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Mainstreaming Crime Control in Peace Operations and Development

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This meeting note was prepared by *rapporteurs* Walter Kemp, Director for Europe and Central Asia, and Ian Hrovatin, Research Assistant, IPI Vienna. It reflects the *rapporteurs'* interpretation of the discussions and does not necessarily represent the views of all other participants.

Sharpening its international profile and broadening its reach to Europe and beyond, the International Peace Institute (IPI) announced the establishment of its new Vienna office in September 2010.

IPI has had a forty-year partnership with Austria, manifested by the annual Vienna Seminar that brings together policymakers, academics, and military experts to discuss pressing issues of peace and security, and to explore ways of improving the global system of conflict prevention and risk management.

Vienna, a traditional center for diplomacy and multilateral negotiations, is home to a number of regional and international agencies, including the Organization for Security and Co-operation in Europe (OSCE).

An independent, international, not-for-profit think tank, IPI was founded in 1970 in New York and since its inception has occupied offices across from United Nations headquarters. The Vienna office is the first that IPI has created outside of New York.

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Organized crime is a threat to stability in almost every theater where the United Nations is active in keeping or building the peace. It is also an impediment to the achievement of the Millennium Development Goals (MDGs). How well equipped is the UN to address these challenges in order to promote peace and development and reduce vulnerability to transnational organized crime (TOC)? This was the subject of an event entitled “Mainstreaming Crime Control in Peace Operations and Development” that was co-organized by the International Peace Institute (IPI) and the Permanent Mission of Switzerland to the International Organizations in Vienna on the margins of the Fifth Session of the Conference of Parties to the UN Convention Against Transnational Organized Crime (the Palermo Convention) in Vienna on October 22, 2010. The debate featured Ambassador Thomas Greminger (Permanent Representative of Switzerland to the OSCE, United Nations, and International Organizations in Vienna), Walter Kemp (Director for Europe and Central Asia, IPI), Gwenneth Boniface (transnational organized crime expert in the Police Division of UN Department for Peacekeeping Operations), Anna Alvazzi del Frate (Senior Researcher, Small Arms Survey/Geneva Declaration on Armed Violence and Development), and Mark Shaw (Officer-in-Charge of the Integrated Program and Oversight Branch in the Division for Operations of the United Nations Office on Drugs and Crime).

Vicious Circles

In the past twenty years, criminal groups have diversified (from drugs into money-laundering, counterfeit products, and the trafficking of weapons, natural resources, and people), gone global, and now have the firepower and economic clout to rival and undermine states.¹ The proceeds of crime have reached macroeconomic proportions. As a result, organized crime has come into the mainstream by corrupting and cajoling politicians, infiltrating security services, colluding with the licit economy, and perverting the course of justice. Indeed, the threat posed by criminal groups today is significantly greater than when the *Palermo Convention* was adopted a decade ago.

Growing evidence shows a clear correlation among crime, underdevelopment, and instability. Instability attracts criminal elements. Criminality, in turn, increases instability. Concurrently, underdevelopment attracts criminality, while an increase in crime scares away investors and human capital. These interconnected vicious circles cause weak states to become even more vulnerable to armed violence, poverty, and undemocratic governance.

¹ See United Nations Office on Drugs and Crime, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* (Vienna, 2010).

The international community is starting to wake up to the fact that the globalization of crime has accelerated faster than the globalization of the response. Multilateral institutions are now trying to catch up. Participants in the meeting observed that since organized crime has become so pervasive, crime-control measures must be brought into the mainstream of efforts to promote security, justice, and development.

A Growing Threat to Security

Since the end of the Cold War, organized crime has evolved from being a local or national menace posed by gangs and mafia groups, into being a transnational threat to international security. In 2010 alone, the Security Council debated the issue of transnational organized crime (TOC) in relation to Afghanistan, drug trafficking, West Africa (particularly Guinea-Bissau), maritime piracy, weapon smuggling, trafficking in human beings, and the situation in Somalia. The issue has also been debated in the General Assembly (e.g., in relation to human trafficking), and the Peacebuilding Commission.

In some cases, criminal groups work against the state and profit from instability. Symbiotic relationships between antigovernment forces and criminal groups are, or have been, evident in many conflict or postconflict situations, including the Andean region, Afghanistan, the Balkans, the Caribbean, the Caucasus, Central America, Central Asia, the Democratic Republic of the Congo, the Horn of Africa, Southeast Asia, and parts of West Africa.²

Criminal activity in conflict zones may become so lucrative that political or ideological motivations become blurred with, or even subsumed by, greed for criminal profits. Elements of the FARC (cocaine), the Khmer Rouge (ruby and teakwood), the Shining Path (cocaine), and the Taliban (opium) have demonstrated this trait. The corollary is that criminal groups may ally themselves with political or ideological movements for the sake of expediency.

The second common scenario is for criminal groups to work with state actors. In such cases, transnational criminal groups co-opt senior officials in government, the police, and the military in order to extract or traffic illicit goods. They also use contacts in the private sector for transportation, logistics, and moving funds. This leads to the criminalization of the state, or at least many of its elite, for example by building corrupt networks between business, crime, and politics with the collusion of select units in the security services. Under this arrangement, criminals effectively use all the trappings of the state to facilitate their activities. They also influence the political process by funding political parties or supporting key politicians. In return, their collaborators get rich. As a result, the state is hollowed out from the inside—captured by a crooked clique of self-serving cronies who hide their criminal activities behind a veil of legitimacy, use the proceeds of crime to build patronage networks, and silence opposition by the threat or use of force.

Reducing Vulnerability Through Development

Transnational organized crime is not only a threat to security. It also hinders development. In his report on achieving the MDGs by 2015, UN Secretary-General Ban Ki-moon observes that

Armed violence, conflict and the resulting breakdown of the rule of law, justice and security are also a major threat to human security and to the hard-won MDG gains.³

This highlights the fact that the secondary consequences of armed violence, although perhaps less obvious than violence itself, can trap societies in persistent poverty and insecurity.

Participants discussed how armed violence is both a cause and a consequence of underdevelopment. By destroying infrastructures, scaring off investors, eroding governmental capacity, and causing the flight of human capital, conflicts kill development. The corollary is that underdevelopment makes societies more vulnerable to violence

² See, for example, UNODC, *Crime and Instability: Case Studies of Transnational Threats* (Vienna, February 2010).

³ United Nations, *Keeping the Promise: A Forward-Looking Review to Promote an Agreed Action Agenda to Achieve the MDGs by 2015*, UN Doc. A/64/665, April 16, 2010.

by causing economic stagnation, greater inequality, and creating a pool of marginalized, unemployed, and disgruntled youth. It is therefore not surprising that countries affected by fragility, conflict, and armed violence are furthest away from achieving the MDGs. They are also environments where organized crime can easily blossom.

It was observed that the estimated annual cost of violent crime and interpersonal violence (\$163 billion) far exceeds the total value of OECD members' development aid in 2009.⁴ Therefore, preventing and resolving conflicts promotes peace, reduces the human and material costs to society, and decreases the chance of communities becoming vulnerable to organized crime. Participants therefore stressed that it is essential to take a holistic look at the relationships among security, development, and justice and their impact on crime and conflict. This is, for example, the approach taken by the *Geneva Declaration on Armed Violence and Development* which was launched in 2006. As explained at the meeting, the *Geneva Declaration* considers that armed violence needs to be approached as a security and crime-prevention issue as well from a development perspective. The declaration has to date been endorsed by 108 states that recognize that armed violence is both cause and consequence of underdevelopment and constitutes a major obstacle to the achievement of the MDGs. It commits signatories to supporting initiatives to measure the human, social, and economic costs of armed violence, to assess risks and vulnerabilities, to evaluate the effectiveness of armed violence reduction programmes, and to disseminate knowledge of best practices.

No Security or Development Without Justice

While the international community is starting to make the connection between crime and conflict, what is the operational response, particularly by the United Nations, in regions under stress?

Traditionally, the UN has focused on security and development as two distinct pillars of its work. The

lead actors and division of labor are clear. The UN Security Council has primary responsibility for the maintenance of international peace and security, and mandates the deployment of the approximately 100,000 blue helmets engaged in peace operations. The UN's development work is coordinated by the UN Development Programme (UNDP).

But this approach has its limitations when it comes to crime control. Peacekeepers lack the specialized policing skills needed to identify and deal with spoilers, while development agencies lack the requisite criminal-justice expertise. As a result, expensive and protracted efforts to promote peace and development are being undermined by an insufficient criminal justice capacity.

At the meeting, participants looked at a map showing regions vulnerable to organized crime. Those same regions are areas where the UN has an active presence on the ground. The United Nations is currently engaged in sixteen peacekeeping missions and almost as many peacebuilding and political missions worldwide. In almost every theater where the UN is active in the field—from Afghanistan to Timor-Leste, from Kosovo to Guinea-Bissau—it is confronted by the same problem: organized crime.⁵

More often than not, international missions designed to consolidate and promote sustainable peace are confronted with criminal actors who profit from instability. Problematically, as conflict and instability are good for business, organized crime may have an incentive in the protraction of hostilities and could, therefore, undermine the successful work of peace operations. This can turn an otherwise tractable situation into long-term instability, causing violence, human suffering, poverty, and necessitating the presence of thousands of UN blue helmets. Peacemakers therefore need to be better prepared and better equipped to deal with peace spoilers. Furthermore, short-term solutions need to be seen in a broader and longer-term perspective of strengthening security, justice, and development in order to reduce the risk of a country or region sliding back into the situation that made it vulnerable to crime, conflict, and underdevelopment in the first place.

⁴ The Geneva Declaration, "The Global Burden of Armed Violence," London, 2008.

⁵ On this topic see the forthcoming edited volume from IPI: James Cockayne and Adam Lupel, eds., *Peace Operations and Organized Crime: Enemies or Allies?* (London: Routledge, 2011).

This raised a number of questions in the debate. How can you make peace with people who profit from instability? How do you reduce incentives to illicit enrichment, and increase the incentives for peace? How do you disrupt illicit markets, and bring criminals to justice?

UN member states are becoming aware of the need to change strategy. In two presidential statements issued on December 8, 2009, (S/PRST/2009/32) and February 24, 2010, (S/PRST/2010/4), the Security Council has invited the Secretary-General to mainstream the issue of organized crime—particularly drug trafficking—into conflict-prevention strategies, conflict analysis, integrated-missions assessment and planning, as well as peacebuilding support.

Participants learned about steps being taken in the UN to follow up on these statements.

Operational Response

The United Nations Office on Drugs and Crime (UNODC) is increasing its provision of technical assistance, and producing threat assessments to promote information-based regional responses. DPKO is putting a greater emphasis on intelligence-led policing and regional cooperation to combat transnational threats. The Police Unit is increasingly being called upon to provide assistance. Between April 1995 and April 2009, the number of police officers that the unit has deployed has jumped from 2,000 to 10,000. As was discussed at the meeting, there has also been a qualitative leap in terms of tasks undertaken—ranging from interim policing and law enforcement, and operational support, to reform, restructuring, and rebuilding. The gap between ending conflict and building democracy is increasingly being bridged by strengthening law and order. The UN Department of Political Affairs (DPA) is paying increased attention to the impact of crime on mediation and conflict settlement, and is strengthening the role of criminal justice in its “integrated” missions.

There is also a growing awareness that there should be a “one-UN” approach to fighting crime. A good example is the West African Coast Initiative (WACI). As explained at the meeting, this initiative unites UNODC, DPKO, DPA, and INTERPOL, as well as UN peacekeeping and political missions in

West Africa (like UNOWA, UNIPSIL, UNIOGBIS, UNOCI, and UNMIL) to assist ECOWAS and countries of West Africa (like Côte d’Ivoire, Liberia, Guinea-Bissau, and Sierra Leone) to strengthen their capacity to prevent and combat transnational organized crime. Particular emphasis is being placed on developing Transnational Organized Crime Units and providing specialized training.

The impact of cocaine trafficking through West Africa in the past five years has produced a true shift of perspectives in the understanding of the mutually reinforcing relationship among war, crime, and democracy. In fact, the link between organized crime and instability grew progressively evident in West Africa, to the extent that the debate on conflict and postconflict management now includes criminal justice as a condition sine qua non for durable peace.

The pursuit of long-term solutions based upon the consolidation of the rule of law, however, is far from simple for a variety of reasons.

Firstly, there must be a system in place to bring perpetrators to justice. This is difficult where the rule of law is weak. Reform must take place across the whole criminal-justice system in order to be effective. Shortcuts, for the sake of short-term stability, may actually undermine justice. It is therefore vital that the international community assists societies to develop solid foundations based on the rule of law. And law-enforcement officials must be provided with the necessary legal and operational tools to deal with the cases in question. This is proving a challenge in coping with relatively new crimes—like cyber-crime and economic crimes—as well as the return of older forms of crime like piracy and exploitation of natural resources.

Secondly, the point was made that it is hard to uphold the law when those who are supposed to enforce it are part of the problem. State authorities who collude with, or are threatened by, criminal groups tend to resist international assistance.

Thirdly, to be successful, the fight against transnational organized crime requires a response that is as geographically extended as the challenge. As pointed out in the *IPI Blue Paper* on transnational organized crime, “TOC can operate in a borderless world, while crime control stays trapped

within borders. The danger is that in seeking to protect their formal, ‘on paper’ sovereignty, states will sacrifice their effective sovereignty.”⁶ Therefore, states must work together to fight transnational organized crime; purely national responses are inadequate. Thus, while strengthening law and order in a country, peace operations aimed at contrasting organized crime must necessarily bolster the institutional capacity of neighboring states as well. This will enable a truly regional response, and prevent a displacement of the problem from one country to the next.

In short, it was widely agreed that since organized crime has come into the mainstream, peace operations and development assistance must integrate a criminal-justice element into their work. This will reduce the impact of organized crime, and promote justice, both as an end in itself and as an essential measure to promote security and development.

Next Steps

The event concluded with a discussion of the need to have a more systematic and structured approach within the UN to tackle TOC, including by

- increased use of threat assessments;
- better information sharing (including the possible creation of a Joint Criminal Threat Analysis Cell);
- more effective use of TOC and criminal-justice

experts in peace operations;

- more joint operations (like WACI); and
- greater support for building the capacity of local officials in criminal justice.

The UN system is now seized by the issue of strengthening its response to transnational organized crime. The challenge is to get all relevant parts of the organization pulling in the same direction, and to practice within the UN the same things that the UN preaches to others, namely the much-discussed need to break down institutional silos, share information, build capacity, and ensure an intelligence-based approach.

But this issue must also be seen in a wider context. It was agreed that, first and foremost, it is up to states to live up to their commitments as parties to the *Palermo Convention*. The sense of urgency would be greater if states better understood the threat posed by organized crime, not only in terms of national security, but also as a development challenge, and as a trigger for armed violence. Upcoming studies, like *The World Development Report 2011* (which focuses on conflict, security, and development), and high-level meetings, like the Ministerial Review Conference of the Geneva Declaration, can raise the profile of the links among security, justice, and development as antidotes to transnational organized crime, and help to generate the political will and economic leverage needed to give TOC the attention that it deserves.

⁶ International Peace Institute, “Transnational Organized Crime,” *IPI Blue Paper* no. 2, Task Forces on Strengthening Multilateral Security Capacity, New York, 2009, p. 8.

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