

Revisiting the Relationship between International Terrorism and Transnational Organised Crime 22 Years Later

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The Research Paper opens with a conceptual discussion about definitions of 'organised crime/groups' (OCGs) and 'terrorism/terrorist groups (TGs)'. It distinguishes between four types/levels of 'links' between OCGs and TGs and identifies two special types of violent hybrid organisations. It first summarises the main findings of a background report on the links between transnational organised crime groups and international terrorist groups, prepared by the author for the UN Crime Commission in the mid-1990s. After presenting key aspects of transnational OCGs and TGs in the 1990s, and comparing some of the features noted then to the situation today, the paper elaborates key differences and similarities between these two types of organisations. In the mid-1990s, transnational organised crime groups and terrorist organisations were decidedly distinct, linked in some ways but separated in more important other ways. Today the situation has evolved as there are new features not prominent in 1996. Looking at the present situation, the paper notes that recruiters of OCGs and TGs in Western diasporas increasingly fish in the same pool of mainly ethnic youth gangs and petty criminals. Another novelty is the role of prisons where convicted terrorists have successfully radicalised common petty criminals and members of OCGs. The report also draws attention to the situation in Sub-Saharan Africa where some smuggling and trafficking networks and jihadist networks have assumed a hybrid character. The criminalisation of some states and the involvement of government officials in organised crime or in supporting terrorism is also addressed. Concluding, the Research Paper notes an increase in both organised crime and terrorism since the mid-1990s but sees the main cause for this not so much in greater and deeper links between terrorist and organised crime groups but in the development of in-house capabilities of organised crime methods by TGs and terrorist tactics by OCGs and - more importantly - in changes in their operational environments due to, inter alia, globalisation and the role of the Internet. While the links between TGs and OCGs are a matter of serious concern for the international community, the far greater problem is that increasingly past and present political power holders are involved as third parties, whereby state facilities (e.g. diplomatic channels) are used as vehicles and cover for violent and predatory crimes across international borders. The paper also features an extensive, up-to-date bibliography on the nexus between international terrorism and transnational organised crime.

Introduction

Twenty-two years ago, I prepared a report for the UN Crime Prevention and Criminal Justice Branch with the title *'The Links between Transnational Organized Crime and Terrorist Crimes'*.¹ In the present ICCT Research Paper, I would like to revisit this background report and explore some of the more notable changes since 1996.

Much has been written about collaboration - sometimes termed links, nexus, alliance or even symbiosis and convergence - between terrorist groups and organised groups². Yet not much of the literature discussing this relationship has bothered to clearly define these concepts. Admittedly, definitional discussions can be tedious and the results are often inconclusive. However, without at least a basic awareness of the problematic nature of the contested concepts 'organised crime' and 'terrorism', progress towards more conclusive findings regarding these two phenomena and their connections is unlikely. Klaus van Lampe has collected more than 200 different definitions of 'organised crime' from scholars and governments while Joseph Easson and Alex Schmid have collected more than 250 academic and governmental definitions of 'terrorism'. Linking any of 200 definitions of one phenomenon with 250 of the other already produces 50,000 combinations, each of which can, in theory, result in different conclusions about the degree of closeness between terrorism and organised crime. If one compares not definitions but actual terrorist groups and organised crime groups in the real world, the number of possible combinations is even higher.³ In reality, of course, far fewer terrorist groups and organised crime groups cooperate but that does not solve the problem of great variation, the more so since many of these terrorist or organised crime groups might have developed in-house capabilities enabling them to use tactics from the repertoire of the other type of group in their own dealings with their clients and enemies.

Here then, to begin with, a brief look at the thorny issue of definitions. This will be followed by a look at organised crime groups and terrorist groups then and now, before concentrating on differences and similarities and the nature of links between them.

Definitions of Organised Crime/Groups and Terrorism/Terrorist Groups

One thing that has changed - at least in part - during the last two decades is in the field of definitions. Before the year 2000, there was no internationally accepted (i.e. approved by the UN General Assembly) legal definition of 'organised crime' or '(international) terrorism'. Now there is at least a UN draft definition of terrorism and a finalised one for 'organised criminal groups' in the Palermo Convention of 2000.

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¹Alex P. Schmid (with the collaboration of A.J. Jongman). *The Links Between Transnational Organized Crime and Terrorist Crimes*. Report prepared for the Commission on Crime Prevention and Criminal Justice in response to EcoSoc Resolution 1995/8, sect. II, paragraph 10. Leiden: LISWO, January 1996 (32 pp.) [subsequently quoted as '1996 Links Report']; a slightly modified version was published as Alex P. Schmid, 'The Links Between Transnational Organized Crime and Terrorist Crimes', *Transnational Organized Crime* 2, no. 4 (1996): 40-82. The quotes in this Research Paper are from the original 1996 Links report submitted to the secretariat of the UN Crime Commission.

² For an extensive, but dated, bibliography, see Eric Price. *Selected Literature on Terrorism and Organized Crime. Perspectives on Terrorism* 4, no. 6 (2010): 44-54. For one including also more recent writings, see the bibliography at the end of this Research Paper.

³ Cf. Albert J. Jongman. "World Directory of Extremist, Terrorist and Other Organisations Associated with Guerrilla Warfare, Political Violence, Protest, Organised Crime and Cyber-crime." in *The Routledge Handbook of Terrorism Research*, ed. Alex P. Schmid (London and New York: Routledge, 2011), 355-442 and, for a partial, non-official list of organised crime groups, see Wikipedia at URL: https://en.wikipedia.org/wiki/List_of_criminal_enterprises,_gangs_and_syndicates.

The 1996 report for the UN was written almost five years before the Palermo Convention against Transnational Organized Crime (UNTOC) defined organised crime (or, to be more precise, 'organised criminal group') in an international convention. For my 1996 report, I had to take as point of departure a UN Crime Commission report from 1993 as well as findings from the 1st Ministerial World conference on Organised Crime held in Naples in 1994 which I attended. These two documents defined/ described organised crime respectively as

*'...a form of economic commerce by illegal means, involving the threat and use of physical force, extortion, corruption, blackmail and other methods, and the use of illicit goods and services'(UN Crime Commission, 1993)*⁴

1. Group organisation to commit crime;
 2. Hierarchical links or personal relations which permit leaders to control the group;
 3. Violence, intimidation and corruption used to earn profits or control territories or markets;
 4. Laundering of illicit proceeds both in furtherance of criminal activity and to infiltrate the legitimate economy;
 5. the potential for expansion into new activities and beyond national borders; and
 6. Cooperation with other organized transnational criminal groups.
- (Naples conference, 1994)⁵

Six years after the Naples conference, in December 2000, I attended, as a Senior Crime Prevention and Criminal Justice Officer in the UN Office on Drugs and Crime, the Palermo conference where the Convention against Transnational Organized Crime (UNTOC) was finalised and opened for signature and ratification.⁶ However, since the Palermo Convention had to accommodate the wishes and concerns of more than 180 UN member states, it became less, rather than more precise than the above definitions/descriptions. The drafters of the Palermo Convention could only agree on defining an 'organized criminal group' rather than 'organised crime' as such.⁷ It stated that an

"Organized criminal group' shall mean 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 established pursuant to this Convention, in order to obtain, directly or indirectly, a financial or other material benefit".⁸

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⁴ United Nations. General Assembly. 9th United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Discussion Guide. Vienna: UN, 1993 A/Conf.169/PM.1, 27 July 1993: 8.

⁵ Naples Political Declaration and Global Action Plan against Organized Transnational Crime. Reprinted in *Transnational Organized Crime* 1, no. 1, (Spring 1995): 118-127.

⁶ For background and full text of the Palermo Convention and its three Protocols, see URL: <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>.

⁷ United Nations Convention on Transnational Organized Crime. Art. 2; Annex I of General Assembly resolution 55/25 of 15 November 2000. URL: https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12&chapter=18&lang=en.

⁸ The Convention defined 'structured group' as '...a group that is not randomly formed for the immediate commission of an offense and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure'. – United Nations Convention against Transnational Organized Crime. Art. 2a and 2c. New York: UN, 2000 GA 58th Session, Agenda item 105 (A/RES/55/25).

This definition focuses more on the type of ‘organisation’ than on the type of ‘crime’ but remains vague. It is arguably a problematic definition. Many crimes committed are the joint work of more than one or two persons and are conducted over a certain period of time and could therefore be subject to the Palermo Convention as long as they are in some way ‘transnational’⁹. In addition, this definition, if literally applied, not just covers organised crime from the *underworld* but also white collar crimes from the *upperworld*, whether in business corporations or in government or when sectors of either are ‘acting in concert’.¹⁰ This definition is also problematic as it makes no reference to the conspiratorial, secret society character of organised crime groups which can in some times and places even amount to be part of a parallel shadow state, next to - or even inside - the official state. The ethnic dimension of much of organised crime which is often based on immigrants linked by kinship or place of origin is also not addressed. However, this definition has a standing in international criminal law and all but four UN member states have in the meantime ratified the Palermo Convention which came into force in 2003.¹¹ Yet despite its standing, the Palermo Convention definition misses a number of key traits recognised in the criminological literature on organised crime, e.g. (i) the use of extreme violence, (ii) corruption of officials, including law enforcement and judicial officers (iii), penetration of the legitimate economy (e.g. through money laundering); and (iv) interference in the political process’.¹²

The Palermo Convention applies to transnational criminal groups which aim at obtaining, “...directly or indirectly, a financial or other material benefit”. This would, by implication, exclude terrorist groups whose motives are generally said to be not profit-oriented, but ideological, political or religious.¹³ Yet while the goals of terrorist groups may be political, in order to acquire resources for supporting their political violence campaigns, such groups also engage in activities covered by the Palermo Convention’s definition of organised crime, e.g. in cases of kidnappings for ransom to finance a terrorist organisation.¹⁴ There are other commonalities: both organised crime groups and terrorist groups form clandestine organisations, and apply violence for intimidation to put pressure on some target group and in order to send a message to others who dare to resist and confront them.¹⁵

⁹ UNODC. Transnational Organized Crime: Vienna: UNODC, 2018; URL: <https://www.unodc.org/ropan/en/organized-crime.html>.

¹⁰ For a discussion of various conceptualisations of organised crime, see: André Standing. Rival Views of Organised Crime. Pretoria: Institute for Security Studies, 2003. URL: <http://www.iss.co.za/Pubs/Monographs/No77/Content.html>. Standing commented on the Palermo definition: ‘If one takes the UN definition literally, then one would not expect the distinction between organized and corporate crime to persist – the crimes associated with terrorist groups, law breaking businesses and criminal government departments will all be perpetrated by a number of individuals working in collusion, making them *ipso facto* organised crime’. – Idem, chapter 3, p.11. – For a similar, but more extended, discussion of the concept of ‘terrorism’, see: Alex P. Schmid (Ed.), *The Routledge Handbook of Terrorism Research*, New York and London: Routledge, 2011), 39-98.

¹¹ United Nations Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 Sixteenth session (8 to 12 April 2013) General Assembly Official Records, 68th Session Supplement No. 37; Annex I Preamble and articles 1, 2 and 4 to 27 of the draft Comprehensive Convention on International Terrorism prepared by the Bureau. United Nations • New York, 2013, p.6 (A/68/37).

URL: <http://legal.un.org/docs/?symbol=A/68/37>. – There have been no changes since 2013 as the Ad Hoc Committee did not meet in the period 2014-2017. Cf.: URL: <http://legal.un.org/committees/terrorism/>.

¹² Jan Van Dijk. *The World of Crime. Breaking the Silence on Problems of Security, Justice, and Development Across the World*. (Los Angeles: Sage, 2008), 146. Van Dijk adds that ‘Traditionally, organized-crime groups maintain a parasitic relationship with the legitimate economy through racketeering, intimidation/extortion, and kidnapping. Extortion remains a fairly universal, but often overlooked, characteristic of Mafia-type groups across the world “(...)...instrumental violence, corruption of public officials, and money laundering are regarded as universal secondary characteristics of organized crime”. (Idem, 148, 157).

¹³ This observation was made by Harmen van der Wilt and Christophe Paulussen. The role of international criminal law in responding to the crime-terror nexus. MS forthcoming 2018, 4.

¹⁴ This has been pointed out by Ben Saul, ‘The Legal Relationship between Terrorism and Transnational Crime. *Sydney Law School Research Paper* 17 no. 37 (2017): 3. URL: <http://ssrn.com/abstract=2962832>.

¹⁵ There are also differences, e.g. terrorist groups do not use corruption on the scale of organised crime cartels. In the case of Colombia in the 1980s, ‘Plata o Plomo’ [‘take our money or get our bullet’] was the maxim of the drug mafia. They first tried to bribe judges not to give them hard sentences or not to extradite them to the United States. Those

When it comes to a definition of ‘international terrorism’, the United Nations General Assembly has, despite more than twenty years of debates in the Ad Hoc Committee on Terrorism (a sub-committee of the 6th [legal] committee of the General Assembly which the latter had established in 1996), not yet reached a legally binding definition acceptable to the majority of the UN’s 193 member states.¹⁶ There is only a draft definition which has remained unchanged for more than sixteen years now as discussions on the final the text of a Comprehensive Convention on International Terrorism are deadlocked. Article 2 of this draft convention defines ‘international terrorism’ in terms of the actions of perpetrators:

“Any person commits an offence within the meaning of the present Convention if that person, by any means, unlawfully and intentionally, causes:

- (a) Death or serious bodily injury to any person; or
- (b) Serious damage to public or private property, including a place of public use, a State or government facility, a public transportation system, an infrastructure facility or to the environment; or
- (c) Damage to property, places, facilities or systems referred to in paragraph 1 (b) of the present article resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act.”¹⁷

Again, this draft definition is characterized by its broadness (‘any person, ‘any means’, ‘any act’) and its vagueness (its political nature is not made explicit and the crucial role of communication media in the spreading of terror is not addressed).

If we want to explore the links between terrorism and organized crime we therefore face the difficulty that, strictly speaking, a comparison between an international defined ‘organised criminal group’ and the terrorist equivalent is not possible, at least in purely legal terms. The UN has not made an effort to define exactly what it considers a ‘terrorist group’ although it has blacklisted hundreds of violent ‘entities’ as ‘terrorist’. The current UN sanction list contains no fewer than 385 such ‘entities’ and 682 individuals¹⁸. Unfortunately, there is no comparable official UN sanction list for ‘organised criminal groups’ – criminal societies and crime families like the Sicilian Cosa Nostra, the American Mafia, the Japanese Yakuza, the Chinese Triads, the Mexican cartels, the Afghan Haqqani network, the Russian Tambovskaya—Malyshevskaya and thousands of other national and transnational organised crime groups – some 5,000 of them operating, according to Europol, in the Europe Union alone.¹⁹

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judges who would not ‘bend’ were shot by hired killers (sicari’). In one single year (1980), Pablo Escobar was said to have been able to spend an estimated 100 million dollars to bribe ‘parts of the political elite of his country. On the other hand, more than fifty Colombian judges were killed because they refused to be bribed. Escobar put, at the height of his war with the government, a bounty of \$ 5,000 - for every killed policeman. – Alex P. Schmid. “Transnational Organized Crime and its Threat to Democracy and the Economy,” in *Changes in Society, Crime and Criminal Justice in Europe. Vol. II: International Organized and Corporate Crime*, ed Cyrille Fijnault et al. (Antwerp: Kluwer, 1995), 88.

¹⁶ However, while there is no consensus on a comprehensive definition, there are by now 19 international conventions and protocols on various manifestations of terrorism such as hijacking, hostage taking or bombings that fill much of the void. See: United Nations. International Instruments related to the Prevention and Suppression of International Terrorism. New York: United Nations, 2001 (and updated versions issued by the UN Office of Legal Affairs).

¹⁷ United Nations Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 Sixteenth session (8 to 12 April 2013) General Assembly Official Records, 68th Session Supplement No. 37; Annex I Preamble and articles 1, 2 and 4 to 27 of the draft Comprehensive Convention on International Terrorism prepared by the Bureau. United Nations • New York, 2013, p.6 (A/68/37).
URL: <http://legal.un.org/docs/?symbol=A/68/37>.

¹⁸ For the Consolidated UN Security Council Sanctions List, see URL: <https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list> & URL: <https://scsanctions.un.org/r/?keywords=car>; there are also regional blacklists. For the European Union, see URL: http://top-topics.thefullwiki.org/european_union_designated_terrorist_organizations.

¹⁹ For a partial, non-official list, see the one in Wikipedia at URL: https://en.wikipedia.org/wiki/List_of_criminal_enterprises,_gangs_and_syndicates; see also: UNODC. The Drug

We have to keep in mind that both organised crime groups as well as terrorist groups are very heterogeneous, although the former are (initially, at least) often linked by blood ties. Klaus van Lampe has rightly noted that “...in the study of organized crime two distinct aspects need to be discussed, the reality of organized crime on the one hand and its conceptualization on the other. The reality of organized crime consists of a myriad of mostly clandestine, diverse and complex aspects of the social universe. These do not readily fall into place to form an easily identifiable entity”.²⁰

Regarding terrorist groups, Erin Miller, the lead researcher behind the Global Terrorism Database (GTD, University of Maryland, START)²¹ who has surveyed hundreds of terrorist entities, after finding that “...most scholars use the terms terrorist group and terrorist organisation interchangeably”²², noted, having analysed 632 such entities in the Global Terrorism Database²³ as perpetrators of acts of terrorist violence, that

“With respect to terrorism, ‘groups of individuals that carry out violent attacks may be small, clandestine, informally related clusters of people, broad networks united by leaderless resistance, or formally established, hierarchical organizations that are explicit about their existence and their objectives’.”²⁴

Comparing this GTD definition of a terrorist group (‘clusters’, ‘networks’, ‘organizations’) with the Palermo Conventions’ definition of a “organised criminal group” (‘three or more persons’) cited earlier²⁵ poses difficulties. In the Palermo Convention’s definition, there is no reference to the methods (violence, corruption, extortion) although it mentions ‘serious crime’ (i.e. a crime, not necessarily violent, that earns its perpetrator four or more years in prison). On the other hand, there is a clear reference to the use of force in the GTD definition since it refers to ‘violent attack’ in the definition of a terrorist group. Neither the GTD definition nor the one of the Palermo Convention offer an explicit reference to the target of crime, although there is such a reference in article 2 of the UN

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 Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism. New York: UN, 2017, P.19; UDR: https://www.unodc.org/wdr2017/field/Booklet_5_NEXUS.pdf.

²⁰ Klaus von Lampe, ‘Not a Process of Enlightenment: The Conceptual History of Organized Crime in Germany and the United States of America,’ *Forum on Crime and Society* 12, no. 2, (December 2001): 100. An unpublished UNODC report came to a similar finding: “...the most striking outcome of the criminal group data collection exercise is the variety of groups on which information has been collected.” – UNODC. *Towards a Monitoring System for Transnational Organized Crime Trends: Results from a Pilot Survey of 40 Selected Organized Criminal Groups in 16 Countries*. Vienna: UNODC, 2002. Cit. A.P. Schmid. *Links between Terrorist and Organized Crime Networks: Emerging Patterns and Trends*. Courmayeur: ISPAC, (December 2002) 2-3.

²¹ Global Terrorism Database, START, and College Park: University of Maryland; URL: <http://www.start.umd.edu/gtd/>.

²² Erin Elizabeth Miller, “Patterns of Collective Desistance from Terrorism” (PhD diss., College Park: University of Maryland, 2015): 1. The terminology used for a terrorist group can vary widely. Researchers, politicians and media have, for instance described al-Qaeda alternatively as ‘corporation’, ‘multinational enterprise’, ‘global network’, ‘extremist Islamist group’ - among other terms. On the other hand, Al-Qaeda’s self-descriptions included these: ‘the Islamic Army for the Liberation of the Holy Places’, ‘the World Islamic Front for Jihad against Jews and Crusaders’, the Group for the Preservation of the Holy Shrines’ and the ‘Islamic Salvation Front’. - Cf. Xavier Raufer “Al-Qaeda: A Different Diagnosis,” *Studies in Conflict and Terrorism* 26, no. 6 (2003): 393; Y. Alexander & M.S. Swetnam. *Usama bin Laden’s al-Qaida: Profile of a Terrorist Network*. Ardsley, N.Y.: Transnational Publishers, 2001, *passim*.

²³ The 632 organizations or groups were but a fraction of 3,120 perpetrator group names in the GTD database. Many of the group names were, however, only generic descriptors of perpetrators. There were a total of “...2,437 formally named entities ...[among the 3,120 groups], responsible for 57,240 terrorist attacks, resulting in 152,498 deaths between 1970 and 2013” - E.E. Miller, *op. cit.*, p.57.

²⁴ E. E. Miller, *op. cit.*, pp.30-31. The Global Terrorism Database’s definition of terrorism is: ‘The threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion, or intimidation’ (START, GTD Codebook, p. 9 (2010); URL: <https://www.start.umd.edu/gtd/downloads/Codebook.pdf>).

²⁵ United Nations Convention against Transnational Organized Crime. Art. 2; Annex I of General Assembly resolution 55/25 of 15 November 2000. URL: https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12&chapter=18&lang=en.

draft definition ('intimidate a population, or to compel a Government or an international organization')²⁶. The Palermo Convention's definition contains the identification of a goal ('to obtain...a financial or other material benefit'), but no specific goal is identified in the GTD definition. The Naples description of characteristics of organised crime groups of 1994 is, as mentioned earlier, in many ways superior to the one in the Palermo Convention as it contains a clear reference to violence and intimidation (which are also characteristic of terrorist groups).

As indicated, it is difficult to make a comparison between an organised criminal group and a terrorist group without defining a terrorist group. The definition from Erin Miller, cited above, focuses on the heterogeneity of terrorist *groups*, without specifically addressing the *terrorism* itself.²⁷ Another researcher, Brian Phillips, defined a 'terrorist group' as a 'subnational political organization that uses terrorism.'²⁸ While not incorrect, this definition is too general to be of much help. Trying to combine elements referring to both the 'group' and the 'terrorist' character, I suggest a definition of a 'terrorist group' along these lines:

A 'terrorist group' is a militant, usually non-state, clandestine organisation with political goals which – by definition – engages, in whole or in part of its activities, in terrorism, that is, a communication strategy for psychological (mass) manipulation whereby mainly unarmed civilians (and non-combatants such as prisoners of war) are deliberately victimised in order to impress third parties (e.g. intimidate, coerce or otherwise influence a government or a section of society, or public opinion in general), with the help of portrayals of demonstrative violence in front of witnessing audiences and/or by means of induced coverage in mass and social media.²⁹

An organised crime group, on the other hand, is, in the understanding of this writer,

a violence-prone, profit-oriented clandestine organisation that provides, on a black market, illegal services or illegally obtained licit or illicit products for which there is a substantial demand - but one that governments or regular free market operators do not or cannot meet. The group's structure might be family- or clan-based and hierarchical, or consist of networks shaped more by the organisation's type of activities (drug trafficking, prostitution, racketeering, fraud, arms trafficking,

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²⁶ United Nations Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 Sixteenth session (8 to 12 April 2013) General Assembly Official Records, 68th Session Supplement No. 37; Annex I Preamble and articles 1, 2 and 4 to 27 of the draft Comprehensive Convention on International Terrorism prepared by the Bureau. United Nations • New York, 2013, p.6 (A/68/37).
URL: <http://legal.un.org/docs/?symbol=A/68/37>.

²⁸ Brian J. Phillips. 'What is a Terrorist Group? Conceptual Issues and Empirical Implications'. *Terrorism and Political Violence* 27 (2015): 238.

²⁹ For a more extensive discussion of the terrorist element, see: Alex P. Schmid, "The Definition of Terrorism," in The Routledge Handbook of Terrorism Research ed. Alex P. Schmid (New York and London: Routledge, 2011), 39-157. While there is no universally accepted legal definition of (international) terrorism - although there are plenty of national and even some regional definitions - there exists an Academic Consensus Definition of terrorism which is the result of three rounds of consultations with some 200 academic and professional experts in the field of political violence from which the one referring to 'terrorist group' just cited has been derived. Cf. Alex P. Schmid (Ed.), op. cit., pp. 86-87. The (revised) Academic Consensus Definition of Terrorism is available online at URL: <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/schmid-terrorism-definition/385>

migrant smuggling, counterfeiting, money-laundering, gambling, internet-based extortion, contract killing, etc.)

There have been numerous definition attempts like these. There are no 'true' definition since the reality that concepts seek to cover is evolving constantly. However, some definitions are more useful than others. There are, however, some who challenge existing concepts and plead for new ones. With regard to 'organised crime', André Standing surveyed in 2003 various attempts to define organised crime in terms of hierarchy, networks, markets or clans. He concluded that '...organised crime has become a muddled analytical concept in mainstream discourse due to a combination of poor empirical research and popular misconceptions about notorious crime groups such as the American Mafia'.³⁰ Standing therefore proposed to give up the concept of 'organised crime' altogether in favour of 'illicit enterprise', arguing that

'...the notion of 'illicit enterprise' should replace the two concepts of organized crime and white-collar crime, and that within the broad subject of illicit enterprise it may make sense to focus on 'illegal economies' as individual systems rather than focusing on specific crime groups'.³¹

In a similar way, some adherents of the school of Critical Terrorism Studies have considered giving up the concept of terrorism altogether because it has become too politicised and abused by more than one side³². However, the fact that the concepts of 'terrorism' and 'organised crime' are contested cannot be enough reason for abandoning them. Yet we need to keep in mind their heterogeneity and their fluid nature over time as we try to gain some firm ground to assess the nature of alleged and real interactions between groups that engage in terrorism or organised crime. No two organised crime groups or terrorist groups are the same since they are not legal entities with set organisation forms prescribed by state laws and regulations. Rather, they are shaped by sub-culture (e.g. local clan structures) and environment (e.g. ungoverned territories) to name but two important factors. Their survival depends on trust, and trust can often only be guaranteed within (same blood) family and clan networks. Since local ethnic and religious traditions and the force of circumstances, among other factors, shape the particular features of such violent underground organisations at any given place and time, most generalisations about terrorist groups and organised crime groups and their interactions are problematical. To the extent that generalisations are possible, there will always be exceptions.

With this in the back of our mind, we leave the tedious – but necessary - discussion of concepts and look at some of the findings from the 1996 report before turning to the situation today. Before looking at the links between terrorism and organised crime, let us first look at how criminal and terrorist organisations looked back in the mid-1990s to one observer.

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³⁰ André Standing, *Rival Views of Organised Crime*, (Pretoria: Institute for Security Studies), 2003, 1; [URL:http://www.iss.co.za/Pubs/Monographs/No77/Content/html](http://www.iss.co.za/Pubs/Monographs/No77/Content/html) .

³¹ Idem, p. 2.

³² Richard Jackson wrote in 2009: "If, as I have argued, „terrorism" is a social construct, and since it is clearly now a politically and culturally-loaded term used primarily to delegitimise and demonise opponents, should we not as scholars eschew it as an analytical category and instead focus our research efforts on its production as a discursive subject and the wider ideological consequences of the „terrorism" discourse? Also, might not many of the many well-documented problems of Terrorism Studies be overcome by abandoning the term altogether in academic research?" Richard Jackson. *Critical Terrorism Studies: An Explanation, a Defence and a Way Forward*. Aberystwyth University Paper prepared for the BISA Annual Conference, 14-16 December, 2009, University of Leicester, UK, p.10.

Some Aspects of Transnational Organised Crime – Then and Now

The focus of the 1996 report was on transnational organised crime. I noted that the transnational reach of organised crime was an outflow of its inherent logic. States are separated by borders which not only divide territories but also mark different levels of economic development, different price levels, different political cultures and different legal systems, with different punishments for some forms of crime. The exploitation of some of these differences, I argued, is a central feature of transnational organised crime.³³

Globalisation, accelerated by neo-liberal deregulations, fewer border controls since the opening of the Iron Curtain and the extension of the Schengen zone, electronic banking, the growth of overseas tax havens, the growth of non-Western diasporas in Western urban conglomerations, increased cross-border refugee flows had only just begun to become important factors in facilitating the growth of organised crime by the mid-1990s. However, some key contemporary features - like the existence of the dark and deep web on the Internet and strong encryption techniques for electronic communications - were not yet around.³⁴

I noted that

*“...the worldwide migration of settlers, labour migrants, and asylum seekers has created ethnic diasporas in many countries that serve as nesting places and bridgeheads for those who engage in transnational organised crime.(...)The uprooted situation of migrants, their determination to assure upward social mobility for their children, if not for themselves, and often sheer economic necessity, encourage risk taking and unlawful activities among parts of them”.*³⁵

A further finding in the 1996 report for the UN Crime Commission referred to the typical structure of organised crime. In the mid-1990s, major organised crime groups were still primarily hierarchically organised³⁶ – something reflected in the tri-partition between ‘soldiers’ (those who do the risky work of theft, kidnapping for ransom, extortion, corruption, money laundering or liquidation), the ‘planners’ (who develop, finance and cover up organised crime projects) and the ‘bosses’ (who usually operate on a higher political level). Those who are at the top of such criminal organisations, lead ostensibly decent lives and intermingle with the elites in media, entertainment, politics, public administration, justice, finance and commerce wherever they can, both to buy influence and gain protection and, presumably, also to spot new areas of profitability. They are far removed from the actual crimes – both physically and often also geographically -and few traces lead to them.³⁷

³³ ‘1996 Links Report’, p.6.

³⁴ Tamara Makarenko, “Transnational Crime and its Evolving Links to Terrorism and Instability”, *Jane’s Intelligence Review*, 11 (2001).

³⁵ ‘1996 Links Report’, p. 7.

³⁶ United Nations Office on Drugs and Crime. *Crime Trends: Results of a Pilot Survey of 40 Selected Organized Criminal Groups in 16 Countries*. (Vienna: UNODC, 2002), 20.

³⁷ ‘1996 Links Report’, p.9.

This finding reflected the infiltration of organised crime from the underworld into the ‘white collar’ upper-world - something I had already focused on in my inaugural lecture in the early 1990s at Erasmus University Rotterdam.³⁸ At that time, this was a new finding; today it is a more widely recognised. I concluded that “....the boundaries between politics and crime are in many societies fuzzy. (...) Criminal organisations have in several countries been able to undermine and sometimes even to supplant the authority of the central state”.³⁹ What was not yet visible then was that whole sectors of governments of major powers might not just collude with organised crime but act in ways similar to organised crime groups. There are many countries where the rule of law is weak or absent.⁴⁰ Today, four billion people, more than half of mankind, do not live under rule of law respecting regimes.⁴¹

As an illustration how the links between underworld and upper world have become more extensive in the last twenty years, it is instructive to see what happened in post-Soviet Russia where criminal enterprises have gained considerable power⁴², often with close links to the Russian intelligence services and those holding state power. A recent Spanish criminal investigation revealed the depth of such connections of one Russian mafia network in Spain⁴³. According to Sergey Sukhankin:

“ Spanish prosecutors have also ascertained the existence of apparent connections between Reznik and Herman Gref, the current CEO and chairman of Russia’s Sberbank. The list of figures named in the Spanish authorities’ indictment also includes such well-known persons as Ilya Taber (a member of the Vyborg OPG), Anatoly Serdyukov (the former minister of defense of Russia), Viktor Zubkov (former Russian prime minister), Boris Gryzlov (former speaker of the Russian parliament) and Leonid Reiman (former minister of communications and information technologies of Russia and a financial tycoon).According to Spanish officials, Petrov was closely related to Reznik, whose main responsibilities boiled down to the “corruption of high officials [and] obtaining of classified information in the highest Russian governmental bodies and agencies”⁴⁴.

Such close connections between organised crime and (sectors of) government are much more dangerous than those that exist between organised crime and the above ground legitimate business world for they make it almost impossible to reverse the consolidation of rogue mafia states. State organised crime has become a real and present danger to the international order.⁴⁵

³⁸ Alex P. Schmid, *Smerige zaken: de opkomst van de onderwereld*, (Dirty Business: The Threat of Organized Crime to ‘Business as Usual’) (Rotterdam: Erasmus University), 10 September 1992.

³⁹ ‘1996 Links Report’, p.12.

⁴⁰ Jürgen Roth, *Die neuen Paten. Trump, Putin, Erdogan, Orban & Co. Wie die autoritären Herrscher und ihre mafiosen Clans uns bedrohen*. (München: Heyne Verlag, 2017).

⁴¹ For an overview of the state of the Rule of Law in the world, see URL: : www.worldjusticeproject.org/rule-of-law-index

⁴² Rawlinson, Patricia. “Russian Organized Crime: A Brief History,” in *Russian Organized Crime: A New Threat?* Ed. Phil Williams (London, 1997), 57 Mark Galeotti. *The Vory. Russia’s Super Mafia*. (New Haven: Yale University Press, 2018).

⁴³ See: URL: <https://www.theatlantic.com/international/archive/2017/11/russian-mob-mallorca-spain/545504/> .

⁴⁴ Sergey Sukhankin, ‘Trial of the Decade’; Spain Declares War on Russian Organized Crime. *Eurasian Daily Monitor* (Jamestown Foundation), Vol. 15, Issue 35, 7 March 2018. The author of this article added: “ (...) At this point it would be premature to make any far-reaching conclusions. Yet, even if a fraction of the materials presented by Spanish prosecutors turns out to be correct, this will, once again, demonstrate not only the corrupt nature of Russian political elites but also testify to the scale of ties between Russian criminal (and political) circles located in Russia and Russian mafia structures abroad.” – URL: <https://mailchi.mp/jamestown/eurasia-daily-monitor-volume-15-issue-35?e=3a3b424c5f> .

⁴⁵ Cf. H. Decoeur, *Confronting the Shadow State. An International Law Perspective on State Organized Crime*, (Oxford University Press, 2018.) The author defines state organised crime as

Some Aspects of International Terrorism – Then and Now

Turning now to terrorism, here are some of the findings from 1996. Discussing ‘Transnational Terrorist Crimes’, I noted that the phenomenon was linked to local conflicts but acted across borders thanks to the enhanced mobility of people following the fall of the Iron Curtain and due to the acceleration of globalisation:

‘The difference between domestic and international incidents has become somewhat blurred (...) Many transnational terrorist incidents are in fact domestically motivated: exile communities hearing of incidents of repression in their home country react, for instance, by occupying embassies of their country abroad. A discussion of terrorism in terms of transnational incidents only would be misleading since these cannot exist as phenomenon separate from particular nation-states.’ (...)⁴⁶ With regard to transnational terrorism, those who actually carry out the attack are either recruited in the country where it is going to take place or they were sent there months or even years before and kept there as ‘sleepers’. When they are activated, they are not even informed about the (true) reason and background for a particular terrorist attack. Those who prepare the attack visit them, give them the instructions where to obtain the weapon and where to drop it and leave the country before the attack takes place. The planners at the top have not even entered the country where the attack is scheduled. The type of transnational terrorist organisation described above is still exceptional’.⁴⁷

What I expressed in the last (here italicised) sentence, has, unfortunately become much less exceptional today, thanks, in part, to the instant long-distance command and control made possible by encryption and the Internet, as well as the growth of ethnic and religious diasporas, offering shelter to sleepers and infiltrators.

Another finding of the 1996 report warned of mass casualty terrorism:

“There is a growing apprehension that terrorist victimisation by non-state actors will move beyond a few victims per incident into hundreds of victims.(...)A near disaster of greater magnitude occurred in February 1993 when the New York World Trade Center was targeted by followers of Sjeik Abdel Rahman, a spiritual leader of Egyptian origin. While ‘only’ six people were killed...the potential damage if both towers with more than 50,000 people in them had collapsed could have equated that of a small nuclear explosion.(...An ominous threshold was passed in Japan on March 20,1995, when the religious sect Aum Shinrikyo (Supreme Truth)

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“...the use by senior state officials of the resources of the state to facilitate or participate in organized crime, in pursuit of policy objectives or personal profit. This concept covers diverse forms of government misconduct, including strategic partnerships with drug traffickers, the plundering of a country's resources by kleptocrats, and high-level corruption schemes.” (information from the publisher's book announcement).

⁴⁶ ‘1996 Links Report’, p.16.

⁴⁷ ‘1996 Links Report’, p.19 [italicised here, not in original].

led by Shoko Asahara, used Sarin nerve gas against passengers of the Tokyo underground, killing twelve people....”⁴⁸

While this presaged 9/11, fortunately, the risk of major terrorist attacks using chemical, biological, radiological and nuclear agents (CBRN) has - more than two decades later - not materialised to the extent feared then; with the partial exception of chemical agents (mainly chlorine) which have been used not only by the government of Syria but, on a lesser scale, also by non-state actors like ISIS.⁴⁹

Many researchers have made a distinction between ‘old’ and ‘new’ terrorism, taking the 9/11 attacks as watershed. That distinction is only valid to a point as there has been continuation as well, with many of the changes being incremental rather than sudden. Suicide terrorism, for instance, introduced in the 1970s and 1980s, indeed mushroomed only after the 9/11 attacks and is now one of the hallmarks of the ‘new’ terrorism. Between 1974 and mid-2016, 5,430 suicide attacks in over 40 countries have been recorded.⁵⁰ The rise of religiously motivated terrorism also began in the early 1980s but came to full fruition only since the mid-1990s. Kidnapping for ransom had long been a source of income for terrorists (as well as organised crime groups) but the scale of ransoms rose spectacularly, culminating in a ransom delivery of US \$ 360 million by the rulers of Qatar to effectuate the release of some of its falcon-hunting royal members in Iraq in 2016/17.⁵¹ That sum was well beyond the US \$ 60 million ransom demanded by the Montoneros in the mid-1970 for the release of the Born brothers, members of one of the richest families of Argentina.⁵² It can, however, be argued that at a given moment quantitative changes become qualitative ones. Before 9/11, al-Qaeda in Afghanistan numbered no more than 400 fighters; today there are hundred times more al-Qaeda fighters in a dozen countries.⁵³

Back in 1996, there was - with the exception of the Taliban (1996-2001) - no group using terrorism that controlled large territories for a prolonged period of time. This has changed too, the most notorious example being the Islamic State which proclaimed a Caliphate in mid-2014 that lasted more than three years and, at its height of power, ruled over more than six million people in Iraq and Syria while also attracting more than 30,000 foreign fighters.⁵⁴ Today, the Taliban, which was defeated and had to flee to Pakistan in late 2001, is back in force in Afghanistan and, to varying extents, active in 70 percent of the territories of the country.⁵⁵ Al-Qaeda, which many thought was defeated after 2001 (when Operation Enduring Freedom expelled its few hundred mujahedeen from

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⁴⁸ ‘1996 Links Report’, p. 23 [italicised here, not in original].

⁴⁹ For the Syrian government, see, for instance URL: <https://www.nytimes.com/2018/01/23/world/middleeast/syria-chemical-weapons-ghouta.html> & URL: <http://www.bbc.com/news/world-middle-east-43300293> ;for ISIS, see, for instance, URL: <https://www.nytimes.com/2016/11/21/world/middleeast/isis-chemical-weapons-syria-iraq-mosul.html> . - The Anthrax attack (a biological, not chemical agent) in the fall of 2001 in the United States was an insider job by Bruce Ivins, working for a US military laboratory. - For a discussion of CBRN threats, see Gary Ackerman and Jeremy Tamsett (Eds.), “Jihadists and Weapons of Mass Destruction,” (Boca Raton: CRC Press, 2009).

⁵⁰ Suicide Attack Database. University of Chicago. URL: http://cpostdata.uchicago.edu/search_new.php .

⁵¹ URL: <https://www.nytimes.com/2018/03/14/magazine/how-a-ransom-for-royal-falconers-reshaped-the-middle-east.html?smid=fb-nytimes&smtyp=cur> .

⁵² URL: <https://livinglifeinanopencourtcase.wordpress.com/2015/11/04/the-born-legacy-and-argentinas-kidnapping-crisis-of-the-1970s/> .

⁵³ Bruce Hoffman calculated that al-Qaeda has about “10,000-20,000 fighters in Syria, 7,000-9,000 in Somalia, 5,000 in Libya, 4,000 in Yemen, a similar number spread across the Maghreb and the Sahel, 3,000 in Indonesia and approximately 1,000 in South Asia.” . Cit. Ed Blanche. ‘Al-Qaeda 2.0 emerges from power struggles’. *The Arab Weekly*. 1 July 2018; Bruce Hoffman. Al Qaeda’s Resurrection. *Foreign Affairs*, 6 March 2018. URL: <https://www.lowyinstitute.org/the-interpreter/resurgence-al-qaeda> .

⁵⁴ Alex P. Schmid and J. Tinnes. “Foreign (Terrorist) Fighters with IS: A European Perspective,” *The International Centre for Counter-Terrorism – The Hague* 6, no. 8 (2015). DOI: <http://dx.doi.org/10.19165/2015.1.08> ISSN: 2468-0656

⁵⁵ Shoaib Sharifi and Louise Adamou. “Taliban threaten 70% of Afghanistan, BBC find”, *BBC World Service*, 31 March 2018; URL: <http://www.bbc.com/news/world-asia-42863116> .

Afghanistan), and again in 2011 (after the killing of Osama Bin Laden), is also back in strength, with an estimated membership of its affiliates of more than 35,000 fighters, controlling, to varying degrees, stretches of territory in Syria, Yemen, Egypt, Libya, the Maghreb, Somalia, Indonesia, Afghanistan, Pakistan, India, Bangladesh, and Myanmar.⁵⁶ On the Shia side, Iran and its proxy Hezbollah continue to engage, directly or indirectly, in proxy warfare, including acts of terrorism. There are hundreds of other groups - not only jihadists but right- and left-wing, ethno-nationalist, vigilantes and single issue groups - that kill, injure or kidnap tens of thousands of people each year.⁵⁷ In that sense, the quantitative increase of terrorism worldwide has brought about a qualitative change and the 'new' terrorism is indeed in many ways different from the 'old' terrorism. While a few separatist and revolutionary groups in Europe and Latin America (e.g. ETA, PIRA, FARC) have given up their struggle, new armed non-state groups have come into existence, mainly in the Middle East, but also in Asia and Africa.

Differences and Similarities between Organised Crime Groups and Terrorist Groups – Then and Now

The third part of the 1996 study for the UN Crime Commission began by noting that “The linkage between (transnational) organised crime and (international) terrorism had first been conceptualized in the 1980s with the term ‘narco-terrorism’”, suggesting an ill-defined fusion of sorts.⁵⁸ I then first sketched six *differences* between terrorist and organised crime groups - while noting at the same time that these differences were generalisations for which exceptions could always be found.

Differences

- (i) Terrorist groups...are usually ideologically highly motivated while organised crime groups are generally not.
- (ii) When brought to trial, political terrorists usually admit to their deeds (though they refuse to see them as crimes)... Members of organised crime groups generally try to downplay the degree of their involvement in crime....
- (iii) Terrorist groups strive for an increased political following. For organised crime groups this is less relevant. As a consequence, media coverage is generally sought by terrorists while avoided by organised crime groups.
- (iv) Terrorist victimisation is generally less discriminate than the one applied by organised crime. (...)
- (v) While terrorists compete with governments for legitimacy in gaining the moral high ground in the public perception, organised crime groups do not play to mass audiences....
- (vi) Organised crime groups on a given territory often fight each other in gang wars; this is less common with rivaling terrorist groups.⁵⁹

Looking back from the vantage point of early 2018, I believe that most of these findings still stand; the exception being the sixth point as we have seen not only rivalries but

⁵⁶ Open source data from Council on Foreign Relations, as quoted in Bruce Hoffman. *Al Qaeda's Resurrection*. *Foreign Affairs*, 6 March 2018. URL: <https://www.lowyinstitute.org/the-interpreter/resurgence-al-qaeda>.

⁵⁷ For annual figures, see Global Terrorism Index (START, University of Maryland); URL: <https://www.statista.com/statistics/489601/major-terrorist-groups-caused-fatalities-and-injuries/>.

⁵⁸ For a list of 12 different definitions of narco-terrorism, see: Alex P. Schmid. "Links between Terrorism and other Forms of Crime," *Turkish Policy Quarterly*, (Summer 2004): 54-56. See also: Frank Shanty, *The Nexus, International Terrorism and Drug Trafficking from Afghanistan*. (New York: Praeger, 2011): 16-19.

⁵⁹ '1996 Links Report', pp. 25-26.

armed encounters and turf wars between terrorist groups in a number of countries, for instance, in Syria (Al-Nusra vs. ISIS) and Afghanistan (Taliban vs. ISIS).

Next I focused in the 1996 report on *similarities* and found these that stood out:

Similarities:

- (i) Both, members of terrorist organisations and members of criminal organisations are generally rational actors. While some idiosyncratic terrorists are fanatics and crazies and some members of organised crime are using drugs themselves, the majority of both act purposefully though they might both be less than realistic in their assessment of a given social or political situation.
- (ii) Both use ‘muscle and ruthlessness’ and produce victims. Intimidation, through the threat of physical violence, is common to both, though terrorist violence, by definition, assaults basic moral norms to produce disproportionate effects.
- (iii) Both use similar (though not entirely overlapping) tactics: kidnappings, assassination, extortion (either in the form of ‘protection money’ or ‘revolutionary taxes’). (...) Kidnapping for ransom and bank robberies are crimes we find both organised crime and terrorist groups...to be involved in, especially in their early, purely predatory, stages. (...)
- (iv) Both terrorist organisations and organised crime groups operate secretly and usually from an underground. Both need above ground front organisations (political parties, casinos) to meet their publics.
- (v) Both are criminalised by the ruling regime.
- (vi) Both are standing in opposition to the state (except in those cases where there is state complicity or even active involvement).
- (vii) In both types of organisations, the claim of the group on the individual is a strong one and leaving the group is difficult, though not impossible.
- (viii) Both extort and steal money to finance their organisations.⁶⁰

Looking back again from the vantage point of 2018, most of these findings still appear to hold true. However, with regard to the first point, there is increasing evidence that terrorist groups provide drugs (like the amphetamine Captagon) to their own operatives to make them more fearless, especially when engaging in suicidal missions.⁶¹ Some recent studies have also qualified the long-held idea that most terrorists are shockingly normal (in a clinical, not moral, sense). While this might still hold true for most terrorist leaders, many of those vulnerable to recruitment into terrorist networks, at least in Europe, appear to suffer from mental health problems.⁶²

Links between Organised Crime Groups and Terrorist Groups – Then and Now

It is worthwhile to make explicit what exactly we wish to understand be ‘links’ when looking at the two phenomena. One way to do so is by distinguishing between various levels of intensity in the interactions between organised crime and terrorist groups.

- (i) Type/Level 1: a *weak nexus* of ad hoc, opportunistic collaboration (e.g. terrorist buying firearm on the black market from organised crime arms dealers).

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⁶⁰ ‘1996 Links Report’, pp.27-28.

⁶¹ Captagon is, however, used in the Middle East also by others than terrorists and black market revenues from trafficking amphetamines are a source of income for several groups. Cf. URL: <https://mail.google.com/mail/u/0/#search/Captagon/15278dee4d052fb6>.

⁶² Cf., for instance, Anton W. Wennink. Behavioral Problems and Disorders among Radicals in Police Files. *Perspectives on Terrorism* 4, no. 2 (2015): 17- 33. URL: <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/416/826>.

- (ii) Type/Level 2: a *regular association*, tactical, pragmatic collaboration, based on common interest constellation (e.g. maintaining 'order'/discipline and illegal trade flows in lawless, no-go areas outside government control).
- (iii) Type/Level 3: *alliance formation*, that is, a pact-based, strategic relationship involving a mutually advantageous symbiosis.
- (iv) Type/Level 4: *convergence* whereby both sides merge in terms of personnel, resources, logistical and/or operational activities.

In other words, four levels of links can be distinguished. However, there are, ideal-typically, two additional special cases:

- (v) Type 5: when organised crime groups *engage in terrorist tactics as violent hybrid organisations (VHO-1)*; developing these in-house, without linking up with an external terrorist group, and
- (vi) Type 6: when terrorist groups *use organised crime methods as violent hybrid organisations (VHO-2)* developing these in-house to generate funds for their political struggle, without linking up with an external organised crime group.

These two types of *violent hybrid organisations (VHO)*, mix elements of typical organised crime group methods (e.g. drug trafficking, smuggling of migrants, extortion, kidnapping for ransom) with terrorist tactics (e.g. bombings, beheadings, hostage taking) – without one type of group linking up with the other type. While borrowing methods and tactics from each other, the ultimate motives of OCGs and TGs as well as VHO-1 and VHO-2 – primarily the search for material wealth in one case, gaining or maintaining political power in the other – remain different.⁶³ However, to the extent that material wealth can be translated into political power (e.g. by financing election campaigns of politicians sympathetic to the interests or objectives of the sponsor) the line between the two types of organisations can also become blurred.

In other words, terrorism is a tactic which can be used by others than terrorist groups, including by organised crime groups. Already in the mid-1990s, a number of uses of terror-inducing tactics by organised crime groups were identified by Phil Williams and Ernesto Savona:

- (i) To disrupt law enforcement investigations;
- (ii) To deter the introduction or continuation of vigorous government policies against organised crime groups;
- (iii) To eliminate effective law enforcement officials;
- (iv) To coerce judges into more lenient sentencing policies, and
- (v) To create an environment more conducive to criminal activity.⁶⁴

On the other side, today, the use of terror-inducing tactics by organised crime groups has become more widespread, most of all in Mexico where more than 100,000 people have died in the last decade at the hands of drug cartel operatives.⁶⁵ The Mexican cartels, like before them the Colombian ones, have developed an extensive in-house terrorism

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⁶³ A similar typology has been developed by Louise Shelley et al; cf. Louise I. Shelley and John T. Picarelli. Methods and Motives. Exploring Links Between Transnational Organized Crime and International Terrorism. *Trends in Organized Crime* 9, no. 2, (Winter 2005): 52-66. Another typology has been developed by Tamara Makarenko, cf. T. Makarenko. 'The Crime-Terror Continuum: Tracing the Interplay between Transnational Organised Crime and Terrorism,' *Global Crime* 6, no. 1 (2004): 129-145.

⁶⁴ Phil Williams and Ernesto U. Savona. Introduction: Problems and Dangers Posed by Organized Crime in the Various Regions of the World. *Transnational Organized Crime* 1, no.3 (April 1995): 25.

⁶⁵ Brian J. Phillips. Terrorist Tactics by Criminal Organization: The Mexican Case in Context. *Perspectives on Terrorism* 7 no. 1 (February 2018): 46 -63.

capacity without outside support from national or international terrorist organisations⁶⁶. On the other hand, there are terrorist organisations that have developed an in-house organised crime capacity, with no specific need to enter into some sort of alliance with local or foreign terrorist groups.⁶⁷ The Kurdish Workers Party (PKK) in Turkey and abroad, the Shi'ite Hezbollah in Lebanon and abroad and, until their defeat in 2009, the Tamil Tigers of the LTTE in Sri Lanka's north would be prime examples, mainly due to their major roles in drug trafficking.

We should also keep in mind that organised crime groups not only cooperate at times with terrorist groups but that they also – and more often - collaborate with other organised crime groups, especially abroad, as well as with various upperworld entities in business and government. Louise Shelley, one of the foremost experts on transnational organised crime, hinted at that when she said that “The links between organised criminals and terrorists are much less frequent than the links between organised criminals and politicians”.⁶⁸

But what were and are these links between groups using terrorism and those engaged in organised crime - and have these gotten more significant since the mid-1990s?

In the 1996 report, I had concluded that

“The differences and similarities...[between organised crime groups and terrorist groups] make clear that we have to do with partly overlapping, partly conflicting phenomena. Some terrorist groups have tried to use extortion against drug-traffic organisations....(...)”⁶⁹ Political terrorists... and organised crime figures have been at war with each other but also used each other in a symbiotic way against the government... , depending on the momentary constellation of separate interests and common dangers. ⁷⁰ (...) Organised crime feeds political conflict, including conflicts waged by terrorist tactics. The coincidence of organised crime and certain forms of political violence is no accident.”⁷¹

In other words, back in 1996, I saw terrorism and organised crime as two distinct phenomena, linked in some instances and on some levels - but certainly not converging.

After 9/11 some of those who were since the 1970s engaged in the War on Drugs, began to stress the links between drug cartels and terrorist organisations, taking about a close nexus and even convergence. Some of those pushing the convergence thesis were apparently fearing that all attention and much of the money hitherto allocated to fighting drug trafficking would shift to the Global War on Terror - at the expense of the War on Drugs on which their jobs depended.⁷² Did they exaggerate? Looking at specific

⁶⁶ On the evolution of private armies by Mexican cartels, see: URL: <http://www.insightcrime.org/news-analysis/study-sheds-new-light-mexico-cartel-wars> .

⁶⁷ What is termed here ‘in-house’ capacity has been called ‘do-it-yourself’ capacity by Phil Williams. That is, rather than outsourcing certain operations through cooperative relationships, such activities are performed internally, within one’s own organisation. – Phil Williams. “Terrorist Financing and Organized Crime: Nexus, Appropriation or Transformation?” in *Countering the Financing of Terrorism*, ed. Thomas Biersteker and Susan Eckert (London: Routledge, 2008): 126-149.

⁶⁸ Louise Shelley. Identifying, Counting and Categorizing Transnational Criminal Organizations. Unpublished Paper, n.d. (but before 2003), p.9.

⁶⁹ ‘1996 Links Report’, p. 30.

⁷⁰ ‘1996 Links Report’, p.29.

⁷¹ ‘1996 Links Report’, p.30.

⁷² Cf. Asa Hutchinson (US Drug Enforcement Administration Administrator), 13 March 2002; Congressional Testimony to the Senate Judiciary Committee’s Subcommittee on Technology, Terrorism, and Government Information about

organisations like the FARC (Fuerzas Armadas Revolucionarias de Colombia – Revolutionary Armed Forces of Colombia), the PKK (Kurdish Workers Party) in Turkey or Hezbollah (Party of God) in Lebanon, or Abu Sayyaf in the Philippines, the advocates of convergence could certainly make a case. However, to generalise from a few prominent examples to an across-the-board convergence theory between the two phenomena was – and still is - an unwarranted exaggeration. Rather, I would argue, these were mainly cases of violent hybrid organisations. Already before 9/11 some of these violent armed groups had developed in-house capabilities in organised crime methods, making them violent hybrid organisations rather than fusions of originally distinct organized crime groups with terrorist groups.

In the 1990s, violent hybrid organisations were exceptional and few. Yet in the immediate post-9/11 period of near-panic among political leaders, some analytical distinctions were no longer made. Less than three weeks after the 11 September 2001 attacks on New York and Washington by Al Qaida, the United Nations Security Council, in a very broad resolution (SC 1373) noted with concern the “...close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials....”.⁷³

However, even in the 1990s, a closer look at individual cases – like the temporary cooperation between Colombian drug cartels and the insurgent FARC – showed that there were plenty of tensions and armed conflicts, next to forms of co-existence and occasional cooperation between them.⁷⁴ Why should an insurgent group like FARC – which engaged in both guerrilla and terrorist tactics – link up with drug cartels? One obvious answer was money. Since the end of the Cold War, state sponsorship (by the Soviet Union and its allies, including Cuba, in FARC’s case) had declined and new sources of funding had to be found for FARC. As Frank Cilluffo, the former American counter-terrorism official, put it: ‘Involvement in the drug business is almost a guarantee of financial independence from a state sponsor’.⁷⁵

Money is indeed one of more than half a dozen factors encouraging various levels of ‘links’ from the point of view of terrorist organisations. But there are also half a dozen other motives than money (i):

- (i) Access to greater financial resources for terrorist attacks;
- (ii) Independence from state sponsorship;

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Narco-Terror: The Worldwide Connection between Drugs and Terror. - For more sceptical views, see: Frank Shanty. The Nexus. International Terrorism and Drug Trafficking from Afghanistan. New York: Praeger, 2011, p.19; Alex P. Schmid. Links Between Terrorism and Drug Trafficking: A Case of “Narco-terrorism”? *Turkish Policy Quarterly*, (2004): 43-45; URL: <http://turkishpolicy.com/images/stories/2004-02-globalsecurity/TPQ2004-2-schmid.pdf>.

⁷³ United Nations, Security Council. Resolution 1373 (28 September 2001), para 4. URL: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement> ; in December 2014, the UN Security Council passed a resolution which specifically focused on the links between terrorists and transnational organised crime. See: URL: <https://www.un.org/counterterrorism/ctitf/en/security-council-adopting-resolution-2195-2014-urges-international-action-break-links-between>.

⁷⁴ The relationship between organised crime drug cartels and insurgent FARC terrorists in the 1980s went through several phases. In one phase, the drug traffickers paid protection money to the guerrillas and provided them with weapons from Cuba. In another phase, FARC extorted money from the traffickers, forcing them to make large outlays to protect their laboratories, drug shipments, and clandestine airfields. In a third phase, drug traffickers would refuse to pay protection money and hire and train their own private armies which would kill known members of left-wing parties and massacre peasants linked to the FARC. – Danneskiold Lassen, Suzanne Bettina, “Drug Trafficking and Terrorism in Colombia,” in *The Politics of Counterterrorism: The Ordeal of Democratic States*, ed. Barry Rubin, Lanham, (Md: University of Press of America, 1990), 130-131.

⁷⁵ Frank Cilluffo. The Threat Posed from the Convergence of Organized Crime, Drug Trafficking, and Terrorism”. Statement before the US House of Representatives’ Committee on the Judiciary (Subcommittee on Crime), 13 December 2002.

- (iii) Possibility of building up economic power, compensating for lack of public support;
- (iv) Access to specialist skills (e.g. money laundering or forging travel documents);
- (v) Facilitation in cross-border movements (use of smuggling human trafficking routes)
- (vi) Coming into contact with a wider range of potential recruits who are already outlaws.
- (vii) Access to guns.

Yet collaboration with organised crime groups can come at a high price for a terrorist group. There is the danger of losing political credibility if it becomes public knowledge and, more directly, there is the risk of treason and infiltration as certain organised crime figures might be lured into betraying their terrorist contacts in return for large rewards offered by governments for disclosing the whereabouts of wanted terrorists. These possible transaction costs are hard to quantify but can be substantial and might well dim enthusiasm for extending links towards organised crime groups from the side of terrorist groups.

Looking at the issue of collaborative 'links', from the point of view of organised crime groups, I found, while working for UN Office on Drugs and Crime, three possible advantages:

- (i) Drug traffickers benefit from terrorists' military skills and obtain protection for illicit drug cultivation or trafficking in areas under guerrilla/terrorist control.
- (ii) Terrorist destabilisation of political and economic structures may create favourable environments for organised crime activities;
- (iii) Allying with terrorists might provide an extra degree of 'intimidation', leading, for instance, to higher ransom payments for kidnapping victims.⁷⁶

However, I also noted that collaboration comes at a price: the terrorist group might extort the drug-trafficking criminal organisation or the terrorist group might take over much of the 'business' from organised crime groups due to its superior firepower.

Based on such considerations, I was reluctant in the mid-1990s and beyond⁷⁷ to agree with the convergence thesis.⁷⁸ Almost ten years later, a team of Canadian researchers, writing another report for the UN Crime Commission, came to a similar conclusion in 2004/05:

"There are...numerous claims that there already is a trend towards greater cooperation between organized crime and terrorists. However, with the possible exception of cooperation between terrorists and common criminals around the drug trade, finding hard evidence that such a trend exists is very difficult.(...) It would seem that very few

⁷⁶ Some of these points were only made explicit in a subsequent study I did while working for UNODC. A public version was published as Alex P. Schmid, *Links between Terrorism and other Forms of Crime*. *Turkish Policy Quarterly*, Summer 2004, pp. 43-56.

⁷⁷ Cf. Alex P. Schmid, 'Links between Terrorism and Drug Trafficking: A Case of "Narco-terrorism"?' , *Turkish Policy Quarterly*, (Summer 2004): 43-56;
URL: <http://turkishpolicy.com/images/stories/2004-02-globalsecurity/TPQ2004-2-schmid.pdf> . - The two lists on this page are derived from this 2004 article (idem, p. 49).

⁷⁸ In 2004, I wrote: "Yet terrorism – that peculiar mix of violence, politics and propaganda – should not be confused with mainly profit-driven organized crime. The vague narco-terrorism formula with its implicit call to fuse the 'war on drugs' and the 'war on terror' might offer a misleading intellectual roadmap to address the problem of terrorism" (Ibid., p. 53).

*criminal organizations are indeed willing to get involved with terrorist groups”.*⁷⁹

How do the findings from the 1996 (and 2004/05) stand up against what we know now about organised crime, terrorism and the linkages between these two phenomena today? What has stayed the same, what changed? While a systematic comparison is beyond the scope of this Research Paper, a few features that stand out deserve to be highlighted.

One of the recently emerging feature I did not notice in my 1996 report is the frequency of a juvenile crime histories in terrorist biographies. Members of youth gangs engaged in petty -and not so petty - crime and getting accustomed to violence in turfs wars between street gangs – provide a familiarisation with violence which sometimes makes radicalisation to political crimes in the form of terrorism but a small next step. This phenomenon has been highlighted in a 2016 study by the London-based International Centre for the Study of Radicalisation and Political Violence (ICSR) on ‘Criminal Pasts, Terrorist Futures: European Jihadists and the New Crime-Terror Nexus’. It looked at the profiles of 79 recent European jihadists with criminal histories, and concluded that

*“...with Islamic State and the ongoing mobilisation of European jihadists, the phenomenon has become more pronounced, more visible, and more relevant to the ways in which jihadist groups operate. In many European countries, the majority of jihadist foreign fighters are former criminals.”*⁸⁰

The ICSR report found not so much a merging of criminals and terrorists *as organisations* but common social networks, environments, or *milieus*. It noted that

*“Criminal and terrorist groups have come to recruit from the same pool of people, creating (often unintended) synergies and overlaps that have consequences for how individuals radicalise and operate. This is what we call the new crime-terror nexus.”*⁸¹

While some 6,000 Muslims from European diasporas became foreign fighters in Syria, the fear is that when they return, some of them might seek to apply their newly acquired terrorist skills in their homeland not just to continue their jihad but also to bring organised crime to a new level, reminiscent of what has happened in Mexico where former members of the security forces of the state infused military skills into criminal organisations.⁸²

⁷⁹ Yvon Dandurand and Vivienne Chin, *Links Between Terrorism and Other Forms of Crime*, A report submitted to Foreign Affairs Canada and The United Nations Office on Drugs and Crime. Vienna: UNODC, April 2005, p.27 & p. 29.

⁸⁰ R. Basra, P.R. Neumann and C. Brunner, *Criminal Pasts, Terrorist Futures: European Jihadists and the New Crime-Terror Nexus*, London: International Centre for the Study of Radicalisation and Political Violence, 2016, p.3; URL: <http://icsr.info/wp-content/uploads/2016/10/ICSR-Report-Criminal-Pasts-Terrorist-Futures-European-Jihadists-and-the-New-Crime-Terror-Nexus.pdf>. See also: ‘United Nations. Report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat’; S/2016/501, 31 May 2016, para. 22: “Many [foreign terrorist fighters] were previously involved in criminality and already have links to criminal organizations that can help provide access to weapons and explosives.”

⁸¹ R. Basra et al, op. cit., p. 3.

⁸² Cf. Martin Gallagher. Islamic State Veterans – A Future Major Threat in Organised Crime Development? *Perspectives on Terrorism* 10, no. 5 (2016): 51-67.

The return of foreign fighters from Syria, a few of them disguised as refugees, and their subsequent involvement in terrorist acts, has given rise to apprehension about growing links between terrorism and organised crime. A recent Europol report, noted that

“ The investigations into the terrorist attacks in Brussels and Paris, carried out in March 2016 and November 2015 respectively, uncovered the involvement of some of the perpetrators in different types of serious and organised crime, including the trafficking of illicit drugs, as well a personal contacts with criminal groups involved in the trafficking of firearms and production of fraudulent documents”. ”⁸³

Europol further noted that

“The threat emanating from links between serious and organised crime and terrorism is two-fold. Firstly, the potential exploitation of OCG infrastructures to procure tools, such as firearms or fraudulent documents, and move goods and people may deliver lethal weapons used in attacks in the EU to terrorist groups. Secondly, involvement in serious and organised crime may allow terrorist actors to generate funds to finance terrorism-related activities. The suspects are involved in various crime areas including money laundering, migrant smuggling, heroin and firearms trafficking, organised property crime.... These suspects are typically involved at a low level in organised crime and do not fill major roles within organised crime networks.”⁸⁴

Another phenomenon which I did not notice in the mid-1990s, was the role of prisons in transforming common criminals into political criminals. It has long been known that many national prison systems not only fail to rehabilitate inmates, but are actual schools of crime with, as a consequence, some national recidivism rates of over sixty percent within two years after release from prison. That criminals in prison learn from each other has been common knowledge. However, that criminals in prison can be radicalised to political extremism while converting to Islam I had not noticed in my 1996 report. According to the ICSR report, cited above, prisons first

“[A]re places of vulnerability in which extremists can find plenty of ‘angry young men’ with criminal pasts who may experience cognitive openings and are ‘ripe’ for extremist radicalisation and recruitment. Second, they bring together criminals and terrorists, and therefore create opportunities for collaboration and ‘skills transfers’. And finally, they often leave people who have served their sentences with few opportunities to re-integrate into society and become productive citizens.”⁸⁵

⁸³ EUROPOL. *Serious and Organised Crime Threat Assessment (SOCTA)*, Crime in the Age of Technology, The Hague: Europol, 2017, 55.

⁸⁴ Ibid.

⁸⁵ R. Basra et al, op. cit., p. 29; see also: URL

<https://mail.google.com/mail/u/0/#inbox/1623988a505ef4fa?compose=1623d86f0090be61>.

Given the reality of radicalisation in prisons, there is a growing trend in Europe to lock up terrorists away from other criminals in separate prisons. This, however, poses another risk upon their release as they might not have lost any of their extremist beliefs, living isolated amongst themselves for years, forming their own echo chamber.

Another driver of radicalisation - the full force of which was not yet manifest in the mid-1990s - is 'globalisation'. It has produced some big winners at the top of social hierarchies but more losers at the bottom, partly because production facilities moved to countries where labour costs are lower. The prospect of unemployment, often despite educational degrees, makes human beings moving in all sort of directions - pushing them towards migration, to drugs, to crime or to political violence. While direct links between poverty and terrorism have been contested,⁸⁶ the links between high levels of unemployment and organised and other forms of crime are undisputable. Economically depressed regions like Sicily or Kosovo remain hotbeds of organised crime. Such regions are also zones of emigration. In receiving countries, migrants often form ethnic or religious Diasporas which tend, over time, if concentrated in certain locations, to reproduce power structures resembling some of those in migrants' countries of origin, including criminal structures that link diaspora members to clans in their homeland. Some second and third generation youth, the children of immigrants, caught between two cultures, looking for identity, have become susceptible to joining criminal street gangs. Members of such criminal sub-cultures in European Diasporas have also been lured by terrorist organisations like ISIS.⁸⁷

What has become more obvious in recent years is that some of the same structures that give rise to organised crime and terrorism are also present in the countries of origin of migrants who seek to come to Europe illegally. The mainly economic migrants that come from West Africa via Libya to Europe in the hope for a better future rely on smuggling networks for transit whereby organised crime groups and terrorist organisations often work together and partly overlap. Much of the cocaine smuggled from Colombia in recent years, has reached Western Europe after crossing the Atlantic and then proceeding through West Africa, going from Guinea-Bissau to Senegal, Mali, Niger and Libya whereby al-Qaeda affiliated groups are involved. To quote one people smuggler ("Moussa") from Niger:

"...agents from the "Islamic State in the Greater Sahara" operating in Guinea-Bissau often negotiated with South American drug cartels including, FARC front-men, in the capital, Bissau, exploring ways for the jihadist group to transport cocaine to Europe, the mode of payment for transportation, and what quantity of the substance the group can keep for itself. Moussa says that a given group of ISGS militants would typically take cocaine from Bissau to Senegal, then hand it over to a different group to take to Mali, then have migrants carry it into Niger."⁸⁸

However, such instances do not mean that full convergence over time is likely. In the words of Annette Hübschle who looked at West-African smuggling networks:

⁸⁶ Cf. James A. Piazza, "Rooted in Poverty? : Terrorism, Poor Economic Development and Social Cleavages," *Terrorism and Political Violence* 18, (2006): 159-177; but see also: URL: <http://www.undp.org/content/undp/en/home/news-centre/news/2017/09/07/vers-l-extremisme-violent-en-afrique.html#.WqNwky2D3EU.email> .

⁸⁷ Alex P. Schmid and Judith Tinnes. "Foreign (Terrorist) Fighters with IS: A European Perspective", *The International Centre for Counter-Terrorism – The Hague* 6, no. 8 (2015) DOI: <http://dx.doi.org/10.19165/2015.1.08> .

⁸² Philip Obaji, Jr., "Inside the Networks of Sex Slaves, the Drug Trade, Colombian Cartels and Al Qaeda in Africa," *The Daily Beast*, 3 March 2018. URL: <https://www.thedailybeast.com/inside-the-networks-of-sex-slaves-the-drug-trade-colombian-cartels-and-al-qaeda-in-africa> .

[T]errorists and organized criminals may interact on an ad hoc basis by forming tactical and strategic alliances in pursuit of short-term goals. Indeed, while theories of convergence and confluence look good on paper, the reality of cultural, ideological, political, operational and practical differences between organized crime and terrorist groupings are obvious and ultimately ongoing collaboration appears unsustainable.⁸⁹

In the context of Africa, with its largely ungoverned rural regions and urban slums, it is logical that others – warlords, terrorists, vigilantes, criminal networks – step in and provide some rudimentary economic structure and social order. As Vanda Felbab-Brown perceptively noted:

“By sponsoring illicit economies in areas of state weakness where legal economic opportunities and public goods are seriously lacking, both belligerent and criminal groups frequently enhance some elements of human security of the marginalized populations who depend on illicit economies for basic livelihoods. [...] Efforts to defeat belligerent groups by decreasing their financial flows through the suppression of an illicit economy are rarely effective. Such measures, in turn, increase the political capital of anti-State groups.⁹⁰

Not only are individual government officials in the region corrupt, but a criminalisation of larger parts of certain governments in Africa has reportedly taken place (e.g. in Guinea-Bissao)⁹¹. This makes the fight against any nexus between terrorist and organised crime groups almost impossible without outside intervention restoring something approaching good governance.

While the links between TGs and OCGs are a matter of serious concern, the far greater problem are their links to members of government who use the machinery of the state as vehicle for personal enrichment and for the perpetuation of their personal political power. This phenomenon is not confined to developing countries and not limited to traditionally authoritarian regimes but has also emerged (or re-emerged) in countries seemingly transitioning to liberal democracies in southern and eastern Europe and beyond.⁹² . Such close links allows criminal entrepreneurs to use part of the state infrastructures (e.g. diplomatic facilities) for black market operations. An example of this would be the recent discovery of 400 kg of cocaine on the premises of the Russian embassy in Buenos Aires, ready to be transported to Russia.⁹³

⁸⁹ A. Hübschle, 'From Theory to Practice: Exploring the Organised Crime-Terror Nexus in Sub-Saharan Africa', *Perspectives on Terrorism* 5, no. 3-4 (2011):93; URL: <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/157> .

⁹⁰ Ibid., p. 5.

⁹¹ Jean-Francois Bayart, Stephen Ellis and Beatrice Hibou, *The Criminalization of the State in Africa*, (Oxford: James Currey, 1999).

⁹² Cf. Jürgen Roth, *Die neuen Paten. Wie die autoritären Herrscher und ihre mafiosen Clans uns bedrohen*, (München: Heyne Verlag, 2017).

⁹³ See URL: <https://www.yahoo.com/news/400-kilos-cocaine-found-russian-embassy-argentina-030730520.html> . In this case, the Russian ambassador cooperated with the Argentinian authorities to stop the criminal abuse of diplomatic facilities.

What I had signalled in the 1990s, - the penetration of states by organised crime and the collusion of state actors with, and use of, organised crime - has reached alarming proportions, especially in countries where intelligence services, organised crime syndicates and former and current members of government operate hand-in-hand for mutual benefit. Louise Shelley, one of the foremost experts on organised crime, noted already in 2005 that some governments have not been willing to suppress organised crime syndicates “...because they often are of service to the state, having corrupted or developed collusive relations with state institutions, or evolved to serve specific functions within the community.”⁹⁴

Hence, the role of government agencies and former government agents, often the unacknowledged third party in the nexus between criminal and political violence, should be included in future studies of organised crime groups and terrorist groups. Many terrorist groups (and insurgent groups using terrorist tactics next to guerrilla warfare) could not function without covert state tolerance or support.⁹⁵ However, links between some countries’ sectors of the state and terrorist groups are not the only problem. There are also links between criminal and terrorist groups with upper world corporate criminals and conniving government officials in a good number of countries, as Jean-François Gayraud has documented in considerable detail in his study *Théorie des Hybride Terrorisme et crime organise* (Paris: CNRS Editions, 2017). In Gayraud’s view,

‘The post-Cold War world is confronted by twin insurrections: an insurrection from below, the one of gangsters; an insurrection from above, the one of the plutocrats. The criminal insurrection emerges from the gangs, cartels, mafias, groups and other professionals from the underworld of organised crime of which a number of actors have acquired positions of power and exploit new opportunities stemming from the globalisation of exchanges, new information technologies and the opening of [ungoverned] spaces.(...) The plutocratic insurrection emerges from a globalised super class that got rich by the politics of deregulation which, after the disappearance of the socialist/communist revolutionary threat, has been given free reign for its greed’⁹⁶.

While one does not have to agree with all observations of Gayraud’s pessimistic diagnosis, he provides a wider framework for understanding the crisis liberal democracies and the rule of law face worldwide from organised political and criminal violence from below and corrupt and repressive regimes from above and the links between them.

⁹⁴ Louise Shelley, ‘The Unholy Trinity: Transnational Crime, Corruption, and Terrorism’, *Brown Journal of World Affairs*, Vol. 11, Issue 2 (2005), p. 102.

⁹⁵ For instance, the Taliban in Afghanistan could not survive without assistance from the Pakistani military who see Afghanistan as strategic hinterland in the conflict with India. - Cf. Carlotta Gall, “Pakistan’s Hand in the Rise of International Jihad,” *New York Times*, February 6, 2016.

⁹⁶ Jean-François Gayraud. *Théorie des Hybride. Terrorisme et crime organise*. (Paris: CNRS Editions, 2017):1 [translation from APS]

Conclusion

There can be little doubt that both terrorist groups and organised crime groups have become stronger and more widespread since the mid-1990s.⁹⁷ The reasons for this increase are manifold and can, in the view of this writer, not be primarily attributed to stronger and deeper links between those who are in the market place of ideologies and those who are conduct their shady business by illegal means in the market place of illicit goods and services.⁹⁸ Rather, the growth of both types of organisations has probably more to do with structural factors like economic hardship, more visible disparities between the haves and the have-nots in and between our societies, population- and migration pressures, repression by authoritarian regimes to maintain their privileged status, as well as the existence of ungoverned spaces in both urban and rural areas, greater border porosity, cheaper interstate travel, growth of foreign diasporas, and specific features of globalisation such as the liberalisation of financial markets, offshore and electronic banking, and, very importantly, the use and abuse of the internet.

What has changed in more than twenty years in the relationship between organised crime and terrorism? My exploration in 1996 identified a number of 'links'. Few if any of these seem to have become weaker due to better social engineering or better police control. Have national law enforcement efforts and international judicial- and intelligence - as well as military - cooperation in the fight against terrorism not weakened existing links? Unfortunately, there are no clear signs of that. While many governments are now better prepared to cope with terrorism than before 9/11, the same can absolutely not be said about coping with organised crime.⁹⁹

The manpower and resources that go into fighting organised crime are, in many countries, very modest when compared to those allocated for fighting terrorism. While the primary motives behind terrorism continue to differ from those behind organised crime, there is nevertheless something to be said for creating fusion centres that pool and compare data on these two phenomena because organised crime groups and terrorist groups increasingly recruit from the same social sub-strata and religious sub-cultures. New instruments of detection like big data analysis and artificial intelligence can become powerful tools in monitoring socially harmful developments. However, soft power approaches like community policing and situational crime prevention are at least as important in intercepting in a pro-active way those individuals who are prepared to join violent organisations - whether criminal, terrorist or hybrid.

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⁹⁷ This was the general view of a group of 40 experts (including the present author) who met in April 2017 in The Hague to discuss the nexus between terrorism and transnational organised crime. The background report of this meeting by Christophe Paulusson and Harmen van der Wilt ('The Hague Initiative on the Nexus between Terrorism and Transnational Organized Crime'. (The Hague: Asser Institute, 2017)), has not been published.

⁹⁸ This distinction is from Brian J. Phillips. Terrorists or Criminals? The Logic of Labels. Unpublished paper prepared for a workshop meeting of the Peace Science Society (International), (October 2016): 11.

⁹⁹ In this regard, Walter Kemp and Mark Shaw have noticed that "Since the end of the Cold War, organized crime has moved from being a marginal problem in a few cities and regions to being a mainstream threat to national stability and international peace and security. While the threat has become transnational, the multilateral response has been slow, disjointed, and reactive."- W. Kemp and M. Shaw. "From the Margins to the Mainstream: Toward an Integrated Multilateral Response to Organized Crime" *International Peace Institute*, 19 September 2014. URL: <https://www.ipinst.org/2014/09/from-the-margins-to-the-mainstream-toward-an-integrated-multilateral-response-to-organized-crime>.

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