



Updated Value Addition Material 2024  
**Internal Security**

# LINKAGES OF ORGANIZED CRIME WITH TERRORISM



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# 1. What is an Organized Crime?

Much like the concept of terrorism, there is no single uniformly accepted definition of organized crime. The **UN Convention against Transnational Organized Crime** does not define organized crime as organized crime's illicit activities are often changing and a definition would quickly become outdated. Instead, it defines an organized criminal group as:

A **structured group** of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more **serious crimes** or offences in order to obtain, directly or indirectly, a **financial or other material benefit**.

➤ A **structured** group is broadly defined as one that does not require any formal hierarchy or continuity of its membership. Therefore, loosely affiliated groups without any formally defined roles for its members or any developed structure or hierarchy are also included.

➤ A **serious** crime means any offence punishable by at least four years imprisonment (5 or more years in case of India).

➤ The **purpose** of the organized criminal group to obtain directly or indirectly, a financial or other material benefit was included in the Organized Crime Convention to exclude groups with purely political or social motives. At the same time, the other material benefit was intended to include sexual gratification through, for example, the receipt or trade of materials by members of peer-to-peer networks sharing online child exploitation material or cost sharing among the network members.

## Terrorism

UN General Assembly **Resolution 49/60** aims to criminalize certain armed activities considered to be "terrorist" in nature. In particular, it specifies that "criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them".

The approach adopted in the Convention's definition has been **criticized** by some scholars, who have considered it limited in that States parties have broad discretion as to how organized crime is defined in national legislation, which in turn might lead to disparity in national implementation. On the other hand, like terrorism, organized crime also evolves over time, is not static, and varies from region to region. For that reason, the focus of the Convention is on the actors of organized crime - the organized criminal group - rather than the illicit activities.

The Organized Crime Convention also lays out a definition for the transnational aspect of organized crime. The Convention in its article 3 defines **transnationality**:

An offence is transnational in nature if:

- it is committed in more than one State;
- It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or
- It is committed in one State but has substantial effects in another State.

## 2. Characteristics of Organized Crime

According to the Presidents Commission on organized Crime 1986, organized crime is the collective result of the commitment, knowledge and actions of three components:

- i) The Criminal groups;
- ii) The Protectors; and
- iii) The Specialist support.

### 2.1. Characteristics of the Criminal Group

- **Continuity:** The criminal group operates beyond the life time of individual members and is structured to survive changes in leadership.
- **Structure:** The criminal group is structured as a collection of hierarchically arranged interdependent offices devoted to the accomplishment of a particular function. It may be highly structured or may be rather fluid. It is, however, distinguishable as the ranks are based on power and authority.

- **Membership:** The membership in the core criminal group is restricted and based on common traits such as ethnicity, criminal background or common interests. The potential members are subjected to a lot of scrutiny and required to prove their worth and loyalty to the criminal group. The rules of membership include secrecy, a willingness to commit any act for the group and intent to protect the group. In return for loyalty, the member of a criminal

	<b>Traditional organized crime</b>	<b>New transnational crime</b>
<b>The term of fundraising</b>	Long-term financial interests	Short-term financial interests
<b>The history of groups</b>	Longstanding crime groups Such as the Sicilian Mafia, the Russian Mafia, the Hong Kong Triads the Japanese Yakuza	Recently formed crime groups Such as drug-trafficking and human smuggling groups.
<b>Relationship to the Nation-State</b>	Symbiotic relationship, Criminal-Political Nexus, grows with the weak state.	Take advantages of dysfunctional state institutions and porous borders, develops with the weak state
<b>Relation to Terrorism</b>	Usually rejects association with terrorists. Only if they are seriously crippled by the state authorities	Frequently seek relates with terror groups for short-term survival.

group receives economic benefits, certain prestige, and protection from law enforcement.

- **Criminality:** The criminal group relies on continuing criminal activity to generate income. Thus, continuing criminal conspiracy is inherent in organized crime. Some activities such as supplying illegal goods and services directly produce revenue, while others including murder, intimidation and bribery contribute to the group's ability to earn money and enhance its power. The criminal group may be involved both in legitimate as well as illegitimate business activity at the same time.

- **Violence:** Violence and the threat of violence are an integral part of a criminal group. The violence or threat of it is used against the members of the group to keep them in line as also against the outsiders to protect the economic interests of the group. Members are expected to commit, condone or authorise violent acts.
- **Power/Profit Goal:** The members of the criminal group aim at maximising the group's profits. The political power is achieved through the corruption of public officials, including legislators and political executive. The criminal group maintains power through its association with the "protectors" who defend the group and its profits

## 2.2. Protectors

They are corrupt public officials, attorneys and businessmen who individually or collectively protect the criminal group through abuses of status and/or privilege and violation of the law. As a result of the protector's efforts, the criminal group is insulated from both civil and criminal government actions.

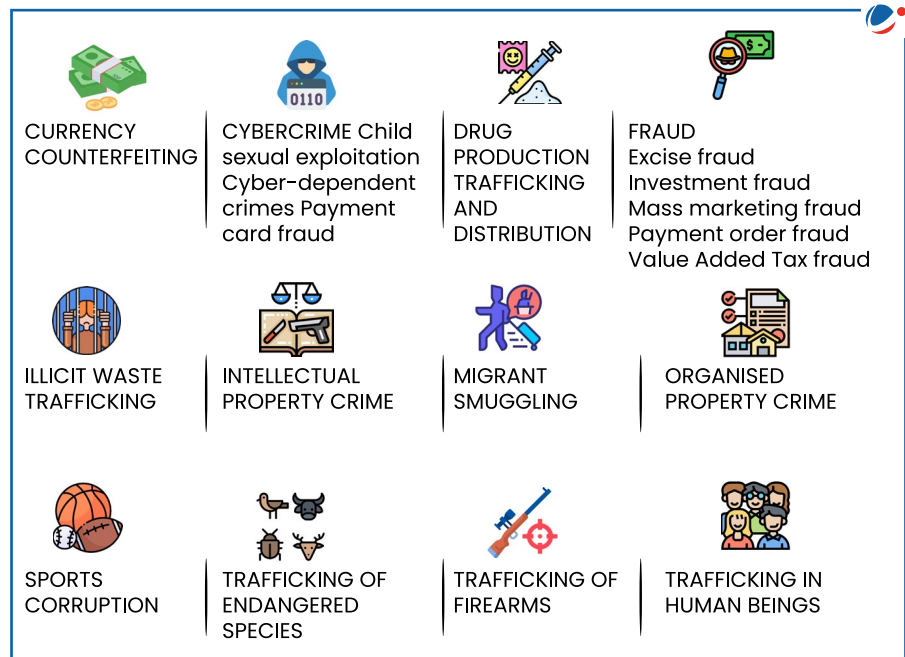
Corruption is the central tool of the criminal protectors. A criminal group relies on a network of corrupt officials to protect the group from the criminal justice system.

## 2.3. Organized Crime Support

- **Specialist Support:** organized criminal groups and their protectors rely on skilled individuals or support to assist the criminal groups on an adhoc basis. They are nonetheless considered part of organized crime. The specialists include pilots, chemists, arsonists, hijackers, shooters etc.

- **Social Support:** Social support includes public officials who solicit the support of organized crime figures; business leaders who do business with organized crime figures at social gatherings and thus portray the criminal group in a favorable or glamorous light.

The degree of these characteristics may vary from group to group. The quintessential element of organized crime is continuing illegal activities for generating illegal profits. Conceptually, as long as this condition is satisfied, a group can be termed as an organized criminal group.



Indian experience, however, shows that there is continuing illegal activity by organized criminal gangs, sometimes even in the absence of profit motive. Rigging of elections, preventing voters from exercising their electoral rights, preventing public servants from the lawful discharge of their duty, and recurrence of caste or communal violence on a continuing basis are such examples. It would be appropriate to bring such crime also under the ambit of organized crime.

## 3. Types of Organized Crime

### 3.1. Drug Abuse and Drug Trafficking





It is perhaps the most serious organized crime affecting the country and is truly transnational in character. India is geographically situated between the countries of **Golden Triangle and Golden Crescent** and is a transit point for narcotic drugs produced in these regions to the West.

- **Golden Triangle** comprises illicit opium production region covering Myanmar, Thailand and Laos.
- Whereas **Golden Crescent** comprises illicit opium production areas in Iran, Afghanistan and Pakistan.

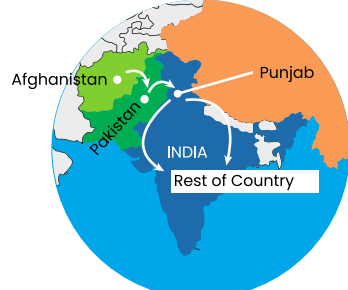
Myanmar is now world's top opium source after the decline in Afghanistan, as per Southeast **Asia Opium Survey 2023**

India also produces a considerable amount of licit opium, part of which also finds place in the illicit market in different forms. Illicit drug trade in India centres around five major substances, namely, heroin, hashish, opium, cannabis and methaqualone

#### FACTORS WORKING IN FAVOUR OF SMUGGLERS

-  Easy availability of couriers who are paid up to ₹60,000 for each transfer
-  Indian jails have ironically helped smugglers develop new contacts and a strong network
-  Well-knit syndicates overseeing operations
-  Non-availability of pucca roads along the International Border in Punjab, suitable observation posts & obsolete infrastructure for border floodlights

#### THE DRUG TRAIL



**MODUS OPERANDI**

- Tunnels are dug under the fence, through which drugs-in packages strung together in ropes of cloth are transferred
- Complicity of state forensic laboratory staff, who help with inaccurate analysis about the purity of the narcotics seized
- Smugglers in India use Pakistani SIM cards and vice versa to evade technical surveillance

#### Issues associated with Drugs Trafficking

- **Significant threat to National Security**
  - **Facilitates other organized crimes** such as human trafficking, money laundering etc.
  - **Destabilises nation by Narco-Terrorism**, the nexus between drug traffickers, criminal network and terrorists.
  - Money generated by the illegal sale of narcotics and drugs is **used for financing terrorist activities** and also left wing extremism.
- **Rise in social crimes: Encourages drug consumption** thereby creating law and order problem in the society.
- **Corruption:** Drug cartels subvert, penetrate and further corrupt state institutions to control the illegal drug trade.
- **Environmental impact:** Illicit drug markets can have impacts on the environment such as carbon footprint, deforestation, waste generation etc.
  - For instance phenomenon of narco-driven deforestation is taking place in the Amazon basin.

## Measure Taken by India

- **Operation Samudragupt** was launched by the Narcotic Control Bureau (NCB) to **combat drug trafficking in Indian Ocean Region**.
- **Enacting legislations** such as Narcotics Drugs and Psychotropic Substances (NDPS) Act, 1985.
- **Ensuring physical security of the borders** like Comprehensive Integrated Border Management System (CIBMS).
- Seizure Information Management System (**SIMS**) and National Integrated Database on Arrested Narco-offenders (**NIDAAN**) portals **for an online database of drug offences and offenders**.
- **Narco-Coordination Centre (NCORD) portal** to provide common platform for Drug law enforcement agencies.
- **Signed bilateral pacts and MoUs** with different countries for combating illicit trafficking of narcotics, drugs, etc.
- **Signatory to international conventions** like UN Single Convention on Narcotics Drugs 1961, etc.

## 3.2. Smuggling

Smuggling, which consists of clandestine operations leading to unrecorded trade, is another major economic offence. India has a vast coast line of about 7,500 kms and open borders with Nepal and Bhutan and is prone to large scale smuggling of contraband and other consumable items. Recent trends in smuggling w.r.t India include:

- Myanmar became the main transit corridor for smuggling of gold since pandemic (replacing Middle East) due to disruption in international air traffic.
- Narcotics smuggling also changed from passenger route to cargo route because political changes in Afghanistan.
- Increased Fake Indian Currency Notes (FICN) Seizure with Bangladesh, Myanmar being used as staging points to push FICN into India.
- Increasing challenge due to sophisticated concealment and extraction methods used by smuggling syndicates.
- Use of cryptocurrency, dark net and physical smuggling of foreign currency due to disruption in traditional hawala settlements act as other challenges.

## Steps Taken by India to counter smuggling and counterfeiting

- **Directorate of Revenue Intelligence (DRI)**: apex anti-smuggling intelligence agency.
- **Automation of customs clearance at border and induction of Risk Management System (RMS)**.
- **Training programmes conducted for police officials of Nepal and Bangladesh to sensitize them about** smuggling/Counterfeiting of India Currency.
- **Terror Funding and Fake Currency (TFFC) cell** has been constituted in NIA to conduct focused investigation.

- **Amendment in Unlawful Activities (Prevention) Act 1967:** Damage to monetary stability of India by production/smuggling/circulation of fake Indian currency is declared as a Terrorist act.

### 3.3. Counterfeit Currency

Counterfeit currency refers to imitation money created with the intent to deceive and pass off as genuine. Counterfeiters aim to replicate the appearance and security features of legitimate banknotes, making it challenging for the average person to distinguish between real and counterfeit bills. The history of counterfeit money dates back centuries, with criminals constantly evolving their techniques to stay ahead of law enforcement authorities.

- The value of the counterfeit currency in the banking system has reduced from ₹43.47 crore in 2016-17 to about ₹8.26 crore in 2021-22, amounting to a sharp decline of more than 80%.

- At the same time, notes seized by different law enforcement agencies have gone up.
  - As per the National Crime Records Bureau (NCRB) data, the value of fake currency seized by various enforcement agencies in 2017 was ₹28 crore which shot up to ₹92 crore in 2020.
  - Increased Fake Indian Currency Notes (FICN) Seizure with Bangladesh, Myanmar being used as staging points to push FICN into India.

#### Threats of Counterfeit currency

**Black Marketing and Corruption**

The shortage of supply that is created in the market due to extensive circulation of forged currency, gives rise to another grave problem, that of black marketing. This in turn gives rise to the vicious circle of corruption

**Devaluation of Currency and Inflation**

As counterfeit money makes its way into the markets; there is undesirable influx of money in circulation. This artificially increases the purchasing power of people, leading to rise in demand for goods and services and thereby inflation. This reduces the value of real money and leads to currency devaluation.

**Loss of Public Confidence**

With circulation of counterfeit money, people tend to lose faith in the economy of their country and the money that they hold.

**Increase in Terrorism**

Counterfeit currency has long been a source of funding for terrorism in India. For example, in the Mumbai 26/11 attacks, a significant part of the money, to fund the preliminary operations, was obtained through fake currency rackets and hawala (illegal money transfer) channels

**Economic Impacts**

Criminal networks exchange the counterfeit currency for genuine notes, which not only facilitate money laundering, but also poses a serious threat to the Indian economy.

#### Step taken to prevent circulation of counterfeit Note

<p><b>Legal provisions relating to printing and circulation of counterfeit banknotes</b></p>	<ul style="list-style-type: none"> <li>➤ Counterfeiting is punishable offence under <b>Sections 489A to 489E of the Indian Penal Code.</b></li> <li>➤ Also, under the ambit of <b>Unlawful Activities (Prevention) Act (UAPA), 1967.</b></li> </ul>
<p><b>Anti-counterfeiting Measures by RBI</b></p>	<ul style="list-style-type: none"> <li>➤ <b>Incorporating Security Features in Indian Banknotes</b>, such as Watermark/Security Thread/Latent Image/Micro-lettering.</li> <li>➤ Continual <b>upgrades of banknote security features.</b></li> <li>➤ <b>Public awareness campaigns</b> to educate citizens.</li> <li>➤ <b>Installation of note sorting machines.</b></li> <li>➤ <b>Forged Note Vigilance Cells</b> at all the banks to pay focused attention to counterfeiting.</li> <li>➤ <b>Conduct of regular training programs.</b></li> </ul>

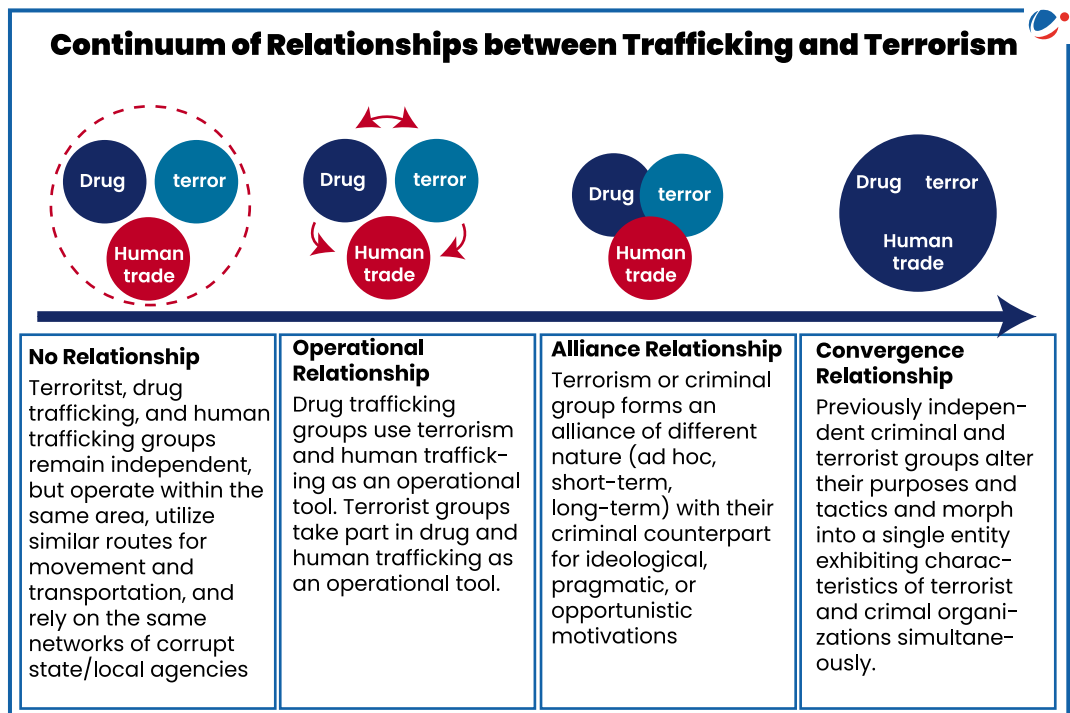
<p><b>Measures by government for overhauling circulation of Fake Indian Currency Notes (FICN)</b></p>	<ul style="list-style-type: none"> <li>➤ <b>FICN Coordination Group</b> to share intelligence and information with the security agencies in the States and the Centre.</li> <li>➤ <b>Terror Funding and Fake Currency Cell</b> in the National Investigation Agency (NIA) to conduct a focused investigation of terror funding and fake currency cases.</li> <li>➤ <b>Capacity-building programmes</b> for various law enforcement agencies at the Centre/State level.</li> <li>➤ <b>Demonetisation of Rs.1000 and Rs.500 currency notes.</b></li> <li>➤ <b>Cooperation with neighbouring countries:</b> <ul style="list-style-type: none"> <li>▪ <b>Training programmes for the police officers of Nepal and Bangladesh</b> to sensitise them about the smuggling/counterfeiting of Indian currency.</li> <li>▪ <b>Joint Task Force between India and Bangladesh</b> for building trust and cooperation</li> </ul> </li> </ul>
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### 3.4. Money Laundering & Hawala

Money laundering means conversion of illegal and ill-gotten money into seemingly legal money so that it can be integrated into the legitimate economy. Proceeds of drug related crimes are an important source of money laundering world over. Besides, tax evasion and violation of exchange regulations play an important role in merging this ill-gotten money with tax evaded income so as to obscure its origin.

### 3.5. Light Arms Proliferation & Trafficking

Light arms proliferation is a global phenomenon. It has extracted a heavy toll in terms of human lives and socio economic development of entire regions, costs of which can never be adequately computed. India has suffered due to trafficking in illicit arms. The twin phenomenon of rising crime as well as armed conflicts and terrorism are directly linked to the global proliferation and movement of weapons.



### **3.6. Contract Killings**

The method adopted in contract killings is by engaging a professional gang for a monetary consideration. Part of the prefixed amount will be paid in advance which is called 'supari'. The rest of the payment will be made after the commission of the crime. The Bombay gangs specialise in contract killings. Dawood Ibrahim gang has been responsible for contract killings of several rich businessmen, industrialists and Politicians.

### **3.7. Kidnapping for Ransom**

Kidnapping for ransom is a highly organized crime in urban conglomerates. There are several local as well as interstate gangs involved in it as the financial rewards are immense vis-a-vis the labour and risk involved.

### **3.8. Prostitution**

Trading in sex and girl-running is a very profitable business in which the underworld plays an important part. Flesh trade has been flourishing in India in various places and in different forms. The underworld is closely connected with brothels and call girl rackets, making plenty of money through this activity.

Prostitution is not an offence in India. However, running brothels, inducing girls for the sake of prostitution, detaining girls in brothels or running brothels in the vicinity of public places is a criminal offence. There is evidence of underworld networks running the brothels and the existing law has not been found strong enough to tackle the menace.



## 4. Similarities between Organized Crime and Terrorism

- A **similar personality profile of members** belonging to a terrorist or an organized crime group. Both entities seem to be recruiting their members from the marginal social groups exposed to and burdened by social or political frustrations. They are the persons attracted by excitement, thrill and risk taking, who despise socially accepted norms.
- They are both **punishable by law**. Their illegal activities often involve the abuse of the latest technological developments and entail novel high-tech forms of criminal activity.
- Another common characteristic is a **detailed planning and preparation** of their illegal activities. Both criminal groups display a respect of strict discipline, which includes rigorous rules of behavior and an internal system of punishment for any form of disobedience.
- Organized crime and terrorism are also characterized by **secrecy and confidentiality** of their activities, use of violence for the purpose of accomplishing certain goals or interests and intimidating the surroundings.

Both are characterized with significant similarities, which are one of the main factors that contribute to their being regarded as mutually interchangeable and intertwined. Thus, the criminal activities committed by certain terrorist organizations are financed by organized crime, whereas some criminal organizations, having acquired financial power, exhibit political ambitions which they endeavor to realize with the help of terrorism.



## 5. Differences between Organized Crime and Terrorism

- › Criminology traditionally defines that the basic difference between organized crime and terrorism lies in **different motives** of perpetrators. Terrorists are supposed to act out of idealistic goals aimed at reforming social reality, immaterial of a particular terrorist organization's vision of that reform and transformation. On the other hand, members of organized crime are believed to act with the aim of gaining personal criminal profit.
- › Terrorist acts are aimed at accomplishing particular political goals with the help of forbidden and socially unacceptable means. On the other hand, the goals of organized crime are predominantly economical, devoid of any political dimension, aimed at gaining and enlarging their own profit. Their goal is the ultimate economic power followed by the legalization of the acquired profit.
- › These two entities differ regarding the **"visibility"** of their activities. Organized crime groups do not reveal their goals publicly, never show their political aspirations openly and aspire to keep their activities fairly "invisible". Terrorists, on the other hand, not only declare their goals openly but they do that in order to gain support from particular target groups of people so that their determination in accomplishing their goal becomes clear to everyone.
- › Terrorist organizations claim **responsibility** for terrorist attacks, whereas members of the organized crime groups never assume any responsibility for their criminal acts.
- › Although it is frequently said that terrorism and organized crime have the same enemy: the state, their **relationship towards the state** is another distinctive feature. While terrorism is characterized by a constant confrontation with the existing establishment and an attempt to change the government, organized crime is known for its infiltration, bribery of state officials and a selective antagonism towards certain levels of government.



## 6. Linkages of Organized Crime with Terrorism

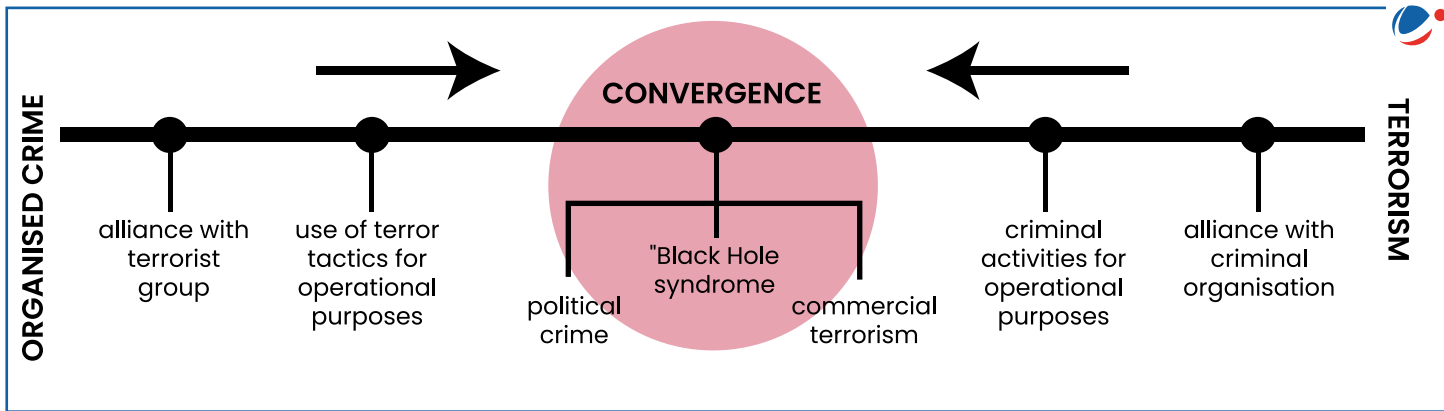
The importance of examining the connection between these two phenomena coincides with the importance of the fight against terrorism and organized crime. Adequate anti-terrorist and anti-criminal policy at the national and international level largely depends on understanding each problem separately as well as on understanding their versatile correlations. Despite the obvious organizational and operational characteristics common to both actors, who thereby acquire similar methods as well, they have divergent ultimate goals.

The connection between the two may exist as an association, union, cooperation, symbiosis, convergence and metamorphosis. One of the most obvious aspects of their inter-relatedness is the functional one, which implies putting organized crime in service of terrorism by engaging in criminal activity and financing terrorism from the proceeds of organized crime.

### 6.1. Financing Terrorism

- ▶ The global war on terrorism constricted the flow of financial support to terror groups and, in order to circumvent international measures, transnational terrorist organizations moved deeper into the sphere of organized crime.
- ▶ Many organized crimes have refused to cooperate with terrorist groups because of their long-term and stable financial strategies. The only possible way for this situation to change is for these “traditional” groups to be threatened by government authorities to the extent that they are forced to cooperate with terrorist groups, for their own survival.
- ▶ However, the recently formed criminal groups that do not have the stability in terms of cash flow see cooperating with terrorist groups as a way of achieving high profits.
- ▶ The link between terrorism and organized crime is thoroughly analyzed and monitored by the UN Office on Drugs and Crime (UNODC), which has pointed out that the profit from criminal activity is increasingly used to finance terrorist acts, and that the arms trade and money laundering, as forms of organized crime, have become an integral part of terrorism.
- ▶ Some of the commonly used examples would be the financing of the Taliban through opium production in Afghanistan and trafficking in cocaine, kidnapping and extortion to finance activities of the Revolutionary Armed Forces of Colombia (FARC).

Due to the development of technology, communications transport and finance, networks of terrorists and organized criminal groups operating at the international level can now connect with each other more easily. By joining resources and expertise, they significantly increase their capacity to inflict harm. The process of globalization, which proved to be a double-edged sword, contributes to this situation. Open borders, the single market, as well as the ease of travel and communication are, to a large extent, being used by terrorist organizations and organized criminal groups.



## 6.2. Narco-Terrorism

- According to the US Drug Enforcement Administration (DEA), narco-terrorism is “a subset of terrorism,” where groups or individuals participate directly or indirectly in the cultivation, manufacture, transportation or distribution of controlled substances and the money derived from these activities”.
- The very concept is of a dual nature, depending on whether the emphasis is put on drug trafficking or on terrorism. However, it might be argued that the difference in emphasis matters little since the concept of narco-terrorism can be seen as a mid-way convergence of two phenomena: drug trafficking and terrorism, with organizations doing a bit of both.

## 6.3. Financing terrorism through money laundering

- Financing terrorism through money laundering is a very complex process involving various relations that are aimed at attempting or a successful ensuring or collecting funds or property, with the intention of using it, in whole or in part, for carrying out a terrorist act.
- Apart from the banking systems, financial supporters of terrorist activities use various forms of transfer of assets, such as: physical transfer of cash across the state border, alternative systems of transport, humanitarian and non-profit organizations that serve as fronts for money laundering and financing terrorism, etc.
- The most significant consequences of money laundering and terrorist financing are: undermining stability and transparency of the financial system of the state, economic instability, reducing the number of investments, undermining the reputation of the state and endangering national security.

## 6.4. Human Trafficking and Terrorism

- The link between terrorism and drug trafficking has been the matter of analysis for a long time, but only recent activities by ISIS and Boko Haram have drawn the attention of the international community to human trafficking.

- ▶ Currently, human trafficking is not only a method of collecting revenue for terrorist organizations but also a way to achieve other objectives, such as: increase of manpower, sexual abuse, intimidation/harassment, etc.
- ▶ Human trafficking is also used to form military units that serve terrorist organizations. According to the UN reports, in the last decade, there has been an increase in the number of recruited child soldiers and girls who were subsequently sexually exploited and/or used as logistic support or informants.
- ▶ Just as weapons and narcotics, women and children are sold as commodities on the black market. Human trafficking has developed into a complex industry that annually makes a profit which can be measured in billions of dollars. The proceeds from this lucrative industry are used for financing the operations of terrorist organizations and organized crime groups.

## 6.5. Intellectual Property Crime and Terrorism

- ▶ Intellectual Property Crime (IPC) includes the manufacturing, transporting, storage and sale of counterfeit or pirated goods where the consent of the rights holder has not been obtained. It usually takes the form of trademark, patent, trade dress or copyright infringement, although these are not mutually exclusive.
- ▶ The illicit market in counterfeit and pirated goods has expanded rapidly in recent decades and some scholars consider it to constitute the largest black-market economy, surpassing the global narcotics trade. Several terrorist organizations have been identified as participating in the illicit trade of cigarettes.
- ▶ In 2016, terrorist organizations in North Africa were allegedly responsible for a contraband tobacco trade valued at \$1 billion (Institute for Economics and Peace, 2016). The smuggling of both cigarettes and counterfeit products is also reported as a significant source of funding for Al-Qaeda.

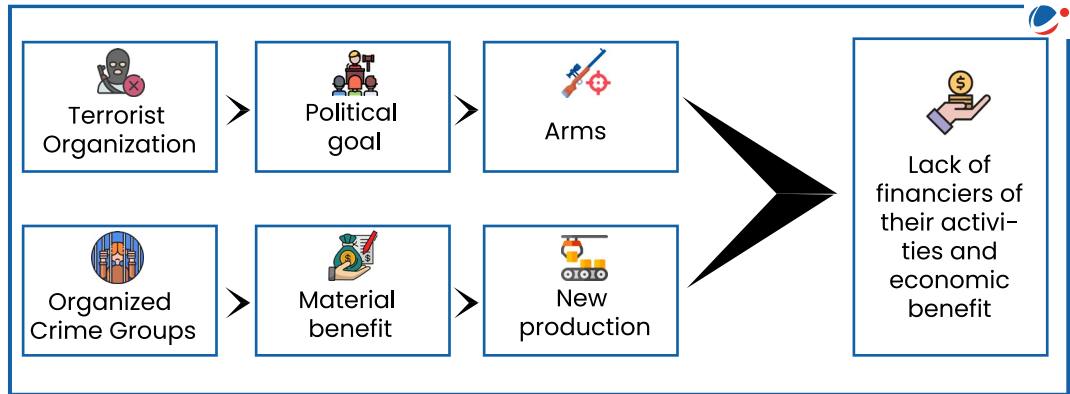


# 7. Linkages in the Indian Context

Crime and terrorism can potentially have a very close linkage. While there may or may not always be a linkage between the two, however, both international case studies and those in India do point towards it. If we look at some of the regions in the country affected by terrorism, this linkage becomes apparent.

## 7.1. North-East India

➤ In the Northeast, extortion is the fundamental basis for funding all forms of terrorism. In addition to this, kidnapping has been used extensively for spreading terror and raising funds. Human trafficking, drug trafficking and gun running are some of the other criminal activities that have been common in these areas.



- Government officials in conflict zones are either threatened or bribed to award contracts to individuals patronised by the militant groups.
- Contracts apart, essential commodities like rice and fuel reach the militant groups directly which are then sold to the public at much higher prices. This phenomenon is a clear example of the linkage between organized crime and terrorism in India.

## 7.2. Jammu and Kashmir

- Unlike in the North-East, reliance on funds from extortion and kidnapping is minimal.
- However, external funds compensate for the inadequate internal resource mobilisation. Cross-border mobilisation of funds from Pakistan and Gulf countries to select organisations and individuals in Kashmir finally reach the militants. Money Laundering and Hawala transactions play a critical role in the transfer of these funds.
- In J&K, counterfeit currency has been a major source of funding terrorism. Terrorists are the main couriers of Indian counterfeit currency in Kashmir, which then spreads to the rest of India.

## 7.3. Maoist affected regions

- ▶ In the Maoist terror movements, extortion is yet again a common phenomenon. They have also indulged in robberies of banks to fund their movement. There have also been reports of cuts being enforced on drug yielding crops in the region.

The Indian Mujahideen has also resorted to crime to raise funds. This includes robberies, kidnappings, etc. There are also a number of insurgent groups which over a period of time have morphed into crime syndicates. What began as an ideological movement is now merely a means of generating profit. This is especially the case with insurgent groups in Northeast India.



## 8. Steps taken to tackle Organized Crime

### 8.1. Indian Initiatives

- Anti-Trafficking Nodal Cell has been set up by MHA to act as a focal point for communicating various decisions and follow up on action taken by the state governments to combat human trafficking.
- The Ministry of Women and Child Development funds NGO-run shelter and rehabilitation services for women and children through the Ujjawala program, specifically for female sex trafficking victims, and the Swadhar program for women in difficult circumstances.
- The government has also signed agreements with Bangladesh, Nepal, and Bahrain etc. to curb trafficking.
- Drug trafficking
  - Statutory Measures: India has enacted Narcotics Drugs and Psychotropic Substances Act, 1985 (NDPS Act) and Prevention of Illicit Trafficking of Narcotics Drug and Psychotropic Substances Act, 1988 through which the country is addressing various aspects of drug problem
  - Operation Dhvast (2023): NIA in coordination with Punjab and Haryana Police busted a Terrorist-Gangster-Drugs-Arms Trafficking nexus.
  - International Conventions: India is signatory to all three UN Conventions namely, the Single Convention on Narcotics Drugs, 1962, the 1971 UN Convention on Psychotropic Substances and the 1988 UN Convention against Illicit Trafficking of Narcotics Drugs, Psychotropic Substances and has also supported the global efforts led by UN office on drug and crime (UNODC) to curb perpetrating drug menace
- The government introduced "The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2021" in Lok Sabha with the following features:
  - Establishment of investigation and rehabilitation authorities at the district, state and national level. Anti-Trafficking Units will be established to rescue victims and investigate cases of trafficking.
  - Rehabilitation Committees will provide care and rehabilitation to the rescued victims.

#### Problems in Control Efforts against organized Crimes

- **Inadequate legal structure** to deal with organized crimes as it targets individuals and not the criminal groups and enterprises.
- **Difficulties in obtaining proof:** As the groups are structured in a hierarchical manner, the higher echelons of leadership are insulated from law enforcement.
- **Slow pace of trials and low conviction rates** turns the citizens apathetic and non-cooperative in the control efforts.
- **Lack of resources and training:** State governments have seen a deterioration in their fiscal health and hinders their ability to substantially fund and train the police force.
- **Criminal, Political and bureaucratic nexus:** The various crime syndicate/mafia organisations have developed significant muscle and money power and established linkages with Governmental functionaries, political leaders and others to be able to operate with impunity.

- Protection and rehabilitation: The Bill requires the central or state government to set up Protection Homes, to provide shelter, food, counseling, and medical services to victims.
  - Set up anti-trafficking committees at the district, state and national levels to ensure the rehabilitation of victims.
  - Special Courts: The Bill provides for setting up designated courts in each district, which will seek to complete trial of trafficking cases within a year.
- While India does not have a national law on organized crime, the introduction of Maharashtra Control of organized Crime Act (MCOCA), 1999 has helped both Maharashtra and Delhi police quell the activities of notorious gangsters and crime syndicates.

## 8.2. Global Initiatives

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- The United Nations Convention against Transnational Organized Crime
- Adopted by General Assembly resolution 55/25, it is the main international instrument in the fight against transnational organized crime.
  - The Convention represents a major step forward in the fight against transnational organized crime and signifies the recognition by Member States of the seriousness of the problems posed by it, as well as the need to foster and enhance close international cooperation in order to tackle those problems.
  - States that ratify this instrument commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.
  - The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime:
    - » The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
    - » The Protocol against the Smuggling of Migrants by Land, Sea and Air; and
    - » The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.
  - Countries must become parties to the Convention itself before they can become parties to any of the Protocols.

## 9. What more needs to be done?

The globalization of the economy has created favorable conditions for terrorist organizations and criminal groups to coordinate their activities cooperate and share their resources, whereas the national and international legislation have unfortunately failed to keep pace with the evolving development of organized crime and terrorism.

The following steps can be taken to regulate the existing and emerging threats:

- Need to improve coordination and set up specialised units to deal with organized crime.
  - Setting up of a **National Level body** to collect, collate, analyse, document and act as central exchange of information relating to international gangs operating in India, the Indian gangs operating abroad and the major gangs operating in the States.
  - Setting Up of organized Crime Wings in City Police Organisations.
  - Setting Up organized Crime Cells at the District Level for investigation of important organized crime cases, collection of intelligence against the criminal gangs and proper documentation about their activities.
- Enhanced international cooperation against organized crime and terrorism.
  - Speedy extradition can be a very effective method of bringing the fugitive criminals and terrorists to justice.
  - Need to make agreements on Mutual Legal Assistance with countries for effective investigation and prosecution of transnational crimes and terrorist activities.
  - Strengthening the role of Interpol in breaking the link between the organized crime and terrorism.
  - States party to the organized Crime Convention should ensure its effective implementation by establishing criminal offences of participating in organized crime in their respective countries.
- Public awareness
  - The surest means of curbing organized crime is to involve people in its prevention and investigation and to build up public opinion against it through the print and electronic media, workshops, seminars, and by socially boycotting organized crime figures.
- Capacity building
  - Developing good military and intelligence expertise to neutralise terrorist groups.
  - Developing arrangements with states to disrupt terrorist support networks and assist states by sharing intelligence and exchanging personnel to fight transnational terrorist networks.
- Effective implementation of the stringent laws like MCOCA, Gangster Act, etc. to deal with organized crime.
- The most effective way to combat these phenomena is mutual cooperation, which must include data exchange, a common/unified approach to “tear” the links between terrorism and crime, and joint action of relevant national and international institutions.

(**Note:** The measures to tackle terrorism have been mention in detail in the document on “The role of external state and non-state actors in internal security challenges”)

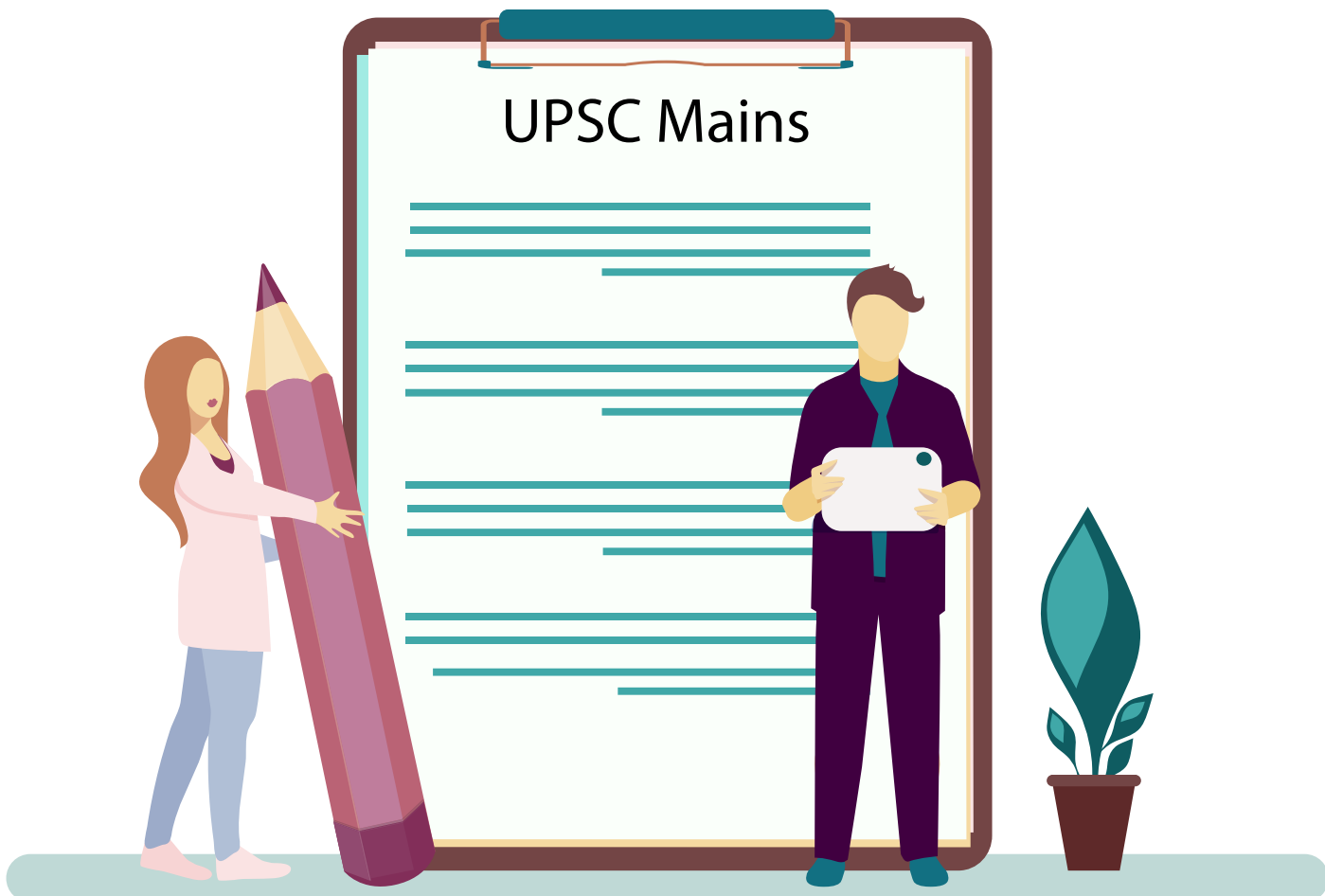
In addressing the Security Council, UN Secretary General at the time, Ban Ki Moon, stressed that the international community's response to this problem must be coordinated and global, such as the one taken so far to combat trafficking in human beings and drugs, or in the so called "**Kimberley Process**", in order to prevent smuggling of natural resources to finance armed conflicts.

Despite the views about the absence of any clear link between organized criminal groups and terrorist organizations, and claims that their relationship is considerably less frequent than the one between criminals and politicians, there is no doubt that organized crime and terrorism, their versatile connections and hybrid entities that are constantly evolving and adapting to new circumstances, require full attention of the entire international community.



## 10. UPSC Mains Previous Years Questions

- Discuss the types of organised crimes. Describe the linkages between terrorists and organised crime that exist at the national and transnational levels. (2022)
- Analyse the complexity and intensity of terrorism, its causes, linkages and obnoxious nexus. Also suggest measures required to be taken to eradicate the menace of terrorism. (2021)
- India's proximity to two of the world's biggest illicit opium-growing states has enhanced her internal security concerns. Explain the linkages between drug trafficking and other illicit activities such as gunrunning, money laundering and human trafficking. What counter-measures should be taken to prevent the same? (2018)



# 11. Vision IAS Mains Previous Years Questions

**1. Examine the nature of the relationship between transnational organized crime groups and terrorist organizations. Provide two examples to substantiate your answer.**

### Approach:

- Explain the terms transnational organized crime and terrorism in the introduction.
- Examine the nature of the relationship between transnational organized crime groups and terrorist organizations.
- Provide two case studies to substantiate the relationship.
- Conclude accordingly.

### Answer:

Transnational organized **crime refers to criminal activities that operate across national borders**, involving sophisticated networks engaged in illegal activities like drug trafficking, human trafficking, and cybercrime. Terrorism is defined as the **unlawful use of force or violence** against individuals or property **to achieve political, religious, or ideological objectives**.

In the last few decades, there has been an intersection of terrorist organizations and criminal networks, which has led to an increased threat of this cooperation and convergence.

### Nature of the relationship between transnational organized crime groups and terrorist organizations:

- **Ad hoc relationship:** Ad hoc relationships between organized crime groups and terrorist organizations include **temporary alliances formed to meet specific needs**, such as acquiring fake documents or smuggling goods. These relationships are typically short-term and based on immediate benefits.
  - For instance, utilization of the **hawala system** of transnational organized crime groups by terrorist outfits or organized crime groups paying a terrorist organization for the right to transit goods through its area of influence.
- **Continuing relationship:** Continuing relationships evolve from ad hoc interactions, where groups **engage in repeated collaborations**. These ongoing partnerships are more stable than ad hoc connections.
  - For example, terrorist organizations might secure a **safe haven within a criminal group's territory** or regularly purchase weapons from it.
- **Diversification:** Diversification occurs when either terrorist organizations or organized crime groups **expand their activities in response to resource constraints**.
  - For example, terrorist groups turning to drug trafficking to fund terrorist activities or transnational organized groups spreading political violence to maintain their operational space to carry out illicit activities.
- **Convergence:** Convergence refers to the **merging of crime groups and terrorist organizations**. It effectively blurs the lines between criminal and terrorist operations.

- For example, **the Islamic State in Iraq and Syria created a self-sustaining economy** through a variety of criminal activities, such as imposing illegal taxes and fees, looting banks and homes, etc. within its controlled territories.

### **Case studies substantiating the relationship between transnational organized crime groups and terrorist organizations:**

- **Al-Qaeda operations in Europe:** Between 2000 and 2010, Al-Qaeda had operations in Austria, France, Germany, the United Kingdom, etc. The group's operational success hinged on relationships with organized crime networks in Europe. Some specific examples of cooperation include commodity smuggling (diamonds), dependence on criminal groups for the provision of arms, drug trade, etc.
- **Jaish-e-Mohammed (JeM):** JeM operates as a terrorist organization and also functions as a transnational organized crime group. This dual nature allows the JeM to engage in various criminal activities beyond terrorism, such as arms trafficking, drug trafficking, and money laundering across international borders. These criminal endeavours not only fund their terrorist operations but also establish networks and alliances that span multiple countries.

Enhanced international collaboration is crucial to effectively dismantle the connection between transnational organized crime groups and terrorist organizations. Further, it is essential to have a greater understanding of their interdependence. Additionally, implementing efficient countermeasures and ongoing surveillance of interactions are crucial to ensure worldwide security and stability.

## **2. The unique and well-defined characteristics of organised crimes render their control ineffective. Discuss.**

### **Approach:**

- Define organised crime.
- List the major characteristics of organised crime.
- Discuss the challenges faced by India in controlling them.
- Suggest a way forward and conclude appropriately.

### **Answer:**

The United Nations Office on Drugs and Crime (UNODC) has developed a general definition of organised crime as a **continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand**. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or forces to protect its operations.

Examples of organised crime include money laundering, smuggling, drug trafficking, human trafficking, contract killing, kidnapping, etc.

### **Characteristics of organised crime:**

- **Hierarchical structure:** Groups involved in organised crime consist of a durable core of key members surrounded by a cluster of subordinates, specialists, and other transient disposable assets.

- **Close collaboration:** Members of the group come together on the basis of some common traits such as ethnicity, criminal background, interests, or family background.
- **Continuity:** The criminal groups operate beyond the lifetime of individual members and are structured to survive changes in leadership.
- **Willing to use violence:** Violence or the threat of it is used against the members of the organised crime groups to keep them in line and also against the outsiders to protect the economic interests of the group.
- **Attainment of power and profit:** To attain these goals, the crime groups secure political power through corruption of public officials and “protectors” who defend the groups and their interests.

#### **Difficulty in controlling and combating these groups:**

- **Legal framework:** Different organised crimes are dealt with by their corresponding laws such as the Prevention of Money Laundering Act, 2002, the Narcotic Drugs and Psychotropic Substances Act, 1985, etc. and their respective agencies. This creates overlaps and gaps in their effective control.
- **Anonymity of leadership:** As organised criminal groups are structured in a hierarchical manner, it becomes difficult to identify their leaders. Also, such groups keep changing their leaders to avoid law enforcement agencies.
- **Difficult to control the funding:** Informal sources of funding like hundi, hawala, etc. used by organised crimes are difficult to regulate. Further, modern technologies used for funding like bitcoins by their design are difficult to track and decrypt.
- **Nexus of criminal elements with government officials:** Since the organised crime groups create a vested interest of public officials in their survival and progress, they are able to get political patronage at different stages of investigation, prosecution, and incarceration.
- **Transnational presence:** Some organised crimes like drug trafficking, human trafficking, etc. have a transnational presence. They spread beyond national boundaries presents difficulties in prevention, detection and investigation of these transnational organised crimes.

A multi-layered approach that involves law enforcement agencies and policy makers is needed. Apart from that, there should be focus on capacity building of agencies, greater international cooperation, better border management, and inclusive development to effectively control organised crimes.

### **3. The menace of drug trafficking in India has been on a rise due to a mix of factors, both internal and external. Discuss. Also, state the challenges posed by drug trafficking to India’s national security.**

#### **Approach:**

- Highlight the increasing trend of drug trafficking in India.
- List the internal and external drivers of drug trafficking in India.
- Explain the national security implications of drug trafficking.
- Suggest a way forward to address this challenge and conclude appropriately.

**Answer:**

The Director General of the Narcotics Control Bureau has stated there has been an “exponential” rise in the seizure of drugs in India, 300% in case of heroin and 172% in case of opium, in between 2017-21, with the darknet and the maritime route emerging as the most preferred modes of trafficking.

There are multiple factors, both internal and external, driving this trend, including:

➤ External factors:

- India lies in between two major drug-producing centers in the world, viz, the **Golden Crescent and the Golden Triangle** and is majorly used as a **trans-shipment hub**.
- The comeback of the Taliban in Afghanistan and the imposition of military rule in Myanmar has increased the production of drugs in the region, as well as its smuggling.

➤ Internal factors:

- **Poor border management and lapses in the implementation of existing laws such as the Narcotic Drugs and Psychotropic Substances Act, 1985** have enabled drug infiltration.
- **Higher domestic demand for drugs**, especially **synthetics** in Punjab has increased in the recent years due to the higher availability of drugs and more purchasing power.
- Insidious use of technologies like the darknet for the sale, purchase and distribution of drugs has complicated the task of drug enforcement agencies.

**Increased drug trafficking poses the following challenges to India’s national security:**

- Composite seizure of drugs and arms by security forces at the borders, points to a **close nexus between drug traffickers and anti-national elements**. The drug trafficking routes can be exploited by terror groups to infiltrate India with arms and explosives.
- The money generated by the illegal sale of narcotics and drugs is used for **financing terrorist activities**. It has been observed that several militant groups in Jammu & Kashmir, Punjab and North-East have used drug money to finance their ‘struggle’ against the Indian state.
- The large-scale availability of narcotics and drugs **encourages its demand as well** by the domestic population leading to dysfunctional behaviour thereby creating law and order problems in the society and huge economic drain on the country.
- Drug trafficking also has a **direct bearing on the political process** as drug cartels subvert, penetrate and further corrupt state institutions that control the illegal drug trade.

India has adopted a four-pronged approach to tackle the challenge of drug trafficking:

- **Enacting a legislative framework** such as the Narcotics Drugs and Psychotropic Substances Act, 1985, and pursuing a strict implementation of the law.
- **Ensuring physical security of the borders** and coasts by strengthening patrolling and surveillance.
- Eliciting **regional and international cooperation** by entering into several bilateral and multilateral agreements on the prevention of illicit trafficking of drugs and chemicals.
- **Cooperating with voluntary organisations** in the endeavour to prevent abuse of narcotics and synthetic drugs.

To tackle the above challenges and make **India Drug Free by 2047**, India needs to bring amendments to its Narcotic Drugs and Psychotropic Substances Act, 1985 and make it more stringent. Also, there is a need for states to coordinate with central agencies to form a dedicated anti-narcotics task force and form inter-ministerial committees on dual use of precursor chemicals and drugs. Additionally, narco-canine squads, container scanners, and drones can be employed for better surveillance.

**4. The Corruption, Black Money and Organized Crime triad enlarges the threat to security. Analyze this nexus vis a vis security issues.**

**Approach:**

Explain the three terms, viz. corruption, black money and organized crime mentioned in the question. Then move on to explain how the three of these enhance the threat to security (which can be taken here to imply national security.) You can also discuss security in terms of internal and external dimensions and discuss how each of these is affected by the aforementioned problems.

**Answer:**

Corruption is the lack of integrity and honesty (especially susceptibility to bribery); use of a position of trust for dishonest gain. Transparency International defines corruption as “the abuse/misuse of public office for private gain.”

On the other hand, black money usually refers to any income on which the taxes imposed by government or public authorities have not been paid. Such wealth may consist of income generated from legitimate activities or activities which are illegitimate per se, like smuggling, illicit trade in banned substances, counterfeit currency, arms trafficking, terrorism, and corruption. Thus it includes assets or resources that have neither been reported to public authorities at the time of their generation nor disclosed at any point of time during their possession.

Organized crime refers to any group having some manner of a formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of actual or threatened violence, corrupt public officials, graft, or extortion, and generally have a significant impact on the people in their region, or the country as a whole. Organized Crime in India may be associated with criminal organizations categorized as being part of the Indian Mafia. The term ‘Indian Mafia’ can be utilized as a designation for any mafia ‘syndicate’ dedicated to sophisticated criminal activities based in India.

This triad of corruption, black money and organized crime is not only inter-linked but affects the security of the country as well. Consider the following points in support of this argument:

- ▶ Corruption is not only a significant reason behind state weakness but has affected the defence sector of the country as well. This has made the security architecture of the country fragile; and prone to the malfunction.
- ▶ If the legislators or the political executive of the country are deemed to be corrupt, it may breed protests, rebellions and conflict in the country, as has been witnessed for quite some time in India now.
- ▶ The state may become incapable of providing essential services like health care, education, employment etc. efficiently if it is marred by corrupt practices. This often leads to governance failure, which is a precursor to a weak state and consequently a threat to security of the country.
- ▶ The security agencies have the primary responsibility of maintaining law and order and ensuring security of the citizens. The acts of omission or commission of the personnel of these agencies due to corruption has a huge impact on the national security architecture and creates serious

gaps in the security apparatus.

- ▶ Black money poses a threat to security because it is most widely circulated in anti-national activities both at internal and external level. For instance, many terrorist outfits set up business enterprises, like restaurants, real estate, shipping etc. and utilize part of the proceeds to siphon off funds for terrorist activities.
- ▶ Hawala has, on multiple occasions, been used to finance terrorist activities. Interpol has on many occasions reported verifiable accounts of terrorist funds passing through hawala channels in India and elsewhere
- ▶ Many terrorist outfits today imitate criminal enterprises. Intimidation of small businesses, individuals and even some State enterprises to extort funds has become common.
- ▶ Terrorist organizations have come to be associated with organized crime syndicates. Jehadi and non-jehadi terrorist outfits seek, and enter into, partnerships with Organized Criminal Syndicates, and outsource fund-raising to the latter. This is largely true of metropolitan cities. It takes many forms, but mainly bank robberies and kidnapping for ransom.
- ▶ Funds from drug cultivation and trafficking in narcotics are extensively used to fund terrorist outfits. The sharp rise in opium cultivation in Afghanistan – which has more than doubled during the past few years – raises concerns of more funds becoming available to terrorists. According to Indian Agencies at least 1/8th of their major interdictions reveal a drugs- terrorist nexus.

## **5. What are the linkages between terrorism and organized crime? Explain their relevance and effect in the context of India.**

### **Approach:**

The question demands one to establish how terrorism is linked to organized crime and the how one feeds on another. It is also required to answer the relevance as well the negative effects it has specifically in the case of India.

### **Answer:**

Organized crime and terrorism result from ineffective governance and have developed a symbiotic relationship. While organized crime involves many activities, its linkages with terrorism stem from illegal trafficking of drugs, arms and human beings and money laundering. Terrorist groups, whether indigenous or sponsored by outside states, need arms and money for their fight against the security forces. Organized crime conglomerates need a clientele and couriers who can smuggle drugs, arms and human beings across the countries and regions.

Thus following linkages can be established between the two-

1. Terrorists engage in organized crime activity to support themselves financially.
2. Organized crime groups and terrorists often operate on network structures and these structures sometimes intersect, terrorists can hide themselves among transnational criminal organizations.
3. Both organized crime group and terrorists operate in areas with little governmental controls, weak enforcement of laws and open borders.
4. Both organized criminals and terrorists corrupt local officials to achieve their objectives.

5. Organized crime groups and terrorists often use similar means to communicate—exploiting modern technology.
6. Organized crime and terrorists launder their money, often using the same methods and often the same operators to move their funds.

**In India, the linkages between the two exist at national and transnational levels. At the national level,** both terrorists and those involved in organized crime are within India. At the international level, collaboration exists between transnational syndicates and terrorists from inside and outside India.

In India's **northeast**, almost all the militant groups run a parallel government or have their areas of influence and are involved in collecting money directly from the people. Much of the government funds reach the militants indirectly due to mis-governance. Government officials in conflict zones are either threatened or bribed to award contracts to individuals patronized by the militant groups. Contracts apart, essential commodities like rice and kerosene reach the militant groups directly which are then sold to the public at much higher prices. This cycle is a clear example of the linkage between organized crime and terrorism inside India.

Extortion, kidnap, contracts, and black marketing still fall short of financing the nefarious activities of the militants. This is where transnational drugs and arms syndicates come into play. Terrorist organizations in India, especially in the northeast, mobilize funds by becoming couriers of illegal drugs and arms and at times even human beings from one point to another within the country. Some of the infamous entry points from Southeast Asia include Moreh and the entire Chittagong Hill tracts, especially Cox's Bazaar.

In Kashmir, the linkages between terrorists and organized crime exist at a different level. External funds reach the militant organizations fighting in Kashmir through various means. For instance, enormous funds that are mobilized in Pakistan and other countries, especially in the Gulf, are channeled through various organizations in Pakistan to Kashmir. Money laundering plays a significant role. Hawala (money laundering) transactions take place swiftly and effectively in Kashmir. Besides, it is also believed that the ISI uses drug money to fund militant activities in Kashmir.

Another significant relationship between organized crime and terrorism, especially in Kashmir, is through the spread of counterfeit currency. Terrorists are the main couriers of Indian counterfeit currency inside Kashmir, which then spreads all over India. Even guides for the militants from across the border are paid with counterfeit money. In fact, when some of the 'indigenous' militants were also paid with counterfeits, it resulted in squabble between them and the so-called guest militants.

Besides Kashmir and the northeast, sporadic incidents in other parts of India like the Bombay blasts, for instance, have exposed the connection between terrorism and organized crime. This is distinct from the traditional linkages flourishing between organized crime syndicates and local criminals.

**6 .Today's terrorist organisations succeed on the basis of a sound underlying business model of organized crimes. Why do terrorist organisations find it beneficial to enter into organized crimes or partner with organized criminals? Illustrate.**

**Approach:**

The linkage should be clearly identified and supplemented with suitable examples. The coverage of the reasons responsible for coverage should be comprehensive and not restricted to only financial aspects.

**Answer:**

A decade ago, motivations for terrorism and organized crime were different. The main objective of terrorism was to pursue power; acquisition of power and to use power through political, ideological, religious or ethnic means but of organized crime was money and power through criminal activity.

Today, most terrorists are engaged in some form of organized crime and a growing number of organized crime cartels are engaging in political violence. While some terrorist organizations may only profit briefly or indirectly from organized crime, others converge and become a hybrid organization displaying both characteristics.

There exist multiple linkages between terrorist organizations and organized crime some of which are:

1. They share tactics and methods like Internet and cyberspace for recruitment, propaganda, planning, logistics, fund raising, money laundering.
2. Terrorist organization may indulge in organized crimes to support themselves financially.
3. All militant groups run a parallel government or have their areas of influence in which they are involved in collecting money directly from people, and from government funds due to misgovernance. The government officials are threatened or bribed to award contracts and essential commodities like rice and kerosene are sold to public at much higher rate. Eg. Insurgent groups in North east.
4. Another relationship is through the spread of counterfeit currency. Terrorists are the main courier of this currency. Eg. Terrorist organizations active in Kashmir
5. They may need each other for logistics support, carrying arms and ammunition for each other, acting as a courier etc.
6. They get access to human resource of each other's organization.
7. They may provide each other access to their network of supporter, sympathisers and even corrupt government officials.

Convergence of organized crime and terrorism has become an important threat for international peace and security. Its widening base at grassroots level was the cause of many failed states like Afghanistan, Kosovo etc. and is weakening many other states like Pakistan, North Korea etc. Its eradication is be possible only through cooperation at international level.

**7. The root cause of drug proliferation in the society lies in the inability to curb their cross border movement. Enumerate the challenges involved in curbing their movement and give possible solutions.**

**Approach:**

Direct question. Students should focus on how cross border movements proliferate the use of drugs in the society, references should be made to geo-strategic location of India to add depth to the answer. Thereafter, enumerate the challenges faced by the Border Management in controlling drug menace. Suggest methods to curb the same.

**Answer:**

For the last three decades, India, located between two of the world's largest illicit drug producing regions, has been a transit country making it highly vulnerable to the problem of smuggling of drugs into and out of the country and drug abuse.

India is located close to the major poppy-growing centres of the world the "Golden Crescent" on the North-West and the "Golden Triangle" on the North-East. Proximity to Afghanistan and Pakistan makes smuggling rampant across Punjab border as the electric fencing is switched on intermittently.

The nexus between drug traffickers, organised criminal networks and terrorists have created a powerful force to cause instability in the country. It is estimated that money generated by illegal sale of narcotics accounts for 15% of finances of militant groups in J&K and also insurgents in the North East.

Challenges differ at different borders. These are:

**Indo-Pak**

1. Porous borders
2. Disturbance in the area (Sikh militancy in 80s and Kashmir militancy in 90s)
3. Proximity to traditional routes
4. Closing of traditional Balkan route during Iran-Iraq war
5. Support from Pakistan
6. Local demand

**Indo-Nepal and Indo-Bhutan**

1. Open and poorly guarded borders
2. Relaxed visa restrictions

**Indo-Myanmar**

1. Proximity to Golden triangle
2. Demand from locals
3. Insurgency problem, criminal networks
4. Existence of strong trans border ethnic linkages

**Indo-Bangladesh**

1. Porous borders and strong ethnic linkages
2. Dense settlements
3. Well developed rail road and river network
4. Large volume of formal and informal trade
5. Existence of criminal networks

Some possible solutions to curb the supply of drugs at borders are:

- a) Increased vigil by border patrolling forces
- b) Training and sensitisation of local police
- c) Judicial and other monitoring over local constabulary
- d) Use of novel technology to monitor the borders constantly. Example use of cameras on UAVs in different to reach areas
- e) Village volunteer forces to be strengthened for improving local intelligence
- f) Setting up of more Check posts in border areas

**8. With the Golden Crescent and the Golden Triangle in India's neighbourhood, drug trafficking poses a great threat to India's security. Analyse. Examine the role of non-state actors in drug trafficking in India.**

**Approach:**

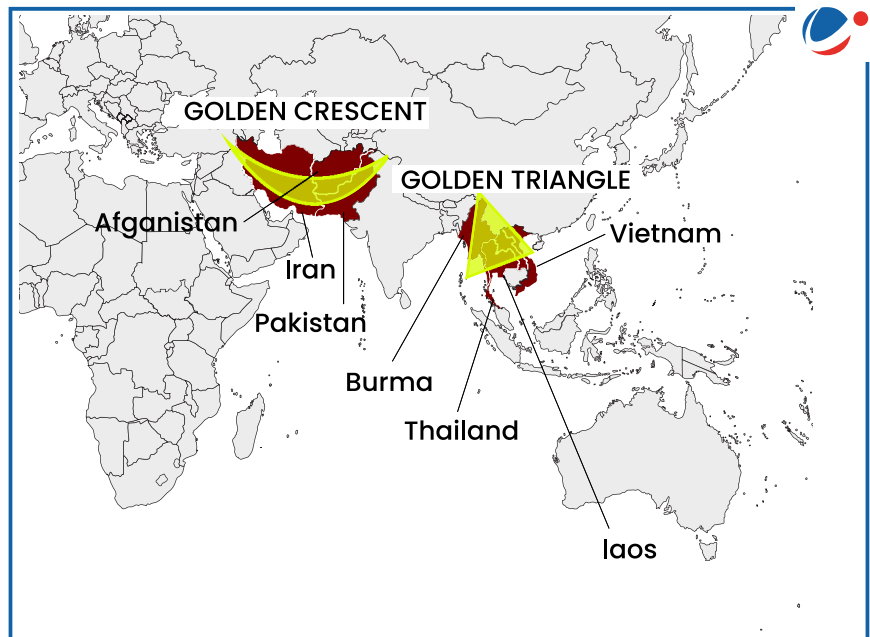
- ▶ Briefly write about the Golden crescent and Golden Triangle in India's neighbourhood.
- ▶ Write about the effects on India and the factors responsible.
- ▶ Briefly explain what are non-state actors and then write about the role of various non-state actors in drug trafficking in India.

**Answer:**

Golden crescent refers to the mountainous area of Iran, Afghanistan and Pakistan. Golden triangle is the region of Myanmar, Laos, Vietnam and Thailand, south of the Chinese border. Opium has been grown for hundreds of years in these two regions and they are the two major sources of narcotic drugs in the world.

With the 'Golden Crescent', and the 'Golden Triangle' in India's neighbourhood, drug trafficking poses a serious threat to our security.

- ▶ The proximity of the India-Pakistan border to the 'Golden Crescent', has made it vulnerable to the trafficking of heroin and hashish.
- ▶ Porous borders, disturbance in the areas, closing traditional Balkan route via Iran during the Iran-Iraq war (1980-1988), outbreak of the Sikh militancy in the mid-1980s and the Kashmir-militancy in the late 1980s, support from Pakistan etc. are the major reasons behind drug trafficking across India-Pakistan border.



- A growing demand for Nepalese and Bhutanese cannabis in India and a corresponding demand for codeine based pharmaceutical preparations as well as low-grade heroin in Nepal and Bhutan have resulted in two way smuggling of narcotics and drugs through the India-Nepal and India-Bhutan borders.
- Growing demand for drugs among the locals in the North east, political instability and insecurity brought about by numerous insurgencies, a porous and poorly guarded border provide a proliferating environment for smuggling heroin and psychotropic substances into the country through the India-Myanmar border.
- High demand for codeine based cough syrups in Bangladesh, a highly porous border, dense settlement along the border, and strong trans-border ethnic ties contribute towards drug trafficking along the India-Bangladesh border.

Non-State Actors (NSA) are any organized group with a basic structure of command operating outside state control that uses force to achieve its political or allegedly political objectives. They include 'rebel groups' and governments of entities, which are not (or not widely) recognized as states.

The role of Non-State Actors in illicit drug trafficking in India:

- Involvement of Non-State actors in drug trafficking in India provides for multiple benefits for them. It is a good financial resource to support their cause; and drug trafficking disturbs the internal security of the nation and weakens the state.
- Further, drug trafficking facilitates other activities of Non-State actors such as arms trafficking and human trafficking since they use the same networks and routes to smuggle people, arms and contraband.
- Various insurgent groups in North East exploit the situations of political disturbance to support drug trafficking along the border as various routes across the border are controlled by the insurgents.
- It has been estimated that money generated from the illegal sale of narcotics accounted for 15 per cent of the finances of militant groups in Jammu and Kashmir.
- Similarly, militant groups in Punjab used drug trafficking across India-Pakistan border to fund their activities.

**9. Why is India deemed as a source, destination and transit for human trafficking? Critically assess the steps taken by the Indian government to combat the menace of human trafficking.**

**Approach:**

- Give an overview of human trafficking in India.
- State reasons for increase in human trafficking cases in India and explain why India has emerged as the source, destination and transit for human trafficking.
- Assess the steps taken by the government to combat the menace and suggest way forward.

### Answer:

As per National Crime Records Bureau data (NCRB) 2015, human trafficking has emerged as the fastest rising crime in India, with an increase of over 25 per cent compared to previous year with more than 40 percent of cases involving children being bought, sold and exploited as modern day slaves. Assam, West Bengal, Tamil Nadu and Telangana reported the highest number of such cases.

### Reasons

- ▶ Economic deprivation. Members of lowest caste groups, tribal communities, religious minorities etc. are lured in the guise of employment, sham marriages etc. Women are then sold within the country or are sent abroad.
- ▶ Porous borders with the neighbouring nations, like Nepal and Bangladesh. Moreover, policemen and security officers in the Border States are not adequately trained and equipped to combat instances of trafficking.
- ▶ Forced labour also constitutes one of the largest trafficking problems; men, women, and children in debt bondage—sometimes inherited from previous generations—are forced to work in brick kilns, rice mills, agriculture etc.
- ▶ Devadasi tradition is still prevalent in some states wherein daughters are dedicated to Lord Shiva when they are very young for temple service. However, there are reports of girls being sexually abused and being sold to brothels.

### Assessment of measures taken by the government to address the issue

- ▶ The government has passed several legislations to combat the issue such as The Immoral Traffic Prevention Act, 1956, Protection of Children from Sexual Offences Act, 2012, Bonded Labour System (Abolition) Act, 1976, among others. However, conviction rate of offenders under these legislations remain low.
- ▶ The government is in the process of drafting an anti trafficking bill to ensure stringent punishment to offenders and rehabilitation to victims. But, there has been backlash against the draft bill by NGOs and civil society groups due to many loopholes in the bill.
- ▶ Anti-Trafficking Nodal Cell has been set up by MHA to act as a focal point for communicating various decisions and follow up on action taken by the state governments to combat human trafficking. However, the police and security forces are not adequately trained to monitor and combat the issue.
- ▶ The Ministry of Women and Child Development funds NGO-run shelter and rehabilitation services for women and children through the Ujjawala program, specifically for female sex trafficking victims, and the Swadhar program for women in difficult circumstances.
- ▶ The government has also signed agreements with Bangladesh, Nepal, Bahrain etc. to curb trafficking. However, cross border trafficking still remains a vital threat. In fact the victims of trafficking in various cases are charged with the offence of illegally trespassing the border.

There is an increasing need to identify trafficking survivors as victims and not as defendants and there should be an increase in prosecutions and convictions for all forms of trafficking, including forced and bonded labour so that it acts as a deterrent for future offenders. Infrastructure both physical and human should be adequately strengthened to enable quick response, rescue and rehabilitation of the victims

**10. The UNODC (United Nations Office on Drugs and Crime) has pitched for the need of an integrated approach in order to address the difficulties in preventing, detecting, investigating and prosecuting Transnational organized Crimes (TOC). Elaborating on these difficulties, discuss how an integrated approach can help in tackling TOCs.**

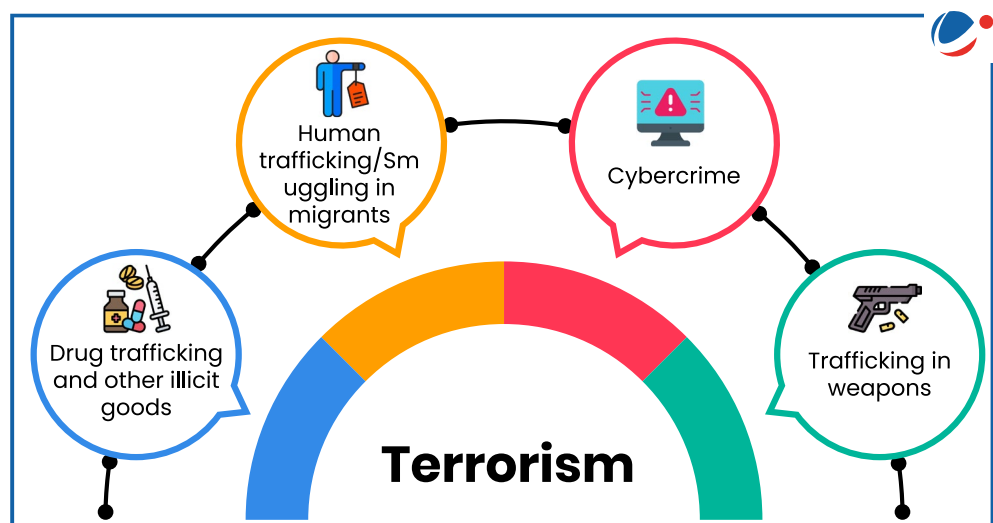
**Approach:**

- Briefly discuss about Transnational Organised Crimes (TOC) and its different forms of manifestation.
- Discuss the difficulties specific to preventing, detecting, investigating and prosecuting TOC.
- Outline an integrated approach so as to tackle TOC.

**Answer:**

Transnational organized crime (TOC) is organized crime coordinated across national borders, involving groups or networks of individuals working in more than one country to plan and execute illegal business ventures.

It is a serious cause of concern for both national and international security due to its close links with terrorism. Terrorist groups benefit from TOC by trafficking of arms, persons, drugs, illicit trade in natural resources, kidnapping for ransom, and bank robbery. Its spread beyond national boundaries presents difficulties in prevention, detection, investigation and prosecution in TOC, which can be understood from the following:



**Prevention**

- Weak preventive, regulatory and security measures in place to control illegal trade in weapons.
- Due to state sponsored terrorism prevention becomes difficult in regions with porous borders.
- Rising of unlicensed manufacturing of weapons.

**Detection**

- Complex and dynamic hidden activity and no regular flows, weak intelligence network.
- Porosity of borders and weak border control capacity.
- Use of modern technology and new trends and modalities of trafficking For example, 3D guns; trafficking in parts etc.

**Investigation**

- Lack of specialized skills to investigate complex cases of firearms trafficking and its links to terrorism.

- › Insufficient information exchange and coordination among law enforcement agencies and prosecutors.
- › Lack of proactive investigative approaches.

### **Prosecution**

- › Weak and outdated legislative and institutional frameworks
- › Insufficient judicial cooperation and bilateral agreements for prosecution and extradition

To counter organized crime there is a need to foster effective international cooperation and information exchange. For this an integrated approach is required with focus on the following:

### **Legislative and policy development**

- › Support ratification and implementation of UNTOC and Protocol with comprehensive assessment of legislative regime & gap analysis.
- › Promotion of synergies between international and regional instruments Development of legal tools

### **Implementation of Preventive and Security Measures**

- › Support for marking of firearms and effective record keeping
- › Security and safety of firearms and ammunition stocks
- › Cryptocurrency investigation training for detecting suspicious transaction.

### **Strengthening Criminal Justice Response**

- › Strengthen national capacity to detect, investigate and prosecute trafficking of various forms and its links to terrorism and organized crime
- › Need to promote more proactive investigative approaches, greater use of special investigative techniques, more operational cooperation and inter-disciplinary actions at law enforcement and judicial level
- › Comprehensive training curriculum

### **International cooperation and Information exchange**

- › Support cooperation through regional and cross regional meetings, along specific trafficking route
- › Promote international cooperation in tracing and criminal investigations
- › Collect and develop cases of good investigative / cooperation practices

Transnational organized crime is an ever-changing industry, adapting to markets and creating new forms of crime. In short, it is an illicit business that transcends cultural, social, linguistic and geographical boundaries and one that knows no borders or rules. Hence an integrated approach as advocated by UNODC is a necessary step in this regard.

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