

A Network to Counter Networks

THE GLOBAL INITIATIVE AGAINST TRANSNATIONAL ORGANIZED CRIME

New Order—Old Tools

Globalization has moved faster than our collective ability to effectively regulate the wave of cross-border activities that it has spawned. The benefits have been unprecedented: trade has increased; new centers of economic dynamism have emerged; communities have been lifted from poverty; and technology has transformed how people interact with each other without regard for time or distance. But there is also a darker side: illicit networks have paralleled, and profited from, the growth of licit ones; technology has provided new opportunities for transnational crime; and new economic inequalities have emerged both within and between states. Every person and every country is affected by globalization. Even the most fragile states are now locked into the global economy in ways that were not possible in the past.

Against this backdrop, and in a remarkably short span of time, organized crime has developed into a giant global industry of more than \$130 billion annually, spanning multiple criminal markets. That does not include the cost of these activities in social, physical, and emotional terms. Nor does it reflect the damaging consequences of the breakdown in governance and weakening of state institutions in so many countries. In short, the cost of organized crime is simply staggering and little understood.

The challenge is unprecedented, and the consequences serious. Law-enforcement experts are reluctant to admit in public what they increasingly concede in private—that the fight is being lost. Effective law-enforcement coordination and cooperation is restricted to a limited number of police agencies, and in many developing countries police capacity is weakening.

International assistance to strengthen law-enforcement capacity has also shown mixed results. It is expensive without achieving the necessary impact: in the first six months of 2009 alone, judicial and law-enforcement support for the hard-hit countries of the West African coast was some \$1.3 billion. There is not enough to show for this investment.

Policing in a Shifting Global Terrain

Yes, there are successes, but not enough to claim that law enforcement is catching up with organized crime. The speed of globalization and related developments has law-enforcement institutions, which were designed in a different era, on the back foot. There is mounting evidence, particularly in the degree to which criminals are making use of cyberspace, that our current policing systems will not be able to face a new tidal wave of crime. Technological changes mean that we are dealing with an unprecedented set of new challenges—as evidenced in the volume, complexity, and cross-border nature

of crimes and the speed of financial transactions. As the world is becoming smaller, opportunities to commit international crimes are increasing.

If our tools seem inadequate for the task, it must not be forgotten that public sector policing as an institution is relatively young—far younger than the military. It was created less than 200 years ago to meet a set of specific challenges. Policing models in different parts of the world have many similarities; although in many countries policing is badly broken and corrupt.

Whatever the differences in approaches to policing, there is a single defining feature—police institutions are confined to particular jurisdictions. For a variety of reasons, most notably issues of national sovereignty, they have had great difficulties in cooperating with each other across national borders.

Also, policing in many communities in both the developed and developing world is now conducted by the private sector. Multinational companies, particularly but not limited to those in the technology field, now have a major influence on the success or failure of cross-border law enforcement.

Policing was always designed to focus on a specific community. Globalization and technological change mean that the boundaries of that community are not the same—they have gone global. We are simply using the wrong set of responses to face the challenge.

The Politics of Change

The issue of organized crime has reached the global peace and security agenda because criminal networks now affect the stability of fragile states in every region of the world. Crime has undercut governance, distorted economic development, and perverted the politics of peacemaking. The impact of instability is also felt well beyond the borders of fragile and transitional states. It can have spillover effects and undercut governance, economies, and politics in neighboring countries, many of which are themselves fledgling democracies.

A new wave of democratic transitions in the Middle East and North Africa also holds the prospect that organized crime may acquire a foothold in societies where its impact has previously been marginal.

Crime is not confined to fragile states and transitional states: a new set of emerging middle powers (the BRICS) are both sources of and targets for criminal activity. These states are eager to influence the international system and face a real challenge in controlling crime with global connections, particularly in a burgeoning number of megacities. In addition, many developed countries have placed the issue of organized crime on their agenda because of the threat that it poses to markets and the stability of their economies.

New centers of dynamism in the global economy also mean that the patterns of organized crime, its impact, and those who it victimizes are shifting and affecting every community, albeit in different ways. Our previous thinking has been shaped by old patterns of criminal activity—often from the developed to the developing world, with transit states connecting the two. These relationships are changing, and we do not have a good enough understanding of the nature, extent, and impact of this shift.

The appeal from developing countries for assistance in countering complex cross-border and technology crimes has become louder over the past few years. Increasingly, crime prevention and law enforcement are regarded as critical emerging components of development work—strengthening state institutions in developing, transitional, or fragile states to ensure effective governance. But this is being badly done. It is often ad hoc, uncoordinated, ineffective, and un-strategic. Yet crime threatens national and therefore global stability. We are not prepared to face either what is occurring now or what is coming our way.

There is an urgent requirement to build more effective political consensus on the nature of the problem that we face now and in the future. The current “political” instrument (the *United Nations Convention against Transnational Organized Crime*) is underutilized and not achieving nearly enough.

We need to get serious about improving global cooperation and global law enforcement. The institutions we now have are not able to meet the challenge within current frameworks and processes. Our own forms of cooperation are often bilateral, but too slow and too restricted to a few like-minded states.

Mobilizing to Respond

We are a group of senior law-enforcement officials and other practitioners dedicated to finding solutions to the growing challenge of transnational crime. We wish to create a forum where we can speak openly about the nature of the challenge and possible alternatives for preventing and countering it. Current forms of institutional constraints do not allow for this.

We believe that a more strategic approach to transnational crime is required. We are concerned that old solutions to a rapidly emerging challenge will not be appropriate and that it is incumbent on senior law-enforcement officials who wish to make a contribution to reach out to each other.

We must strengthen capacity building at every level by coordinating crime-prevention and law-enforcement strategies—we need a focus on states that are the “weak” link in the global enforcement chain and consider development needs in doing so. We must also critically review whether external law-enforcement assistance is effective and make changes to ensure that it is. States with broken law-enforcement institutions (and there are many) are unable to cope with the challenge. There should be a mechanism where they can request help for undertaking a specific task over a specific period.

In response to these challenges, which law-enforcement experts face in their day-to-day work, the international Peace Institute (IPI) initiated a process of engagement that has drawn on senior law-enforcement thinkers from a number of countries in the past months. Additional law-enforcement experts will be approached as the necessary resources become available. We met to discuss the challenge of transnational crime, to exchange ideas, and to creatively consider options that will be more effective than current “silo” approaches. We are conscious of the fact that fighting organized crime is not just a law-enforcement responsibility and that a “whole-of-government” or holistic approach needs to be adopted. Nor is the problem limited to security: we are also concerned about its impact on the rule of law and development. We believe that expanding the space for debate established by this

initiative could be of great value at a time when policymakers are seeking new ideas on how to fight transnational crime.

We are dedicated to the safety and prosperity of the communities we serve. This increasingly means that we need to pay attention to the conditions of law enforcement further afield—not only to protect our own societies but in seeking to support a better life for all citizens of the globe.

We are convinced that global crime is an issue that has enormous economic, social and political implications. There is a window period for action. We are committed to doing our part in putting forward solutions.

In summary, we believe that the current global law-enforcement environment is characterized by three key challenges:

- The urgent necessity to improve cooperation and coordination between law-enforcement bodies across all parts of the world.
- The importance of thinking more strategically and in a proactive way about the future crime challenges we may face, in this time of rapid economic change and shifting global power relations.
- The requirement to debate and share ideas to influence policy and practice. There is no global think tank on transnational crime. We have the experience and commitment to make an invaluable contribution.

A Window of Opportunity

Global and national policymakers are now greatly concerned about transnational crime. This is because countering organized crime and illicit trafficking is increasingly seen as essential to building a safer and more secure world. In the past, insecurity was the result of state actions; now, transnational threats (of which criminal networks are only one) consider borders to be of no consequence—or use divisions between states to their advantage.

We know from our own experience at national level that policymakers are looking for inputs and solutions. There are now considerable opportunities for influencing the debate. Yet, unlike our counterparts in the military, law-enforcement officials are often seen as too reactive, driven by individual cases and without a strategic approach. Our aim is to address this gap.

In his Five Year Action Agenda, the Secretary-General of the United Nations has made countering transnational crime one of the organization's key priorities in the coming years. Critically, the Secretary-General notes the deep interconnections between an array of global challenges. Impacting on global organized crime will have critical knock-on effects in a number of other sectors: conflict prevention, fostering human rights and the rule of law, ensuring more equitable economic development, and protecting the earth's resources.

Development actors, most notably the World Bank, have also begun engaging in the debate on effective solutions to organized crime. The 2011 *World Development Report* is a critical marker in this respect. It concludes: “while much of the world has made rapid progress in reducing poverty in the past 60 years, areas characterized by repeated cycles of political and criminal violence are being left far behind, their economic growth compromised and their human indicators stagnant.”

In short, we have a unique window of opportunity and an obligation to act.

Our Comparative Advantage

We believe that the voice of senior law-enforcement officials should also be heard as this necessary and critical process proceeds. As the Secretary-General notes in his priorities, what is required is new and innovative thinking and the fostering of multi-stakeholder partnerships.

Our only requirement is that those who participate in our initiative do so in a spirit of open cooperation and that the views they provide are based on their personal experience. While we work for and represent institutions, our primary objective will be to encourage free thinking and debate and our institutional hats will be left at the door. We will strive to ensure our network is as representative as possible. It will include those working on the challenge in national law-enforcement agencies and governments in different regions, senior officials from international organizations such as the United Nations and INTERPOL, and experts from academia and civil society organizations. The names and particulars of the members of our network as of February 2012 are set out in Annex 1 to this document. We will expand our network to ensure we include all who wish to make a contribution. Current names used to describe the network, steering group, or the global initiative, may change as the initiative develops. Our comparative advantage stems primarily from four aspects:

- **We have strong operational experience.** When we debate solutions to organized crime, we draw on knowledge and skills that have been acquired over many years of practical experience.
- **We have a global perspective.** We will strive to ensure that our network draws on people from all parts of the world and different policing traditions. In particular, we seek to build links between police thinkers in developed, emerging, and developing economies.
- **Our initiative provides an open space for debate.** This forum creates an opportunity to think and debate creative solutions and to connect with others in our profession who are faced with similar challenges.
- **We believe in a cross-fertilization of ideas.** We will include people and experiences from the development field, civil society, academia, the media, and the private sector to strengthen our thinking and to test our ideas on a wider audience.

What Will We Do?

Our focus will be primarily on four areas:

- **Promoting the globalization of organized crime strategies:** We want to play a part in influencing and providing input on transnational crime issues to global policy makers. As already stated, we believe that a more strategic approach is required to countering organized crime across a range of sectors and criminal markets at the global and regional level. We will do this by:
 - *Motivating and supporting the formulation of national strategies to counter organized crime.*
 - *Supporting the UN, the World Bank, regional organizations, and other multilateral players and initiatives (G8, G20) in the formulation of global and regional strategies to counter organized crime or specific criminal markets.*
- **A network to fight networks:** Criminal networks communicate rapidly and evolve in response to the context in which they operate. We hope to ensure that our network can be drawn upon to improve law-enforcement cooperation and coalesce around specific challenges—be they thematic or geographic in nature. We will do this by:
 - *Convening networks of influence to debate and think through solutions for thematic or geographic challenges.*
 - *Establishing networks which cross-pollinate expertise and do away with conceptual silos, most particularly between law enforcement and development actors in the context of a debate that is taking place in different fora and among experts who seldom engage with each other.*
 - *Facilitating joint assessments within an agreed upon mechanism to identify what the problem is and where scarce funding resources should be allocated.*
- **Capacity building and strategic advice:** We believe that much more focus is required to improve the exchange of skills and experience between countries. We wish to encourage greater ownership of capacity building and ensure that ideas and advice can be effectively exchanged between law-enforcement leaders and thinkers in different contexts. We will do this by:
 - *Engaging in an honest assessment of what is working and what is not in the area of capacity building.*
 - *Providing a resource for development and other actors to ensure that they can access the best expertise and avoid using outdated ideas to tackle new problems.*
 - *Facilitating a readily deployable law-enforcement capacity with the relevant skills and powers; such capacity could also be utilized at regional level and draw on the expertise and resources of emerging powers to bolster south-south partnerships.*
- **Information and analysis:** We believe that it is imperative for better strategic information and analysis to be made available on transnational crime trends. This means understanding the

impact of transnational crime on all countries throughout the world, including the influence of crime on peace and security. We will do this by:

- *Supporting high quality strategic analysis of emerging global organized crime trends and their impacts at regional and national level.*
- *Cross-fertilizing ideas between different actors, including civil society groups, working on the ground, to ensure stronger processes of policy formation.*
- *Engaging academics and think tanks to produce evidence-based analysis of transnational organized crime.*

The Way Forward

We have met three times. The points outlined above represent the conclusions of our discussion. A “Steering Group,” with the task of guiding the process, has been established. It consists of the following individuals:

Gwen Boniface, UN Department of Peacekeeping Operations
Peter Gastrow, International Peace Institute (Co-Convener during the initial phase of the Reference Group)
Nick Lewis, Serious Organised Crime Agency
Odd Berner Malme, Permanent Mission of Norway to the United Nations
Saidi Ally Mwema, Inspector General of Police, Tanzania
Mark Shaw, STATT Consulting (Convener)
Giuliano “Zack” Zaccardelli, Interpol

We are developing a timetable and will strive to meet its objectives, including ensuring that we include law-enforcement thinkers from key emerging global players. IPI will remain the “anchor organization” for this initiative.

We will now:

- Establish and launch a global transnational crime initiative as a virtual network, but with a distinct identity, to focus on achieving the objectives laid out above.
- Seek funding for the initiative, ensuring that we draw on resource streams and in-kind contributions from as many countries as possible.
- Set out clearly our objectives and identify a set of priority areas, impacts, and products on which we will focus in the first year.

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March 13, 2012

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ANNEX 1: LIST OF MEMBERS

As of February 9, 2012, the following informal network of experts has participated in the initiative to address international law-enforcement cooperation and transnational organized crime:

- 1. Mark Bishop**
Head of Strategy, Co-ordination & Development, International Department, Serious Organised Crime Agency (SOCA), London, UK.
- 2. Gwen Boniface**
Transnational Organized Crime Expert, Police Division, Office of Rule of Law and Security Institutions, United Nations Department of Peacekeeping Operations, New York, USA.
- 3. Fernando Buitrago**
Police Attaché, Permanent Mission of Colombia to the United Nations, New York, USA.
- 4. Andrew Carpenter**
Chief, Strategic Policy and Development Section, Police Division, Office of Rule of Law and Security Institutions, United Nations Department of Peacekeeping Operations, New York, USA.
- 5. Sarah Cliffe**
Director of the World Development Report 2011, World Bank, Washington, DC, USA. Currently seconded to the United Nations as Special Adviser, Assistant Secretary-General, Civilian Capacity Project.
- 6. Gavin Corn**
Acting Director and Chief Counsel, International Organized Crime and Intelligence Operations Center, US Department of Justice, Washington, DC, USA.
- 7. Peter Gastrow**
Senior Fellow and Director of Programs, International Peace Institute (IPI), New York, USA.
- 8. Misha Glenny**
Author, Associate Professor, Columbia University, New York, USA.
- 9. Geoff Gruson**
Executive Director, Police Sector Council, Ottawa, Canada.
- 10. Liu Jianhong**
Professor of Criminology, University of Macau, China.
Southwest University of Political Science and Law, China.
- 11. Kenny Kapinga**
High Commissioner of Botswana to South Africa, Former Deputy National Commissioner, Botswana Police Service, Botswana.
- 12. Camino Kavanagh**
Senior Program Coordinator and Senior Fellow, New York University Center on International Cooperation (CIC), New York, USA.

- 13. Michael Kelsey**
Counsellor (Police Liaison), Australian Embassy, Washington, DC, USA.
- 14. Walter Kemp**
Director for Europe and Central Asia, International Peace Institute, Vienna, Austria.
- 15. Karen Kramer**
Senior Expert, Organized Crime Branch, Division for Treaty Affairs, United Nations Office on Drugs and Crime (UNODC), Vienna, Austria.
- 16. Godfrey Lebeya**
Deputy National Commissioner, South African Police Service: Crime Detection
Pretoria, South Africa.
- 17. Nick Lewis**
Regional Director: North America and Caribbean, Serious Organised Crime Agency (SOCA), British Embassy, Washington, DC, USA.
- 18. Odd Berner Malme**
Police Adviser and Minister Counsellor, Permanent Mission of Norway to the United Nations, New York, USA.
- 19. Saidi Ally Mwema**
Inspector General, Tanzanian Police, Dar es Salaam, Tanzania.
- 20. Troels Oerting**
Assistant Director, Deputy Head of Department: Operations, Europol, The Hague, Netherlands.
- 21. Bruce Ohr**
Counsellor for Transnational Organized Crime and International Affairs, Criminal Division, US Department of Justice, Washington, DC, USA.
- 22. Andrés Salazar Van Epp**
Political Affairs Officer, United Nations Department of Political Affairs (Americas Division), New York, USA.
- 23. Mark Shaw**
Director: Communities, Borders and Conflicts, Statt Consulting, Hong Kong.
- 24. Hermanprit Singh**
Inspector General of Police, West Bengal Police, Kolkata, West Bengal, India.
- 25. James Soiles**
Deputy Chief of Operations, Office of Global Enforcement, Drug Enforcement Administration (DEA), Washington, DC, USA.
- 26. Jürgen Stock**
Vice President, German Federal Police (Bundeskriminalamt), Wiesbaden, Germany.
- 27. Giuliano “Zack” Zaccardelli**
Director, Strategic Planning, INTERPOL, Lyon, France.