

Getting organised against organised crime

A major challenge for mediators

Until relatively recently, organised crime was limited in reach, operating within state borders or confined to a small number of global cartels and mafia groups. However, the expansion of global markets and the increasing sophistication of communications technology have increased global connections between groups involved in organised crime. States immersed in, or emerging from, violent conflict are particularly at risk from this phenomenon: their political and state institutions have limited resilience and capacity to counter transnational criminal activity. They also lack the resources to provide essential services and create jobs.

In some places transnational criminal activity has fuelled political violence; in others it has exacerbated local crime and organised violence; and in other areas armed political groups have relied on organised crime groups for funding, or have engaged in organised criminal activities themselves to generate income and fund their wartime activities. The situation has become so serious that, in February 2010, the UN Security Council noted: “the serious threat posed... by drug trafficking and transnational organised crime to international security in different regions of the world”. Subsequently, a special UN task-force was established (co-chaired by the UN Department of Political Affairs and the UN Office on Drugs and Crime) in order to develop a more coherent and effective response to the situation.

For peacemakers, transnational organised crime and trafficking pose an increasingly important challenge. According to the Uppsala/PRIO Armed Conflict Dataset the number of international armed conflicts, as well as the number of deaths caused by civil war, is declining. At the same time, the number of deaths as a result of organised crime is on the rise, particularly in Latin America. In countries such as El Salvador and Guatemala, the number of deaths from criminal activity today is higher than during their years of armed political confrontation with groups involved in organised crime having since penetrated the political and economic arenas. This is also the case in South Africa. Yet these are also examples of struggles which ended with a broad peace accord and which were viewed as successful examples of peacemaking. In these cases and others (such as Afghanistan, Bosnia, Guinea-Bissau, Haiti, Kosovo and Somalia), organised crime has been treated as a secondary issue rather than a strategic matter in its own right during the negotiations.

In Colombia since the late 1980s, the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN) and the government-backed paramilitaries have raised funds through coca and heroin production as well as kidnapping and smuggling natural resources. The rural areas where coca is grown and cocaine is produced are isolated, leaving the rebel groups and cartels, rather than the state, in control. Some also argue that counter-narcotic efforts in the region have had a negative effect on levels of violence, leading to more inter-group fighting over market shares and a spread of violence across permeable borders and into neighbouring countries. Failure to dismantle war-funding mechanisms and support structures have fostered criminal/political networks and, in peacetime, the transformation of armed political groups into criminal groups.

Most peacemakers are not as accustomed to dealing with organised crime groups as they are with armed ideological groups. However, even if it is perceived as beyond their usual mandates, organised crime is a problem that peacemakers should address as it affects both the parties' calculation of whether there

is more to be gained from peace than war and the durability of political settlements. Organised crime groups can affect peace negotiations in different ways: they can be parties to the peace negotiations – or clandestinely embedded within them; they may be linked to, or funding, parties to the conflict; and they may seek to indirectly influence the process through the parties to the negotiations or neighbouring states. Groups involved in organised crime may also have a serious impact on political and economic governance, development and the overall stability of the area in peacetime. In some cases, organised crime groups may not have been included in the peace negotiations and could spoil or sabotage peace and stability.

When addressing the challenge of organised crime in peace negotiations, peacemakers can play an influential role. They can identify the illicit markets and incentive structures associated with war which are exploited by groups involved in organised crime and make arrangements for altering these structures. For example, peacemakers have helped to design resource governance and border control arrangements that change the benefits which parties derive from violent resource extraction and trafficking. Peacemakers may also attempt to counter the reach of organised crime by designing implementation mechanisms which minimise their capacity to destabilise the post-conflict transition. For example, special emphasis on organised crime can be included in provisions regarding disarmament, demobilisation, and reintegration; security; the transformation of justice; labour market arrangements; and the institutions set up to manage public finances.

Questions for discussion

How is negotiating with politically motivated armed groups different from negotiating with armed groups that are heavily involved in, or linked to, transnational organised criminal activity? How far should the responsibility and engagement of mediators go in terms of tackling organised crime groups?

What other actors might be able to support the process of tackling organised crime groups or be better placed to address the challenges? Should mediators, international law enforcement specialists and development agencies be encouraged to co-operate more effectively on this issue? What are the institutional barriers to greater co-operation?

What measures and forms of leverage are available to peacemakers to alter criminal gains from war? What can be learned from the experiences in Colombia, Afghanistan and Guinea-Bissau?

How can measures that combat transnational organised crime be incorporated into peace processes and agreements? What can mediators do to mitigate (or support the parties in mitigating) the destabilising effects of criminal groups on peace processes, particularly in cases where they have permeated the political and economic arenas or captured significant sectors?

What mechanisms can mediators and other partners put in place during peace negotiations to prevent organised crime from spilling over into neighbouring countries?