdistan Worker's Party (PKK).⁶⁵ Another example is the Taliban in Afghanistan, which has also developed into a complex, robust, and multifaceted system of collusion with illicit networks to finance operations, where the shift from political objectives in favor of a criminal enterprise has been observed in recent years.⁶⁶

Irrespective of whether the irregular groups and criminal entities have evolved into a hybrid group or whether irregular groups have turned predominantly into a criminal enterprise for opportunistic reasons, the existing approach to treat the two entities separately is clearly problematic, as it does not reflect the reality of the threat on the ground. Further consideration must also be given to the consequences of these alliances with respect to their impact on stability. Instead, energy must be focused to examine how the likely internal fragmentation and conflict could potentially be used to the advantage of the U.S. Army. Evidence from recent conflicts in northern Mali, Syria, Afghanistan, and Libya suggest that involvement of warring parties in criminal activities, in particular in illicit and criminal "economies," has made insurgencies more prone to internal fragmentation. The easy ability to access sources of funding such as extortion-related funding, technologically assisted Internet-based crime, or diversion of licit funding through NPOs, has resulted in groups further down the chain of command becoming

more financially self-sufficient. One consequence of the ability to self-fund is that it allows groups to become autonomous and less dependent on a central command. This independence can create internal discipline problems, making it more difficult for leadership to exercise authority over an increasing number of factions. In other words, it is capable of eroding lines of command and in-group cohesion.⁶⁷ Such weaknesses have traditionally been exploited by law enforcement agencies in tackling OCGs and could also be further explored and exploited by the U.S. Army.

For example, as previously mentioned, financial gain is a key motivation for OCGs and financial disputes can disrupt relationships. Financial intelligence analysis from Afghanistan revealed that money intended for essential supplies for Taliban fighters was often siphoned off at the top of the hierarchy, causing considerable resentment and affecting morale on the ground. This in turn impacted the ability and the willingness of subordinates to fight. Money is also used to win and maintain loyalty. It therefore follows that avoidable delays or evidence of misuse of such funds will lead to loss of internal support, infighting, and damage to the operational effectiveness of the group. As such, the U.S. Army could seek to do more through better use of financial intelligence, which may be turned into a weapon to its advantage.⁶⁸

The subject of money is even more relevant in tackling organized crime. Information (true or false) regarding missing funds, or payments deemed to be unequal or unfair, can be immensely damaging, causing tensions potentially leading to breakdowns in relationships and weakened criminal networks if critical nodes are targeted with this kind of disinformation. Trust is fragile. In addition to general hearsay, the use

of social media in particular can result in generating doubt, resulting in the breakdown of trust. Ultimately, there is a tendency for people to believe what they want to believe. If there is already suspicion of wrongdoing, even a small amount of “evidence” is enough to satisfy that suspicion.⁶⁹ Such methods are already widely used by our adversaries to generate dissent and anger, which in turn are capable of causing internal disruption. In addition to traditional methods of disseminating misinformation, the Internet, in particular access to real-time social media, allow for effective information operations. For example, Russia has been repeatedly implicated in media manipulation and attempts at destabilization through social media. Moscow is reported to achieve its strategic communications effects through spreading targeted misinformation including the simultaneous release of multiple false versions of an event. This has the effect of blurring the lines between what is real and what is fabricated. As the information realm becomes polluted, the intended result is that none of the versions, including the truth, is believed.⁷⁰ In the case of OCGs, the potential breakdown of trust, coupled with the ability to self-fund, is likely to result in autonomous cells pursuing opportunistic alliances with OCGs and non-state armed groups. One further consequence is that these partnerships are likely to be constantly shifting and reconfiguring. This in turn poses several challenges for military intelligence officers.

The first challenge relating to the dynamic nature of alliances is that it makes up-to-date assessments difficult, in particular relating to social network analysis (SNA). It also makes human intelligence assessments more difficult as these alliances may directly impact the reliability of information provided by the source.

Without up-to-date knowledge as to which partnerships and collaborations have broken down, it will be difficult to make accurate assessments as to the bona fides of the information provided. An additional challenge presented by the ever-evolving threat environment in terms of SNA is that the situation not only makes conflict increasingly unpredictable, but it also complicates interventions to end the conflict. This has direct implications for the U.S. Army, which may be involved in peacekeeping or state-building missions. The situation is made even more complex and challenging when a third partner, in the form of elements of the host state, enters the equation.

OCGs and Nation-States

The relationship between OCGs and nation-states is complex. As previously highlighted, OCGs thrive in fragile environments. Not only can OCGs have strong links with the state, they can also substitute for it.⁷¹ Where the state is weak, OCGs often provide substantial public services to members of the community where the state does not or cannot. In other words, OCGs fill the vacuum of governance functions, which in turn can contribute to their consolidation and sustainability over time as witnessed in Iraq, Somalia, Afghanistan, Mexico, and Brazil.⁷² In some cases, organized crime has created wealth and employment, as well as provided vital capital for economic growth. In countries where government bureaucracy lacks transparency and accountability, economic growth is invariably suboptimal as taxes and other resources collected by the state from the general population are often used to supplement the wealth of those in power.⁷³ In the absence of social welfare programs,

underground economies often provide social safety by providing employment, which in some cases may make the difference between subsistence and destitution. One example is in Colombia, where the cocaine trade has provided subsistence for thousands of farmers who would otherwise be forced into poverty.⁷⁴

Consequently, it is unsurprising that in fragile states, which suffer from underdeveloped economies, state officials may either overlook or even choose to promote informal economic activity, especially if the officials themselves are able to benefit personally from such activities.⁷⁵ This is particularly the case where economic opportunities upon which to base economic growth are also limited, which will inevitably be the case in most fragile states, especially as a result of the environment of insecurity which will deter investors. Clearly, the preference would be to develop any country's economy through legitimate means. However, if that alternative does not exist as an immediate option, it raises some difficult questions as to how to tackle the immediate problem. Even where a strategy for legitimate economic development may exist, implementing that strategy to the point where the benefits can be seen is likely to take years, possibly decades. In the meantime, in circumstances where urgent humanitarian action is required, international aid may become available. However, there is no guarantee that assistance will be provided by the international community. If the country in question is a high priority war zone, such as Syria, or has fallen victim to a recent natural disaster, it is more likely that the international community may be interested in providing assistance. This could take the form of governments providing aid, which is delivered through private sector contractors or NPOs, or alternatively through NPOs raising

funding and delivering aid independent of government.⁷⁶ However, with so many countries requiring assistance, lower priority countries, typically those that are less publicized and do not qualify as war zones or victims of a natural disaster, may struggle to receive aid. Furthermore, even where aid may become available, there is no guarantee that the problem will be alleviated, especially in the mid to long term. This is partly because delivering aid to fragile states is far from being a simple task.

Among the many challenges is diversion risk, where funds intended for victims are diverted to corrupt officials and adversary groups.⁷⁷ This can occur in a number of ways. Relief goods such as food or medicine, as well as cash can be stolen through poor management or knowingly diverted to enable NPOs to operate in territories occupied by proscribed groups, for example through payment of cash and/or goods in return for protection and access.⁷⁸ Aid diversion is a sensitive subject, and little data is made available in the public domain to illustrate the extent of the problem. However, some recent examples released to the press include the diversion of aid for Syria, where in 2016 an estimated £5 million of British humanitarian aid intended for victims of the war in Syria is believed to have been diverted to terrorists. Another example is in Somalia, where £500,000 of British-funded aid and equipment was reported as having been diverted to al-Shabaab in 2013.⁷⁹ More recently in 2015, UN investigators discovered that millions of dollars of its UN Somalia aid had been diverted, in some cases representing as much as 79 percent of the value of the aid program.⁸⁰ The reports do not indicate how or to what extent officials collaborated with OCGs in these situations, and there is ongoing debate as to what level of

aid diversion is acceptable, if at all.⁸¹ It is not the purpose of this analysis to discuss these issues but instead to highlight the ways in which international aid is diverted to benefit adversaries and corrupt officials of nation-states.

Irrespective of diversion risk, some of those in need will not benefit from any form of aid, and where international assistance may not be available and the state is also unable or unwilling to provide support, the underground economy may become the only viable option. Economic dependence on narcotics has been seen not only in Colombia, but also in other countries such as Afghanistan. Since the fall of the Taliban in 2001, numerous measures by the international community have taken place to eradicate opium poppies and to try to encourage Afghan farmers to grow alternative crops. However, these interventions have been largely unsuccessful to date for a number of reasons.⁸² To begin with, in order to grow alternatives such as wheat, good quality soil, farming equipment, irrigation systems, and electricity to run those systems are needed. All of these are absent in most parts of Afghanistan. (This is also the case in most conflict or post-conflict nations.) However, poppies can be grown in poor quality soil with minimal irrigation, and they do not require machinery or electricity. In addition, harvesting the poppy is also a low-skilled, manually intensive task, which provides employment for the local population who are generally unskilled and uneducated, and where other options for legitimate employment do not exist.

Even in the event that the farmer does grow another crop, a further challenge faced by Afghan farmers is how to get the alternative farming produce to market so it can be sold. This requires the goods, which are

perishable, to cross checkpoints, which are manned by corrupt officials or insurgency groups, both requiring additional fees to be paid. After such payments are paid, the profit made is often not enough to sustain the farmer and his family.⁸³ However, if the farmer grows poppies, it is normal practice for the “customer” to collect the crop and make payment on collection, thus eliminating the need to get the products to market or to sell the goods. It is therefore understandable why efforts to counter the production of the poppy crop have been largely unsuccessful.⁸⁴ Given the alternative of destitution, involvement with drugs may be an acceptable option by the local population. The downside is that production and trade are controlled by OCGs, and as this is the main source of income generation for the population, the real power rests with them, through economic dependence. Government officials not only acknowledge this but also are easily corrupted, as they stand to enjoy considerable personal financial gain through turning a blind eye or actively facilitating the process.

Despite the reliance on the criminal economy in some situations where alternatives do not exist, organized crime is also a key cause for state failure.⁸⁵ Collaboration between the state and OCGs weakens the state by infiltrating every layer of its structure and composition, seeking out and exploiting its vulnerabilities and feeding on its weaknesses. However, it is often difficult to establish whether organized crime is a cause or effect of state failure. In environments where state institutions are already weak, criminal networks further erode state authority, legitimacy, and effectiveness by fueling corruption and distorting state functions.⁸⁶ This in turn deprives the state of tax revenues, and competes with OCGs in the provision of services.

In other words, organized crime becomes both a consequence of, and a contributor to, state fragility.⁸⁷ This is directly relevant to the U.S. Army, because state fragility and failure ultimately lead to or prolong conflict, which has the effect of prolonging interventions by the U.S. Army, and the international community in general attempting to stabilize the region.

The previous section highlighted the absence of rule of law as a key factor that enables OCGs to flourish. To elaborate further, weak or non-existing rule of law state institutions, such as the police or the judiciary, where basic knowledge and skill sets are lacking, coupled with epidemic corruption, can further encourage organized crime involvement. For example, police may lack the ability to investigate crimes and present the necessary evidence in court as a result of inadequate policing skills. Alternatively, they may be unwilling to investigate or present evidence as a result of corruption.⁸⁸ In these situations, it is unlikely that a criminal will even be arrested, let alone prosecuted, for crimes committed. Even when a criminal ends up in court, there is no guarantee that he will be found guilty if judges are corrupt or incompetent. In addition, where a criminal is sentenced to jail, corruption may be so endemic that the sentence becomes meaningless. A case in point is the conviction of opium trafficker Haji Lal Jan Ishaqzai, who was convicted in 2013 by the Afghan Counter-Narcotics Justice Center (CNJC)⁸⁹ for offenses relating to drug trafficking and was sentenced to 15 years.⁹⁰ Not long after he was sent to prison, Ishaqzai was reported to have paid approximately US\$14 million to several people throughout the criminal justice system to secure his release.⁹¹ In this case, the good work of the CNJC supported by the UK and the United States was negated by the ubiquitous nature of corruption in the Afghan penal system.

The net result of the inability of the state to deliver justice allows OCGs to operate more openly, as risk of prosecution is considerably less compared to countries enjoying an established justice system. This is particularly the case for criminals and other individuals who have access to funds, as they are able to bribe their way out of jail even if prosecuted, as seen in the case of Haji Lal Jan Ishaqzai. Where criminals do not have power or money, those who are part of an OCG are still likely to be provided some protection through the criminal network. This is particularly the case with clan-based systems, where another clan member may be in a position of authority (in government) who may come to their rescue. These factors combined make the environment conducive to organized crime and increases the risk appetite of criminals, with the knowledge that institutions, which should exist to disrupt their activities, instead support and further their cause.

For example, fragile states are increasingly playing a key role as intermediaries in the global distribution of illicit goods by serving as transit points for TOC groups, one notable example being the aforementioned production and distribution of opiates from Afghanistan.⁹² This partnership between the state and OCGs can occur at a number of levels. At lower levels of government, officials can become engaged with OCGs through either sporadic acts of bribery by turning a blind eye to criminal activity for payment, or active abuse of public office.⁹³ Examples include border guards agreeing to take a certain patrol route in order to enable illegal shipments, not restricted to narcotics, to pass through borders. In other cases, such acts become so frequent that low-ranking state officials end up on the OCG payroll.⁹⁴ These payments are considered to be a justifiable norm for many officials where salaries

are not enough to support either himself or his family. The view that bribery payments are acceptable is not restricted to low ranking officials. OCGs also infiltrate further up the state management chain by ensuring that personnel are in place who will be supportive of their activities. Middle ranking officials as well as heads of agencies responsible directly or indirectly for fighting organized crime-related activities, such as law enforcement agencies or customs, are also targeted because influence at these high levels can potentially provide long-term benefits to OCGs.⁹⁵ In addition to government agencies, OCGs can also infiltrate high-level officials such as senators, ministers, or even presidents of countries, with power to directly influence state policymaking, law making, law enforcement, and judicial decisions. This will typically involve extortion and family links to high-level officials.⁹⁶

In all cases, corruption acts as a bond between the state and organized crime. Corruption is defined as “the abuse of public office for private gain.”⁹⁷ In the context of organized crime, corruption may be characterized as the ways in which OCGs can infiltrate or penetrate the state. In terms of how this can occur, John Bailey and Roy Godson have developed two models, which describe the relationship between organized crime and corruption. In the first “centralized-systemic” model, political leaders directly control the webs of alliances between OCGs and the state in a top-down approach. In this scenario, the head of state is typically the main benefactor of organized crime, where OCGs are not as much a consequence of weak governments, but the product of corrupt political officials.⁹⁸ In the second “fragmented-contested” model, there is a far more fluid and complex set of relationships between the political system and organized crime. In this decentralized

structure, criminal-political alliances are dynamic and constantly mutating.⁹⁹

In both scenarios, corruption is a key enabler for OCGs.¹⁰⁰ The relationship between organized crime and corruption can be understood by the differentiation between primary and enabling activities of OCGs. Primary activities are those from which OCGs generate profit. Enabling activities are those that make possible and/or facilitate the conduct of these primary activities. As a key enabling factor, corruption may take many different forms, varying from petty bribery of customs officials, to ignoring drug shipments, to the integration of high-level border officials or even national politicians into the illegal trafficking networks.¹⁰¹ It is also worth noting that although organized crime is most commonly associated with illegal goods and services, primary activities do not necessarily need to be illegal under the laws of the state in question. Russia provides a case in point. The rise of Russian organized crime in the 1990s has been attributed less as a result of the demand for illegal goods or services than to a poorly planned transition from socialist to capitalist economy and the privatization of state property.¹⁰² This required corrupt public officials and a number of state institutions to work with OCGs in order to facilitate these activities, where large amounts of licit commodities were dealt with in illicit ways.¹⁰³ The OCG-state partnership in this situation involved crimes requiring access to information or goods held by government officials, backed up by the use or threat of force by crime groups.¹⁰⁴

An OCG-state partnership involving both licit and illicit activities is not unique to Russia. Fraud and the general abuse of development aid funds have been commonplace in countries where international interventions have taken place. For example, between

US\$31 and US\$60 billion were lost as a result of contracting waste and fraud in Afghanistan and Iraq between 2002 and 2011.¹⁰⁵ Although it is uncertain what role organized crime had played, or what proportion of lost funds were a result of fraud or general mismanagement, it is evident that corruption enabled the loss to occur.

However, one repeated lesson from previous missions has been the inability of the international community to tackle corruption despite it being recognized as a central factor in undermining international interventions.¹⁰⁶ In terms of the military, many do not see the subject of tackling corruption as a priority, but rather as a specialist issue that should be dealt with by other organizations. This view is illustrated by North Atlantic Treaty Organization (NATO) Secretary General Jaap de Hoop Scheffer in 2008 who recognized the importance of corruption, but at the same time illustrated the adoption of a passive approach:

to the extent it [corruption] is not linked to military activities – it is not NATO’s first responsibility – there are other organisations and donors that work on development cooperation that focus a bit more on this topic.¹⁰⁷

The tendency to sideline the issue of corruption was also noted in relation to the UN by Lieutenant General H. R. McMaster, at the time of this writing the National Security Advisor to U.S. President Donald Trump: “The dominant attitude [of the UN] towards corruption was one of passivity in reference to the problem and understanding the political nature of the problem.”¹⁰⁸ According to McMaster, this view was not restricted to the UN but extended to the international community (IC) as a whole:

the IC was passive about it [corruption] and largely ignorant about the scope of the problem, [...] its impact on the mission, the Afghan state and the Afghan people. And it was this lack of understanding that drove, I think, complacency about the problem and drove this simplistic interpretation of corruption that is really bigotry masquerading as cultural sensitivity: this idea that Afghans are corrupt and there's nothing we can do about it.¹⁰⁹

The conclusions McMaster reached as a result of his leadership as former Head of Combined Joint Interagency Task Force - Shafafiyat in 2011, tasked to understand the corruption threats in Afghanistan, was that "there was a connection with a criminal underworld and a political upper world" and the need to better understand and improve "the [international] ability to identify the subversive campaigns of criminal networks, narcotics trafficking organizations and insurgencies."¹¹⁰

The relevance to the U.S. Army is that in recent years, peacekeeping operations have served as a vehicle for the delivery of wider state functions, such as border security and crime fighting, as well as a coordination mechanism for other actors, becoming a focal point for longer-term capacity building. The inability to tackle corruption results in failure of those missions, inevitability prolonging conflict with security implications both at home and abroad.

CONCLUSIONS

The impact of organized crime on all aspects of military activity to include combat, peace-building, and development continues to be sidelined, despite evidence of its ability to undermine all types of operations. Organized crime has been, and continues to be,

a neglected dimension of conflict, and unless active measures to contain and reduce it are included as part of a comprehensive approach that goes well beyond the current counterinsurgency model, it will continue to provide a resource base for insurgents as well as sectarian militias.

One issue is that OCGs are treated as being separate to and distinct from irregular groups; thus are considered outside the immediate remit of the military. However, this approach is no longer adequate. This is especially true since organized crime is no longer solely in the domain of traditional hierarchical mafia-type organizations. Instead, many have developed into dynamic global networks capable of simultaneously supporting terrorist and criminal agendas. These mergers in some cases have evolved further into hybrid entities, as witnessed in numerous theaters of conflict to include Syria, Afghanistan, Nigeria, and Iraq. This is an increasing trend representing a major dimension of contemporary conflict, which needs to be addressed.

However, knowledge and understanding on the extent and nature of this relationship and the mechanisms that support this collaboration remain weak, as is the study of ways in which the threat can be mitigated. Although there has been attention given to the so-called nexus between terrorism and organized crime, there are dangers of overly conflating the two, which could lead to misguided policy and interventions. Instead, there is a need to explore potential areas of competition and divergence among these groups, which could be exploited to the advantage of the U.S. Army and the international community as a whole. This will require a move away from the existing methods, not motives, based strategy to a new approach that

is more flexible, integrated, and holistic in its thinking and delivery.

This type of new thinking is particularly necessary given the involvement of nation-states, which further enable these groups to operate. The reasons and ways in which this collaboration occurs are many. However, at the heart of the issue is corruption, which serves as a bond between criminals and corrupt state officials, enabling crime to flourish. Corruption is a key issue that undermines peacekeeping missions and state-building interventions; but, to date, the international community, to include the U.S. Army, and Armed Forces in general, has adopted a passive stance on the matter. This needs to change if any real progress is to be made.

To understand the silent partnerships between OCGs, irregular groups, and nation-states is to understand the network—what the network is and how it works. One challenge facing intelligence analysts is that these networks are dynamic in nature, and alliances are consistently shifting. Without careful allocation of resources, they could all be expended in attempts to keep up with changes. Although up-to-date SNA is an absolute necessity to carry out tactical operations on the ground, further consideration must be given to what brings these networks together. The answer is profit, which is the key driver of all three entities. However, to date, there has been a failure on the part of the military and the international community as a whole to appreciate fully the profiteering incentives of warring protagonists, and how these may evolve from war-based economies into crime-based economies.¹¹¹ Although in recent years, there has been more attention given to various aspects of threat finance such as terrorist finance, insurgency finance, or the movement of narcotics money, the analysis has

been overly compartmentalized and basic at best. This will inevitably result in the lagging of developments to countering the threat, and a reactive approach that is no longer adequate, especially considering the pace at which the modus operandi of criminals is developing. As Professor Barry Rider has observed: "Of course, in truth, thinking criminals have always sought to place themselves beyond the reach of the law, and it is not just a matter of having a faster horse!"¹¹²

Consequently, a new approach and new thinking to address the threats are needed. As such, the following recommendations should be considered by commanders and policymakers in order to begin to address the issues.

RECOMMENDATIONS

- **Recommendation 1: Recognize OCGs as a threat to U.S. Army operations.** Organized crime must be recognized at all levels of the U.S. Army command not as an independent threat outside the scope of the U.S. Army, but as an integral component of the security threat environment.
- **Recommendation 2: Widen the scope of network analysis.** Enhance intelligence assessments by widening the scope of network analysis to include OCGs and government officials. Assessments should include key motivations for collaborations, as well as how they occur. Critically, emphasis must be given to illicit logistical supply chains and how these can be disrupted.
- **Recommendation 3: Tackle corruption.** Develop an understanding of how corruption enables

partnerships to form between OCGs, irregular groups, and state officials, and identify ways in which this can be tackled.

- **Recommendation 4: Address intelligence knowledge gaps.** Identify and address existing intelligence knowledge gaps as well as encourage military intelligence personnel to challenge existing thinking in tackling the adversary. This could be achieved through the adoption of a multidisciplinary approach incorporating experts from different disciplines to avoid group-think.
- **Recommendation 5: Provide training and education.** Develop training and educational programs that will enable personnel to develop a deeper understanding of how OCGs, irregular groups, and corrupt state officials collaborate, as well as why this is relevant in the context of U.S. Army operations.
- **Recommendation 6: Adopt an integrated approach.** Reach out to non-military partners, where appropriate, to ensure that the widest possible intelligence picture is captured on OCGs and state actors, as well as to engage in dialogue to develop a collaborative approach to tackling the problem.
- **Recommendation 7: Prepare for unintended consequences.** Develop awareness as to how tackling any one component of the threat may have possible unintended consequences. Consider also how these can be mitigated.

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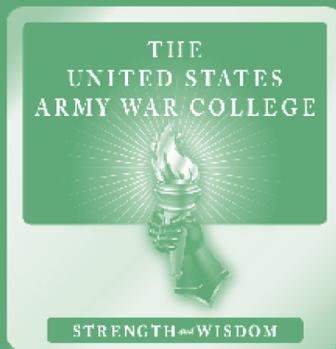
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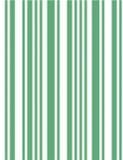
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