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LINKS BETWEEN TERRORISM AND OTHER FORMS OF CRIME

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Links Between Terrorism and Other Forms of Crime

A report¹ submitted to:

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and
The United Nations Office on Drugs and Crime**

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Introduction

What is the link between terrorism and crime? This apparently innocuous question is the main focus of this report. It is a question which hides several layers of enquiry about two complex and politically defined phenomena. In an immediate sense, there is a direct link between the two: most terrorist acts are themselves crimes. Beyond that simple observation, however, there remain several unexamined assumptions and unanswered questions which deserve greater scrutiny. It is true that in the last several years the matter has received considerably more attention than it had in the past. This is not to say that we are anywhere near a good understanding of exactly how terror groups become involved in common crime and occasionally also with criminal groups, or how that involvement shapes their evolution and their activities.

There is, on the one hand, the question of whether and to what extent terrorists are involved in other forms of crime. In that regard, there are at least two ways in which terrorists tend to be instrumentally involved in common criminality. First, in the absence of other means of support, they become involved in various forms of lucrative conventional crimes, acquisitive or predatory, in order to support themselves and finance their main activities. Secondly, in the absence of normal access to some of the means they require to conduct their terrorist activities, they become involved in various crimes in order to procure themselves with such means. Various forms of human exploitation and conventional crimes, including participating in and the exploitation of various illicit markets, become the pre-requisites to the conduct of successful terrorist operations. Several authors are even prepared to assume that, because state sponsorship of terrorism has decreased in recent years, terrorist groups have had to turn to crime to finance themselves (Bantekas, 2003; Berry *et al.*, 2002; Curtis and Karacan, 2002; Jamieson, 2001; Lupsha, 1988; McCarthy, 2003). Crime, they argue, has become a necessity for terrorist groups without other sufficient sources of financing.

Following the dramatic events of September 2001, the United Nations Security Council adopted a very momentous resolution which 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 (...)”.⁴ Not long thereafter, the *G8 Recommendations on Transnational Crime*, for instance, drew attention to the problem of terrorist organizations supporting their activities through the commission of other crimes and recommended that States strengthen their response to the interaction between international terrorism and organized criminal activities, in particular money laundering, illegal drug trafficking, use of illegal migration networks and illegal trafficking in firearms⁵.

These and other political statements were beginning to brandish the fear that alliances and various forms of complicity and collaboration could form between terrorist groups and conventional criminal organizations, especially those which operate internationally. Some have argued that these fears are exaggerated (Naylor, 2002: 10). Others claim that the threat is very real, based on examples of temporary yet very dangerous alliances between drug traffickers and armed terrorists groups (Napoleoni, 2003: 40; Shelley, 2002, 2002a).

The apprehended convergence between the major threats to both state and human security, if confirmed, is certainly not something that can be taken lightly.

⁴ United Nations Security Council resolution 1373 (2001), par. 4.

⁵ G8 Ministers of Justice and Interior, *G8 Recommendations on Transnational Crime*, Mont Tremblant, 2002.

Nonetheless, whether the danger of the converging threats is real or partly imagined, there are undoubtedly numerous potential points of intersection between these two worlds centred on any number of activities in which both types of groups must be involved. There are also some troubling similarities in the use of certain methods, something which suggests that the possibility that new forms of collaboration between the two types of groups may yet emerge is far from excluded. At the very least, it is known that there are instances of sporadic, punctual collaboration between these groups which can theoretically degenerate into very dangerous alliances.

These are some of the reasons why it is increasingly important to try to better understand the manner in which terrorist organizations support their activities through the commission of other crimes. Ultimately, the objective is to develop strategies to prevent and disrupt these criminal activities in order to prevent terrorism.

This report is an attempt to shed some light on a number of related questions, in particular the following three main ones: What is the nature and extent of the involvement of terrorist groups in other forms of crime, including transnational crime? What is the extent of the participation of criminal organizations in terrorist activities? What evidence is there of any cooperation between criminal organizations and terrorist groups at either the national or international levels?

The report is divided into three main parts, each one dealing with one of the above questions, and is concluded by some comments on the implications of these issues for law enforcement and criminal justice systems of the world and on the role of international cooperation in that respect.

Method

To answer the questions it purports to address, this report relies on three main sources of information: (1) a review of the literature available in English; (2) an analysis of the reports submitted by Member States of the United Nations, as of February 2004, to the UN Security Council's Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001), and, (3) the results of a questionnaire that was sent through official channels to Member States of the United Nations, through the UN Office on Drugs and Crime.

The second source of information was meant to inform us on the potential links between transnational organized crime and terrorism, as observed by Member States. It consisted of the collection of national reports submitted by Member States pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001 (thereafter referred to as the "national reports to the CTC"). The resolution which also established the Council's Counter-Terrorism Committee (CTC) called on all States to report to the Committee on the steps taken to implement the resolution. At a later date, Member States will be asked to provide the Committee with specific information on the link between transnational organized crime and international terrorism. Nevertheless, at that point, the Chairman of the Committee invited States to provide additional information, including information relating to the link between terrorism and crime. 193 reports received by the Counter-Terrorism Committee were reviewed for the present report.

The third source consists of the replies to a questionnaire that was sent in September 2003 to all Member States by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime: "The United Nations Questionnaire on the Nature of Links between Terrorism and other Forms of Crime" (thereafter referred to as the "UN Links Questionnaire"). The questionnaire was sent to Member States pursuant

to UN General Assembly resolution 58/136, adopted upon the recommendation of the Commission on Crime Prevention and Criminal Justice and ECOSOC, on “the need to strengthen international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the UNODC”. The resolution invited Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergies in the delivery of technical assistance by the Office on Drugs and Crime.

As of December, 2004, 55 replies have been received which are summarized in the present report. Replies were received from Algeria, Australia, Azerbaijan, Bahrain, Barbados, Burkina Faso, Comoros, Colombia, Costa Rica, Croatia, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, Germany, Greece, Guernsey, India, Isle of Man, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Mauritius, Mexico, Myanmar, Namibia, New Zealand, Panama, Poland, Republic of Senegal, Republic of the Marshall Islands, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, the Slovak Republic, the Sultanate of Oman, Sweden, Switzerland, Syria, Turkey, Ukraine, Uganda, the United Kingdom, the United States of America, Uzbekistan, and Yemen⁶.

1. The nature and extent of terrorist groups’ involvement in other forms of crime

The list of behaviours related to terrorism that are criminalized is constantly being extended. Most of the activities in which terrorists groups must get involved to pursue their goals are being criminalized. By the time a group has decided to resort to terror to achieve its ends, there probably is very little that it is involved in, as a group, which is not illegal, if not criminal. In recent years, there has been a major effort made to criminalize most of the organizational activities of these groups, including the recruitment of members, fund raising, concealment of their sources of funding, various forms of incitation to violence, and the planning and execution of terrorist acts. Even the more indirect activities of individuals who somehow support these groups and their political objectives are quickly being criminalized everywhere (e.g., harbouring members of such organizations, gathering of information on their behalf, laundering of funds, providing means of communication and other logistical support, etc.). The impact of that increased criminalization cannot yet be assessed, but it is likely to drive a larger number of individuals closer to engaging with the criminal world.

For the purpose of the present report, we intend to focus not so much on these various terrorism-related offences as on the more conventional crimes in which terrorist groups and individuals sometimes become involved. It is quite clear that terrorist groups frequently become involved in crimes for instrumental purposes, whether it is to acquire equipment, access information, to move people around illegally, or in order to finance their activities. They are also involved in common crimes as part of planning or executing various acts of terrorism, such as stealing a vehicle, procuring explosives, or taking hostages. Finally, they may be involved in common crimes for expressive purposes, to publicize their existence or influence public opinion, or as part of some “psychological warfare” to undermine the resistance of the government or undermine its public legitimacy (Amir, 1988: 107). Williams and Savona (1995) have suggested that there is a possibly irreversible

⁶ For a more detailed analysis of the responses, see E/CN.15/2004/8, www.unodc.org/unodc/en/crime_cicp_commission_session_13.html.

trend towards a convergence of these activities. These are the patterns on which we intend to focus here.

Just as there are various degrees in the ideological positioning that define the goals and means of terrorist organizations, there are various degrees of criminal involvement in different kinds of terrorist endeavour (Amir, 1988: 105). For some terrorist organizations, a reliance on crime to achieve their objectives is more pronounced than for others. Several analysts believe that there is a sort of typical evolution of terrorist groups which tends to lead them progressively towards a greater involvement in conventional crime, an evolution which may even lead an organization to be transformed into little more than just one more criminal organization (e.g., Dishman, 2001, 2002). Such a straying from their political agenda and the progression towards greater involvement in conventional crime have indeed been observed in a number of organizations, particularly those which became involved in the lucrative drug trade. However, in our view, given the paucity of available data, it is premature to claim that such is the normal or even the most frequent criminal evolution pattern for terrorist groups.

It is of course very difficult to obtain hard data on the extent of their involvement in various other forms of crime. Even when individuals are arrested and convicted for various crimes, it is not always possible to establish their link with terrorist groups. With the exception of some major cases, available data is often confined to news media reports, which are sometimes contradictory, unconfirmed and speculative intelligence reports which, in the absence of other sources and when repeated often enough, have a tendency to progressively become accepted as a substitute for more credible evidence.

Our main method here consisted of relying on official reports of cases that came to the attention of countries. These known cases undoubtedly formed only a small subset of the total number of cases of involvement of terrorist groups in other forms of crime. That subset may or may not be a representative one and it should therefore be kept in mind that there is no way of assessing whether the picture thus obtained is an accurate depiction of the current situation. Nevertheless, we hope that the report may at least offer a starting point for discussion and that it will draw attention to the need to develop better means of obtaining accurate information on these issues.

Only 14 of the 193 national reports to the CTC that we have reviewed made reference to the existence of a link between organized crime and international terrorism⁷, mostly in general terms. Only a handful of those elaborated on the nature of that link within their own national context. Among those, Angola referred to the use of commodities such as diamonds by both terrorists and criminals in relation to trafficking in firearms and other criminal activities. It referred to the need to address the international trade in "conflict diamonds" which can be directly linked to the fuelling of armed conflicts, the activities of rebel movements aimed at undermining or overthrowing legitimate government, and the illicit traffic in and proliferation of armaments, especially small arms and light weapons. It mentioned the importance of the *Interlaken Declaration* of 5 November 2002 on the *Kimberley Process Certification Scheme for Rough Diamonds*. Sri Lanka referred to the link between human smuggling operations and terrorism. In its own experience, human smuggling operations (particularly to European countries) did provide a ready reservoir for fund raising by terrorist groups. Such activities take place, through extortion, directly from

⁷ They were Andorra, Angola, Austria, Canada, Egypt, Moldova, Monaco, Singapore, Sri Lanka, Tunisia, Turkey, the United Kingdom, the United States of America, the Federal Republic of Yugoslavia.

victims of human trafficking as well as from their next of kin and relatives who are left behind. Tunisia also expressed its belief that there is a firm connection between various forms of trafficking (drugs, women, arms), money laundering, and the funding of terrorist organizations. The Federal Republic of Yugoslavia and the United Kingdom both made reference to a link between drug trafficking and terrorism. The latter referred to terrorism and drug trafficking in Afghanistan.

In 2001, members of the Task Force on Organized Crime in the Baltic Sea Region agreed to extend their cooperation to include terrorism. The Task Force produced a preliminary report concerning relations between organized crime and terrorism in the Baltic Region (Baltic Sea Region Task Force on Organised Crime, 2002). The Task Force noted that investigations had revealed links between terrorism and organized crime, especially illegal migration, corruption, money laundering, and other types of financial crime providing illegal funding of terrorist activities. About half the countries represented on the Task Force reported that they had found indications of links between organized crime and terrorism within their own borders. The reported links mainly involved the procurement of funds for terrorist activities by committing various kinds of criminal acts, including money laundering. There were also reports of falsification of passports and illegal migration with a view to going into hiding or establishing a basis for future terrorist activities. Many of the crimes reported by countries of that region were acts directly preparatory to terrorist activities.

Respondents to the UN Questionnaire on Links were reminded of the Security Council resolution 1373 (2001) which had noted with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money laundering, illegal arms trafficking, and illegal trafficking in nuclear, chemical, biological and other potentially deadly materials. Respondents were then asked whether any of these links existed in their own country and to comment of their nature. Generally speaking, the majority of respondents reported that they had not observed any such link, but that tended to be because they had not observed any terrorist activities within their borders. When a link had been observed, it most frequently had to do with trafficking in drugs and firearms, theft of firearms and explosive, money laundering, or with the falsification of documents and the smuggling of migrants.

Panama reported that although it is presently free of terrorist related activities, its geographical position between the Atlantic and Pacific Oceans may be the cause of some generation of illegal activities that may be related to organized crime.

Sweden reported that there were no indigenous group in that country that could be labelled as "terrorists". Criminal activities with suspected links to terrorism are mainly related to individual members of suspected terrorist networks. With respect to money laundering and the financing of terrorism, it appears that the same channels (including sometimes the use of the banking system) are used as for other crimes. Germany also drew attention to the concern that financial intermediaries may be abused by terrorists as part of money laundering schemes. In that country, there is also some evidence to suggest that there are links between terrorism and illegal drug trafficking insofar as terrorism is being partly financed by the funds generated from that illicit market. There are clear links between terrorist activities and various criminal activities relating to the smuggling of illegal migrants and the falsification of travel and other official documents. The falsified documents used by extremists/terrorists generally originate from criminal sources. The documents can be traced to workshops abroad that specialize in forging documents and to other sources that are the focus of analyses currently being conducted by the Federal Criminal Police Office. Extremists/terrorists do not have any "production workshops" of their own for the production of falsified documents. Persons close to them or

related to them modify blank stolen or completely falsified documents. Falsification of travel and other documents is also linked to terrorist groups in several other countries, including Denmark which reported that an investigation had revealed that criminal groups were mass-producing false passports that were subsequently sold to various buyers, including persons suspected of international terrorism.

Saudi Arabia reported the presence of links between terrorist acts and other forms of crime, particularly the smuggling of weapons and drugs, money laundering and forgery. India reported that terrorist groups, apart from their direct involvement in criminal activities, are also known to work with organized crime gangs for the movement of men, arms, and terrorist hardware at a global level. They make extensive use of the networks of organized criminal gangs, particularly those relating to smuggling and to informal banking systems such as the *hawala*.

For Italy, the data currently available prove that there is a link between terrorist acts and other forms of crime. In general, these other forms of crime are instrumental to the perpetration of terrorist acts and, in particular, they aim at obtaining the financial means (through drug trafficking and money-laundering) or other things required to commit terrorist acts (arms, false documents).

The United Kingdom reported that it is known that, in Northern Ireland, there are 110 groups comprised of nearly 700 individuals that are engaged in organized crime. Paramilitaries in Northern Ireland are involved in two thirds of the criminal groups known to law enforcement. These paramilitary groups are increasingly turning to organized crime and operate across a range of commodity areas. The most prevalent types of crime among loyalist groups are extortion, tobacco fraud, drug dealing, drug trafficking and illegal trade in arms and ammunitions. Among republican affiliated groups, tobacco fraud is the most common type followed by oil fraud and intellectual property crime.

The United States reported that, in its experience, terrorism and drug trafficking groups linked by money, tactics, geography and politics have formed mutually beneficial relationships. The Drug Enforcement Administration, for example, has listed 14 designated foreign terrorist organizations as having ties to the drug trade. In 2002, several high-ranking members of foreign terrorist organizations were indicted in the United States for drug trafficking. These cases represent the first time that drug trafficking charges were brought in the United States against members of foreign terrorist organizations. Those charges, moreover, clearly indicate that certain elements of these foreign terrorist organizations are generating illicit proceeds through international drug trafficking. In other cases, it was determined that there existed a nexus between terrorism and the following criminal offences: medical insurance fraud, visa fraud, mail and wire fraud, and cigarette smuggling.

Colombia, Kenya, the Kyrgyzstan, Myanmar, and Turkey, among others, reported observing a direct link between the illegal drug trade, the trafficking in firearms, smuggling of migrants, and terrorism. They reported that terrorist groups finance their activities with the proceeds derived from transnational organized crimes, particularly trafficking in small arms and the drug trade. A close connection has been shown to exist between the illicit drug trade and organizations that sustain themselves through the income generated by such activities. According to Colombia, the worldwide illegal drug business is without doubt the financial fuel of terrorism since part of the proceeds from such lucrative activities finances international criminal organizations and terrorist groups. Turkey also noted that those criminal groups corrupt public officials in order to achieve their unlawful goals. They also misuse illegal migrants as their supporters.

Turkey is located on the most attractive point on the Balkan route and it reported having been exposed to terrorist activities and drug trafficking for decades. Investigations have shown that a major terrorist organization is deeply involved in illicit drug trafficking, production, and street dealings as well as in extorting commissions from drug traffickers. There are also unconfirmed reports that the same organization is involved in Switzerland in several sectors of organized crime and that its members participate directly in drug trafficking, extortion and other serious offences.

For Switzerland, there are verifiable links between the activities of radical groups in the Balkan and various forms of crimes committed in Switzerland, including arms and drug trafficking, trafficking in people, money laundering, extortion, and prostitution. Incidents of trafficking in arms for groups in Macedonia were uncovered.

Kenya referred to terrorist attempts to corrupt government systems and infiltrate political and economic circles, while Yemen reported that terrorists committed various other crimes to carry out their plans, including, illegal possession of firearms and explosives, falsification of identity cards and passports, smuggling of illegal immigrants, and money laundering.

Several States referred specifically to the illegal arms trade as one area where cooperation between organized crime and terrorists occurs. Colombia noted that the lack of controls in the arms trade facilitates illicit trafficking, which in turn feeds internal conflicts and undermines regional stability. Commenting on terrorist activities taking place within its own borders, Uzbekistan reported that emissaries of one insurgent group had attempted to corrupt public officials. Arms were cashed in the mountains of Uzbekistan and neighbouring countries.

Finally, Lithuania specifically identified links between cigarette smuggling groups and terrorists.

The potential involvement of terrorist groups in various forms of cyber-crime is frequently noted in the literature on terrorism. Cyber crime can create damage of great public concern. Some analysts note that cyber crime may not have yet resulted in any public disaster, but attacks on the internet, on websites and cyber systems of public agencies are common (Sofaer and Goodman, 2001). However, that issue was not specifically mentioned by Member States in their comments on terrorism and crime.

From these and other similar reports, it would appear that some types of crime are more clearly associated than others with the criminal activities of terrorists groups, as we know them. Among them, the most important ones are the various offences relating to the drug trade and firearms smuggling. Other types of offences include smuggling of migrants, falsification of documents, kidnapping and extortion, frauds and economic crimes, various illicit smuggling of various commodities, and money laundering. Each one of these was addressed by a specific question in the UN Links Questionnaire. The following examines the observed involvement of terrorists in each one of these areas.

1.1 Involvement of Terrorists in Transnational Organized Crime

As some forms of terrorism become more transnational in nature, it may not come as a complete surprise that some terrorist groups are becoming more involved in various forms of transnational crime.

With respect to the link between terrorism and transnational organized crime in general, only 17 of the 55 respondents to the UN Links Questionnaire who commented on that question reported observing the presence of such a link in their country (See Table 1). Many of the respondents who had not observed the presence of such a link indicated that they had not experienced the occurrence of terrorist activities within their territory and were thus unable to comment on links between these activities and other forms of crime. For instance, Australia noted that, in spite of international reports pointing at an increased nexus between terrorism and other forms of crime, the Australian Federal Police had not seen any direct evidence of that phenomenon occurring within Australian borders. Japan explained that acts of international terrorism had not been committed in the country since September 2001 and that, therefore, it was difficult to comment on the link. The States which had observed such a link had also observed that the terrorist groups in question tended to be involved principally in the drug trade and various other forms of smuggling.

Table 1 - Whether a Link Has Been Observed in the Country Between Terrorism and Transnational Organized Crime

Link Observed	Link Not Observed	Don't know / No answer
Algeria, Colombia, Comoros, Ecuador, India, Kenya, Kyrgyzstan, Lithuania, Mauritius, Mexico, Panama, Romania, Saudi Arabia, Sweden, Turkey, the United Kingdom, the United States of America	Australia, Bahrain, Barbados, Burkina Faso, Denmark, Egypt, El Salvador, Estonia, Finland, Germany, Guernsey, Isle of Man, Italy, Japan, Latvia, Lebanon, Liechtenstein, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Sao Tome and Principe, Senegal, the Slovak Republic, Switzerland, Ukraine, Yemen	Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Syria, Uganda, Uzbekistan
17	30	8

Respondents were also asked to comment on whether terrorist groups were involved in organized criminal activities in the country, how these groups are organized, and their *modus operandi*. The majority of respondents indicated that there was no example of terrorist groups' involvement in organized crime activity in their country.

On the other hand, Algeria reported that terrorist groups of various affiliations, with activities extending to other countries, engaged in various forms of organized crime such as the smuggling of goods, weapons, and ammunition, falsification of documents and illicit migration, for the purpose of acquiring funds, means of communication and weapons to enable them to continue their terrorist and subversive activities.

Colombia reported that, for some terrorist and insurgent groups, the initial political ideal had transformed itself into the systematic exploitation of a very lucrative illicit market. Political ideals have become lucrative businesses involving millions of dollars, with which their terrorist activities are also financed. Alliances between insurgent groups pursuing political and ideological goals with drug traffickers were

likely formed to destabilize the national economy. Such criminal organizations can be compared with major economic groups or enterprises that have an extensive logistical infrastructure. They are non-temporary, structured, powerful, anonymous, and discreet organizations that specialize in a variety of unlawful activities. A further feature of these organizations is they are in interaction with other criminal organizations and ordinary criminal groups.

India reported that terrorist groups are involved in organized criminal activities of various kinds, including arms trafficking, money laundering, corruption, trafficking in persons, and drug trafficking. Kenya reported the presence of an Al Qaeda cell in the country and believed it to be involved in organized crime activities.

Turkey also reported that terrorist groups are involved in organized crime activities in order to finance their terrorist activities. It gave the example of one group which engages in organized criminal activities such as drug trafficking, arms smuggling, and smuggling of migrants in an attempt to find new recruits and to obtain financial resources to carry out its terrorist activities.

Switzerland reported several cases of foreign terrorist or insurgent groups active in organized crime activities within its borders, mostly in relation to various forms of illegal trafficking, including drug trafficking and extortion. The United Kingdom reported that both loyalist and republican paramilitary groups in Northern Ireland who raise some revenue from organized criminality continue to engage in terrorist activity. Uzbekistan reported that a terrorist organization active in that country is involved in forging documents, kidnapping hostages, murders and armed assaults.

1.2 Involvement in the Drug Trade

The literature on the involvement of terrorists in other forms of crime is completely dominated by references to their involvement in various aspects of the drug trade. Drugs are linked with insurgent groups and contribute to financing various arm conflicts (Geopolitical Drug Watch, 1999; Berry *et al.*, 2002, Inciardi, 1991).

There is no doubt that several terrorist groups (or associated individuals) participate directly or indirectly in the cultivation, manufacture, distribution, and sale of controlled substances and that they attempt through various means to access some of the funds derived from these activities. Taxation of drug trade, a form of dangerous protection racket, is also one of the ways that they use to get a share of the illicit funds. One finds frequent references in the literature to the term "narcoterrorism" which, with its broad and unexamined use (often for the purpose of further vilifying insurgent groups and terrorists), has become almost meaningless. It sometimes refers, and probably originally did, to organized criminals and drug smugglers using terrorist tactics. It also can refer to any link that there may exist between insurgent groups and the drug trade. Given the vagueness and morally charged meaning of the concept, it is probably one that should be avoided in further analyses of the involvement of terrorist groups in the drug trade.

Several reports prepared in the last two years by researchers of the U.S. Library of Congress have focussed on narcotics-funded terrorist groups and on so-called "nations hospitable to organized and terrorism" (Berry *et al.*, 2002; Berry *et al.*, 2003; Miró, 2003). These reports appear to confirm that quite a few indigenous guerrilla groups operating in drug producing regions, and sometimes also terrorist groups, are heavily involved in drugs. According to these reviews, the relationship between these insurgent groups and drug trafficking organizations is a mutually beneficial one

that allows for some exchanges between them. However, because of their different goals, they tend to have a “pragmatic, arms length relationship” (Berry *et al.*, 2002). In some cases, the resulting *modus vivendi* between the two groups is one which amounts to a form of extortion or protection racket whereby insurgents will offer protection for various aspects of the drug production and trade operations within the territories they control (Berry *et al.*, 2002). The arrangement is usually an unstable one and the stakes are often very high. That can frequently lead to various forms of violence and confrontation. There are of course also instances where criminal and insurgent groups fight over control of the drug trade, as was the case in Georgia between conventional crime organizations and Chechen guerrilla forces (Curtis, 2002).

McCarthy (2003) observed that drug trafficking sometimes has a twofold purpose for terrorists. It is lucrative and it can weaken their enemies by flooding their society with addictive drugs. Some terrorists use that argument to justify their involvement in illicit activities to their membership and supporters.

It is nearly impossible to estimate how widespread the involvement of terrorist groups in the drug trade really is. Casteel (2003), the Assistant Administrator for Intelligence, U.S. Drug Enforcement Agency, reported that 14 of the 36 groups designated as foreign terrorist organizations on the U.S. State Department’s list are involved in drug trafficking. He used these facts to argue that the war on drugs and the war on terrorism are and should continue to be linked. However, as Schmid (2004) accurately noted, there are hundreds of terrorist organizations and hundreds of drug trafficking groups, but it is usually the same dozen or so groups that get identified as being involved in both types of activities. What other evidence is there, one might ask, of the involvement of other terrorist groups in the drug trade?

The Colombian situation where there is a link between the huge drug trade and terrorism is of particular concern (Bibes, 2001; McCarthy, 2003; Berry *et al.*, 2002). Terrorist groups are involved in it to various degrees. The US Drug Enforcement Administration reported a successful investigation resulting in the indictment of four members of one such group for their role in drugs-for-weapons exchanges (Casteel, 2003; Clark, 2003). An in-depth review of the situation in Colombia forced Bibes (2001) to conclude that the terrorist-organized crime connection in that country has had a destabilizing impact on the government. Furthermore, there are also indications that some of the US funded drug eradication campaigns not only have affected the perceived legitimacy of the government, but have also legitimized some of the armed insurgent groups (Lee, 2003).

In Peru, according to McCarthy (2003), one terrorist group continues to derive substantial income from providing security to drug traffickers, while some of the proceeds of the Afghan drug trade are funding another group in Uzbekistan (Curtis, 2002; McCarthy, 2003). Some European intelligence sources quoted by Curtis and Karacan (2002:13) have reported arm smuggling activities by Italian and other European crime organizations to militant groups in the Middle East, and between Italian crime groups involved in both arms and drug trafficking and various Arab clients through an Arab government. Terrorists in Italy are said to have assisted the Sicilian mafia, the Neapolitan Camorra and Calabrian gangsters in smuggling narcotics.

Many militant and terrorist organizations are apparently linked to one another in an international network of logistical, financial, and sometimes operational cooperation (Levitt, 2004). One of the ways they sometimes cooperate is around various forms of transnational smuggling, including drug trafficking and the associated money

laundering schemes. Some observers refer to a “growing involvement of Islamic terrorist and extremists groups in drug trafficking” (Berry *et al.*, 2002). According to the research conducted by the US Library Congress, there is also some limited but troubling evidence of cooperation between terrorist groups which involved in both drug trafficking and drugs for arms trafficking (Berry *et al.*, 2002).

The UN Link questionnaire asked respondents whether they had observed any links within their country between terrorism and illicit drugs. Fewer than half of the respondents, 22 out of 55, had observed a link between illicit drug activities and terrorism. All but one of these respondents, as well as three others had also observed a link between money laundering activities and terrorism.

TABLE 2 - Links Observed Between Terrorism and Illicit Drugs

YES	NO	Don't know / No answer
Algeria, Colombia, Comoros, Ecuador, Germany, Guernsey, India, Italy, Japan, Kenya, Kyrgyzstan, Lithuania, Mauritius, Mexico, Panama, Saudi Arabia, Senegal, Turkey, the United Kingdom, the United States of America, Uzbekistan, Yemen	Australia, Bahrain, Barbados, Burkina Faso, Denmark, El Salvador, Egypt, Estonia, Finland, Isle of Man, Latvia, Lebanon, Liechtenstein, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Romania, Sao Tome and Principe, the Slovak Republic, Switzerland, Ukraine	Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Sweden, Syria, Uganda

1.3 Involvement in Arms Smuggling

Arms smuggling is also a criminal activity in which terrorists tend to be involved. As mentioned above, it is also frequently linked to drug trafficking. Other criminals and other non-state actors may play a “key role” in the terrorist acquisition and transport of arms and weapons (Lilley, 2003), as do also some state agencies.

There are frequent reports of insurgent and guerrilla groups involved in arm trafficking on every continent. Some of them are terrorists. Some of the suppliers are organized criminals. Curtis and Karacan (2002) believe that the illegal trafficking in arms is increasing in Western Europe and that the trafficking patterns are diverse and complex. There may even be a tendency for narcotics and arms to more often become elements of the same transnational trafficking operations. Two major west European groups have been involved in arms and narcotics trafficking in recent years (Curtis and Karacan, 2002). Another terrorist group is known to have dealt extensively with criminal organizations in trafficking in both arms and narcotics. In Romania, that group is heavily involved in the drug trade as well as in various extortion schemes, smuggling, and weapons, ammunition, and explosive procurement (Gheordunescu, 2000). European intelligence sources have also reported arms smuggling activities by Italian and other European crime organization to Palestinian groups in the Middle East, and between Italian crime groups involved in both arms and drug trafficking and various Arab clients through an Arab government (Curtis and Karacan, 2002: 13).

Respondents to the UN Links Questionnaire were asked to indicate whether they had observed links between terrorism and illegal arms trafficking. They were also asked

to indicate whether they had observed a link between terrorism and incidents of theft of firearms and explosives. Seventeen respondents had observed a link between terrorism and trafficking in firearms (Table 3) and twelve had observed a link between terrorism and incidents of theft of firearms and explosives (Table 4).

The United States reported that, on November 6, 2002, four men were charged in a \$25 million drugs-for-weapons scheme in Houston, Texas. These individuals were using the proceeds from drug sales to purchase shoulder-fired anti-aircraft missiles, rocket-propelled grenade launchers, and various rifles, submachine guns, and pistols for a terrorist organization. Three more individuals were indicted on that same date for conspiring to trade heroin and hashish for anti-aircraft missiles, which they said they intended to sell to a fighting group in Afghanistan.

TABLE 3 - Links Observed Between Terrorism and Illegal Arms Trafficking

Link Observed	Link Not Observed
Colombia, Ecuador, India, Italy, Kenya, Kyrgyzstan, Mauritius, Mexico, Panama, Saudi Arabia, Senegal, Switzerland, Turkey, the United Kingdom, the United States of America, Uzbekistan, Yemen	Australia, Bahrain, Barbados, Burkina Faso, Comoros, Denmark, Egypt, El Salvador, Estonia, Finland, Germany, Greece, Guernsey, Isle of Man, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Qatar, Romania, Sao Tome and Principe, the Slovak Republic, Syria, Ukraine

TABLE 4 - Links Observed Between Terrorism and Theft of Firearms or Explosives

LINKS OBSERVED	LINKS NOT OBSERVED	Don't know / No answer
Algeria, Colombia, Ecuador, India, Italy, Kyrgyzstan, Mauritius, Mexico, Saudi Arabia, Sweden, Turkey, the United Kingdom	Australia, Bahrain, Barbados, Burkina Faso, Comoros, Denmark, Egypt, El Salvador, Estonia, Germany, Guernsey, Finland, Isle of Man, Japan, Kenya, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Romania, Sao Tome and Principe, Senegal, the Slovak Republic, Switzerland, Ukraine, Uzbekistan	Azerbaijan, Costa Rica, Croatia, Greece, Panama, Qatar, Syria, the United States of America, Uganda, Yemen

1.4 Involvement in Kidnapping, Robberies, and Extortion

Kidnapping, robberies and various forms of extortion are other frequent sources of funds for terrorists (Napoleoni, 2003; Schmid, 2002; Thompson and Turlej, 2003). Bank robberies are an important source of income for many groups. It is a form of crime that can be committed by isolated cells of the group. Over the years, quite a

few organizations have used that technique. Other groups are engaged in protection rackets and contract murders. On the other hand, on the basis of an analysis of violent crime patterns in Colombia and other data on guerrilla income, Rubio (2001) concluded that kidnapping and extortion are seen by guerrilla groups as a more efficient form of fund raising than taxing coca farmers.

The UN Links Questionnaire did not ask specifically about the link between terrorism and these types of crime. However, another source of information consulted for the present review, the "Report of the UN Secretary-General on International Cooperation in the Prevention, Combating, and Elimination of Kidnapping and in Providing Assistance to Victims",⁸ provided some additional information. As part of that other survey exercise, Member States were asked to comment specifically on the involvement of organized criminal and terrorist groups in the practice of kidnapping. Four broad and partly overlapping situations were identified.

On the one hand, some States (Barbados, Chile, Cyprus, Egypt, Japan, Jordan, Kuwait, Latvia, Morocco, Malaysia, Panama, the Republic of Korea, Saudi Arabia, Tunisia, Turkey, the United States and Zimbabwe) indicated that there was no evidence that either organized criminal groups or terrorist groups were involved in kidnappings.

Other States (Belgium, Germany, the Netherlands and the United Kingdom) reported that organized criminal groups were involved in kidnappings, but that these incidents took place mostly between criminal groups and within the criminal underworld itself. Kidnapping, in such cases, is practiced by criminal organizations in order to obtain particular advantages or to establish their control over specific markets.

A third sub-group of States (Argentina, Belarus, the Czech Republic, Estonia, Hungary, Mexico, Poland and Trinidad and Tobago) reported evidence of organized criminal groups' involvement in kidnappings for a ransom or other profit.

Finally, there were a few States which reported that kidnapping was or had been extensively used by both organized criminal and terrorist groups. In Colombia, Peru, and the Philippines, kidnapping was strongly linked to the activities of organized criminal and terrorist groups. The Russian Federation and Spain also indicated that responsibility for kidnapping could be attributed to both criminal and terrorist groups. In many instances, various forms of kidnapping for ransom were used by terrorist and/or insurgent groups to raise some funds and sustain themselves.

1.5 Involvement in Corruption of Public Officials

The involvement of terrorist groups in corruption of public officials is often stated as a given (Shelley, 2001: 84; and 2002), but there does not seem to be a great deal of evidence to support that assertion. Some analysts (Berry *et al.*, 2002) claims that terrorists who are linked with drug traffickers tend to use the same corrupt contacts within government. Corruption is sometimes also involved in relation to illegal immigration and smuggling schemes (Maclaren, 2000). Shelley (2001) and others sometimes refer to the possibility that governments may be weakened by terrorists and criminals using corruption to penetrate the government and neutralize it. However, excluding cases of terrorist groups involved directly in various forms of illegal trafficking, there are very few reported examples of terrorist groups systematically using corruption to achieve their goals.

⁸ E/CN. 15/2003/7, 5 March 2003.

Thirteen of the 55 respondents to the UN Links Questionnaire reported observing a link between terrorism and incidents of corruption of public officials or attempts to corrupt public officials.

TABLE 5 - Links Observed Between Terrorism and Corruption and Attempts to Corrupt Public Officials

Link Observed	Link Not Observed	No Answer
Colombia, Comoros, Ecuador, El Salvador, India, Kenya, Kyrgyzstan, Mauritius, Mexico, Sao Tome and Principe, Saudi Arabia, Turkey, the United Kingdom	Australia, Bahrain, Barbados, Burkina Faso, Denmark, Egypt, Estonia, Finland, Germany, Guernsey, Isle of Man, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Panama, Poland, Romania, Senegal, the Slovak Republic, Switzerland, Ukraine	Algeria, Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Syria, the United States of America, Uganda, Uzbekistan, Yemen

1.6 Involvement in the Smuggling of Migrants

Twenty-three of the 55 respondents to the UN Links questionnaire reported observing a link between international terrorism and cases of falsification of travel and other official documents. Among the respondents, thirteen reported links between international terrorism and the smuggling of illegal migrants.

TABLE 6 - Links Observed Between Terrorism and Smuggling of Illegal Migrants

Link Observed	Link Not Observed	No Answer
Algeria, Ecuador, Germany, India, Kenya, Kyrgyzstan, Mexico, Romania, Saudi Arabia, Sweden, Turkey, Ukraine, the United Kingdom	Australia, Bahrain, Barbados, Burkina Faso, Colombia, Comoros, Denmark, Egypt, El Salvador, Estonia, Finland, Guernsey, Isle of Man, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Myanmar, Namibia, New Zealand, Oman, Poland, Sao Tome and Principe, Senegal, Slovak Republic, Switzerland, Yemen	Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Syria, the United States of America, Uganda, Uzbekistan

TABLE 7 - Links Observed Between Terrorism and Falsification of Travel and Other Official Documents

Link Observed	Link Not Observed	No Answer
Algeria, Colombia, Comoros, Denmark, Ecuador, Egypt, El Salvador, Germany, India, Italy, Japan, Kenya, Kyrgyzstan, Mauritius, Mexico, Panama, Romania, Saudi Arabia, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom	Australia, Bahrain, Barbados, Burkina Faso, Egypt, Estonia, Finland, Guernsey, Isle of Man, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Sao Tome and Principe, Senegal, the Slovak Republic, Yemen	Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Syria, the United States of America, Uganda, Uzbekistan

1.7 Involvement in Money Laundering and Economic Crime

Observers are often quick to assume that terrorists are involved in money laundering. Indeed, when terrorist groups are involved in crime to finance their activities, they no doubt wish to conceal the source of their illicit gains. However, generating revenues from criminal activities may prove easier than laundering these funds and investing them to generate regular revenue (Napoleoni, 2003).

Bantekas (2003:321), referring to a U.S. Department of Treasury Analysis, explains that the movement of terrorist-related funds and transactions does not generally resemble normal transaction, but does not either display the complex patterns that are seen in money laundering. For instance, a recent study of money laundering activities in the countries which comprise the East and Southern African Anti-Money Laundering Group (ESAAMLG) was unable to find links between money laundering activities and terrorist groups, nor to trace terrorist groups to particular sources or methods of funding. It nevertheless concluded that their sources of funding were more likely to be illegal than legal ones (Goredema, 2003).

There are many sources of terrorism financing (Bantekas, 2003; Gunaratna, 2001) and the proceeds of crime, even when we include the profits generated by the drug trade, may not even be the most important source. Terrorist groups often receive funds from non-criminal sources and, even if they have good reasons to want to conceal the sources of these funds as well, it does not follow that they engage in money laundering (Pieth, 2000: 123). The methods used by terrorists and drug traffickers to “transfer funds” are similar, but they do not necessarily involved “laundering” in the normal sense of the word (McCarthy, 2003; Berry *et al.*, 2002). As Kersten (2002) observed, money laundering and financing of terrorism are completely different concepts. Terrorists may well resort to the same methods used by criminals to conceal the source of the funds they wish to use. However, where financing of terrorism occurs there often is no criminal offence that precedes the attempts to hide the movement of funds from official scrutiny (Kersten, 2002). The financing of terrorism often does not involve the washing of the proceeds of crime and, as Lilley noted “in fact the funds may be completely clean and the laundering is to conceal their ultimate use rather than initial origins” (Lilley, 2003:188).

Terrorists are reportedly also involved in various kinds of fraud, including credit card frauds and various forms of illegal trade. Examples that are often quoted include the theft of diamonds and the illegal diamond trade involving international networks and providing a source of funds for insurgent groups (Goba, 2003), or the alleged illegal

trade in tanzanite serving to finance terrorist attacks in Kenya and Tanzania in 1998 (Baganda, 2003: 70).

Respondents to the UN Links Questionnaire were asked whether they had observed links between money laundering and organized crime (see Table 8). They were also asked whether there are proven links in their country between the financing of terrorist acts, money laundering, fraud or other forms of economic crimes in their country. Finally, they were asked to specify the nature of these links. Only ten respondents had observed evidence of that link (See: Table 9 below). There were far fewer respondents replying affirmatively to this question than there were who had acknowledged the presence of a link in response to a previous question (See: Table 8). That difference is perhaps due to the use of the words "proven links" in the second question. One respondent, Sweden, explained that there are suspicions of irregular uses of funds but that there are, at the same time, difficulties in establishing concrete proof of such dealings.

One state noted that preliminary and judicial investigations indicated that sources of finance for terrorist activities in that country include those derived from drug trafficking activities. Some of the proceeds of drug trafficking are used to smuggle goods across the borders from neighbouring countries. The proceeds are also brought to the country for use for terrorist purposes and to support terrorist groups.

In Colombia, the link between the financing of terrorist acts, money-laundering, fraud, or other forms of economic crime has been confirmed by numerous investigations carried out under the responsibility of the Office of the Prosecutor-General. For example, within the National Unit on Termination of Ownership Rights and Money Laundering, seventeen investigations have been conducted into money-laundering activities of terrorist organizations. Its neighbour, Ecuador reported that there were few cases where a link could be established between terrorism and proceeds of crime, but there had been several cases where the proceeds of drug trafficking between the two countries were being laundered in the country.

Germany referred to money laundering investigations that have revealed several sources of financing for terrorist groups, including donations channelled through charitable or religious foundations as well as the proceeds of various criminal activities such as credit card fraud, trafficking in human beings, and drug related offences. Upon closer examination, however, it became evident that the problem does not so much come from incriminated assets, but from legal assets, as only some of the "terrorist assets" are gained through criminal activities. The problem of introducing incriminated money into legal financial circulation and thus the need for money laundering is not a major one for terrorists. Cases are known nevertheless in which valuable evidence pointing to terrorist financing was gained from suspicious transaction reports made under the *Money Laundering Act* (Geldwäschegesetz).

In India, specific instances have come to the attention of the authorities regarding the financing of terrorist acts and the use of informal money transfer systems such as the *hawala* system. India reported that such underground banking systems have substantial links with the underworld and money laundering channels which, in turn, are linked to terrorist activities. Another important link between terrorist financing and economic crime lies in the area of counterfeiting of currencies. Fake Indian currency notes have been systematically used by terrorists to finance their activities in India. Organized crime groups have also contributed to the circulation of the forged currency in India and abroad.

Italy reported that, at present there are no available data on the links between money-laundering, fraud, and terrorism offences. Nevertheless, according to the respondent, it can be safely assumed that property offences (robberies, theft, handling stolen goods) committed by terrorists are aimed at funding terrorist activities. The following are the percentages of persons charged in Italy, during 2002, with a terrorism offence and at the same time with one of the above-mentioned property offences: robberies, 6,3%; theft, 4%; handling stolen goods, 8.2%.

Myanmar reported that insurgent groups, unrelated to international terrorist organizations, are involved in fraud and other forms of economic crimes to finance their activities. Yemen had observed instances of money laundering and fraud and noted that terrorist acts were receiving their financing from both internal and external sources. Uzbekistan referred to a number of cases in which cash funds ostensibly received from other foreign sources for the construction of mosques were used for financing crimes.

TABLE 8 - Links Observed Between Terrorism and Money Laundering

Link Observed	Link Not Observed	No Answer
Algeria, Colombia, Comoros, Ecuador, Germany, Guernsey, India, Italy, Kenya, Kyrgyzstan, Liechtenstein, Lithuania, Mauritius, Mexico, Panama, Saudi Arabia, Senegal, Sweden, Switzerland, Turkey, the United Kingdom, Yemen	Australia, Bahrain, Barbados, Burkina Faso, Denmark, Egypt, El Salvador, Estonia, Finland, Isle of Man, Japan, Latvia, Lebanon, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Romania, Sao Tome and Principe, Slovak Republic, Ukraine	Azerbaijan, Croatia, Costa Rica, Greece, Qatar, Syria, the United States of America, Uganda, Uzbekistan
n = 22	n =24	n =9

TABLE 9 - Proven Link Between Terrorism, Money Laundering, Fraud, or Other Forms of Economic Crimes

There is a proven link (n = 10)	There is no proven link (n = 35)	No answer (n = 10)
Algeria, Colombia, Ecuador, Egypt, Germany, India, Myanmar, the United States of America, Uzbekistan, Yemen	Australia, Bahrain, Barbados, Burkina Faso, Croatia, Denmark, El Salvador, Estonia, Finland, Greece, Guernsey, Isle of Man, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Mexico, Namibia, New Zealand, Oman, Panama, Poland, Romania, Sao Tome and Principe, the Slovak Republic, Syria, Turkey, Ukraine	Azerbaijan, Comoros, Costa Rica, Qatar, Saudi Arabia, Senegal, Sweden, Switzerland, Uganda, the United Kingdom

Finally, in a separate question, respondents to the UN Links Questionnaire were invited to report whether they had any indication that funds gained through illicit activity, such as trafficking in illicit drugs, were used in order to carry out terrorist acts in their or another country.

Again, most respondents reported that there was no indication that, within their borders, funds gained through illicit activity, such as trafficking in illicit drugs, were used to carry out terrorist acts. One of these respondents commented on how difficult it is, at the best of times, to trace how illicitly gained funds are being used. Another respondent, reporting the presence of general links between terrorist groups and organized crime, noted that there is no specific data available to indicate how much of the revenue obtained by paramilitaries engaged in organized crime is used in specific acts of terrorism in which they are also engaged. Some of this revenue is clearly used by the individuals involved to support their own lavish lifestyle.

In Germany, there are indications that funds gained from drug trafficking are also used, *inter alia*, to finance terrorist activities in other countries. There is no evidence available at present that could be used in court to prove the existence of that link. Switzerland also indicated that clear indication existed that the proceeds of various crimes, in particular drug trafficking and extortion, were used to subsidize terrorist groups, although no definitive evidence is available.

One respondent commented that, even though there are presently no data on the links between money-laundering, fraud offences and terrorist offences, it can be safely assumed that property offences (robberies, theft, handling stolen goods) committed by terrorists are aimed at funding terrorist activities. Another respondent made the point that some assumptions can also be made about the use of the proceeds and profits of drug trafficking to finance terrorist acts.

Seven States reported the presence of clear evidence of the use of illicit funds to finance terrorist acts. In most instances, the proceeds of illicit drug markets were involved. In one country, funds gained through criminal activities, particularly illicit drug trafficking and smuggling, are known to be used to finance and support terrorist groups in bringing weapons, ammunition, means of communication and other equipment to facilitate the commission of terrorist acts. In another country, numerous investigations have established an indisputable link between drug trafficking and terrorist acts, the profit of one financing the other. A third respondent indicated that its own experience left no doubt that there is a close nexus between illicit drug trafficking and smuggling of terrorist hardware. Various insurgent and militant groups are known to use drug trafficking to finance their activities. Several instances have come to the attention of authorities where drug smugglers were also utilized for smuggling arms and ammunition. There were also several individual cases in which the proceeds of crime had played an important role in financing terrorist activities.

1.8 Involvement in Illegal Trafficking in Nuclear, Chemical, Biological, or Other Potentially Deadly Materials

The reader will be familiar with the oft repeated warning of the last decade that nuclear, chemical or biological terrorism (“mass destruction terrorism” as it is sometimes called) is a growing threat and may become one of the most important political and social problems of the future (Rosenbaum, 1997; Robinson, 2002; Ward and Ezeldin, 1990). That perceived threat is often based also on an assumption that criminal organizations, particularly those with extensive international connections, are potential sources of nuclear material for terrorists (Rosenbaum, 1997). Some have

postulated the existence of a nuclear black market controlled by organized criminal groups that could, for a profit, put these weapons in the hands of terrorists. Many “doomsday scenarios” can be imagined where criminal organizations could use their usual methods or their corrupted sources within government to acquire the material and make it available to terrorists. Some of the current security planning is even based on simulations using such scenarios⁹.

There are signs that organized crime groups have become involved in nuclear material smuggling and various analysts believe that the risk of organized criminal involvement in this kind of smuggling is higher than ever. In 1998, there were reports of a thwarted attempt by the Italian mafia to sell uranium that could be used to manufacture nuclear weapons. Other reports have followed to the effect that organized criminal groups had acquired nuclear material that they were willing to sell to the highest bidder (Lilley, 2003:153). Some Turkish gangs are suspected of smuggling of nuclear material, as just another illegal commodity. There are also repeated warnings about the potential involvement of Russian criminal organizations in that kind of contraband (William and Woessner, 1999). However, few actual cases of sale of nuclear contraband have been recorded in the former Soviet Union or in the West (Lee, 1999), and even fewer of them involved the confiscation of material that could actually be used to make nuclear weapons. As recently as 1999, William and Woessner (1999) affirmed that “none” of the radioactive contraband confiscated by Western authorities could be traced to weapons stockpiles. Nevertheless, there is the possibility that finished nuclear material might actually exist on the black market or that non-weapon grade material might still be used destructively by terrorists (Lee, 1999).

The use of biological and chemical weapons by terrorists is often also presented as the “new face” of terrorism (Laqueur, 1998). However, in practice, as was concluded by Tucker (2000), these weapons are difficult to build and to use and only a small subset of terrorist groups is likely to possess the technological sophistication to effectively carry out chemical and biological attacks. Again, there are suggestions that criminal organizations could play a role in helping terrorist groups acquire the weapons or the technology. Such suggestions are not based on any hard evidence, nor do they seem to be based on an appreciation of the many reasons why a criminal organization would normally be quite reluctant to take the kind of risk involved in such transactions.

Of the 55 respondents to the UN Links Questionnaire, only Mexico reported that it had observed a link between terrorism and incidents of trafficking in nuclear material as well as trafficking in illicit biological substances. Only four reported observing a link between incidents of illegal trafficking in chemicals and terrorism, and only three reported a link between terrorism and trafficking in other potentially deadly materials (See Table 10).

⁹ See: Centre for Strategic and International Studies (1998). *Wild Atom – Nuclear Terrorism*. Washington: CSIS.

TABLE 10: Involvement in Illegal Trafficking in Nuclear, Chemical, Biological, or Other Potentially Deadly Materials		
Whether a link has been observed in the country between terrorism and Illegal trafficking in nuclear materials		
YES	NO	No Answer
Mexico	Australia, Bahrain, Barbados, Burkina Faso, Colombia, Comoros, Denmark, Ecuador, Egypt, El Salvador, Estonia, Germany, Guernsey, Finland, India, Isle of Man, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Namibia, New Zealand, Oman, Panama, Poland, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Slovak Republic, Switzerland, Ukraine, Yemen	Algeria, Azerbaijan, Costa Rica, Croatia, Greece, Myanmar, Qatar, Sweden, Syria, Turkey, the United Kingdom, the United States of America, Uganda, Uzbekistan
Whether a link has been observed in the country between terrorism and Illegal trafficking in chemical materials		
Colombia, Kyrgyzstan, Mexico, Turkey	Australia, Bahrain, Barbados, Burkina Faso, Comoros, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, Germany, Guernsey, India, Isle of Man, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Namibia, New Zealand, Oman, Panama, Poland, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Slovak Republic, Switzerland, Ukraine, Yemen	Algeria, Azerbaijan, Costa Rica, Croatia, Greece, Myanmar, Qatar, Sweden, Syria, the United Kingdom, the United States of America, Uganda, Uzbekistan
Whether a link has been observed in the country between terrorism and Illegal trafficking in biological materials		
Mexico	Australia, Bahrain, Barbados, Burkina Faso, Colombia, Comoros, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, Germany, Guernsey, India, Isle of Man, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Namibia, New Zealand, Oman, Panama, Poland, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, the Slovak Republic, Switzerland, Ukraine, Yemen	Algeria, Azerbaijan, Costa Rica, Croatia, Greece, Myanmar, Qatar, Sweden, Syria, Turkey, the United Kingdom, the United States of America, Uganda, Uzbekistan
Whether a link has been observed in the country between terrorism and Illegal trafficking in other potentially deadly materials		
Saudi Arabia, Mexico, the United Kingdom	Australia, Bahrain, Barbados, Burkina Faso, Colombia, Comoros, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, Germany, Guernsey, India, Isle of Man, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Malta, Marshall Islands, Mauritius, Namibia, New Zealand, Oman, Panama, Poland, Romania, Sao Tome and Principe, Senegal, the Slovak Republic, Switzerland, Ukraine, Yemen	Algeria, Azerbaijan, Costa Rica, Croatia, Greece, Myanmar, Qatar, Sweden, Syria, Turkey, the United States of America, Uganda, Uzbekistan

1.9 Increasing Involvement of Terrorists in Other Forms of Crime

The involvement of terrorist groups in crime is usually presented as being on the increase. McCarthy (2003), of the U.S. Department of State, claims that there is an increasing link between terrorists, drugs, and other criminals. Terrorists are increasingly involved in various aspects of the drug trade as well as in organized rackets in kidnapping, extortion, piracy, arms trafficking, people smuggling, financial fraud, cigarette smuggling and other forms of contraband (McCarthy, 2003).

It is often suggested that an increased involvement of terrorists in various criminal activities is partly the result of a decline in state financing of terrorism (McCarthy, 2003; Makarenko, 2003; Sanderson, 2004). That decline, according to that interpretation, would have driven terrorists to resort to crime to finance themselves. That view is a difficult one to verify, but it is commonly held in the intelligence community. The same can be said about the idea that the success of global efforts to suppress the financing of terrorism may have driven terrorist organizations to circumvent these measures by getting more involved in criminal activity (McCarthy, 2003). That view is not particularly convincing either, because the impact of anti-money laundering initiatives and other attempts to confiscate the proceeds of crime in other areas such as the drug trade has remained very limited. Pieth (2002), who is familiar with the question, reminds us that the effect of international anti-money laundering policies probably amount to little more than a “low tax” on illegal trade (Pieth, 2003: 120). If that is true, how would we explain an unprecedented impact as a result of recently adopted measures against the financing of terrorism?

A related aspect of that question often tends to be ignored in recent discussions of the extent of the involvement of terrorist groups in conventional crime. It is the distinction that one might usefully make between the criminality of the group as a whole and that of its members. It is not particularly uncommon for terrorist groups to recruit some of their members among criminal elements, particularly among individuals who may have special skills or special access to networks or criminal opportunities. A terrorist organization can include common criminals who contribute to its goals in instrumental, training, and other manners (Amir, 1988). In such a group, part of the membership can actually be specializing in committing crime and there may be obvious reasons for these sub-groups to be kept quite isolated from the rest of the organization.

Finally, a factor which may explain the increased criminal activity of some terrorist groups is the progressive replacement of ideology by profit and greed as the main motivation for operations (Curtis and Karacan, 2002). Instances of the so-called “fighters turned felons” are frequently quoted, but it is not clear how frequently that pattern really occurs. When such cases are reported, the whole of the terrorist group tends to be painted with the same brush. In reality, it is seldom the whole group that adopts that new direction and we seldom know what part of it exactly has been transformed in that manner. In some instances, obviously, the so-called new “felons” will be those who were recruited from the criminal underworld in the first place, or those who will have been part of that smaller contingent within the organization which was mostly responsible for conducting the general criminal activities of the group.

As for the responses to the UN Links Questionnaire, when asked whether there had been increased linkages between terrorism and other forms of crime in the country over the previous ten years, only nine States reported an increase (see Table 11). Twenty-four respondents reported that they had not observed an increase, but this may have been due in part to the fact that some of them had not observed any terrorist activity in the country. It should be kept in mind that 33 of the 55 States that

responded to the questionnaire reported that they had not observed a link between terrorism and other forms of crime and few of them, understandably, commented on whether there had been an increase. Three respondents reported a decrease in that link. One State reported that the number of cases involving terrorists and drug trafficking has remained stable in the last ten years after a rapid increase during the previous decade.

The Republic of Latvia claimed that although it did not believe a link to be present between organized crime and terrorism, it had seen an increase in organized crime since it regained independence in 1991.

Italy reported that it only had data for the period between 1996 and 2002. During that period, there was no increase in the number of offences involving terrorists. It reported that for some types of offences the numbers were stable, while for others they were decreasing: murders (decreasing); robberies (decreasing); damages (decreasing); violations of the law on arms (decreasing); massacres (stable); handling stolen goods (stable).

TABLE 11: Increases in the Links Between Terrorism and Other Forms of Crime

NO LINK OBSERVED (N = 33)	LINK OBSERVED (N = 22)	INCREASED LINKS (N = 9)	LINKS NOT INCREASED (N = 24)	DON'T KNOW IF INCREASED (N = 14)
Australia Azerbaijan Bahrain Barbados Burkina Faso Costa Rica Croatia Denmark Estonia Finland Germany Greece Guernsey Isle of Man Italy Japan Latvia Lebanon Liechtenstein Malta Marshall Islands Mauritius Myanmar Namibia New Zealand Oman Poland Qatar Sao Tome and Principe Slovak Republic Syria Uganda Ukraine	Algeria Colombia Comoros Ecuador Egypt El Salvador India Kenya Kyrgyzstan Lithuania Mexico Panama Romania Saudi Arabia Senegal Sweden Switzerland Turkey United Kingdom U.S.A. Uzbekistan Yemen	Colombia Ecuador India Lithuania Saudi Arabia Sweden Switzerland United Kingdom Uzbekistan	Comoros El Salvador Estonia Finland Germany Isle of Man Italy Kenya Kyrgyzstan Latvia Lebanon Liechtenstein Marshall Islands Mexico Myanmar Namibia New Zealand Oman Romania Sao Tome and Principe Syria Turkey Ukraine Yemen	Algeria Azerbaijan Bahrain Costa Rica Egypt Greece Japan Malta Mauritius Panama Qatar Senegal Uganda U.S.A.

States that had noted increased links between terrorism and other forms of crime were asked how they explained that increase. India mentioned that organized criminal gangs used to limit their involvement to supplying logistic support to terrorist acts. In recent years, however, that trend seems to have shifted to joint action involving terrorist groups, fundamentalist organizations, and organized crime. Sweden replied that, without further investigation, speculation should be avoided. However, it added, that that perceived increase could have resulted from the strengthened countermeasures taken by relevant authorities.

Romania reported that the link between terrorism and other forms of crime had lightly risen between the years 1994 and 1998. However, since the past 6 years, this link has been decreasing. The decrease was attributed to actions taken against terrorism, through national and international means.

Colombia indicated that the observed increase was clearly due to an increase in criminal activities related to drug trafficking, kidnapping, and murder. The observed increase was also partly due to a number of factors acting in concert: the intensification of internal armed conflicts; the financial strengthening of armed illegal groups who have access to illicit sources of financing such as drug trafficking, kidnapping, corruption, and extortion; the training of local terrorists by foreigners; and, the links between common crime and armed groups, insurgents, and other outlaw groups which lead to the incursion of these groups into the large Colombian cities and attacks against the civilian population. Ecuador, in turn, pointed at the situation in a neighbouring country as one of the main reasons for the increased links between terrorism and organized crime within its own borders.

In Kenya, attacks since 1998 revealed a link between terrorism and other forms of crime. For that country, the increased linkages between terrorism and criminal activities seem to be due to: terrorists taking advantage of the influx of refugees and of a lack of international cooperation; the lack of cooperation between private structures and public institutions; the failure of law enforcement agencies to combat powerful criminal networks; a level of political instability in neighbouring countries; and, porous national borders facilitating trafficking of small arms and light weapons within the region.

In the case of the Kyrgyzstan, the link is perceived to have increased because of religious extremism in the southern part of the country, while Lithuania and Uzbekistan explained the increase in terms of the need of terrorists to finance their activities. Uzbekistan reported that it had witnessed a strengthening of the link between terrorism and crime, particularly drug dealings, property crimes, kidnapping, and robberies.

The United Kingdom noted that throughout the campaign of violence in Northern Ireland, terrorist organizations sought to raise funds from a variety of sources including organized crime. Since the ceasefires in 1995, there is evidence that paramilitaries are increasingly turning to organized crime, although it is not always clear how the relationship works or what proportions of the illegal profits made by individuals is passed on to their organizations or retained by themselves to fund a lucrative lifestyle. In the Northern Ireland context, paramilitaries having gained a foothold in organized criminal activity during the course of "the Troubles" and wishing to maintain a lavish lifestyle for themselves have sought to exploit those links for personal gain.

2. The Participation of Criminal Organizations in Terrorist Activities

There are relatively few documented examples of the direct involvement of criminal organizations in terrorism. When they perpetrate acts of terrorism, it is usually as a tactic. Makarenko (2003) suggests that criminal groups are increasingly engaged in political terrorist acts to destabilize local institutions. Organized crime will use terrorist attacks against the State to disrupt investigations, intimidate and disrupt law enforcement, coerce judges, or create an environment more conducive to criminal activity (Williams and Savona, 1995). Nevertheless, as far as the few groups involved in both organized crime and terrorism are concerned, it is the terror groups who are more likely to evolve into hybrid groups, not conventional criminal groups, even if the latter will sometimes tactically resort to terrorist acts (Sanderson, 2004).

To further complicate things, there are known cases of organized criminal groups, narcotic traffickers mostly, using the existence of revolutionary insurgency to cover their own activity and to misdirect the police and the media (Lupsha, 1988: 183). There are also some cases, for instance in Colombia, where organized crime opportunistically supports terrorists because their activities destabilize the political process, fractionalize groups that compete for power (Bibes, 2001), and undermine the legitimacy of governance mechanisms and the ability of the State to intervene effectively against crime (Manwaring, 1996).

Respondents to the UN Links Questionnaire were asked to indicate whether organized criminal groups were involved in terrorist acts in the country and, if so, to describe the criminal organizations and their *modus operandi*.

Most States did not reply to this question or indicated either that there had not been any terrorist acts in the country or that they had not observed any instance of organized criminal groups involved in terrorist acts. One of these States reported that the involvement of criminal groups in terrorism seem to be limited to providing some financing. Two other States also noted that criminal organizations involved in illicit drug trafficking are funding terrorist organizations in the country as opposed to being involved directly in conducting terrorist activities.

With the exception of Colombia and India, none of the respondents referred to any situation in which an organized criminal group was directly involved in terrorist acts. Colombia explained that financial gain is the motivation of criminal organizations involved in terrorist activities. It is clear that common criminals acting in organized groups are committing a number of murders, kidnapping, extortions, and other crimes in the service of larger insurgent and terrorist groups. The smaller criminal organizations tend to act under the direction of these larger groups, for a profit. They are hierarchically and vertically organized. Their *modus operandi* is characterized by specific attempts or homicides against public figures and public servants and involves kidnapping and extortion. During the time of narcoterrorism (Pablo Escobar), that type of organization was the armed instrument of the war between drug cartels and between the cartels and armed rebels. Their *modus operandi* is characterized by the versatility and agility of their operations, with attacks carried out by their members, against specific targets, on instructions or under "contract".

India reported that there had been cooperation between organized crime groups and terrorists for a long time, but that a significant new development on this front was the fact that organized crime gangs and terrorists outfits had begun to work "in consonance". There are numerous instances of the involvement of organized crime

gangs in terrorism. The attack on the U.S. Information Centre, Kolkata (January 2002) is the most recent example of such collaboration.

3. Evidence of Cooperation between Criminal Organizations and Terrorist Groups at Either the National or International Levels

Various authors (Helfand, 2003; Dishman, 2001; Sanderson, 2004) refer to a convergence between organized crime and terrorism. They point at some terrorist organizations which mimic or ally themselves with transnational crime groups in order to successfully exploit illicit markets and various other criminal enterprises.

Williams and Savona (1995) suggest that there is a possibly irreversible trend towards convergence between terrorists and organized crime groups. Thompson and Turlej (2003:87) claim that there is a “natural partnership” between organized crime and terrorists. Curtis and Karacan (2002) argue that similarities in their operations led to “marriages of convenience” and increased cooperation between terrorist groups and organized crime, particularly around drugs and arms smuggling operations. Shelley (2002) argues that the observed convergence between the two threats makes it impossible to address one without the other. She suggests that the merger between transnational organized crime, terrorism, and corruption is “profound” and seen on a regular basis (Shelley, 2002a)¹⁰. Others have referred to a “blurring of boundaries between terrorism and organized crime” (Jamieson, 2001: 379; Cillufo, 2000; Curtis and Karacan, 2002: 4) and there is most certainly another form of “blurring” occurring at the social representations level: that which occurs when very similar images of organized crime and terrorism as threats to society and the state are encouraged (Finley, 1986)¹¹.

The description offered by Sanderson (2004) of a new convergence between organized crime and terrorism is indeed quite alarming. Referring to what he characterizes as the “general perception among leading American intelligence and national security minds”, he asserts that the merging of transnational organized crime and international terrorism is on the rise. That growing nexus between the two, he argues, is enabled by globalization and leads to further disruption and threats to global security.

There are, as can be seen, 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.

Greater international mobility is triggering international joint ventures between a range of actors, legitimate and illegitimate (Ruggiero, 2002), and often independently of the goals these actors pursue or the ideology they subscribe to. Cooperation exists between terrorist groups (Schmid, 2002) and there is cooperation between organized criminal groups. The results of the *UNODC Pilot Survey of Forty Selected Organized Criminal Groups* (UNODC, 2002) show that there is cooperation among the latter across borders, particularly in relation to various forms of trafficking. Nevertheless, even among criminal groups, collaboration may not be as widespread as one may be prepared to assume. It will tend to be sporadic, punctual, or limited to

¹⁰ She uses that argument to support the idea that “the war against terrorism cannot be separated from the fight against transnational crime” (2002: 91).

¹¹ Finley (1986) argues, that by universalizing the “social threat” and objectifying the “rule of law response”, the state can portray itself as the impartial protector of civil peace irrespective of the form the challenge to its authority may take.

certain types of operations and, as Schmid observed, “(...) trust is indeed a rare commodity in the underworld of crime” (2002, p. 13).

In effect, there is nothing particularly strange about terrorist groups maintaining some kind of business relations with individual criminals or with criminal organizations, usually through contacts limited to some key individuals on both sides. This is not unique. Some States have reportedly also used criminals and criminal organizations as part of their own counter-terrorism measures (Amir, 1988; Lee, 2003; Lupsha, 1988) or as intermediaries in cases of state sponsored terrorism (Ehrenfeld, 2000)¹².

In reality, however, cooperation is inherently risky and, for that reason, cooperation between the two types of groups or even among terrorist groups themselves is more the exception than the rule (Schmid, 2002, p. 16). Whether long-term alliance can really be forged within that context between any of them is still an open question (Naylor, 2002).

Respondents of the UN Links Questionnaire who had observed cooperation between terrorist groups and organized criminal groups were offered a cooperation typology which distinguished between five types of cooperation or linkages: operational, logistical, financial, political, and ideological. They were asked to indicate whether such links between the two types of groups had been observed in their country.

Thirty-six respondents did not report the presence of such cooperation in their country. Eighteen respondents indicated that they had observed some form of cooperation between terrorist groups and organized crime groups (see: Table 4). The nature of the links between the two types of group seemed to be primarily logistical and financial, denoting the presence of alliances of convenience. It tended to become more operational, in those relatively fewer instances where there were also some ideological and political links between the two groups. Turkey which reported observing all five types of linkages between the two types of groups specified that these links all existed around drug related crimes.

Table 12 - Type of Cooperation Between Terrorist Groups and Organized Crime Groups						
Cooperation Not Observed	Cooperation Observed	Nature of the Cooperation Observed Between Terrorist and Organized Criminal Groups				
		Operational	Logistical	Financial	Political	Ideological
Australia	Algeria	Colombia	Algeria	Algeria	Egypt	Egypt
Azerbaijan	Colombia	Ecuador	Colombia	Colombia	Kyrgyzstan	Comoros
Bahrain	Comoros	Egypt	Ecuador	Comoros	Mexico	India
Barbados	Ecuador	India	Egypt	Ecuador	Switzerland	Kyrgyzstan
Burkina Faso	Egypt	Kyrgyzstan	India	Egypt	Turkey	Mexico
Costa Rica	India	Lithuania	Kenya	India	U.K.	Switzerland
Croatia	Kenya	Mexico	Kyrgyzstan	Kenya		Turkey
Denmark	Kyrgyzstan	Panama	Mexico	Kyrgyzstan		U.K.
El Salvador	Lithuania	Turkey	Panama	Lithuania		
Estonia	Mexico	U. K.	Romania	Mexico		
Finland	Panama		Turkey	Switzerland		
Germany	Romania		U.K.	Turkey		

¹² In some cases, a State willingness to collaborate with criminals in order to fight terrorists or insurgent groups may even lead to tensions between its counter-narcotics and counter-terrorism policies. Efforts to apply these policies may even work across purposes (Lee, 2003). Lee (2003) refers, for example, to the role of the USA in Afghanistan where alliances have been formed and compromises struck with forces which opposed the Taliban but had a history of facilitating and benefiting from the drug trade.

Greece Guernsey Isle of Man Italy Japan Latvia Lebanon Liechtenstein Malta Marshall Islands Myanmar Namibia New Zealand Oman Poland Qatar Sao Tome and Principe Senegal Slovak Rep. Sweden Syria Uganda Ukraine Yemen	Saudi Arabia Switzerland Turkey United Kingdom United States of America Uzbekistan		Uzbekistan	U.K. Uzbekistan		
n = 36	n = 18	n = 10	n = 13	n = 14	n = 6	n = 8

Canada has a fair share of organized criminal groups, but a review of open sources conducted recently by the Federal Research Division of the U.S. Library of Congress did not reveal many examples of that kind of cooperation (Helfand, 2003). In her review of eight case studies in Africa, Hübschle (2004) shows that there are cases of false reports of a link between terrorist and criminals as well as cases where the alleged link between terrorist and organized criminals boils down to a business transaction on the black market. None of the cases that she reviewed could establish the presence of a clear link between organized crime and terrorist groups.

It would seem that very few criminal organizations are indeed willing to get involved with terrorist groups. When they do, it is usually in the relatively rare situations where the latter controls a black market or a territory where some drug operations can be conducted relatively safely, under the protection provided by insurgent/terrorist groups. The criminal organizations' lack of interest in forming alliances with terrorists is documented by Dishman (2001). He concludes that there is little evidence to suggest that the two types of groups are prepared to form alliances or other types of collaborative arrangements with each other. Terrorist groups seem to prefer to use their own "in-house capabilities to undertake criminal or political acts" (Dishman, 2001).

He also noted that, with the possible exception of the cooperation observed between the Moscow-Based Chechen Mafia and the Grozny-based Chechen guerrillas or between the KLA in Kosovo and the Albanian criminal syndicates, punctual collaboration between two groups only very rarely gives rise to longer term cooperative arrangements. Cooperation is generally episodic and impermanent (Dishman, 2001) and can be characterized as a "one-spot" linkage (Williams, 1995). These analyses reveal a general pattern on non-cooperation between the two types of groups which is unlikely to change in the near future.

Terrorist and organized criminal groups share some attributes, in particular some organizational attributes (Shelley and Picarelli, 2002). Terrorist groups and criminal organizations often have similar requirements for moving people, money, material, and weapons across borders. They often operate under a similar set of contingencies. Both types of groups use similar kinds of methods (Berry *et al.*, 2002; McCarthy, 2003; Sanderson, 2004; Schmid, 2002; Shelley and Picarelli, 2002). These similarities, however, do not automatically lead them to cooperation. In fact, there generally seems to be only minimal cooperation between them, if any (Helfand, 2003: 35). Even Sanderson (2004:49), who foresees a potential for a growing convergence between the two types of groups, acknowledges that there are impediments to wholesale cooperation between terrorists and conventional criminals. As it is often emphasized (Helfand, 2003), terrorists must maintain their own clandestine networks and aim to control all aspects of their operations to minimize the risk of infiltration. Criminal organizations have a similar need to protect their networks and minimize the risk of infiltration (Lotspeich, 2000). There are therefore formidable obstacles to ongoing collaboration between the two types of groups. Not only does neither one of them want to risk compromising the group's secrets, but they also have very different objectives and define success very differently.

Cooperation between terrorists and common criminals appears more likely to occur under certain circumstances than under others. For instance, post conflict societies and failed states provide ideal conditions for the blending of criminal and terrorist activities (Jamieson, 2001; Sanderson, 2004). When the authority of a State has been eroded, the resulting vacuum can be exploited by both organized crime and political groups. The potential for collaboration between the two is increased¹³.

It can be said that the main concern for the future may not come so much from the cooperation between terrorists and common criminals, but from the transformation of terrorist groups into predominantly criminal ones, that is into groups for which financial benefits and successful criminal enterprises assume a greater priority than ideological goals (Berry *et al.*, 2002; Dishman 2001; Makarenko, 2003). At present, the "hybrid threat" resulting from the transformation of terror groups into hybrid criminal/terror entities is the most common one (Curtis and Karacan, 2002; Makarenko, 2003; Sanderson, 2004). Such alarming transformations have been observed from time to time, but they are not very well understood.

4 - International Cooperation Initiatives in the Field of Criminal Justice

The results of the questionnaire administered by the United Nations Terrorism Prevention Branch (UNODC) indicate that terrorist groups are frequently involved in other crimes, particularly illegal drug trafficking, smuggling of migrants, falsification of travel and identity documents, trafficking in firearms and other exploitation of illicit markets. However, the responses did not provide strong evidence of organizational links between terrorist groups and organized criminal groups. There was no indication either that criminal groups were becoming more involved in terrorist acts. From these findings, it is clear that States could enhance the effectiveness of their actions against terrorist groups by focusing on some of the other forms of crime these groups are involved in.

¹³ This is why at least one author points to the entire Balkan region as a danger zone as far as political-criminal linkages are concerned (Shelley, 2002a).

The knowledge of the various ways in which terrorism and common crime are often linked has brought governments to focus on the implication of that nexus for the development of more effective strategies to prevent both crime and terrorism, particularly when they occur at the transnational level. Clearly, some of the most effective instruments governments have at their disposal to combat terrorism are their respective law enforcement and criminal justice systems. A new focus has emerged, internationally, on building the capacity of these systems to work collaboratively and on efforts to mobilize them to contribute to the fight against international terrorism. As it becomes clear that many of the methods used by terrorists do not differ very significantly from those used by other criminals, even if their basic motivation differs greatly, criminal justice systems' strategies, methods, and processes are revealed as very much relevant to the fight against terrorism.

At the international level, the international efforts of the last decade to facilitate cooperation between national systems in their fight against transnational organized crime and drug trafficking have in effect created a rudimentary platform which can now be used in the fight against transnational terrorism. That international criminal justice cooperation regime is still at its very early stages of development. It is still confronted with persistent difficulties resulting from inconsistencies among the international agreements that have evolved to support it as well as from the lack of harmony and compatibility between national justice systems. However, the threats arising out of the links between terrorism and crime have provided a new impetus for the international community to perfect that regime and to provide assistance to countries which are not quite able yet to participate fully in it.

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**United Nations Questionnaire on the Nature of Links
Between Terrorism and Other Forms of Crime**

Country: _____

Date on which the questionnaire was completed:

_____ (day) _____ (month) _____ (year)

The official/s responsible for responding to / collecting the responses to the questionnaire is:

Ms./Mr.: _____

Title/Position: _____

Agency/Office: _____

Mailing Address: _____

Telephone number: _____

Fax number: _____

E-mail address: _____

This questionnaire is administered by the Terrorism Prevention Branch, United Nations Office on Drugs and Crime, pursuant to ECOSOC resolution 2003/..., “Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention”, recommended for adoption by the General Assembly, through the Economic and Social Council.

In paragraph 11, the General Assembly would invite Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergies in the delivery of technical assistance by the Centre for International Crime Prevention, and would request the Secretary-General to include an analysis of such information in his report on the implementation of the resolution.

It would be greatly appreciated if the questionnaire could be completed and returned to the Centre for International Crime Prevention by **30 November 2003**, in order that the relevant report may be made available to the thirteenth session of the Commission on Crime Prevention and Criminal Justice in 2004.

If the space provided in the questionnaire is not sufficient, please attach any longer responses on a separate sheet of paper.

If any further assistance or information would be helpful in completing this questionnaire, please contact:

United Nations Office on Drugs and Crime
Terrorism Prevention Branch
P.O. Box 500
A- 1400 Vienna, Austria
Tel: 0043-1-26060-5604
Fax: 0043-1-26060-5898

1. Legislative provisions

1.1 Please provide a brief description of the key provisions of domestic legislation in your Country dealing with terrorism or terrorist acts. Please attach the relevant piece/s of legislation.

1.2 Does your Country's domestic legislation specifically identify terrorism or terrorist acts as a serious criminal offence?

1.3 What punishment is foreseen for terrorism or terrorist acts?

2. Extent and nature of the links between terrorism and other forms of crime

2.1 The Security Council in resolution 1373 noted with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms trafficking, and illegal trafficking in nuclear, chemical, biological and other potentially deadly materials. Would you regard there to be different types of links in your Country? Please indicate them below.

- | | |
|--|----------|
| a) Transnational organized crime | yes / no |
| b) Illicit drugs | yes / no |
| c) Money-laundering | yes / no |
| d) Illegal arms trafficking | yes / no |
| e) Illegal trafficking in nuclear materials | yes / no |
| f) Illegal trafficking in chemical materials | yes / no |
| g) Illegal trafficking in biological materials | yes / no |

- h) Illegal trafficking in other potentially deadly materials yes / no
- i) Corruption of and attempts to corrupt public officials yes / no
- j) Smuggling of illegal migrants yes / no
- k) Falsification of travel and other official documents yes / no
- l) Theft of firearms or explosives yes / no

2.2 Please specify the nature of these different types of links between terrorist acts and other forms of crime in your Country?

2.3 Are there increased links between terrorism and other forms of crime in your Country in the last 10 years?

2.4 If there is an increase, why do you think this is the case?

2.5 Are there proven links between the financing of terrorist acts, money-laundering, fraud or other forms of economic crimes in your Country? Please specify the nature of these links below.

2.6 If terrorist groups and organized criminal groups are cooperating in your Country, which are the links?

- a) Operational yes / no
- b) Logistical yes / no
- c) Financial yes / no
- d) Political yes / no
- e) Ideological yes / no

2.7 If organized criminal groups are committing terrorist acts in your Country, could you please specify the nature of these groups, including how they are organized and their modus operandi.

2.8 If there are terrorist groups involved in organized criminal activities in your Country, could you please specify the nature of these groups, including how they are organized and their modus operandi.

2.9 Have you had any indications that funds gained through illicit activity, such as trafficking in illicit drugs, are used in order to carry out terrorist acts in your Country or in another country? If yes, please specify the details.

2.10 If statistics are available in your Country for the number of prosecutions that have been instituted and the number of convictions achieved for terrorist acts, please include them below.

	Prosecutions	Convictions
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

2.11 If statistics are available in your Country for the number of prosecutions that have been instituted and the number of convictions achieved where the accused has been charged or found guilty of both a terrorist act and another form of crime, please include them below.

	Prosecutions	Convictions
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

2.13 Please provide details of one concrete example of a recent situation in which terrorist activities were clearly related to other criminal activities.

3. International cooperation

3.1 Has your Country taken any specific measures to promote cooperation with other states, in respect of countering terrorism and other forms of crime, in particular for extradition and mutual assistance? If so, please specify below.

3.2 If statistics are available in your Country for the number of extradition or mutual assistance requests that have been requested and received responses by your Country for terrorist acts, please include them below.

	Extradition	Mutual assistance
1992		

1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

3.3 Please indicate how many of the above requests have been linked to forms of crime other than terrorism.

	Extradition	Mutual assistance
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

3.4 If statistics are available in your Country for the number of extradition or mutual assistance requests that have been responded to by your Country for terrorist acts please include them below.

	Extradition	Mutual assistance
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

3.5 Please indicate how many of the above requests have been linked to forms of crime other than terrorism.

	Extradition	Mutual assistance
1992		
1993		
1994		
1995		
1996		

1997		
1998		
1999		
2001		
2002		

3.6 Has your Country taken initiatives to strengthen international cooperation for the prevention and suppression of the financing of terrorist acts, in particular through the tracing, freezing and confiscation of funds and other financial assets or economic resources of persons who commit, or attempt to commit terrorist acts? If so, outline these below.

3.7 If statistics are available in your Country for the number of cases of asset freezing and confiscation that have been conducted for funds and other financial assets or economic resources of persons who commit, or attempt to commit terrorist acts please include them below.

	Freezing	Confiscation
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2001		
2002		

4. Relevant domestic measures

4.1 Has your country taken relevant domestic measures to address the links between terrorism and other forms of crime? Please provide relevant initiatives, including in the following areas:

(a) Legislative

(b) Training of law enforcement officials, including prosecutors; judges and magistrates

(c) Institutional capacity building (e.g. the establishment of specific units to deal with the problem)

(d) International law enforcement cooperation and information exchange.

(e) Other

5. Lessons learnt and additional information

5.1 From your Country's experience in tackling the links between terrorism and other forms of crime, have you learnt any lessons that may be of importance for other

countries confronted with the same problem to be aware of? Please list them below in the following areas:

(a) Legislative

(b) Law enforcement/prosecution

5.2 If there is any other information in respect of your Country's experience with tackling the links between terrorism and other forms of crime which you believe to be relevant for the United Nations in order to increase synergies in the delivery of technical assistance, including any relevant reports, studies or research, please include below a summary of their findings, or attach copies of such studies.

Thank you for your participation.