



NEW YORK UNIVERSITY

CENTER ON INTERNATIONAL COOPERATION



Seminar on Organized Crime and State Capture

Lima, Peru

9-11 February 2011

Meeting Report

March 2011

NEW YORK UNIVERSITY

CENTER ON INTERNATIONAL COOPERATION

The world faces old and new security challenges that are more complex than our multilateral and national institutions are currently capable of managing. International cooperation is ever more necessary in meeting these challenges. The NYU Center on International Cooperation (CIC) works to enhance international responses to conflict, insecurity, and scarcity through applied research and direct engagement with multilateral institutions and the wider policy community.

CIC's programs and research activities span the spectrum of conflict, insecurity, and scarcity issues. This allows us to see critical inter-connections and highlight the coherence often necessary for effective response. We have a particular concentration on the UN and multilateral responses to conflict.

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The **Peacebuilding as Statebuilding** program focuses on the political, economic, and security challenges of building effective states in the aftermath of conflict. It also provides strategic planning support to field missions in countries recovering from conflict. It works closely with the UN, regional organizations, international financial institutions and bilateral donors to improve international responses in conflict and post-conflict contexts. Current projects include a Review of UN Rule of Law architecture; research relating to organized crime and state capture; political settlements; reviewing the UN Peacebuilding Commission; and an ongoing study on state fragility.

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Seminar on Organized Crime and State Capture

Lima, Peru

9-11 February 2011

In December 2010 a Council of Europe Inquiry report linked the Prime Minister of Kosovo to a human organ trafficking ring initially established to fund wartime activities, later continued to fund peacetime political activities. In West Africa, a senior Nigerian politician was arrested at Lagos airport for swallowing nearly two kilograms of cocaine, the proceeds of which were allegedly to fund his election campaign. In Ghana increasing links between illicit money and politicians led the President himself to acknowledge that elements of his own government were compromised and has submitted them to screening before leaving the country on official or private business. In Peru, a country believed to have made significant progress in dismantling state corruption, the three main presidential candidates are engaged in an all out war of pegging competitors to drug cartels.



Organized crime is not new. Nor is political corruption. Yet, over the past couple of decades the lines between organized criminal networks and politicians or state officials have become increasingly blurred. Conversely, the success rate of combating organized crime is limited. Most efforts are centered on developing legal instruments

and/or bolstering security and justice institutions and their capacity to mitigate or prosecute those engaged in organized criminal activity, particularly when this activity is accompanied by violence. Limited focus has been placed on those elected officials or state actors who, for political or financial gain (or both), serve as ‘enablers’ or ‘fixers’ of organized criminal activity within and beyond a state’s borders; less focus has been placed on understanding the interdependence of state officials and organized criminals within a given country, particularly at the local level;¹ and even less focus has been placed on understanding how citizens or other interest groups view or relate to the issues at hand.²

And while there is much more extensive knowledge today of some of the important gaps or weaknesses in the international system that serve as enabling factors for organized criminal activity³, limited steps have been taken in some cases to develop counter-measures, not least because of underlying interests.

On 9-11 February, the Center on International Cooperation hosted an international seminar on the topic of Organized Crime and State Capture. The meeting was organized in collaboration with International IDEA, the Netherlands Institute for Multi-Party Democracy and with the support of the Open Society Foundations and the Carnegie Corporation of New York. The seminar brought together investigative journalists, politicians, researchers and analysts from (or who covered) West and Southern Africa (Ghana, Guinea Bissau, Nigeria, Sierra Leone, Zimbabwe); Latin America & the Caribbean (Bolivia, Brazil, Colombia, Ecuador, Guatemala, Jamaica, Mexico, Peru), the United States and Europe. It sought to foster a dialogue between regions struggling to cope with and respond to the links between political/ state actors and organized crime, and the impact of these relations on the broader goals of peace and statebuilding [Follow this link to highlights of the event].

Building on a detailed background paper, the seminar addressed the interdependency of organized criminal

groups and political/state actors; the manner in which this relationship manifests itself under different circumstances; the incentives driving the links between political and criminal actors; and the impact of the political-criminal nexus on statebuilding, particularly state-society relations and related questions of legitimacy. The seminar also highlighted examples of how certain policy responses or the nature of the political system itself have served as **enablers of** or as a **buffer against** the infiltration of illicit money into politics and how targeted action can either **further enable** or **prevent** political and other state officials from taking advantage of their position to enable organized criminal activity (see agenda).

Discussants shed light on conditions that enable the nexus between political/state actors and organized criminal groups and gave context-specific examples of how criminal groups have infiltrated political institutions. Participants also sought to identify the dynamics that foster cases of infiltration to further understand the complex relationships between these actors. [Follow this link to video coverage.]

The objective of the seminar was not to draw a comparative analysis of these issues across regions; rather the seminar enabled a better understanding of the impact that organized criminal activity and actors can have on political systems, processes and actors in different settings. And while the discussions over the two days laid emphasis on the need to continue analyzing these issues from a transnational perspective, participants also stressed the need to deepen understanding of the impact organized crime can have on peace and state building at the sub-national, national, sub-regional and regional levels as a means to better understand how these impact on the global. This would also allow policy makers to move beyond broad conceptualization and enter into the weeds of more effective policy design and implementation .

In this regard, the main recommendations tabled by discussants centered on the need to ensure that operational and policy responses to organized crime are multi-dimensional in nature, or at a minimum, that they

are not just centered on developing legal instruments or strengthening the financial, security or justice services of a given country but are also anchored in:

- o A solid understanding of formal and informal political, economic, social and cultural dynamics of a given setting, including those political actors, private citizens, networks and legal arrangements and loopholes that serve as 'fixers' or 'enablers' of organized criminal activity within and between states. ⁴



- o An understanding of how security and justice institutions interact with formal and informal national and supra-national political and economic institutions and markets when responding to organized criminal activity within and beyond borders.

- o An understanding of how political parties function within a country, including the nature of parliamentary immunities and privileges; limitations to the right to 'passive suffrage' (the right to run for office) in the name of protecting the public interest (ineligibility clauses);⁵ and how/if at all, party funding is regulated.

- o A deeper understanding of the incentives that drive both formal political and state actors and informal/traditional authorities to engage in or benefit from organized criminal activity.

o In connection with the latter point, a deeper and more serious reflection on how flexibility of response can be ensured. As noted by several panelists, the problem across the globe is not so much the absence of policy, but rather the will and the ability to act effectively, particularly when criminal actors are more intent and much quicker to adapt to a changing environment. In this same vein, a deeper understanding of how countries struggle with the negative effects of incoherence and ineffectiveness in existing international mechanisms to counter organized crime is imperative, particularly since it is often this incoherence and ineffectiveness that enables the political-criminal nexus. In this regard, facilitating dialogue between key political, business, security and justice actors in given countries to identify challenges and their role in possible solutions would be key.

Other recommendations centered on the need to:



• Continue dialogue between regions but also within regions and sub-regions on the impact of organized crime on peacebuilding and statebuilding. These ‘dialogues’ can be used to hone in on specific issues of relevance to each context, and ultimately to influence a much more targeted response. The outcome of these topic-specific dialogues can then be shared across regions and used to inform regional and international policy responses to countering organized crime.

• Develop more sophisticated and multi-dimensional analytical skills and tools and consultative processes on these issues at the strategic, operational and tactical levels, for example in West Africa, where there is currently limited capacity and awareness of the issues. Developing analytical capacity and solution-based consultative processes at the regional and sub-regional levels could also serve to enable deeper and more effective ownership of response to the growing threat of organized crime in the region.

• Develop a more explicit systematization of the concepts underpinning the meeting in Lima such as the role of networks in penetrating the state for illicit gain. For example, how do networks promote contacts between the state and criminal actors; what different forms of networked structures emerge; what mixture of actors appears in these networks? How can we build on this deeper knowledge of illicit networks to structure an effective response to state criminal relations? Related to the latter,, discussants also identified the need for improved tools and methodologies to capture data and develop frameworks for documenting links between political/state actors and organized criminal groups, and for assessing the of the impact of these tools on stimulating reform.

• Statements about ‘narco-states’ and ‘failed states’ drew criticism during the meeting though this is still in many ways the dominant manner in which policymakers think and talk about these issues. One potential outcome of this ‘dialogue’ process could be to create a different framework for talking about these problems. For example, one could build on the concept of markets and exchanges and the manner in which the illicit dimension of markets and exchanges operates alongside and through state institutions (e.g. narcotics might go north but other things come back in exchange – arms, different kinds of drugs etc.). Indeed, political corruption itself could be seen as one of the other sides of this exchange.

Next steps:

1. CIC has commissioned a series of papers that will build on several of the seminar presentations and discussions. The collection of papers will be weaved together under one publication, and presented to key policy makers (UN – (DPA, UNODC, UNDP, PBSO), WB, Commonwealth Foundation, OAS, AU, SADC, EC, policy think-tanks based in NY, D.C, and Brussels, UN member state missions etc.) in New York in late June 2011.

2. In the meantime, CIC will continue to determine possible areas of collaboration around the recommendations put forward in Lima with the organizations and experts involved and with key donors and policy makers.

International IDEA and NIMD will also continue to determine programmatic entry points for working on these issues in their countries/ regions of operation.

Additional information

To date the event has received media coverage in Bolivia, Colombia, Peru, Guatemala and Sierra Leone. These news items can be viewed by following these links:

[El tiempo.com](#)

[Bolivia's La Prensa](#)

[Awoko.org](#)

[Pensa Libre](#)

Endnotes

¹For example, one expert mentioned in relation to on-going research on the interdependence of organized crime and state officials in Jamaica, that the more extensive that relationship is, the more likely it is that armed actors will be engaged in extortive activities such as taxing local businesses, providing protection and seeking pay-outs from government contracts or seeking government contracts themselves.

²For example, experts from Ghana noted the disparities between how local communities view these challenges vis-à-vis how international communities view them. These disparities often arise when local leaders engaged in or enabling illicit activities, use their gains to invest in basic services that ultimately benefit the community.

³For example, the problem of End User Certificates (EUCs), the document used in the international transfers of weapons and ammunition to certify that the buyer is the final recipient of the materials, and is not planning to sell the weapons on in the market. EUCs are required by many governments to restrict the flow of arms to undesired destinations (e.g. embargoed states, rebel groups, governments with bad human right records or states which are considered a threat by the original supplier of the arms). There are several problems with EUCs including lax monitoring systems; the ease with which they can be easily forged or falsified; and the ease with which they can be obtained from corrupt officials. The example of Victor Bout's exhaustive use of EUCs provided by corrupt government officials in West Africa and beyond to traffic arms across the globe was raised during the meeting.

⁴For example, a member of a high-level justice commission tasked to develop an OC bill recently mentioned in reference to the problems encountered in developing and adopting the OC bill, that it was the most challenging (and possibly dangerous) project he had been engaged in throughout his entire political career. In this regard, a deeper understanding of the delays behind adopting key OC legislation in some countries would shed significant light on how organized criminal groups seek to influence the state.

⁵For example, Brazil's 'clean-slate' law that prevents politicians with a criminal record from running for office or the recently approved package of political and legal reforms in Colombia, specifically aimed at dismantling ties between elected officials and criminal networks and enhancing the prosecutorial capacity of the state in these cases.

Annex 1

Background Paper

State Capture and Organized Crime or Capture of Organized Crime by the State

“The cartels have not yet corrupted the government’s senior levels, but sooner or later they will, because they have millions of dollars and you need to be a saint to reject them.”¹

Introduction

This Inter-Regional Dialogue will bring together investigative journalists, independent analysts and researchers in Latin America and West Africa to discuss the organized crime, particularly the mutually advantageous relations that have developed across regions between organized criminal groups and political/ state actors. The initiative will also focus on the current challenges and opportunities of international policy and operational responses to the political-criminal nexus, and prepare the ground for a follow-up meeting with key policy makers dealing with these issues.

The Shifting Nature of Transnational Organized Crime

Since time immemorial both legitimate and illegitimate business has attempted to distort or displace the state for its own gain. In many contexts, organized criminal groups have become major contenders in these efforts, engaging significantly at the intellectual, political and institutional level with state and social actors.

Until relatively recently, organized criminal activity was constrained within a state’s borders or limited to a small number of global cartels and mafia groups. However, the end of Communism coupled with the expansion of global markets and the rising sophistication of information communications technology, have spurred mass expansion of organized crime. As noted by Glenny, “as early as 1992 Solnstevo, the largest organized crime syndicate in Moscow is alleged to have been holding

meetings with representatives of the Colombian Medellin and Cali cartels in Aruba to discuss the expansion of their European markets and points of entry into the European Union.”² Meanwhile, hit hard by the collapse of the bubble economy in 1990, “the activities of the Japanese organized crime cartel – Yakuza – have been expanding to Southeast Asia and as far afield as Las Vegas and Hawaii.”³ More recently, Central Asian cartels have expanded their activities in a range of areas, including drugs and human trafficking; and Afghanistan continues to churn out enough heroin to meet the ever rising demand in the Russian Federation, Europe and the Gulf states while simultaneously providing much-needed cash flows for internal warring factions.⁴ In Africa, drug trafficking drugs involving inter alia Latin American cartels is reported to be on a steady increase⁵ and becoming a major thorn in the side of fledgling democracies.

Mutually Reinforcing Relations

In the course of expanding their operations, transnational organized crime groups and networks have sought to gradually weaken, co-opt, disable, privatize or usurp the functions of governmental agencies, political and judicial institutions, and the state itself.⁶ At the same time, there are manifold examples of where political and other state institutions have taken full advantage of their positions often co-opting organized criminal groups as a means to meet their own political and financial interests. This political-criminal nexus continues to deepen, assisted on the one hand by the dynamic and adaptive nature of criminal networks and their ability to operate and manoeuvre between physical and cyber space;⁷ and on the other by the waning legitimacy of state and political institutions across the globe.⁸

In contrast to other illicit means of interaction with the state such as ‘influence’ or ‘administrative corruption’, organized criminal groups often seek to “prevent the law from being enforced altogether” leading to, or further ensconcing a culture of impunity.⁹ In attempting to measure the scope of penetration of the state by organized crime in a range of settings, Buscaglia et al have defined five different levels of organized criminal infiltration of the public sector: i) sporadic acts of bribery or other abuse of public office in

local government agencies; ii) frequent corruption of low-ranking state officials (especially at international borders); iii) infiltration of the mid-ranks of public sector officials as a means to hinder the operational effectiveness of state institutions such as law enforcement and the judiciary; iv) compromising heads of public agencies responsible directly or indirectly for fighting organized crime-related activities;¹⁰ and capturing legislators, prosecutors and judges thus directly influencing lawmaking, law enforcement and judicial decisions.¹¹ This ability to control officials represents the highest level of public sector corruption and has served as “the basic ingredient in the expansion and consolidation of transnational organized crime.”¹² Conversely, these and similar measures provide few insights into why officials allow themselves to be ‘captured,’ and limited detail on the political, social and economic incentives that drive their choices.

Drug trafficking is one area in which organized criminal groups have persistently attempted to penetrate the state as a means to further their own interests, particularly in the main production zones such as Colombia and Afghanistan, and increasingly in the distribution/transit zones such as Brazil, Guatemala, Jamaica, Mexico, Guinea Bissau, Mali, Namibia, and the Sahel corridor.¹³ For example, an undercover operation led by the U.S. DEA recently revealed that Liberia has been serving as a staging area for the distribution of more than \$100 million worth of cocaine since 2007. One cartel had been actively seeking to recruit South American drug trafficking organizations to establish operations in various West African countries, including in Liberia, Guinea Conakry, Guinea Bissau, Sierra Leone and Nigeria. The cartel had also made efforts to corrupt and influence government officials within the West African region in order to establish safe havens for the receipt, storage, and trans-shipment of the cocaine.¹⁴ Recent revelations by the rogue site ‘Wikileaks,’ have shed further light on the degree of penetration of organized criminal groups in the region. Indeed, according to a [U.S. State Dept.] cable of June 2009, President John Atta-Mills told the U.S. ambassador to Ghana, Donald Teitelbaum, that he knew “elements of his government are already compromised” and requested that his own entourage be screened before leaving the country on official or private travel.”¹⁵

In general, the production and distribution/transit zones tend to be places where political and state institutions are less resilient and have limited resources. Hence, criminal organizations often try to penetrate them to ensure the safe passage of their goods towards consumer markets. Weak economic systems, poor policies and limited oversight can also leave financial services vulnerable to money laundering. As noted by Goredema, “the attitude of a sector besieged by a shortage of investment capital to a cash injection might well be to deal first, ask questions later,” and ‘tainted money’ is therefore rarely subjected to rigorous scrutiny.¹⁶ Thus, “underwriting political parties or bribing state officials is by far the fastest way to create a ‘business-friendly’ environment for criminal groups.”¹⁷

Indeed, in return for a blind eye, criminals can mobilize votes and money for politicians, launder the proceeds of their activities and form networks for their own benefit.¹⁸

Responding to the nexus between Organized Crime and the State

In many states across the globe, politicians and public officials are perceived (and have often been found to be) as part of illicit, elite and corrupt networks.¹⁹ Over time this has resulted in increasing public mistrust of parliamentarians, public servants and state institutions, often leading to a waning respect for authority and the rule of law, and decreased institutional legitimacy.²⁰ And while Casas-Zamora notes that the funding of parties and candidates is “just one of the fronts where the battle between organized crime and democratic institutions is played out,” it remains important since “investing in politics is a natural step for an industry that requires weak law enforcement and a measure of control over crucial public institutions such as customs to thrive.”²¹ The phenomenon poses real challenges, not least in terms of global security, development and democratic consolidation, particularly in lesser resilient states or states emerging from conflict, where accountability is difficult if not impossible to foster and enforce.

Despite the vast body of literature on these issues and the huge sums of money invested in developing policy

and operational responses to meet the challenges that organized criminals and corrupt politicians and other state actors pose, significant challenges remain. For example, according to Dobosveke most literature fails to explicitly mention public and political institutions when discussing organized crime, noting a “clear, missing link on the infiltration of criminal networks into politics.”²² Meanwhile, Yashar suggests that studies of democracy and political transitions have “traditionally sidestepped the question of organized crime and drugs and have focused primarily on formal democratic institutions (political parties, legislatures, executives and elections) and markets (the study of neoliberal reforms), as well as the relationship between them (balance of power, decentralization, policy making etc.).”²³ This has produced “an analytical and political myopia when it comes to studies of [and responses to] topics, including organized crime, that operate outside this formal arena.”²⁴

Similarly, over the past decade, strategic and security experts have increasingly focused on the study of organized crime, particularly its transnational dimension and potential linkages to transnational terrorism. However, they appear to be equally myopic on the political dimension of these issues, leading to policy and operational responses grounded in a narrow interpretation of security, and limited consideration of the political, social and economic aspects of organized crime.²⁵ When they do link their analysis to political issues such as the predatory or corrupt nature of political actors or the “unofficial political elite,”²⁶ they often do so in a narrow fashion. In other words, the form of political anarchy analyzed is seldom linked to the history and nature of the political system of a given state and key factors are often overlooked: these factors include for example, decentralization or devolution of authority including law enforcement, within a given state;²⁷ the laissez faire foreign and trade agendas of developed states vis-à-vis those most affected by the political-criminal nexus; the international political economy; or the failure of international and regional policy initiatives to raise the business costs of engaging in illicit activity, including through effective anti-money laundering initiatives.²⁸

At the operational levels, international and regional initiatives aimed at responding to the political-criminal nexus often fail to consider the afore-mentioned issues during mandate development or pre-mission assessment processes. When these issues are considered, it is usually through the prism of one of the many conflict and political economy analysis tools developed over the past decade. However, responses to the findings of these analytical tools continue to be formulated from a security/law enforcement perspective, with little consideration for a state’s underlying political and cultural dynamics, questions of oversight, legitimacy, and the potential impact of different responses on state-society relations. In relation to post-conflict settings, more recently analysts have stressed the need to engage in longer-term initiatives including strengthening institutions such as political parties as a means to “ensure structural and normative transformation of the political economy and remove the comparative advantage that violent criminal entrepreneurs and organizations enjoy.” However, most actors engaged in either peacebuilding or statebuilding efforts fail to consider these institutions in their programme activities.²⁹ On the other hand, political party assistance providers, many working within the democratic peace agenda, rarely coordinate some of the important work they have carried out on issues such as political corruption with other actors involved in investigating organized crime.

Meanwhile, organizations such as the United Nations with a mandate to work on preventing or mitigating organized crime at the national, regional and transnational levels tend to focus on technical matters, avoiding the fundamentally political dimension of these issues. This is, in part, due to the dilemma of inter-governmental organizations working on political issues sensitive to member states. The trump cards of sovereignty and non-interference in the internal affairs of the state are frequently tabled to block action, even if the matter in question comes under the scrutiny of the Security Council. Incentives such as development or counter-narcotics assistance may help but they infrequently adhere to principles of national or local ownership. They also suffer from a short-term focus, can be slow to adapt to new challenges, and diverted for either personal financial or political gain.³⁰

When conducting their analysis, external actors do not always collaborate amongst themselves or with national and cross-national/ regional experts. This becomes problematic when threat assessments are translated into programmes that cement rather than alleviate the issues at hand. Related, the more recent tying of transnational criminal activity to transnational terrorism has placed added emphasis on the importance of securing weak states, strengthening institutions and ensuring that governments can exercise control over the entirety of their territory. However, limited consideration has been paid in international responses to the ‘legitimacy gap’ that often impedes the possibility of state action, particularly if state officials are being bought off by transnational criminal groups.³¹

Conversely, investigative journalists, independent researchers and analysts have made significant in-roads highlighting, analyzing, measuring and responding to these phenomena. For example, at the national level, investigative journalists, scholars and analysts in Peru, Colombia, Mexico and Guatemala are producing increasingly sophisticated studies mapping the penetration of the state by transnational organized criminal networks. In some cases they have proved more effective than law enforcement officials (who are often captured themselves) in flagging the penetration of politics by illicit groups and pushing for accountability.³² Others, such as the World Bank Institute, are currently attempting to analyze the conditions and processes by which state capture occurs and measure its extent.³³ It is important to link these experiences with those who are directly affected by the impact of organized crime and state capture. Their contribution, particularly if multi-disciplinary, can help external actors develop a deeper understanding of the nature of organized crime and state capture and, by extension, formal and informal power relations within and across states. It can also foster ownership of response;³⁴ enforce accountability of government and donor governments/ agencies³⁵; and encourage more effective use of local knowledge by international actors in policy and programme development.

The objective of this initiative is to serve initially as a bridge between investigative journalists, analysts and researchers in West Africa and Latin America (Andean Region and Central America) and later between these and other regions, to deepen understanding of:

1. The nature of the links between organized crime and political and state institutions/actors in and across countries and regions; how they have manifested/ are manifesting themselves in specific country or regional contexts; and the impact these relations have on policy formulation and key service delivery at different levels.
2. How international policy and operational responses can more effectively consider the political nature of organized crime and other vital questions such as economic and social dynamics, informal power structures and questions of oversight and legitimacy.
3. Examples and cases where specific actors other than law enforcement officials have played an important role in shedding light on the ties between organized crime and state capture and how they have influenced international or regional policy and operational responses to the phenomenon.

Building on the outcome of this first phase, a second phase will focus on engaging with key policy actors at the regional and international levels on the political dimension of organized crime.

C. Kavanagh, Centre on International Cooperation

Endnotes

¹Zainab Bangura, Minister for Foreign Affairs, Sierra Leone, (Feb. 2009)

²Glenny (2009)

³Glenny, (2008), Hill (2004)

⁴UNODC, (2010)

⁵ Between 1998-2003 some 1,300 pounds of cocaine a year were allegedly seized on the continent while in the first nine months of 2008 alone, the figure was 5.6 tons -- and that is considered the tip of the iceberg. UPI.com (2010)

⁶Omelyanchuk (2001); Philip (2001)

⁷ For instance, Glenny details the rapid shift in organized criminal behavior in response to the global recession and shifting patterns in drug production and distribution in response to changes in production capabilities. See also Trends in Transnational Organized Crime, Spring 1999, Winter 1999 and Spring 2006 for insights into the Political-Criminal Nexus in China, Hong Kong, Mexico, Nigeria, Russia and Ukraine; and the United States.

⁸Doherty (2001); Helgesen (2009)

⁹Casas-Zamora (2010)

¹⁰ This level represents an increased perniciousness with negative long-term effects on the ability of the state to eradicate corruption and organized crime. Buscaglia, Gonzalez-Ruiz and Ratliff (xxx.).

¹¹ At this level of infiltration, organized crime groups can compromise the campaign financing of politicians, act through other common kinds of extortion or through family connections to high officials. Buscaglia, Gonzalez-Ruiz and Ratliff (xxx)

¹² *Idem*

¹³Glenny, (2009), UNODC (2010)

¹⁴ Indictment 10 Cr. 457 More recently (January 2010), a senior officer of Guinea Bissau's Presidential Security Service was arrested in a narcotics sting, prompting senior military officials to publicly lament the regular involvement of security personnel in cocaine transshipment. Meanwhile, in May 2010, a Nigerian politician was arrested at Lagos airport for allegedly swallowing nearly two kilograms of cocaine (4.4 lbs) the proceeds of the sale of which were to fund his election campaign. ACSS (2010) and "Cocaine Smuggling: Nigerian Politician Held in Lagos," BBC, May 17, 2010. Nigeria is reported to be another major transit route for drugs - from South America and Asia - to the US and Europe. More than 300 tons of narcotics were seized in the country last year.

¹⁵The Guardian, 15 December 2010

¹⁶Goredema (2002)

¹⁷Glenny (2008); Aning (2007)

¹⁸Dobovsek (2008)

¹⁹The recent Council of Europe Inquiry report linking the Kosovo PM to human organ trafficking is just one in a long series of cases linking senior politicians to organized crime. The Guardian 14 Dec. 2010

²⁰Glenny (2009)

²¹Casas-Zamora (2010)

²² *Idem*

²³Yashar (2010)

²⁴Yashar, (2010)

²⁵Interviews Washington D.C. and N.Y Oct. 2010

²⁶Felbab-Brown (2010)

²⁷Casas-Zamora (2010)

²⁸Farah (2010); Godorema (2002)

²⁹Cockayne (2010)

³⁰Felbab-Brown (2010)

³¹ *Idem*

³²Kupferschmidt (2010); Buscaglia, Gonzalez-Ruiz and Raddliff (xxx)

³³ *Idem*

³⁴As noted by the World Bank, '[anti-corruption etc.] reforms will be ineffective unless demand for reform comes from more aware citizens within the country.' CID (2010). See also Carothers (2006), Promoting the Rule of Law Abroad; and interview with E. Buscaglia, CNN 2007 http://www.dailymotion.com/video/x23ivx_aristegui-entrevista-buscaglia-mafi_news#from=embed

³⁵ For example, a recent review by the US Government's Accountability Office has highlighted that despite claims by the US and Mexican governments that organized crime cartels are feeling the effects of the countries' joint offensive (the Merida Initiative), little regard has been afforded to whether the millions of dollars expended are actually having any impact. The State Department, which is overseeing the Merida Initiative, is alleged to have failed to "set specific targets to determine whether the money was having the desired effect of disrupting organized crime groups and reforming law enforcement agencies." NYTimes, 23 July 2010. See also ACSS (2010)

Annex Two

Agenda

Thematic discussion 1	Framing the Issues: Organized Crime and State Capture or the Capture of Organized Crime by the State?
Thematic discussion 2	Understanding the Issues: The Devil remains in the Detail
Thematic discussion 3	Building Resilience from Within: Incentives and Disincentives
Thematic discussion 4	Building Resilience from Without: A case of wishful thinking?

Tuesday, 8 February, 2011

Arrival of Participants

19:30	Welcome dinner at Rosa Nautica Restaurant. Please meet in the hotel lobby at 7:30pm for transportation to the restaurant.
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Wednesday, 9 February, 2011

Registration

09:00- 10:00	Welcome, Introduction of Participants, Objective & Methodology of Meeting Ms. C. Kavanagh (CIC) Dr. S. Villaveces (IDEA)
	Thematic discussion one <i>Framing the Issues: Organized Crime and State Capture or the Capture of Organized Crime by the State?</i> Chair Dr. Kwesi Aning (Ghana) Key Discussants Mr. Jorge Heine (Chile) Mr. Douglas Farah (United States) Mr. Desmond Davies (Sierra Leone) Mr. Charles Goredema, (Zimbabwe) Mr. Gustavo Gorriti (Peru)
	Many hold the interdependency of organized criminal groups and political/state actors is increasing and that the long-term repercussions will be more difficult to surmount; while the phenomenon itself is not new, these links are manifesting themselves more blatantly and in an even wider variety of inter-connected local, national and regional contexts in both the developed and developing world.

	<ul style="list-style-type: none"> • The nature of the challenges we are dealing with today, including how political/state institutions and processes are being infiltrated by organized criminal groups. • How formal and informal political actors and institutions are increasingly using organized criminal groups to advance their own interests. • How these challenges are being interpreted at the global, regional and national levels, including by the new/emerging powers and by development assistance providers. • The effectiveness of policy and operational responses to these challenges
13:00 - 14:30	Lunch
15:00 - 18:00	<p>Thematic discussion two <i>Understanding the Issues: The Devil Remains in the Detail</i></p> <p>Chair Dr. Matthias Stiefel</p> <p>Key discussants Dr. John Pokoo (Ghana) Dr. Enrique Desmond Arias (United States) Dra. Claudia Lopez (Colombia) Dr. Bruno Speck (Brazil) Dr. Dirk Kruijt (Netherlands)</p> <p>During this session discussants will provide insights into:</p> <ul style="list-style-type: none"> • Specific examples of where political/state institutions have been infiltrated by organized criminal groups in relation to a specific political process, or where political actors or institutions themselves have co-opted organized criminal groups for the purpose of advancing their own interests. • The impact of the links between political and illicit actors on questions of legitimacy and broader processes of peace and state building, particularly, public policy formulation and delivery of key services, including security.
19:30	Dinner at hotel restaurant

Thursday, 10 February, 2011

09:00 – 09:30	Recap
09:30 - 12:30	<p>Thematic discussion three <i>Building Resilience from Within</i></p> <p>Chair Javier Melendez (Nicaragua)</p> <p>Key discussants Sen. Hector Rosada (Guatemala) Dr. Muazu Umar (Nigeria) Dr. Kwesi Aning (Ghana) Mr. Pablo O'Brien (Peru)</p> <p>Despite the growing levels of interdependence of organized crime and political/state actors, there are important examples of where the latter have proved impenetrable. During this session, discussants will focus on the following:</p> <ul style="list-style-type: none">• Specific examples of where, how and why political/state actors have remained resilient to the lure of illicit money and related incentives despite the risks involved. Examples should also place emphasis on the nature of the political system and whether specific arrangements such as decentralization and devolution of state authority have helped or hindered building resilience.• Examples of what can be done to ensure and sustain legitimacy of action.
13:00 - 14:30	Lunch
15:00 – 17:30	<p>Thematic discussion four <i>Building Resilience from Without: A Case of Wishful Thinking?</i></p> <p>Chair Mr. Roger Cortez Hurtado (Bolivia)</p> <p>Key discussants Dra. Vanda Felbab-Brown (United States) Mr. Martin Rodriguez Pellecer (Guatemala) Mr. Mamadu Queta (Guinea Bissau) Mr. Eduardo Salcedo (Colombia)</p>

	<p>Most external policy and operational responses to organized crime to date have focused primarily on strengthening the state's security functions and capabilities; and while significant attention has been afforded to improving governance structures, responses have been predominantly technical, placing limited focus on the political system, the political culture and underlying political dynamics that tacitly allow the pervasive activity of organized crime to debilitate the state. In this session, discussants will provide examples of:</p> <ul style="list-style-type: none"> • Specific approaches such as political economy analysis or illicit network analysis that have allowed a greater understanding of the issues at hand; where it has been possible to act on the findings of these analytical tools particularly if they implicate political actors and if both the illicit actors and 'legitimate' actors have limited incentives to shift course. • Whether it is possible for external actors to formulate policy and operational responses that focus on mitigating i) the impact of organized crime on political institutions and processes and/ or ii) the control political institutions might have on organized criminal groups, without being accused of meddling in the internal affairs of the state in question
17:30 – 18:15	<p>Recap and discussion on gaps identified and possible policy process for moving the agenda forward</p> <p>C.Kavanagh (CIC) S.Villaveces (IDEA) P. Gerrijts (NIMD)</p>
19:30	<p>Dinner at Brujas de Cachiche Restaurant. Please meet in the hotel lobby at 7:30pm for transportation to the restaurant.</p>

Friday, 11 February, 2011

09:00 – 13:00	<p>Open Panel Discussion <i>Mitigating the Impact of Organized Crime in Politics</i></p> <p>Chair Mr. Rafael Roncagliolo (IDEA)</p> <p>Introduction Mr. Romulo Pizarro (Peru)</p> <p>Panelists Mr. Douglas Farah (United States) Mr. Gustavo Petro (Colombia) Mr. Charles Ayamdoo (Ghana) Mr. Gustavo Gorriti (Peru) Mr. Muazu Umar (Nigeria)</p> <p>Guests: Broad base of political parties, electoral management bodies and civil society organizations from Peru and regional organizations with a presence in Peru (UNODC, UNDP, OAS, CARICOM)</p>
13:00	Light lunch hosted by IDEA

Departure of Participants

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