

# Network vs. Network: Countering Crime-Terror by Combining the Strengths of Law Enforcement, Military and Academia

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## Abstract

*Can we tackle the crime-terror nexus in a new and meaningful way? The nexus between transnational crime and terrorism manifests itself in several ways, and for this reason, it is complex and dynamic. The fall of the Soviet Union and the birth of the information age in the late 21<sup>st</sup> Century manifested in an increase of the intersection between crime and terrorism. Broad international efforts to disrupt terrorism over the last ten years generated sweeping changes in the application of military force, brought changes to legal frameworks for law enforcement and focused academic study on the essence and motivations of terrorist groups. In this article we discuss the changing world context of terrorism, the underpinnings of academic research on the crime-terror nexus and the influence of corruption and globalization. As practitioners, we then outline the challenges and frustrations of working in this field. We present a model to illustrate that bringing together the resources of law enforcement, academia, and the military can provide a structurally coherent instrument with which to challenge the ever-changing perplexities of this problem set.*

**Keywords:** Crime-terror nexus, transnational organized crime, terrorism, corruption, law enforcement, military, academia.

## Introduction

After nearly two decades of efforts to combat terrorism following the spectacular attacks in the United States on 11 September 2001, the array of actors—both state and non-state—challenging the post-World War II international order and Western democracies grows.[1] Since 9/11, the broad international efforts to disrupt terrorism generated sweeping changes in the use of military force as well as leading to transformations for the legal frameworks applicable to law enforcement agencies. It also led to a surge of academic studies on the drivers and motivations of terrorist groups. For some Western democracies, most notably the United States and European countries, the terrorism threat appears to be losing importance as great power strategic competition reappears, changing national security priorities.[2] In the case of the United States, for instance, this new security focus found its expression in a revision of the National Defense Strategy. However, not only for the US, but also for some other Western democracies, some of the defense protocols have shifted their main emphasis away from violent extremist organizations (VEOs) and terrorism.[3]

However, the interplay between revisionist nations, rogue regimes, and VEOs must be targeted systematically by states who wish to uphold the legal frameworks of world order created after the Second World War. Challenging this hitherto accepted order, revisionist states and rogue regimes have leveraged conflicts in the Middle East and the terrorist groups that originate in that region. Looking ahead, a ‘terror only’ lens obfuscates the complexity of the current problem set. Revisionist states declare that their foreign policy seeks change in the international order’s *status quo* in a significant way. They adopt a revisionist objective because they see an opportunity to achieve it. Important for our consideration is that they employ a set of strategies that includes the clandestine undermining of existing rules and practices and other actions short of war, including the use of terrorist and transnational criminal proxies. We consider a rogue regime/state to be one that perpetually demonstrates internationally unaccepted behavior. Nevertheless, we acknowledge that rogue behavior is also a matter of perspective. Irrational state behavior that defies norms and rules that the international community deem to be not normal affect the challenging state’s credibility. The credibility of rogue regimes amongst international state actors is typically low, in part due to their sponsorship of known terrorist groups and transnational criminal organizations. Consequently, such regimes become the outcasts of the international system.

However, a complete shift toward focusing only on rogue states would undermine the gains of the counterterrorism efforts that exposed links between corruption, transnational organized criminals [4] and terrorist networks. Recognizing this threefold nexus and countering the existing financial ties is important. This article focuses on countering illicit financing drawn from the authors shared experiences of working together in the field on a tour of duty. However, all the considerations explored within this article relate to countering terrorism facilitation as a whole. The corruption, criminal, and terrorist networks that support revisionist governments, rogue regimes, and violent extremist organizations respectively, all require financial support as the lifeblood for their activities. Far from being defeated, the main terrorist networks upon which the international community has focused until now also function as conduits for illicit financing. To address the threat from such networks, as a counterbalance, a partnership between the military, law enforcement, and academia is called for. Combining the respective strengths of each of these communities into a nexus can offer a powerful instrument for analysis and response. (see Figure 1).

### ***Methodology***

We intend to approach the subject under consideration from a practitioner's standpoint. One of the authors comes from a military background and has focused on counterterrorism and finance while the other, with a law enforcement background, focuses on counterterrorism and countering transnational organized crime. Both authors have benefited greatly in their careers from their contacts with academia. A tour of duty in which we served together combating these challenging networks allowed for the development of the basic concepts presented here. Understanding and mapping the power of these illicit network connections internationally challenged us to try to find a more efficient way to target such a broad threat spectrum. We came to agree that money and financing tie these malicious networks together.

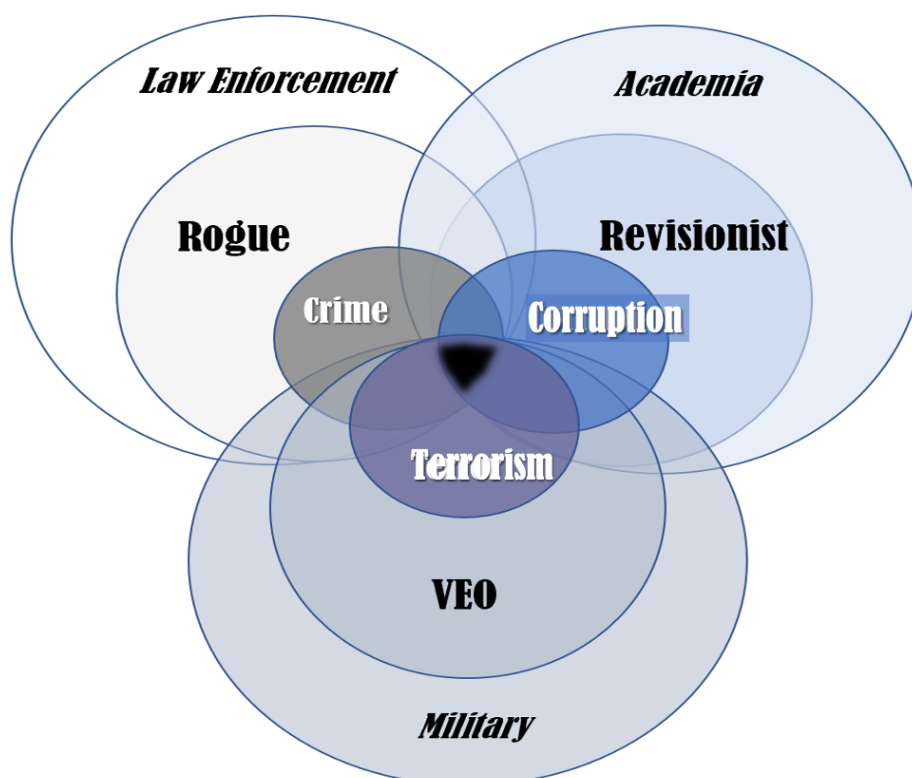


Figure 1

The structure of this article is as follows. After a brief review of the existing literature on the crime-terror nexus and the growth of this nexus by globalization, we outline the pitfalls and challenges involved in fighting this threefold threat. We explore the growing academic body of work on the subject and the increasing international recognition of the cancerous nature of corruption—a cause championed by James Wolfensohn when serving as president of the World Bank.[5]

Having built this foundation we set out, utilizing personal experience, to propose a model to tackle the convoluted and tangled conundrum of illicit financing. Based on admittedly anecdotal evidence only, we believe that corruption is the first condition permitting the growth of crime- and terror organization within a given state. Our experiences belie a simple one-to-one relationship between just crime and terror networks. In conclusion, we suggest that a powerful alliance of law enforcement, military, and academia can tackle the crime-terror-corruption nexus.

### ***Crime and Terror Nexus: Brief Theoretical Considerations***

The nexus between transnational crime [6] and terrorism [7] manifests itself in several ways and is complex and dynamic. In law enforcement, when we find ties between transnational crime and terrorism, we also find a range of peripheral and facilitating illicit activities orbiting around this relationship. These relationships will materialize in different ways since different regions have distinct characteristics (political, geographical, religious, and others). The display of distinct patterns in the relationships also depends on whether the nexus relates to an organization itself or a transaction between two independent groups. The crime-terror nexus manifests itself in two main ways: through the transactional nexus and through the organizational nexus.[8]

### ***Transactional Nexus***

Generally, the transactional nexus involves the combination of a criminal organization and a terrorist group to execute specific operational tasks. This ‘coming together’ materializes in basically two forms: a basic alliance or an appropriation of tactics through organizational learning. The alliances do not generally translate into a long-term relationship due to the vulnerabilities posed by permanent association.[9] Alliances typically happen when either the terrorist or the criminal group requires access to specialized knowledge (e.g., money laundering), specialized service (e.g., counterfeiting), operational support (e.g., access to a smuggling network) or financial support (e.g., money transfers, access to markets).[10]

The appropriation of tactics involves the ability of either the criminal or terrorist group to learn how to integrate the tactics of the other more effectively, developing in-house capabilities for its own purpose. For example, a terror group gets involved in profitable criminal activities (e.g., drug trafficking, arms trafficking, extortion) to enable the financing of its terrorist operations and political goals. Conversely, a criminal organization might learn how to conduct terrorist acts to elicit fear within the segment of society it wants to influence or control. [11]

### ***Organizational Nexus***

As for the organizational nexus, it occurs when the criminal and the terrorist activities occupy the same time and space. When the nexus emerges as an organizational one, there exist variations in the extent to which the activities overlap. The analysis of an organizational nexus can be broken down into the categories of integration, hybrid, transformation, and black hole.[12]

Integration appears in two distinct situations. The first one results from an alliance that evolves to the extent that the criminal and terrorist organizations merge into one. The second one occurs with the targeted recruitment of criminals into a terrorist cell to obtain greater tactical capabilities within a short time frame. Such targeted recruitment is not merely about mobilizing individuals with a criminal background. Instead this action intends to integrate a radicalized group of experienced criminals, generally the ones that already operate in the terrorist’s

immediate community.[13]

The hybrid type of nexus occurs with a fundamental shift in the core purpose of a group. A hybrid group will feature simultaneously ideological and economic motivations by conducting terrorist attacks while also engaging in profitable criminal enterprises. In such a situation, the group in question qualifies as criminal or terrorist. Hybrid groups represent those with the highest potential of being overlooked by both anti-crime and counterterrorism agencies.[14]

Transformation, an evolutionary form of the nexus, occurs when a terrorist or criminal group evolves both organizationally and operationally to fully adopt the fundamentals of the other group. The transformation manifests when the essential aims and motivations of the group change to the point that the original *raison d'être* ceases to exist. Ultimately, a terrorist group reorients to become a criminal organization or vice versa.[15]

The “Black Hole Syndrome” describes an extreme environment that is the perfect breeding ground for many forms of the crime-terror nexus. Generally associated with a geographically defined area that lacks governance and security, territorial rule in these areas defaults to the groups that controls the illicit economy and people. The ‘Black Hole’ fosters the worst-case scenario for the nexus manifestation. The convergence of crime and terror networks perpetuates the extremely insecure conditions of a region where groups vie for the control of economic or political power through the spread of violence and an array of criminal activities.[16]

Each of these theoretical concepts outlines the underpinning motivations encouraging the crime-terror partnership. Applied operationally, the transactional nexus results in more tangible and discrete actions between groups. Hence, efforts to thwart the financing involved in these partnerships stand greater chances of success when it comes to dismantling or disrupting them. Crime and terror groups that merge organizationally provide significantly more challenges to efforts to break them up. A specific analysis of this effect in Europe revealed a merger of criminals and terrorist not by groups but by more powerful social networks.[17] By definition, these organizations now have merged illicit capabilities and demand a similar application of combined tools by authorities to find, isolate and counter them. Targeting the financing of these groups with combined expertise allows for the application of criminal and counterterrorism laws as well.[18]

### ***Globalization, Corruption and Fragile States: An Interplay that Intensifies the Crime and Terror Nexus***

Most scholars argue that the fall of the Soviet Union and the birth of the global information age enabled an increase in the intersection(s) between crime and terrorism.[19] The end of the Cold War and the consequent decline in state-sponsored terrorism paved the way for the expansion of alternative sources of financing for terrorist groups and insurgent movements. Criminal financial sources such as drug trafficking, smuggling, extortion, and the like provided insurgents with the needed financial resources to maintain permanent armies of foot soldiers. Standing forces require weapons, supplies, food, and a payroll for salaries. Additionally, terrorist groups need funding resources to acquire illicit supplies and service (e.g., falsified documents, cross-border movement of agents, smuggler support, firearms, and explosives).[20]

At the dawn of the 1990s, most terrorist groups had started to develop know-how about engaging in criminal activities geared toward supporting operational financing. The post-Cold War era, along with the subsequent rise of intra-state tensions around the world, regional wars, and advances in globalization, have exacerbated the conditions that have driven the already flourishing association between terrorist and criminal groups. As a result, modern terrorists have long realized the necessity of possessing a diversified portfolio of sources of financial income. They recognize that relying on a single flow of funding, such as state sponsorship or charities, can pose an unacceptable risk to the organization. If authorities isolate and close the single channel of funding or it becomes hampered for any other reason, the organization’s financial structure collapses.

Globalization adds additional complexity to the equation. Since the mid-nineties, the global environment has evolved at an impressive rate, enlarging, accelerating, expanding, and disseminating everything. There is a



growing consensus among public policymakers, academic researchers, and diverse professionals that the world has advanced to the point in which global governance has become overwhelmed.[21] Elements that cause this difficulty in governance include rapid developments in information technology, communications, physical transport, demography, and additional advances that have greatly expanded the transnational integration of peoples, economies, and markets.[22]

This technological development has transformed people's routines, making their lives more comfortable and their businesses more profitable. However, this leap of technologies also disadvantages regulatory communities as it hyper-enables capabilities that can be used for 'dark side' behaviors, support, and financing. It was precisely this undesirable transnational integration of illicit flows that led to the term "deviant globalization" being coined.[23] In this regard, criminals and terrorists benefit from advances in technology-induced globalization and exploit not only the numerous gaps in legislation but also the capacity and scope of law enforcement in each country in which they carry out their illicit activities. Illicit actors take advantage of the growing integration of markets, in which they benefit from the progressive acceleration of technologies in terms of communications, transportation, and financial systems.[24]

In periods of disruptive innovation, the governing mechanisms of the world become vulnerable to manipulation as progress moves faster than bureaucracy. Therefore, lagging governance on part of the authorities leaves populations increasingly exposed to terrorist and criminal activities.[25] Following the Second World War, most of us lived in a relatively balanced world, with global tensions, in general, manageable and international borders by and large respected. However, recent history has shown that criminal organizations such as the Revolutionary Armed Forces of Columbia (FARC) and terrorist groups such as the Islamic State of Iraq and Syria (ISIS) are capable of successfully destabilizing a state internally and creating disturbances beyond its borders. In this large-scale context, both transnational organized criminals and terrorists need a set of conditions to enable them to thrive. Corruption offers the first condition underlying almost all advances in crime and terror in a given state.

In the academic field, Louise Shelley introduced corruption as the backbone of every kind of relationship that exists between contemporary crime and terrorism. With emphasis often placed on cases of corruption by state employees, she noted the presence of widespread corruption across politically weak and failed states. These states demonstrate little to no capacity or political will to prevent the spread of corruption. Corruption has thrived in our world, and with the arrival of the information age, it continues to exceed the levels previously seen. This uncontrolled advance of corruption fosters criminal enterprises as well as terrorist activities. Ultimately, it also nourishes the relationship between crime and terrorism.[26]

Corruption thus exists as an underlying condition for the increase in crime and terrorism, along with other variables to strengthen it. Weak and failed states represent a variable that both criminal and terrorist groups exploit for their purposes. A power vacuum develops once the state's governing bodies allow the rule of law to become subverted by corruption. When the state does not exercise power over all of its territory, criminals, insurgents, and terrorists take advantage of the vacuum left by the state and occupy it. Consequently, they establish themselves, recruit, train, expand and consolidate their illegal activities.[27] Corruption in such cases generates the 'black hole syndrome' discussed above.

Weak and failed states are an alarming phenomenon.[28] Already severely weakened by bad governance, corruption, weak institutions, the abuse of power and the absence of internal controls, such states become vulnerable to deep penetrations by terrorism and organized crime. Foundations of commerce based on illicit activities erode such states further and can cause them to collapse, dragging their populations into poverty and miserable conditions. However, poverty alone does not lead people to become terrorists and criminals. The combination of poverty, poor governance, weak institutions, abuse of power, corruption, and lack of accountability make a country susceptible to all kinds of terrorist and organized criminal groups.[29] Severing the financing derived from illicit commerce represents the most direct way to address this vortex.

With globalization, country borders have become more permeable in order to benefit trade. However, money, weapons, and people now also move faster across unregulated borders. The numerous tax and customs

incentives, as well as the increasing promotion of international trade, intensify the already colossal transnational movement of goods. This avalanche of trade and the resulting pressure exerted on state controls also fuel corruption and the state's indulgence. Most border controls have become weaker, signaling a progressive retreat of state controls.[30]

As practitioners, our experiences confirm that organized criminal and terrorist groups thrive on establishing their bases of operations in conflict regions, failed states, or poorly policed border areas, especially today when these conditions help foster their strength. For them, the worse a state's governance, the better for their illicit activities. Consequently, most criminals and terrorists have no interest in a stable state; on the contrary, they prefer to destabilize the state and its structures, either for their own financial profit or for ideological reasons. Additional consideration should also be given to the fact that current advances in technology allow criminals and terrorists to outsource specific processes of their illicit activities globally, depending on their needs. If specific transactions necessitate a solid banking system or a stable state structure for a portion of their scheme, they simply resort to environments that can provide these benefits without having to abandon their base of operations in the weak or collapsing state in which they have taken roots.[31] Witnessing the proliferation and spread of bad actor capabilities and expertise in this way also motivated our proposed means to challenge them.

Finally, the variable of "network" permeates not only the most successful criminal and terrorist organizations but also characterizes their dynamic relationships. Until the 21st century, most criminal and terrorist groups tended to be organized hierarchically. This hierarchy provided its members with a clear understanding of the organization's mission, as well as setting the rules, limits, and goals for business objectives. A hierarchically structured organization, led by an autocratic leader, incorporates what is often a rigid "command and control" structure in terms of how the organization functions.[32]

In contrast, a networked organization can take many forms and pursue multiple and even conflicting goals. A network divides its tasks among its various members. There is no "command and control" structure, but rather relationships emerge, based on transactions. Eventually, this organizational architecture guarantees efficiency to the network. By promoting quick communication and coordination between its parts, this structure allows for operational viability while maintaining its ability to perform functions covertly. The dispersed and loose transactional relationships also become less detectable for public authorities. Furthermore, criminal networks benefit from all the other variables discussed in the preceding paragraphs: globalization, technological advances, illicit global markets, internet communications, weak/collapsing/bankrupt states, conflict zones, and corruption.[33]

Therefore, it is necessary to mention that, despite the benefits of globalization, contemporary terrorists and the new generation of transnational criminals are not merely a globalized variant of their predecessors. Their criminal enterprises do not just represent a conventional criminal structure on a larger scale. On the contrary, they have developed in a way that now mirrors the elaborate architecture and organizational structures of modern global companies. The mentality, operations, financial structure, and goals of transnational criminal organizations now display capabilities many steps ahead of their 20<sup>th</sup> century predecessors. These groups smartly create networks, quickly outsource, and competently develop local leadership to successfully manage their human resources. This network structure allows organizational cells to operate with autonomy and resourcefulness. Therefore, they do not need interaction with the upper echelons of the leadership and may have only limited contact with senior leaders. In this way, these organizations can play an influential role in corrupting global markets if they find enough room to flourish locally. Given the organic growth from within a vacuum or local gap, they become capable of undermining the stability of states. At the same time, such organizations represent a severe threat to public security and intelligence agencies, as their multidimensionality makes them difficult to monitor.[34]

The purpose of the discussion thus far was to acknowledge and highlight the research describing the main characteristics that distinguish the nexus between crime and terrorism today. The arguments presented are a synthesis of the ideas currently adopted by some of the most respected scholars and professionals in the field. These two previous sections intended to illustrate how the academic work in this field influences us as

practitioners who are operationally engaged in combating these groups. Our underlying belief in the centrality of the academic and research community becomes a critical piece in our proposal on how to counter this nexus more effectively.

### ***Fighting the Nexus: Frustrations, Obstacles, and Pitfalls***

The crime-terror nexus alone does not represent the ultimate adversary to decent state behavior. Crime, corruption, and terror networks function with impunity inside self-sustaining and supportive relationships, be they transactional or organizational in a globalized context. These networks continue to weave themselves together to maximize combined strengths and minimize individual weaknesses, given technological advances and self-interested motivations.

Perhaps the most elaborate and eloquent of these manifestations remains that of the Lebanese Hezbollah. Considered everything ranging from a political entity to a transnational organized criminal group, a social service provider to a terrorist organization, the “Party of God” manifests the nexus in every way laid out in the theoretical section of this article. Transactional, integrated, hybrid in parts, transformational, functioning in ‘black holes’, the Lebanese Hezbollah exists globally with a broad network of operations generating diversified funding mechanisms that take advantage of the legal, regulatory or moral gaps and in its areas of operations.

Illicit actors who operate on such a grand scale accomplish their goals and thrive within areas that represent gaps and seams spanning the metaphoric to physical dimensions of regulation, leadership, and territory. Breaking down the challenges involved in dealing with criminal-terrorist nexus groups in line with these three dimensions adds more credence to the construction of a means to dismantle them.

### ***Regulatory Gaps***

Finding a common string to pull together the totality of these networks brings us back to the critical role that financing plays in supporting illicit activities. Because the US dollar functions as the primary world reserve currency for international trade, the laws governing the banking system in the US ripple throughout the whole world. Given the August 2017 directive of the US Congress in the Countering America’s Adversaries Through Sanctions Act (Public Law No. 115-44) (CAATSA) to develop a National Strategy for Combating Terrorist and Illicit Financing, the attempts to starve terrorists and supporting networks of their funding remain an uphill struggle. Great success stories of freezing and seizing tens of millions of dollars of associated terrorist assets are featured in books such as *Treasury’s War* by Juan Zarate. However, the international community writ large remains stymied in the effective utilization of combating the financing of terrorism (CFT) and anti-money laundering (AML) regulatory instruments and has not managed to change the trajectory of terrorist and transnational criminal organizational successes.

It must be noted, that while the application of Section 311 of the USA PATRIOT Act does allow for the successful freezing of financial assets outside the territory of the United States, politically, it requires tempered use given the brusque response of Allied countries that might see their financial institutions affected.[35] Due to the political nature of some of these direct banking actions via Section 311, foreign governments attempting to motivate the US Treasury to act with this legal tool on their behalf often must find other means to strike at the terrorist financing they come across. An example are the litigation strategies used, both internationally and within the United States, by the *Shurat HaDin*, an Israeli Law Center against banks, businesses, charitable organizations and other entities found to be involved in funding terrorism activities related primarily to Hezbollah, Hamas and the Palestinian Liberation Organization.[36]

To contemplate the challenges of combating the financing of the crime-terror nexus, simply by looking at the means by which terrorist groups raise funds complicates the model since terror funding is not necessarily linked to a predicate crime. Addressing illicit criminal financing at a minimum requires a crime to occur in

order to generate the illicit funding, giving regulatory and policing activities at least one starting point from which to find the funding. The terrorist model of funding determines the means of denial required. The three primary models of terrorism finance are the donor-model (Al-Qaeda) that collects money from sympathetic patrons; the state-sponsorship-model (Hezbollah) that receives funding from a foreign government; and the territorial-model (ISIS) that raises funds from black market sales, local taxation, population extortion and bank seizures.[37] Criminal, corruption and terrorist networks utilize a wide range of everchanging and morphing means to transfer value around the globe. These illicit actors exploit pathways offering the least regulatory resistance based on denial mechanisms utilized to counter their fundraising model. Until the development of the territorial model utilized by ISIS, the primary means to restrict fundraising revolved around the intelligence-driven mapping of terrorist funding networks through the international financial system that sought to deny access to finances via sanctions, bad actor listings, and state to state pressure. While the United States has codified laws to address terrorism financing, the rest of the world varies in its position on the subject.

International organizations from the Financial Action Task Force (FATF) to the International Monetary Fund (IMF) passing through the UN Security Council and the Egmont group, all reiterate and champion guidelines highlighting the critical role that CFT should play in safeguarding not only the global financial system but also citizen around the world. Nevertheless, none of these organizations wields enforcement mechanisms strong enough to inoculate the global financial system from illicit actor challenges via existing organizational structures and market incentives. To illustrate these systemic weaknesses, in 2018, after the fall of ISIS, Forbes estimated the annual income of the ten wealthiest terrorist organizations at over US \$ 3.6 billion, with the deadliest terrorist organizations also being the wealthiest.[38] This assessment estimated the annual income of Hezbollah topping the list at US \$ 1.1 billion, with ISIS falling from a high of US \$3 billion a year to US \$ 200 million after the physical collapse of the caliphate. With estimated annual incomes in these ranges and undetermined residual/stored savings for each group, the detection, prosecution, and indictment of the entities moving and storing this amount of assets appears to be grossly under resourced. Organizational and structural improvements to the international AML/CFT architecture must be developed to move from guidance and resolutions at the international level to executable deter, defeat, freeze, and seize actions. Additionally, the international community must bundle the requisite informational data and research skillsets, intelligence, and law enforcement expertise in strategic groups to allow for the development of greater capabilities.

Moving from structural CFT organization issues to considering compliance challenges, the United Nations Security Council Resolution (UNSCR) 2462 demands the continued compliance with these issues by the international community. The UNSCR, dated March 28, 2019, *reiterates, reminds, and encourages* the application of CFT programs. The resolution *notes with concern* that member states have been falling short of their responsibilities as they have not effectively enacted or enforced the prohibition outlined in the post-9/11 UNSCR 1373-paragraph 1(d): [39]

d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons (*UNSCR 1373 September 28, 2001*).

The agreed-upon statement in paragraph 1(d) acknowledges that compliance with the basic tenets of CFT remains lacking more than 8 years after the resolution passed. Moreover, this document highlights the increasing challenges for compliance in this arena, given the increased complexities in international funding networks. It *seriously notes* and then *further notes with grave concern* that terrorist organizations continue to raise funds through a wide and far-ranging variety of both legal and illicit means. Further, it also highlights the crime-terror-drug nexus stating its *concern* on how terrorism benefits from existing transnational criminal networks in its financing or via logistical support. Perhaps most importantly, regarding considerations that generate actual effects, the newer UNSCR 2046 again references the original UNSCR 1373 decision to criminalize CFT actions. It also highlights that coordinated and timely information sharing from local and international law



mechanisms must exist to counter the financing of terrorism.[40] Perhaps, in looking at it more objectively, the cancer of corruption might explain some of the complications involved and the slow action of governments, businesses, and citizenry to crack down on illicit financing of terrorism and organized crime.

### ***Leadership***

By the end of the 20th century, police agencies and armed forces in many countries conducted successful operations which dismantled influential criminal and terrorist organizations by capturing or killing their high-level leaders. As hierarchical criminal organizations, once these groups lost their top leaders, they tended to fall apart. However, faced with the loss of leadership, often less-qualified leaders emerged who could not keep the structure of the criminal organization together and ended up losing strict controls amid internal fights and external pressures. This scenario of targeting leadership risks the fragmentation of the original command and control structure, thus compelling mid-level leaders to search for alternative ways to conduct their criminal business. This situation ends up forcing them to disperse into a “network” model which allows these mid-level leaders and their loyal associates to stay in business. Given this natural dispersion, an ad-hoc, obscure, and complex environment gradually emerged, which is the current challenge faced by security agencies.[41]

The ‘network effect’ of autonomous criminal organizations creates new relationships between terrorists, criminals, and entrepreneurs who orbit around the margins of the licit economy. These organizations recruit qualified and capable people, knowledgeable in their operating environments. This human resource focus allows for a mastery of local rules, laws, and regulations, and the subsequent application of these to their advantage. This forward-leaning recruitment also fosters the vast use of emerging technologies via the Internet and the Dark Web, as well as the development of virtual, crypto, and person-to-person (P2P) financial instruments. For all these reasons, criminal networks with an entrepreneurial flare are currently fomenting a real nightmare for public security.[42]

### ***Territory***

Aggravating the situation outlined above, the origins of terrorist and illicit funding from both legal and illegal means often extend beyond the borders of a single state. Structurally, the required combination of cooperation between international political, banking, financial, and other at-risk entities along with the protection of individual rights by national sovereignties create challenges when it comes to addressing the complex nature of these transregional terrorists and criminal organizations that cross borders. These illicit non-state actors nest in border regions and amongst vulnerable populations to take advantage of gaps and seams in regulatory frameworks between national organizations.

Border regions can be broadly analyzed in two categories: areas with an agglomeration of people and informal commerce/black economy or remote and distant areas, subject to precarious state controls and insufficient policing. History has shown that overcrowded borders, informal trade, and loosened controls factor into levels of local corruption and bribery required to support fluidity in illicit network trade and trafficking. Consequently, paired with the growth in these cross-border activities, areas of this nature are likely to become increasingly tense. Border region instability, underpinned by corruption, also dramatically increases frictions between neighboring states. In the category of the remote and distant border areas, the ‘black hole’ described earlier is especially noteworthy; poor state control enables criminals and terrorists here to determine their routes and strengthen their logistics without the need for much support.[43]

The fleeting nature of physical borders with the combination of globalization and Internet information age also represents an exploitable ‘territory’ seam. Many support functions for illicit actors may now be ‘borderless’ as they transition to technologies that reside only in electrons and the cloud, thus confounding the application of specific state regulations or statutes.

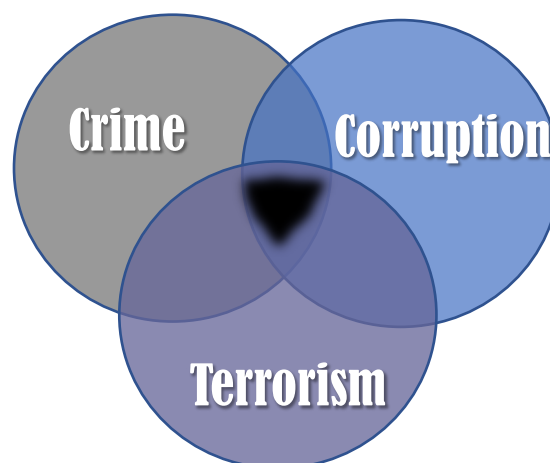
### ***Countering the Nexus Effectively***

To counter the complexity of these international threat networks, we must employ an equally powerful network. In this section, we propose a different construct to address the criminal, corruption, and terrorist networks that continue to generate the frustrations and challenges outlined above. Following a similar schematic to that of the illicit actors, this proposal draws upon the strengths and experiences of three good acting communities to minimize their weaknesses and gain greater effectiveness when confronting this new crime-corruption-terror spectrum. To generate the full picture, we suggest that the three layers of all three conceptual constructs be overlaid in order to illuminate not only the overlaps but also the center to be targeted.

While the continued implementation of levers of national power [44] by liberal nation-states intends to positively change the behavior of illicit actors, as a community, we fail to acknowledge that efforts toward shoring up our weaknesses might give us a more effective means to stunt the growth of hyper-enabled illicit networks. Criminal networks target differences between law enforcement authorities and jurisdictions. Terror networks embed in and promote lawless territories and use violence to spur vulnerable populations to fight. Corruption networks eat away at the rule of law and foundational institutions across the board within nation-states. The advent of the information age and globalization brings easy access and transparency of exploitable gaps and seams in the ever adaptable and changing illicit architecture. Thus, the community must become more predictive and less reactive to take away the upper hand from the bad actors. To do so, a combined law enforcement, military, and academia-based cooperation construct between countries can buttress weaknesses in the current international structure. Complete international expertise cannot be accomplished singularly by one country alone.

### ***The Crime, Corruption and Terror Nexus***

The threefold intersection of these types of actors is perhaps clearest in the case of the Lebanese Hezbollah. [45] Groups that are solvent because of their successful criminal activities, groups that are allowed to operate by corrupt governments, and groups able to carry out terrorist acts on behalf of proxy donors lie squarely in the powerful black shaded intersection of these networks (Figure 2). As noted previously, the groups that operate across these functions as hybrids represent those that are not only the hardest to prosecute but are also often overlooked. The cooperation between crime, corruption, and terror networks requires focused analysis.



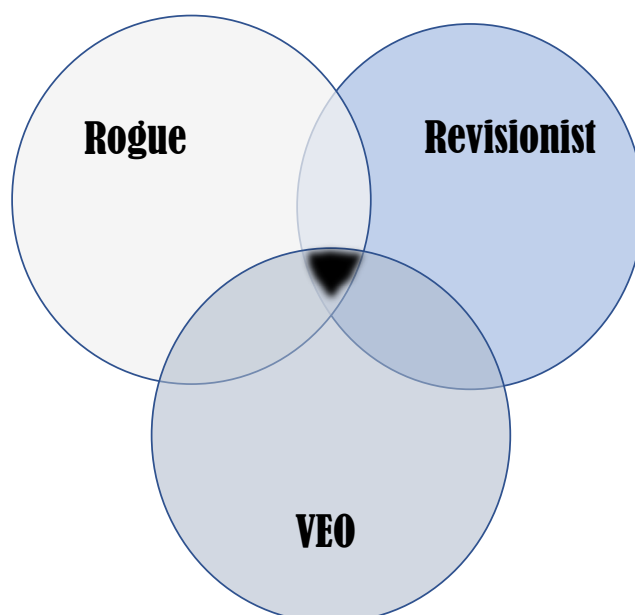
**Figure 2**

The worst-case scenario develops when the visual representation depicts more of a single (blackened) circle, as the goals of these three networks progressively converge. Finally, we need to consider whether a hybrid form emerges in situations in which criminal and corruption networks pull closer together whilst pushing the high-risk terrorist networks out of the nexus when there is a decreased need for cooperating with the latter. In this regard, OECD could utilize their 2017 assessment of the terrorist, corruption and criminal exploitation of natural resources as a benchmark.[46] The future requirement to monitor, assess, and then act on these eventualities needs a supply of specific actors with the required national skillsets as well as international cooperation to accomplish this task. The known intersection that links these elements together are the financial and economic crossovers that exist between them.

### ***Revisionist, Rogue, and Violent Extremist Nexus***

As in the case of the overlaps between crime, corruption and terrorism, the bigger the single (blackened) circle in the visual representation the worse the scenario regarding the convergence between rogue, revisionist and violent extremist organisations (VEOs) as this depicts a greater meeting of goals and interests, making the nexus more difficult to untangle (see Figure 3).

The primary intent of the CAATSA in the United States—apart from combating terrorist and illicit financing—is actioning sanctions against revisionist states (e.g. Russia) and rogue regimes (Iran and North Korea).[47] This law works off the fact that US sanctioning exert significant influence due to the global reach of US dollar transactions. In other words, although this is a United States specific law, it clearly affects the world banking system as a whole. Additionally, with the revival of old geopolitical rivalries, Cold War-era power plays are back in international relations.[48] When one adds China into this mix as a revisionist nation, the collective disruptive power of these three categories along with the fact that each category includes some pivotal international players, effectively pulls the world back from what was once seen as an undisputedly progressive post-Cold War liberal order.



**Figure 3**

From a pro-democracy stance, China and Russia both walk fine lines ranging from outright to mild proxy support of rogue regimes like North Korea [49], Iran [50], Syria [51] and Venezuela [52]. Of course, we cannot reduce these relationships to a basic confrontation with U.S. and Western countries. However, such support for rogue regimes can be clearly located in their foreign policy stances and is apparently contributing to their

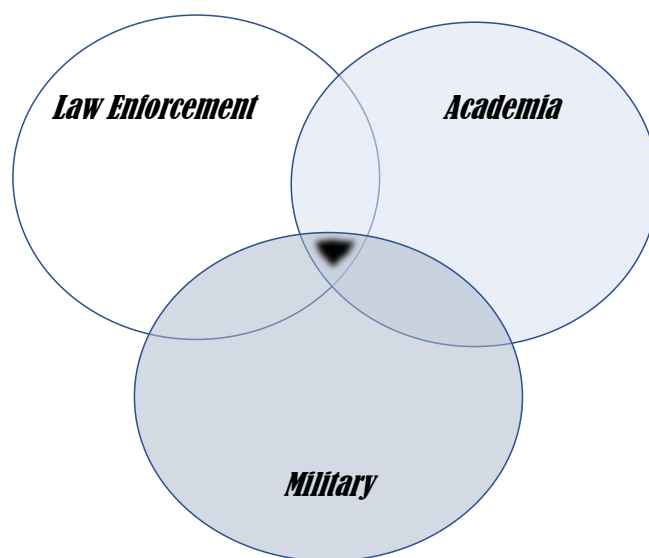
geopolitical aims. Furthermore, Russia and Iran support varying degrees of (what Western-oriented nations would consider) violent extremist organizations to fuel a number of conflicts.[53][54] Finally, violent extremist organizations garner monetary and technical support from all revisionist and rogue regimes if their endgame aligns with that of certain state actors.

Revisionist states and rogue regimes seek to allow for, or maintain, the longevity of their domestic political structures. Common goals and long-term gamesmanship increase the propensity for all three actors to work together in order to threaten or even overthrow the current world order. The economic strength of the liberal world currently stands as the only bulwark against a fuller convergence of this nexus and once again places finance at its center.

### ***Law Enforcement, Military and Academia***

The foundational reason why we propose an alliance to counter terrorism that includes law enforcement (LE), military and academia is because we draw from our own positive experience serving together in the field. In our experience, LE and military communities bring the specialized operational and tactical skills most closely associated with the criminal and terrorist groups. But this skillset is greatly bolstered by the addition of detailed academic research on all the theoretical concepts involved in these relationships. We do recognize that other organizations such as the Financial Intelligence Units (FIU), national intelligence agencies and the private sector's financial institutions, just to mention a few, are also key partners and essential for an ideal interagency working environment. However, in our experience the cooperation of just these three sectors already represents a great improvement in countering the financing of terrorism (see Figure 4).

As discussed earlier, it is the vein of corruption and illicit finance that provides the lifeblood by which illicit actors prosper, both locally and internationally. Corruption targets the pillars of state security by challenging the rule of law, institutions such as the army, the police, the judiciary, and the defense sectors as corruption progressively weakens states.[55] These functional areas represent specific spaces upon which to focus corrective action and garner synergy amongst good actors who are intent upon drying up the financial flows that hold crime and terror, empowered by corruption, together.



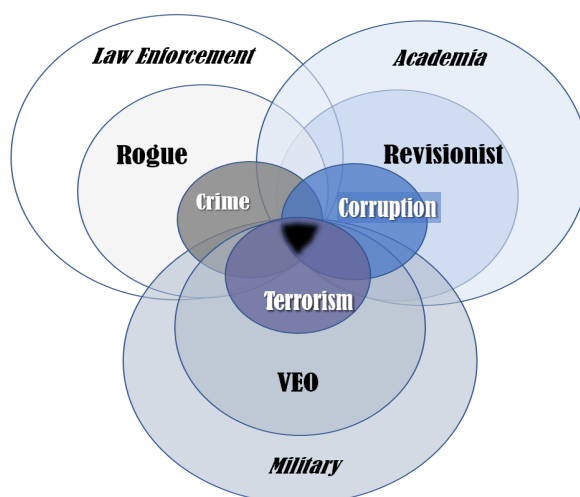
**Figure 4**

We suggest that the merger of these circles is similar to the 'find, fix, and finish' process utilized within a military targeting context. With long-term expertise in regions, states, ideologies, groups, and even specific individuals, academia and research communities become a critical enabler for following the money flow.



Countering current international security and financial threats requires not only learning from the successful practices used against terror networks but also acknowledging continuing weaknesses and failures.

For both the military and law enforcement, captured enemy materials provide information and reveal the inner workings of terrorist activities. Academia and think tank research partners become paramount in helping to identify, illicit groups or criminal individuals. The analysis of research-based empirical evidence then allows to mobilize military and law enforcement resources to target these illicit groups and malevolent individuals. One of the key utilities of captured enemy material collection and analysis is to provide information that is suitable and useful for future law enforcement action followed by successful legal prosecution. A key challenge to successful legal prosecution is the jurisdictional limitation placed upon judicial processes. Given these jurisdictional and prosecution challenges, generating academically researched, legally grounded reports and militarily supported prosecution packages offer law enforcement a credible way to leverage the now exposed gaps and seams. Additionally, this partnership brings together the required expertise to support non-kinetic options to counter the financing of threats by making clear the linkages between violent extremist organizations and their sponsor states. A weakness in the current counterterrorism model that stunts its ability to address the broader problem remains its proclivity for choosing kinetic military-force as the 'finish' option. To reiterate then, this proposed partnership would directly correct this weakness.



**Figure 5**

Combining the three layers of the three nexuses illustrates how the focused efforts of these functional areas (i.e., law enforcement, military and academia) ought to tackle the combined, overlapping threat(s) posed by the two bad actor nexuses (see Figure 5). Cooperation and delineation of primary tasks amongst functional areas must occur to optimize the ability to counter the current strength of illicit actors (as illustrated in Figure 5). The diagram above is intended to be dynamic and fluid. Thus, each functional area of expertise assumes primary responsibility for the part of the criminal, corruption, and terrorist nexus most closely aligned with its expertise and authority in a given case or circumstance, which could be related to specific mandates, countries of operation or shape of alliances. Depending on these circumstances, the balance of knowledge and expertise of law enforcement, military and academia will vary among the subjects (crime, corruption and terrorism) and actors (VEO, rogue and revisionist) and thus enrich the counter-threat actions.

The constantly developing operational capacities of law enforcement and the military, combined with a concomitant growth in their mandates is what gives shape to the dynamic and consistently evolving relationship between the two. Moreover, not only are there clear overlaps between all three functional areas, it is also important to underscore that these overlaps are dynamic. This means that there are no fixed roles for the actors involved in this partnership because as the time and space they work and interact in are constantly changing so too are the dynamics of their role(s) and relationship(s). In other words, roles are adjusted according to the

requirements, challenges and limitations of the case being addressed. It is important to note that the bad nexuses are also in constant flux and evolution. This also serves to impact the ways in which the law enforcement-military-academic partnership evolves as it responds to new challenges presented by shifts in the bad nexuses. Thus, a key feature of our proposed model is to acknowledge this fluidity in all three nexuses and to build into our analysis this dynamism of challenges, roles and responses.

Our own experience in a particular law enforcement-military-academia partnership established for a four months long period within a tour of duty is an example of how this model can work. Among other counterterrorism financing cases, we solidified an effort toward mapping and trying to locate critical evidence linked to the Lebanese Hezbollah's financing of terrorism. The primary motive behind this effort was to collect useful data that could be leveraged for criminal prosecution. Data on individuals and cells internationally affiliated with (or orbiting around) Hezbollah and its facilitators were collected from two main sources: from the military in the declared theater of active armed conflict and from a variety of law enforcement investigations and operations in different theaters.

The initial collection effort was followed by in-depth discussions which also involved multiple academic subject matter experts with the aim of devising a mindset and shaping a framework to understanding what would be the best way to approach a mass of (mainly) digital data. In the end, we obtained positive results thanks to the constant information sharing and the assistance of subject matter experts who provided context and helped deepen our understanding of Hezbollah.

In another scenario, upon returning from deployment, the established relationship (law enforcement, military, academia) allowed for the integration of these actors at an event with an academic subject matter expert on Hezbollah, Dr. Matthew Levitt. His recently release dataset, the Lebanese Hezbollah Select Worldwide Activities interactive map [56] builds upon his published book and represents the first-ever publicly available, interactive map and timeline of Hezbollah-related events to date. This Hezbollah related timeline and map website were first presented as a test demo to law enforcement, military and other interested interagency partners. This fact represented the epitome of how deep academic research amplifies the operational potential of both the LE and military communities when closely partnered, which in the case of countering Hezbollah will surely enhance the capabilities of the state actors involved.

Based on this experience, the recommendation of the authors then is that international bodies such as the World Bank or the International Monetary Fund establish regional "deployment" type environments for one-year rotations, representing a sabbatical for the academic practitioner and an operational assignment for the LE and military members. Participating countries would rotate hosting the group of regionally affiliated team members possessing the requisite authorities to appropriately action financial revelations made by the group. Something of this nature would be particularly helpful with respect to the case of Hezbollah. A regional group formed from the tri-border region of Paraguay, Argentina, and Brazil and external practitioners concerned with Hezbollah's financing activities could focus concerted effort on tracing funding raised in and/or passing through that area. This effort would provide direct support to the Counter-Hezbollah International Partnership (CHIP) built to target Hezbollah financiers and unite the international community in aggressively pursuing these funding streams.[56]

To encourage and strengthen shared purpose partnerships of this nature between academia, law enforcement and the military, we suggest addressing four basic requirements of successful group dynamics to break down barriers that exist across not just the individual communities but also at the international level. First, the groups must *know each other* to improve connections and synergy among them. The establishment of continuous relationships allows for increased trust and understanding of capabilities and weaknesses or blind spots between functional areas. Knowing partner players helps to break down barriers and improve connections, address weaknesses, and generate synergies amongst team members as they assess and target the threat.

Second, *efficient communication channels* must encourage information sharing and effective cooperation between governmental and non-governmental actors, such as academia and private sector researchers that operate at different levels (local, regional, national and international). A focus on communication ensures

inclusion, openness, and captures the energy of shared purpose. Operational-level sharing must drive this synergy. Practitioners at the operational level can maximize the value of a common picture unobscured by any strategic differences. When taking credit for success becomes unimportant, all groups succeed.

Third, it is necessary to *formulate strategies, roles, and protocols* for the combined work. Protocols and strategies define mechanisms that will guide cooperation, coordination, and information sharing among these three functional areas. The goal of establishing roles and responsibilities is to provide clear guidelines on what is expected of each of the cooperating actors to ensure the best possible results. Clarity of purpose and contribution also encourages participative behaviors because it provides a sense of specific responsibility and belonging in the larger group.

Finally, it is important to *support participative leadership* by organizing regular azimuth checks to fine-tune protocols, strategies, and tactics. Additionally, the group must adjust and recalibrate direction during a collaborative investigative action that involves operational tasks, fieldwork, and academic research. These regular meetings not only increase the prospects of a better work outcome but also boost the level of trust among the members involved. These azimuth checks enhance the understanding of how effective cooperation and information sharing play into facilitating each of the actors' functional jobs.

## Conclusion

Understanding and then aligning the strengths of law enforcement, military resources and academia to address triple nexus between crime, terror and corruption can create synergies that ultimately can counter the challenge of the criminal, corruption and terrorist networks. To enable this community of cooperation, all partners must become more attuned to the potential within each functional expertise. Exposure to the benefits of cross-functional operational teams, continued academic education within law enforcement and the military, as well as broadening assignments across governments and public domains, fosters this whole-of-nation response to the illicit marketplaces and finances of the world. The growing crime and terror convergence fueled by corruption ought to contend with an equally powerful combined partnership of military, law enforcement and academia.

*N.B.: The opinions expressed and the arguments employed here are entirely those of the authors alone and do not necessarily reflect the official views of the United States Military or the Brazilian Federal Police.*

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## Notes

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[4] For this article – ‘criminal/crime’ will refer to transnational organized crime.

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[6] In this article, we use a definition of organized crime derived from the United Nations’ definition. as outlined in Resolution 55/25 issued in 2000. In this sense, an organized crime/organized criminal group is a structured group with three or more persons acting together to commit crimes or offenses in order to obtain, directly or indirectly, financial or other material benefits (UN – United Nations Convention against Transnational Organized Crime. 2000. Vienna/Austria), p.5. URL:[https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED\\_NATIONS\\_CONVENTION\\_AGAINST\\_TRANSNATIONAL\\_ORGANIZED\\_CRIME\\_AND\\_THE\\_PROTOCOLS\\_THERETO.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf)

[7] For the purpose of this article, we endorse the definition of terrorism coined by START (National Consortium for the Study of Terrorism and Response to Terrorism). According to this definition, an act is categorized as a terrorist act when it is intentional, violent, and perpetrated by sub-state actors. The act comprises at least two of the following three elements: first, the action takes place outside the context of a legitimate war; second, the act is designed to achieve social, economic, political or religious goals; third, the act is intended to intimidate, coerce, or send a message to the desired audience other than the immediate victims. - START. *Global Terrorism Index*. Measuring and Understanding the Impact of Terrorism. START. Institute of Economics and Peace. College Park, MA. 2016, p.6.URL: [https://reliefweb.int/sites/reliefweb.int/files/resources/Global%20Terrorism%20Index%202016\\_0.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Global%20Terrorism%20Index%202016_0.pdf),

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[13] UNICRI; op. cit. p. 4.

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[15] Ibid.

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[42] Dishman; op. cit.; Shelley, op. cit.; Stohl; & Stohl, op. cit.; Williams; op. cit.; Zanini; Edwards, op. cit.

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