



THE NEW DEAL'S PEACEBUILDING AND STATEBUILDING GOALS AND ORGANISED CRIME

Research summary

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Sara Batmanglich and Katrine Høyer

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About the Disrupting Violent Connections Programme

Shifts in the constituents, landscapes, cycles and dynamics of violence have taken place, creating a situation where ‘remaining forms of conflict and violence do not fit neatly either into “war” or “peace”, or into “criminal violence” or “political violence”’.¹ Given the amorphous nature of violence, the frequent recurrence of conflict and the high levels of violence that are witnessed in “non-conflict” settings, conventional divisions between civil war and criminal violence may no longer make sense. Moreover, with criminal activities often providing a revenue base for rebel groups, the line between armed conflict and criminal violence has become increasingly blurred. There is growing rhetorical acceptance that these evolving forms of violence are long-term threats to human development – including to the achievement of the Millennium Development Goals (MDGs) – and that they must be considered within the development agenda. There is also growing recognition that it is possible to build states that are still ultimately fragile and where people feel as insecure in “peace” as they did in conflict. Yet, the tendency still remains to categorise peace and security in the traditional mould, and there is still little agreement about what this means for practice or how this area of work should be conceptualised or approached. In this sense, “21st-century violence” is challenging not only many of the countries where peacebuilding and development actors currently focus, but also our understanding of violent conflict itself.

Seeking to tackle some of these questions, and to break down existing analytic, programmatic and institutional silos, International Alert is exploring and researching innovative peacebuilding solutions at the interface between crime, violence and conflict through its Disrupting Violent Connections (DVC) Programme.² The aim of the programme is to design, test and promote peacebuilding approaches to address the evolving context with respect to new patterns of violence, where criminal, urban and gang violence are having broader political and social impacts.

An Advisory Group – comprised of researchers, practitioners and policymakers – will come together approximately three times a year to engage in interactive workshops designed to draw out learning from real experiences. The group will exchange ideas and provide perspectives on effective responses to criminal and other violence in complex contexts, in order to assist with the distillation of best practices. In addition, Alert will seek to design and pilot innovative projects, exploring peacebuilding responses to criminal groups and urban violence. Through this work, we hope to influence the security agenda currently dominating responses to the collective impact of crime and violence on communities, to bridge the security–development divide, and to encourage the need for a more integrated approach.

¹ World Bank (2011). *World Development Report 2011: Conflict, Security and Development*. Washington DC: World Bank. p.2.

² For more information on the Disrupting Violent Connections Programme, please visit www.international-alert.org, or contact Sara Batmanglich at sbatmanglich@international-alert.org

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Introduction

Peacebuilding and statebuilding interventions are the most dominant approaches to addressing many of the challenges inherent in conflict-affected and fragile states. The recently agreed-upon New Deal has sought to reinvigorate the aspiration of both – pushing for the drivers of fragility to be tackled in a new way. It has already made impressive strides in furthering the notion that transitions out of fragility will require more harmonised, contextually specific, politically and structurally aware engagements that are geared towards sustainable results and long-term stability.

Organised crime is frequently listed as one driver and manifestation of contemporary forms of violence that is on the rise (although it must be emphasised that crime and violence are not always necessarily linked). However, even where violence itself is not prevalent, more subtle, but no less damaging, impacts will still be felt from criminality – structurally, communally and individually. While these might be easier to ignore, there is a responsibility not to. Although organised crime is still perceived as predominantly an issue for law enforcement, the reality is that it perniciously confronts peacebuilding, statebuilding and development efforts. Even though there is already a very long list of priority areas for these fields, organised crime must be added to the agenda.

In this brief, we focus on the impact that organised criminality has on political and social instability – particularly its potential to exacerbate conflict drivers and perpetuate fragility by intervening in what are often fraught relationships between state and society, as well as between citizens themselves. We will use the New Deal's Peacebuilding and Statebuilding Goals (PSGs) as a framework within which to consider the impact this increasingly relevant issue could have not only on the achievement of the PSGs, but also on progress towards peaceful states and societies.

The intention is not to critique the New Deal process or the goals in any way. Instead, we seek to provoke discussion – at the policy, thematic as well as country level – targeted at specific priority areas of the PSGs. The key aim is to more closely conceptualise the relationship between crime, conflict, peacebuilding and statebuilding in order to encourage the broadening of policy and practice in consideration of any links.

We feel that this conversation is an important and timely one to have as:

- The specifics and details of New Deal implementation and how it will shift “business as usual” are now being discussed;
- Critical debates about development progress and improved country-level impacts are happening within the context of the post-2015 agenda;
- A recent poll of hundreds of thousands of people in the course of the post-2015 process indicated that ‘protection against crime and violence is considered a top priority for future goals’.³

3 R. Muggah and G. Milante (2013). ‘Less violence, more development’, *Global Observatory*, 22nd April 2013. Available at <http://theglobalobservatory.org/analysis/484-less-violence-more-development.html>. The recent ‘Report of the Secretary-General's High-Level Panel of Eminent Persons on the Post-2015 Development Agenda’, echoing the World Development Report (WDR), concurs that: ‘Contemporary conflict is characterised by the blurring of boundaries, the lack of clear frontlines or battlefields, and the frequent targeting of civilian populations. Violence, drugs and arms spill rapidly across borders in our increasingly connected world. Stability has become a universal concern.’ High-Level Panel (2013). *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development*. New York: United Nations. p.52. Available at http://www.un.org/sg/management/pdf/HLP_P2015_Report.pdf

The New Deal and Peacebuilding and Statebuilding Goals

The New Deal for Engagement in Fragile States was presented at the 4th High Level Forum on Aid Effectiveness at the end of 2011, and was endorsed by donor and fragile states, as well as by key development organisations. While there is nothing in the New Deal that is particularly surprising for those who have worked on or in fragile states, its novel aspect is that it captures, in one document, much of the accrued wisdom regarding key areas of focus for building “peaceful states and societies”. More importantly, these recommendations were arrived at through a process shepherded by the International Dialogue on Peacebuilding and Statebuilding (IDPS), with particular drive from the g7+ group of fragile and conflict-affected countries.⁴

Central to the New Deal are the five PSGs: legitimate politics; security; justice; economic foundations; and revenues and services. The goals seek to guide identification of priorities and subsequent funding for them, as well as to serve as a construct for monitoring progress towards their achievement. Although much of the critical work in support of the New Deal is yet to come, with implementation still at the fairly nascent stages, as of now it represents the hope that the approach to highlighting and addressing key challenges in fragile states has fundamentally shifted – that is, towards one that is more accurate, honest and responsive.

⁴ For more information on the New Deal, see <http://www.newdeal4peace.org/>. For more information on the g7+ and its membership, see <http://www.g7plus.org/>

Peacebuilding and Statebuilding Goals (PSGs) and crime

PSG 1: LEGITIMATE POLITICS – foster inclusive political settlements and conflict resolution

Many fragile states, especially post-conflict ones, already face the arduous task of building trust in the state. As a feature of existing and potential power structures in society, crime has considerable implications for legitimacy. Legitimacy in these contexts stems as much from the health of the state–society relationship as it does from the strength of the state's capacity. This relationship can be tenuous if the past is still contested, if divisions still exist within society and if true reconciliation has been lacking.⁵ Specifically in countries that have experienced conflict based on inequality or ethnic divisions, enrichment of certain individuals or groups over others can reinforce these divides and stoke existing conflict grievances. Thus, criminality not only interacts with 'local fissures in governance and development, but directly aggravates them'.⁶

Crime can pose a major challenge to perceptions of the quality of governance, as well as the integrity of the government and its conviction to base decision making on citizens' wellbeing, rather than personal interests and monetary gain, which affect faith in the entire peacebuilding process.⁷ This is not to say that corruption and criminal affiliations at the political level automatically result in instability; in some cases, corrupt practices are a key feature of political life and are regarded as completely legitimate means for leaders to secure power and reward followers.⁸ Profits from crime can be turned into "gifts", which can then be used to provide money, goods and services to communities, especially around elections, thus skewing political competition and the democratic process.⁹ In fragile contexts, such informal patronage networks are often regarded as more legitimate than weak formal institutions – and it is challenging to extricate the influence that these have from the money that may finance them.

While legitimate politics are important everywhere, this notion is absolutely crucial in fragile states where a precarious citizen–state compact is at the core of the statebuilding process. The potential for this process to be infiltrated or even captured, especially at the nascent stages when it is most vulnerable, is particularly worrisome given the critical importance that the political marketplace plays in determining the future of a fragile state.¹⁰ Shifting the incentives for strengthening political institutions and systems at this decisive juncture alters the equation for political elites – from one that should be based on earning the support of the constituency to instead one that uses power to create earnings (and then to buy allegiance) through serving other interests.¹¹

An essential component of state legitimacy is not only the perception of and confidence in the state on behalf of its citizens, but also the social cohesion that exists among them, as referenced in PSG 1. Where conflict has normalised the use of violence, the threshold has already been lowered in terms of its acceptability to be used for political or illegal means, as well as between

5 R. Locke (2012). *Organized Crime, Conflict and Fragility: A New Approach*. New York: International Peace Institute. p.10.

6 P. Miraglia, R. Ochoa and I. Briscoe (2012). *Transnational Organised Crime and Fragile States*, OECD Working Paper 5. OECD Publishing, p.4.

7 Ibid. pp.13–14.

8 A. de Waal (2009). 'Fixing the political marketplace: How can we make peace without functioning state institutions?' Fifteenth Christen Michelsen Lecture, 15th October 2009, Bergen. p.2. Available at <http://www.cmi.no/file/?877>

9 USAID (2013). *The Development Response to Drug Trafficking in Africa: A Programming Guide*. Washington DC: USAID. p.13.

10 L. Anten, I. Briscoe and M. Mezzera (2012). *The Political Economy of Statebuilding in Situations of Fragility and Conflict: From Analysis to Strategy*. The Hague: Clingendael Institute. p.4.

11 J. Cockayne (2012). 'Africa and the war on drugs: The West African cocaine trade is not just business as usual'. *Africa and the War on Drugs*, African Arguments Series, Royal African Society. 19th October 2012. Available at <http://africanarguments.org/2012/10/19/africa-and-the-war-on-drugs-the-west-african-cocaine-trade-is-not-just-business-as-usual-by-james-cockayne/>

individuals.¹² The notion that criminal actors as well as government actors may profit more from ongoing violence than from peace raises key dilemmas in terms of how organised crime impacts on political settlements. The emergence or growth of organised criminality in a society that is still experiencing traces of conflict trauma can also hinder the rebuilding of trust between groups and communities, and prevent civic pride from flourishing.

Considering the above, the following questions arise in relation to PSG 1:

- How can public confidence be built in a system that is perceived to be vulnerable to such threats?
- In contexts where criminal groups, or the pursuit of their interests, have already infiltrated the political system to some degree, how can state structures be strengthened without entrenching these groups or their interests further?
- Will adequate political will exist for reform within a context where some elites may benefit from the status quo or where criminal groups may be protected from within?
- How can informal governance systems and local dispute-resolution mechanisms be supported in order to strengthen social cohesion and increase resilience to crime and violence?
- How can peacebuilding and statebuilding take into account implications of patronage systems rather than seeking to dismantle them?
- Where legitimacy is lacking, how can the creation of political space that prioritises the importance of state–society relations and civic engagement be encouraged?
- How should political settlements be supported differently in contexts where the links between organised crime, politics and power are significant?

PSG 2: SECURITY – establish and strengthen people’s security

The existence and awareness of crime undermines public confidence in the state’s ability to achieve public security and to protect them from threats to their community. In post-conflict states, security is often a service that is in high demand but in short supply and can serve as a major marker of state legitimacy. Security is not only one of the most visible elements of the state; it is also the starting point for re-establishing trust between the people and the state, as the latter regains its monopoly on the legitimate use of force and arbitrary power is shifted into legal authority.¹³

Where the security apparatus has been implicated in past conflict or has a history of abuse, the process of rebuilding and reconfiguring the security forces and their relationship with society is especially sensitive. The degree to which capacity already exists, needs to be rebuilt and is resourced as such will determine the window of opportunity that criminal interests have to penetrate and monopolise the relationship with security services. If transactions and involvement are contained at the elite level, initial dalliances with criminality may not have a demonstrable impact on the broader security situation or the visible “health” of the state. But there is certainly no guarantee that this will remain static. If the market begins to grow and becomes more diffused, in-fighting and competition between various stakeholders will lead to increased violence, which can filter down to the community level.

The citizen dimension of the security angle is critical, but often the most difficult to capture. The existence of crime may pose a limited threat to security institutions, but the same cannot necessarily be said for communities who might be on the frontlines of day-to-day criminal

12 T. Adams (2012). “Chronic violence”: Toward a new approach to 21st century violence’, NOREF (Norwegian Peacebuilding Resource Centre) Policy Brief; T. Adams (October 2011). ‘Chronic violence: The new normal in Latin America’, *OpenDemocracy*. Available at <http://www.opendemocracy.net/tani-adams/chronic-violence-new-normal-in-latin-america>. p.5.

13 J.-M. Guehenno (2011). *Public security, criminal justice and reforming the security sector: Security and justice thematic paper*. WDR 2011 Background Paper. Washington DC: World Bank. p.3.

violence, or who might be impacted more subtly with respect to their perception of safety and due to the fact that they live under constant anxiety and fear.¹⁴ Whether threats from criminal violence are real or perceived, until violence and weapons are not seen as a requisite for self-protection and the government can guarantee a certain standard of security, full stabilisation will be difficult to achieve. But while these are still seen as the norm, crime can provide an alternative way of life, which uses many of the same tools and skill sets as formal security systems.¹⁵

As represented by the PSG indicators, any security institutions and responses must seek to refine mechanisms of public support for the systems in place. However, the choice of security responses to criminal threats is also significant. Forceful crackdowns can not only generate violence or make it more profitable for criminals to corrupt security forces or politicians; they can also generate widespread discontent among the population and undermine the entire statebuilding process.¹⁶ This is especially true where the cost of bribes is low but where criminal activities exact high rents, meaning that an increase of policing actually leads to a promotion of organised crime and corruption, a disruption of the criminal status quo, and an overall amplification of violence.¹⁷ In these contexts, a difficult decision is faced – between going after criminal groups themselves or choosing to focus on minimising the harmful effects of their activities, such as violence.

Considering the above, the following questions arise in relation to PSG 2:

- How can security institutions be insulated from being affected by criminal activity – especially in contexts where reforms are ongoing and capacity is still being built?
- How can the international community ensure that it is supporting not only the building of “secure” states, but also those where citizens feel safe?
- What types of additional knowledge and capacities are needed so that responses to the presence of organised crime are able to incorporate more than just a hard security dimension?
- How can perceptions surveys fairly and effectively be used to capture what matters most to the public about their security forces, and then to encourage building trust in them along these lines?
- In societies that have experienced conflict, how can the normalisation of violence and the naturalisation of perverse social behaviour be incrementally reversed?

PSG 3: JUSTICE – address injustices and increase people’s access to justice

In fragile and conflict-affected countries, government justice institutions are often relatively new and untested, and still in need of gaining the confidence of the public. These institutions face the daunting task of increasing both judicial access and capacity, sensitising the public to legal procedures and overcoming any ethnic, religious or gender bias – sometimes also seeking to redress the notion that the law itself is “above the law” and is there to serve the needs of the public rather than the ruling elite.¹⁸

If the justice system is considered a threat by organised criminals, which indicates that a certain degree of political will and capacity exists within, it can out of necessity become a target for

14 Conversations within some communities in several post-conflict countries reveal that it is possible for people to actually feel less safe after conflict than during it; they attribute this to increasing levels of community violence and insecurity, often linked to local criminality. This is an area in which perceptions surveys can be useful for monitoring attitudes.

15 See T. Adams. ‘Proposition 2: Chronic violence undermines social relations and provokes perverse social behaviour that is naturalised among vulnerable groups and becomes a perverse norm that can be transmitted intergenerationally’, in T. Adams (2012). *Op. cit.* p.4.

16 R. Locke (2012). *Op. cit.* p.3.

17 G. Demombynes (2011). *Drug Trafficking and Violence in Central America and Beyond*. WDR 2011 Background Case Study. Washington DC: World Bank. p.11.

18 J. Sherman (2010). *Criminal justice: Security and justice thematic paper*. WDR 2011 Background Paper. Washington DC: World Bank. p.1.

corruption and penetration. Where it is seen as ineffective, it might be protected from much criminal interference; however, a favourable public perception of credibility will be sacrificed in the short to medium term. This can, in the medium to longer term, lead to a criminal justice system that becomes impotent, as parts of the state that are of higher criminal value are infiltrated instead, disrupting the checks and balances on power.¹⁹ Dealing with even relatively unsophisticated organised crime is still a complex legal process that can tax weak justice systems. While supporting local justice capacity, anti-corruption mechanisms and criminal-justice reforms are all important priorities, there is also a risk of ‘creating policies and institutions that can be co-opted by corrupted political masters and turned to the latter’s own advantage’.²⁰

Difficult to measure, but also relevant, is the normative culture of what constitutes legal and illegal practices. What might not have been considered legitimate behaviour at an earlier stage in a country’s history can become socially acceptable. This is especially true after conflict, when ‘the differences between right and wrong, the innocent and the criminal, and moral and immoral become blurred’.²¹ For example, the politician, government official or business person who either participates in, or turns a blind eye to, illicit activity and receives compensation in return does not automatically become a “criminal” or cease to be a politician or entrepreneur.²² In fact, in countries that have experienced lapses in the rule of law, “the law” itself can still be a fungible and foreign concept.

Understanding the many layers constituting justice and accountability within a society – whether political, religious or cultural – is important when rebuilding trust in the state and respect for the law. Initiatives that hope to transform individual behaviours and local political economies must be aware of and able to work through existing social networks and structures, including those of the customary justice system.²³

Considering the above, the following questions arise in relation to PSG 3:

- How can the justice system’s impartiality be shielded from penetration by criminal interests – especially in contexts where reforms are ongoing and capacity is still being built?
- What are the types of capacities that must be built within the justice system to address the unique challenges posed by organised crime?
- What is the appropriate balance between the security and justice systems in building the capacity to deal with threats, such as those posed by organised crime – and how can the two be more closely linked in strategy so that the burden is shared?
- How can the prioritisation of technical support and institutional capacity building still take account of the political nature of justice and not ‘undermine the balance in authority and power that is at the core of a rule of law system’?²⁴
- How can the conception of justice move beyond criminal justice to also incorporate informal and traditional mechanisms – ensuring that local justice requirements are concurrently strengthened in a way that feeds into a broader vision of legitimacy for the rule of law?²⁵

19 P. Gastrow (2011). *Termites at Work: Transnational Organized Crime and State Erosion in Kenya*. New York: International Peace Institute. p.10.

20 J. Cockayne (2011). *State Fragility, Organised Crime and Peacebuilding: Towards a More Strategic Approach*. NOREF Report. p.7

21 T. Adams (2012). Op. cit. p.5.

22 I. Briscoe and E. Dari (2012). ‘Crime and error: Why we urgently need a new approach to illicit trafficking in fragile states’. CRU Policy Brief No. 23. The Hague: Clingendael Conflict Research Unit (CRU). p.4.

23 J. Cockayne and A. Lupel (2011). ‘From iron fist to invisible hand – peace operations, organised crime and intelligent international law enforcement’ in *Peace Operations and Organised Crime: Enemies or Allies?* London: Routledge. p.193.

24 B. Harborne and C. Sage (2010). *Security and justice overview: Security and justice thematic paper*. WDR 2011 Background Paper. Washington DC: World Bank. p.2.

25 J. Sherman (2010). Op. cit. p.16.

PSG 4: ECONOMIC FOUNDATIONS – generate employment and improve livelihoods

The lack of enough viable economic opportunities currently poses a challenge to many states, fragile or otherwise. Where there are no alternative options or social safety nets, this can lead to significant disaffection and a warping of the “cost-benefit calculus”, thus influencing decisions to become involved in criminal activity.²⁶ Research collected for the World Development Report (WDR) indicates that ‘unemployment and idleness’ are important factors in drawing youths to both rebel movements and gangs (39.5% and 46%, respectively).²⁷ Attempting to determine a link between violence and unemployment is complicated and contentious; however, regardless of the precise link, in fragile states that have experienced conflict, these same concerns are also raised with respect to large numbers of young people, some of whom were involved in past conflicts and still maintain affiliations to networks formed during that time.²⁸ While these networks may have changed and shifted, they can still serve as important hierarchical constructs, for economic means or otherwise, especially where reintegration has been less successful. Where typical opportunities for social mobility through education or jobs are a rarity, crime can provide not only a livelihood, but also the feeling that young people are in charge of establishing an identity and determining their own future. It then becomes extremely difficult to lure people back to education and formal employment if and when other options do arise.

For an initial period, illicit markets can also be a vital source of local income and can broaden the prospects of economic modernisation and state formation.²⁹ Ultimately, however, in terms of the economic environment and investment climate – through its ability to undermine security conditions and interpersonal trust, enhance corruption and generate unsustainable spurts of wealth – crime can result in significant costs for business and economic growth.³⁰ The relationship between licit businesses and the illicit economy is also problematic, with the possibility that criminals own or invest in legitimate businesses, or that businesses provide services for criminals, further complicating matters.³¹ Private sector growth, which is much needed but already difficult to garner in these contexts, will be further dissuaded if foreign investors see the presence of crime as additionally impacting on their assumption of risk. In a worst case scenario, this can forestall equitable economic growth, meaning that elites involved in the higher echelons of the criminal market will continue to profit, while underdevelopment and poverty shall remain the norm for the majority.

Many of the g7+ countries are blessed with considerable natural resources, increasing their prospects to create the economic foundations PSG 4 refers to. However, this also increases their risk of these markets being targeted by criminal groups and of competition over them fuelling violence. The illicit trade in resources provides a ready market for criminal infiltration, as well as access to profits that can be used to enrich networks and finance involvement in other enterprises. It can also provide attractive opportunities for political-criminal backroom deals to take place, complicating attempts to support transparency.

26 World Bank (2011). Op. cit. p.78.

27 World Bank (2011). Op. cit. pp.79–80. For a more in-depth discussion of the strength of the causal link between unemployment/underemployment and violence, see C. Cramer (2010). *Unemployment and participation in violence*. WDR 2011 Background Paper. Washington DC: World Bank.

28 For an interesting comparison of the similarities between ex-combatants and gang members, see J. Spear and B. Harborne (2010). *Improving security in violent conflict settings: Security and justice thematic paper*. WDR 2011 Background Paper. Washington DC: World Bank. p.15.

29 I. Briscoe (2013). *The Threats of Organized Crime: Corruption, Violence and the Challenge of New Approaches in the Post-2015 Agenda*. The Hague: Clingendael Institute. p.5.

30 Ibid. p.5.

31 I. Briscoe and E. Dari (2012). Op. cit. p.5.

Considering the above, the following questions arise in relation to PSG 4:

- Are there any social or community measures that can be put in place if there is going to be a gap between a country's vulnerability to organised crime and its ability to provide adequate economic and educational opportunities?
- How can people's incentives to enter formal employment or education systems be preserved in a context where organised crime provides "easy" money?
- How can licit markets be protected from the damage inflicted by criminal markets, while still facilitating economic growth and ease of doing business?
- How can the dynamics of the local political economy be better understood with an eye towards transforming it, on the one hand, to reduce any associated violence and, on the other hand, to also fold 'it into the state, thus strengthening the state' but without necessarily formalising it?³²
- How can sufficient institutional capacity to deal with sustainable resource management and implementation of regulatory standards be supported in order to protect the extractive industries from infiltration by criminal groups, while at the same time encouraging and facilitating growth in that sector?
- How can private sector development be encouraged in environments considered to be high risk, but in a way that supports conflict and crime-sensitive operations and business practices?

PSG 5: REVENUES AND SERVICES – manage revenue and build capacity for accountable and fair service delivery

Limited and uneven access to services is a 'defining characteristic' of fragile and conflict-affected countries.³³ The scarcity of and value placed on these services – and the long route of accountability that can exist between the government and citizens in terms of delivery – means that they often become 'the currency of political patronage and clientelism'.³⁴ In these contexts, the results of decisions about the "who, what, where and when" of service delivery are both visible and political, and can unnaturally hinder economic growth if certain interests prefer to preserve the status quo in terms of economic distribution. The increased connectivity that technology and infrastructure have allowed means that governments have even less time to boost their capacity in this area, as citizens are now increasingly aware of the types and quality of services others have access to. This can easily breed feelings of dissatisfaction and exclusion if people are not on the receiving end.

Given its high visibility and noticeable impact on the daily lives of citizens, this PSG is perhaps one area where criminal groups can be seen to be in direct competition with the state and can most damage its credibility if they are able to step in and provide similar, better or more needed services. Once popular perception has shifted, if the state attempts to intervene, especially if it chooses to do so aggressively or without being capable of providing commensurate services, it risks being seen as an adversary.

There is another important element that must be considered under this PSG, particularly if the presence of criminality is linked to drug trafficking, even within predominantly transit countries. While local markets can take some time to develop, there is a likelihood that they will eventually develop to some extent – especially if networks are partially being "paid in kind". Evidence from recent case studies in Africa conducted for the United States Agency for International Development (USAID) confirms that 'problematic drug use is increasing along trade routes and affecting people with divergent backgrounds ranging from uneducated former child soldiers

32 J. Cockayne (2011). Op. cit. p.10; J. Cockayne (2009). *Rethinking responses to organized crime and corruption in fragile and conflict-affected situations*. Discussion Paper, World Bank Headline Seminar on Rule of Law in Fragile and Conflict-Affected Situations. p.2.

33 M. Baird (2010). *Service delivery in fragile and conflict-affected states*. WDR 2011 Background Paper. Washington DC: World Bank. p.3.

34 Ibid. p.5.

to private school students from relatively well-off families'.³⁵ A similar pattern has played out in Afghanistan.³⁶ Where public health services, especially mental health facilities, are woefully inadequate if not non-existent, and understanding of the potential harms of addiction is still basic, growing domestic drug use could present a problem that has implications for generations to come if not guarded against from the outset.

Considering the above, the following questions arise in relation to PSG 5:

- Can states with limited resources and capacities provide a counterweight to the ability and legitimacy of criminal groups to compete through service provision, perhaps by focusing on particular services?
- Where people rely on alternative affiliations and networks to fulfil their social and economic needs, how can the state still communicate its legitimacy and commitment to governance and ensure that the state–society relationship is slowly built?
- Where central government has limited reach, how can decentralisation be an effective strategy – but in a way that is protected from criminal involvement and rent-seeking, and that can also eventually be absorbed into government structure?³⁷
- Where there is limited capacity, what are the appropriate oversight mechanisms (beyond budgetary control) and how can they be put in place to serve as an additional layer of accountability, and to provide a degree of regulation?
- How can domestic and international political and financial support for a public health approach to drug use be supported in a context where there are also legitimate security concerns related to trafficking?

35 USAID (2013). Op. cit. p.14.

36 A. Ferris-Rotman (2013). "It can become a cancer": Rising crystal meth use worries Afghanistan', *NBC News*, 29th May 2013. Available at http://worldnews.nbcnews.com/_news/2013/05/29/18584107-it-can-become-a-cancer-rising-crystal-meth-use-worries-afghanistan?lite

37 OECD (2008). *Service Delivery in Fragile Situations. Key Concepts, Findings and Lessons*. OECD/DAC Discussion Paper. OECD Publishing, pp.34–36.

DILEMMAS³⁸

POLITICAL vs. TECHNICAL

Until quite recently, especially for some “strictly” development and economic actors, it was difficult to officially acknowledge that there was any political component to their work. The fact that finding the right balance between political and technical approaches can now outwardly be admitted as a challenge faced by almost all of those working on and in fragile and conflict-affected countries indicates that some progress has already been made towards becoming more comfortable with this dilemma. However, this admission alone has not made it any easier to find the right balance in any given context, or to integrate this duality into policy and programming. As a result, it is still tempting to prioritise or highlight one over the other.

Because of this, there is an inherent danger in the PSGs being thematically divided up in a way that reinforces traditional sectoral approaches and that could encourage purely programmatic responses. Such an approach could potentially lead to only the surface effects of issues being addressed. It could also allow cross-sectoral themes to fall through the cracks, government capacity to be built unevenly and donors to “cherry-pick” only what they want to support. However, it is important not to tip the balance too far the other way either, as ‘the complicated – and hybridized – motives for violence that the international community is now confronting make it extremely unlikely that purely political solutions will be effective in lowering the levels of violence in fragile states’.³⁹

The issue of organised crime further complicates and amplifies the challenge surrounding this dilemma. In part, this is because there is disagreement over ‘whether to treat organized crime as a political actor within the peacebuilding process, to be contained through reactive bargaining and coercion; or whether to treat it as a structural factor that peacebuilding should seek to address through structural transformation, e.g. through development-style programming’.⁴⁰ Where crime has become intertwined with politics, it will further test our ability to get the balance right, requiring an approach that engages political and technical responses in a highly synergistic way.

Taking all of the above into account, the New Deal, particularly if used the way intended, provides a platform that could host both the political and technical aspects of peacebuilding and statebuilding. Moreover, the boldness with which the PSGs attempt to draw attention to this balance welcomes an approach that is more holistic from the outset by acknowledging the inter-related nature of the goals themselves.

Indicators

The dilemma with indicators is that, if used too literally, they could tightly frame and thus limit the space that exists to address the core of the PSGs – including the constellation of accompanying

38 The OECD has previously discussed several dilemmas that emerge in supporting peacebuilding and statebuilding processes, noting that ‘what is required to end violence may be quite different from what is needed to lay the long-term foundations of peace and development’. While the dilemmas we raise here are, for the most part, either directly or indirectly related to addressing issues that arise in relation to the PSGs and/or organised crime, they can also be seen in a similar light in terms of things that need to be carefully managed, while taking into consideration the interests of short-, medium- and longer-term goals. OECD (2011). *Supporting Statebuilding in Situations of Conflict and Fragility. Policy Guidance. DAC Guidelines and Reference Series*. OECD Publishing. p.49. Available at <http://dx.doi.org/10.1787/9789264074989-en>

39 J. Spear and B. Harborne (2010). Op. cit. p.2.

40 J. Cockayne (2011). Op. cit. p.5.

and related factors surrounding them. This is especially true if these are deemed “immeasurable” (which many of them are). Conversely, if used artfully, indicators can serve as the latticework on which linkages between indicators and the intangibles of the peacebuilding and statebuilding process can be captured, monitored and discussed. It will thus be important that, regardless of political pressure, perception surveys are kept as a data source. This will help to ensure that a balance remains between structural measurements and people-based ones and to reinforce the notion that much of the aforementioned process depends on strengthening state–society, as well as inter-societal, relationships.

However, no matter how well they are used and how rigorous the data collection methods are, indicators will only be able to tell one part of the story. Therefore, they must always be viewed with objectivity and caution. If wrongly interpreted, indicators could be used to draw erroneous conclusions. For example, if levels of crime reporting, violence and prosecutions have reduced, this does not necessarily mean that organised crime itself has waned. Instead, it could indicate that crime has become more symbiotic with government, wielding a potentially more damaging blow to the statebuilding process.⁴¹ If applied in a way that is “crime-blind”, indicators could also be used to legitimise a status quo that is more vulnerable to criminal involvement or one that is seen as illegitimate in the eyes of its population. They could also be used to stigmatise certain groups, or to justify prioritising a particular interest area regardless of whether this is actually the best place to channel resources.

Template

Similar to the sentiment above regarding indicators, the dilemma here is the way in which the moment is seized to use the PSGs as a template. If used unimaginatively, the New Deal process could disappointingly serve to rubber-stamp a situation where nothing of substance changes. In this scenario, partner governments might encourage greater spending through national budgets (yet not necessarily in a sustainable or coordinated manner); donors might feel as though they were more effectively ticking the boxes on the list of priority areas concerning fragility (yet without pushing their own or partner governments’ conservative comfort zones to deal with tricky and politically sensitive issues such as organised crime). A far more preferable scenario would be to take inspiration from the New Deal and what it proposes that is actually new: a balance between donor and partner governments as well as between governments and citizens; a more level playing field in terms of decision making and programming; a more astute and transparent approach to issues that fall outside of a traditional development purview; and an inclusive cycle of monitoring and accountability to ensure that critically important, yet difficult to achieve, goals do not fall off the map, even if they are contentious.

Political will

The New Deal has already provided the space for governments and civil society to demonstrate that they have the will to come forward and identify the drivers of fragility within their countries. This is encouraging. However, it remains to be seen whether the political will exists to then consistently address these drivers, no matter what it takes. This is especially the case if there is the possibility that drivers of fragility, and vulnerability to crime and violence, might stem from the same place – at the root of which are perplexing and formidable issues of dissatisfaction and inequality perpetuated by, among other things, a damaged social contract. If so, this would place countries in the difficult position of accepting unpleasant realities, with little incentive to do so, considering that addressing those realities is an arduous and long-term process – one that will probably far outlast current governments.

41 Ibid. p.8.

Both donors and g7+ countries will need to have the appetite to confront issues such as organised crime. These are issues which they might prefer to downplay or to address solely by assisting with building structures – for instance, by bolstering security and law enforcement responses – instead of tackling the less obvious, more delicate but just as damaging causes and impacts. If this will does not exist in genuine and equal measure on both sides, the dilemma presented is whether there is actually the potential to do more harm to the concept of peacebuilding and statebuilding by an initiative such as the New Deal if it falls short of expectations.

OWNERSHIP vs. ACCOUNTABILITY

One of the most exciting prospects of the New Deal is what it inherently means for ownership – not just in shifting ownership from one government (donor) to another (g7+), but in promoting a broader interpretation of inclusivity and ownership. At the moment, the diffusion within countries varies greatly. The central concern is how to move this beyond the line ministries that were at the forefront of the negotiation and adoption phase, and share it throughout governments (including municipal/local) and civil society. This process will not necessarily be easy in countries where personalisation of power is still the norm and where there are fractious opinions about how and what to prioritise. But it will not be possible to foster the shift from the process being mostly supply driven, as it is now, to one that is more demand driven, until the New Deal is encouraged and supported to move beyond the elite and into the community.

However, one dilemma inherent in more extensively spreading ownership is that accountability could also become more complicated and cumbersome. Finding the right balance between oversight and flexibility will be key – and has important implications for protecting against a situation where consultation paralysis makes it difficult to get things done or to agree on programming quickly enough, or where there is a risk of losing response flexibility. The fact that peacebuilding and statebuilding must be endogenous processes owned and led by national actors could also pose tough trade-offs for the international community – that is, in terms of the extent to which responses to organised crime can be, or even should be, pushed externally.⁴²

Legitimacy (state vs. non-state)

The importance of legitimacy is raised above as both a means to building and also a consequence of an improved relationship between the state and its population; it is also an area of vulnerability that criminal groups can capitalise on. Sources of legitimacy can vary and be disputed, and divergent standards of legitimacy will require reinforcing the “good” kind, while de-legitimising the “bad” kind – state or non-state. A factor of success for the New Deal will be its ability to build legitimacy between various stakeholders, and within the process itself. Similarly, effective responses towards crime will require an acute understanding and contextualisation of issues of legitimacy and any vacuums around it. This will include an appetite to shift that understanding beyond a straightforward institutional or central government interpretation and to be comfortable with supporting multiple forms of legitimacy, regardless of their formal status.

Local vs. central authority

Further to the above, donors and multilateral institutions have traditionally dealt primarily with central authority because it has been easier, for numerous reasons. Although lip service is now paid to the importance of strengthening local authority, this is generally left to national governments to undertake, regardless of their capacity to actually address it thoroughly and properly, with limited

⁴² USAID (2011). *Statebuilding in Situations of Fragility and Conflict*. Washington DC: USAID. p.6.

support. Decentralisation agendas tend to focus firstly on the political aspects, such as elections; there is less of a focus on the services that must accompany these aspects for actual legitimacy to be gained or for reach of authority to be achieved. Moreover, a lack of regard is often evident for how these efforts might impact on local dynamics. This can lead to a 'decentralisation of corruption', resulting in 'the entrenchment of political corruption and criminal power at the local level rather than the political centre', a factor that also raises the costs of monitoring.⁴³ While the involvement of local actors is absolutely mandatory, decisions about the degree to which (and how) decentralisation can be supported have to be made based on the realities of service provision and power, the quality of the state presence at sub-national levels, and the potential for various forms of state capture.⁴⁴

Advocacy vs. implementation

The New Deal's commitment to inclusivity, dialogue and partnership provides a historic window of opportunity for civil society to become more actively involved in determining how their country makes progress towards peace and prosperity. The idea of shared ownership empowers multiple stakeholders, but then also allows others to hold them accountable for this ownership. As such, there is a role for civil society to play as both advocates and implementers of the New Deal – but, before they can become the latter, there is still much work to be done on the former. In order for this dynamism to be harnessed constructively, civil society will have to live up to its responsibility and find a way to advocate for common goals together, and to push for the right kind of implementation to happen (that which takes into account many of the challenges and dilemmas that we have discussed above). Groups that are only looking for funding opportunities or are serving the interests of local powerbrokers rather than providing links between the state and its citizens, and between citizens themselves, will not be suitable for this task. National governments not only need to encourage increased civil society participation in this process, but they must also enable it. Likewise, donors not only need to encourage it to happen, but they must also provide the required support so that it can.

PEACEBUILDING vs. STATEBUILDING

The challenges relating to the type of "21st-century violence" referred to in the WDR, and spoken about more specifically here in terms of organised criminality, defy strict categorisation and thus will be able to adapt to and evade strictly categorised responses. The long-term hope to address murky challenges such as these lies in the promise offered by the New Deal: whereby peacebuilding and statebuilding are brought together, acknowledging that tackling fragility will require mutually reinforcing efforts with an accompanying process that is built around engagement, dialogue, transparency and all the other elements it espouses.

There is a necessity for both the structures of the state to promote peace, as well as for the people within and outside of those structures to do the same. This should not be seen as an excuse to solely build more prisons or courts, or to put more police on the streets; it must also be about addressing underlying social ailments, including those that may not be immediately visible. To do this, real resilience will need to be built – moving beyond mere rhetoric to develop a context-specific understanding of what coping and protection mechanisms are and how they can be bolstered, so that societies can insulate themselves from impacts of crime and chronic violence related to it.

43 J. Cockayne (2013). 'Chasing Shadows', *The RUSI Journal*, Vol. 158, No. 2. p.19.

44 OECD (2011). *Op. cit.* p.32.

Through the PSGs, there is the potential to adopt a more concerted and innovative approach to tackling drivers of fragility. However, at the moment, taken at face value there are more distinct overtones of the “statebuilding” rather than the “peacebuilding” element in them, and the framework is presented mostly from the perspective of what governments can do, in a top-down fashion. The reality is that responses to issues such as crime will need a ‘simultaneous bottom-up/top-down approach’ that uses multiple entry-points and engages on multiple levels.⁴⁵ Meanwhile, there is the danger that a framework such as this could create tension between peacebuilding and statebuilding – theoretically, analytically and programmatically – either setting one up to fail or to be subsumed by the other. This will have to be managed carefully as, in essence, some of the novelty and momentum of the framework stems not only from this tension, but also from the tensions arising from the dilemmas discussed here. If capitalised on, this tension could actually help to motivate key stakeholders, and both sectors, to articulate what their vision is for incremental progress towards peace and to perform to the best of their abilities to achieve this aim.

Substance vs. process

Regarding the expectations of the New Deal, if there is a choice to be made in terms of priorities, will there be a dilemma between supporting a fundamental change in the substance or focusing more on getting the process right? If most of the additionality of the PSGs is seen as the shared ownership and accountability embedded within, then the process itself could become more important than the substance within the framework. However, momentum of the process could be lost if decisions on substance are not also moved forward – and the process cannot be allowed to stall. Recognising that a fair amount of the substantive detail will have to be decided on at the country level, will shift as the context does and will be interpreted differently by the various stakeholders will be important if ownership, vis-à-vis the process, is to be prioritised. While in the short term this might mean that there will be less opportunity to focus on quick-win results, and that it will be difficult to measure progress, ultimately there will be greater opportunity to address complex and divisive challenges down the line if greater effort is put into strengthening formal and informal systems, relationships and structures in the medium term.

Governance vs. government

The terms “governance” and “government” still tend to be used too interchangeably, especially in environments where there is a fundamental discrepancy between them. The assumption that governments are necessarily good at governance – or are regarded as legitimate providers of governance by their constituents – has been proven false time and time again. Where governance takes different forms, especially if those forms are unfamiliar to donors (e.g. hybrid, informal or illicit), the tendency is still to focus efforts on strengthening national government and encouraging transition into formality. Criminals and their networks are comfortable with operating on multiple levels, adapting their activities to the context, capitalising on interstices between the formal and informal, as well as inserting themselves between government and notions of governance. Overlooking the relationship between these various factors not only means potentially missing out on key opportunities to access alternative sources of legitimacy and to strengthen local capacity to resist criminal overtures, but it also means turning a blind eye to those who exploit these spaces for criminal purposes and economic gain.

⁴⁵ P. Miraglia, R. Ochoa and I. Briscoe [2012]. *Op. cit.* p.21.

Institutional change vs. normative change

Enhancing the ability of states and societies to support peacebuilding and statebuilding processes, and making them more resistant to negative impacts of fragility, will require both institutional and normative change. Recent years have seen a lot of emphasis placed on the institutional reform agenda and getting the structures in place so that responses can be more efficient and effective. This has been an important step, but without commensurate focus on normative change, increased impacts and results will not be sustainable.

The truth is, we know much less about how to foster normative change, and therefore the default position is to continue to support institutional change. In part, this is because there has been an overwhelming fear of conflict relapse, and strengthening the state is one of the “easier” ways we can guard against this. That is not to say that we have necessarily made matters worse. Rather, it means that we are more adept at supporting structures than people. Moreover, often in our rush to get programming in place, we can overlook what the cause and effect will be, moving beyond bureaucracies to consider impacts on the day-to-day lives of ordinary citizens.

The current approach towards organised crime is similarly bifurcated. Looking at the phenomenon in terms of groups of people is how law enforcement interprets it by necessity of the way in which security and justice systems are designed. Furthermore, these groups of people are usually conceived of as highly sophisticated, cohesive, full-time professional criminals, and while these types of criminals do exist, they are the exception rather than the norm.⁴⁶ More useful would be a strategy that approaches ‘with greater intellectual honesty the incentives facing local politicians, business and the public – not all of whom can be arrested and tried – and recognizes organized crime to be a rational behavioural modality, not simply a quasi-professional activity’.⁴⁷

To address this problem, as well as broader issues of fragility, a deeper understanding is needed of how issues of both structure and agency affect these challenges, and how the New Deal can be used to implement and incentivise progress on both institutional and normative levels.

⁴⁶ I. Briscoe and E. Dari (2012). *Op. cit.* p.3.

⁴⁷ *Ibid.* p.4.

Conclusion

Nothing in this report is meant to be alarmist or intended to be taken as a *fait accompli*. There are states that are deemed “fragile”, which are not afflicted by organised crime, just as there are those considered “non-fragile”, which face its violence and other harmful effects on a daily basis. There is still much to learn about the links between violence, underdevelopment, conflict, fragility and organised crime – including how they interact with host environments, and vice versa. We posit, however, that we already know enough to be extremely concerned. Organised crime is an issue that has real potential to perpetuate the very fragility we are trying to address through means such as the New Deal, the PSGs and numerous other interventions. It could prevent sustainable peace and development from being able to take hold on the precarious foundations that would exist within states and societies hollowed out by crime and any related violence. Considerable time, appreciable financial commitments, and most of all incredibly hard work, have gone into statebuilding efforts thus far – with much more to come. It would be negligent to ignore something that could consistently reverse those gains and erode the goodwill and legitimacy that have already been painstakingly built.

Yet, while other sensitive and problematic issues that challenge development have become easier to acknowledge and discuss, the topic of criminality still elicits marked discomfort among peacebuilding and development practitioners. In part, this is because, as previously mentioned, not enough hard data and circumspect analysis exist on this issue, but also partly because there is a reluctance to point out something for which there is no effective response as of yet. While thinking has admirably evolved quite a bit on statebuilding and some of its murkier conundrums, there is still little impetus and few incentives on either donor or fragile states’ behalf to be honest with themselves and others regarding the seriousness of this delicate issue.

This is in contrast to the abundant incentives that exist for organised crime and trafficking networks to capitalise on globalisation and fragility, along with the advantageous lead-time created by a delay in appropriate responses. The spread of transnational crime has recently been greatly facilitated by ‘the perverse incentives created by the prohibition of goods for which there is persistently strong market demand in richer countries, including drugs, rare timber and endangered species, counterfeit goods and prostitutes; and the ease with which a globalised trading and finance system allows for goods, licit or not, to be moved by sea, air and land, for money to be diverted and laundered, and for groups in remote locations to communicate in real time’.⁴⁸ These enabling factors are combined with porous borders, weak rule of law and oversight, poorly paid government officials, informal economies and trade networks, and rampant underemployment to serve as beacons inviting criminal networks to anchor and become entrenched. Once crime has been able to take root – economically, politically and socially – it will become tacitly tolerated by government and societies, making it much more difficult to deracinate.

The opportunity provided by the New Deal is exciting. The aspiration underpinning this initiative is that states can move along a spectrum of fragility, eventually exiting it by becoming resilient – and doing so in a way that promotes stronger societies, invests in people as well as structures, and fosters dialogue between the state and its citizens.⁴⁹ The reality is not quite as simple, and we know that the pathway each country takes will be unpredictable, contingent and fluid, as well as

48 I. Briscoe and E. Dari [2012]. *Op. cit.* p.2.

49 R. Locke [2012]. *Op. cit.* p.8.

rife with pitfalls along the way.⁵⁰ We will need policy tools that help us to navigate this terrain. The PSG framework could provide just that, allowing the space to take a fresh and honest look at fragility and the risk factors associated with it, and to bring everyone on board. We need to think carefully about what we mean when we conceptualise peace – whether we mean the narrow definition as in the absence of violence, or more broadly the notion of real and perceived safety and security and the ability to address the underlying drivers of conflict and fragility.⁵¹ If we mean the former, we are in grave danger of building middle-income fragile states, some of which will still be afflicted by unacceptable levels of violence. If we mean the latter, statebuilders and peacebuilders have a duty to consider organised crime in their work. This is a chance to move beyond reactive responses and instead to exercise preventive measures by working with governments, societies and people to support their efforts to reduce vulnerabilities and build resilience, peace and stability for the next generation – in other words, goals that fall squarely under the mandate of peacebuilding and statebuilding and that underpin every endeavour.

50 B. Jones and M. Elgin-Cossart (2011). *Development in the Shadow of Violence: A Knowledge Agenda for Policy*. New York: Center on International Cooperation. p.12.

51 R. Muggah and G. Milante (2013). *Op. cit.* p.1; USAID (2011). *Op. cit.* p.4.

Recommendations

Recommendation 1: MORE

Acceptance – organised crime is an issue that has considerable potential to derail peacebuilding and statebuilding efforts, by perpetuating the fragility they seek to address. It can do so by negatively impacting governance; reducing the equitable impact of development and economic growth; feeding cycles of conflict and/or violence; and preventing countries' ability to reconcile their past, invest in building greater legitimacy, and focus on healthier state–society and societal relationships. It is contradictory, on the one hand, to discuss how we can work towards achieving greater development impacts in international policy fora and, on the other hand, not to integrate consideration of spoilers to this that are currently playing out at the country and regional levels.

Awareness raising and sensitisation – outside of law enforcement, organised crime is an issue that is still somewhat specialised and not very well known, even among practitioners who are well versed in drivers of fragility and conflict. Awareness and understanding among affected publics tend to be even lower. With the growing recognition that this is not a niche issue, much more effort will have to be put into raising awareness and mobilising efforts to educate and sensitise governments, multilateral and bilateral institutions, agencies, civil society, informal and formal networks, the private sector and communities about harmful impacts. In many of these settings, at the individual level, it might be difficult to compete with the incentives offered by crime. However, empowering people with the knowledge to make more informed choices could eventually lead to a fostering of normative change and reduced societal tolerance.

Research and analysis – the WDR stated in 2011 that ‘the international system has not been adjusted to keep pace with the emerging analysis of conflict – in particular recognition of the repetitive and interlinked nature of conflict, and the increasing challenge of organized crime and trafficking’.⁵² Not enough progress has been made since then. We know enough to understand how complicated this issue is, but we still have much further to go in understanding the dynamics underpinning it. Additional data, research and analysis need to be collected and produced, so that we can begin to elucidate a more detailed and comprehensive view of: systems (and the groups/networks that operate within them); value chains and revenue flows; actors and stakeholders (including various levels of involvement); motivations; incentives; informality; power structures; and the relationship between these and legitimacy, the licit economy, governance, violence, underdevelopment and fragility. In analysing the problem in greater depth, more attention should also be paid to innovative responses that have worked well so far in various contexts, to add to a growing body of knowledge.

Cooperation and sharing – the information gleaned from the above research agenda will only be properly put to use if we are then able to channel it into effective decision and policymaking processes. This will require breaking down silos and putting greater effort into “translating” information for different sectors and end users. Most importantly, it will require talking to one another – and encouraging varied groups of researchers, practitioners and policymakers to come together in order to discuss, share knowledge, insights and different perspectives, and then strategise on more holistic and collaborative programming responses.⁵³

⁵² World Bank (2011). *Op. cit.* p.181.

⁵³ J. Cockayne (2013). *Op. cit.* p.18.

Recommendation 2: LESS

Aversion – we cannot avoid this agenda just because it is uncomfortable and politically sensitive and because we are, by nature, risk-averse, set in our ways of working and resistant to anything that requires us to adapt. Taking inspiration from the New Deal and its push for a more frank discussion of drivers of fragility, we cannot avoid addressing underlying issues because we would rather not have difficult conversations. Organised crime is a “great equaliser” in the sense that it afflicts wealthy, poor, fragile and non-fragile countries alike; therefore, it would seem to be an appropriate topic to begin to tackle together.

Heavy-handed and overly securitised approaches – this approach has backfired enough times and in enough different contexts to dictate the need for a new way of thinking about how we can deal with the increasing spread of organised crime. This will, of course, still include law enforcement measures, but these should also be bolstered by complementary efforts taking place on multiple levels. These efforts should seek to provide a more comprehensive package of alternative options, targeting not only criminals themselves but also their incentive structures and motivations, as well as the environment in which they operate by supporting the development of crime-resistant communities and exploring the use of “soft power” to shift norms and behaviour.⁵⁴

Unsophisticated understanding of what crime is – straightforward narratives help us to make sense of complicated problems, especially those that we may not have enough information about or insight into. With organised crime, this has led us down a path of oversimplification, where, as discussed in this report, we still tend to think in terms of “good guys” versus “bad guys”. This is inconsistent with the way in which we have seen crime play out in certain environments – that is, where ‘it fits perfectly into a social, political and institutional groove’ and ‘adaptive, context-specific and opportunistic use is made of an illicit business network that very often directly complements other licit activities’.⁵⁵ Criminal groups can also wield considerable political power, calling into question whether we should continue to treat them as being outside politics, and thus solely as targets for law enforcement, or if we must consider engaging with them differently.⁵⁶

Caution and “wait and see” attitude – while the earlier recommendation points to the need for more information, we have enough to at least get started. The international community has a somewhat mixed record when it comes to conflict prevention; this is an opportunity to proactively and pre-emptively begin to address a burgeoning threat that has the potential to trigger even worse outcomes and setbacks. Waiting for a certain threshold of violence or economies to be crossed before deciding to act will only increase the likelihood that entrenchment will have already taken place. Experiences from other countries indicate that this is not a problem that will improve on its own over time – this leaves little justification for inaction now.

54 Ibid. p.20.

55 I. Briscoe and E. Dari (2012). Op. cit. p.4.

56 J. Cockayne (2013). Op. cit. p.17.

International Alert.

346 Clapham Road, London SW9 9AP, United Kingdom

Tel +44 (0)20 7627 6800, Fax +44 (0)20 7627 6900

info@international-alert.org

www.international-alert.org

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