Enhancing Security-Justice Coordination to Counter Transnational Organized Crime

SYLLABUS

February-March

2021

**ENHANCING SECURITY-JUSTICE COORDINATION
TO COUNTER TRANSNATIONAL ORGANIZED
CRIME**

**9-10 February 2021
16-17 February 2021
23-24 February 2021
2-3 March 2021**

S Y L L A B U S

Table of Contents

ABOUT THE AFRICA CENTER

Since its inception in 1999, the Africa Center has served as a forum for research, academic programs, and the exchange of ideas with the aim of enhancing citizen security by strengthening the effectiveness and accountability of African institutions, in support of U.S. - Africa policy.

VISION

Security for all Africans championed by effective institutions accountable to their citizens.

Realizing the vision of an Africa free from organized armed violence guaranteed by African institutions that are committed to protecting African citizens is the driving motivation of the Africa Center. This aim underscores the Center's commitment to contributing to tangible impacts by working with our African partners – military and civilian, governmental and civil society, as well as national and regional. All have valuable roles to play in mitigating the complex drivers of conflict on the continent today. Accountability to citizens is an important element of our vision as it reinforces the point that in order to be effective, security institutions must not just be "strong," but also be responsive to and protective of the rights of citizens.

MISSION

To advance African security by expanding understanding, providing a trusted platform for dialogue, building enduring partnerships, and catalyzing strategic solutions.

The Africa Center's mission revolves around the generation and dissemination of knowledge through our research, academic programs, strategic communications, and community chapters. Drawing on the practical experiences and lessons learned from security efforts on the continent, we aim to generate relevant insight and analysis that can inform practitioners and policymakers on the pressing security challenges that they face. Recognizing that addressing serious challenges can only come about through candid and thoughtful exchanges, the Center provides face-to-face and virtual platforms where partners can exchange views on priorities and sound practices. These exchanges foster relationships that, in turn, are maintained over time through the Center's community chapters, communities of interest, follow-on programs, and ongoing dialogue between participants and staff. This dialogue—infused with real world experiences and fresh analysis—provides an opportunity for continued learning and catalyzes concrete actions.

MANDATE

The Africa Center is a U.S. Department of Defense institution established and funded by Congress for the study of security issues relating to Africa and serving as a forum for bilateral and multilateral research, communication, exchange of ideas, and training involving military and civilian participants. *(10 U.S.C 342)*

Overview
Dismantling transnational organized crime (TOC) networks often requires joint actions by military, law enforcement, and justice officials, in concert with communities, security strategists, and relevant regional bodies. In certain African countries, these actors are already coordinating on some counter TOC efforts. There is therefore opportunity for African security and justice officials to intensify their comparative learning about the range of coordination efforts underway, as well as the strengths and weaknesses of coordination initiatives for countering TOC across contexts: on the cross-border level, on the national level across agencies, in urban and rural areas, and on the citizen and community level.

The Africa Center virtual academic program will encourage practitioners to consider the strategic value of security and justice coordination from these four multidimensional perspectives, as well as through a lens sensitive to gender, youth, and politically marginalized groups affected by TOC. By examining how interdependent security and justice work is in countering TOC, participants can better synergize their efforts to dismantle TOC networks nimbly, through the rule of law, and with political economy approaches that address the security, development, governance factors enabling TOC. Through peer learning and experience sharing, participants in this Africa Center seminar will have an opportunity to consider different ways to strategize and implement various forms of coordination in their work to counter TOC.

Program Objectives
This four-week virtual seminar is designed to facilitate participants' engagement in cross-sectoral and interdisciplinary peer learning about the strategic implications of coordination between defense, law enforcement, and justice actors within the security sector to counter TOC, including but not limited to trafficking in persons, drugs, and arms; human smuggling; and natural resource crimes. Participants will consider these themes in relation to their own region (either West or Southern Africa) as well as in comparative regional perspective to reflect about lessons that can be learned at home, in neighboring countries, and in other parts of Africa. To this end, there are three program objectives:

1. Understand the range of current initiatives underway in different regions of Africa to strengthen security and justice sector coordination in countering various forms of TOC (including but not limited to trafficking in persons, drugs, and arms; human smuggling; and natural resource crimes).
2. Assess how well current coordination efforts fit into regional, national, and local-level strategies and approaches to countering TOC, both in theory and in practice.
3. Compare experiences with military, law enforcement, and judicial coordination on countering TOC within and across country borders, in both rural and urban settings.

Academic Approach
Recognizing the diversity of challenges and opportunities in the domain of countering transnational organized crime, this workshop will seek to capture important lessons and sound practices through:

a) Pre-program content, in this syllabus and on video, to introduce background issues on TOC trends in terms of criminal actors and criminal markets in Western and Southern Africa, the political economy of TOC and African state resilience to it, and the place of security-justice coordination in this strategic picture.

b) Virtual plenary sessions that reinforce peer learning and collective problem-solving on four different aspects of coordination to counter TOC: cross-border coordination, national-level interagency coordination, subnational coordination in urban and rural areas, and local-level coordination that is inclusive of residents, citizens, and communities. These challenges apply to various types of TOC, including human trafficking, human smuggling, natural resource theft, poaching, drug and arms trafficking, and more.

c) Regionally specific, small group discussions that reinforce the learning objectives, helping participants exchange lessons learned on coordination and further develop new ideas about enhancing coordination that they could implement jointly with their security and justice counterparts in neighboring countries or fellow Regional Economic Community (REC) members.

The workshop will be conducted in English, French, and Portuguese. The program will be conducted under a strict policy of non-attribution during weekly discussion group sessions as well as during the question-and-answer portion of weekly plenary sessions. Plenary sessions will be recorded and posted to the Africa Center website and YouTube channel after the close of the program, but the discussion groups will not be recorded.

Pre-Program Content and Syllabus

This syllabus provides an overview of academic goals and key policy questions related to countering transnational organized crime in various local, national, and regional African contexts. The pre-program content prepares seminar participants for the four weeks of virtual plenary sessions and discussion groups and should be read beforehand. This content provides useful background about how to define TOC, what coordination mechanisms exist to counter it, who the major types of criminal actors are, which criminal markets are involved, and how African states can try to bolster their resilience, including through coordination.[1]

For each weekly session listed in the syllabus, we provide learning objectives, and a written introduction to the theme that the speakers will cover in the plenary session that week. We also list questions that participants should be prepared to answer in the weekly discussion group meeting to be held the day after the plenary session. Finally, we include a selection of recommended readings that may be useful to you as you apply what you have learned from the seminar. The weekly sessions focus on four elements of coordination that are strategically important – and potentially synergistic – for countering TOC. Week 1 is devoted to regional and cross-border coordination; Week 2 focuses on national-level, interagency coordination; Week 3 compares and contrasts approaches to coordination in urban and rural areas; and Week 4 covers making coordination inclusive of citizens and communities, as well as why it is essential for higher-level coordination.

The primary purpose of the suggested readings listed for each week on the syllabus is to help frame the stakes and the challenges of security-justice coordination within the context of available scholarship, empirical evidence, and policy documentation. It is beneficial to consult the recommended readings on the syllabus before the seminar. We also hope that you use these materials as resources even after the program concludes. We encourage you to bring questions and suggestions about the materials and the seminar to our attention. The quality of our programs has benefited from the enthusiasm of past participants, who may offer constructive criticisms and suggestions. We are quite willing to discuss specific topics with you.

Furthermore, a great deal of expertise and knowledge about these topics lies in you – the seminar participants who work on these issues. We encourage you to share your experiences during the sessions in order to maximize collective learning and problem-solving. The outside materials and academic content in this syllabus do not reflect the views or official position of the Department of Defense or U.S. government. This syllabus is an educational document intended to expose participants to various perspectives to help them take full advantage of the program.

Preparation for the Seminar
Before the first week of the seminar, we ask that you:
1. Watch the recording by the Faculty Lead, Dr. Kelly, for an introduction to TOC trends in Africa and the significance of coordination.
2. Skim this syllabus and read the sections on pre-program content and Week 1. Read some or all of the recommended readings.
3. Spend some time thinking about and answering the Week 1 discussion questions, considering what experiences from your work to share in discussion groups.
4. Be prepared to participate actively in discussion groups and to learn from participants from other countries.

Before each subsequent week of the seminar, we ask that you:
1. Read the relevant section of the syllabus for background.
2. Read some or all of the recommended readings.
3. Spend time thinking about and answering the discussion questions.
4. Spend some time thinking about and answering the weekly discussion questions, considering what experiences from your work to share in discussion groups.
5. Be prepared to participate actively in discussion groups and to learn from participants from other countries.

Map of Africa

Pre-Program Content: An Introduction to Coordinating Security and Justice Responses to Countering Transnational Organized Crime

Format: Required, pre-recorded webcasts for participants to watch before Week 1 of program

Objectives:
- Review the Palermo Convention definitions of organized criminal groups and transnational crimes
- Engage with a snapshot of what TOC actors, markets, and resilience looks like in West and Southern Africa, based on political economy approaches and the *ENACT Organized Crime Index Africa 2019*
- Understand why and how security-justice coordination is an important element of African states' resilience to TOC, as well as the need for linkage to a broader strategy of using the security-development-governance nexus to address drivers of TOC
- Review the four strategic aspects of security-justice coordination that the seminar will cover: cross-border coordination, interagency coordination, urban and rural approaches to coordination, inclusive citizen and community approaches to coordination

Background

Sound analysis of the strategic implications of coordination between defense, law enforcement, national security, and justice actors to counter transnational organized crime (TOC) requires a solid understanding of what TOC is and what it currently looks like in different parts of Africa. The pre-program video, "Enhancing Security-Justice Coordination to Counter TOC: An Introduction," provides this overview while also explaining what coordination is and why it is a notable element of how African states can attempt to build resilience to TOC on the domestic and regional levels.

Defining TOC

In essence, there is no consistently agreed-upon definition of organized crime, but the UN Convention on Transnational Organized Crime (Palermo Convention) – which a majority of African countries have ratified – defines "organized criminal groups" as consisting of three or more people, existing for a period of time, that act together with the aim of committing at least one crime punishable by four years' incarceration. To qualify as organized criminal groups, members must be acting together to commit those crimes in order to obtain a financial or other material benefit, whether directly or indirectly.[2] Other analysts have therefore defined organized crime as "a number of illegal activities, often within an illicit economy, conducted by organized groups or networks of people over time and for profit," often fueled by the use of violence and/or corruption.[3] Organized crime is transnational when these activities cross official political borders in some way, and are thus are "planned, prepared, committed, or have significant consequences in multiple states," as per the Palermo Convention.

Approaches to Understanding TOC

A **political economy approach** to understanding TOC is useful for developing security-justice coordination responses that address the root security, development, and governance issues that enable TOC. Political economy is "the study of rational decisions in the context of political and economic institutions," which shape various actors' incentives to behave in certain ways.[4] Thus, political economy approaches prioritize identifying the political and economic factors shape the incentives of various strategic actors to make decisions that can, in aggregate, either foster or discourage TOC activities. The *Organized Crime Index Africa 2019* published by the ENACT Consortium (INTERPOL, Institute for Security Studies-Africa, and the Global Initiative against TOC) provides one example of such a framework for understanding and responding to TOC.

According to the *Index,* organized crime is perpetrated in Africa by **four primary criminal actors**: state-embedded actors, criminal networks, foreign actors, and mafia-style actors. According to the Index, one of the most prominent patterns related to TOC across African countries is the collusion and interdependence between state-embedded actors and criminal networks to perpetrate TOC. The complicity of certain high-level state actors in the corruption facilitating organized crime is documented notably in the UN Economic Commission for Africa's *Report of the High-Level Panel on Illicit Financial Flows from Africa.*[5] When such actors facilitate TOC, this diverts tax revenue from the state, deprives citizens of their rightful public resources, and suppresses growth and development. The *Index* also tracks ten different **criminal markets:** human smuggling, human trafficking, arms trafficking, flora crimes, fauna crimes, non-renewable resource crimes, and various drug trades (heroin, cocaine, cannabis, synthetics). Finally, the *Index* suggests twelve factors likely to affect African **state resilience** to TOC: political leadership and governance, government transparency and accountability, international cooperation, national policies and laws, judicial capacity, law enforcement, anti-money laundering, economic regulatory capacity, victim and witness support, prevention, non-state actor involvement in responding to OC, and territorial integrity.[6]

Role of Coordination in Countering TOC
Coordination across various parts of the security and justice sector to counter TOC is a process that has the potential to influence several of the above resilience factors. Coordination is the process of trying to make different parts of a system and various organizations work together more effectively.[7] Coordination can be a precursor to effective cooperation for achieving national security goals, and when it is done well, it can help to minimize competition and enhance complementarity among the entities involved. This can in turn help to solve long-term problems that no single institution or agency could deal with as effectively on its own.[8] TOC networks unite criminal syndicates, corrupt government officials, and local enablers, who quickly adapt to evade African states' efforts to detect and punish them.[9] To build African state resilience to TOC, state security and justice actors will need to anticipate these possibilities for adaptation and put mechanisms and practices in place to respond nimbly to TOC networks' evolution and behavior. This is where coordination can come in handy. Several different aspects are useful: cross-border coordination between different countries' security and justice actors, interagency and inter-ministerial coordination on the national level, and coordination efforts that are rooted in local citizen and community perspectives, experiences, and approaches to dealing with TOC in both urban and rural areas. This seminar will cover each of these aspects of coordination.

Discussion Questions:
- Given your current understanding of how justice, military, and law enforcement responses to TOC are linked, what do you hope to learn through this seminar?

Recommended Readings:
1. "Executive Summary," *Organised Crime Index Africa 2019*, Global Initiative Against Transnational Organized Crime, https://globalinitiative.net/wp-content/uploads/2019/09/enact_report.pdf
   - To find the report on your country, visit: Data Analysis Portal for Organised Crime Index Africa 2019, https://ocindex.net/

2. UN Convention Against Transnational Organized Crime and the Protocols Thereto, https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf

Convention des Nations Unies Contre la Criminalité Transnationale Organisée et Protocoles s'y Rapportant, https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-f.pdf

3. Mark Shaw, "Africa's Changing Place in the Global Criminal Economy," ENACT Continental Report 1, September 2017, https://enact-africa.s3.amazonaws.com/site/uploads/2017-09-26-enact-continental-report1.pdf

    « L'évolution de la place de l'Afrique dans l'économie criminelle mondiale, » ENACT Continental Report 1, septembre 2017, https://enactafrica.org/research/continental-reports/levolution-de-la-place-de-lafrique-dans-leconomie-criminelle-mondiale

4. B. Guy Peters, "The Challenge of Policy Coordination," *Policy Design and Practice* 1:1, 2018, -1-11, https://www.tandfonline.com/doi/full/10.1080/25741292.2018.1437946

Additional Readings:

"Criminal Economies and Illicit Financial Flows in West Africa," in *Illicit Financial Flows : The Economy of Illicit Trade in West Africa*, OECD Publishing, 2018, pp. 57-106, https://www.oecd.org/corruption/illicit-financial-flows-9789264268418-en.htm

"Les économies criminelles et les flux financiers illicites en Afrique de l'Ouest," dans *Flux financiers illicites: L'économie de commerce illicite en Afrique de l'Ouest*, Editions OCDE, 2018, pp. 57-106, https://www.oecd.org/corruption/illicit-financial-flows-9789264268418-en.htm

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"Policy Toolkit on The Hague Good Practices on the Nexus between Transnational Organized Crime and Terrorism," UN Interregional Crime and Justice Research Institute & GCTF, https://www.un-ilibrary.org/content/books/9789210044486/read

"Outils de mise en place de politiques: Les bonnes pratiques de la Haye sur les liens entre la criminalité organisée et le terrorisme," UNICRI et GCTF, 2019, http://www.unicri.it/sites/default/files/2020-01/policy_toolkit_fr.pdf

Week 1: Using Regional and Cross-Border Coordination to Counter TOC

Format: Plenary Session: Tuesday, February 9, 1200-1330 GMT
Discussion Group: Wednesday, February 10, 1200-1330 GMT

Objectives:
- Understand why regional and cross-border coordination is important to countering TOC, and how it affects state resilience to TOC actors and markets in Western and Southern Africa
- Assess the current strengths and weaknesses of such coordination, whether between neighboring countries or on the REC level, through engagement with examples of cross-border coordination
- Identify key strategy, policy, and technical elements of cross-border coordination that have an influence on African states' resilience to multiple types of TOC

Background:
The people who perpetrate TOC work together to exploit cross-border differences in economics and policies, which fuel the illicit markets behind trafficking, poaching, and smuggling. They take a pragmatic approach to making profit in which criminal networks adapt to local conditions and shift between different markets or different spatial locations to facilitate TOC transactions. These transactions frequently involve criminal networks that cross official political borders and that concern multiple national governments. For this reason, cross-border coordination between different countries' militaries, law enforcement agencies, and state judicial systems is desirable. Whether cross-border, domestic, or both, coordination is the process of trying to make different parts of a system and various organizations work together more effectively.[10] Because TOC is a threat that ignores political boundaries and legal jurisdictions, cross-border coordination is not only desirable but also necessary for African countries to achieve national security goals. When done well, coordination can help African states collectively mobilize and use resources in ways that minimize competition and enhance complementarity of different countries' security and justice institutions. When done well, coordination can also help those countries become more swift and agile in countering criminal actors, who take advantage of states that are slow or unprepared to respond in concert with their neighbors and other allies.

Cross-border coordination takes many forms. **Regional Economic Communities (RECs)** like the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) spearhead certain kinds of coordination; in some cases, there are regional policies and plans in place to counter TOC as a whole or some of its particular forms. RECs may also be a means through which member states can work towards the implementation of regional action plans or other counter TOC measures that foster compliance with various legal conventions that they have signed and ratified on the national level. **Bilateral coordination** between states that share borders is also critical, since many of the foreign actors who perpetrate TOC in African countries are citizens of contiguous states. Law enforcement and judicial responses thus frequently require coordination between police, gendarmes, and prosecutors from neighboring countries. **International and continental coordination** are other notable elements of coordination.

Cross-border coordination is one of several potential components of building African states' **resilience** to TOC, an enterprise that involves improving the ability of leaders, institutions, systems, and citizens to deal with TOC in ways that are adaptable, mitigate harm, and reduce future vulnerabilities.[11] To reduce barriers to cross-border coordination, African government must make further commitments to harmonizing their national laws and procedures for apprehending, investigating, and prosecuting perpetrators of TOC. Outcomes of counter TOC efforts are

frequently shaped by formal coordination (bilateral or regional mutual legal assistance or police cooperation agreements, for example), as well as by formal or *ad hoc* coordination between local authorities. Coordination might involve strengthening mutual legal assistance or intelligence sharing between countries to facilitate investigations and prosecution; conducting joint patrols or civil affairs missions in border regions affected by TOC; or improving communications between different countries' customs agencies to detect illegal transshipments. Some initiatives in these domains are already underway in the western and southern Africa, and also involve African states coordinating with international organizations (INTERPOL, UNODC) and bilateral donors.

The West African Coast Initiative (WACI), West African Network of Prosecutors and Central Authorities Against Organized Crime (WACAP), Sahel Judicial Platform, Great Lakes Judicial Cooperation Network, the Judicial Regional Platform of the Indian Ocean Commission Countries, the West Africa National Security Advisors Forum, the Southern Africa Regional Police Chiefs' Cooperation Organization (SARPCCO) and the West African Police Chiefs' Committee (WAPCCO) are but a few. Other notable examples come from the maritime domain. The Lomé Code of Conduct between 25 West and Central African states has established modes of cross-border coordination to reduce piracy, natural resource theft, and IUU fishing.[12] Similarly, in the Indian Ocean, a Regional Center for Operational Coordination in Seychelles and a Regional Maritime Information Fusion Center in Madagascar facilitate cross-border information sharing.[13] AFRIPOL, the African Union's institution for police cooperation, also seeks to enhance intelligence sharing to combat TOC. [14]

Discussion Questions:
- Does your country work with neighboring countries or other countries in ECOWAS or SADC to counter TOC, and if so, in what ways?
- What are the current challenges your country faces to cross-border coordination to counter TOC? Are there any examples that you can share?
- What kinds of security and justice sector coordination roles have you or your peers undertaken in efforts to counter TOC? What areas of coordination need to be strengthened?

Recommended Readings:
1. "Coordination and Regional Cooperation," in *Preventing and Combating Trafficking in Persons: Lessons from the SADC Region,* Southern African Development Community Secretariat, 2017, pp. 25-28, https://www.sadc.int/files/1115/0953/7902/EN_TIP_Lessons.pdf

   "Coordenação e Cooperação Regional," dentro *Prevenção e Combate ao Tráfico de Pessoas: Lições da Região da SADC*, Secretariado da Comunidade de Desenvolvimento da África Austral (SADC), 2017, pp. 27-31, https://www.sadc.int/files/6815/0953/7922/PT_TP_Licoes.pdf

2. West African Network of Central Authorities and Prosecutors against Organized Crime, "Cooperating Across Border to Effectively Tackle Transnational Organized Crime," UNODC & WACAP, January 2020, https://www.unodc.org/res/organized-crime/gptoc_news-and-events_ninth-wacap-plenary-meeting_html/BROCHURE_COMPILATION_OF_SUCCESS_STORIES_-_English.pdf

   Réseau des Autorités Centrales et Procureurs de l'Afrique de l'Ouest contre le crime organisé, « La coopération transfrontalière pour lutter efficacement contre la criminalité transnationale organisée, » ONUDC et WACAP, janvier 2020, https://www.unodc.org/res/organized-crime/gptoc_news-and-events_ninth-wacap-

plenary-meeting_html/BROCHURE_COMPILATION_OF_SUCCESS_STORIES_-_French.pdf

3. Thierry Vircoulon & Violette Tournier, « Sécurité dans le golfe de Guinée : un combat régional, » *Politique Etrangère* 3, 2015, https://www.cairn.info/revue-politique-etrangere-2015-3-page-161.htm

4. "Innovating Security Solutions in the Seychelles," Africa Center for Strategic Studies, May 25, 2018, https://africacenter.org/spotlight/innovating-security-solutions-on-the-seas-in-the-seychelles/

Additional Readings:
"SADC strengthens strategy to silence the guns," ISS-Africa, November 25, 2020, https://issafrica.org/impact/sadc-strengthens-strategy-to-silence-the-guns

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"Maritime Security in the Western Indian Ocean: A Conversation with Assis Malaquias," Africa Center for Strategic Studies; 7 July 2017, https://africacenter.org/spotlight/maritime-security-western-indian-ocean-a-discussion-with-assis-malaquias/

« La sécurité maritime dans la partie occidentale de l'Océan Indien : une discussion avec Assis Malaquias, » Centre d'Etudes Stratégiques d'Afrique, 5 juillet 2017, https://africacenter.org/fr/spotlight/la-securite-maritime-dans-la-partie-occidentale-de-loceanindien-une-discussion-avec-assis-malaquias/

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"Interdiction Efforts Adapt as Drug Trafficking Modernizes," Africa Center for Strategic Studies, November 7, 2017, https://africacenter.org/spotlight/interdiction-efforts-adapt-drug-trafficking-africa-modernizes/

Week 2: Fostering National-Level Interagency Coordination to Counter TOC

Format: Plenary Session: Tuesday, February 16, 1200-1330 GMT
Discussion Group: Wednesday, February 17, 1200-1330 GMT

Objectives:
- Understand why national-level interagency coordination – both within and outside of the security sector– is important to countering TOC
- Compare and contrast the perspectives of defense/security, intelligence, and justice actors on the benefits and limits of coordination to counter TOC
- Identify key strategy, policy, and technical elements of interagency coordination that have an influence on African states' resilience to multiple types of TOC

Background
Developing stronger working relationships between various kinds of security sector actors, as well as between state security and justice actors, is another core element of coordination that can help to counter TOC. Some of the relevant national-level coordination mechanisms to counter TOC may be **interagency** (streamlining the work of agencies within the same department or ministry), while others could be **inter-ministerial** (streamlining the work of different departments or ministries).

Some examples of measures that certain countries have taken to enhance national coordination include passing provisions for judicial police to deploy jointly with the military to counter TOC; standing up special units focused on TOC that combine military officers, police, and gendarmes in their strategic deployments to borderlands; and linking special judicial units or interagency focal points to their counterparts in the security sector. The success of coordination structures depends on government initiative to make those structures work, as well as the commitment of individuals to participate in those structures in substantively and technically sound ways. [15] Overall, when done well, security and justice coordination will be based on clear definitions of roles and responsibilities that facilitate long-term problem solving. [16] Coordination's positive and negative aspects will be evaluated and considered, with the leaders spearheading such coordination realizing that too much coordination or the wrong kind of coordination can also detract from the benefits that specialization and certain kinds of overlap in roles and responsibilities can bring to counter TOC endeavors. [17] Striking what is an appropriate balance in the local context is central to mastering the art and the science of formulating policy responses.

Interagency and inter-ministerial coordination is useful for several reasons. First, it **provides the substantive and technical leeway for states to integrate not only defense, but also development- and governance-based approaches into their efforts to counter TOC**. Research shows that balancing these approaches to countering TOC is more likely to yield sustainable solutions because TOC's enabling factors are related not only to security, but also to development and governance issues that are under the purview of multiple national agencies and ministries.[18]

Second, inter-agency cooperation helps to **ensure that responses are technically sound and appropriately sequenced**. For instance, the work of military, intelligence, law enforcement, and prosecutorial officials to counter TOC is interdependent, and the functioning of the criminal justice chain depends on these actors' shared commitment to rule of law standards, clear communication, and joint efforts. In particular, TOC is easier to deter through the justice system when the military, police, and gendarmes who apprehend and process perpetrators understand the standards of evidence required to prosecute, as well as the detention and investigation practices that the law

requires for cases to be viable. Meeting these standards is easiest when defense, security, and justice actors have the tools to communicate and coordinate with each other as they are in the process of apprehending, detaining, and prosecuting suspected perpetrators of TOC.[19] Without coordinated efforts that deliver visible and fair results, state investigations and prosecutions of TOC can lose their deterrent effect and reduce popular trust in formal state institutions.

Along similar lines, intelligence sharing across various defense, law enforcement, and financial bodies seeking to interdict traffickers, poachers, or smugglers can increase the accuracy of detection and reduce the ease with which perpetrators of TOC can extract illicit financial flows. In countries seeking to combat TOC during security sector reform, experts recommend both **horizontal coordination** between intelligence agencies and law enforcement to increase prevention approaches to TOC, as well as **vertical coordination** within criminal justice agencies that can enhance synergies in the work of agency employees on the national, district, and local levels.[20]

Discussion Questions:
- Are there cross-border coordination mechanisms in place for your country? If so, what successes has your country or region had in coordinating the efforts of military, law enforcement, and justice actors to counter TOC?
- What challenges has your country or region had in coordinating the efforts of military, law enforcement, and justice actors to counter TOC?
- To what extent are there shared strategic interests in countering TOC across different sectors and agencies in your country? Are the preferences of security and justice actors aligned?

Recommended Readings:
1. B. Guy Peters, "The Challenge of Policy Coordination," *Policy Design and Practice* 1:1, 2018, -1-11, https://www.tandfonline.com/doi/full/10.1080/25741292.2018.1437946

2. "Gendarmeries and constabulary-type police: Roles and responsibilities of police with mixed military and civilian characteristics," SSR Backgrounder, DCAF, 2019, https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_15_Gendarmeries%20and%20constabulary-type%20police_0.pdf

   « Les gendarmeries et la police de type constabulaire : Rôles et responsabilités de la police présentant des caractéristiques mixtes militaires et civiles, » Série de documents d'information sur la RSS, DCAF, 2019, https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_15_Les%20gendarmeries%20et%20la%20police%20de%20type%20constabulaire_0.pdf

3. Junko Nozawa & Melissa Lefas and Hassane Djibo, "Coordination Between Military Action and the Judiciary" and "The Experience of Niger in Military and Judicial Cooperation" in *When the Dust Settles: Judicial Responses to Terrorism in the Sahel*, Global Center on Cooperative Security, October 2018, pp. 25-35, https://www.globalcenter.org/wp-content/uploads/2018/10/GC-2018-Oct-Dust-Settles-Judicial-Terrorism-Sahel.pdf

   "La coordination de l'action militaire et l'action judiciaire" et "L'expérience du Niger en matière de coopération judiciaire," dans *Quand la poussière retombe: La justice face au terrorisme au Sahel*, octobre 2018, Global Center on Cooperative Security, pp. 25-34, https://www.globalcenter.org/wp-content/uploads/2018/11/GC-2018-Oct-Dust-Settles-Judicial-Terrorism-Sahel-FRA.pdf

4. "Illicit Flows of Money and Assets," in *Overview of Serious and Organized Crime in Africa*, ENACT Analytical Report, October 29, 2018, pp. 33-34, https://enactafrica.org/research/analytical-reports/interpol-overview-of-serious-and-organised-crime-in-africa-2018

   "Flux illicites de fonds," dans *Evaluation stratégique de la criminalité organisée en Afrique 2018,* pp. 44-45, ENACT Rapport analytique, 29 octobre 2018, pp. 44-45, https://enactafrica.org/research/analytical-reports/evaluation-strategique-de-la-criminalite-organisee-en-afrique-2018

Additional Readings:

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Week 3: Facilitating Security-Justice Coordination in Urban and Rural Areas

Format: Plenary Session: Tuesday, February 23, 1200-1330 GMT
Discussion Group: Wednesday, February 24, 1200-1330 GMT

Objectives:
- Analyze the kinds of criminal activity, markets, and vulnerabilities to TOC that characterize urban versus rural areas in West and Southern Africa
- Compare and contrast what TOC and community susceptibility and resilience to TOC looks like in urban and rural areas, and what it means for African states' strategies to counter TOC
- Assess what elements of security and justice coordination matter most for responding to TOC in urban areas, as well as in rural areas.

Background

While TOC networks and activities span urban and rural areas, these two contexts present different challenges to coordination. Some of the "megatrends" that most affect African security futures are rapid urbanization, a demographic youth bulge across the continent, and a rising number of people living in slums. In some cases, "the inability of government institutions to resolve or at least mitigate conflicts over land, property rights, and services for urban residents, coupled with either absent or heavy-handed responses of security agencies in African slums, is contributing to a growing mistrust of African security and justice institutions."[21] Some of the major urban features of TOC that strategies to counter it must address include: criminal gangs' entrenchment in cities and suburbs, criminal networks' exploitation of air and sea ports to carry out their operations, and certain high level officials' use of their power to facilitate TOC through their work in state institutions, many of which are concentrated in urban capital cities.

Rural areas – particular border zones – are also critical for coordination strategies and policies to counter TOC. Border towns can be useful places for people involved in different parts of organized criminal supply chains to link up; they are also strategic locations for official border posts where customs, law enforcement, immigration, and other entities can collectively monitor flows of people and goods.[22] In border areas, people who share the same cultural, linguistic, ethnic, and economic ties are often spread across national political boundaries. These cross-national social networks have potential to facilitate coordination on security, development, and governance.[23] Furthermore, the kinds of solutions to counter TOC that are feasible depend on the trust that residents of rural areas (and peri-urban hubs that are far from the capital) have in state security and justice officials. The extent of officials' ability to deconcentrate or decentralize the discharge of their duties also shapes opportunities to build trust with citizens, whose buy-in is needed for fruitful coordination. Some African states have trouble establishing presence in areas far from the capital, which is necessary to protect citizens, provide infrastructure, and deliver services. Weak state presence – particularly in borderlands – risks exacerbating "mistrust between local communities and the state, and high levels of crime, insecurity, and poverty." [24]

Examining the urban and rural workings of TOC only further reveals that countering TOC is, at its root, a broad security, development, and governance challenge that concerns both state and society, including people from both urban and rural areas. Therefore, if seeking to enhance coordination to counter TOC, it is worth considering what the roles and responsibilities can be not only for military, law enforcement, intelligence, and judicial officials, but also for urban and rural authorities, community-based actors and organizations, and concerned citizens. Ideally, urban and rural actors will pool their knowledge, share perspectives, and make concrete plans to counter TOC in ways

that yield synergy and "positive complementarity" through coordination. Some elements of coordination that African security and justice actors have tried may work in both urban and rural areas; one example is the establishment of mixed security units that are staffed with senior officers who share a linguistic background with urban or rural residents in areas where counter TOC work is underway. Other elements of coordination may be more tailored to social or TOC dynamics specific to a particular urban or rural location; for example, the composition of district-level security meetings may include different types of security forces (police vs. gendarmes) or different types of community leaders in urban and rural areas. Overall, good coordination will require understanding TOC, its enabling factors, and sources of resilience in urban and rural context.

Discussion Questions:
- Do you notice differences in the ways that TOC affects urban versus rural areas in your country or region?
- Are these differences significant enough to warrant different urban and rural strategies for security and justice coordination?
- What development and governance measures in urban and rural areas might security actors need to support in order to enhance their own coordination efforts in countering TOC?

Recommended Reading:

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   « De la fragilité urbaine à la stabilité urbaine, » Bulletin de la Sécurité Africaine 35, Centre d'Etudes Stratégiques d'Afrique, juin 2018, https://africacenter.org/wp-content/uploads/2018/08/ASB35FR-De-la-fragilite-urbaine-a-la-stabilite-urbaine.pdf

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   "Police Officers, Soldiers, and Customs Officers : the Men at the Border," in *Of Walls and Men : Securing African Borders in the 21st Century*, November 2018, pp. 31-36, https://www.ifri.org/sites/default/files/atoms/files/of_walls_and_men_securing_african_borders_in_the_21st_century.pdf

3. Simone Haysom, "From the Maskani to the Mayor : The Political Economy of Heroin Markets in Eastern and Southern Africa," ENACT Research Paper, March 2020, https://enact-africa.s3.amazonaws.com/site/uploads/2020-03-05-heroin-coast-02.pdf

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Additional Reading:

"Illicit goods trafficking via port and airport facilities in Africa," INTERPOL and ENACT Consortium, June 2020, https://enactafrica.org/research/interpol-reports/illicit-goods-trafficking-via-port-and-airport-facilities-in-africa

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Maurice Ogbonnaya, "Illegal mining and rural banditry in North West Nigeria," ENACT Policy Brief, November 2020, https://enactafrica.org/research/policy-briefs/illegal-mining-and-rural-banditry-in-north-west-nigeria-responses-successes-and-challenges

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Matt Herbert, "Securing and Stabilising Borders in North and West Africa," ISS Africa Policy Brief, December 18, 2020, https://issafrica.s3.amazonaws.com/site/uploads/pb155.pdf

Week 4: Making Coordination Inclusive of Citizens and Communities

Format: Plenary Session: Tuesday, March 2, 1200-1330 GMT
          Discussion Group: Wednesday, March 3, 1200-1330 GMT

Objectives:
- Consider the security, development, and governance dimensions shaping how TOC affects citizens (whether men/boys or women/girls)
- Analyze how community and citizen relationships with state security and justice officials affects their trust in these actors to implement coordinated counter TOC efforts locally
- Analyze the preconditions that must be in place to make security-justice coordination effective, especially grassroots elements of rule of law that are frequently overlooked (like the inclusion of citizens/communities and their concerns in the coordination process)
- Identify various community-based and people-centered approaches to security, law enforcement, and justice actor initiatives to counter TOC

Background:
When coordinating counter TOC efforts, African policymakers and officials can best build societal resilience to TOC by taking steps to advance the security of citizens as opposed to merely that of the state or the regime. Countering TOC through citizen-centric coordination requires strengthening various state entities' ability to act in ways that are responsive to people's everyday life, realities, experiences, problems, and needs. Security and justice actors, as well as TOC policymakers, need to attend to the underlying factors that make particular citizens and communities susceptible to TOC. Some such factors include local livelihoods, the legitimacy of illicit commerce, and popular trust in the state.[25]

To make coordination inclusive of communities and citizens, state security and justice actors can ensure that a wide variety of community and citizen perspectives on TOC are included in dialogues and consultations held to shape the nature of state response. Ideally, residents, citizens, and community leaders are part of policy and strategy consultations so that they prioritize the vulnerabilities, risks, and threats that concern citizens and communities. However, even within specific communities, people of different genders, religions, age, and socioeconomic backgrounds may experience and view TOC differently, and may experience different political and economic consequences of efforts to counter TOC as well. This, too, is critical to account for in consultation and planning; for cross-border and national-level interagency coordination to work locally, a diversity of community stakeholders must support the efforts in question.

Furthermore, people-centered approaches to addressing TOC can build resilience. People-centered approaches focus on the variety of local dispute resolution, livelihood generation, civic advocacy, and security provision mechanisms that residents and citizens have created to address TOC.[26] Particularly when a range of local stakeholders stand behind such endeavors, they should be considered and debated as part of national strategic planning and implementation efforts.

Finally, because state actors' collusion with criminal networks is a common form of organized crime in Africa, policy responses to TOC must also come from non-state actors, especially civil society. Empowering civil society to exercise independent oversight of the state can help combat the government corruption and promote the state's transparency and accountability to citizens. Security and justice actors can assist by helping their peers understand the importance of oversight institutions, and by advocating as they can for relevant reforms. They can also contribute by building trusting and rights-respecting relationships with civilians in their work to counter TOC.

Discussion Questions:
- What aspects of citizen, community, and civil society perspectives on security, development, and governance must security and justice actors take into account as they seek to coordinate with each other?
- What perspectives do community leaders and civil society groups in your area have about state security and justice efforts to counter TOC? What explains their levels of trust?
- How can security and justice actors work together to forge productive relationships with civil society figures, local leaders, and citizens in communities most affected by TOC, and ensure the meaningful inclusion of both men and women in policymaking on TOC?

Recommended Readings:
1. Augustin Loada & Ornella Moderan, "Why Should Civil Society Contribute to Addressing Security Issues?" in *Tool 6: Civil Society Involvement in Security Sector Reform and Governance*, DCAF, 2015, pp. 21-28, https://dcaf.ch/sites/default/files/publications/documents/SSR_toolkit-T6-EN-FINAL.pdf

   "Pourquoi la société civile doit-elle contribuer à la gestion des questions de sécurité ?" dans *Outil 6: Le rôle de la société civile dans la réforme et la gouvernance du secteur de la sécurité,* Centre de Contrôle démocratique des forces armées, 2015, pp. 23-30, https://dcaf.ch/sites/default/files/publications/documents/SSR_toolkit-T6-EN-FINAL.pdf

   "Por que deve a sociedade civil contribuir para a gestão das questões de seguarança ?" Envolvimento da Sociedade Civil na Governação e Reforma do Sector de Segurança, Centro de Genebra para o Controlo Democraático das Forças Armadas, 2015, pp. 23-30, https://issat.dcaf.ch/Learn/Resource-Library2/Tools/Ferramenta-6-Envolvimento-da-Sociedade-Civil-na-Governacao-e-Reforma-do-Sector-de-Seguranca

2. Mark Shaw & Tuesday Reitano, "People's Perspectives of Organized Crime in West Africa and the Sahel," Institute for Security Studies – Africa Paper 254, 2014, https://issafrica.s3.amazonaws.com/site/uploads/Paper254.pdf

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"The Solemn Declaration on Common African Defense and Security Policy," African Union, 2004, http://www.peaceau.org/uploads/declaration-cadsp-en.pdf

[1] Focusing on criminal actors, criminal markets, and resilience factors is the approach that the ENACT Consortium has proposed in the *Organized Crime Index Africa 2019*, a product of some of the most recent comprehensive, continent-wide research on the topic. More information is in the recommended readings.
[2] UN Convention Against Transnational Organized Crime and the Protocols Thereto, https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf

[3] Mark Shaw, "Africa's Changing Place in the Global Criminal Economy," ENACT Continental Report 1, September 2017, p. 4.

[4] Allan Drazen, *Political Economy in Macroeconomics* (Princeton University Press, 2000), p. 4, citing James Alt & Kenneth Shepsle, eds. *Perspectives on Political Economy* (Cambridge University Press, 1990).

[5] United Nations Economic Commission for Africa, "Illicit Financial Flows: Report of the High Level Panel on Illicit Financial Flows from Africa," 2015, https://repository.uneca.org/ds2/stream/?#/documents/0ca955c2-2e56-5120-a605-9e8a7566c7d3/page/1, p. 43.

[6] *Organised Crime Index Africa 2019*, ENACT Consortium (Interpol, Institute for Security Studies – Africa, Global Initiative Against Transnational Organized Crime, https://globalinitiative.net/wp-content/uploads/2019/09/enact_report.pdf

[7] B. Guy Peters, "The Challenge of Policy Coordination," *Policy Design and Practice* 1:1, 2018, 1-11, https://www.tandfonline.com/doi/full/10.1080/25741292.2018.1437946

[8] Peters, *op.cit*; Leilani DeWitt & Bob Dillinger, "Whole-of-Government Teaming Through Collaborative Construction: NRO/NSA Synergy," *InterAgency Journal* 6:3, summer 2015, 32-38.

[9] Stephen Ellis & Mark Shaw, "Does Organized Crime Exist in Africa?" *African Affairs* 114:457, October 2015, https://core.ac.uk/download/pdf/43502813.pdf, p. 511.

[10] Peters, *op.cit*.

[11] US Agency for International Development, "Building Resilience to Recurrent Crisis: USAID Policy and Program Guidance," 2012, p.5, https://www.usaid.gov/sites/default/files/documents/1866/Policy%20%26%20Program%20Guidance%20-%20Building%20Resilience%20to%20Recurrent%20Crisis_Dec%202012.pdf

[12] Ian Ralby, "Cooperative Security to Counter Cooperative Criminals," DefenceIQ, March 21, 2017, https://www.defenceiq.com/naval-maritime-defence/articles/cooperative-security-to-counter-cooperative

[13] Daniel Laurence, "New regional information sharing system launched in Seychelles to counter illegal fishing, drugs, piracy," *Seychelles News Agency*, September 6, 2018, http://www.seychellesnewsagency.com/articles/9698/New+regional+information+sharing+system+launched+in+Seychelles+to+counter+illegal+fishing%2C+drugs%2C+piracy

[14] The AFRIPOL Statute indicates in Article 3 that one of its purposes is to "facilitate the prevention, detection, and investigation of transnational organized crime in coordination with national, regional, and international police institutions."

[15] Peters, *op.cit*., p.6.

[16] DeWitt & Dillinger, *op.cit*.

[17] Peters, *op.cit*., pp. 8-9.

[18] Tuesday Reitano, Lucia Bird Ruiz-Benitez de Lugo & Sasha Jesperson, eds. *Militarised Responses to Transnational Organised Crime: The War on Crime*, London: Palgrave Macmillan, 2016.

[19] Junko Nozawa & Melissa Lefas and Hassane Djibo, "Coordination Between Military Action and the Judiciary" and "The Experience of Niger in Military and Judicial Cooperation" in *When the Dust Settles: Judicial Responses to Terrorism in the Sahel*, Global Center on Cooperative Security, October 2018, https://www.globalcenter.org/wp-content/uploads/2018/10/GC-2018-Oct-Dust-Settles-Judicial-Terrorism-Sahel.pdf

[20] United Nations Security Sector Reform Task Force, "SSR Integrated Technical Guidance Notes: Transnational Organized Crime and Security Sector Reform," 2016, https://www.unodc.org/documents/organized-crime/SSR_TOC_ITGN_2016_WEB.pdf

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[22] African Union Development Agency-NEPAD, *One-Stop Border Post Sourcebook, 2nd Edition,* 2016; Kristof Titeca, "Local links across Africa provide key clues to fighting the illegal ivory trade," *The Conversation,* May 3, 2018, https://theconversation.com/local-links-across-africa-provide-key-clues-to-fighting-the-illegal-ivory-trade-95593

[23] OECD/SWAC, *Cross-Border Cooperation and Policy Networks in West Africa*, West African Studies, OECD Publishing, 2017, http://dx.doi.org/10.1787/9789264265875-en

[24] Dominic Naish, "Security and Conflict Management in the African Borderlands: A People-Centered Approach," African Centre for the Constructive Resolution of Disputes (ACCORD), April 24, 2017, https://www.accord.org.za/conflict-trends/security-conflict-management-african-borderlands/

[25] Mark Shaw & Tuesday Reitano, "People's Perspectives of Organized Crime in West Africa and the Sahel," Institute for Security Studies – Africa Paper 254, 2014, p. 14.

[26] Naish, *op.cit.*