



Providers, Platforms or Partners? Possible Roles for Peace Operations in Fighting Organized Crime¹

James Cockayne

I Executive Summary

1. Peace operations, already thinly stretched, should not now be expected to become the primary or sole provider of the wide range of services needed to tackle organized crime – or the primary developer of such services at the national level. There may be specific areas where peace operations could, with some adjustments, provide added value in such service provision, such as policing in the immediate post-conflict period. But a better overall approach may be to consider peace operations first and foremost as one of many ‘partners’ that must cooperate – perhaps in the short term through use of a peace operation as a start-up ‘platform’ – to develop a long-term, multi-faceted strategy for dealing with organized crime in a particular context.

II. The Problem

2. From Haiti to DRC, and from Kosovo to Afghanistan, it is increasingly clear that dealing with organized crime – the illicit economic and financial activities that many political, military and social actors use to underpin their power – can be central to effective peacemaking, peacekeeping and peacebuilding.² As the UN Assistant-Secretary General for Rule of Law and Security Institutions, within DPKO, Mr. Dmitry Titov recently recognized: “Efforts to combat organised crime and assist host state authorities to combat organised crime have become a significant element of peace operations around the world.”³

3. Organized crime can flourish in conflict-affected states and states in political crisis. Their poor economic prospects, weak governance and rule of law, and pervasive insecurity spawn corruption and can allow local armed groups to flourish. Organized crime entrenches corruption and undermines democratic development. It perverts micro-

¹ A Commissioned Background Study by James Cockayne, Senior Associate, International Peace Institute, for the International Forum for the Challenges of Peace Operations 2009. The overall topic of the Forum is “A New Horizon for Peace Operations Partnerships – What are the next steps?”

² See further James Cockayne and Adam Lupel, eds., *Peace Operations and Organized Crime: Case Studies, Lessons Learned and Next Steps*, Special Issue of *International Peacekeeping*, vol. 16, no. 1, February 2009.

³ UN DPKO, Sweden and International Peace Institute, *International Policing Advisory Council (IPAC) Summary Meeting Report, 26-28 August 2008*, at <http://www.ipacademy.org/asset/file/431/IPAC4Report.pdf>, p. 5.

level financial incentives and distorts macro-level economic development. Globalization sustains the growth of these criminal networks by helping local armed groups and their political sponsors connect to foreign markets for drugs, minerals, diamonds, guns, cars, timber, sex and illicit labor, and by providing money-laundering and trafficking services. Organized crime can even undermine a state's control of its territory, leading to potential threats to international peace and security like those recently identified by the Security Council in drug-trafficking through West Africa may.⁴

4. Left unchecked, local organized crime groups and gangs can undermine the state's institutional or territorial cohesion (as occurred in Cité Soleil in Haiti, Afghanistan and eastern DRC), or even pose a force protection issue for a peacekeeping operation (e.g. in Bosnia, Kosovo, eastern DRC). In the immediate post-conflict phase, organized crime's penetration of state institutions (the executive, parliaments, the judiciary, police, corrections) and non-state institutions (political parties, banks, labor unions) may plant the seeds for later mission failure (e.g. the repeated failure of police reform in Haiti). Groups that have grown fat on the proceeds of conflict and crime during war and political crisis may use the arrival of an international intervention to launder their ill-gotten gains and increase their control of the local economy – especially through internationally-supported privatization schemes, construction of housing stock to accommodate expatriates, provision of illicit services (especially sex and drugs) in the local market, and control of import industries (for example for fuel for international forces' transportation assets).

5. But how far should peace operations be expected to go in dealing with these problems? Developing effective responses to organized crime also requires efforts beyond policing and law enforcement:

- a. social and economic responses, providing alternative economic opportunities to wean communities away from activities the international community has criminalized;
- b. governance responses, developing effective border, coastguard, customs, financial oversight, electoral oversight and judicial institutions – amongst others; and
- c. especially political strategy, since many of the same individuals that seem likely targets for law enforcement in anti-organized-crime effort may also be potentially key partners for peace.

6. Tackling organized crime should consequently be understood as a long-term exercise in which the international community seeks first to understand the complex local relations of power and authority that produce organized crime, and only then, second, to transform these political-economies, shifting power and authority away from illicit economic activity to the licit. Such an effort will require a multi-faceted effort by multiple actors using multiple entry points – and over a period that may stretch beyond the mandate of a peacekeeping operation.

⁴ UN Doc. S/PRST/2009/20, 10 July 2009.

III. Policing and Beyond

7. There are 3 possible roles for peace operations in fighting organized crime. They could serve: as *providers* of all the different types of capacity needed to fight organized crime, at least while their mandate lasts; as *platforms* for states and other actors to deploy such capacity in a coordinated manner, helping to stand up a longer-term strategy of engagement; or as equal *partners* working with many other bilateral, international and host state agencies to identify, mobilize, develop, deploy and manage the capacities and strategies needed.

8. The paper argues that peace operations key role as a ‘provider’ may be in the area of policing, investigations and analysis, where there have been important efforts in recent years. Since its inception, the Standing Police Capacity (SPC) within UN DPKO has included 2 posts dealing with transnational organized crime. UNPOL is currently expanding that expertise. In 2008, the International Policing Advisory Council, which advises the UN Police Adviser, discussed methods to improve police peacekeepers’ capacity to deal with organized crime.⁵ In October 2009, an INTERPOL Ministerial Meeting during the INTERPOL General Assembly in Singapore will focus on collaboration between INTERPOL and police peacekeepers. The UN Department of Political Affairs has paid increasing attention to these issues, for example through cooperation with the Guatemalan government on the International Commission Against Impunity in Guatemala, and through increased attention to these issues in West Africa and Central Asia. UNODC has also played a crucial role in drawing attention to the convergence of conflict, crisis and crime. Beyond the UN, the EU has made anti-organized crime efforts central to missions in Bosnia (EUPM) and Kosovo (EULEX), and the OSCE, SCO and OAS are paying increasing attention to these issues.

9. Beyond policing, investigations and analysis, there are a number of reasons to think that we should see peace operations as part of a larger, multi-actor ‘partnership’ approach. *First*, peace operations have a mandate that is limited in time, and also usually relates to the occurrence of armed conflict. International efforts to deal with organized crime may also occur outside such contexts, as we have seen for example in parts of West Africa. *Second*, peace operations will likely find it difficult to muster adequate numbers of police and law enforcement officers with the requisite skills to analyze and respond to organized crime, especially once language and other cultural barriers are considered. And an effective response to organized crime requires developing not just a policing response, but also providing all the other institutional machinery that a criminal justice system requires – such as an uncorrupted judiciary, an effective witness protection program, and incarceration capacity. *Third*, peace operations currently struggle analytically with organized crime.

10. A multi-faceted analytical approach is clearly needed. Yet illicit finance and organized crime are not routinely considered by the political actors that conceive, design,

⁵ Ibid.

mandate and resource peace operations. And where they are considered, they are often considered as an issue best addressed through technical law enforcement responses. One notable exception in recent years has been Liberia, where, for example UN sanctions were retained through the post-conflict period to help break the connection between illicit armed groups and political and economic power, especially by controlling the timber trade. But this also required military responses (to deal with resulting tensions), DDR efforts, regulatory reform (GEMAP) and numerous other efforts.

11. Developing strategies for such a multi-pronged response requires analytical capacity. Yet even where peacekeepers have been asked to deal with organized crime, they have generally been given limited access to the information-gathering and analytical tools that are needed. Peace operations have limited ability to be the ‘providers’ of the information needed for an effective international response to deal with organized crime. Nor have peace operations thus far served as ‘platforms’ for bilateral partners to share and coordinate such information. Peacekeeper access to nationally-held criminal intelligence relating to conflict-affected territories is haphazard, to say the least.

12. Instead, peace operations seem likely to serve as ‘partners’ to other specialized agencies (UNODC, INTERPOL, the World Customs Organization, FATF, sanctions bodies) and states in developing a shared strategy for dealing with organized crime in specific locales. The Standing Police Capacity within UN DPKO may provide the seed for such partnerships, by helping ensure that UN missions have ongoing access to some expertise on organized crime issues, and that such issues are increasingly addressed in mission start-up. But more could be done.

IV. Towards a ‘Partnership’ Strategy

13. Six measures could be taken to improve peace operations’ capacity to deal with organized crime: Mainstream Organized Crime in Conflict Assessment, Political Analysis and Mission Design.

- a. Efforts to deal with organized crime should be mainstreamed throughout international actors’ conflict and crisis assessment and the design of their responses. The role that organized crime plays in rewarding and prolonging armed conflict, or in shaping armed actors’ decision to cease hostilities (sometimes in the hope of access to increased criminal revenues) must become a factor in mediation efforts and peace operations conception, mandates and planning.
- b. Strategic Assessment and Planning Frameworks should include organized crime as a specific issue to be considered in mission design.
- c. Peace operations doctrine and guidance should consider the impact that organized criminal activity may have on:
 - i. security and stability (especially where it threatens the state’s effective control of territory, or poses force protection issues);
 - ii. political governance (especially the relationship between organized crime, corruption, independent judiciaries, parliaments, electoral financing and SSR); and

- iii. economic recovery (especially the impact of organized crime on financial systems integrity, low-skilled industrial development and primary industry).
14. Improve Operational Analytical Capacity.
- a. Relevant organized crime expertise should be provided within the peace operations, through improved information-sharing between peace operations and T/PCCs and other states with access to relevant criminal intelligence. It might also involve standardizing attention by JMACs or political affairs officers to these issues.
 - b. An alternative model may be for UN DPKO or other peace operations to house staff seconded from other relevant agencies, perhaps within a dedicated cell within DPKO at UNHQ.
 - c. A third alternative would involve developing protocols for sharing relevant information between relevant agencies and conducting joint analysis based on differentiated analytical inputs by, for example, UNODC, UNICRI, UNDP, DPA, Interpol and other relevant bodies, or through use of common tools such as a common Serious and Organized Crime Threat Assessment template.
 - d. Better use could also be made of sources of information already at peace operations' disposal – such as open source information, commercially-provided threat analysis, trade data, or multilateral human rights reporting – for evidence of trends in criminal markets and organized crime activity.
15. Think Beyond Law Enforcement.
- a. Those designing, mandating and resourcing peace operations may need to consider the provision of an array of services that peace operations are not usually set up to provide, broker or manage: anti-corruption efforts, witness protection arrangements, defense lawyering, detention and correction services, border control, customs capacity, and financial sector oversight.
 - b. Peace operations managers should establish standing protocols for collaboration and cooperation with a range of external partners who may be better positioned to provide these services, such as the World Customs Organization, Interpol, International Aviation Transport Association, UNDP, UNCTs, the World Bank, and IMF.
 - c. Further thought may, in particular, need to be given to methods for connecting peace operations' law enforcement strategies to political and strategic decision-makers in senior mission management and above. Otherwise, over-zealous law enforcement may place political partnership strategies in jeopardy.
16. Consider Creating Rapid Response or Standby 'Untouchable' Policing Arrangements.
- a. Consider creating a rapid response or standby policing capacity designed specifically to investigate and prosecute high-level organized crime, available on-call by peace operations and/or special political missions. Such a unit

would increase the prospects of the use of justice tools in marginalizing potential peace spoilers.

- b. This unit could be developed within the existing Standing Police Capacity and/or with other UN bodies (UNODC, OLA, DPA), building on lessons learned in Lebanon, Guatemala and the international tribunals.
 - c. Such a unit could have the capacity to work with member states to develop a casefile that could then be transferred to a member state for formal prosecution and trial. That might require secondments from national institutions, to work on specific cases which might then be referred back to those jurisdictions for trial.
 - d. Another approach would be to establish such ‘Untouchable’ units at the regional level, perhaps through partnership with regional organizations. The benefits of such an approach would include the improved expertise and affinity that would come from using regional staff, as well as possibly improved popular legitimacy for such work. Additionally, developing such capacity at the regional rather than national level might be more cost effective, and help insulate such groups from intimidation and corruption – though they would no doubt need ongoing professional, financial, technical and moral support from the broader international community.
17. Develop Full-Spectrum Local Capacity.
- a. More attention should also be paid to the need for local ownership and local capacity. As experiences in the EUPM and EULEX have shown, anti-organized crime capacity is particularly hard to foster, given the active and violent resistance organized crime groups often mount to the emergence of effective state response capacity.
 - b. This could involve a formal lessons-learned process, and improved dissemination of existing insights from EUPM, UNMIK, Haiti (UNMIH, UNSMIH, UNTMIH and MIPONUH), and beyond.
 - c. More attention could be paid to reducing the frequency of policing personnel’s rotations through police training missions, and to ensuring personnel qualified in mentoring or training are given priority in selection processes.
 - d. Efforts need to reach beyond policing to develop social resistance to organized crime through economic, social and political transformation programs. This might include fostering efforts to work with local communities to woo them away from organized crime groups, for example Viva Rio’s efforts in Haiti’s slums, the National Youth Volunteer Service Programme jointly established by the Government of Liberia and UNDP in 2007, and the REDES (Reconciliación y Desarrollo) Program developed by UNDP in Colombia since 2004.
 - e. It might also require working with the World Bank to foster Community-Driven Development models that develop grassroots justice and mediation arrangements that can displace the dispute-resolution function many protection rackets and organized crime groups play.
 - f. The Peacebuilding Commission and Fund may have important roles to play in buttressing such efforts.

18. Acknowledge and Act on the Highly Political Nature of any Effort to Tackle Organized Crime.
- a. Any effort to uproot organized crime will meet with resistance from all those who benefit from it – from those engaged at the bottom, perhaps in a survival strategy; to the architects and profiteers at the top.
 - b. Accordingly, peace operations should predicate any effort to deal with organized crime in a country on a carefully-designed political and social strategy to build support for tackling organized crime.
 - c. This will require careful analysis of regional crime networks, discussions with the major financial, political, military, policing or other sponsors of a mission, and close engagement of key mission staff.
 - d. It may require a broad effort – from early in the mission conception, assessment and design process – to work with relevant regional organizations, diaspora communities and financial and trading centers to raise the political prominence of the issue, build support for dealing with organized crime, and take the necessary multi-faceted and long-term steps to tackle it.
 - e. This will require both a political strategy for engagement with such communities, and specific training and mandates for relevant peace operations personnel – not only civil affairs officers but also police officers on the beat and military personnel on patrol – to reach out to traditional authorities, elders and local communities to help them find a path away from the pernicious and often violent embrace of organized crime.

V. Conclusion

19. Effective and responsible states are ultimately better placed to deal with the needs of their own citizens than the international community is. Peace operations, already overstretched, should not now be expected to become the primary or sole provider of the wide range of services needed to tackle organized crime – or the developer of such services at the national level.

19. There may be specific areas where peace operations could, with some adjustments, provide added value in such service provision, such as policing, investigations and analysis in the immediate post-conflict period. But a better overall approach may be to consider peace operations first and foremost as one of many ‘partners’ that must cooperate – perhaps in the short term through use of a peace operation as a start-up ‘platform’ – to develop a long-term, multi-faceted strategy for dealing with organized crime in a particular context.