



UNIVERSIDAD
DE MÁLAGA

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 2 May 2014

CODEXTER (2014) 5

THE COMMITTEE OF EXPERTS ON TERRORISM
(CODEXTER)

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

INTERNATIONAL CONFERENCE ON TERRORISM AND ORGANISED CRIME

DRAFT CONCEPT PAPER

25-26 September 2014
Málaga
Spain

Document prepared by the CODEXTER and CDPC Secretariats
Directorate General I – Human Rights and Rule of Law

CODEXTER website: www.coe.int/terrorism
CODEXTER e-mail: codexter@coe.int

CDPC website: www.coe.int/cdpc
CDPC e-mail: dgi-cdpc@coe.int

Background of the Conference:

Both terrorist and organised crime groups present serious threats to national and global security.

These groups are often operating across borders, seeking out an environment where the rule of law is not sufficiently observed, and/or where there is significant political instability.

It is an established fact that organised crime groups and terrorist groups often carry out the same types of criminal activities and share many organisational characteristics. An additional link between these two forms of serious crime is related to the fact that both terrorist groups and criminal organisations are known to be actively recruiting new members in prisons and/or socially deprived areas, offering status and a feeling of belonging to their members.

Despite these similarities, a long-held view is that terrorists differ significantly from other organised criminals due to their very different aims: organised crime groups are primarily motivated by seeking financial profit, whereas terrorist groups are ideologically motivated and seek to bring about political disorder as a means to changing society in their image. Terrorists need illicit financing, but making profit from crime is not in itself a goal. Thus, these two forms of serious crime, in this traditional view, do not immediately appear to share many characteristics.

But is this still true? Increasingly, both policy-makers and experts from government and academia are exploring similarities and differences between terrorism and other forms of organised crime, and if lessons learnt from fighting and preventing terrorism could be used in combating organised crime and vice versa. Indeed, approaching terrorism and other forms of organised crime in a comprehensive manner, as related types of highly dangerous crimes, may provide valuable insights.

In the international underworld a kind of symbiosis between terrorist groups and other forms of organised crime groups has already been established for a considerable time. The purpose of this collaboration is to serve as a force multiplier, strengthening the infrastructures and increasing the funds available to these criminal organisations by pooling resources and avoiding unnecessary competition.

This symbiosis between terrorist and more traditional crime syndicates also raises a series of complex questions concerning the possible transformation, over time, of the motivations driving both terrorist groups and organised crime groups.

This blurring of the traditional lines of distinction between terrorism and other forms of serious organised crime calls for a fine-tuning by States of policies designed to prevent and combat the activities of terrorist and organised crime groups to optimise their impact and provide maximum security to citizens while respecting the rule of law, human rights and democracy.

Aims of the Conference:

The Conference aims at bringing together representatives of law enforcement authorities (judges, prosecutors and police forces), policy-makers and academic experts in order to:

- shed light on the similarities, interactions and links between terrorism and other forms of serious organised crime;
- identify best practices from the fight against terrorism and other forms of serious organised crime respectively, and examine the potential for cross-fertilisation in policy-making in these areas;
- encourage the adoption of a comprehensive approach to the prevention and combating of terrorism and other forms of serious organised crime, moving focus away from differences in motivation to similarities in modus operandi of the criminals involved.

Structure of the Conference:

The Conference will be divided into the following four sessions:

a) Session I: Is terrorism different from other forms of organised crime?

Terrorism and crime have often been treated as different phenomena, as a result of the different motivations behind: while terrorist groups seek to achieve political and ideologically inspired aims, organised crime is essentially motivated by economic gains.

The relationship between terrorist groups and organised crime syndicates has often been described by experts as a phenomenon involving fluid and changing ties among their members. It could be reasonably presumed that the intensity and the duration of interaction of these actors could blur the line of separation between terrorists on the one hand and more traditional organised criminals, on the other. Assessing the cooperation or merger of these actors is therefore paramount for understanding the threat they pose and how best to prevent and combat it.

Session I aims at providing elements to the answer to the question of whether terrorism is still distinct from other forms of serious organised crime, and if lessons learnt from fighting terrorism could be used in the fight against serious organised crime and vice versa.

b) Session II: Financing of terrorism and ancillary crimes

Terrorism, like other criminal activities, requires funding. In most cases such funding derives from criminal activities, either carried out by terrorist groups themselves or in cooperation with existing criminal groups.

Terrorist groups are taking advantage of a wide array of criminal activities to finance their operations, ranging from local crimes to illicit trafficking of high-value commodities on a transnational scale. Illicit narcotics have come to the attention of terrorist groups because of their high value. In addition, extensive evidence exists that terrorist groups are involved in the smuggling of diamonds, cigarettes, human beings (which can also serve to mask the trans-border movement of terrorists), human organs, toxic and industrial waste, and counterfeit products.

Terrorist groups are also presumed to be active in cybercrime with a view to generating and transferring funds online, for example through credit card frauds. The use of “Bitcoin” for money laundering activities by criminals is another relevant recent development in cybercrime, which needs to be further examined.

Session II aims at providing an up-to-date overview of the methods used by terrorist groups to finance their activities.

c) *Session III: Preventive aspects of combating terrorism and other forms of serious organised crime*

Particular attention should be paid to radicalisation/recruitment into organised crime among vulnerable groups. In this respect, prisons have been recognised as a potential recruiting ground for both terrorists and organised crime syndicates.

Terrorists, but organised crime as well, often use their time in prison to mobilise outside support, radicalise and recruit other prisoners, and – when given the opportunity – will attempt to recreate operational command structures in- and outside of the prison.

Session III looks into best practices with regard to preventing radicalisation/recruitment into organised crime in prisons.

d) *Session IV: Terrorism and the United Nations Arms Trade Treaty*

The United Nations Arms Trade Treaty (adopted in 2013) covers a wide range of conventional weapons, including ammunition and components of conventional weapons. The Treaty also includes important provisions relating to export licenses, to ensure that arms are not used to commit or facilitate violations of international humanitarian law or international human rights, or acts of organised crime, terrorism or gender-based violence in importing states.

Session IV aims at providing an overview of how the new Treaty may be used in counter-terrorism and combating serious organised crime.

Targeted participants:

The Conference will bring together government experts and policy-makers responsible for combating terrorism and serious organised crime from the 47 member States of the Council of Europe and States enjoying observer status with the Council of Europe, government experts from regions outside Europe, representatives of relevant inter-governmental organisations and academic experts.

Total: ca. 80.

Duration: 1.5 days

Other participants:

- Parliamentary Assembly of the Council of Europe
- Congress of Local and Regional Authorities of the Council of Europe
- CoE monitoring bodies: GRECO, MONEYVAL, Pompidou Group, GRETA, T-CY
- The European Union
- The United Nations
- The Organization for Security and Co-operation in Europe (OSCE)
- The Organization of American States (OAS)
- The League of Arab States (LAS)