

*Chaillot Papers*

- 29 -  
*October 1997*

EUROPEAN SECURITY:  
THE NEW  
TRANSNATIONAL RISKS

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INSTITUT  
D'ETUDES  
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## **EUROPEAN SECURITY: THE NEW TRANSNATIONAL RISKS**

**Alessandro Politi**

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ISSN 1017-7566

Published by the Institute for Security Studies of Western European Union and printed in Alençon, France, by the Imprimerie Alençonnaise.

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# PREFACE

Broad security has become a self-explanatory concept in these times of transition which affect every country with the end of the Cold War and the advent of 'cyberworld'. The multi-disciplinary approach to security is nothing new; its globalization is. The combination has radically altered the signposts of human cohabitation. The terms of the social contract between the citizen and the state have been altered, as transnational phenomena multiply.

The rules of the game, nationally and internationally, are nowadays common to every country, big or small, to the north or the south of any imaginary line, and the need for world governance (rather than a world government) is shared by all. Among the new factors that transcend boundaries and erode national cohesion, the most perilous are the so-called 'new risks': illegal drug trafficking, international organized crime and terrorism. Contrary to other global challenges (the communications revolution, water shortages, access to energy resources, financial flows, environmental concerns) they call directly into question the very authority of the state, and are therefore potentially, if not openly, subversive.

The European integration process is finally tackling the new threats head-on in 'third-pillar' cooperation between judicial and law enforcement authorities, which have finally accepted the need to pool their constitutional prerogatives in order to preserve them. The enlargement process and increasing cooperation with other neighbouring regions have set this requirement at the top of many international agendas.

The Institute felt that WEU, in its capacity as a politico-military organization, ought to be considered as a possibly useful complementary instrument for both of these processes, in their institution-building configuration. Alessandro Politi, after devoting three years to these and other new challenges to European security, has left as his legacy to the Institute a paper that represents the result of his research and of a seminar convened in Paris on 13-14 March 1997. Its comprehensive approach and 'grand strategy' setting justify, we feel, its publication as a *Chaillot Paper*; they are a contribution to the further comprehension of these essential components of European security equations.

**Guido Lenzi**  
**Paris, October 1997**

# ABBREVIATIONS

AIS	Armée Islamique du Salut (Islamic Salvation Army)
AIZ	Anti Imperialistischen Zellen (Anti-Imperialist Cells, Germany)
	bn billion
BR	Brigate Rosse (Red Brigades, Italy)
C4I	Command, Control, Communications, Computers and Information
CATF	Chemical Action Task Force (G7)
CEEC	Central and Eastern European Countries
CELAD	Comité Européen pour la Lutte Anti Drogues - European Committee for the Fight Against Drugs
CFSP	Common Foreign and Security Policy
CIA	Central Intelligence Agency (US)
CIS	Community of Independent States
COREPER	Committee of Permanent Representatives (Comite des Représentants Permanents)
	commercial off-the-shelf
COTS	
CSIS	Center for Strategic and International Studies (US)
CW	Chemical Warfare
DEA	Drug Enforcement Administration (US)
DERA	Defence Establishment Research Agency (UK)
DND	Division Narcotic Drugs (UN)
DoD	Department of Defense (US)
EC	European Commission or European Community
ECJ	European Court of Justice
EDU	European Drugs intelligence Unit
EIS	European Information System
EMU	European Monetary Union
EOD	European Observatory on Drugs
EP	European Parliament
EPC	European Political Cooperation
ESM	Electronic Support Measures
ETA	Euzkadi Ta Askatasuna (Freedom and Fatherland, Spain)
EU	European Union
EUROMARFOR	European Maritime Force
FATF	Financial Action Task Force (G7)
FAWEU	Forces Answerable to WEU
FBI	Federal Bureau of Investigation (US)
Fed	US Federal Bank
FinCEN	Financial Crimes Enforcement Network (US)
FIS	Front Islamique du Salut (Islamic Salvation Front, Algeria)
FPM	Forza di Protezione Multinazionale (Multinational Protection Force (Albania))
FRG	Federal Republic of Germany
FSU	Former Soviet Union
GAFI	Groupe d'Action Financière
GIA	Groupe Islamique Armé (Armed Islamic Group, Algeria)
GNP	Gross National Product

IAEA	International Atomic Energy Agency
IFOR	Implementation Force
IGC	Intergovernmental Conference (EU)
IMF	International Monetary Fund
INCB	International Narcotics Control Board (UN)
INSCR	International Narcotics Strategy Control Report (US)
IPTF	International Police Task Force (UN)
ISI	Inter Services Intelligence (Pakistan)
IW	Information Warfare
JHA	Justice and Home Affairs cooperation
JINSA	Jewish Institute for National Security Affairs
JTF	Joint Task Force
KGB	Komitiet Gosudarstvennoe Beznopazost, Committee for the Protection of the State, Soviet civil intelligence and counterintelligence agency
LIC	Low Intensity Conflict
MACA	Military Assistance to Civil Authorities
MAG92	Customs Mutual Assistance Group 1992
MAG	Customs Mutual Assistance Group
MDG	Military Delegates Group
MNF	Multinational Force
MoU	Memorandum of Understanding
MPA	Maritime Patrol Aircraft
MVD	Soviet/Russian Ministry of the Interior
NAA	North Atlantic Assembly
NAFTA	North American Free Trade Agreement
NGO n	non-governmental organization
NPA	New People's Army (Philippines)
OAS	Organization of American States
OAU	Organization for African Unity
OECD	Organization for Economic Cooperation and Development
OICS	Organe International de contrôle des stupéfiants
OIPC	Organization Internationale de Police Criminelle or Interpol
OSC	Organized Systemic Crime
OSINT	Open Source Intelligence
PKK	Kurdish Workers' Party (Turkey)
PMG	Political-Military Group
PNUCID	Programme des Nations Unies pour le Contrôle International des Drogues
POC	Point of Contact
PS	Polizia di Stato (State Police, Italy)
PSO	Peace Support Operation
PWGT	Police Working Group on Terrorism
R&E	Research and Engineering
RAF	Rote Armee Fraktion (Red Army Fraction, Germany)
ROE	Rules of Engagement
SAS	Special Air Service (UK)
SCU	Sacra Corona Unita (Holy United Crown, Italy)
SDECE	Service de Documentation Extérieure et de Contre-Espionnage
SEA	Single European Act

SEC	Securities and Exchange Commission
SEM	Single European Market
SIS	Schengen Information System
SL	Sendero Luminoso (Shining Path, Peru)
SLORC	State Law and Order Restoration Council (Burma)
TEC	Treaty of the European Community
TEU	Treaty on European Union (Maastricht Treaty)
TF	Task Force
TREVI	Terrorism, Radicalism, Extremism and International Violence
TITLE	Tamil Tigers for the Liberation of Eelam (Sri Lanka)
UN	United Nations
UNCLOS	UN Convention on the Law of the Sea
UNDCP	UN international Drugs Control Programme
UNFDAC	UN Fund for Drug Abuse Control
UNO	United Nations Organization
UNPROFOR	UN Protection Force
UNSC	United Nations Security Council
US	United States
USAID	US Agency for International Development
USIA	US Information Agency
USSR	Union of Soviet Socialist Republics
WCO	World Customs Organization
WG	Working Group
WMD	Weapons of Mass Destruction

## SUMMARY

Transnational organized crime, drug trafficking and international terrorism should today be seen as major challenges to European security. These 'new risks' affect all countries, calling into question the authority of the state itself.

The freedom of movement allowed within the European Union has blurred the distinction between internal and transnational security. A broad concept of security is now needed in which force is just one of the means employed. Complex modern societies are vulnerable in many ways, and unable by themselves to control key aspects of their sovereignty, while on the other hand supranational actors now have resources that were once the preserve of nation-states alone.

Five aspects of transnational organized crime and drug trafficking are strategically relevant: the close interconnection between these two risks, nuclear smuggling, drugs geostrategy and political disorder, drugs and insurgent movements, and computer crime and money laundering.

In the recent past, international terrorism has been responsible for far fewer casualties than organized crime and drug trafficking, yet from a political perspective it is viewed as a global issue whose potential, in terms of the diffusion of power and its spread to organized criminal groups, is worrying. Globalization of communications, transport and resources, including weapons, means that international terrorists can combine their efforts yet remain elusive.

At the institutional level, European cooperation in Justice and Home Affairs, despite progress made since the early 1970s in the creation of collaborative networks and international legislation, and most recently at the European Council in Amsterdam in June this year, has a long way to go, not least because of the political sensitivity of these issues. And there are divergences between Europe and the United States on how to deal with terrorism.

In a multidimensional security environment it makes sense to use military assets, under certain clearly defined conditions, in addition to the police, yet there has been a marked absence of the military from multilateral policing. Military support to law enforcement is an issue that falls naturally within the EU-WEU framework, and indeed WEU has already started to tackle the problem. What is now needed is a clear functional relationship between WEU and the EU.

# INTRODUCTION

The terms transnational organized crime, illicit drug trafficking and international terrorism are today frequently used in connection with international security or stability, and are often described as 'new risks' or 'non-traditional risks'. The proliferation of weapons of mass destruction (WMD) might also be listed, but in this paper it will not be considered separately; it will, however, be included, as an additional element of insecurity, in the discussion of organized crime and terrorism.

These three risks are not new *per se*; what is new is the consideration that they should be accorded, because they have become much more important than before. Most people feel intuitively that there is a connection between these risks and security, at both the international and national level. There is, however, inadequate explanation of their relevance at a higher, strategic level.

More often than not, the relevance of these risks is viewed from a national law enforcement standpoint, rather than from the perspective of the needs of international security, although they affect both national and collective grand strategies. At the national level, the nature, effects and implications of these risks have at least been more accurately measured and in general better defined, if not always satisfactorily dealt with through legislation. From a wider political point of view, the issues raised by the new risks have acquired a high salience, because they affect efforts to build a new world order, or at least to manage the present transition. In this paper, these risks are considered to be major challenges for five reasons.

In the first instance, the authority of the state itself is called into question by, principally, transnational organized crime and drug trafficking, and to a lesser extent by international terrorism. The nation-state is already eroded by different factors, downward at the local level and upward at the global level, but the evolution towards new forms of government should not become the prey to forces that will destroy every political, social and cultural *acquis*. In Western Europe in particular, the process of European integration exposes national governments to transformations that make them more sensitive to the new risks.

Secondly, the establishment of democratic governance is a very high stake in the new democracies and developing countries. This evolution is particularly vulnerable to these new risks. If these countries fail to make the transition, the price paid by the more developed ones will be more violence, drugs, illegal immigration within their own borders and more money, resources and human lives spent in humanitarian and peacekeeping missions, in an attempt to alleviate the effects of international neglect. The examples of Albania and failing nations are particularly striking.

Thirdly, the new risks affect all countries. Transnational organized crime and illicit drug trafficking are especially pervasive: no country is immune. Transnational organized crime is also to be blamed for much illegal immigration, which in many cases might be more aptly described as human trafficking or a new form of slavery. Nevertheless, the political debate attempts to distinguish between governments that try to comply with commonly agreed international rules and those that do not. The resulting categories, like 'narco-state' or 'rogue state', capture part of the picture, but

are fraught with ambiguities.<sup>(1)</sup> The danger is that such categorization produces more divisions among developed and developing countries, and that it may be used as a propaganda tool rather than lead to useful assessments.

Fourthly, these risks directly affect the common citizen and consequently his political choices. Voters and governments that are obsessed with security are not likely to make rational and tolerant choices.

Finally, the strategic relevance of new risks is being increasingly underlined by global forums like the UN (UN Naples summit on transnational organized crime in 1994), the G7/P8 (from the Halifax declaration in 1991 onwards) and by security organizations like WEU, whose Petersberg tasks (1992) are set in the wider context of a security concept shared by all WEU countries.

Rather than attempt to provide clear-cut, all-encompassing answers, the paper will limit itself to exploring the possibility of using military means to assist law enforcement. In this field, WEU potentially has a specific contribution to make to the enhancement of the overall security of European citizenry by using, at the multinational level, military assets to assist national and international law enforcement operations. Although fully accepting the view that prevention is even more important than repression, the study will concentrate its attention on this specific aspect of military assistance to civil authorities (MACA) against these three new major risks. The use of military assets can only be envisaged as a closely supervised, limited, specialized and cost-effective contribution to law enforcement and crime prevention. It should be developed according to the requirements formulated by law enforcement bodies, within the logic of a European judicial space and without jeopardizing the separation of powers, or encroaching on existing law enforcement functions, or implying a 'militarization' of internal security. Its main goal is simply to strengthen the defence of democracies using means that are democratically accountable and observe the rule of law.

The objectives of this study are:

- to see whether, why and how a link can be established, at the level of grand strategy, between risks that are perceived to be mainly internal (i.e., national) and the wider multidimensional security context;
- to consider how these risks affect European security, while trying to distinguish the different degrees of danger that they represent at the strategic level, and the various types of interaction between them;
- to summarize the political and institutional debate on these risks in the context of European security. Special attention will be devoted to developments aimed at greater coordination between law enforcement and military forces;
- to propose ways of enhancing multilateral military cooperation with law enforcement agencies within the present European security arrangements. Precise guidelines for this cooperation in specific domains will be put forward.

# THE STRATEGIC RELEVANCE OF THE NEW RISKS

## The problem of definitions

As there is a lack of consensus, on both the nature of the risks and the degree of international cooperation, in the international community, it is necessary to propose some definitions. Since there are several controversial definitions of each of these new risks, the paper will limit itself to those that are the most useful for research.

Academics, jurists and police forces are far from agreeing on the definition of transnational organized crime.<sup>(2)</sup> There are, however, four elements in the definition of organized crime on which a large majority of authors agree: the existence of an organized, stable hierarchy; the acquisition of profits through crime; the use of force and intimidation; and recourse to corruption in order to maintain impunity.

The paper will use the definition adopted in 1993 by the European Union's Ad Hoc Group on Organized Crime and then presented to the EU Council: 'Organized crime is present whenever two or more persons are involved in a common criminal project, for a prolonged or unspecified period of time, in order to obtain power and profits and where to the single associate are assigned tasks to carry out within the organization: (1) through business or connected business activities; (2) using violence or intimidation; (3) influencing politics, media, economy, government or the judiciary, through the control of a determined territory, if necessary, in order to commit the planned crimes that, from a collective or individual point of view, must be considered serious crimes.'<sup>(3)</sup>

Appended to this definition, which is not a common EU definition but represents important progress, was a table of eleven characteristics for use during the preparation of EU reports on organized crime and in pinpointing this phenomenon more easily at the international level. They are: (1) collaboration among more than two people; (2) among whom there is a distribution of tasks; (3) who operate for a long or unspecified time; (4) operate under a certain discipline and control; (5) are suspected of serious crimes; (6) operate at international level; (7) use violence and other means of intimidation; (8) use commercial or pseudo-commercial structures; (9) launder money; (10) exercise their influence on politics, media, public administration or in the economic field; (11) seek profit and power. If a criminal group displays at least six of these characteristics, among which are necessarily included (1), (5) and (11), it can be considered to be involved in organized crime.<sup>(4)</sup>

These definitions should be considered in the light of police operational, judicial and criminological experience, where three dynamic stages of structural adaptation in the development of a criminal network can be distinguished:

- (1) an initial accumulation of revenue from crimes that favour the creation of illegal financial assets (e.g. crimes against property, extortion, abduction);

- (2) illicit trafficking (money previously accumulated is used to gain access to illegal commercial circuits - tobacco, drugs, firearms, stolen vehicles), starting from marginal sectors or areas not yet covered by competitors;

- (3) the final phase, that of the criminal enterprise, where excess revenue from the current management of illegal trade is laundered or reinvested in formally lawful activities. As the criminal entrepreneur has at his disposal virtually unlimited funding, making a profit from the lawful business is not a stringent requirement.<sup>(5)</sup>

For the practical purposes of this study, the above-mentioned definition and table of reference agreed by the EU Ad Hoc Group on Organized Crime, in conjunction with the three stages referred to, are adopted.<sup>(6)</sup> Special attention will be devoted to aspects of organized crime that directly affect state sovereignty, including the illegal and illegitimate services that organized crime can provide in competition with government.<sup>(7)</sup>

Concerning illegal drug trafficking, for the purposes of the paper it will be called simply drug trafficking. The study makes no attempt to develop the current debate on what constitutes an illegal drug, why such drugs should remain illegal, and whether legalization of drugs would significantly reduce the crime associated with them. It will consider illegal those drugs considered as such by the majority of EU governments, knowing that some notable exceptions in legal practice or in actual law enforcement priorities in some countries create political problems and difficulties of implementation.<sup>(8)</sup> It must be added, however, that the author assumes that while prevention and the reduction of demand are fundamental, repressive measures remain an indispensable complement.

Terrorism is another phenomenon that is difficult to define, because there are obvious political and operational difficulties concerning the arrest and extradition of terrorists. The fact that one can also speak of international terrorism does not simplify the task, although in practical matters cooperation can nevertheless be significant.<sup>(9)</sup>

Probably the best known definitions are those employed by the US Department of State,<sup>(10)</sup> which are worthwhile quoting because they are used in a yearly public assessment on global terrorism:

- ' The term "terrorism" means premeditated, politically motivated violence perpetrated against noncombatant<sup>(11)</sup> targets by subnational groups or clandestine agents, usually intended to influence an audience.

- The term "international terrorism" means terrorism involving citizens or the territory of more than one country.

- The term "terrorist group" means any group practising, or having significant subgroups that practise, international terrorism.'

The definition adopted will be that proposed by L. R. Beres, which uses the twin criteria of just cause and just means to distinguish between rightful recourse to insurgent force and unlawful terrorism.<sup>(12)</sup> As in the past, the just cause of political violence can always be argued, but the just means are quite clearly defined by

international law both for regular and irregular forces. Terrorism is unlawful because the methods used fail to satisfy the criterion of just means (i.e., whenever the use of force is indiscriminate, disproportionate and/or beyond the codified boundaries of military necessity). Any group violating these norms would be guilty of war crimes and possibly even of crimes against humanity.

Further clarification of the term international terrorism is needed. In the wider debate it is often a very inadequate and confusing shorthand expression that covers different phenomena whose degree of political and moral unacceptableness can vary considerably.

To distinguish better the various international dimensions of terrorism, one must start from its domestic dimension and then look at the international aspects. In this paper, seven types of terrorist or terrorist-like situations are distinguished:

- (1) domestic terrorism, endemic terrorism and civil war;<sup>(13)</sup>
- (2) international implications of domestic/endemic terrorism and civil war;<sup>(14)</sup>
- (3) international spillover of domestic/endemic terrorism/civil war;<sup>(15)</sup>
- (4) international support to domestic/endemic terrorism/ civil war;<sup>(16)</sup>
- (5) international state sponsorship of domestic, endemic terrorism or civil war;<sup>(17)</sup>
- (6) international terrorism proper: in this case citizens of one country carry out attacks in countries other than the theatre of civil confrontation and/or against citizens who are neither within that theatre nor in countries adjacent to it;<sup>(18)</sup>
- (7) covert operations: this denomination includes state-sponsored assassination of selected individuals whose political, or military research activities are considered dangerous, or because they are retaliatory targets.<sup>(19)</sup>

The reader will see in the third chapter that these categories help in assessing the nature and effects of international terrorism in a much more realistic way.

### **The link between internal and external security in an integrated Europe**

The idea of a link between internal and external security is a logical consequence of the process of European integration, because the increased freedom of movement allowed by the single European market has made the distinction between the two increasingly tenuous. Two documents reflect this change fairly well.

During the 1995 Madrid ministerial meeting, all the countries of the WEU family explicitly drew attention to these new security factors:

I.A.9 This new security framework is based on a broad concept of security.

I.B.1.19 . . . but also because Europe's prosperity and its position in world affairs depend on free and orderly conditions for international economic intercourse and on

the widest possible international cooperation in tasks such as arms control and disarmament, non-proliferation, combating terrorism, crime and the protection of the environment.

### *Organized crime and the illegal traffic in drugs*

I.C.3.56. Given modern means of communication and the greater openness of frontiers in Europe, organized crime is not only a national problem but has international ramifications with the potential to provoke both internal instability and to affect relations between countries. This is particularly the case in certain successor states of the Soviet Union where the collapse of authority has created vast new opportunities for criminal activity. Lack of effective supervision and criminal complicity have made the large stocks of weapons left over from the Cold War years as well as nuclear materials relatively easy to obtain. Equally, organized crime has, in many instances, close links with the financially lucrative production and trafficking of narcotics. There are possible links between organized crime and terrorist organizations.<sup>(20)</sup>

At the same time, in preparation for the Intergovernmental Conference (IGC), an EU reflection group voiced the same concerns even more significantly:

#### 'Part Two: An Annotated Agenda

#### II. The citizen and the Union

#### B. Freedom and Internal Security

(. . .)

- The Group considers that there is a clear demand on the part of the public for *greater security* for citizens within the Union in the face of phenomena such as terrorism and other forms of organized crime (drug trafficking and others);

- it is also felt that, in the context of a single market, an open society and the abolition of the Union's internal frontiers in accordance with the treaty, the State, acting in isolation, cannot fully guarantee the internal security of its citizens since such phenomena clearly have an international dimension. There is an obvious contradiction between the effective international organization of such crime and the national character of the main instruments used to combat it, which explains their limited effectiveness;

(. . .)

- finally, the prospect of forthcoming enlargement implies a qualitative change in the need to guarantee the internal security of citizens in the Union more effectively.<sup>(21)</sup>

The texts quoted clearly indicate: that Europe's security has now to be considered in a wider context than before; that essential interests (like prosperity), influence and prestige depend in part on the issues and risks considered here; that some internal problems have also acquired an international dimension (some FSU states and

Albania are examples); that organized crime has to be addressed, due to potential access to nuclear weapons and the trade in weapons and drugs; that there is no tight separation between organized crime and terrorism; that there is a strong demand from citizens, i.e. a political requirement, for more security against organized crime and terrorism; and that nation-states' limited capabilities are insufficient to cope with transnational phenomena.

### **Multidimensional security and its implications**

If these are indeed the broad political requirements on which 15 to 28 countries formally agree,<sup>(22)</sup> it appears obvious that they cannot simply be met by just national or international law enforcement and judicial policies, operations and procedures. They concern that interface with policy called grand strategy by various authors, and thus they must be addressed at the highest strategic level.<sup>(23)</sup> Here security, on the one hand, necessarily acquires a multidimensional character because it must take into account different factors that influence its conception, execution and continuity. On the other hand, the security landscape itself requires a multifaceted approach to old and new risks.

An immediate political objection to a wider concept of security is that there is a danger that if very different threats are included in the same category (security), the policy approach will be less focused on political and social solutions and more in favour of indiscriminately repressive, quasi-military actions. In other words, if, potentially, everything concerns security, policy responses could implicitly be more and more 'militarized'. Such an approach would hardly be seen as convincing by, for example, law enforcement and judicial officials. On a more intellectual level, this objection is coupled with the risk of 'concept inflation', whereby the progressive widening of security endangers its coherence.

The case for a concept of multidimensional security will combine different arguments. First, there is no rigid link between a comprehensive concept for understanding a new situation and the quality of the response. On the contrary, a broad concept allows a flexible, tailored policy in which force is only one of the various means employed. Only in short-term lobbying battles is an alternative between prevention and repression seen. In fact they are not alternatives: both have to be used in harmony.<sup>(24)</sup>

Second, only the rather exceptional situation of the Cold War in the more developed countries of the Northern hemisphere induced policy-makers to believe that clear-cut distinctions could be drawn between internal and external security. Elsewhere (and at other times) multidimensional security was *de facto* an evident approach.

Third, the fear that the distinction between spheres of enforcement and of executive powers would thus be blurred, to the detriment of democracy, is an ideological statement. Everyone agrees on the risk in principle, but it must be assessed against the actual laws and practices of a given government. Transnational organized crime or international terrorism exploit a rigid division of labour or the lack of collaboration among governmental bodies. Conversely, experience shows that democracies have maintained their political standards fairly well, not only in situations where armed forces are directly called in to assist (United Kingdom), but also where large police forces are subject to military discipline and command (France, Italy, Spain).

Fourth, security is a politically defined concept. It is open to debate whether the widening of security might be a good or a bad political choice, but security is not intrinsically a self-contained concept, nor can it be related to military affairs only. If political priorities change, the nature and the means of security will inevitably follow and adapt to the different areas of political action.<sup>(25)</sup>

But, if conceiving security within grand strategy as a multifaceted reality may be conceptually useful,<sup>(26)</sup> this does not explain fully why security is again perceived as multidimensional, nor why transnational organized crime, drug trafficking and international terrorism should be part of it.

The usual mantra that everything changed after 1989 is unsatisfactory. During the Cold War security continued to be multidimensional. Both the refusal by the Warsaw Pact countries to adhere to the Marshall Plan and the surveillance carried out by NATO countries on leftist political organizations were illustrations of this multifaceted approach, but still the distinction between internal and external security was relatively straightforward. Internal threats were a police matter, external ones an armed forces affair. There have been notable exceptions in the United Kingdom, Israel and the United States, where constitutional constraints, operational needs or political rhetoric provided the basis for the use of armed forces in anti-terrorist or anti-drugs missions.

After 1989 the strategic landscape changed, but the most important difference was that the West European nation-states saw their effective role, and ultimately their very sovereignty, increasingly weakened.<sup>(27)</sup>

Security has become more visibly multidimensional because attacks on the sovereignty, the control of armed force, the stability, the prosperity and the prestige/legitimacy of nation-states can now be carried out more effectively by non-state actors through a number of means. Additionally, complex modern societies present multiple vulnerabilities. On the one hand governmental resources are no longer sufficient to control autonomously key components of sovereignty, be it security at borders or in a wider adjoining geographic area, or the value of a currency, or even internal security. On the other hand, supranational, transnational and infranational actors have at their disposal means and resources (such as market control, massive private funding, sophisticated telecommunications, cryptography and heavy weapons) that were once the exclusive preserve of nation-states.

A consequence is that a number of low intensity conflicts (LIC) and covert operations once steered by governments on both sides of the Iron Curtain no longer depend heavily on state sponsoring. It also means that overt and covert pressures that could be brought to bear on governments supporting terrorism do not now often find an available counterpart. This applies equally to organized criminal groups.

Finally, security is multidimensional because individual welfare is more central to policy-making than it was fifty years ago. Individual security can no longer be satisfied only through military, police or diplomatic measures; it needs a multidimensional approach. If one wished to develop this argument to the extreme, one could state that individual security and international stability are becoming

increasingly intertwined and that a security threat is anything that hampers any relevant organization in ensuring individual security.<sup>(28)</sup>

# TRANSNATIONAL ORGANIZED CRIME AND DRUG TRAFFICKING

In this chapter the strategic relevance of five aspects of these two risks will be analysed: drug trafficking as the most powerful resource for transnational organized crime; nuclear smuggling as the most visible danger; the concept of drug geopolitics and the effects of the control of drug-related resources on international security; the dangerous liaison between drugs, armed struggle and covert operations; and, finally, the nonphysical dimension of organized crime, namely money laundering and computer crime.

Transnational and national organized crime have to be considered together because, beyond the initial stage where it is possible for organized crime to operate exclusively in its own geographic area,<sup>(29)</sup> the other phases imply that the criminal organization must have either an international connection or be in transnational evolution.

Drug trafficking will be considered mainly in association with transnational organized crime, since the drugs production and smuggling chain requires criminal organizations. In other words, organized crime can exist without drug trafficking but the reverse is not true. Drugs can be considered a force and a crime multiplier, not only for criminal groups but also for guerrilla and terrorist groups.

## Drug trafficking

Transnational organized crime, and especially its association with drug trafficking, is an outright threat for European governments and societies for the following reasons:

- The lives lost or ruined by drugs or during criminal confrontations are not only a constant and high cost for a demographically stable population, but directly or indirectly represent an economic gain for dangerous actors who challenge the authority of the state, and the law, from beyond its borders. No government or public would accept similar levels of casualties in peacekeeping, external attack or terrorism (at least 16 dead per day in 1996 in the Schengen countries),<sup>(30)</sup> but politicians and citizens at large still entertain the ruinous belief that drug trafficking is an internal matter to be fatalistically accepted just as car accidents are.
- The economic resources generated by organized crime and drug trafficking are directly and deliberately used for destabilizing the society, the political system, the administration and the economy of a country. The corresponding effects are: '*pax mafiosa*', destruction of democratic/liberal values, corruption, money laundering and the infiltration of legitimate businesses.
- The transnational networks, created and sustained by this combination, attack territorial integrity both within and at the borders of a given country. Whenever organized crime controls an area, transnational organized crime has free access and law enforcement finds a 'no-go' area or is anyhow ineffective. These areas, also called 'grey zones', are unfortunately found in many European countries.<sup>(31)</sup>

- Many CEEC and some Mediterranean countries risk becoming less reliable partners because organized crime and drug trafficking are undermining them, even if they might sometimes consider themselves merely countries through which drugs transit.

- The stability of Russia and Ukraine, important dialogue partners of WEU, may be called significantly into question, with evident repercussions at the political and economic level, not least in the G7 forum, where important political coordination of action to deal with these risks takes place.<sup>(32)</sup> The same may be feared for other FSU countries beside and beyond the Urals.

It is worthwhile noting that in the United States, Europe's key security ally, official concern over this security risk is particularly high. Organized crime and drug trafficking have the status of a national security threat, because most of the illicit drugs in the United States are produced elsewhere, and because their power is becoming more and more of a threat to governments and economies that are important to the United States, especially nascent democracies<sup>(33)</sup>. Its financial muscle, which facilitates accession to political influence and power, is far from being underestimated. Organized crime is a multi-billion transnational business: drug trafficking alone, according to the UNIDCP World Drug Report, has a \$400 bn/year turnover, which is equal to 8% of total world exports.<sup>(34)</sup>

Some US analysts already believe that the latest evolution of both phenomena is towards organized systemic crime (OSC), which is characterized by a growing number of alliances between Russian, Chinese, Italian, Japanese and US criminal organizations, and a fully-fledged narco-industry.<sup>(35)</sup> Between 1991 and 1993 a number of criminal 'summits' have taken place, involving Cosa Nostra and Russian criminal organizations.

### **Transnational organized crime and nuclear smuggling**

Public attention has instead been impressed by the presumed activity of organized crime in the smuggling of nuclear material and weapons, particularly from Russia. It can be said that although the figures are worrying, up to July 1997 this link was still considered weak. One should not forget that up until that date not a single case of smuggling of weapons-grade material had been proved beyond any doubt.

In terms of raw numbers, smuggling of nuclear material has increased since the collapse of the USSR: from no documented cases at the end of the 1980s to 124 in 1994. The International Atomic Energy Agency (IAEA) recorded 130 confirmed cases between 1993 and 1996.<sup>(36)</sup> Other German governmental sources have put the number of cases in the period 1992-1995 at up to 500, of which only 77 saw the confiscation of some material, whose real importance should not be overstated.<sup>(37)</sup> The main reasons for this trade are poor accounting, lax security on nuclear sites, complicity among civilian personnel and the myth that nuclear material can be sold for huge sums.

At a number of meetings during 1995, European Union and US customs authorities, as well as German authorities, concluded that there was no such market in Western Europe. Nor do most Russian authorities see any involvement of organized crime. The main explanations for this may be: that organized crime can make much more money

in other illegal deals; that selling nuclear material or weapons is felt by criminals to be a risky, high-profile, one-off affair; that potential proliferating countries are much more interested in technology, and that the potential smuggling routes are much more likely to be the Caucasus or Central Asia.<sup>(38)</sup> This situation should not, however, encourage a lessening of surveillance, and should not lead us to regard the potential for a tactical alliance between intelligence services of a proliferating state and selected criminal organizations, aided by corrupted nuclear engineers and company managers, as implausible.<sup>(39)</sup>

## **Drug geopolitics and international security**

We have already seen that organized crime and drug trafficking are not invisible: they can be traced territorially to areas in which the state's authority is contested, the so-called 'grey zones'. This subchapter tries to explore the strengths and limits of geopolitical drug concepts *vis-à-vis* multidimensional security policies.

A French school of thought has tried to extend the traditional concepts of geopolitics to the drug trafficking-organized crime dimension.<sup>(40)</sup> According to Labrousse and Koutouzis, drugs can be the sinews of war and a direct geopolitical factor, since their raw material is grown on the territory of other countries. Drugs geopolitics generate a drugs geostrategy defined as 'the art of subtracting a territory or a population from the authority of an identified enemy.'<sup>(41)</sup> The authors give as examples the Huallaga Valley in Peru and the hilly area in Burma at the frontier with Thailand, where the Peruvian Army and the Burmese military junta are trying to protect the population and local drug production from local narco-guerrillas.

The interesting connection with the grey zone idea is that, whereas classic geostrategy focuses on a territory organized by some state authority, drugs geostrategy often acts in a geographic space that is fluid, fragmented and contested. 'The study of drugs geostrategy is connected with that of world disorders . . . constant objective of the drugs godfathers is political instability.'<sup>(42)</sup> Within this fluid space, specific landmarks or routes that structure the illegal trade can be important objectives for the drugs king-pins.

This approach has a dual usefulness: it allows the creation of reasonably clear geographic maps, visualizing at global and regional level the main areas of production and instability, and, more important, it links the problems of transnational organized crime and drug trafficking to that of lack of governance.

The consequence at the level of international policy is that global interdependence is not only expressed by mutual commercial, financial, cultural links, but by the effect that developing countries' instability has on the security of developed ones. Every time that the ablest members of the international community remain passive and fail to help a country that is descending into chaos, sooner or later that country becomes another hub for illicit trafficking, drugs included. The examples of former Yugoslavia, Somalia and Albania will shortly be discussed. All three have been or are the scene of international intervention that tried to ignore the need for a holistic approach in PSO. To control the more visible level of military violence, leaving untouched the law enforcement level, is to leave unscathed the roots of conflict and to allow

transnational organized crime, drug trafficking and possibly international terrorism a free space.

The case of former Yugoslavia should be a success story, but in the light of the new risks is not really one. Assuming that UNPROFOR reports that during the war there were massive movements of arms, heroin and 'black' money were correct (the same situation was detected by French intelligence), disturbing questions arise. To what extent did humanitarian aid also finance a criminal economy, managed by organized crime, that was strongly connected with local militias? Why did certain pressure groups insist particularly on the lifting of the arms embargo? What was and is the impact of the UNPROFOR/IFOR/SFOR contingents on the local organized crime circuits?<sup>(43)</sup> Failure to understand this dimension of PSO will result in more drugs and more violence being imported as a consequence of intervention by Europe and the United States. It is no mystery that one of the main routes for heroin smuggling is still the so-called Balkan route, and that along the Neretva river marijuana cultivation began after the Dayton peace agreement.<sup>(44)</sup>

In the case of Somalia (1993), the UN correctly identified the restoration of governance as the essential requirement for stability and development. This objective, due to a lack of political coherence among the participants in the operation, was not attained. The price paid has been the creation of another sanctuary for international terrorism and a nodal point for African drug trafficking routes directed towards the United States and Europe.<sup>(45)</sup>

Albania (1993-1997) is unfortunately a live case study. The transition from dictatorship to democracy was particularly unstable due to the weaknesses in local politics and society. Behind the first uncontrolled mass migrations to Italy, an initial alliance between the SCU, the main Apulian organized criminal group, and local criminal groups, in liaison with officials of the old Sigurimi secret police, was quickly being forged. Between the economic destabilization of the country, due to pyramid financial operations, aggravated by local corruption and organized crime, and the successful but short-term Italian effort, the PELLICANO (Pelican) humanitarian operation, the international community remained passive.<sup>(46)</sup> Instead, transnational organized crime and drug trafficking, together with their associated plagues - money laundering and illegal immigration - developed very rapidly, supported by Kosovar criminal networks across Europe. Despite the Adriatic Sea being one of the most heavily patrolled areas during the embargo against former Yugoslavia, fast motorboats from the ports of Albania and Montenegro made daily trips to the Apulian coast. The criminal organizations on both shores managed to send to Italy a steady stream of drugs, weapons and potential criminals.<sup>(47)</sup> Operation ALBA was the timely reaction of some countries, designed to prevent the Somali-style decomposition of Albania.

The geopolitical and geostrategic approach to drugs also has its shortcomings. The main one is that a territory does not always have to be so evidently fluid and contested for a criminal organization to control it. Developing countries or failing nations display this lack of control more evidently,<sup>(48)</sup> but in Western Europe, too, grey zones exist that have other, hidden characteristics.

These zones can take the form of an island, an urban area or a region in which violence is generally quite limited and all the law enforcement machinery is in place, but where the state's power is largely irrelevant or has great difficulties in gaining a foothold. Under the surface, racketeering (protection money or contributions to revolutionary cells) is unaffected, usury is uncontested, money laundering is a matter of fact, drugs flow freely and organized crime can offer a number of ruling services. In fact, an alternative mapping of organized crime can be found in NDU's *Strategic Assessment*, which gives the location of the eight international major organized crime groups: the six triads (China, Hong Kong and North Korea); the Medellin and Cali cartels (Colombia); Cosa Nostra, Camorra, 'ndrangheta, SCU (Italy); Boryokudan or Yakuza (Japan); the cartels of Juarez, Tijuana and the Gulf (Mexico); the Turkish-Kurdish clans (Turkey) and the American Mafia (United States, Canada).<sup>(49)</sup>

On the other hand, one does not always need to stick to geographic references, since a high level of corruption is generally a telling sign of such a potential or actual situation.<sup>(50)</sup>

A second weakness in this formulation of the geopolitical approach is that it has not yet taken account of the spread of synthetic drugs, which do not need large, visible, static areas for their production and can use very small, mobile processing laboratories. The main areas where synthetic drugs are produced are South Korea, the United States and Europe (the United Kingdom, Germany and Poland), but it can be safely assumed that criminal organizations producing synthetics will quickly adapt their geography to markets and law enforcement activity. The OICS (Organe International de Contrôle des Stupéfiants) underlined in its 1996 report that consumption of just one category of synthetic drugs progressed from 3 tons in 1990 to 10 in 1995.<sup>(51)</sup>

A final observation must be made on the possibilities of expansion of organized criminal groups and the areas controlled by them. On the one hand there is a direct correlation between the importance of the criminal deal and the risks incurred. The bigger the criminal investment the more difficult it becomes to make contracts binding, to limit the number of persons involved and to avoid leaks of information and 'repentances' to law enforcement. This is cold comfort, because the diffusion of several small geographical and functional monopolies does not improve overall governance and security.

On the other hand, this cancer-like metastasis can in the end transform (i.e. corrupt) the behaviour of a whole ruling élite or lead to a country's disintegration, to the evident cost of the whole international community. The reality of Nigeria or the fears raised by a possible criminal hegemony in Russian society are a stark illustration of this concern. Drug and organized crime geopolitics show that there is little hope that these phenomena are likely to have a self-regulating effect.

### **Drugs, armed struggle and covert operations**

Drug trafficking has been considered, at least since the Second World War in the Far East, as a quick way of providing necessary funds either for sustaining an invasion (Sino-Japanese war), supporting a resistance movement (Kuomintang and the Chinese Communist Party) or for mounting a covert operation. This section will try to show

that drugs are in many cases a double-edged instrument, whose price will be paid either in terms of political goals by the insurgent movement or by uninvolved citizens at home.

In the past, people heard about freedom fighters or guerrillas without questioning who paid for their costly activity and how. Most assumed that opposing intelligence services orchestrated the covert funding. A changed reality introduced the concept of 'degenerated' guerrillas. These new guerrillas are considered by some authors to have: a residual ideological connotation that masks a lack of political thought and strategy; a strong trafficking dimension, both in drugs and other legal or illegal commodities; a marked role in organizing the racketeering by the emigrants of their ethnic group or their exploitation in drug trafficking, money laundering and slave trafficking networks.<sup>(52)</sup> The degeneration may at the same time be considered to be a political, moral and juridical one, because here any idea of 'just cause-just means' has totally disappeared in favour of survival by preying. Examples of this sort of guerrillas are the Turkish PKK, the Filipino NPA, the Sri-Lankan TTLE, the Colombian FARC, the Peruvian Sendero Luminoso (Shining Path - SL) and the remnants of the Cambodian Khmer Rouge.

Other analysts, like Rufin, prefer to point out that, with the end of superpower and proxy subsidies, guerrillas had to change their ways in order to sustain themselves by using 'criminalized resources'.<sup>(53)</sup> One consequence is that guerrilla movements become successively fragmented along lines of effective control of criminalized resources. Local chieftains can thus challenge the authority of the central movement. A second effect is that traditional frontier sanctuaries, typical of Cold War guerrillas, are less important than ethnic networks in rich countries, drug production sites, communications nodes and commercial areas (which include humanitarian aid centres and corridors). This can lead to the development of a mutually useful relationship between guerrillas and 'Mafia' organizations. For instance, in Somalia an economy based on predatoriness existed until the departure of UNOSOM II, when the country became a transit for drugs.

This paper argues that the two concepts can be reconciled. In fact, the end of governmental control and manipulation of guerrilla movements has produced, as in other areas of politics and economics, a deregulation of guerrillas and a delocalization of their logistics. If war economics are a mainspring of these civil conflicts, it is not surprising that in effect armed movements 'degenerate' and sink in the vicious circle of criminalizing resources. Beyond possible tactical alliances with criminal organizations, the most worrying feature is that armed movements acquire more and more 'Mafia' characteristics precisely because they become engaged in drug trafficking. The drawback for these movements is that in the longer run their legitimacy will be increasingly eroded in the eyes of dominated populations.

The dynamics of this involvement in crime are illustrated at three levels:

- local tax on illicit crops;
- involvement in commercial networks;
- development of international networks.<sup>(54)</sup>

Through the first system, in 1994 the Afghan Akunzada brothers levied a 10-5% tax on opium crops, gained some \$35-70 million and maintained a force of 5,000 men.<sup>(55)</sup>

The second level follows the first, through a tax on drug trafficking. Sendero Luminoso gets an average of \$5,000-10,000 (or the equivalent in arms) from Colombian 'narcos' for each small aircraft transporting drugs, with an estimated yearly gain of around \$10 million. In Burma, the 'opium king' Khun Sa was able to fund a 10,000-men strong army, levying taxes from local dealers and taking payments for the protection of drug caravans and from the local refinement of heroin.

The final level was developed by the Lebanese Christian militias during the civil war, the TTLE (since the mid-1980s), the Kosovo Albanian organizations and the Kurds of the PKK.<sup>(56)</sup>

In many of the examples mentioned it appears that, in the longer run, political support beyond the purely local level is greatly diminished once the criminal financing of these movements has been exposed to the public.

Turning our attention to governmental actors, the use of drug trafficking as black funding is not necessarily a post-Cold War feature and it appears that some intelligence agencies, or groups connected with them, have for more or less limited periods believed in its effectiveness.

A typical case is that of the Pakistani Inter-Services Intelligence (ISI), which in 1979 received from the CIA the sole right to distribute US funds and arms to the Afghan Mujaheddin. The ISI also chose to bring local production of poppy and heroin under its own control. The goal of this undertaking was to finance destabilizing operations against India in a scheme very similar to the Iran-Contra one. The 'success' of this programme was such that, according to UNDCP data, by spring 1994, 320-330 tons of heroin had been produced. From a political point of view the extension of drug trafficking in the end permitted the rise of the Taliban movement, supported by Pakistan. Taliban's religious precepts were quickly adapted to economic realities.

But the other side of the coin is equally horrifying. Between 1980 and 1995 the number of heroin addicts in Pakistan rose from nil to 1.5 million. The aggregated drug revenue of an estimated \$2-4 billion has had a terrible impact on the country's political and economic life: Karachi, the biggest port, was abandoned by the army in 1992 and left in the hands of organized crime.<sup>(57)</sup>

Similar involvements during the wars in Indochina by the SDECE and the CIA and during counter-guerrilla operations in Turkey have been reported by the press and in the specialized literature.<sup>(58)</sup> The most publicized case was the Iran-Contra affair. Since the US Congress had blocked governmental aid to the anti-Sandinista Contra movement in Nicaragua, and nine American hostages were still detained by Iran-sponsored factions in Lebanon, Colonel Oliver North, using CIA assets, set up a covert operation (1984-1988).<sup>(59)</sup> The whole Iran-Contra affair was a rogue operation, and the net results were disastrous: no success in Nicaragua or Iran, a continuing political backlash, more drugs smuggled, more dead in the streets, and allegations that most of the drugs were deliberately directed to black ghettos.

## **Computer crime and money laundering**

In this subsection it is not the intention to discuss in detail these two aspects, which could be an issue on their own, but simply to place them in a multidimensional security context. 'For all of us, civilians and soldiers alike, it [survival] will take a profound understanding of the revolutionary linkage between knowledge, wealth and war.'<sup>(60)</sup> Money laundering and computer crime lie at the intersection of all three.

Computer crime is not just an additional tool in the hands of transnational organized crime and international terrorism: it adds an entirely new, electronic dimension to fraud, theft, larceny, embezzlement, sabotage, espionage, extortion, conspiracy and money laundering.<sup>(61)</sup> It easily puts into the hands of unlawful non-state actors speedy communications and control, communications mobility, encryption and stealth in electronic attack.

Traditional security agencies have quickly recognized potentialities and weaknesses in what has been dubbed 'information warfare' (IW). In June 1986, the KGB started for the first time an extensive computer attack operation, using the skills of German hackers. Ten years later, General Aleksander Lebed, in his short tenure as chairman of the Russian Security Council, created an information security department whose task was to develop offensive and defensive IW. The US DoD has conducted extensive computer attack exercises on his own networks. The results have been appalling. In the United States, 99% of military communications use civil networks via Internet; 88% of the attacks on a sample of 3,000 military computers were successful, only 4% were detected and 0.5% reported.<sup>(62)</sup> The complicating factor of computer crime is that military and civilian vulnerabilities are deeply enmeshed, and an electronic blitzkrieg would affect all the vital infrastructure of a country simultaneously.

For the time being the main uses of computer crime by organized criminals and terrorists are coded communications, the transmission of sensitive documents (bomb fabrication or drug refining instructions, lists of adult and child prostitution centres, etc.) and, of course, money laundering. But new dangerous misuses are emerging: a couple of years ago the SCU started to access confidential banking records in order to, for instance, target double salaries for racketeering. In the not too distant future, terrorists and criminals will no longer attempt physically to destroy large electronic databases, but instead to penetrate and corrupt their data. The illegal consultation of files concerning undercover agents, new identities of repentants or the modification of files in the Schengen Information System (SIS) are just a few plausible scenarios.

Money laundering is intimately connected with computer crime, and represents in part the intangible dimension of organized crime. Estimates of money laundered annually worldwide amount range from \$300 to \$500bn (30-40% drugs-related, the rest tax and tariff evasion, arms smuggling, terrorism and fraud); those of drugs money range from \$30 to \$100bn per year in the United States alone, and some estimate that \$1bn goes weekly to Russia and \$22bn from that country every year.<sup>(63)</sup>

Money laundering is also one of the essential features of transnational criminal alliances. Cosa Nostra launders money for the Colombian cartels. It gains 25% from

the money laundered, while the rest may be invested in Russian commodities for export in hard currency, with estimated profits of 200%-500%.<sup>(64)</sup>

Given its geographic scope, it is clear that money laundering is everybody's concern. According to the INSCR, the countries where the fight against money laundering should be a high priority are: Aruba, Canada, Cayman Islands, Colombia, Cyprus, Germany, Hong Kong, Italy, Mexico, Netherlands, Netherlands Antilles, Nigeria, Panama, Russia, Singapore, Switzerland, Thailand, Turkey, United Kingdom, United States and Venezuela.<sup>(65)</sup>

# INTERNATIONAL TERRORISM

International terrorist attacks against US interests rose to 99 in 1995 from 66 in 1994, and the number of US citizens killed rose from four to 12. The total number of fatalities from international terrorism worldwide declined from 314 in 1994 to 165 in 1995, but the number of persons wounded increased by a factor of ten - to 6,291 persons; 5,500 were injured in a gas attack in the Tokyo subway system in March.<sup>(66)</sup>

Reviewing the US Department of State's 1995 data, concerning the 28 states of the WEU family, in relation to the seven types of terrorist action listed in the first chapter, the reality of international terrorism stands out even more sharply:

- Out of 31 killed, only 12 deaths were clearly attributable to international terrorism (seven of which were victims of the campaign by the Kelkal network in France).
- Only 141 people were injured in terrorist acts; of these, international terrorism was accountable for 129 (with the Kelkal group and the PKK heading the list with, respectively, 103 and 20 victims).
- All 19 persons abducted were implicated in domestic/endemic terrorism/civil war situations; of these, 14 were freed and even counting the other five as missing/dead, these abductions cannot be considered acts of international terrorism.<sup>(67)</sup>
- The rest of the victims were involved either in situations of domestic terrorism or civil war, or were targets of covert operations.

If one compares these data with the previously mentioned estimates of the total yearly cost of drugs to the US economy of \$152 bn/year and the 20,000 US yearly drug-related deaths, one can put the different risks into a clearer perspective.<sup>(68)</sup> The objection that some of these losses may be imputable to consenting adults engaged in self-destruction or crime does not detract from the fact that there is an evident disproportion in the concrete damage inflicted by organized crime and drug trafficking compared with international terrorism, no matter how it is defined.

Another fact to be remembered is that the most devastating terrorism is the domestic/endemic strain, as in Algeria, Northern Ireland, the Basque provinces, Turkey, Peru, Colombia tragically show. The estimated 60,000 deaths in Algeria since 1990 leave no doubt that the toll from the activity of terrorist groups can rival the destruction caused by orthodox interstate warfare.<sup>(69)</sup>

Against the background of these data, international terrorism since 1989 has posed a certain risk to the security of West European states. However, it seems implausible to qualify this risk as an outright threat, or to overstate its effects. Well-known actions like the wave of bomb attacks in France (1995) or the violent riots orchestrated by the PKK in the United Kingdom (1995) and Germany (1996), albeit having a strong echo and posing a significant challenge to governments and police, failed to change the political will of these countries. On the contrary, they helped stiffen it.

The strength of terrorism can only lie in the weaknesses of the target country, especially in the asymmetric value of life, but terrorism *per se* cannot really change the political will of a nation, unless a political choice is made in favour of interests that tend to ignore the rights of the victims, as has happened sometimes when Syria has appeared to be involved.

International terrorism presents a paradox: from a political perspective it is perceived as a global issue, but its physical effects are limited and the psychological ones quickly fade from the mind of the wider international public. The first step is to assess the security and political relevance of seven different categories of terrorism and then try to reconcile this contradiction.

Domestic or endemic terrorism, despite being more lethal and socio-politically more damaging in the medium to long term, does not arouse immediate international support for the victim country, not even when limited measures could make some difference and political bonds with that country are very strong. The United Kingdom-United States debate on the IRA and its networks for providing American financial support very much resembles that concerning extremist Islamist financial and logistic networks.

Support for or sponsoring of domestic/endemic terrorism or a civil war can, depending on the circumstances, affect regional stability, but without more powerful underlying political and social problems the effect is very limited. Despite fifteen years of Iranian support and sponsoring of terrorism against the relatively vulnerable Persian Gulf petro-monarchies, the record is not remarkable. Terrorist acts do not by themselves delegitimize the ruling classes, they are only a violent symptom of growing internal problems.

In the wake of the elections in Israel in 1996, it could be argued that this sponsoring can influence the political equilibria within the target country. Actually, it is difficult to gauge whether it really does, or whether this support is exploited as a political argument to preserve or change the political situation, especially in democracies. Leaving aside the killing of Yitzhak Rabin by an Israeli terrorist, the victory of the Likud cannot be seen out of the context of the deep social and cultural changes in Israel that had resulted from a decade of immigration. Not a single European democracy has been seriously destabilized by support to or sponsoring of terrorism within it (Italy, United Kingdom, Spain), whereas the domestic political exploitation of terrorism has in some cases made a difference.

Covert operations infringe national sovereignty, but they do not seem to impinge either on the overall political will of the victim country or on its stability. The case of Salman Rushdie may be thought a notable exception, because it has attracted much media attention, but UK international policy decisions are influenced by other factors. The judgment passed on the Mykonos case in Germany, which unambiguously accused Iranian intelligence services, clearly created a major diplomatic incident between EU and Iran (April-May 1997), weakening the idea of 'critical dialogue', but the main EU policy guidelines have not changed substantially.<sup>(70)</sup>

International terrorism as proxy for indirect confrontation between governments is politically more worrying, because it erodes international standards by carrying out

indiscriminate attacks on innocent civilians. Nevertheless it can be tackled more effectively, because a state infrastructure can be traced and attacked by any means. However, the trend after 1989 has been a marked diminution of this form of warfare.

International terrorism in support of domestic terrorism, and international terrorism in support of a wider political, ideological or religious confrontation, are much more problematic. Here the ideological connections are reasonably identifiable, but the terrorist cells and their networks are less easy to attack, because their links are more tenuous and flexible than state-sponsored ones. The French Kelkal terrorist group, which was responsible for the bomb attacks in 1995, showed precisely these more elusive characteristics, coupled with a disquieting link with common crime.

### **Deregulation and delocalization of terrorism**

Now the crucial point, at the level of grand strategy, lies less in the present human and material costs of international terrorism than in its potential developments, which are the same as those observed in the case of guerrillas: deregulation and delocalization. To them must be added longer-term indirect effects.

The deregulation of terrorism includes its privatization, its links to criminal organizations and, mainly at local level, its extension as a practice to criminal organizations. The delocalization is synonymous with globalization.

These three relatively new characteristics pose a direct problem to states in terms of diffusion of power, a special case being the possession of weapons of mass destruction (WMD).

The privatization of terrorism is epitomized by the millionaire Osama ben Laden. In the past ben Laden had actively collaborated with the CIA in Afghanistan, but he changed his mind after the arrival in Saudi Arabia of American troops, something he felt was sacrilegious. His \$300 million fortune has been used to create several terrorist training camps in Afghanistan, Pakistan, Yemen and Somalia, and he is suspected of having masterminded the Dhahran bomb attack of 25 June 1996.<sup>(71)</sup>

Less spectacular but no less important is the network of private or religious charities that are capable of supporting low-cost terrorist networks, which in turn may accept state support but do not depend on it.<sup>(72)</sup>

The links between terrorism and criminal groups are not new, but the way they are fostered is different, as the case of Islamist networks in France demonstrates. Since 1994 the line between Islamist militants and criminals has become blurred, due to an increasing interpenetration of both environments. French anti-terrorist experts point out that the new groups emerging: are bound by a more 'intellectual' member or a veteran from Afghan or Bosnia; already socially excluded, tend to create a sort of internationalist counter-culture using Islamism as an existing ideological 'anti-system' tool, with aid from certain mosques, cultural associations and within prisons; and, finally, their opposition to society, which is common to internal and international terrorism, is expected to increase.<sup>(73)</sup>

The spread of terrorist methods to organized criminal groups is particularly well known in Colombia, where the Cali and Medellin drug cartels have employed car bombs frequently in indiscriminate attacks. In Europe the phenomenon is still relatively limited: three Cosa Nostra attacks in Italy (1994) and one attack by organized criminals in Moscow (11 November 1996). In the case of Corsica there is instead the gradual transformation of a nationalistic terrorist movement into a collection of organized criminal groups, as French president Jacques Chirac has defined them.<sup>(74)</sup> Until the end of 1996, bomb attacks were still carried out in a way designed to minimize casualties.

An ominous sign of the lethal potential that the manipulation of organized crime and terrorist techniques can develop in spillover of endemic terrorism comes from India. On 12 March 1993, in the business district of Bombay, multiple bomb attacks, using explosive cars, motorcycles and suitcases resulted in 320 dead and more than 1,200 injured. The perpetrators were not terrorists, but local criminals, following the directives of an Indian 'godfather' living in Dubai, apparently recruited by Pakistani intelligence in retaliation for the killings of Muslims in Kashmir by Indians.<sup>(75)</sup>

A possible variant of this deadly synergy is the criminal multi-service agency, which makes money through criminal activities organized in Mafia-like fashion and obtains money and political protection through customized terrorist attacks. Although such activity is rare nowadays, there is the important precedent of the Magliana gang (1983-1993).<sup>(76)</sup>

The globalization of terrorism is a consequence of its deregulation and adaptation to the effects of international economics. Transnational terrorists benefit from modern communications and transportation, have global sources of funding, are knowledgeable about modern explosives and weapons (which are widely available on the black market), and are more difficult to track and apprehend than members of the old established groups or those sponsored by states. There are still some stable groups, but outrages set up by *ad hoc* multinational terrorist groups are becoming increasingly frequent.

The effect of the global economy, communications and transport is so strong that it may be an important cause of the lack of central coordination of like-minded extremist Islamist groups. At a secret summit of anti-terrorism chiefs of the intelligence services of the 15 EU countries on 6 March 1996, particular attention was devoted to attempts that had been made to create an 'Islamic high command', with secure communications, an intelligence network and armed operational units. As at July 1997, police investigations were not able to confirm the existence of such an international command, because the different organizations had proven incapable of overcoming ethnic, social or tribal divisions.<sup>(77)</sup> However, it should not be forgotten that globalization means that international terrorists are able to work separately, strike together and remain elusive.

Another aspect is that in a global system local responses to regional social crises and political disorder can be exported across great distances, sometimes with worldwide impact. Emigration is a traditional answer to these crises and it is increasingly exploited by terrorist groups to recruit, and find cover and support (e.g. Egyptian

terrorist groups in the United States, Algerian GIA groups in Spain and France, Croatian groups in the United States, Canada, Australia, Germany).

This last characteristic helps in reconciling the initial paradox: international terrorism is not so important for its direct effect or its frequency; it matters because the indirect effects of domestic terrorism, added to those of international terrorism, impinge on global security.

'But international terrorism is not dissociated from domestic terrorism, and therefore its examination cannot ignore background social and political contexts . . . it is the situation at home that determines occurrences in foreign states.'<sup>(78)</sup> The general trend of terrorism is a concentration of operations within the domestic sphere that affects the stability of individual countries and regions, and this in turn impinges on international security. Whenever terrorist groups find their ability to operate severely restricted at home and no exploitable political situation in view, a reversal to international terrorist attacks may be very easy.

### **International terrorism and WMD**

On 20 March 1995, members of the Japanese cult Aum Shinri Kyo (with 10,000 members in Japan alone, in addition to important complicities in the Russian army<sup>(79)</sup>) released the deadly nerve agent sarin on five trains on the Tokyo subway system. This first instance of a major chemical attack by terrorists resulted in 5,500 people injured and 12 dead. Another symbol of statehood, WMD, thus fell into the hands of actors who are much more unacceptable than rogue states: a local para-religious, non-political, non-rational sect.<sup>(80)</sup>

Despite more publicized fears about nuclear terrorism, the surprise has come from a lower level of technology, because chemical weapons can be produced much more easily. Biological weapons require even less visible installations; if the military consider that they are difficult to employ (because of the difficulty in ensuring adequate dispersion, and unforeseeable effects), terrorists might take a different view. Moreover, if their sale is not subject to controls, small pilotless aircraft could be used for terrorist attacks.

For their part, US DoD specialists forecast that:

- the greatest danger is that these groups could obtain low-technology nuclear bombs, biotoxins, and chemical weapons;
- terrorist attacks against US targets are expected to multiply and be more deadly by the end of the century;
- the number of attacks today is not increasing, but attacks are increasingly successful.<sup>(81)</sup>

Concerning nuclear terrorism, the international community has followed the stocking and dismantling of surplus nuclear warheads in Russia very closely. Although nuclear smuggling has until now proved less fearsome, the idea of nuclear terrorism itself has not been discarded.<sup>(82)</sup>

One can speculate why, in the past, terrorists have generally refrained from using WMD, and what the disincentives are for them to break permanently this tradition. Using WMD would still provoke a major political backlash, in turn inviting a sustained and violent anti-terrorist campaign, and their use is still sufficiently fraught with operational uncertainties to encourage more conventional methods. Whether new local terrorist groups, like extreme fanatic or millenarian sects or racist and violent ecologist militias, will follow rational criteria remains to be seen.

# THE INSTITUTIONAL DEBATE

This chapter will try to sum up the main features of the political and institutional debate on the new risks as they affect European security. Attention will be devoted to developments that call for greater coordination between law enforcement and military forces in the fight against these risks. The first two parts of the chapter will be devoted to the European Union, the remaining two to initiatives concerning terrorism and the activity of other international forums.

## 'Ad hockery' and intergovernmentalism

If the efforts made to implement the CFSP may appear to lack coherence and the necessary speed, in comparison European cooperation in Justice and Home Affairs (JHA) looms as a formidable task. All the problems that are typical of intergovernmental cooperation are exacerbated by the political sensitivity of these issues, the extreme reluctance of governments to forgo a core component of sovereignty and the nineteenth century conception that these ministries have of sovereignty itself. Yet progress has been made, especially at the European Council in Amsterdam (June 1997) that concluded the work of the IGC.

On the one hand, law enforcement bodies and the judicial institutions have not been able to profit from experiences like that of NATO. During nearly fifty years of close collaboration to meet an overwhelming military threat, politicians, soldiers and diplomats learned how to overcome old-fashioned nationalistic feelings. On the other hand, in only twenty-six years, the goals attained by JHA, from the time of the Pompidou Group to the standardization of visa and immigration procedures, are quite impressive in spite of initial reservations.

In the 1970s a number of factors, like the global nature of drug trafficking, the sustained terrorist campaigns in Western Europe and Interpol's structural handicaps, induced governments to set up a number of coordination forums, and to sign the first important European conventions.<sup>(83)</sup> In 1971, on the initiative of French President Georges Pompidou, a coordination body to combat drug trafficking was created, thereafter known as the Pompidou Group.<sup>(84)</sup>

Four years later, at the meeting of the European Council in Rome in December 1975, justice and interior ministers decided, within EPC, to create a forum to combat international terrorism, partly because Interpol did not at the time have the issue on its agenda. In June 1976, a Council resolution set up the group Terrorism, Radicalism, Extremism and International Violence (TREVI). Its mission was the exchange of information, and coordination of the fight against terrorism and training practices. In the next sixteen years TREVI evolved into a policy-making network, creating a common culture among specialists, despite the lack of a permanent secretariat.<sup>(85)</sup>

TREVI worked at three levels: working groups, senior officials and ministerial meetings of interior and justice ministers. Senior officials represented the chiefs of police at ministerial level, prepared biannual conferences, and drafted guidelines and recommendations for the WG, meeting two to four times a year.

The Police Working Group on Terrorism (PWGT), started its activities in 1983. Mainly focused on operational orientation, it is composed of police and security chiefs from West European countries, including Finland, Norway and Sweden. After three years it was joined, in the array of intergovernmental bodies, by the Ad Hoc Group on Immigration. Its task is to coordinate asylum and refugee policies among EU members.

The perspective of the need to guarantee freedom of movement in a fully free European market gave a new push for greater harmonization. At the time it was argued that appropriate compensatory measures should be introduced to avoid a decrease in security. The Group of Coordinators<sup>(86)</sup> was created by the European Council summit in Rhodes in 1988. Made up of national representatives, its task was to act as honest broker and coordinator among the different bodies contributing to a document specifying the content of the planned compensatory measures.<sup>(87)</sup> Each single body reported to his own authorities, whereas the Group of Coordinators reported biannually to the European Council.

The result was the 'Palma document', adopted by the European Council in July 1989.<sup>(88)</sup> This specified how to eliminate border checks at intra-EC borders and which compensatory measures had to be adopted in six broad areas: terrorism, illicit trafficking of any sort, improved police cooperation, legal cooperation in criminal matters, controls on travellers and family problems. It also defined which measures were desirable and which were essential, the latter including common immigration and computerized information control and surveillance systems.

A European Committee for the Fight Against Drugs (CELAD) was set up after the 1989 European Council in Strasbourg. Its task was to formulate Europe-wide plans to combat drug trafficking. Its programme was divided into five areas of action: coordination of anti-drug strategies in member states; suppression of illicit trade; the reduction of demand; EC participation at a multilateral level; and creation of a European Observatory on Drugs (EOD). It comprises drugs coordinators and the relevant European Commission officials responsible for the internal market, and reported regularly to the European Council.<sup>(89)</sup> CELAD and the Pompidou Group worked together to extend inter-European collaboration, especially that involving non-governmental organizations (NGOs). In this context a European Policy Cooperation Group on Drugs was set up in 1990 to establish forms of cooperation in drugs matters with developing countries, in particular drug-producing and transit states.

In September 1992, the Ad Hoc Group on Organized Crime was set up within the EU's third pillar (JHA) to cope with the spread of organized crime in Western and Eastern Europe. Its first report was made at a TREVI ministerial meeting in Denmark on 6-7 May 1993. It contained an analysis of the nature and structure of major organized criminal groups and an assessment of the threat they posed.<sup>(90)</sup>

### **Europol, Schengen, Maastricht and Amsterdam**

In the same period of activity of the TREVI 1992 WG, and under its coordination, the Ad Hoc Group on Europol was instituted with the task of opening the way to more stable law enforcement collaborative structures. On the basis of the TREVI

Programme for Action, the Dublin ministerial meeting of June 1990 agreed in principle on the creation of the European Drugs intelligence Unit (EDU), with corresponding national drugs intelligence units. Formal agreement on a European Police Organization, or Europol, came at the Hague in December 1991.

The first step in Europol's development is the EDU, which has to collect and analyse information from member states relating to drugs crime at the European level.<sup>(91)</sup> Successively called Europol Drug Unit, EDU had its mandate extended to include car theft, organized clandestine immigration and nuclear trafficking in March 1995.<sup>(92)</sup>

Almost in parallel with the negotiations on the Single European Act (SEA), the opening of internal EC borders in 1992 and the studies on Europol, five countries decided that any significant consensus on reinforced controls among the then 12 was difficult to achieve. In 1985, Belgium, Netherlands, Luxembourg, France and Germany signed the Schengen Agreements, one year before the signature of the SEA. Although not contrary to the spirit and the letter of the SEA,<sup>(93)</sup> Schengen caused frictions with Italy and created the precedent of a two-speed Europe.

The Schengen Agreements include provisions for the easing of border controls, for greater coordination against drug trafficking, organized crime and illegal immigration and a set of long-term objectives. Nevertheless, it took a further five years to reach the Schengen Implementing Agreement, which included essential aspects of this cooperation and allowed for the first time: the 'hot pursuit' of criminals; cross-border surveillance; the creation of a common secure electronic database, the Schengen Information System (SIS). In addition, it reinforced collaboration in procedures for extradition and mutual assistance in criminal justice matters, and in the joint fight against drug trafficking.

The fact that it was agreed at five, and that new members could not renegotiate the *acquis*, did not, however, speed ratification (26 March 1995), because the issues were sensitive and complex. Of the nine signatories (which now included Greece, Italy, Portugal and Spain), only seven had, as at July 1997, ratified the Agreements.

In the meantime signature of the Treaty on European Union (TEU) at Maastricht in December 1991 led to the institution of three 'pillars': the European Community and two intergovernmental pillars: the CFSP and JHA. Title VI of the TEU contributed considerably to simplification of the constellation of *ad hoc* and coordinating bodies.

Article K.4 allowed for the setting up of a Coordinating Committee (the 'K4' committee) consisting of senior officials. The K4 committee in practice replaced the old TREVI, and absorbed the Ad Hoc Group on Immigration and the Group of Coordinators. Structured in three steering groups,<sup>(94)</sup> it is responsible for giving opinions through the Permanent Representatives Committee (COREPER) to the JHA Council, the central body of this pillar, and contributes to the Council's discussions. The JHA Council can adopt joint positions or joint actions, and can draw up conventions to be recommended to the member states for adoption.

The treaty signed at Amsterdam on 2 October 1997 made progress on several issues, the significant points being:

- the new Article F1 in the TEU, sanctioning serious and persistent breaches of the principles of the EU;

- the insertion of a new Title 'Free movement of persons, asylum and immigration' in the Treaty of the European Community (TEC), including:

\* a declaration to preserve the security provided by the Schengen *acquis*;

\* Article G, allowing, after an initial five-year period, the passage to the first pillar of part or all of the areas in the Title, after consultation with the European Parliament and on unanimous decision of the European Council;<sup>(95)</sup>

- the extensive rewriting of Title VI of the TEU, featuring:

\* the new Article K.2, which extends the competences of Europol in supporting coordinated police investigations, including through operations with joint teams, in asking member states to conduct and coordinate specific investigations and develop specific expertise, and in establishing research, documentation and statistical networks on cross-border crime;

\* the new Article K.8 (former Article K.4) enhancing the role of what is now the K8 committee. In addition to its coordinating role, it will give opinions to the Council and contribute to the preparation of the Council's discussions on closer police and judicial cooperation and approximation of rules on criminal matters (Article K.1). The Commission is fully associated with work in the areas of Article K.1;

\* the new Article K.14 (former Article K.9) allowing, with unanimous decision of the Council, the transfer of the areas of Article K.1 to the newly mentioned Title of the TEC, but with more flexibility on voting conditions;

\* the protocol integrating the Schengen *acquis* in the framework of the EU,<sup>(96)</sup>

\* the protocol to the Treaty establishing the European Community on asylum for nationals of EU member states.

The debate on the future of JHA, aside from the follow-up to Amsterdam, concerns two issues: the political problems of implementing Schengen and the development of the third pillar and the relationship between the three pillars.

The problems of Schengen are particularly well illustrated by the French position on border controls.<sup>(97)</sup> In June 1995, France reintroduced national checks at borders (*clause de sauvegarde*), because it opposed the continuing Dutch liberalization of cannabis derivatives. By July, following the radical Islamist bombings, checks had been extended to include airports. It was only in March 1996 that the French Government lifted controls at the Spanish and German borders, but kept them at the Benelux ones. By July 1997, during a visit by French President Chirac to Belgium, goodwill was reaffirmed concerning the outstanding issue of controls.

Within the third pillar some hopes are pinned on the development of the K8 committee. The former K4 only formally coordinated, and seldom took decisions,

with the exception of issues on which consensus was largely consolidated. Its main activity was text drafting, prior to actual decisions by the COREPER. One of the possible, albeit less visible, trends after Amsterdam will be the reinforcement of COREPER's central role within this pillar.

Concerning the relationship between the different EU pillars, after Amsterdam Title VI confirms the possibility of having links or transfers from the third towards the first pillar, but retains the unanimity procedure.

At working level, there are different WGs dealing with overlapping issues in the three pillars. In the first pillar, there is a WG on drugs and health matters; in the second, the two WGs on Drugs and Terrorism reporting formally to the K8, but in practice to the General Affairs Council; in the third, the Drugs and Organized Crime WGs reporting to the K8 committee and to the JHA Council. In the end, every decision is taken by the EU Council, but the central coordinating body is the COREPER, which has the task of preserving coherence among the three pillars.

Unfortunately the COREPER is extremely overburdened and devotes limited attention to drug trafficking and terrorism, in comparison with issues like the Common Agricultural Policy and transport. This means that there is not an integrated approach, especially since the CFSP is the forum for dialogue with associated countries but has no competence in the matter (JHA in turn has no foreign policy competence).<sup>(98)</sup> A Commission proposal to assign a coordinating role to the CFSP Drugs WG was turned down. Finally, the COREPER has instructed WGs to assure coordination themselves. Thus the present Article K.9 is very difficult to apply and the only possible solutions until now have been non-political ones: joint CFSP-JHA meetings at working group level or coordinated input when drugs are on the CFSP agenda. In any case, according to the officials involved, the problem cannot be solved by internal coordination and some institutional solution should be found, because even now contacts on illegal immigration between the first and the third pillar are extremely difficult.

For the purposes of this paper, the essential aim is to explore the political and operational possibility of limited military assistance to law enforcement, coordinating political action between the third and the second pillars.

### **Terrorism and the global debate**

The recent debate on terrorism has become particularly polarized between the United States and Europe on the issue of 'rogue' states. To understand the main source of dissension, it is useful to recall the United States's official position on counter-terrorism:

'The United States believes that implementing a strict counter-terrorist policy is the best way to reduce the global terrorist threat. US policy follows three general rules:

- first, make no deals with terrorists or submit to blackmail. We have found over the years that this policy works.

- second, treat terrorists as criminals, pursue them aggressively, and apply the rule of law.

- third, bring maximum pressure on states that sponsor and support terrorists by imposing economic, diplomatic, and political sanctions and by urging other states to do likewise.<sup>(99)</sup>

This coherent but none the less unilateral position is for different reasons not always shared by the United States's main European and moderate Arab partners.<sup>(100)</sup> Each time that there is a terrorist attack against the United States and its key allies, like Israel, the divergences resurface both in evaluating terrorism and on how to treat the problem.

After the spate of suicide attacks carried out in March 1996 by Hamas against Israeli civilians, an urgent summit was staged at Sharm el-Sheikh (13 March 1996) in order to salvage the peace process. On the eve of the summit, the United States wanted anti-terrorism to be the only point on the agenda, exploiting the unique occasion of a gathering of so many countries that had suffered from terrorism. The main operational proposals centred around the sharing of information and an effort to limit terrorist funding and recruitment.

France instead wanted a more balanced list of discussion items (e.g., lifting the restrictions imposed on the Palestinians after the suicide attacks, and allowing Europe to give financial support to the Palestinians). Egypt, Jordan and the Palestinian Authority supported the French position.

In the background, the polemic between the United States and Europe on the issue of critical dialogue continued. On the one hand, the United States advocated the use of economic sanctions against rogue states and a cordon sanitaire to isolate these countries. On the other hand, the Europeans believe that an ongoing critical dialogue that systematically points out violations of international norms will in the long run help isolate the extremist elements in these rogue governments. At the Sharm el-Sheikh summit, the United States argued that they did not need to provide specific proof that Teheran supported terrorism, because its encouragement, funding and training of terrorists should be considered proof enough. French diplomats pointed out that Syria, despite equally troubling inferences, is untouchable because it is needed for the Middle East peace process.<sup>(101)</sup>

Practically the same divergences came up in the follow-up conference on terrorism, in Washington on 28-29 March 1996. Again the United States believed it should have been the prelude to a specific ministerial conference, while the EU countries maintained that it was a follow-up meeting on the whole Middle East peace process, including terrorism.

Both sides put forward opposing arguments. The United States argued that Teheran still financed terrorist groups that were hostile to the peace process and that it was involved in shipments of explosives to Europe. The EU governments replied that US and UK legislation permitted Islamic financing networks almost total freedom and that, despite pledges to the contrary, Saudi Arabia and Kuwait did not themselves control the funding of international terrorist groups from their territories. Evidence of

US support to terrorist campaigns by the Iraqi opposition and of indirect commercial relationships between Iran and US companies were additional contentious subjects.

The evaluations differed, too, on how international terrorism was evolving. The United States believed that terrorism was perfectly disciplined and led by Teheran, whereas other countries observed that the reality was much more complex and elusive, and that firm evidence of Iran's involvement was still lacking.<sup>(102)</sup>

Only three months after the follow-up conference, the G7-P8 summit in Lyon on 29 June 1996 produced some agreement among Western allies. A further divisive element in a desirable antiterrorist front was introduced by the US Congress which, in May 1996, approved two bills (Helms-Burton and D'Amato-Kennedy) extending extra-territorially US legislation against companies trading with, respectively, Cuba, and Libya and Iran. These firms would be brought to US courts and sanctioned for having violated this new legislation.

The move was also strongly criticized by EU partners, including the United Kingdom, through public statements.<sup>(103)</sup> After the US presidential elections of 6 November 1996 the two bills were not ratified, but they remain part of current US legislation. They continue to pose a problem for international law because the definition of 'rogue' states is substantially unilateral and arbitrary, and because the United States maintains that national laws have an international application. Their economic implications are a source of major friction between allies, and they might be a potential stumbling block in transatlantic relations. Finally, these laws represent the major Euro-American political cleavage and illustrate the contradiction between critical dialogue and a strong-handed attitude.

### **Work in other forums**

The UN and what might now be termed the 'G8' are among the most important international forums in which policy on organized crime, drug trafficking and international terrorism is defined and agreed. The former is more focused on political consensus-building and on encouraging the harmonization of relevant legislation. The latter is a group of self-styled lead nations that seek agreement on macro-economic and high-level political issues. At the operational level, the OIPC or Interpol is the widest police cooperative organization in the world.

The UN manages the UN international Drugs Control Programme (UNDCP), which in 1990 merged three existing UN agencies: the Division of Narcotic Drugs (DND), the secretariat of the International Narcotics Control Board (INCB) and the United Nations Fund for Drug Abuse Control (UNFDAC). The UNDCP is monitored by the Commission on Narcotic Drugs (CND), created in 1946. The United Nations Fund for Drug Abuse Control (UNFDAC), established in 1971, is the only international body devoted entirely to assisting governments in combating the production, trafficking and use of illicit drugs. UNFDAC's brief includes the reduction of both supply and demand, crop eradication and substitution. The INCB is instead an independent technical body that monitors the movement of illicit drugs worldwide and reports directly to the CND.

The UN is also the essential forum for the adoption of world-wide conventions, such as the three UN Drug Conventions (1961, 1971 and 1988), the Vienna Convention (1990) on money laundering, the UNCLOS III of Montego Bay (1982), and the Conventions on Terrorism.

The latest major political initiative was the World Ministerial Conference on Organized Transnational Crime (Naples, 21-23 November 1994). It brought together interior and justice ministers and concluded with a Political Declaration and Action Plan. Transnational organized crime was recognized as a global problem that jeopardized international security and stability.

The key aims of the Action Plan were:

- better knowledge of transnational organized crime;
- national legislation to impose penalties on related crimes;
- better evidence-gathering and witness-protection schemes;
- bilateral and multilateral cooperative agreements (extradition, mutual legal assistance, control on money laundering, confiscation of the proceeds of crime);
- study of the merits of a convention against transnational organized crime, along the lines of the global convention against drug trafficking.

The G7, further enlarged to include Russia,<sup>(104)</sup> has started to concern itself with financial crime, money laundering and terrorism. The first concerted international action against money laundering was the Basle Declaration of Principles, signed in December 1988 by the G7 countries plus Belgium, Luxembourg, the Netherlands, Sweden and Switzerland. It commits central banks to taking active steps to identify customers and the source of their funds, to refuse all transactions of dubious legality and to collaborate with criminal investigations within the limits permitted by domestic legislation.

One year later in Paris, the G7 set up the Financial Action Task Force (FATF, July 1989). Composed of the G7 members, the European Commission, Sweden, the Netherlands, Belgium, Luxembourg, Switzerland, Australia, Spain and Austria, its stated tasks were:

- to analyse the money laundering phenomenon;
- to make an assessment of the international instruments and national programmes already in place;
- to recommend action to be taken.

In 1990 FATF members approved and endorsed 40 recommendations for action, subsequently extended to 24 nations. The actual focus of the FATF is moving from banking to non-banking institutions as money laundering techniques change. In the same year, at the G7 summit in Houston, the Chemical Action Task Force (CATF)

was created. Its mandate is to develop measures to monitor and prevent the diversion of chemical precursors that could be used in the manufacture of drugs.

The first explicit G7 anti-terrorist summit was held in Paris in May 1987, but interest in the issue dates back to the Tokyo summit of 1986, where for the first time the seven most industrialized countries blocked arms exports to countries supporting or encouraging terrorism.

The latest major results were achieved in the G7/P8 Lyons summit of 30 July 1996, where two distinct sets of measures against organized crime and terrorism were adopted. The main recommendations of the P8 Senior Experts Group on Transnational Organized Crime 40-point list are to:

- reinforce all means of mutual assistance, prosecution coordination and harmonized extradition standards, including the creation of a Central Authority tasked with the coordination of incoming requests at both national and international law enforcement level;
- promote cross-training, cross-posting and reciprocal arrangements to reinforce witness protection schemes, including the widespread use of video links in trials;
- reinforce defences against computer crime and violation of sensitive police information;
- develop the activities of Interpol and the World Customs Organization, creating operational POCs collocated with Interpol's National Central Bureaus and facilitating the work of liaison officers;
- strengthen regulations on firearms;
- actively involve immigration services in the fight against transnational organized crime;
- favour scientific and technological exchanges among forensic scientists;
- strengthen undercover operations and quick procedures for the seizure of illicit proceeds;
- implement measures against the illegal transportation of money, money laundering and corruption;
- review, widen and strengthen existing conventions, avoiding duplication among all the international organizations concerned.

The main headings of the 25 anti-terrorism measures adopted in Lyons are:

- the improvement of counter-terrorism cooperation and capabilities (more internal and international cooperation, prevention of every form of terrorism, better detection devices);

- deterrence, prosecution and punishment of terrorists (prevent cyber-terrorism and unlawful use of encryption, manipulation of non-profit associations, revise firearms and anti-terrorism laws);
- asylum, borders and travel documents (prevent exploitation by terrorists of existing legislation);
- expanding international treaties and other arrangements (consider extradition with and without treaty, devise new specific conventions, join existing ones);
- terrorist fund-raising (adopt domestic and international regulations to prevent the transfer of funds to terrorists);
- improving information exchange on terrorism.

Interpol has become increasingly involved in collecting information on drugs movements and traffickers, and the 66 per cent rise in requests for information between 1986 and 1989 is due in no small measure to this activity. Between 1989 and 1995 two major electronic collection data projects were started: Operation PROSTAR, against Chinese Triads in Europe, and Operation PROBALKAN, against the Balkan drugs route. In addition to the traditional three-tier distribution system, Interpol operates a new system known as Automated Search Facility (ASF) that will provide direct access to highly classified information for each National Central Bureau. A special FOPAC (Fonds Provenant d'Activités Criminelles) Working Group, formed in 1988, continues to collect and share information on drug-related financial networks. Unfortunately, due to its wide international dimension, Interpol suffers from a reduction of its effectiveness in terms of speed of response and the reliability of security, and from the formality of procedures.

# THE POTENTIAL CONTRIBUTION OF MULTINATIONAL MILITARY MEANS

In the preceding chapters we have shown why the concept of security is and needs to be perceived at a multidimensional level, how the so-called new risks belong fully to the grand strategic dimension of this security and what the relevance of each is in strategic and political terms. Particular attention has been devoted to the emerging need for civil-military arrangements at international institutional level.

In this final chapter, we will try to explain: why, in a multidimensional security environment, it makes sense, in addition to the existing police assets, to use also the military ones; why the involvement of military forces against at least the most clear and present danger (organized crime associated with drug trafficking) has been markedly absent from multilateral arrangements, despite the fact that there has been some useful national experience; what the terms of reference for using military assets should be; what initiatives could be further studied and discussed; and which institutions could contribute to this effort.

## **Multidimensional security and unidimensional responses**

If we look at the European scene, in the overall effort against transnational organized crime, drug trafficking and international terrorism, there has been little attempt to use all the means available. At the national level, the efforts of some countries have been considerable, and there have been some cases of civil-military coordination. At the international level, law enforcement bodies are striving to achieve coordinated action so as to have a better reach beyond national frontiers. At the diplomatic level, among the EU countries an effort is being made to place the activities of interior ministries in a wider international setting, but, beginning with the G7 and the UN, a multinational contribution to the fight against new risks using military resources is missing. The need for this contribution does make sense in practice.

Multidimensional security needs multidimensional responses, for the good reason that the challenges are global in their origin and in their development. Law enforcement agencies have been built up during the last fifty years having in mind problems that could be tackled either within a country or directly at its frontiers in a context where the movement of persons has been very limited. Their reach can be expanded by multilateral consent, as with the right of 'hot pursuit' in the Schengen Agreements, although not indefinitely. Beyond a certain range, military forces are possibly a more appropriate tool.

Experience in PSOs has shown that military forces have increasingly been used in roles that initially were not considered customary or primary, yet slowly this experience has become an international *acquis* in the management of operations that are characterized by a hybrid, complex texture of political and military requirements. The capture of war criminals in former Yugoslavia was something thought to be inappropriate and almost impossible, but it is being carried out by military forces. Historically, the fight against piracy and the policing of the high seas has been, and still is, considered a traditional role for navies.

Furthermore some of these risks have clear implications for the very essence of the state and democracy. If the disruptive effect that organized crime and drug trafficking clearly have on every aspect of society and politics is left unchecked, the penalty will be reversion to the Dark Ages.

Finally, one could add that today not even the relatively untouched budgets of interior ministries can afford costly programmes, and synergies are necessary. Military forces can in some cases more efficiently provide unique assets and capabilities in support of law enforcement. In the final approach to EMU, practically no government's budget can be spared or augmented, so more has to be done through the optimal use of existing resources, even if that means an additional, and unwelcome, burden for the military.<sup>(105)</sup>

The reason why military involvement at multilateral level is still lacking derives from the very nature of the difficulties that often hamper Military Assistance to Civil Authorities (MACA) in the enforcement of law at national level, and from the heritage of the Cold War.

At national level, the constitutional separation of tasks between defence and interior, and their different position and role within governmental machinery, have perpetuated solid barriers between the two ministries. These barriers also have a cultural component, because in Western Europe after the Second World War the military in general have had no role in the maintenance of public order, except in rare emergency situations, and in some countries where policemen are unarmed. In time, according to the traditions of the different countries, a distinction has emerged between different armed bodies. Military forces have been those that in general had military missions, discipline and equipment; police forces those with purely civil law enforcement missions and equipment; gendarmerie forces those having a combination of law enforcement and military missions, civil and military equipment and military discipline. Heavily armed border guards and militarized police forces could be considered gendarmerie forces.

On the other hand, interior ministries are jealous of their areas of competence, an attitude also shared by gendarmerie forces.<sup>(106)</sup> Part of this separation is reinforced by the belief that democracy and the rule of law are better protected by a total separation of military and police forces.

Similar barriers also exist between interior and foreign ministries, because direct bilateral cooperation between interior ministries has for long been seen as the most discreet and efficient way to solve practical problems. Even when this became less effective, no effort was spared to keep negotiations separate as a specialized issue that was largely unconnected with wider international policy. One could argue that UN and G7 are a part of that integrated approach, but their results do not directly affect decisions on how to link more efficiently law enforcement and the military in multidimensional security. The trend observable in Western Europe is that interior ministries try as far as possible to develop their own 'foreign' policies and try, directly or indirectly through bilateral or multilateral agreements, to extend their reach and access to foreign cooperation.<sup>(107)</sup>

These developments are still influenced by the heritage of the Cold War, where a clear-cut division of labour was possible and individual mobility more restricted. Security institutions that were meant to face conventional military threats are of course wary of accepting new missions, which are perceived as not belonging to their core competences and traditions, as demonstrated by the debate on 'mission creep' and the apprehension of war criminals in former Yugoslavia.

There are nevertheless, apart from the controversial and inconclusive US example of the war on drugs,<sup>(108)</sup> some European examples of MACA in the domain of law enforcement at national and international level. They are helpful because they constitute useful precedents that make it possible in part to foresee where multilateral MACA might be effective.

In the United Kingdom, the Northern Ireland emergency has for decades involved a substantial part of the British Army and elements of the Special Forces in tasks ranging from intelligence gathering to defensive and offensive anti-terrorist operations and assistance in the maintenance of public order. Moreover, the Defence Establishment Research Agency (DERA) has already prepared a report for the new Labour government suggesting the involvement of the three services in the fight against organized crime and drug trafficking, in cooperation with police and customs units. Special mobile, flexible army units would be set up to operate in liaison with MI5, while special forces would assist customs operations and the Royal Navy would use MPA (RAF owned) and submarines to track suspect cargoes.<sup>(109)</sup>

In France and in Italy during the Gulf War, armed forces were used extensively for the surveillance of urban areas and the protection of specific targets against possible terrorist attacks. Again, from 1995 to 1997, France deployed military patrols to augment territorial surveillance and reassure the public during the spate of radical Islamist bomb attacks (Operation VIGIPIRATE).

Italy called in military units to join with police forces: in the 1950s and 1960s to defeat banditry and/or separatist violence in Sicily and South Tyrol; during the 1970s to man checkpoints during anti-terrorist operations against the BR; since 1992 to reassert state control over grey zones affected by banditry and organized crime, first in Sardinia (1992-1995), then in Sicily (1992-1995) and then against other forms of organized crime in Calabria, Campania (both in 1994), Lazio and Apulia (1995). The Army was also deployed on the Apulian coasts in order to intercept round-the-clock illegal shipments of immigrants.<sup>(110)</sup>

The Italian Navy has been significantly involved in the Adriatic in three major engagements: controlling the follow-up to the first Albanian mass migration to Italy, the embargo missions against former Yugoslav countries, and monitoring and intercepting illegal trafficking between Montenegro, Albania and Italy.<sup>(111)</sup> During Operation ALBA (1997), the Navy continued, with other law enforcement bodies, to control the flow of illegal immigrants. Occasionally the Air Force has also been involved in reconnaissance roles in anti-smuggling, anti-terrorist and anti-organized crime operations.

Military units have been requested to assist police forces for political reasons, and also because on the one hand they have been able to supply additional personnel in

manpower-intensive missions, and on the other they have offered capabilities unavailable to law enforcement bodies. This aid is even more remarkable taking into account that Italy's main gendarmerie (the Carabinieri) is a military force of over 100,000, and that in 1995 the three major national law enforcement organizations together had almost double the Army's strength.

International or multilateral examples are even more interesting. For at least four years, the United States on one side, and the United Kingdom and the Netherlands on the other, have been cooperating to control ship-borne drug trafficking in the Caribbean. Since 1996 the French Navy has very discreetly been contributing to this effort, because it has territories in that area and shares a common interest in fighting drug trafficking.<sup>(112)</sup> Some countries will eventually replace naval units with gendarmerie or coastguard assets, but the important point is that policing the seas is a task for which navies have the equipment, are traditionally experienced and, on that occasion, were employed first.

During the war in former Yugoslavia, two fairly low profile WEU-led missions were carried out, but both have created new tools for managing international security. The first was the Danube mission (June 1993), which was conceived as a complement to the joint EU/OSCE Sanctions Assistance Mission (SAM) to help Hungary, Romania and Bulgaria enforce the embargo, in addition to the NATO/WEU Operation SHARP GUARD in the Adriatic. It involved police, gendarmerie and custom elements in the setting up of three naval checkpoints on the Danube. What was new was that a European security organization controlled an operation where only non-military forces were engaged. The mission was a success because it effectively blocked the use of that waterway by the belligerents for logistic resupply.

Much more innovative was the Mostar mission that began in July 1994 where, at request of the EU, WEU sent and directed a 182-men multinational police force. This force was put at the disposal of the EU Administrator of Mostar with the aim of assisting the Bosnian and Croatian local administrations to maintain order and form a unified police force.<sup>(113)</sup> Unfortunately, the mission's success depended partly on the goodwill of both local administrations, but this first experiment in EU-WEU cooperation worked well.

During Operation ALBA, WEU dispatched a 25-men strong Multinational Advisory Police Element (MAPE) to assist the local government to rebuild the Albanian police and help it to face serious unrest and criminal activities. As of July 1997 it is still too early to draw initial lessons.

In both operations gendarmerie forces appeared to be particularly useful. Organized along military lines and having in part military training and equipment, they seemed to adapt more easily to an environment that was different from the usual peacekeeping situation managed by military forces.

### **Possible guidelines for military assistance**

The wide experience acquired at the national level (especially in the United States, United Kingdom, France and Italy), and to a lesser extent internationally, shows the

importance of having guidelines in order to avoid political, bureaucratic and ultimately operational problems. An essential list would have to include:

- appropriate political control and coordination;
- clear military subordination to law enforcement agencies' operations and intelligence requirements;
- use of military assets only if they are unique, cost-effective and employable in a manner compatible with primary missions.

Appropriate political control and coordination are necessary so that different ministries do not run parallel and contradictory anti-drugs or anti-terrorist campaigns. The issue is a political one, because democratic standards and the rule of law are in the end guaranteed only through efficient political supervision.

A corollary to political control is the criterion that operations and intelligence requirements must be clearly subordinated to the needs of law enforcement. While it would be counterproductive to 'micro-manage' the employment of military units and assets, it should be understood that military support has to contribute effectively to law enforcement operations, adapting, if necessary, to the different needs and pace of operations. One of the United States's first disappointments in its war on drugs was the realization that the military decision-making cycle, surprisingly, was too slow compared with counter-drugs needs: in this environment critical decisions are taken in three hours, not three days.<sup>(114)</sup>

Particularly critical is the harmonization of intelligence requirements between the military and law enforcement agencies with a view to wider sharing. Since the exchange of information will be the most critical contribution to law enforcement, it is very important that both sides talk to each other and understand what intelligence is sought after and in what format it should be presented. At first sight, tracking a former Soviet spy trawler and a vessel transporting arms for organized criminal groups pose the same problem, but it is not so. The different expertise and mentalities of the police and military officers involved in the same operation is such that they see the same target with different eyes.<sup>(115)</sup>

The wider use of Open Source Intelligence (OSINT) is entirely appropriate to intelligence harmonization. Basically, OSINT is the use of the intelligence cycle for the exploitation of publicly available information. For long spurned as irrelevant in comparison with classified information, OSINT is the ideal means to allow useful, broader data that can help in planning for classified and tactical intelligence to circulate quickly among very different national and international partners.<sup>(116)</sup> Since to be exploited it needs significant resources, it can be a good way to foster international cooperation.

Finally, the use of military assets in line with the rationale of unique capability, cost-effectiveness and operational employment compatible with primary military missions is the indispensable complement to subordination of the military to the needs of law enforcement. Observance of these criteria will also avoid costly operations whose results are disappointing. The requirements to operate compatibly with primary

missions and to adapt some operational methods to the specific needs of law enforcement may seem in strong contrast, but in operational reality many case-by-case compromises can be found. A submarine tracking a suspected drugs cargo, for instance, may probably forgo some of the strict operational rules that limit the use of the periscope and electronic sensors mast in order to follow more easily its target. This does not mean that the submarine is not employed compatibly with its primary mission.<sup>(17)</sup> Cases where army units must assist police forces in restoring the control of 'grey zones' are more complex. Soldiers may be given limited law enforcement powers (searching persons and vehicles at checkpoints, arrest of suspects), or their mission might be limited to static surveillance in order to free police forces, but this might not be enough to avoid all the difficulties. The use of soldiers might, for instance, create aversion among the public, or military personnel could be targeted by terrorists, or, finally, situations could arise where the law might not be respected and the fact that soldiers had been trained for war could have unwanted consequences.

### **Military support in the fight against new risks**

It is politically relevant to address the question of military support to law enforcement in the EU-WEU framework. *De jure* and *de facto*, WEU has already started to tackle the problem within a broader context. The 'Security Concept' already mentioned is a document formally approved by the foreign ministers of WEU countries, while WEU's operations in former Yugoslavia are a start in the multilateral use of law enforcement bodies in PSO that indirectly addresses security factors beyond purely military ones.

The major progress made at Amsterdam in the relationship between WEU's pillars is shown by Article G of the TEC and Articles 8 and 14, which allow greater but conditional involvement of the EC in JHA matters. It is time for CFSP to formulate more clearly a link between its more traditional concerns and the realities of the new risks by allowing greater coordination between CFSP and JHA on issues of common interest. A hint of this trend is present in Article J.1.1 of the revised TEU where, among the objectives of the treaty, mention is made of the strengthening of the security of the Union in all ways and the development of the rule of law.

It should be clear from the outset that it is neither a matter of interfering with the very sensitive constitutional implications of the third pillar, nor can the CFSP and JHA presently sustain any expansion of their mandates. But how should the Europeans negotiate a concerted multidimensional approach to these risks with the United States? Where can the wider implications of the Petersberg humanitarian missions be discussed, and where can relevant policies be harmonized? Where should anti-terrorist guidelines for PSOs be discussed? Where should the possible risk of WMD trafficking by organized criminals or the risk of terrorist use of WMDs be dealt with? Where can one devise coherent and comprehensive strategies towards states suspected of sponsoring terrorism?

The natural context is the second pillar, but what counts more is that the second and the third need to establish strong links with each other, while keeping their areas of competence distinct. As a first proposal one could consider linking Terrorism, and Drugs and Serious Organized Crime (all treated in Steering Group II of JHA) to the CFSP, with appropriate institutional arrangements. Discussions could be prepared by

the EU's new policy planning and early warning unit through an 'argued policy options paper'<sup>(118)</sup> on the conceptual dimension of the CFSP-JHA linkage in a multidimensional security context, and include concrete institutional proposals. The results could then be integrated into a common strategy, decided by the European Council (Articles J.2 and J.3 of the TEU as revised at Amsterdam) and further refined in a common position (Article J.5).

WEU seems to be in a very good position to include, besides its Petersberg tasks, *ad hoc* multilateral military cooperation among its members to counter at least the more threatening risks (organized crime and drug trafficking).

Since cooperation between such different bodies as defence and interior ministries is required, some form of interface between them is necessary, taking into account that each country presents a very different situation. On the other hand, some institutional framework is needed, because the preventive coordination between national MACA actions may prove impractical.

Interior ministries are responsible for the statement of requirements at national level, and these can be introduced via national representatives to the WEU Council. In that council, both ambassadors and military delegates participate in the decision-making process, and are able to represent the needs of interior ministries and thus stimulate and implement cooperation, if countries so desire. The approval of the 'framework nation' concept will probably facilitate the division of tasks and the coherence of local initiatives. At the same time, the EU will be involved through the JHA mechanisms and particularly through the K8 committee, although coordination between CFSP and JHA is still not defined in practice, and the risk of 'contamination' between pillars should be kept in mind. On the other hand, the COREPER will be fully involved in the political relationship with the WEU Council, which could help internal EU coordination, at least indirectly. At working group level, the exchange of information will take place between the EU and WEU secretariats and among the appropriate WGs.<sup>(119)</sup> Cooperation would remain intergovernmental, with the third pillar as focal point, but WEU's operational capabilities would be called upon via the CFSP.

Ideally, cooperation could be started by the EU on the basis of JHA needs, either collectively through joint action based on a common strategy and a successive J.7.3 mission, or in the framework of reinforced cooperation. At national level, coordination will be assured by the competent higher political authorities, but at operational level appropriate Points of Contact (POC) between multinational military forces and the supported law enforcement authorities should be established. One desirable characteristic should be that all coordination problems between two very different structures (defence and interior), and among very different law enforcement organizations, should be resolved via national contacts.

Nevertheless, until a clear WEU functional relationship with the EU has been spelt out, this sort of cooperation could in principle also be initiated by WEU member countries. Different options could be available in this context, including an intergovernmental agreement among the Schengen countries, using WEU as a forum for coordination, and an offer to EU of additional multinational capabilities.

One relatively less difficult way to begin this cooperation could be the transformation of the three-nation naval collaboration in the Caribbean into a WEU one, and therefore possibly involving EUROMARFOR, since all participating countries have a shared general interest in the matter. Political motivation for this would be the fact that cocaine and heroin will arrive from the Caribbean in all European countries, and not just those that have possessions in the area. This move would noticeably increase the relevance of European partnership in the eyes of the US Congress, and would help prevent new drug shipments from arriving in Europe.

Another 'bottom-up' approach could be, for instance, an initial agreement on naval surveillance among the countries contributing to the EUROMARFOR, open to other participants and placed under the political aegis of WEU. Initially, EUROMARFOR could provide the means to reinforce the tracking of suspect cargoes in the Mediterranean and in the Atlantic between the Canaries and the Channel. At a later stage it could link up with other naval FAWEUs, thus extending and increasing the effectiveness of maritime surveillance.

The use of naval forces in the POC scheme mentioned earlier is extremely flexible and adaptable to different forms of cooperation, especially if the pace of European integration turned out to be slower than expected. Again, a purely intergovernmental initiative could be the connection between this WEU capability and Europol's Maritime Intelligence initiative, which has been fostered by the German Government. Its goal is to achieve coordination at sea among law enforcement agencies, and WEU's contribution could be particularly useful.

The palette of initiatives could also include support for intelligence gathering, especially the use of long-range sensors. WEU has in its Satellite Centre a unique asset that could be used to interpret available imagery on opium and poppy cultivation in the areas adjoining the WEU countries. A number of countries have ground-based and airborne electronic eavesdropping and surveillance systems that could supplement law enforcement intelligence.

Within the 28 WEU countries the field of potential collaboration goes far beyond the naval dimension, because the new risks could be progressively integrated in many forms of military cooperation. The 28 could start to consider how to take this factor into account in the planning and execution of PSOs, with concrete results probable in at least four areas. The first area could be the development of better methods of employing gendarmerie and police units in peacekeeping and other Petersberg missions. The second is the cross-training of gendarmerie and military units in MACA. The third could be a modernization effort of CEEC frontier guard units in the medium term. Frontier guards were in many cases the Soviet bloc variant of gendarmerie forces, and could still provide useful services in peacekeeping and border surveillance. The fourth area would be the promotion of a policy to declare special operations forces (including anti-terrorist élite units) as FAWEUs, which would encourage cross-training.

Two possible objections could be that in CEEC the subject of MACA might be considered as still sensitive, and that these programmes could interfere with analogous police training efforts. The first objection certainly has some political and psychological value, but one should also keep in mind the remarkable progress

accomplished by these countries in the democratic control of armed forces. Exposing the local armed forces to democratic MACA doctrines and practices will further reinforce their new direction and dispel the population's residual scepticism. The answer to the second objection is that, while purely police and purely military training and assistance programmes may abound, MACA programmes that take into account the specificities of gendarmeries are less frequent and have a distinct comparative advantage.

Finally, an entirely new field of MACA could look at the problem of computer crime and 'netwarfare'. The military have much experience in EW, telecommunications and encryption, which could be useful in countering electronic attacks. In 'netwars', protagonists can be terrorist or organized criminal groups that rely on network organization and multiple hierarchies, which are capable of attacking vulnerable networks (telecommunications, financial, information, energy, etc.) on which advanced economies critically depend. This new transnational, horizontal challenge, which affects both security and economic stability, could offer an interesting opportunity for EU-WEU cooperation. WEU could start the conceptual development of netwarfare and test it through command post exercises.

A non-negligible consequence of these initiatives would be felt in the European defence and security industry. Specific common requirements and procurement between law enforcement and the military could be agreed, fully exploiting COTS and dual-use technology, especially in enhancing C4I and security in information warfare and netwarfare.

# CONCLUSION

Transnational organized crime, drug trafficking and international terrorism are three new risks that must be fully included in the strategic picture of European security. At the political level, documents like 'A common security concept for the 27 countries of the WEU', the 'Reflection on European security interests on the eve of the 21st century', the 'Reflection Group's report', the OSCE 'Lisbon Declaration on a common and comprehensive security model for Europe for the twenty-first century' and the 'Barcelona Declaration adopted at the Euro-Mediterranean Conference' express an increasing consensus. Conceptually, the risks are a matter of grand strategy and they must be approached with a multidimensional vision of security. In a context where governments are becoming weaker in maintaining their sovereignty and criminal entities stronger, this implies that each country should use all means available to meet these risks, including military ones, while respecting democracy and human rights. The contribution that the military might make will inevitably be limited and specialized, but it can be useful in some aspects of law enforcement.

The definition of these risks is still a political problem, but at the operational level a consensus is emerging, at least at the European level. This paper proposes in particular a more precise definition of international terrorism, which isolates it both from the spillover of domestic terrorism and from governmental covert operations. This sharper definition, together with empirical findings, shows that international terrorism as a security risk should not be overestimated. Indirect, longer-term consequences of domestic, endemic terrorism, on the other hand, could have significant effects on regional and international security.

This paper argues that the conjunction of transnational organized crime and illegal drug trafficking is a serious threat for the government, society and economy of European countries, because it can result in the marshalling of significant resources to impose a *pax mafiosa* on whole regions, or indeed to corrupt a government and destabilize an economy, creating 'grey zones'. The most visible demonstration of these phenomena is given by the cases of former Yugoslavia, Somalia and Albania. Each time the international community refuses or fails to restore peace and order comprehensively, the area becomes prey to organized crime and becomes a hub for trafficking (notably arms and drugs), directly endangering European security.

While, for the time being, the association between organized crime and nuclear smuggling does not present actual risks, the use of drug trafficking by guerrilla organizations or by intelligence agencies either reinforces, as in the first case, the danger of armed insurrection or is, in the second, at least a double-edged weapon.

A comprehensive evaluation of these risks must take into account the new and revolutionary nonphysical dimension: computer crime and associated money laundering. Computer crime has the potential to attack vital government and private electronic networks, while money laundering has the capability to destabilize local economies.

International terrorism has acquired a different dimension, following the general development of the world economy, through its deregulation and delocalization.

Consequences of these changes are the renewed interpenetration between terrorist and criminal groups, the spread of terrorist methods among criminal organizations and the emergence of 'criminal multi-service agencies', which combine terrorist and criminal techniques.

Terrorist sects have demonstrated that they can manufacture and employ chemical weapons, clearly creating a very dangerous precedent. However, the use of nuclear devices appears less probable, but the possible use of radiological devices or biological weapons can no longer be ruled out.

The European institutional debate shows on the one hand increasing collaboration between law enforcement and judicial bodies that initially had less experience than the military in cooperating extensively. On the other hand, there is still within the European integration process a dangerous mismatch between the competences of the second (CFSP) and third (JHA) pillars in the multidimensional security field, which does not allow for effective coordination and joint positions in the fight against these risks. While preserving the core competences of both pillars, it is essential that CFSP and JHA achieve true coordination in instances where the EU has to act at the global level against transnational risks. The EU must speak with a single voice in forums like the UN and the G7, and in the transatlantic context, and must be capable of availing itself of the necessary operational capabilities in order to cope with transnational risks.

Transnational challenges like organized crime and drug trafficking, or risks like international terrorism, must be met with multidimensional responses. Preventive, diplomatic, economic and political means will provide the ultimate and essential answer to these problems, while repression can have a complementary role. The proposal that limited military assets should assist law enforcement in the fight against these threats is logical and is desirable in practice, provided that certain essential guidelines are followed: appropriate political control; clear military subordination to the requirements of law enforcement agencies in operations and intelligence; use of military assets only if their capabilities are unique, cost-effective and employable in a manner compatible with the prime role of armed forces.

WEU already has unique expertise in managing operations in which police and gendarmerie forces are deployed in PSOs. WEU could be the coordinating forum where, using a strictly intergovernmental approach, such assistance can be made available on request at a multilateral level.

The players involved in this mechanism would be: those responsible for initiating interior ministries' requirements; the WEU Council as the security forum where these requirements can be taken into account and where an operational solution can be suggested; the EU as the institution where political and practical coherence would be assured between CFSP and JHA when using WEU's operational capabilities. At the operational level, overall coordination of member countries' own law enforcement and military units would rest in the hands of national governments, using appropriate POCs between multinational forces and the law enforcement agencies being supported.

A first set of practical proposals concerns the use of naval forces in tracking suspect shipping (WEU contribution in the Caribbean, EUROMARFOR patrols, etc.). A second involves the use of national and shared intelligence or intelligence support assets, including the WEU Satellite Centre. The third aims at involving fully all the 28 members of the WEU family in the following initiatives: a common discussion on PSO planning and the new risks; a joint doctrine for gendarmerie and police units in peacekeeping and other Petersberg missions; the cross-training of gendarmerie and military units in MACA; medium-term modernization of CEEC frontier guard units; inclusion of special forces (including anti-terrorist élite units) as FAWEU, which would encourage cross-training. The fourth calls for WEU-EU cooperation in information warfare and netwarfare. All these areas of cooperation could consequently stimulate the European Defence Industrial and Technology Base in the development of advanced electronic software and hardware, including non-lethal weapons.

The essential goal, in the process of NATO and EU enlargement, is to protect effectively old and new democracies, societies and markets from threats and risks that have no stake in democracy, freedom, solidarity and the free market. European countries should not repeat the mistakes of Weimar.

1. Some commonsense questions are: what is the responsibility of drugs-consuming countries; where is the line separating rogue states from the others to be drawn; who sets and applies the standards?

2. For an overview of the different definitions proposed see: W. Hagan, 'Organized crime continuum: a further specification of a new conceptual model', *Criminal Justice Review*, 1983, p. 8, in which he lists 13 different conditions for organized crime, defined by 15 different authors, and identifies 11 elements that could be included in the concept of organized crime; Didier Bigo, 'Pertinence et limites de la notion de crime organisé', *Relations internationales et stratégiques*, vol. 20, 1995, pp. 134-8; Peter Kopp, 'Analyse économique des organisations criminelles', *ibid.*, pp. 139-43; Marcelle Padovani, 'Le modèle Cosa Nostra', *ibid.*, pp. 113-15; Gianluca Fiorentini and Sam Peltzman (eds.), *The economics of organized crime* (Cambridge: Cambridge University Press, 1995), pp. 1-30; Pierre Tremblay et Maurice Cusson, 'Marchés criminels transnationaux et analyse stratégique', in Marcel Leclerc (ed.), *La criminalité organisée*, La Documentation Française, 1996, Paris, pp. 19-42; Ernesto U. Savona, 'La régulation du marché criminel', *ibid.*, pp. 263-4.

3. Ad Hoc Group on Organized Crime, *Report on the situation of organized crime in EU, 1993*. This definition could gradually replace the older definition adopted by the OIPC (Interpol) since 1988.

4. According to some authors, a literal interpretation of the criteria could entail the criminalization of multinational companies. The question is useful because it points out the different perceptions that 'multinationality' generates. However, the criterion of serious crimes seems to exclude such an eventuality for any legal and law-abiding business. See Didier Bigo, *op. cit.* in note 2.

5. Interview of Italian police officials by the author, Rome, 1996. It is interesting to see that during these phases the distinction between 'predatory' and 'trafficking' criminality, used by some specialists to associate the latter with organized crime, is quite blurred. On the other hand it reconciles in practice the diverging conceptions of organized crime as disorganized market (Reuter) and of power group imposing a criminal law (Schelling), Fiorentini and Peltzman, *op. cit.* in note 2.

6. Where necessary, elements of the network theory or of the theory of the kleptocratic state will be used. See Hershel I. Grossman, 'Rival kleptocrats: the mafia versus the state', in Fiorentini and Peltzman, *op. cit.* in note 2, pp. 143-55. The theory of kleptocracy postulates that the goal of the state's taxation and expenditure policies is to obtain the maximum return for the group that comprises the ruling class and the political establishment. In this context one can add organized crime as a competitor.

7. They are: a stable institutional framework and reasonably well-defined property rights through control over coercion and corruption (a key service); arbitration and conflict-resolution; entry restriction, which limits competition and reduces profits.

8. According to Dutch Justice Minister Winnie Sordrager, however, 50% of the hashish seized in the Netherlands arrives from France and Belgium, while 80% of the heroin comes via Germany and Balkan countries. See Associated Press, Rotterdam, 22 April 1997.

9. For an essential survey of definitions of terrorism, see Louis René Beres, 'The meaning of terrorism for the military commander', *Comparative Strategy*, vol. 14, no. 3, July-September 1995 (Basingstoke: Taylor & Francis, 1995), pp. 287-99; Paul Wilkinson, 'Terrorist Targets and Tactics: New risks to World Order', in Alison Jamieson (ed.), *Terrorism and Drug Trafficking in the 1990s* (Aldershot: Dartmouth Publishing Company, 1994), p. 179; Alain Joxe, 'Un concept fourre-tout : le terrorisme', *Le Monde diplomatique*, avril 1996, pp. 6-7; Vittorio S. Pisano, 'Contemporary terrorism and the West', *Occidente*, 4 August 1994, p. 28-9.

10. US Department of State, *Patterns of Global Terrorism: 1995*, Office of the Coordinator for Counter-terrorism, Washington, April 1996 (Ambassador Philip C. Wilcox, Jr., Coordinator for Counter-terrorism). The definition itself is drawn from Title 22 of the United States Code, Section 2656f(d), and has been used for statistical and analytical purposes since 1983.

11. The US Department of State specifies that the term 'noncombatant' is interpreted to include, in addition to civilians, military personnel who at the time of the incident are unarmed and/or not on duty. Attacks on military installations or on armed military personnel when a state of military hostilities does not exist at the site are also considered to be acts of terrorism.

12. See L. R. Beres, op. cit. in note 9. The principle of just cause maintains that an insurgent group may exercise law-enforcing measures under international law. This argument is deducible from the existence of an authoritative human rights regime in international law, and from the corollary absence of a central enforcement mechanism for this regime. It is codified *inter alia* in the *Report of the Ad Hoc Committee on International Terrorism*, UN GAOR, 29th Session, suppl. no. 28, at 1, UN Doc. A/9028 (1973); see also Article 7 of the UN General Assembly's 1974 Definition of Aggression. Article 7 refers to the 24 October 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States. The standard of just means has been brought to bear on non-state actors in world politics by Article 3, which is common to the four Geneva Conventions of 12 August 1949, and the two protocols to these conventions. Protocol I applies humanitarian international law to conflicts fought for self-determination. A product of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts that ended on 10 June 1977, the protocol brings irregular forces within the full scope of law. Protocol II, also additional to the Geneva Conventions, concerns protection of victims of non-international armed conflicts. This protocol thus applies within the territory of a state to armed conflict between its armed forces and dissident armed forces.

13. That is, where indigenous attackers constantly target people within the same country; the denominations express increasing degrees of violence. The terrorism found in Northern Ireland or Spain might be considered endemic, and the situation ongoing as at July 1997 in Algeria civil war.

14. Citizens of another country are attacked in an area plagued by local, usually endemic terrorism, e.g. if a European dies in a bomb attack on a bus in Tel Aviv.

15. Citizens of another country are attacked in an area adjacent to that plagued by endemic terrorism, e.g. Tunisian border guards are attacked by Algerian terrorists.

16. Support of different kinds by non-state actors - or by governments on an occasional basis - to armed/terrorist groups or to their political front organizations, acting in the theatre where endemic terrorism or civil war is ongoing, e.g. the Islamic charities networks or the pro-IRA fund-raising actions in the United States.

17. Continuous and/or decisive support by governments to armed/terrorist groups, acting in the theatre where the confrontation is happening, as for instance the support of Syria and Iran to the Hezbollah in Lebanon. This category includes all manipulation of armed/terrorist groups by intelligence agencies. If a group is based in a particular country, this amounts to sponsoring by that country, not to a support role.

18. It can receive international support or state sponsorship, again, including all intelligence manipulation in the preceding note. This terrorism can be perpetrated: in support of an endemic terrorist confrontation (e.g. attacks by the PKK in Western Europe); in support of a wider political confrontation at political, ideological or religious level, e.g., the bomb detonated on 23 December 1995 at the office of the Peruvian Honorary Consulate, claimed later by the Anti-Imperialist Cells (AIZ, the successor organization to the RAF); and as a proxy for indirect confrontation between governments.

19. Covert operation has here a narrower meaning, since much of the intelligence manipulation in categories 5 and 6 normally falls into this bracket. Examples of covert operations might be French retaliation after the bomb attack in Beirut in 1986, or the Iranian-sponsored killings of dissidents in Germany, proved in April 1997.

20. 'European security: a common security concept of the 27 WEU', WEU Council of Ministers, Madrid, 14 November 1995. These concepts were further elaborated in the reflection exercise of the WEU French Presidency among the 28 WEU countries, 'Reflection on European security interests on the eve of the 21st century', whose results were considered in the WEU Paris ministerial in May 1997.

21. Reflection Group reports, Messina, 2 June 1995, Brussels, 5 December 1995; <http://europa.eu.int/en/agenda/igc-home/eu-doc/reflect/final.html> (6 June 1997). Also referred to as the Westendorp report, after the group's Spanish chairman.

22. This consensus is further reinforced by para. 2 of the OSCE 'Lisbon Declaration on a common and comprehensive security model for Europe for the twenty-first century', Lisbon, December 1996, and by the Barcelona Declaration adopted at the Euro-Mediterranean Conference, 28 November 1995, p. 5, 3rd-4th tiret; p. 27, 'Terrorism, Drug trafficking, Organized crime'.

23. Trevor N. Dupuy et al. (eds.), *International Military and Defense Encyclopedia* (Brassey's: Washington-New York, 1993); Edward N. Luttwak, *Strategy, The logic of war and peace* (Cambridge, MA: Belknap Press, Harvard University Press, 1987), p. 180. For the scope of the paper, the definitions of Henry H. Kissinger (strategy as the manner by which a society secures its future); of Basil H. Liddell Hart (grand strategy as guide and coordination of all the resources of a nation or an alliance to attain the

political objectives established); of Edward Luttwak ('grand strategy is the highest level of interaction between any parties capable to use unregulated force against one another') and of Helmut Schmidt (grand strategy as the harmonization of national economic and security policies among Western countries, since no one individually can achieve security) are used.

24. Among the documents produced by the UN World Ministerial Conference on Organized Transnational Crime (Naples, 21-23 November 1994), 'Looking at the present to prepare for the future' and the report by E. Savona and M. De Feo 'Preventing and controlling money laundering and the use of proceeds of crime: a global approach' are particularly interesting regarding preventive strategies.

25. See also Barry Buzan, 'Rethinking security after the Cold War', *Cooperation and Conflict*, vol. 32, no. 1, pp. 5-28, for an analytical point of view.

26. The boundaries of multi-dimensional security are difficult to establish and may change according to political decisions, as do the boundaries of grand strategy. It is generally on a case-by-case basis that governments and parliaments decide when a particular matter pertains to national or international security and that the public judges if the decision is appropriate.

27. One of the few specialists who predicted this change was the director of the Austrian Anti-terrorist Unit, Oswald Kessler (interview with the author in April 1989). The application of Carl Schmitt's 'Nomos' concept by Xavier Raufer to explain the 'anomie' generating new risks is fascinating, but seems to reinforce the explanation that post-Cold War governments are endogenously much weaker than before in exerting their policing function. Whether this weakness is irreversible may be open to discussion. See X. Raufer, 'Désordre mondial: nouveaux dangers, nouvelles figures criminelles', in Marcel Leclerc (ed.), op. cit. in note 2, pp. 105-8; Henri Prévot, *La France: économie, sécurité; économie mondialisée, sécurité nationale, Union européenne* (Paris: Hachette-Pluriel, 1994).

28. See op. cit. in note 22. The Westendorp report does not state this explicitly, but it devotes some space to individual security. In the United States, research at the Rockefeller Foundation in particular is developing this theme.

29. See note 5 and related text.

30. In 1991 heroin overdose casualties in the eight countries of the Schengen area alone amounted to 4,843. The average annual increase, allowing for statistical fluctuations, is around 600-700. See Marie-Christine Dupuis, *Stupéfiants, prix, profits* (Paris: PUF, 1996), p. 139. Concerning the United States, in 1995 overdose casualties amounted to 8,400, with 530,000 drug-related hospital emergencies. See H. Binnendijk and P. Clawson (eds.), *Strategic Assessment 1994*, Institute for National Strategic Studies, National Defense University, Washington, 1997, pp. 202-3; see also note 49.

31. See Bertrand Gallet, 'La grande criminalité organisée, facteur de déstabilisation mondiale ?', *Relations internationales et stratégiques, Grande criminalité organisée : dessous et enjeux*, no. 20, 1995, pp. 95-8. The rapporteur of the *Loi de programmation*

*militaire 1991-1993* at the French Assemblée Nationale spoke of 'zone grises' defined as 'regions that have become inaccessible and hostile to any penetration, where no government is capable of enforcing the minimal rules of law'. Generally, these 'grey zones' are places where a civil war is ongoing (Afghanistan, the border regions of Burma and Thailand), where political confrontation and infringements of the law are a normal means for controlling any type of trafficking (the Bekaa Valley, the Andes Cordillera, the Xinjiang region of China, some parts of Albania). But they can also be areas: where the nation-state has disappeared (e.g. Somalia); where guerrillas, militias and drug traffickers hold sway (e.g. jungles and other rough territory); lawless suburbs in major third world cities and in a fair number of cities in the industrialized countries. See Xavier Raufer, 'The new post-Cold War terrorist threats', *Democracy & Security*, 7 May 1996. Although there are some ideas that the cyberspace of Internet could be considered a grey zone for some criminal undertakings, it simply cannot be considered neither inaccessible nor hostile to any penetration. A further classification sees the distinction between: grey zones, chaotic territories and concrete jungles. Chaotic territories are those at the border of different old empires and at the crossing of different cultures, left to their own devices and to their chronic instability (Central Asia, Caucasus, former Yugoslavia). Concrete jungles are found in each megalopolis and its own slums or bidonvilles (Karachi, Lima, Istanbul, Lagos, Rio, Los Angeles). See *Défense et sécurité à l'horizon 2000, Nouveaux défis, nouveaux moyens*, CHEAR, GRR no. 12, Paris, September 1995, pp. 25-7.

32. See also 'Transnational Crime: A New Security Threat?' in *Strategic Survey 1994/95* (Oxford: Oxford University Press for the IISS, 1995), pp. 25-33.

33. 'We want to prevent drug trafficking organizations from becoming so powerful that they, in effect, destroy governments that we deal with', Ed Scherr, 'Critical targets', in *USIA Electronic Journals*, vol. 1, no. 7, July 1996. See also Linnea P. Raine and Frank J. Cilluffo (eds.), *Global Organized Crime, The New Empire of Evil*, CSIS, Washington, 1994, p. 137, where it is stated that US critical national interests are thus affected because 'some governments find their authority besieged at home and their foreign policy interests imperiled abroad'.

34. Stephen Fidler and Jimmy Burns, 'Illicit drugs trade is put at \$400 bn', *Financial Times*, 26 June 1997, p. 4. According to the *World Bank Atlas 1994*, The World Bank 1994, this estimate must be related to a yearly money laundering turnover of at least \$1 trillion.

35. James Holden-Rhodes, intervention at the seminar 'New risks and European security', Institute for Security Studies of WEU, 28-29 November 1996, Paris.

36. See William C. Potter, 'Before the deluge? Assessing the threat of nuclear leakage from the post-Soviet states', *Arms Control Today*, 25; Andreas Heinrich and Heicko Pleines, 'Russia's "nuclear flea market" tempts smugglers', in *Transition*, 17 November 1995, pp. 9-11; Rensselaer Lee, 'Smuggling update', *The Bulletin of the Atomic Scientists*, May/June 1997, pp. 52-6.

37. The total includes cases of smuggling of radioactive material and of military nuclear material. See Denis Flory, 'Crime organisé transnational: le trafic illicite de matières nucléaires', in Marcel Leclerc (ed.), op. cit. in note 2, pp. 83-9, 96-7. Two

nuclear warheads were nevertheless stolen in 1993 by two drunken employees of a military nuclear plant (probably Snezhinsk/ex-Celyabinsk-70), to be recovered by Russian secret services some days later. The incident was unveiled four years later. Anna Zafesova, 'Si ubriacano e rubano due Bombe', *La Stampa*, 21 April 1997, p. 6.

38. For consensus between Russian specialists and former CIA director, James Woolsey, see *Global Organized Crime*, op. cit. in note 33, p. 82. Both sides stressed, however, that there was no room for complacency.

39. Such was the less known Kuntsevich case of CW smuggling. In late October 1995 this former general of the Chemical Troops was charged by the Federal Security Service (former KGB) with the delivery of 800 kg of chemical substances to unidentified Middle Eastern buyers. See Graham H. Turbiville Jr., 'Weapons proliferation and organized crime: the Russian military and security force dimension', *INSS Occasional Paper*, 10, INSS, Colorado, June 1996, p. 42. See also Rensselaer Lee, op. cit. in note 36.

40. According to Yves Lacoste, geopolitics are '... rivalités de pouvoir sur des territoires et les hommes qui s'y trouvent', while Pascal Lorot expands the concept, stating that geopolitics are 'phénomènes conflictuels, les stratégies offensives ou défensives centrées sur la possession d'un territoire, sous le triple regard des influences du milieu géographique, pris au sens physique comme au sens humain, des arguments politiques des protagonistes du conflit et des tendances lourdes et continuités de l'histoire.' See Alain Labrousse et Michel Koutouzis, *Géopolitique et Géostratégies des Drogues* (Paris: Economica, 1996), pp. 6-9.

41. Ibid.

42. Ibid.

43. If one considers the nature and the mandate of the UN International Police Task Force (IPTF), one cannot avoid several doubts about its effectiveness in dealing with organized crime. See Jorgen Lochen, *From Blue to Green*, <http://www.nupi.no/un/un.gif>, February 1997; see also Anna Maria Corazza, 'Les leçons de la guerre des Balkans, la dimension humaine et civile', UNESCO-IHEDN Symposium 'Des insécurités partielles à la sécurité globale', Paris, 12-14 June 1996.

44. Since 1988 Interpol has warned of the importance of this route, stretching from south-west Asia through Turkey (via Istanbul and Ankara), Bulgaria and Yugoslavia to Italy and Austria - the so-called Balkan corridor; see Alison Jamieson, *Background and characteristics of the world illicit drug traffic*, op. cit. in note 9, pp. 69-109; see also Vladimiro Odinzov, 'Droga e prostituzione nel dopoguerra bosniaco', *La Repubblica*, 29 January 1996, p. 10.

45. See Antoine Jalkh, 'L'"armée intégriste internationale" : mythe ou réalité ?', *Arabes*, February 1996, pp. 16-22.

46. During 1995-1996 it seemed that the United States was interested in expanding its influence from Macedonia to Albania. Some analysts believed that there was some support for a 'Greater Albania' project (see Alain Labrousse and Michel Koutouzis,

op. cit. in note 40, p. 20), the Albanian authorities very much hoped to get substantial US aid, but the initiative did not bear fruit in the recent crisis.

47. See Tonio Attino, 'Una tonnellata di marijuana', *La Stampa*, 21 April 1997, p. 7, where a quick overview of clandestine trafficking by Albanian organized criminals across Europe is sketched.

48. Afghanistan, Liberia, Bosnia, Lebanon, Somalia and Rwanda are cases of failing nations. They are defined as governments that cannot effectively assert national sovereignty by pacifying their national territories and protecting the security of their citizens. See John G. Mason, 'Failing nations: what US response?', in *Great Decisions* (New York: American Foreign Policy Association, 1996), pp. 52, 56. Failing nations can be considered generators of grey zones.

49. H. Binnendijk and P. Clawson (eds.), op. cit. in note 30, p. 198.

50. See Hershey I. Grossman, 'Rival kleptocrats: the mafia versus the state', in Gianluca Fiorentini and Sam Peltzman (eds.), *The economics of organized crime* (Cambridge: Cambridge University Press, 1995), pp. 143-55 and Marco Celentani, Discussion, pp. 156-60. In some European countries we can even observe competition between a kleptocratic ruling élite and organized crime. The first is characterized by a kleptocracy that uses the state's tax and spending policy as self-serving rent for the 'stealing' ruling class and the political establishment. In these cases 'Mafia' enjoy a certain public support as alternative service providers as long as the state is viable and despite a lower provision of public services due to widespread tax evasion.

51. Erich Inciyan, 'L'OICS constate le développement du marché des produits stimulants', *Le Monde*, 9-10 March 1997, p. 8.

52. CHEAR, op. cit. in note 31, pp. 32-3.

53. Jean-Christophe Rufin, 'L'économie de guérilla et les trafics', pp. 129-33, in *Relations internationales et stratégiques, Grande criminalité organisée : dessous et enjeux*, 20, Winter 1995. A short list relating 'criminalized resources' to guerrilla chiefs or movements includes: rubber - Charles Taylor (Liberia); drugs, teak, rubies, Angkor antiquities - Khmer Rouge (Cambodia); gold and diamonds - UNITA (Angola); diamonds - Revolutionary United Front (RUF, in Sierra Leone).

54. See Alain Labrousse et Michel Koutouzis, op. cit. in note 40, pp. 28-30.

55. Other movements using this technique found in Indonesia (Aceh Sumatra Liberation Front), India (Socialist Council of Nagaland), Senegal (Casamance's Democratic Forces movement) and Liberia (Liberian National-Patriotic Front).

56. But not by FARC, SL, the Afghan factions, the Senegalese Casamance's Democratic Forces movement.

57. Alain Labrousse et Michel Koutouzis, op. cit. in note 40, pp. 54-6. See also *Atlas Mondial des Drogues* (Paris: PUF, 1996), pp. 154-5 and CHEAR, op. cit. in note 31, p. 27.

58. Ibid., pp. 61-4; Martin A. Lee, 'Les liaisons dangereuses de la police turque', *Le Monde diplomatique*, March 1997, p. 9; John Barham, 'Turkey under fire for "links to drug trade"', *Financial Times*, 3 February 1997, p. 5.

59. Apparently the idea of the operation was to: (a) sell arms to Iran to get moderate elements' intercession with the Lebanese factions; (b) augment the Contra's funds, allowing drug supplies from Colombia to the United States; (c) manipulate, through a unit outside the official CIA hierarchy (Special Action Group Core), DEA's drug controlled deliveries to pay Lebanese and Syrian contacts of the factions, to the point that the deliveries were uncontrolled. See: Chris Laffaille and Pierre Delannoy, 'Lockerbie. On accuse des Libyens . . . Et si c'étaient des Syriens?', *Paris Match*, 22 June 1995, pp. 22, 24, 100, 102, 104; Fabrizio Calvi and Thierry Pfister, *L'oeil de Washington* (Paris: Albin Michel, 1997), pp. 145-151, 158.

60. Alvin and Heidi Toeffler, *War and anti-war* (Boston, New York: Little, Brown & Co., 1993), p. 252.

61. Linnea P. Raine and Frank J. Cilluffo (eds.), op. cit. in note 33, p. 42.

62. Daniel Martin, *La criminalité informatique* (Paris: PUF, 1997), pp. 34-5.

63. Ibid., pp. 16, 61ff., 77, 109. Sources are: Stanley E. Morris, Director of the Financial Crimes Enforcement Network (FinCEN), US Treasury; a 1992 report to the US Senate; Ambassador Carol Hallett, Commissioner, US Customs Service (Retd.).

64. Claire Sterling, *ibid.*, p. 109.

65. US Department of State, Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategic Report (INCSR), March 1997, p. 554. Another 19 countries are in the medium-high category.

66. See 'The year in review', in *Patterns of Global Terrorism: 1995*, US Department of State, Office of the Coordinator for Counter-terrorism, Washington, April 1996.

67. Author's elaboration of data presented in op. cit.

68. Conservative estimate of economic costs, see Louis Freeh, Remarks, paper distributed at the 1996 meeting of World Economic Forum, Davos, 4 February 1996, pp. 1-13. Casualties, see Jim Fuller, 'Global cooperation vital in addressing drug concerns', in *Global Issues*, vol. 1, no. 7, July 1996, pp. 1-5.

69. See Aaron Karp, 'The demise of the Middle East arms race', *The Washington Quarterly*, vol. 18, no. 4, Autumn 1995, pp. 45-51, but even then the yearly average is smaller compared with drug-related deaths.

70. It should be added that these covert operations are often a liability or less effective than planned. For instance, the outcome of Israeli retaliatory operations after the terrorist attack at the Munich Olympic Games was not convincing.

71. See Magdi Allam, 'Il miliardario di Allah e l'esercito del terrorismo', *La Repubblica*, 27 June 1996, p. 4, and Guido Olimpio, 'L'impazienza di Sonny e la tela di ragno', *Il Corriere della Sera*, 6 August 1996, p. 7. One cannot avoid comparing ben Laden with Giangiacomo Feltrinelli, an Italian presumed terrorist millionaire known in the 1960s. The latter died probably while handling an explosive charge, whereas the first is a financial manager of terrorist activities.

72. See Aaron Karp, *op. cit.* in note 69.

73. See Hervé Gattegno and Erich Inciyan, 'Depuis 1994, la frontière entre militants islamistes et délinquants est devenue incertaine et perméable', *Le Monde*, 4 April 1996, p. 11. The Shalabi group, dismantled in 1994, closely combined organized crime, drug trafficking and extremist Islamism.

74. See also Andrew Jack, 'When nationalist struggles give way to banditry', *Weekend FT*, 10-11 August 1996, pp. I-II; and 'La Corse démasquée', *Les dossiers du Canard enchaîné*, no. 60, July 1995.

75. CHEAR, *op. cit.* in note 31, pp. 36-7.

76. See Giuseppe D'Avanzo, 'Nicoletti e I "ragazzi" della Magliana', *La Repubblica*, 30 May 1996, p. 17. It appears to have been involved more or less directly in: the abduction of the premier Aldo Moro, a bomb attack on a train, the homicide of a political journalist and the liberation from the BR (Red Brigades) terrorists of a minor politician through contacts with the Camorra. Italian police deputy chief Gianni De Gennaro believes instead that it was simple ordinary criminality in contact with other criminal powers.

77. See Magdi Allam, 'Vertice antiterrorismo a Roma', *La Repubblica*, 7 March 1996, p. 14.

78. Anat Kurz, 'International terrorism: evolution and priorities', paper prepared for the seminar 'New risks and European security', Institute for Security Studies of WEU, Paris, 28-29 November 1996.

79. A number of Aum followers were able to train in exchange for money in the Russian Army's training areas; see 'Russian Generals & Aum', *Itar-TASS*, Moscow, 22 April 1997.

80. The sect has a long record of both individual and mass assassinations, mostly failed, since 1989 using potassium chloride, hydrogen cyanide, Sarin, VX, anthrax spores, botulinus toxins and germ-infected meals. See Ron Purver, 'Chemical and Biological Terrorism', RISCT, *Conflict Studies* 295, London, December 1996/January 1997, pp. 15-16, see also pp. 10-15 for an extensive list of actual or alleged instances of the use of CB weapons by various state and non-state actors.

81. Pat Cooper, 'DoD eyes high-tech counterterror effort', *Defense News*, 20-26 November 1995, p. 2.

82. Andreas Heinrich and Heicko Pleines, 'Russia's "nuclear flea market" tempts smugglers', *Transition*, 17 November 1995, pp. 9-11. Russian military authorities declared that they were worried by the possible seizure of a nuclear weapon by terrorists. Moreover, the Chechen chief Shamil Basayev had threatened terrorist acts either by opening seven containers of radioactive material he claimed to have in his possession or by causing a major failure in a nuclear reactor. This threat is reminiscent of analogous ones by Serb extremists against the Krsko reactor during the war in former Yugoslavia.

83. Among which the European Convention on Extradition, 1957; the European Convention on the Transfer of Proceedings in Criminal Matters, 1957; the European Convention on Mutual Assistance in Criminal Matters, 1959; the European Convention on the Suppression of Terrorism, 1977; the UN Convention against Illicit Traffic in Drugs and Psychotropic Substances, 1988. See Monika den Boer, 'Justice and Home Affairs: cooperation without integration', in Helen Wallace and William Wallace (eds.), *Policy-making in the European Union* (Oxford: Oxford University Press, 1996), pp. 100-115.

84. Officially, Groupe de coopération en matière de lutte contre l'abus et le trafic illicite des stupéfiants.

85. The working groups (WG) were gradually formed as WG I on anti-terrorism, information and security and WG II on police techniques, equipment and training, both in 1977. In 1985, WG II widened its competence to include technical and tactical cooperation in public order, for instance hooliganism. In 1985, WG III was formed to fight arms and drug trafficking and robbery, fostering common prevention and repression strategies. TREVI 1992 (a TREVI working group from 1988 to 1992) studied the consequences of the abolition of internal border controls and after 1992 its residual tasks were absorbed by WG III.

86. In full, Group of Coordinators on the free movement of people.

87. The drafting work was divided among the European Council, EPC, the Pompidou Group, the Ad Hoc Group on Immigration, TREVI, the Judicial Cooperation Group, the MAG92 and the European Commission.

88. Officially named Working Programme of Action for the completion of the Internal Market.

89. Alison Jamieson, 'Drug trafficking after 1992, A Special Report', in Alison Jamieson (ed.), *Terrorism and Drug Trafficking in the 1990s* (Aldershot: Dartmouth Publishing Company, 1994), pp. 111-47.

90. Initially a recommendation by Italy and France, and proposed as a committee in the framework of the European Community; see Michel Debacq, 'Politiques nationales et dimension européenne de la lutte contre la criminalité organisée', *Relations internationales et stratégiques*, op. cit. in note 2, pp. 195-9.

91. Juliet Lodge, 'Frontier Problems and the Single Market', in Alison Jamieson (ed.), op. cit. in note 89, pp. 17-30.

92. 'EU/Justice/Home Affairs: within Council, progress on legal cooperation, broad acceptance of proposal of convention on corruption, agreement on texts relating to Europol and on "organized crime" declaration', *Agence Europe*, no. 6692, 21 March 1996, p. 6.

93. Two political declarations attached to the SEA allowed this initiative. The first linked the free movement of persons in the EC to cooperation concerning nationals of third countries and to the fight against terrorism, crime, drug trafficking and illicit art trading. A second joint declaration by EC Heads of Government on Articles 13 to 19 stated: 'Nothing in these provisions shall affect the right of member states to take such measures as they consider necessary for the purposes of controlling immigration from third countries, and to combat terrorism, crime, the traffic in drugs and illicit trading in works of art and antiques.' See Juliet Lodge, *op. cit.* in note 91.

94. The steering groups are: I Immigration and Asylum, II Security, Police and Customs Cooperation, III Judicial Cooperation. They are complemented by a Horizontal Information Group (which also deals with the European Information System). The second steering group deals with the following matters: Terrorism, Police cooperation (operational and technical); Drugs and Serious Organized Crime; Customs. See den Boer, *op. cit.* in note 83, p. 404.

95. Measures concerning visas may be adopted by the Council on proposal of the Commission immediately after the entry into force of the Amsterdam Treaty. Special provisions are made for Denmark, Ireland and the United Kingdom. See <http://ue.eu.int/Amsterdam/en/treaty/freedom/main2.htm> (30 June 1997).

96. *Ibid.* Special provisions are made for the states mentioned in note 95.

97. See Olivier Biffaud and Thierry Bréhier, 'Levée partielle des contrôles aux frontières terrestres', *Le Monde*, 26 March 1996, p. 6; Henri de Bresson, 'La bonne volonté européenne s'arrête à la frontière belge', *Le Monde*, 27 March 1996, p. 7, and de Bresson, 'Un dispositif de sécurité "fragile mais réel" ', *ibid.*

98. The setting up of a group of experts outside the three pillars by the EU Council in 1995 produced a number of useful recommendations, but no greater coherence.

99. US Department of State, Introduction, *op. cit.* in note 10.

100. Who often, through informal diplomacy, achieve useful political goals, like the Tunis Declaration (21 January 1995) where the Interior ministers of Algeria, France, Italy, Portugal, Spain and Tunisia pledged increased cooperation against crime, drugs and arms trafficking, illegal immigration and international terrorism.

101. Jose Garçon and Jean-Pierre Perrin, 'Terrorisme: désaccord franco-américain', *Libération*, 27 March 1996, p. 8.

102. Mouna Naim, 'Les Européens veulent sauver le processus de paix', *Le Monde*, 24-25 March 1996, p. 4. See also Patrick Cockburn, 'US anti-terror forum poised to miss target', *The Independent*, 27 March 1996, p. 5.

103. Malcolm Rifkind, 'Secondary Boycotts are not a Good Way to Fight Terrorism', *International Herald Tribune*, 30 May 1996, p. 9.

104. The G7 was called P8 in this enlarged configuration, because Russia participated only at the political level.

105. Stephen S. Rosenfeld, 'Important dirty work for the US Army', *International Herald Tribune*, 19 June 1996, p. 8.

106. While because of their dual, civil-military nature gendarmerie forces should in principle be more open to cooperation with the military, in practice they perceive themselves as a force apart, and operate as such.

107. The agreements between the Italian Finance Guard (a gendarmerie) and the Spanish police to allow easier operations in their respective territorial waters are interesting.

108. The first years of the US 'war on drugs' were marked by the massive use of military forces and assets, without real coordination with law enforcement, and little understanding of its needs. Moreover, US military forces participated in the destruction of coca crops and laboratories in some Latin American countries, arousing the discontent of local populations at what they perceived as colonialist intervention.

109. See 'Armée britannique : nouvelles missions', *TTU*, 13 February 1997, p. 2.

110. Fulvio Bufi, 'L'esercito anticamorra non basta a Napoli', *Il Corriere della Sera*, 8 July 1997, p. 7.

111. See, 'Marine italienne : nouvelles missions', *TTU*, *ibid.* In 1996 alone, the Italian Navy flew 195 hours in helicopter and MPA patrols.

112. Combined operations CARIBE VENTURE and GALLANT SHIELD. See INCSR, *op. cit.* in note 65, p. 49.

113. During the mission evaluation carried out during the France's presidency of WEU, in the first half of 1996, it was felt that Mostar could not be a typical model for missions under the provisions of article J.4.2 of the TEU (now Article J.7.3 of the Amsterdam treaty) under the aspect of general political-military procedures between the two organizations, but no one excluded the possibility that WEU could in future manage other missions with police forces.

114. See James F. Holden-Rhodes, *Sharing the secrets, Open source information and the war on drugs*, University of New Mexico, 1994, p. 140, para 6.

115. Interviews by the author of senior Italian defence and interior ministry officials involved in joint operations, 1994.

116. OSINT has the additional advantage that it is shared even among bodies whose security regulations and reliability are very different.

117. It should be recalled that the US Navy is already using its nuclear attack submarines in this type of operation.

118. See Declaration to the Final Act on the establishment of a policy planning and early warning unit, <http://ue.eu.int/Amsterdam/en/treaty/a1/main.htm> (24 June 1997).

119. Within WEU the possible candidates would be the Political-Military Group and Military Delegates Group, whereas EU's could be those in the CFSP and the relevant ones in JHA. The question of the participation of the Commission (DG 1) in this work would remain open.