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# ORGANIZED CRIME, CONFLICT AND FRAGILITY

ASSESSING RELATIONSHIPS THROUGH A REVIEW OF  
USAID PROGRAMS

**SEPTEMBER 2015**

This publication was produced for review by the United States Agency for International Development. It was prepared by Phyllis Dininio, Management Systems International.

# ORGANIZED CRIME, CONFLICT AND FRAGILITY

## ASSESSING RELATIONSHIPS THROUGH A REVIEW OF USAID PROGRAMS



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Contracted under AID-OAA-TO-I4-0003 I

Organized Crime, Violent Conflict and Fragile Situations Assessing Relationships through a Review of USAID Programs

### **DISCLAIMER**

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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## ACKNOWLEDGMENTS

This report draws on a literature review and three country case studies. The authors of those pieces of research are:

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Phyllis Dininio, the Democratic Republic of the Congo  
Phyllis Dininio and Susan Minushkin, Guatemala  
Jessie Banfield and Marie Pace, Nigeria

The researchers would like to thank USAID Mission and implementing partner staff in the three countries for their support, in addition to the other individuals who gave their time for interviews. We would also like to acknowledge the thoughtful guidance of Rachel Locke in USAID/DCHA/CMM in all aspects of this research.

## EXECUTIVE SUMMARY

The USAID Bureau for Democracy, Conflict, and Humanitarian Assistance Office of Conflict Management and Mitigation (DCHA/CMM) commissioned Management Systems International (MSI) to conduct research on the relationship between organized crime, conflict and fragility. The year-long research project included a literature review and country case studies in Guatemala, Nigeria and the Democratic Republic of the Congo (DRC) that examine the interaction between organized criminality and USAID conflict and fragility programming in both causal directions—with regard to how criminality affects USAID implementation and results, and how assistance affects criminality. This program-focused case study approach collected anecdotal evidence and identified lessons from Mission experience that complement previous conceptual work and has helped generate a set of general principles and options for the role and activities of development organizations with respect to organized crime.

The methodology, reflected in the organization of this report, followed a set of questions examining the link between organized criminality and fragility, the link between organized criminality and conflict, the effect of organized crime on USAID programming and the effect of USAID programming on organized crime. The report concludes with a set of key findings and recommendations.

Organized crime is both facilitated by, and contributor to, state fragility. Characteristics of fragile states that render them susceptible to exploitation or partnership by organized crime include widespread corruption, weak or unaccountable security forces, ineffective judicial systems, limited border controls, high levels of unemployment and inequality. Where institutions are already weak, criminal networks further erode state authority, legitimacy and effectiveness by fueling corruption, distorting state functions, depriving the government of tax revenues, challenging the state's monopoly of violence, and competing with the state in the provision of services. The levels of corruption and violence are key variables in determining the long-term impact of organized crime on state fragility.

Many countries experiencing high levels of organized violent crime have emerged from significant armed conflicts. Post-conflict conditions may make countries more susceptible to violent organized crime, but conditions that predisposed countries to conflict in the first place also predispose them to violent crime. Such conditions include weak governance, poverty, inequality, social exclusion and natural resource wealth. Moreover, actors primarily associated with conflict or criminality may easily transition to associate with the other; the incentives drawing individuals into both often overlapping fields have much in common. At the same time, conditions might vary significantly at national, sub-national, or local levels and need to be analyzed and understood in a context-specific manner.

The case studies provide concrete examples of how organized crime affects the design and delivery of USAID conflict and fragility programs. In each country, organized crime constitutes a crucial dimension of the security operating environment. In some instances, insecurity stemming from organized crime has led to disruptions in program delivery and prompted adjustments in program design. Yet USAID staff and implementing partners have devised a range of protective measures to reduce risks from organized crime to program staff and participants, and safeguard program results more broadly. These include security measures as well as design and implementation considerations that can mitigate risks. Alongside these protective measures, the violence and corruption associated with organized criminality have galvanized some pressure for change among civil society, the general population and government officials.

By and large, interviewees felt that USAID conflict and fragility programs have strengthened community and/or state capacities to fight organized crime, and in the case of more targeted programs, weakened criminal organizations directly. They did not think it likely that the USAID programs included in this research could directly benefit organized crime. However, they agreed that the biggest risk of USAID programming inadvertently strengthening criminal organizations arises from USAID's need to work with government officials, who may be part of or linked with organized criminality. They noted that the

procurement of goods and services from businesses that are controlled by members of organized crime represents another way USAID program could inadvertently strengthen criminal groups.

Finally, interviewees suggested a number of ways they could structure or focus programs differently given issues of organized criminality. These range from a shift in strategic approach during the design stage to responding flexibly to new challenges or opportunities during implementation to employing cautionary operational procedures that take the high-crime context into account.

A number of key findings and recommendations follow from this research:

- **Crime-Sensitive Approach.** A strong case emerges from this study for integrating analysis of organized criminality into development programming in high-crime contexts.
- **Dedicated Anti-Crime Efforts.** A need for more explicit and dedicated efforts to tackle organized crime through development programming also emerges from this research. There are both institutional and individualized components that need to be understood and programmed against when it comes to organized crime. Development programming in the areas of democracy, governance and peacebuilding, security sector reform and rule of law, livelihood opportunities and pro-poor growth, and public health are especially well poised to address organized crime. The case studies affirmed the broad contributions of governance and civil society programming to anti-crime efforts.
- **Political Dimensions of Organized Crime.** There is a need to scale up governance-focused interventions to meaningfully tackle the political dimensions of organized crime.
- **Flexibility in Programming.** The case studies also point to the importance of flexibility for USAID projects operating in high-crime contexts, including the flexibility to close down activities, shift locations, or introduce complementary programming activities that respond to shifting threats and opportunities.
- **Protective Measures.** In all phases of the program cycle, Mission staff and implementing partners should devote careful attention to potential security risks and ways to mitigate them.
- **Improved Coordination.** Strategic and joined-up approaches across law enforcement, development and diplomacy would enhance interventions in all areas.

# INTRODUCTION

The USAID Bureau for Democracy, Conflict, and Humanitarian Assistance Office of Conflict Management and Mitigation (DCHA/CMM) commissioned Management Systems International (MSI) to conduct research on the relationship between organized crime, conflict and fragility. The year-long research project included a literature review and country case studies in Guatemala, Nigeria and the Democratic Republic of the Congo (DRC) that examine the interaction between organized criminality and USAID conflict and fragility programming<sup>1</sup> in both causal directions—with regard to how criminality affects USAID implementation and results, and how assistance affects criminality. This program-focused case study approach collected anecdotal evidence and identified lessons from Mission experience that complement previous conceptual work and has helped generate a set of general principles and options for the role and activities of development organizations with respect to organized crime.

For the purposes of this research, USAID defines organized crime as taking place when three or more people operate in a structured or networked way to repeatedly execute or commission serious crime for profit. While this definition accords with the UN Convention against Transnational Organized Crime,<sup>2</sup> USAID's interest is not restricted to transnational organized crime (i.e., where the planning, execution, impacts, or networks cross borders), but rather, is inclusive of organized crime both domestic and transnational in nature.

Western policy attention to organized crime has grown steeply in recent years. During the 1990s, organized crime activities surged as new markets opened with the end of the Cold War, deregulation facilitated the movement of illicit goods as well as licit, and internet and cell phone technology supported global criminal networks. The 2000 UN Convention against Transnational Organized Crime represented a milestone in global policy response. Shortly thereafter, the events of September 2001 diverted the attention of the international community to terrorism and violent extremism. Recently, attention has returned to questions regarding the impact of organized criminality on development and security. The World Bank *World Development Report 2011* helped sharpen the focus on organized crime as a new threat that compromises development and requires more strategic efforts to broaden law-enforcement initiatives.<sup>3</sup>

## METHODOLOGY

To discern principles and make recommendations that are applicable in different contexts, this comparative case study approach required a set of countries affected by different kinds of organized crime, conflict and fragility and supported by different kinds of USAID programming. Accordingly, we selected three countries that represent a wide range of organized crime, conflict, fragility dynamics and USAID programming as shown in Table 1 below. Guatemala, Nigeria and the DRC also offer geographic diversity, including representation in Central America, West Africa and Central Africa, respectively. Given its limited scope, however, this study does not include all types of organized criminality or all geographic regions.

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<sup>1</sup> Conflict programming refers to programs that seek to address the causes and/or consequences of violent conflict, and fragility programming refers to programs that address the sources of fragility (e.g., through strengthening the effectiveness and legitimacy of relationships between society and governing structures, building capacity of civil society to engage government, or promoting the rule of law).

<sup>2</sup> "United Nations Convention against Transnational Organized Crime and the Protocols Thereto," United Nations Office on Drug and Crime. Online at <http://www.unodc.org/unodc/treaties/CTOC/>.

<sup>3</sup> The report notes: "New threats – organized crime and trafficking, civil unrest due to global economic shocks, terrorism – have supplemented continued preoccupations with conventional war between and within countries." See *World Development Report: Conflict, Security and Development*. (Washington: World Bank, 2011, p.2). Online at <http://www.worldbank.org/wdr2011>

**TABLE I: ORGANIZED CRIME, CONFLICT AND FRAGILITY IN THE THREE CASE STUDIES**

	<b>Guatemala</b>	<b>Nigeria</b>	<b>DRC</b>
Organized criminal activities	<ul style="list-style-type: none"> <li>• Drug production and trafficking</li> <li>• Trafficking in persons</li> <li>• Migrant smuggling</li> <li>• Arms trafficking</li> <li>• Eco-trafficking</li> <li>• Smuggling of contraband</li> <li>• Extortion</li> <li>• Kidnapping</li> </ul>	<ul style="list-style-type: none"> <li>• Oil bunkering</li> <li>• Piracy</li> <li>• Drug production and trafficking</li> <li>• Trafficking in persons</li> <li>• Migrant smuggling</li> <li>• Armed robbery</li> <li>• Kidnapping</li> <li>• Cybercrime</li> </ul>	<ul style="list-style-type: none"> <li>• Minerals trafficking</li> <li>• Timber and charcoal trafficking</li> <li>• Wildlife trafficking</li> <li>• Drug production and trafficking</li> <li>• Arms trafficking</li> <li>• Migrant trafficking</li> <li>• Trafficking in persons</li> <li>• Kidnapping</li> <li>• Illegal taxation</li> <li>• Predation</li> </ul>
Types of violent conflict	<ul style="list-style-type: none"> <li>• Drug trafficking turf wars</li> <li>• Gang warfare</li> </ul>	<ul style="list-style-type: none"> <li>• Communal conflict</li> <li>• Insurgency</li> <li>• Violent extremism</li> </ul>	<ul style="list-style-type: none"> <li>• Insurgency</li> <li>• Communal conflict</li> <li>• Cross-border conflict spillovers</li> </ul>
Fragility (Fragile States Index 2014) <sup>4</sup>	<ul style="list-style-type: none"> <li>• Very High Warning</li> <li>• 80.3</li> <li>• Ranked 66 out of 178</li> </ul>	<ul style="list-style-type: none"> <li>• Alert</li> <li>• 99.7</li> <li>• Ranked 17 out of 178</li> </ul>	<ul style="list-style-type: none"> <li>• Very High Alert</li> <li>• 110</li> <li>• Ranked 4 out of 178</li> </ul>
USAID conflict and fragility programming areas	<ul style="list-style-type: none"> <li>• Community-based policing</li> <li>• Vocational training for at-risk youth</li> <li>• Security and justice sector</li> <li>• Elections</li> <li>• Local government</li> </ul>	<ul style="list-style-type: none"> <li>• Training leaders for tolerance</li> <li>• Conflict mediation</li> <li>• Elections</li> <li>• State and local governance</li> <li>• Civil society</li> </ul>	<ul style="list-style-type: none"> <li>• Reintegration of former combatants</li> <li>• Peacebuilding and livelihoods</li> <li>• Conflict-free minerals</li> <li>• Elections</li> <li>• Good governance</li> <li>• Independent media</li> </ul>

Organized criminal activities represent a dominant feature of the political and economic landscape of each of the countries selected for this research. Not only do illicit revenues from organized crime represent a significant share of the countries' economies and infiltrate politics, but they also have a direct and notable effect on the countries' security. In Guatemala, trafficking of drugs, persons, migrants, wildlife, timber, arms and contraband as well as extortion and kidnapping provide a source of revenue for international traffickers and gangs and fuel their turf battles, leading to some of the highest murder rates in the world. In Nigeria, oil bunkering is used by Niger Delta militants to purchase arms, and kidnapping and bank robberies are allegedly funding terrorists operating in the Northeast of the country. In the DRC, trafficking of minerals, timber, wildlife, drugs, arms and persons along with kidnapping, illegal taxation and predation fund armed groups in the eastern part of the country and have become a principal focus for some groups.

Yet as the Fragile States Index scores indicate, the three countries present a range of fragility. The DRC is at one end of that range, nearing the top of the Fragile States Index. Nigeria is ranked in the alert category, while Guatemala is in the very high warning category and characterized by sub-national pockets of fragility, similar to other countries in Latin America.

USAID conflict and fragility programming corresponds to these differences. It supports robust conflict programming focused on the eastern DRC, more localized conflict programming in Nigeria, and

<sup>4</sup> "Fragile States Index 2014." Fund for Peace, 2014. Online at <http://fsi.fundforpeace.org/rankings-2014>.

community security programming in Guatemala. USAID fragility programming includes commonality and differences: Missions support elections and governance in all three cases but only security and justice programs in Guatemala, civil society programs in Nigeria and media programs in the DRC and Guatemala.

The research examined a subset of ongoing or recently completed conflict and fragility programming in the three countries. In total, the research looked at 16 USAID programs. The focus was on conflict and fragility programs, but the research also included one food security and two health programs that had an emphasis on fragility.

Each case study used a mixed-methods qualitative and quantitative approach. It supplemented existing studies, public opinion data, homicide statistics, and any evaluations of relevant USAID programs with key informant interviews and focus groups. Using a common set of research questions across all three countries, the team interviewed USAID officials, implementing partners, host government counterparts, program participants, police officers, judges, prosecutors, the International Commission Against Impunity in Guatemala, private sector representatives, civil society leaders, academics, and other donors. The team interviewed 65 to 100 people in each country (see Annex 2 for the full list of interviews).

MSI conducted field-based case studies in Guatemala and Nigeria and a desk/field study hybrid for the DRC. For each field-based study, we assembled a team composed of two international experts and one or two local experts who spent two weeks in country conducting key informant interviews and focus group discussions. Given the instability and U.S. State Department restrictions for travel to the provinces of North Kivu and South Kivu and the Ituri region in the province of Orientale, we conducted a desk/field study hybrid for the DRC. We conducted phone interviews from the U.S. with USAID officials, implementing partners and academics. We supplemented this information with phone and in-person interviews with program participants that a locally-based researcher conducted. The team produced reports for each of the case studies. MSI also tapped the expertise of CMM's PEACE IQC<sup>5</sup> consortium partners RAND and CDA to review the methodology and scope of the literature review at the start of the project and to help hone cross-cutting findings and derive programming implications at the end of the project.

The methodology, reflected in the organization of this report, followed a set of questions examining the link between organized criminality and fragility, the link between organized criminality and violent conflict, the effect of organized crime on USAID programming and the effect of USAID programming on organized crime. The report concludes with a set of key findings and recommendations.

## **ORGANIZED CRIMINALITY AND FRAGILITY**

A growing body of research affirms the pertinence of weak state capacity in increasing vulnerability to organized crime. According to a recent International Peace Institute report,<sup>6</sup> about half of all illicit transactions in the world occur in fragile states. A fragile state has weak capacity to carry out basic governing functions and lacks legitimacy to develop mutually constructive or reinforcing relations with society.<sup>7</sup> Characteristics of fragile states that render them susceptible to exploitation or partnership by organized crime include widespread corruption, weak or unaccountable security forces, ineffective judicial systems, limited border controls, high levels of unemployment and inequality. Criminal networks

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<sup>5</sup> The PEACE IQC refers to USAID's Programming Effectively Against Conflict and Extremism Indefinite Quantity Contract (2013-2018).

<sup>6</sup> Locke, Rachel. *Organized Crime, Conflict and Fragility: A New Approach*. (New York: International Peace Institute, 2012). Online at [http://reliefweb.int/sites/reliefweb.int/files/resources/epub\\_organized\\_crime\\_conflict\\_fragility.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/epub_organized_crime_conflict_fragility.pdf).

<sup>7</sup> *Supporting Statebuilding in Situations of Conflict and Fragility*. Policy Guidance. DAC Guidelines and Reference Series. (Paris: OECD, 2011). Online at [http://www.oecd-ilibrary.org/development/supporting-statebuilding-in-situations-of-conflict-and-fragility\\_9789264074989-en](http://www.oecd-ilibrary.org/development/supporting-statebuilding-in-situations-of-conflict-and-fragility_9789264074989-en).

take advantage of these conditions to avoid detection or co-opt government officials and thereby minimize the risk of prosecution.

To understand the dynamics between organized crime and the state, it is useful to regard the conduct of organized crime groups as essentially strategic.<sup>8</sup> Crime groups may pursue an apolitical, parasitic stance within the existing status quo relying primarily on corruption and avoidance to conduct their activities. Alternatively, they may pursue political power as part of their business model, following the example of Colombian Pablo Escobar or Jamaican Christopher “Dudus” Coke. In this model, crime bosses pursue political office and provide extensive services to their constituencies, gaining the support of local populations. Crime groups may also use violence in their strategic approach to intimidate state officials and rivals. Crime groups combine and vary these tactics depending on the opportunities and threats they face as well as their own strengths and weaknesses.

At the same time, political actors within the state may be active protagonists within organized criminal networks as well as passive participants. Political actors may seek out opportunities for profit derived from participating in criminal activities and even wrest control of these opportunities in order to maximize profits, as evinced perhaps most clearly in Guinea-Bissau, which has been labeled a “narco state.”<sup>9</sup> Naím identifies other countries as mafia states, where the national interest and the interests of organized crime are inextricably intertwined, including Bulgaria, Burma, Montenegro and Venezuela.<sup>10</sup>

Where institutions are already weak, criminal networks further erode state authority, legitimacy and effectiveness by fueling corruption, distorting state functions, depriving the government of tax revenues, challenging the state’s monopoly of violence, and competing with the state in the provision of services. Organized crime becomes both a consequence of, and contributor to, state fragility. As the DRC case study shows, the participation of customs officials, police, members of the military, politicians, customary chiefs and other officials in illicit activities undermines the legitimacy and effectiveness of their respective institutions. For example, when factions in the DRC army substitute illicit agendas over the military’s mission and sell their weapons, rob civilians and engage in minerals trafficking, they weaken the military’s ability to fight armed groups and diminish the institution’s legitimacy. As stated in the USAID DRG assessment, “Although some 60,000-70,000 FARDC [the Armed Forces of the Democratic Republic of Congo] are estimated to be deployed in the east, making them by far the largest group, they have never defeated any of the local insurgents in battle.”<sup>11</sup>

Organized crime also distorts electoral processes, undermining the legitimacy of political institutions. Political candidates with ties to organized crime are able to attract voters with handouts and disproportionate advertising budgets. The penetration of criminal proceeds into elections leads to a more expensive, and exclusive, political arena. Political aspirants motivated by normative and developmental goals often cannot compete in such settings, leaving politics open to individuals with more mercenary agendas. Additionally, political candidates may employ gangs to foment violence in the run up to

#### REVELATIONS IN GUATEMALA: CRIMINAL INFILTRATION OF GOVERNMENT

The United Nations established the International Commission against Impunity in Guatemala (CICIG) to help Guatemalan prosecutors investigate corruption and the links between criminal organizations and state institutions. In April 2015, CICIG revealed a customs fraud network called “La Línea” operating out of the Vice President’s Office. In July 2015, CICIG released another report showing how drug trafficking and corruption are the principal sources of financing for political parties. The revelations have shined a light on the extent to which corruption has permeated the political system.

<sup>8</sup> Cockayne, James. “Chasing Shadows: Strategic Responses to Organized crime in Conflict-Affected Situations,” *Royal United Services Institute (RUSI) Journal* 158:2 (April/May 2013): 10-24. Online at <http://www.tandfonline.com/doi/full/10.1080/03071847.2013.787729#abstract>.

<sup>9</sup> Van Riper, Stephen K. *Tackling Africa’s First Narco-State: Guinea-Bissau in West Africa*. Peacekeeping and Stability Operations Institute Paper, U.S. Army War College. CreateSpace Independent Publishing, 2014.

<sup>10</sup> Naim, Moisés. “Mafia States: Organized Crime Takes Office,” *Foreign Affairs*, May/ June 2012. Online at <https://www.foreignaffairs.com/articles/2012-04-20/mafia-states>.

<sup>11</sup> *Democracy, Human Rights, and Governance Assessment of the Democratic Republic of the Congo: Final Report* (Washington: U.S. Agency for International Development, November 2012). Online at [http://pdf.usaid.gov/pdf\\_docs/pnaec859.pdf](http://pdf.usaid.gov/pdf_docs/pnaec859.pdf).

elections in order to cow both opposition candidates and voters. Research in Nigeria suggests this practice may contribute to further criminality as political thugs employed by politicians may turn to organized crime during the off-season.

The level of corruption is a key variable in determining the long-term impact of organized crime on state fragility. The extent of corruption can go so deep as to be considered criminal infiltration of government structures. Infiltration represents the more pernicious manifestation of corruption as the interests of illicit networks dominate more broadly across state policies rather than just in specific transactions. Relatedly, the involvement of more senior officials in the state, such as presidents, ministers or members of parliament, has a more corrosive effect on institutions than the involvement of just lower-level officials such as customs agents, police officers, or judges.

At the same time, higher levels of violence associated with organized crime increase state fragility through manifesting state failure to provide citizen security and further eroding citizens’ trust in the state. Surveys have shown that democratic legitimacy, in particular, declines in the face of insecurity caused by crime.<sup>12</sup> Crime groups may perpetrate homicides as well as non-lethal assaults, attacks on property and threats of violence and may contribute indirectly to violence through cooperative relationships with other illicit actors such as armed groups and violent extremists. Violence may also divert state resources to security concerns and limit access of public sector officials to insecure areas. The state is neither effective nor legitimate where it is unable to govern.

The case studies conducted for this study identified organized crime groups using varying levels of corruption and violence. The following table (see Table 2) depicts the levels of corruption and violence associated with different organized crime groups in the Guatemala case study. It points to the crime groups that are most damaging to state fragility, which are in the bottom right quadrant. The international drug trafficking organizations (DTOs) and Guatemalan crime groups tend to corrupt officials through elections contributions, targeting both local-level officials where they operate as well as national-level officials who can derail attempts to prosecute them. The transnational gangs known as *maras*, on the other hand, tend to focus their corruption efforts on police and prison officers, often running their operations from inside prison, while smaller gangs engage in more localized corruption of police.

**TABLE 2: ORGANIZED CRIME TACTICS**

	Low Levels of Violence	High Levels of Violence
Low-level Corruption		Smaller Youth Gangs
Mid-level Corruption		<i>Maras</i>
Criminal Infiltration of the State	International DTOs And Local Crime Groups With Stable Routes	International DTOs And Local Crime Groups In Conflict With Rivals

## POCKETS OF FRAGILITY

The literature on organized crime notes that pockets of fragility, whether in rural Mexico, urban Brazil, or other settings, can exist in countries otherwise considered relatively stable. Many of the Latin American countries affected by high levels of armed violence are evidence of this reality, with urban centers often

<sup>12</sup> Zechmeister, Elizabeth J. “The Political Culture of Democracy in the Americas, 2014: Democratic Governance across 10 Years of the AmericasBarometer” AmericasBarometer Insights: 2014, Number 108, Vanderbilt University, 2014.

correlating with these pockets.<sup>13</sup> In the words of one report: “In addition to fragile states, there are now fragile cities, where organized crime is both a cause and a consequence of the inability of municipal authorities to provide public services and public security.”<sup>14</sup> In these locations, states’ inability or unwillingness to provide services to their citizens has eroded legitimacy, and perpetuated a localized context of fragility conducive to organized criminal networks’ further penetration. A growing body of research confirms that, in many countries, the highest incidences of violence are taking place in urban settings where the markets for firearms and illicit drugs are more prominent.<sup>15</sup> As the case studies show, fragility may also be concentrated along illicit trafficking routes or near production sites, such as mines, forests, or poppy fields. In Guatemala, for example, organized crime groups have become the maximum authority along trafficking routes in remote areas of the Western Highlands as well as in gang-controlled “red zones” in Guatemala City, challenging the state in many of its functions, such as providing security and civic goods, while also fomenting fear.

## GENDER DIFFERENTIALS

Organized crime has a differential impact on men and women. Men are more likely than women to be victims of homicide perpetrated by organized crime groups given their greater representation in criminal activities and in professions interfacing with them such as police, customs officials and investigative journalists. In Guatemala, men represent 89 percent of homicide victims on average.<sup>16</sup> Men are also more likely to be victims of extortion because of their occupations, such as truck or bus drivers, but women, who work as shopkeepers and in informal markets, are also subject to extortion threats. In the DRC, forced labor affects both sexes, but men more so than women. In the artisanal mining sector, a significant number of men are forced to mine minerals for armed groups or elements of the army, while a smaller number of women are forced to work as prostitutes in mining areas by loosely organized networks, gangs, and brothel operators.<sup>17</sup>

Overall, women are more likely to be victims of human trafficking for the sex trade – worldwide, women make up 98% of victims of commercial sexual exploitation.<sup>18</sup> Women are also more likely to be raped by human traffickers and by gangs or armed groups, who use rape as a weapon to instill fear in a local population. Violence against women, including domestic abuse, rape, and murder, is rarely prosecuted in countries like those included in this research, where the criminal justice system is ineffective and a culture of machismo and misogyny downplays the crime. Moreover, many women will drop cases and go back to violent homes because they lack economic means to support themselves and their children on their own.

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<sup>13</sup> *Fragile States 2013: Resource Flows and Trends in a Shifting World*. (Paris: OECD, 2013). Online at <http://www.oecd.org/dac/governance-peace/conflictandfragility/docs/FragileStates2013.pdf>.

<sup>14</sup> Pfneisl, Mara, Walter Kemp, and Maximilian Meduna. *Vienna Seminar: The Dangerous Nexus of Crime, Conflict and Terrorism* (Vienna: International Peace Institute, 2013). Online at <http://www.ipinst.org/2013/11/a-dangerous-nexus-crime-conflict-and-terrorism-in-failing-states>.

<sup>15</sup> Muggah, Robert. *Researching the Urban Dilemma: Urbanization, Poverty and Violence* (Ottawa: International Development Research Centre, 2012). Online at <http://www.idrc.ca/EN/PublishingImages/Researching-the-Urban-Dilemma-Baseline-study.pdf>; *Preventing and Reducing Armed Violence in Urban Areas* (Paris: OECD, 2011). Online at <http://www.oecd.org/dac/governance-peace/conflictandfragility/docs/47942084.pdf>; Small Arms Survey (2012). “Urban Armed Violence,” Research Notes No. 23. Geneva; *Violence in the City: Understanding and Supporting Community Responses to Urban Violence* (Washington: World Bank, 2011). Online at <http://documents.worldbank.org/curated/en/2011/04/14831166/violence-city-understanding-supporting-community-responses-urban-violence>.

<sup>16</sup> Pitts, Wayne J., Arturo R. Matute, Kelle Barrick, and Kevin Strom. *Factors Affecting Homicide Rates in Guatemala 2000 - 2013: A Study of the Municipalities of Guatemala, Mixco, and Villa Nueva*. Democracy and Governance Office, United States Agency for International Development/Guatemala, 2014.

<sup>17</sup> Kelly, Jocelyn, Natasha Greenberg, Daniel Sabet, and Jordan Fulp. *Assessment of Human Trafficking in Artisanal Mining Towns in Eastern Democratic Republic of the Congo* (Washington: U.S. Agency for International Development, August 2014). Online at <https://dec.usaid.gov/dec/content/Detail.aspx?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&rID=MzU0OTU2>.

<sup>18</sup> *Global Alliance Against Forced Labour*, A (Geneva: International Labour Office, 2005). Online at [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_081882.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_081882.pdf).

Organized crime also has a differential impact on the men and women, who are members of criminal groups. Guatemala gangs, for example, often task women with acting as drug mules, smuggling illicit goods into jails, gathering intelligence on rival gangs or for extortion purposes, and carrying arms in public spaces since they believe women arouse less suspicion.<sup>19</sup> In their extortion business, the gangs use young women, predominantly teenagers, to deliver their threats and collect their money.<sup>20</sup> A recent study in Honduras found that women made up 20 percent of gang membership.<sup>21</sup> In Nigeria, there are increasing numbers of female gangs. Many of these women entered marriage at an early age, and find their way into the gangs as a means of survival after leaving their husbands.

In the DRC, gender relations are highly unequal,<sup>22</sup> and men and women have markedly different roles in organized crime. Men are the rebels, soldiers and criminals, who carry out the vast majority of the kidnapping, illegal taxation, predation and various forms of trafficking. Women are the wives, sex partners and manual laborers for these men. In one armed group, men represented 60 to 75 percent of members and women and children, including abductees, represented 25 to 40 percent.<sup>23</sup> To a small extent, women carry out some of the criminal activities themselves. For example, women buy and sell marijuana cultivated by rebel groups,<sup>24</sup> own most of the brothels, and make up a small but notable portion of the traders in illicit goods. Reportedly, wives of Congolese army officers are business partners with the Hutu militia the Forces démocratiques de libération du Rwanda (FDLR) and the wife of a senior Rwandan official is one of the biggest middlepersons in minerals trafficking.<sup>25</sup>

Socio-cultural norms that emphasize dominance and aggression as central elements of masculinity encourage male youths to join crime groups. By engaging in organized crime, male youths can gain social standing and wealth and more easily attract girlfriends and wives. This path is especially appealing where alternative employment opportunities are limited. At the same time, the sub-culture and practices linked with organized crime sustain a violent form of masculinity and further distort unequal gender relations in society.

## ORGANIZED CRIME AND CONFLICT

Many countries experiencing high levels of organized violent crime have emerged from significant armed conflicts. Post-conflict conditions may make countries more susceptible to violent organized crime, but conditions that predisposed countries to conflict in the first place also predispose them to violent crime.

Shortcomings in the conceptualization and delivery of peace-making and peace-building after war can magnify the susceptibility of these countries to organized violent criminality. A key challenge at these

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<sup>19</sup> Cawley, Marguerite. *The Mara Women: Gender Roles in CentAm Street Gangs* (Medellin, Colombia: InSightCrime, Sept. 5, 2013). Online at <http://www.insightcrime.org/news-analysis/centam-street-gangs-reject-rely-on-women-study>.

<sup>20</sup> Pitts, Wayne J., Arturo R. Matute, Kelle Barrick, and Kevin Strom. *Factors Affecting Homicide Rates in Guatemala 2000 - 2013: A Study of the Municipalities of Guatemala, Mixco, and Villa Nueva*. Democracy and Governance Office, United States Agency for International Development/Guatemala, 2014..

<sup>21</sup> Cawley, Marguerite. *The Mara Women: Gender Roles in CentAm Street Gangs* (Medellin, Colombia: InSightCrime, Sept. 5, 2013). Online at <http://www.insightcrime.org/news-analysis/centam-street-gangs-reject-rely-on-women-study>.

<sup>22</sup> The DRC ranks at the bottom of the gender inequality index. See “Gender Inequality Index: Human Development Reports Table 4,” United Nations Development Programme, Last updated Aug. 27, 2015. Online at <http://hdr.undp.org/en/content/table-4-gender-inequality-index>.

<sup>23</sup> *Experts’ Background Report on Illegal Exploitation and Trade in Natural Resources Benefitting Organized Criminal Groups and Recommendations on MONUSCO’s Role in Fostering Stability and Peace in Eastern DR Congo: Final Report* (UNEP-MONUSCO-OSESG, April 15, 2015). Online at <http://www.unep.org>.

<sup>24</sup> *Final Report of the Group of Experts on the Democratic Republic of the Congo* (New York: U.N. Security Council, Jan. 12, 2015). Online at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2015/19](http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/19).

<sup>25</sup> Chief of Party, USHINDI, interview with Phyllis Dininio by phone, June 25, 2015; and COR, Capacity Building for Responsible Minerals Trade project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform, interview with Phyllis Dininio by phone, June 18, 2015.

junctures is the handling of armed groups in peace negotiations. In many cases, armed groups engage in organized crime or have direct links with criminal networks. While the exclusion of armed groups from peace negotiations can undermine peace as excluded groups become spoilers, their inclusion and resulting appointment in government offices can lead to rampant corruption and entrenched criminality. In the DRC, for example, the integration of the Tutsi militia, the Congrès national pour la défense du peuple (CNDP), into the Congolese army following the peace treaty in 2009 enabled the former CNDP leader to consolidate control over parts of the illicit minerals trade as a general in the Congolese army.<sup>26</sup> Similarly in Afghanistan, the decision to give warlords prominent jobs in the post-Bonn agreement government contributed to rampant corruption<sup>27</sup> and the fortification of opium production and trafficking networks.<sup>28</sup> The Nigerian case study points to an amnesty program as a similar moment of vulnerability regarding the potential for organized crime to penetrate the state. The amnesty program for militants in the Niger Delta has brought politicians into power on the back of their participation in oil bunkering and violence, creating a criminalized peace in Rivers State.

The failure of international mediators to fully appreciate the profiteering incentives of key warring protagonists, and how these may evolve from “war economies” into “crime economies,”<sup>29</sup> is now leading to a growing call for political economy analysis—including organized crime threat assessments—to guide peace agreements. To date there has been little concerted effort to build mechanisms into peace agreements that attempt to limit the effects of individuals re-casting themselves from warlord to politician in order to safeguard the integrity of the state from the continued exploitative practices of those protagonists.<sup>30</sup> Despite attention to the economic agendas fueling civil wars during the 1990s and early 2000s,<sup>31</sup> the full implication of this literature to understanding post-conflict trajectories appears only to be dawning now.

Incomplete disarmament, demobilization and reintegration (DDR) efforts can also create conducive environments for organized violent crime in post-conflict situations. By and large, demobilization has tended to advance relatively well whereas disarmament has been uneven, with clear gains in some settings and the persistent flow of arms in others, which have aggravated levels of violent crime. However, reintegration of former combatants either into national armies or into productive civilian life has fallen short of its strategic intent. The result of relative failure in the “R” of DDR, in part a reflection of the limited economic opportunities present in many post-conflict settings but also of short attention spans from donors and political actors leading to funding gaps,<sup>32</sup> leave large numbers of battle-hardened former combatants underemployed across the world’s post-conflict landscapes. These groups represent ready

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<sup>26</sup> *Coming Clean: How Supply Chain Controls Can Stop Congo’s Minerals Trade Fuelling Conflict* (London: Global Witness, May 2012). Online at [https://www.globalwitness.org/sites/default/files/library/Coming\\_clean.pdf](https://www.globalwitness.org/sites/default/files/library/Coming_clean.pdf).

<sup>27</sup> Giustozzi, Antonio “‘Good’ State vs. ‘Bad’ Warlords? A Critique of State-Building Strategies in Afghanistan.” Crisis States Programme Working Paper No. 51 (London School of Economics, October 2004).

<sup>28</sup> Shaw, Mark. “Drug Trafficking and the Development of Organized Crime in Post-Taliban Afghanistan,” in *Afghanistan’s Drug Industry*, Doris Buddenberg and William A. Byrd, eds. (Washington: United Nations Office of Drugs and Crime and World Bank, 2003). Online at [http://www.unodc.org/documents/afghanistan/Counter\\_Narcotics/Afghanistans\\_Drug\\_Industry\\_UNODC\\_World\\_Bank.pdf](http://www.unodc.org/documents/afghanistan/Counter_Narcotics/Afghanistans_Drug_Industry_UNODC_World_Bank.pdf).

<sup>29</sup> Kemp, Walter, and Mark Shaw. *From the Margins to the Mainstream: Toward an Integrated Multilateral Response to Organized Crime*. (New York: International Peace Institute, 2014). Online at [http://www.globalinitiative.net/download/general/global/1409\\_margins\\_to\\_mainstream\\_toc.pdf](http://www.globalinitiative.net/download/general/global/1409_margins_to_mainstream_toc.pdf).

<sup>30</sup> One exception is a USIP study focused on how anti-corruption mechanisms can be built into peace negotiations, see: Spector, Bertram. *Negotiating Peace and Confronting Corruption* (Washington: USIP Press). See also Williams, Phil, and Roy Godson. “Anticipating Organized and Transnational Crime.” *Crime, Law & Social Change*, 37 (2002): 311-355.

<sup>31</sup> See, for example, Keen, David. *The Economic Functions of Violence in Civil Wars: Adelpi Paper 320*, International Institute for Strategic Studies. London: Routledge, 2005; Berdal, Mats R., and David M. Malone (2000). *Greed and Grievance: Economic Agendas in Civil Wars*. Lynne Rienner Publishers; K. Ballantine and J. Sherman (2003). *The Political Economy of Armed Conflict: Beyond Greed and Grievance*.

<sup>32</sup> Specker, Leontine. *The R Phase of DDR Processes: Lessons Learnt and Practical Experiences* (The Hague: Clingendael Institute, Conflict Research Unit, September 2008). See also Specht, Irma. “Practice Note 4: Socio-economic Reintegration of Ex-Combatants.” *Strengthening the Economic Dimensions of Peacebuilding Practice Note Series*, International Alert (2010). Online at <http://www.international-alert.org/sites/default/files/publications/201009PracticeNote4SocioEconomicReintegration.pdf>

recruits to service the demands of post-conflict criminalized peace economies and are one of several facilitating factors, which render post-conflict settings vulnerable to crime.

A rapid transition to democratic governance introduced through peace settlements can also make post-conflict societies more susceptible to a period of entrenched organized crime. Such high-speed transitions “frequently take place in a context of a legislative void, lack of transparency, lack of capacity in key government institutions and, as a result, increased vulnerability to criminal and corrupt practices.”<sup>33</sup> The attributes of democracy offer the promise of representative, accountable, and just government, but only when the enabling conditions are in place. For countries transitioning toward democracy, building state capacity and promoting institutions that create checks and balances, such as the legislature, judiciary, media, local governance, and civil society, are critical, if longer-term, steps for fostering stability and reducing the ascendancy of criminal networks.

Other links between recent armed conflict and organized violent criminality include the social dynamics of post-conflict trauma. In Guatemala, interviewees noted that the legacy of civil war has turned Guatemalans away from political participation and collective action. Citizens are both afraid to mobilize and distrustful of the government to solve social problems. In the words of one participant, the people who grew up during the war have become a “generation of silence.”<sup>34</sup> Moreover, the population witnessed, and many of them participated directly in, the civil war’s violence, thus normalizing violence. These factors limit the propensity of communities to mobilize against the presence of organized crime.

In addition to these post-conflict conditions, a number of conditions that predisposed countries to conflict in the first place also predispose them to violent crime. Chief among these is weak governance, which makes countries susceptible to both conflict and organized crime. Weak governance undermines both the effectiveness and legitimacy of the state, weakening the state’s ability to respond to armed threats and fueling opposition to it. As discussed above, weak governance also creates a permissive environment for organized crime. In Guatemala, ineffective governance, widespread corruption and impunity were among the factors that pushed rebels to fight against the government during the civil war and today facilitate organized crime. Criminal groups can rely on corruption to facilitate their business and avoid prosecution and the population is not likely to report criminal activities, believing that the state will not respond effectively.

Poverty, inequality and social exclusion are other structural factors that contribute to conflict and organized crime. As with conflict, much of the literature on organized crime shares an emphasis on poverty, inequality and social exclusion as contributing factors. The economic and social incentives attracting the foot soldiers of war and the foot soldiers of organized criminal activity into their chosen paths are striking for their similarity—a point highlighted in the *World Development Report 2011*. While a number of factors may lead people to violence or crime, in general, young people are more willing to engage in illicit activities when they have few means for securing an adequate livelihood.

Finally, natural resource wealth can contribute to both conflict and organized crime. In the eastern DRC, for example, the economic interests of Rwanda, Uganda, Burundi, and Zimbabwe in controlling or having access to parts of the minerals trade have motivated their involvement in the conflict.<sup>35</sup> The mineral wealth also provided a key source of funding for many of the armed groups operating in the region. At the

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<sup>33</sup> Shaw, Mark. “Drug Trafficking and the Development of Organized Crime in Post-Taliban Afghanistan,” in *Afghanistan’s Drug Industry*, Doris Buddenberg and William A. Byrd, eds. (Washington: United Nations Office of Drugs and Crime and World Bank, 2003). Online at [http://www.unodc.org/documents/afghanistan/Counter\\_Narcotics/Afghanistans\\_Drug\\_Industry\\_UNODC\\_World\\_Bank.pdf](http://www.unodc.org/documents/afghanistan/Counter_Narcotics/Afghanistans_Drug_Industry_UNODC_World_Bank.pdf).

<sup>34</sup> Representative, ASIES, interview with the MSI research team, Guatemala City, Guatemala, March 20, 2015.

<sup>35</sup> See “Democratic Republic of Congo Conflict Vulnerability Assessment,” United States Agency for International Development, August 2005, and “Democratic Republic of Congo Conflict Assessment: Substantive Findings of the June 24-26, 2008, Interagency Conflict Assessment Framework (ICAF) Application Workshop,” July 9, 2008.

same time, the mineral wealth has spurred illicit mining and trafficking by local and international crime groups.

## ACTORS WHO CROSS BETWEEN CONFLICT AND CRIMINALITY

As is clear from the discussion so far, actors primarily associated with conflict or criminality may easily transition to associate with the other; the incentives drawing individuals into both often overlapping fields have much in common. However, experts at a recent seminar cautioned against over-simplistic assumptions that there is always a connection between crime and conflict. Relationships among these actors “are sometimes cooperative, sometimes conflictual, and sometimes have nothing to do with each other.”<sup>36</sup>

It may be useful to distinguish between different levels of criminal or conflict group hierarchy in refining understanding about the motives and means by which actors move from one realm to another. Overlapping factors pulling individuals to join either criminal or conflict groups as foot soldiers include the search for identity, the desire to belong, socio-cultural factors such as norms of male aggression and dominance, the drive for protection as well as economic motivations. Ideological or political conviction may distinguish between the two sets of actors, but the tendency to sharply delineate—with criminals treated as criminals, but combatants as combatants—may warrant closer scrutiny.

Considering more senior ranks, the motives and means for moving from one realm to another may reflect calculations regarding group strategy. A warlord exerting a semi-feudal type of control over a geographic enclave, for example, may need to engage in conflict to protect his criminal operations, as observed in Afghanistan. A rebel leader, by contrast, may need to engage in criminal activity to fund his operations, as observed with the Shining Path in Peru. These examples illustrate how a criminal agenda may easily merge with, or transition to, a conflict agenda and the reverse.

Collier’s “greed vs. grievance” dichotomy provides a useful frame for conceptualizing these shifting motivations. His work identified economic motivations as well as political motivations fueling conflict.<sup>37</sup> Rather than viewing these motivations as a straight dichotomy in explaining conflict, it is useful to view them as two ends of a spectrum along which a conflict may traverse, back and forth, through its duration.

The longer a conflict endures, the more complex its financing structures are likely to become, and criminal revenues to finance warfare for political ends may become an end in itself. Such a shift may generate significant short-term benefits to the group, but equally significant long-term problems, including “a sense of division and tension, an erosion of common identity and undermining of the group’s legitimacy and status.”<sup>38</sup> Clear examples of ideologically, identity and politically motivated rebel movements, which today not only derive financial support from criminal activity, but have also over time become entirely captured or redefined by their struggle to sustain profit, include the Taliban in Afghanistan and both the United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia, or AUC) and Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, or FARC).

This evolution of motivations among armed groups is shown quite clearly in the case of the eastern DRC. While most armed groups formed for political reasons and came to finance their activities with criminal operations, they have become increasingly motivated by economic interests. The distribution of armed

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<sup>36</sup> “Vienna Seminar 2013: A Dangerous Nexus: Crime, Conflict, and Terrorism in Failing States,” International Peace Institute, November 2013, p. 6. Online at [http://www.ipinst.org/images/pdfs/1311\\_vienna\\_seminar\\_Crime\\_Conflict\\_Terrorism.pdf](http://www.ipinst.org/images/pdfs/1311_vienna_seminar_Crime_Conflict_Terrorism.pdf).

<sup>37</sup> Collier, Paul, and Anke Hoefler. *Greed and Grievance in Civil War*, Policy Research Working Paper No. 2355. Washington: World Bank, 2001.

<sup>38</sup> “Vienna Seminar 2013: A Dangerous Nexus: Crime, Conflict, and Terrorism in Failing States,” International Peace Institute, November 2013, p. 6. Online at [http://www.ipinst.org/images/pdfs/1311\\_vienna\\_seminar\\_Crime\\_Conflict\\_Terrorism.pdf](http://www.ipinst.org/images/pdfs/1311_vienna_seminar_Crime_Conflict_Terrorism.pdf).

groups along primary trafficking routes supports this claim. A map of their locations (see Annex 3) reveals “a strategic presence in relation to trafficking corridors along roads, lake shores, border points or airports to the borders of Uganda, Rwanda and Burundi.”<sup>39</sup> In the wake of the 2013 peace agreement, instability and violence now result more from “criminal acts in a context of persistent lawlessness and weak state institutions, rather than the product of war.”<sup>40</sup> The armed groups have an economic interest in maintaining an environment of insecurity, which facilitates illicit activities in the region.

Similarly, the Nigeria case study suggests that the borders between genuine militants fighting for the cause of the Niger Delta and criminal elements are extremely porous and the overall trajectory has been away from broader distributive and environmental agendas towards more mercenary motivations.

The Guatemalan case shows an evolution from political elements within the state to criminal entities. Illegal Clandestine Security Apparatuses (Cuerpos Ilegales y Aparatos Clandestinos de Seguridad, or CIACS) are groups of former military and security officials with connections to the Guatemala’s private security industry and knowledge of the ways to penetrate and corrupt government. During the civil war, these structures within the state were used to illegally repress social actors deemed as an actual or potential opposition to the military rulers. Members of these structures carried out assassinations, kidnappings, torture and persecution with the intention of eliminating “internal threats” to what was understood as “public order” at the time. They extended the intelligence services’ control of borders, customs stations, ports, and airports to prevent insurgents from smuggling in arms, but then came to participate in illicit trafficking themselves.<sup>41</sup> With the end of the internal armed conflict, these illegal bodies lost their original *raison d’être*, but remained in operational capacity. The CIACS consolidated as intermediaries between openly criminal organizations and state institutions, transforming themselves from mainly politically-motivated organizations to for-profit illegal organizations. Their activities today include supporting drug trafficking, arms dealing, document falsification, adoption rings, and contraband smuggling.<sup>42</sup> The United Nations established the International Commission against Impunity in Guatemala (CICIG) to promote the rule of law and specifically help Guatemalan prosecutors investigate CIACS as a legacy of the civil war.

## EFFECTS OF ORGANIZED CRIMINALITY ON USAID PROGRAMS

USAID works broadly to assist fragile and conflict-affected states to reduce their internal vulnerabilities and rebuild peacefully. Organized crime poses a confounding challenge to this mission. In its most acute form, organized criminal activity undermines the ability of fragile and conflict-affected states to tackle the challenges of legitimate and effective state-building. The consequences of organized criminality undermine the state-society relationship as grievances surrounding government accountability, fairness, and transparency intensify.

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<sup>39</sup> *Final Report of the Group of Experts on the Democratic Republic of Congo* (New York: U.N. Security Council, January 23, 2014). Online at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2014/42](http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/42).

<sup>40</sup> Leggett, Ted, Jenna Dawson, and Alexander Yearsley. *Organized Crime and Instability in Central Africa: A Threat Assessment* (Vienna: United Nations Office on Drugs and Crime, October 2011). Online at [http://www.unodc.org/documents/data-and-analysis/Studies/Central\\_Africa\\_Report\\_2011\\_web.pdf](http://www.unodc.org/documents/data-and-analysis/Studies/Central_Africa_Report_2011_web.pdf).

<sup>41</sup> Espach, Ralph, Javier Meléndez Quiñonez, Daniel Haering, and Miguel Castillo Girón. *Criminal Organizations and Illicit Trafficking in Guatemala’s Border Communities* (Alexandria, Va.: CNA, 2011). Online at <http://idpc.net/publications/2012/02/criminal-organizations-and-illicit-trafficking-in-guatemala-border-communities>.

<sup>42</sup> Riesenfeld, Loren. “Guatemala Journalists Killed by Drug Transport Gang: Govt,” *InSight Crime* No. 17, March 2015. Online at <http://www.insightcrime.org/news-briefs/guatemala-journalists-killed-by-drug-gang-says-govt>.

As highlighted above, organized crime may increase fragility by corroding state structures through corruption, providing services in competition with the state, or undermining security. Organized crime may also fuel conflict by exacerbating social inequalities and grievances or providing financial resources to conflict actors. It can also cause a range of environment, health or social harms as a consequence of specific activities such as deforestation caused by illegal logging or drug addiction resulting from narco-trafficking. In addition, organized crime undermines licit economic growth despite injecting capital into economies in the form of real estate development or cash businesses that criminals often set up to launder money.<sup>43</sup> As one report warns, economic advantages caused by these criminal investments “are dangerously short-term stories.”<sup>44</sup> The criminalized environment may deter legitimate businesses, and the money from crime allows criminal enterprises to underprice competitors.<sup>45</sup> Research has confirmed a “strong inverse correlation between organized crime and collective wealth.”<sup>46</sup>

The case studies provide concrete examples of how organized crime affects the design and delivery of USAID conflict and fragility programs (see Annex 1 for a description of the programs included in this research). In each country, organized crime constitutes a crucial dimension of the security operating environment. In some instances, insecurity stemming from organized crime has led to disruptions in program delivery and prompted adjustments in program design. Yet as detailed below, USAID staff and implementing partners have devised a range of protective measures to reduce risks from organized crime to program staff and participants, and safeguard program results more broadly.

## THREATS AND ATTACKS

Organized crime had a direct impact on the security of USAID programs reviewed for this research with threats or attacks affecting program staff or participants in many of them. Security incidents have been most frequent in the eastern DRC. Most of the programs operating in that region have been threatened or attacked, but the food security program has experienced these most frequently with a security incident occurring roughly twice a month. These have included ambushes of vehicles and demands for illicit taxes by rebel groups.<sup>47</sup>

In Nigeria, kidnapping and the threat of extortion have impacted the programs under review. A number of hospital staff and pharmacists involved with the HIV/AIDS program have been kidnapped, which has prompted other healthcare workers to abandon their posts or not come to work for a period of time. Similarly in the local governance program, local councilors have faced intimidation from youth gangs and the threat of kidnapping, which has deterred them from coming to work. One of the local governance civil society partners narrowly escaped an attempted kidnapping during one of its activities. In addition, the prevalence of armed robbery makes certain roads impassable, which has impacted the selection of program locations.

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<sup>43</sup> See for instance: Shortland, Anja. “Treasure Mapped: Using Satellite Imagery to Track the Developmental Effects of Somali Piracy.” Chatham House Africa Program Paper, 2012. Online at [http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Africa/0112pp\\_shortland.pdf](http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Africa/0112pp_shortland.pdf)

<sup>44</sup> Cockayne, James. “Breaking the Crime Trap: Factoring Crime into Development Policy,” International Peace Institute Global Observatory, Feb. 13, 2014. Online at <https://theglobalobservatory.org/2014/02/breaking-the-crime-trap-factoring-crime-into-development-policy/>. See also: Shyne, James. *Economic Development and Transnational Organized Crime in West Africa* (Washington: U.S. Agency for International Development, 2014). Online at <https://dec.usaid.gov/dec/GetDoc.axd?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDhmY2Uy&pID=NTYw&attachmnt=VHJlZQ==&rID=MzU2MjU1>.

<sup>45</sup> A recent article in the *Latin American Herald Tribune* suggested that 27% of businesses currently investing in Mexico are thinking of leaving because of the crime rate. See Duff, Devon, and Jen Rygler. “Crime Costly for Mexico’s Business and Economy,” *Knowledge@Wharton*, Jan. 26, 2011. Online at <http://knowledge.wharton.upenn.edu/article/drug-trafficking-violence-and-mexicos-economic-future/>

<sup>46</sup> Van Dijk, Jan. “Mafia Markers: Assessing Organized Crime and its Impact on Societies,” *Trends in Organized Crime* 10:4, December 2007: 39-56. Online at <http://link.springer.com/article/10.1007/s12117-007-9013-x>.

<sup>47</sup> Chief of Party, RISE, and Country Director, Mercy Corps, interview with Phyllis Dininio by phone, June 25, 2015.

In Guatemala, attacks experienced by programs under review were more limited, but threats were common. The only incidents of attacks involved assaults on participants in the Violence Prevention Project on their way to or from project activities. The most serious threat to an implementing partner happened in Cobán, where a Centro Esperanza staff member received death threats. Another Violence Prevention implementing partner, Alianza Joven, was subject to extortion threats. In addition, judges working in High Impact Courts in the departments linked to USAID rule of law programming received death threats on a few occasions.<sup>48</sup>

One incident was narrowly avoided when USAID/Guatemala asked the implementing partner to bring a group of youth participants together for a Congressional delegation visit. In the rush to organize an event, the local NGO invited participants, who were associated with different gangs and should not have been in the same location at the same time. During the event, there was an incident among the youth that required using an Embassy vehicle to remove a participant, who was associated with a rival gang. The incident jeopardized the safety of project participants and staff members, as well as USAID and other U.S. government officials. Project staff realized the imperative to separate participants from different neighborhoods. It is important to mention that this incident was not driven from a motivation of exacting crime on the program or its staff, such as is the case with kidnappings or death threats, but rather due to social turf issues between gangs. USAID staff must be sensitive to both in order to protect staff, participants, the broader community and program objectives.

## IMPACT ON PROGRAM TARGETS AND OBJECTIVES

The climate of insecurity has posed serious limitations on programming in the eastern DRC. In that location, interviews conducted for this research suggest considerable conflation between armed violence and organized crime. The same actors are often responsible for both armed violence and organized crime, and their acts of violence instill fear in the civilian population and may facilitate criminal activities that are otherwise conducted without violence. Spikes in conflict have forced evacuations, suspension of activities, and project closures with the accompanying burden on staff time and program resources and the reduced time for the program to operate. The food security project has been particularly affected by armed conflict in North Kivu. Altogether, the project has withstood four evacuations out of the country and 15 evacuations out of the field since 2011.<sup>49</sup> The mid-term evaluation warned that the project team had been forced to rapidly expand activities in new areas, sometimes without adequate preparation or resources, and that ongoing geographic expansion due to insecurity put the project at risk of being overstretched geographically, with potential negative consequences for quality implementation.<sup>50</sup>

Insecurity has also limited travel or required alternate travel arrangements. In the DRC community recovery program, for example, staff members can only travel between 9AM and 4PM, but it can take them two to three hours to get to a location, leaving scant time for field visits.<sup>51</sup> In the food security program, insecurity and demand for taxes by rebels on a direct route in 2013 pushed truck drivers to take circuitous roads, delaying delivery of commodities to the field and reducing the number of distributions.<sup>52</sup> Similarly, insecurity along roadways in 2012 prompted program staff to suspend road transport between Goma and the target area during the height of the insecurity, and instead to use helicopters belonging to the UN Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to access field

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<sup>48</sup> Chief of Party, USAID Security and Justice Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>49</sup> Chief of Party, RISE, and Country Director, Mercy Corps, interview with Phyllis Dininio by phone, June 25, 2015.

<sup>50</sup> Oxu Solutions, RISE Mid-term Evaluation Report, April 4, 2014.

<sup>51</sup> AOR, Community Recovery and Livelihoods Program, interview with Phyllis Dininio by phone, May 11, 2015.

<sup>52</sup> RISE Program Annual and Quarterly Reports (various years), Mercy Corps.

## CO-EXISTING WITH CRIME AND INSECURITY

Caritas Nigeria, a Catholic charity organization working in coordination with the local governance program in Nigeria, has made several adjustments to its mobile banking program to mitigate security issues regarding the transportation of money to communities. They hired security agents and invited traditional rulers to attend cash transfers in villages. They also replaced one of the program sites because the road to the village was deemed unsafe for travel. And, when one of the program staff was threatened with violence on the road to a program site, they took the problem to the village head and negotiations between the parties ensued. As a result, the person who posed the threat was allowed to participate in the program as a volunteer, even though this meant bending the criteria for volunteers. This unemployed male youth claimed that he threatened the program staff because he wanted to receive the benefits of the program and apologized for his actions. He is now among the program's most active volunteers and advocates.

sites.<sup>53</sup> While these restrictions posed challenges to smooth implementation and consistent monitoring, program staff felt they were able to handle them without a notable impact on results.

Insecurity has had a more damaging impact on program targets and objectives through its effect on underlying socioeconomic conditions. In the food security program, a surge in violence in one area in 2012 constituted a major setback for food security as some crops were destroyed and harvests were left to rot in the fields in areas that were most affected.<sup>54</sup> More systemically, the climate of insecurity and predation has weakened farmers' interest in investment in the eastern DRC. As explained by staff, the program is supposed to promote food security and commercialization of the industry, but farmers are not interested in creating value since it will expose them to predation. Many farmers do not want to own livestock or store agricultural products in their house.<sup>55</sup>

One program working with community livelihoods has introduced a flexible fund to address the escalation of violent conflict. The \$1M fund enables the implementing partner consortium to support short-term interventions to de-escalate issues and stabilize communities. Projects could include socio-cultural and sports events, radio broadcasts, or discussion forums with themes related to peace and social cohesion. To manage this fund, the implementing partner hired a flexible funds coordinator who deploys to the area in question to assess the situation. The Agreement Officer's Representative (AOR) feels that work begins as soon as the flexible funds coordinator appears on the scene. His presence in the affected community sends a signal that people are watching the situation with interest and will probably intervene.<sup>56</sup> The coordinator's recommendations provide the basis for project proposals, which can come from anyone in the community. If the implementing partners deem a proposal appropriate, they submit it to the AOR for approval. As of July 2015, the program had approved proposals in two areas with three proposals under review. Recognizing the window of opportunity for responding to issues is short-lived, the review process from receipt of proposal to funding decision takes no longer than two to three days.

In USAID's minerals programming, insecurity almost caused the loss of a valuable partner. Program staff worked closely with a private mining company on certification and traceability systems, but the company's geological exploration camp came under attack twice, the last attack amounting to \$14M in damages. Information pointed to the army, civil society and foreign interests as behind the attacks. Recognizing the threat to the USAID minerals programming, the U.S. Embassy urged the DRC government to respond, emphasizing that the mining company's \$150M investment was at risk.<sup>57</sup>

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<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Chief of Party, RISE, and Country Director, Mercy Corps, interview with Phyllis Dininio by phone, June 25, 2015.

<sup>56</sup> Correspondence with AOR, Community Recovery and Livelihoods Program, USAID/DRC, July 29, 2015.

<sup>57</sup> Contracting Officer's Representative (COR), Capacity Building for Responsible Minerals Trade project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform, interview with Phyllis Dininio by phone, June 18, 2015.

Other programs in the eastern DRC experienced no notable impact from organized crime to their programming according to USAID and implementing partner staff. As noted in the 2014 Annual Report of the sexual and gender-based violence program, “A few cases of spontaneous insecurity were reported in some Health Zones; however, these cases did not significantly affect project implementation.”<sup>58</sup> Interviewees speaking of the media and governance programs expressed the view that organized crime had not affected their targets or objectives even though journalists are under threat when reporting on criminal activities and many politicians are complicit in them.

The climate of insecurity linked to organized crime has undermined USAID/Nigeria programming examined in this research. In particular, kidnappings and broader violence in Rivers State have prompted health care workers and participants of the health program to stay home at times, resulting in closed facilities and missed appointments. The disruptions are particularly challenging given the nature of HIV/AIDS program delivery, which requires daily monitoring of targets such as the number of clients tested or receiving drugs. The implementing partner alerts USAID to the difficulties faced, but “targets still remain.” Program staff reported being in a continual effort to “mop up” lost progress, while still delivering on current targets, which places a double burden on staff members, who are constantly trying to compensate for the harsh security environment. Due to insecurity, Mission staff has also been unable to conduct monitoring of the health program as they have been unable to travel to program areas, and instead rely on the implementing partner coming to Abuja to report periodically.

The threat of kidnapping and extortion faced by local government councilors has also impacted local governance activities in Nigeria. The councilors are the key stakeholders of the local governance program and the program delivery model envisages close collaboration with them. However, many do not come to work or show up for program activities because they are fearful of threats or attacks by local gangs. Program staff members claim that they are continually battling attendance issues because of these fears. Where possible, they have adjusted their programming by moving activities to another location. But, when it comes to community-based activities, the programs must take place in the communities. Often what happens is that officials will send a representative in their place. This impacts the programs since representatives are either ill-informed or they do not have the authority to speak on issues.

The impact of organized crime on USAID programs was lower in Guatemala. To a considerable degree, this reflects the fact that programs in the democracy and governance portfolio are designed specifically to address organized crime or be sensitive to its manifestations. The five programs examined in this case study have managed to meet program targets and objectives despite the presence of organized crime. Only one example was mentioned of a project being forced to scale back its activities in Cobán, when two international drug cartels and their local partners were fighting for control of trafficking routes.<sup>59</sup> According to a CICIG official, development projects do not typically threaten organized crime groups. Especially if there is not much money involved, the project will not be a concern for organized crime groups.<sup>60</sup> For example, one project reported needing “permission” from gang leaders to enter some neighborhoods. Such permission was granted because the project activities—youth education and employment training—did not threaten gang activities or territory and provided benefits to the neighborhoods in which gang members lived and possibly to their younger siblings.<sup>61</sup> By contrast, if a project directly threatens their interests, then organized crime groups may attempt to derail the project.<sup>62</sup> A UNODC officer reported just such a scenario: UNODC provided support to two units that conducted

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<sup>58</sup> RISE Program Annual and Quarterly Reports (various years), Mercy Corps.

<sup>59</sup> Academic Director, Instituto Nacional de Administración Pública and former employee of Violence Prevention Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>60</sup> Political Officer, CICIG, interview with the MSI research team, Guatemala City, Guatemala, March 26, 2015.

<sup>61</sup> Academic Director, Instituto Nacional de Administración Pública and former employee of Violence Prevention Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>62</sup> Representative from CEDFOG, interview with the MSI research team, Quetzaltenango, Guatemala, March 24, 2015.

threat analysis of customs inspections at the ports. Because freedom to operate in the ports was so important to their activities, organized crime groups threatened and in one instance killed people in those units.<sup>63</sup>

USAID programs seeking to address fragility in areas such as democracy and governance do face a greater challenge when dealing with corrupt institutions. In such situations, USAID/Guatemala programming has sought to focus on systems reform rather than capacity building for individuals. For example, the Vice President's Office was suspected for its corrupt links, but was a necessary partner to the Security and Justice Reform Project since it has transparency and human trafficking in its portfolio. A corruption scandal that surfaced after the field work took place confirmed this suspicion, revealing a customs fraud network called "La Línea" orchestrated by the Vice President's private secretary.<sup>64</sup> Given the corrupt links, the project had sought to make progress by supporting systems and processes that are more resistant to corruption and incentivize good governance.<sup>65</sup> Admittedly, such efforts gain less traction where criminal interests capture partner institutions, and so programs targets and objectives need to be set according to a realistic assessment of outcomes. However, these reforms help to reinforce transparent aspects of the system and counter tendencies towards corruption, even if they cannot eliminate corrupt practices altogether.

## PROTECTIVE MEASURES

The three case studies reveal a breadth of protective measures that have been established to reduce risks to program staff and participants from organized crime. These include security measures as well as design and implementation considerations that can mitigate risks.

*Dedicating staff resources to security* is one way that programs are reducing risks. In the two minerals programs examined in the DRC, for example, the chiefs of party have responsibility for security in addition to a security manager in one program and a security team in the other. The security personnel have backgrounds and contacts in the UN and DRC government security systems. They use multiple sources of information to observe and anticipate trends.<sup>66</sup> Similarly, the community recovery program has dedicated security staff. The food security implementing partner responded to a high volume of security incidents by hiring a security advisor (only partly funded by the program budget) to help reinforce protocols. The implementing partner's country office also has a mission-wide security review board that sends a daily review by email to heads of projects.

In Rivers State, Nigeria, three USAID programs are housed in one building and one of the implementing partners, by a cooperative agreement among them, provides day-to-day security advice for all three. Internally, each program has its own systems in place involving a regular communication between the teams on the ground, the implementing partner headquarters in Abuja and the USG security team. While the HIV/AIDS program has a security management team made up of program senior managers, the local governance program state team leader is himself responsible for security, personally ensuring project vehicles and radios are working. The HIV/AIDS program relies heavily on government for guidance on where to go and not go and the local governance program relies on links with peer security networks among local governments.

In Guatemala, implementing partners have not dedicated staff resources to security. Seeing the benefits of centralizing security services, USAID/Guatemala DG officers have recently advocated for a USAID

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<sup>63</sup> Country Manager, UNODC, interview with the MSI research team Guatemala City, Guatemala: March 18, 2015.

<sup>64</sup> Louisa Reynolds, "Guatemala: How a Corruption Scandal Forced the President's Hand," *The Christian Science Monitor*, May 21, 2015.

<sup>65</sup> Chief of Party, USAID Security and Justice Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>66</sup> COR, Capacity Building for Responsible Minerals Trade project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform, interview with Phyllis Dininio by phone, June 18, 2015.

security officer that can provide security advice to implementing partners on an on-going basis even though it is the practice of USAID and Embassies worldwide to make partners responsible for their own security. The security officer would collect and disseminate incident reports, monitor Twitter, and review security plans. The partners working directly on organized crime tend to be savvy, but they would still benefit greatly from having access to reliable security information. Implementing partners in other programmatic areas, such as health and education, are likely to be less apprised of organized crime dynamics, and have an even greater need for such information and advice.<sup>67</sup>

*Establishing security protocols* is another way that programs are reducing risks. Such protocols are most extensive among programs operating in the eastern DRC, followed by Nigeria then Guatemala. They include requiring internal authorization for travel, traveling in convoys of two cars, traveling only between 9 AM and 4 PM, ensuring radio communication between cars and base, posting security guards at building entrances, installing alarm systems, closing offices early, leaving offices in groups of two to three people, keeping valuables out of sight, and in one program, establishing an incident room system. However, the programs have not engaged in contingency planning, either internally or as part of discussions with communities around project activities. In answer to the question, “What do you do in cases where participants are kidnapped?” a Nigerian staff member of the HIV/AIDS program answered, “Pray for them!”

*Providing security training* represents another way that USAID conflict and fragility programs are reducing risks. In the DRC, the community recovery project has developed an operations manual on security and provides internal training to staff. In Nigeria, the HIV/AIDS program conducts regular security training of staff and sensitization of partners. In the DRC and Guatemala, the media programs have developed a security training, which emphasizes objectivity and neutrality in reporting as the most effective protection for journalists. Relatedly, the elections project in Guatemala provides training to monitors of election violence and campaign financing, advising them to avoid collecting information through private or informal contacts, and instead to request the information openly and through public channels.

*Seeking assistance* from host government or USG offices is another measure that programs have used to protect staff or participants. After a staff member of a Guatemala project received death threats, for example, the project sought help from the local police and army post, which began patrolling the area around the project office. Intimidation stopped after this show of police and military support. Another Guatemala project requested Embassy assistance to take judges who had received death threats out of the country for a while and let the threat subside.<sup>68</sup>

*Dedicating emergency funds* to assist project staff or participants in times of crisis is another protective measure. The media program in the DRC, for example, set up a dedicated fund to assist journalists at times of crisis, which can assist with the cost of legal proceedings or help them go into hiding if they have received threats to their safety.

*Shifting program activities or locations* can also help to mitigate risks. The elections project in Guatemala works in 20 municipalities, but will shift out of a municipality if it becomes unsafe to work there during the election period. Given this possibility, the Mission built flexibility into the project design. When they selected the 20 municipalities, they also analyzed and selected alternative municipalities, so that the project can make this adjustment if necessary. In addition, the local organizations that are monitoring

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<sup>67</sup> Director, Democracy and Governance Office, USAID/Guatemala, interview with the MSI research team, Guatemala City, Guatemala, March 26, 2015.

<sup>68</sup> Chief of Party, USAID Security and Justice Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

electoral violence and campaign spending have presence in more than one municipality, so the municipalities can be shifted as seamlessly as possible.<sup>69</sup>

*Understanding local dynamics* is another measure used to mitigate risks. For example, the Guatemalan Violence Prevention Project initially proposed working in “red zones” that are controlled by *maras* and are considered “no-go” zones where even the National Civilian Police do not enter without army escorts. As one former staff member commented, “We would have been responsible for people getting killed if we had done it.”<sup>70</sup> USAID and the implementing partner changed the strategy from “red zones” to adjacent “pink zones” that have lower levels of violence and crime, believing that prevention work in a “pink zone” has greater impact and a lower cost/benefit ratio than rehabilitation work in a “red zone.”<sup>71</sup> They also drew on the local knowledge of the CCN project staff to devise a strategy for entering these communities in such a manner that they would not be perceived as threats.

Another project, *Acción Joven*, selected the location of its centers carefully to avoid putting youth project recipients at risk by crossing *mara* and gang territory. The project centers had to be in places that the participants could walk to with reasonable safety. In the two most violent zones, *Acción Joven* chose to locate project centers in commercial zones because they are considered neutral spaces with good security.<sup>72</sup>

*Reducing geographic proximity* between those carrying out program activities and the criminal organizations they are targeting can also mitigate risks. For example, the elections project in Guatemala stipulates that journalists write about elections violence and campaign financing in municipalities they do not live in. This provides journalists a degree of protection as it makes retaliation against them more difficult.<sup>73</sup> Similarly, the decision to implement the environmental crimes component of a project from Guatemala City rather than setting up a satellite office in the department of Petén has reduced risks to project staff. Another example was the decision to move the High Impact Courts out of the departmental cities and into Guatemala City after prosecutors and judges in those locations were threatened. The move created distance between accused organized crime figures and their armed supporters and therefore helped safeguard judicial personnel.<sup>74</sup> While the move also increased the distance between families and the accused, the trade-off was deemed worthwhile in the pursuit of an overall increase in justice.

*Providing anonymity* can serve as other ways to make retaliation more difficult for revealing sensitive information. In the Guatemalan elections project, the partner media organization provides the byline for investigative stories and does not publish the authors’ names. Similarly, a national NGO compiles information from local partners and issues broad reports on election-related violence and campaign financing irregularities, rather than having local NGOs publish the information.<sup>75</sup>

*Bringing in ex-patriate consultants* to carry out higher-risk work is another way projects have mitigated risk. These consultants are only in country for a short period of time and so are less likely to become targets of organized crime groups.

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<sup>69</sup> AOR, Elections Project, interview with the MSI research team, Guatemala City, Guatemala, March 26, 2015.

<sup>70</sup> Academic Director, Instituto Nacional de Administración Pública and former employee of Violence Prevention Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>71</sup> Correspondence with Director, Democracy and Governance Office, USAID/Guatemala, May 6, 2015.

<sup>72</sup> Chief of Party, *Acción Joven*, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>73</sup> Representatives from Laboratorio de Medios, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>74</sup> COR, USAID Security and Justice Reform Program, interview with the MSI research team, Guatemala City, Guatemala, March 26, 2015; Chief of Party, USAID Security and Justice Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015; Judge, High Impact Court, interview with the MSI research team, Guatemala City, Guatemala, March 18, 2015.

<sup>75</sup> Representative, *Acción Ciudadana/Transparency International*, interview with the MSI research team, Guatemala City, Guatemala: March 17, 2015.

*Removing USAID branding logo* from project offices and vehicles can mitigate risks in some cases. A Guatemalan project adopted this measure in response to extortion threats. Once the logos were removed from the office and vehicles, the threats stopped, likely because opportunistic criminals no longer saw it as a source of extortion income.

*Minimizing opportunities* for criminal acts represents another protective measure. Using this logic, a project in the eastern DRC encourages communities to lend out money collected in savings and loans initiatives immediately so the cash does not become a magnet for looting.<sup>76</sup>

*Ensuring the support of communities* can also service as a protective measure. Staff in several programs in the eastern DRC noted that risks to projects are reduced when they gain the support of communities and are well-connected with local authorities.

## **PRESSURES FOR CHANGE**

Alongside these protective measures, the violence and corruption associated with organized criminality have galvanized pressure for change among civil society, the general population and government officials. In the DRC, for example, human rights groups and local citizens have protested the brutal massacres in Beni Territory in 2015. They have shut down the city of Beni in protests, marched on a nearby MONUSCO base, spoken out on the radio and written letters to government officials. The Catholic Church has also been vocal on this issue and the Episcopal Council in the East wrote to President Kabila decrying the impunity of armed groups. Journalists have added to this pressure, too, with consistent reporting on the impunity.<sup>77</sup>

The DRC government's response to these pressures has been weak. The government has launched military campaigns against the armed groups, such as the Allied Democratic Forces (ADF) in Beni Territory, but with negligible results. The Congolese intelligence agency has made isolated arrests and the judiciary has prosecuted discrete cases, but these have the flavor of scapegoating individuals and attacking the opposition rather than making a serious effort to tackle impunity.<sup>78</sup>

Civil society has also mobilized around the illicit trade in conflict minerals. In 2011, nine local human rights organizations active in the mining sector formed a coalition to address the linkage between natural resource exploitation and human rights abuses. This coalition, the Support Platform for Traceability and Transparency in the Management of Natural Resources, serves as an independent monitoring unit, providing third party checks and balances to the DRC government traceability scheme in North Kivu province. In addition, a coalition of over 40 Congolese women's and human rights groups led by SYNERGIE, CREDDHO, and BEDEWA lobbied for swift implementation of the 2010 U.S. Dodd-Frank legislation, which requires U.S. companies to exercise due diligence on the source and chain of custody of conflict minerals originating in the DRC. In their efforts, the groups have documented human rights violations including child and forced labor, women's enslavement, sexual abuse, and different forms of illegal taxes in mining communities in the east.<sup>79</sup>

The activism in civil society around conflict minerals has bolstered the impact of the USAID conflict minerals programs. The USAID programs have a larger range of civil society groups to work with, and

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<sup>76</sup> Chief of Party, Community Recovery and Livelihoods Program, interview with Phyllis Dininio by phone June 3, 2015.

<sup>77</sup> Chief of Party, USHINDI, interview with Phyllis Dininio by phone, June 25, 2015.

<sup>78</sup> Bafilemba, Fidel, and Jasper Kubasek, "Attacks in Beni, Congo: Behind the Violence," African Arguments, Feb. 12, 2015. Online at <http://africanarguments.org/2015/02/12/attacks-in-beni-congo-behind-the-violence-by-fidel-bafilemba-and-jasper-kubasek/>

<sup>79</sup> *East Africa Regional Conflict and Instability Assessment: Final Report* (Washington: U.S. Agency for International Development, March 2012). Online at <https://dec.usaid.gov/dec/content/Detail.aspx?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDNmY2Uy&rID=MzIxMzI3>.

some government officials are probably more supportive of their work because of the involvement of civil society.<sup>80</sup>

In Nigeria, the insecurity created by organized crime has triggered responses among program staff and participants. Medical doctors at health facilities linked to the HIV/AIDS program have advocated for improved hospital security through lobbying the Nigerian Medical Association of Rivers State and the Association of Heads of Rivers State Government-owned Hospitals. When staff members in their hospitals are kidnapped, doctors have pressured security agencies to respond. In addition, local councilors involved in USAID's local governance program have appealed to government for increased security at their offices. However these efforts by individuals or small groups of individuals are not sufficient to lead to a shift in political will.

As for civil society, a strong critique emerging from the interviews relates to the professionalization of CSOs, as contrasted with the earlier generation of political activists who risked their lives in the struggle against military rule in Nigeria. According to this view, international support for civil society has transformed the traditionally value-based and independent voice of activism into an attractive career option for graduates who may not have the requisite skills in policy analysis, or personal motivation, to make meaningful change. Moreover, many CSOs are seen to have been both corrupted and co-opted by political actors. In brief, the overall clout and influence of civil society in advocating for institutional change may be more limited than required.<sup>81</sup>

While organized crime and insecurity are a source of great concern to citizens, people do not readily see a case for collective action. The known complicity of the political class creates a real sense of the intractability of the problems and perhaps a sense of helplessness in addressing them. Several informants noted how the traditional nature of the society, and underdevelopment more broadly, act as a counter force to mobilization. As one informant framed it, elites will never allow too much development because it will undermine their interests. However, this research did not focus on elections, which have historically been an important site where battles for social and political change are fought in Nigeria, and may have overlooked a viable avenue for collective action.<sup>82</sup>

In Guatemala, interviews conducted for this research suggested that problems of organized crime have not galvanized society to advocate for change. As noted above, the legacy of the civil war has left Guatemalans passive in the political realm. Most are afraid to speak out against corruption and organized crime and they do not trust the government to solve the problem. More than one interviewee spoke about growing up during the civil war during which time the government harshly and violently repressed dissent coming from the left. Moreover, they have the option of emigrating, and many choose "exit" rather than "voice" in the face of intolerable conditions.<sup>83</sup>

Events following the fieldwork, however, temper this assessment. In April 2015, CICIG revealed a customs fraud network operating out of the Vice President's Office. In response to the revelation, President Pérez Molina accepted the resignation of Vice President Baldetti and renewed CICIG's term until 2017. In July 2015, CICIG released another report showing how drug trafficking and corruption are the principal sources of financing for political parties. In a departure from the sense of passivity described

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<sup>80</sup> COR, Capacity Building for Responsible Minerals Trade project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform, interview with Phyllis Dininio by phone, June 18, 2015.

<sup>81</sup> This resonates with a broad discussion on civil society in Africa which it is beyond the scope of this study to assess in the case of Rivers State. The above text is not intended to imply that there are not excellent NGOs implementing important programs – both advocacy and service delivery – in the region, which there are.

<sup>82</sup> Due to sensitivities between the U.S. Mission and the Nigerian government at the time of research, and given its overall timing right in the middle of preparations for the 2015 elections, this particular avenue for the research was taken off the table.

<sup>83</sup> Representative, Acción Ciudadana/Transparency International, interview with the MSI research team, Guatemala City, Guatemala: March 17, 2015.

during interviews, tens of thousands of protestors have converged weekly in front of the Guatemala City's Municipal Palace calling for the president's resignation and speaking out against corruption. The organizers are educated, middle-class citizens using Facebook, and have made clear that no political party or group is behind the protests.<sup>84</sup>

There are also some civil society organizations who advocate for change and whose efforts receive significant attention in Guatemala. The Myrna Mack Foundation actively organizes civil society in support of human rights and to hold the Guatemalan government accountable for public security and the fight against organized crime and corruption. Donors have supported other NGOs working on issues related to organized crime such as Acción Ciudadana, the local chapter of Transparency International, and Asociación de Investigación y Estudios Sociales (ASIES). Several media organizations, particularly the weekly magazine *Contrapoder* and newspaper *El Periódico*, have conducted excellent investigative reporting on organized crime and corruption.

There have also been a few examples of political actors who have advocated for institutional change, notably Claudia Paz y Paz. An expert in criminal law and judge, she was named Attorney General during the Alvaro Colom presidency. During her tenure, which continued through the first two years of the Pérez Molina presidency, Guatemala enacted a number of criminal justice reforms and made significant strides in prosecuting organized crime figures.

Although there has not been broad-based civil society pressure on the government in the past, the notoriety and scale of Guatemala's organized crime problem (including having among the highest homicide rates in the world) and the focused efforts of Guatemala's human rights organizations have had an effect on government policy as well as USAID development programs. USAID has responded to civil society legislative reform efforts by putting these front and center in its programming. New laws supported by USAID for their enactment and implementation include a law to regulate private security companies, which are believed to be used by organized crime to launder money, an anti-corruption law, an asset seizure law, a law on organized crime, and legislation on violence against women and femicide. USAID's involvement prior to the enactment of these laws focused on supporting civil society organizations in their efforts to increase citizen and media knowledge of the need for and content of the proposed legislation. Once laws were enacted, USAID programming has helped these groups disseminate information on the laws and provided technical assistance to government agencies to help them implement the law.

For example, upon passage of the anti-corruption law, USAID supported the National Association of Municipalities and the National Association of Indigenous Mayors to produce and distribute to municipal officials guides on the requirements of the new law with instructions on how to implement the law.<sup>85</sup> In Petén department, USAID had worked with local civil society organizations to increase awareness of the importance of protecting the environment in the Mayan biosphere. Pressure from these groups increased calls for improved prosecution of environmental crimes, such as illegal logging. In response, USAID expanded the Security and Justice Reform Project's scope of work to include strengthening local criminal justice institutions in Petén, whereas previously the project had worked only at the national level.<sup>86</sup>

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<sup>84</sup> "How a peaceful protest changed a violent country," *BBC Trending*, May 27, 2015. Online at <http://www.bbc.com/news/blogs-trending-32882520>.

<sup>85</sup> Secretario Ejecutivo, National Association of Municipalities, and Executive Director, Guatemala Association of Indigenous Mayors and Authorities, interview with the MSI research team, Guatemala City, Guatemala, March 25, 2015.

<sup>86</sup> Chief of Party, USAID Security and Justice Project, interview with the MSI research team, Guatemala City, Guatemala, March 19, 2015.

# IMPACT OF USAID PROGRAMMING ON ORGANIZED CRIMINALITY

## WEAKENING ORGANIZED CRIMINAL ORGANIZATIONS

Based on interviews conducted for this research, all the eastern DRC programs reviewed have strengthened community and/or state capacities to fight organized crime, and three of the programs have weakened organized criminal organizations directly. Of the latter, the two minerals programs have weakened criminal groups involved in minerals trafficking. Their efforts to establish conflict-free mineral certification and traceability systems have shown local people that they can make twice as much money by following the rules than by engaging in smuggling, which has diminished the flows of illicit cassiterite, wolframite and coltan.<sup>87</sup> Pilot projects have also created community governance structures for monitoring conflict-free supply chains that have reduced corruption and increased reporting on illegal trafficking by army officers.<sup>88</sup>

The media program has also weakened organized criminal groups directly. In Kolwezi, Katanga province, a partner radio station reported extensively on killings by a local gang, which built up community pressure for the local authorities to respond. In a departure from the prevailing impunity, the police mobilized and dismantled the gang. In another case, a partner radio station in Kamina reported on the escape of a powerful Tanzanian crime figure from prison involving the complicity of security officials, and a listener was able to identify him and lead to his re-capture.<sup>89</sup>

Programs with an indirect effect on organized crime include the governance program and community recovery program. The evaluation of the former found some evidence of changing mentality of public officials towards greater accountability to citizens such as participatory budgeting and planning, consultative committees for citizen oversight and feedback, and other meetings held jointly between citizens and government officials. It also found anecdotal evidence that CSO advocacy campaigns to reduce police corruption reduced the number of times cars were stopped for bribes in Bukavu.<sup>90</sup> According to interviews, the community recovery program has also strengthened communities through public forums and community supervision of jointly agreed public infrastructure projects, which form the foundation of a social accountability process.

Similarly, the food security program has strengthened community and state capacities through its governance work. It has involved local authorities in the development of their community and provided accountability and management training. At the same time, it has supported youth and women's associations, set up village savings and loans associations, and revitalized local development committees that participate in drafting and revising local development plans as well as monitoring their implementation. More generally, the program has operated with integrity and has a zero tolerance for corruption. Senior staff stressed the importance of setting the bar high in their own organization, and showing staff, partners, participants and others a just and accountable way of working. For example, the program faced obstruction in the testing of food commodities at the port in Goma and pursued a lengthy

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<sup>87</sup> The conflict-free mineral certification and traceability systems are helping to make operational the 2010 U.S. Dodd-Frank Act. COR, Capacity Building for Responsible Minerals Trade project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform, interview with Phyllis Dininio by phone, June 18, 2015.

<sup>88</sup> *Democratic Republic of the Congo Country Development Cooperation Strategy 2015 – 2019* (Washington: U.S. Agency for International Development, 2015). Online at [http://pdf.usaid.gov/pdf\\_docs/pa00jxg9.pdf](http://pdf.usaid.gov/pdf_docs/pa00jxg9.pdf).

<sup>89</sup> Chief of Party, Media Sector Development Program, interview with Phyllis Dininio by phone, June 30, 2015.

<sup>90</sup> *Final Performance Evaluation: Programme de Bonne Gouvernance (PBG) in the Democratic Republic of Congo (DRC)* (Washington: U.S. Agency for International Development, 2014). Online at <https://dec.usaid.gov/dec/content/Detail.aspx?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDNmY2Uy&rID=MzUyMzU3>.

court case which took six months and led to some food spoiling rather than paying a bribe to resolve the issue.<sup>91</sup>

The sexual and gender-based violence program has strengthened community capacity through community platforms, called noyaux, which comprise 25 local leaders. Rather than strengthening a specific CBO, the noyaux structure brings CBOs together. The 2014 Annual Report noted that many noyaux were taking on additional development activities outside of the program's mandate such as constructing roads and health centers, initiating agricultural endeavors, conducting health campaigns and mediating boundary disputes. These initiatives demonstrate clear ownership of their own development and the level of their commitment to change in the community.<sup>92</sup> The program has also had impact at an individual level. In one instance, subcontractor staff in the Beni area convinced a brothel owner to close the brothel and she has become a spokesperson for gender rights.<sup>93</sup>

In Nigeria, the local governance program has strengthened the accountability of local government and had a potential impact on organized crime. The mid-term evaluation report of the local governance program concludes that the program has facilitated the improvement of internal structures and the strategic planning capacity of local government; increased the transparency of local government operations; increased local government revenues; increased the capacity of local organizations; and improved service delivery.<sup>94</sup> Interviewees in Rivers clearly recognized a potential benefit from these results in also indirectly narrowing the space for organized crime to take root and reducing incentives for people to be drawn into it. This indicates a good recognition on the ground of the link between institutional fragility and organized crime. In Sokoto, by contrast, interviewees emphasized the potential impacts of efforts to address crime at the individual level, while saying little about efforts to address organized crime institutionally. Several cited programs with psycho-social counseling as noteworthy ways to counter organized crime.

The conflict training program sponsored a live television program that addressed some of the issues relevant to organized crime including drug abuse and political violence. In principle this could be a good vehicle for opening up social awareness and debate on the issues, however the program was broadcast late on Friday evenings so few people viewed it.

In Guatemala, USAID programming has helped to weaken organized crime both directly and indirectly. Successive projects to strengthen the rule of law have contributed directly to the fight against organized crime. In 2006, USAID supported a new 24 Hour Court model for arraignment courts. Through this model, judges are available 24 hours a day to enable detainees to come before a judge within six hours after an arrest. Before the 24 Hour Court model, most cases were dismissed for lack of merit, often because the police officer who made the arrest was not present at the hearing when it was held, often days later. With the new model, the number of cases dismissed for lack of merit has been reduced from 77% to less than 15%. 24 Hour Court judges and administrators also work on rotating shifts so that those appearing in front of the court never know which judge or administrators will be involved in the hearing. This procedure reduces organized crime's ability to corrupt the judicial process.

The court's efficiency in remanding to custody those accused of serious crimes led the Supreme Court to grant this court the authority to immediately issue search, seizure, and arrest warrants. According to interviews conducted for this research, this authority has become a critical tool for fighting organized crime. In other courts, warrants are processed through judicial processes that typically result in a 12 to 36

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<sup>91</sup> Chief of Party, RISE, and Country Director, Mercy Corps, interview with Phyllis Dininio by phone, June 25, 2015.

<sup>92</sup> *Ushindi Project and Women's Leadership Report: Overcoming Sexual and Gender-Based Violence in Eastern D. R. Congo: Annual Report Year 4*, (New Windsor, Md.: IMA World Health, 2014). Online at [http://pdf.usaid.gov/pdf\\_docs/PA00K8BR.pdf](http://pdf.usaid.gov/pdf_docs/PA00K8BR.pdf).

<sup>93</sup> Chief of Party, USHINDI, interview with Phyllis Dininio by phone, June 25, 2015.

<sup>94</sup> Birgells, Edward, Kabir Mato, and Dr. Adewale Adeogun. *Mid-Term Performance Evaluation of the Leadership, Empowerment, Advocacy and Development (LEAD) Project* (Washington: USAID, 2013). Online at [http://pdf.usaid.gov/pdf\\_docs/pbaaa135.pdf](http://pdf.usaid.gov/pdf_docs/pbaaa135.pdf).

hour delay. The authority to issue warrants immediately has proven to be one of the most important tools in fighting organized crime because it allows police and prosecutors to arrest accomplices and search for and seize evidence before it can be destroyed.<sup>95</sup>

USAID is also supporting Guatemala's ability to convict those accused of organized crime through its support of forensic evidence collection. Given the highly violent nature of criminality in Guatemala and the lack of a witness protection program, many witnesses are reluctant to testify in cases that involved organized crime and *maras*. To address this issue, USAID is assisting the Guatemala Forensic Institute in obtaining ISO 17025 certification for procedures used in ballistics, genetics and toxicology. Reliable forensic evidence helps increase conviction rates.

The High Impact Crime Court is another example of how USAID is helping Guatemala to fight organized crime. This court has a few specialized judges who hear high impact crime cases such as organized crime, kidnappings, narco-trafficking, gangs and trafficking in persons and has successfully prosecuted a number of organized crime and gang members. Rather than dispersing these challenging cases among the standard courts, this court centralizes the process, which creates fewer avenues for corruption and greater transparency in organized crime prosecutions.<sup>96</sup> The court also provides greater security for justice sector personnel.

USAID also helped to create a preventive police force within the National Civilian Police that works directly with community leaders and organizations to develop violence and crime prevention plans. The prevention strategies had the effect of reducing violence and crime in some of Guatemala's most crime-ridden areas.<sup>97</sup> Moreover, the USAID project helped build trust between the community and the police, which has increased community members' cooperation with police investigations.<sup>98</sup> USAID is also helping the national Public Ministry (Attorney General's Office) to design a national crime policy.

Through an elections project, USAID is working with Congress on a legislative reform agenda that includes a revised Electoral and Political Parties Law and new security and justice legislation. One implementing partner acknowledges the difficult operating environment, but thinks these efforts together could have an impact on organized crime.<sup>99</sup> The project's focus on reducing illicit financing of electoral campaigns includes support for civil society and media monitoring of candidate and political party spending and support for the Supreme Electoral Tribunal. While these do not fight organized crime per se, they may help to reduce the criminal infiltration of the political system in some cases.

In addition to these direct efforts to weaken organized crime USAID has helped strengthen community and state capacity more broadly, which could help to fight organized crime. The Violence Prevention Project worked directly with neighborhood and municipal organizations to support their drafting and implementing crime and violence prevention plans with municipal officials and preventative police. This exercise helped strengthen community organizations and municipal governance structures because the plans were designed and implemented in a transparent and participatory manner. The Local Governance Project also strengthens municipal governance by providing support to 30 municipalities on citizen engagement, improved capacity, and systems of governance, and to the National Association of Municipalities and the National Association of Indigenous Mayors and Affiliates, which create guides and provide training to municipal officials in topics such as financial management and procurement. These

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<sup>95</sup> Judge, Asset Seizure Court, interview with the MSI research team, March 18, 2015.

<sup>96</sup> Judge, High Impact Court, interview with the MSI research team, Guatemala City, Guatemala, March 18, 2015.

<sup>97</sup> Berk-Seligson, Susan, Diana Orcés, Georgina Pizzolitto, Mitchell A. Seligson, and Carole J. Wilson. *Impact Evaluation of USAID's Community-Based Crime and Violence Prevention Approach in Central America: Regional Report for El Salvador, Guatemala, Honduras and Panama* (Nashville: Latin American Public Opinion Project, 2014). Online at [https://www.usaid.gov/sites/default/files/documents/1862/USAID-LAPOP\\_Crime\\_Prevention\\_Impact\\_Evaluation\\_-\\_Regional\\_Report\\_-\\_Final\\_-\\_2014-10-29.pdf](https://www.usaid.gov/sites/default/files/documents/1862/USAID-LAPOP_Crime_Prevention_Impact_Evaluation_-_Regional_Report_-_Final_-_2014-10-29.pdf)

<sup>98</sup> Comisario Director, National Civil Police, interview by the MSI research team, Guatemala City, Guatemala, March 19, 2015.

<sup>99</sup> Chief of Party, National Democratic Institute, interview by the MSI research team, Guatemala City, Guatemala, March 18, 2015.

efforts alone cannot defeat organized crime, but can contribute to their weakening especially if done alongside other efforts.

Indeed, the protests that erupted in the wake of CICIG investigations into customs fraud network operating out of the Vice President's Office and the corrupt financing of political parties provides a lens for viewing the significance of USAID programming in broader efforts to weaken organized crime. While CICIG's investigations and the activism of concerned Guatemalans were the key forces at work in these events, USAID programming has supported their efforts. USAID media and civil society programming has supported the flow of information on and networks of people fighting corruption, which has likely helped galvanize these protests, and USAID rule of law programming has strengthened judicial processes, which may help improve the prospects of the arrests leading to convictions.

## **INADVERTENTLY STRENGTHENING CRIMINAL ORGANIZATIONS**

By and large, interviews across the three countries dismissed the possibility that the USAID programs included in this research could directly benefit organized crime. However, they agreed that the biggest risk of USAID programming inadvertently strengthening criminal organizations arises from USAID's need to work with government officials, who may be part of or linked with organized criminality. USAID partnership may increase their legitimacy by enabling them to provide services, while the financial or material assistance may be redirected to criminal purposes. With regards to the local governance program in Nigeria, more than one interviewee suggested that council members are implicated in the very governance practices the program is aiming to impact. In Guatemala, one interviewee noted that the mayor of Villa Nueva has received funds from USAID and is reportedly supporting a number of candidates for Congress as part of a shadow network.<sup>100</sup>

Similarly, given the criminal penetration of criminal justice institutions, the Security and Justice Reform Project in Guatemala inevitably comes into contact with corrupt officials. While police officers who participate in USAID projects are subject to Leahy vetting on human rights violations, some officials may be collaborating with organized crime groups but not be detected by the vetting process. Moreover, being a recipient of USAID-sponsored training is perceived as having received a "bill of good health," making honest officials more likely to consider the participant for highly sensitive positions or promotions. In this way, USAID programming may unintentionally advance the penetration of organized crime within state institutions. However, the fieldwork for this study did not encounter evidence of this having happened.

The procurement of goods and services from businesses that are controlled by members of organized crime represents another way USAID program could inadvertently strengthen criminal groups. USG and USAID regulations require that purchasers verify that a business is not listed as excluded on the SAM list or included on the Specially Designated Nationals (SDN) list. However, not all businesses linked to organized crime are on this list. The Local Governance Project in Guatemala is taking measures to reduce this risk by supplementing its mandatory searches of the SAM and SDN list with an informal list of business establishments that are understood to be owned by organized crime figures. The project also added an additional procurement staff member in the Huehuetenango project office to prevent the project from inadvertently supporting organized crime when conducting common, local procurements.

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<sup>100</sup> Professor, Universidad Rafael Landívar, interview by the MSI research team, Guatemala City, Guatemala: March 17, 2015.

## ADJUSTING PROGRAMS GIVEN ISSUES OF ORGANIZED CRIMINALITY

Interviewees suggested a number of ways they could structure or focus programs differently given issues of organized criminality. These range from a shift in strategic approach during the design stage to responding flexibly to new challenges or opportunities during implementation to employing cautionary operational procedures that take the high-crime context into account.

Particularly for programs that target an aspect of organized crime, the strategic approach during the design stage could benefit from a comprehensive analysis of organized crime as a whole. The two minerals trade programs in the DRC, for example, focused initially on cassiterite (tin), wolframite (tungsten) and coltan (tantalum), known as the “3 T” minerals, which involve fewer mines and so are easier to tackle than other illicit supply chains, but they also represent a smaller share of organized criminal activity. The focus on the 3 Ts has also shifted some illegal activity to gold. The programs have since expanded to address illicit gold trafficking, but they might have approached these related minerals in a more integrated way from the beginning. In Guatemala, interviewees stressed that USAID programming needs to attack the problem of violence and criminality in an integrated manner that recognizes their multiple causes, such as inequality, exclusion, poverty, lack of education and jobs, and crumbling family structures, and not just focus on law enforcement.

Given issues of organized criminality, selectivity in program partners and locations could also benefit USAID programming. Taking the time to examine dynamics in a community before including it in program activities could improve program results and sustainability. This includes examining possible links between community leaders and organized crime.

Responsiveness to issues of organized crime during implementation could also improve USAID program results. Interviewees noted that organized crime is very fluid, so USAID should incorporate flexibility into project design that would enable implementing partners to respond accordingly. For example, USAID/Guatemala’s local governance project works in 30 municipalities and local elections scheduled for September 2015 will likely bring to office some individuals with links to organized crime. The ability for the project to shift out of those municipalities or adjust programming with them would benefit program effectiveness. As another example, the USAID/Nigeria health project examined in this study includes a government advocacy strand, which focuses on government health budgeting. However, given the disruptions to health sector partners caused by insecurity, an advocacy effort to provide government protection to health facilities might be sensible.

Interviewees also identified shifts to operational procedures that could benefit USAID programming results given issues of criminality. In the case of the health program in Nigeria, staff have made the case to their head office for extra staff to help with the “mopping up” given that they are at one and the same time trying to make up for unanticipated disruptions and continuing with current implementation. Where insecurity poses significant disruptions to programs, offering security training not just to program staff, but to program participants could improve response systems. Requiring USAID implementing partners to have security plans that clarify their risk awareness and risk threshold would also be useful in insecure contexts. Better coordination with other agencies and organizations on security and crime could also improve project implementation. In the eastern DRC, interviewees identified the Interagency Eastern Congo Group as a useful coordination mechanism within the USG, but noted that improved coordination with MONUSCO’s Security and Stabilization Unit would be helpful.

## KEY FINDINGS AND RECOMMENDATIONS

### CRIME-SENSITIVE APPROACH

Across the three case studies, programs operate with a range of crime sensitivity. Some programs directly target organized crime, typically due to an identified political prioritization, such as the Central American Regional Security Initiative (CARSI) in the case of democracy and governance programs in Guatemala or conflict minerals in the case of the DRC. Other programs have become crime sensitive because they are greatly affected by organized crime, such as the health program in Nigeria or Food for Peace program in DRC. But other programs in the same Mission are not as crime sensitive, such as the agriculture program in the Western Highlands of Guatemala or the governance program in the DRC.

Yet a strong case emerges from this study for integrating a sound analysis of organized criminality into development programming in high-crime contexts. The case studies affirm a need to anticipate the potential for criminal activity to affect program delivery or for USAID programming to inadvertently strengthen criminal organizations far earlier into thinking, ideally at the design stage and specified in project solicitations. The biggest risk of USAID programming inadvertently strengthening criminal organizations arises from USAID's need to work with government officials, who may be part of or linked with organized criminality. The procurement of goods and services from businesses that are controlled by members of organized crime represents another way USAID program could inadvertently strengthen criminal groups. In order to avoid inadvertent support to criminal networks, due diligence should inform all new programs and interventions. This is especially true where USAID programs involve large amounts of money. Finding creative ways to advance program goals without becoming complicit in the adverse localized political economies presents a major challenge around which awareness and experience need to be developed. While focused on drug trafficking in Africa, a recent USAID report provides practical guidance to Missions on how to factor in a crime-sensitive lens that is germane to other criminal activities and geographic regions.<sup>101</sup> In addition, the present research points to geographic information systems (GIS) as an effective tool for analysis in some cases. For example, the DRC Mission is using GIS to map conflict and program interventions along minerals trade routes, which elucidates where heightened criminal activity may be concentrated and where conflict sensitivity is most needed.

### DEDICATED ANTI-CRIME EFFORTS

A need for more explicit and dedicated efforts to tackle organized crime through development programming also emerges from this research. With regard to the Delta, for example, the major conclusion drawn is that there is need for a serious intervention to tackle gangs linked to oil bunkering and the post-Amnesty situation. Yet budgeting for USAID governance and conflict work is inadequate and dwindling, so it is not clear whether USAID will be in a position to fill the programming void on this issue. Another option is to coordinate and advocate for such interventions among partners to ensure another entity, whether government, donor or otherwise, is effectively programming against this problem.

Four broad sets of development sector competencies are especially well poised to address organized crime. These are identified by a number of recent studies that recommend programming responses to development actors on these issues,<sup>102</sup> and are summarized and expanded upon in Table 3 below. There

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<sup>101</sup> See Lawson, Brooke Stearns, and Phyllis Dininio. *The Development Response to Drug Trafficking in Africa: A Programming Guide* (Washington: U.S. Agency for International Development, 2013, p. 3). Online at [https://www.usaid.gov/sites/default/files/documents/1860/Development\\_Response\\_to\\_Drug\\_Trafficking\\_in\\_Africa\\_Programming\\_Guide.pdf](https://www.usaid.gov/sites/default/files/documents/1860/Development_Response_to_Drug_Trafficking_in_Africa_Programming_Guide.pdf).

<sup>102</sup> See especially: *Getting Smart and Scaling Up: Responding to the Impact of Organized Crime on Governance in Developing Countries* by Camino Kavanaugh et al.; "Crime and Error: Why We Urgently Need a New Approach to Illicit Trafficking in Fragile States" by Ivan Briscoe and Elisa Dari; *Termites at Work: Transnational Organized Crime and State Erosion in Kenya* by Peter Gastrow; and *Organized Crime, Conflict and Fragility: A New Approach* by Rachel Locke.

are both institutional and individualized components that need to be understood and programmed against when it comes to organized crime.

**TABLE 3: POTENTIAL PROGRAMMING TO ADDRESS ORGANIZED CRIME**

<p><b>Democracy, governance and peace-building</b></p>	<ul style="list-style-type: none"> <li>• Addressing collusion and infiltration of state institutions by organized criminal networks as part of the wealth of interventions undertaken under an anti-corruption umbrella;</li> <li>• Getting “dirty money” out of politics through interventions in electoral reforms, institutions and monitoring;</li> <li>• Improving citizens’ access to information about organized crime, its modalities and impacts through support to civic and media empowerment as well as dialogue processes exploring the relationship between organized crime and fragility. Such interventions will also assist in advancing state legitimacy and narrowing the scope for political actors to engage in organized crime;</li> <li>• Ensuring criminal agendas are well understood and addressed in peace-making and intervening in organized criminal gang clashes using mediation and other peace-building tools;</li> <li>• Promoting reconciliation, healing and citizens’ trust in state institutions in settings affected by high levels of violence associated with crime.</li> </ul>
<p><b>Security sector reform and rule of law</b></p>	<ul style="list-style-type: none"> <li>• Enhancing accountability and effectiveness of the judiciary, to uphold the rule of law and limit the space for collusion between predatory elites and criminal networks;</li> <li>• Ensuring criminal justice systems are fair and humane and do not serve to create breeding grounds for increased criminality;</li> <li>• Enhancing accountability and rights-based conduct of police forces and the military both in countering crime and as they relate to at-risk communities;</li> <li>• Strengthening capacity of special agencies such as park rangers, border guards and others to tackle smuggling;</li> <li>• Reducing availability of weapons;</li> <li>• Gathering and monitoring crime data.</li> </ul>
<p><b>Livelihood opportunities and pro-poor growth</b></p>	<ul style="list-style-type: none"> <li>• Stimulating alternative livelihood opportunities for populations involved in or at risk of crime;</li> <li>• Engaging communities in forest management;</li> <li>• Strengthening the enabling environment for legitimate businesses in both the formal and informal sectors to grow and flourish;</li> <li>• Supporting such efforts as the Extractive Industries Transparency Initiative and the Kimberley Process Certification Scheme.</li> </ul>
<p><b>Public health</b></p>	<ul style="list-style-type: none"> <li>• Raising awareness about the health and other risks associated with narcotic consumption;</li> <li>• Working with authorities to provide treatment centers;</li> <li>• Limiting the reach of domestic markets.</li> </ul>

The case studies did not touch on all these potential programming responses, but did affirm the broad contributions of governance and civil society programming to anti-crime efforts, in addition to the usual set of program responses in the criminal justice realm. By making progress against state fragility, governance programs that increase transparency and accountability can also narrow the space for organized crime to operate and reduce the incentives for officials to participate in it. As well, civil society programs that support community mobilization and advocacy around weak governance can buttress anti-crime efforts and generate stronger programming results. The more effective and legitimate is the state and the more mobilized is civil society, the more effective anti-crime efforts will be.

## POLITICAL DIMENSIONS OF ORGANIZED CRIME

To date, development actors have emphasized individual and community-level responses to organized crime, displaying limited attention to the political dynamics underpinning crime.<sup>103</sup> For example, an evaluation of a USAID program in Central America points to some important community-level impacts and successes, but is silent on the wider political economy known to be at work in shaping criminal behaviors in that region.<sup>104</sup> By contrast, initiatives such as the international community's insistence on vetting of Afghan electoral candidates in the first post-agreement elections in 2005 to detect and deter overt linkages with organized criminal networks stand out as exceptional for attempting to grapple with the political dimensions of organized crime.<sup>105</sup> There is a need to scale up governance-focused interventions to meaningfully tackle the political dimensions of organized crime.

## FLEXIBILITY IN PROGRAMMING

The case studies also point to the importance of flexibility for USAID projects operating in high-crime contexts. Flexibility in project design allows implementing partners to respond to increases in violence or official complicity in organized crime. This includes the flexibility to close down activities, shift locations, or introduce complementary programming activities that respond to shifting threats and opportunities. In situations where government counterparts are identified as complicit, flexibility can signal a recognition of the political dimensions of organized crime and reinforce U.S. values around corruption and accountability.

## PROTECTIVE MEASURES

The need for protective measures to mitigate risks to program staff and participants also emerges from this research. Some of the programs examined for this research are being delivered in a situation that equates to a war zone, and ought to be capacitated accordingly. This includes resources for security personnel, security training, security monitoring and security plans. As illustrated by these cases, a range of design and implementation considerations can also mitigate risks such as providing anonymity or reducing geographic proximity between those carrying out program activities and the criminal organizations they are targeting. In all phases of the program cycle, Mission staff and implementing partners should devote careful attention to potential security risks and ways to mitigate them.

## BETTER COORDINATION

Closer links between USAID and other U.S. agencies intervening on organized crime would enhance the work of government as a whole, as stressed in the 2015 Quadrennial Diplomacy and Development Review.<sup>106</sup> Strategic and joined-up approaches across law enforcement, development and diplomacy would enhance interventions in all areas. By contrast, a lack of coordination not only undermines

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<sup>103</sup> See Cockayne, James. *State Fragility, Organized Crime and Peacebuilding: Towards a More Strategic Approach* (Oslo: Norwegian Peacebuilding Resource Centre (NOREF), September 2011). Online at [http://www.peacebuilding.no/var/ezflow\\_site/storage/original/application/2af427c8039ed02db6fd29fab1144aa8.pdf](http://www.peacebuilding.no/var/ezflow_site/storage/original/application/2af427c8039ed02db6fd29fab1144aa8.pdf).

<sup>104</sup> Berk-Seligson, Susan, Diana Orcés, Georgina Pizzolitto, Mitchell A. Seligson, and Carole J. Wilson. *Impact Evaluation of USAID's Community-Based Crime and Violence Prevention Approach in Central America: Regional Report for El Salvador, Guatemala, Honduras and Panama* (Nashville: Latin American Public Opinion Project, 2014). Online at [https://www.usaid.gov/sites/default/files/documents/1862/USAID-LAPOP\\_Crime\\_Prevention\\_Impact\\_Evaluation\\_-\\_Regional\\_Report\\_-\\_Final\\_-\\_2014-10-29.pdf](https://www.usaid.gov/sites/default/files/documents/1862/USAID-LAPOP_Crime_Prevention_Impact_Evaluation_-_Regional_Report_-_Final_-_2014-10-29.pdf)

<sup>105</sup> See Shaw, Mark. "Drug Trafficking and the Development of Organized Crime in Post-Taliban Afghanistan," in *Afghanistan's Drug Industry*, Doris Buddenberg and William A. Byrd, eds. (Washington: United Nations Office of Drugs and Crime and World Bank, 2003). Online at [http://www.unodc.org/documents/afghanistan/Counter\\_Narcotics/Afghanistans\\_Drug\\_Industry\\_UNODC\\_World\\_Bank.pdf](http://www.unodc.org/documents/afghanistan/Counter_Narcotics/Afghanistans_Drug_Industry_UNODC_World_Bank.pdf).

<sup>106</sup> *Enduring Leadership in a Dynamic World: Quadrennial Diplomacy and Development Review*, (Washington: U.S. Department of State, 2015). Online at <https://www.usaid.gov/qddr/>.

effectiveness, but can also lead to unbalanced interventions that unintentionally reinforce heavy-handed security approaches.

In conclusion, this research has unpacked the links among organized crime, conflict and fragility and provided clear illustration of the relevance of organized crime to USAID's conflict and fragility programming. The research found that organized crime poses a direct challenge to meeting specific program targets set by fragility and conflict programs. No evidence was reported that indicated that organized crime posed a fundamental challenge to overall program implementation. However, any program designed to address fragility that has inadvertently supported organized crime will, undoubtedly undercut its overall objectives. The case studies underscore the importance of crime-sensitive programming and suggest ways for Missions to incorporate flexibility and a range of protective measures into program design and implementation. They also highlight the need for dedicated resources to address criminality in high-crime contexts and affirm the broad contributions of governance and civil society programming to anti-crime efforts. Alongside these contributions, future research is needed to examine development agency responses to organized crime in order to gather lessons and identify opportunities to enhance impact in different contexts.

# **ANNEX I – PROJECT DESCRIPTIONS**

## **DEMOCRATIC REPUBLIC OF CONGO**

### **CAPACITY BUILDING FOR RESPONSIBLE MINERALS TRADE (CBRMT) PROJECT**

The Capacity Building for Responsible Minerals Trade (CBRMT) project (2014-2015) strengthens the capacity of national and regional actors to establish and scale-up conflict-free mineral certification and traceability systems from artisanal and small scale mining for the 3Ts and gold. Specifically, the activity assesses and improves a mining and resource rights policy framework; builds the capacity of key actors within the supply chain; scales-up the certification and traceability systems piloted by USAID and expands systems to include gold; builds the capacity of the International Conference of the Great Lakes Region and the Independent Mineral Chain Audit Function; and supports initial third-party exporter audits. The activity also increases linkages with the private sector to begin transforming the region’s mineral wealth into a foundation for economic growth.

### **COMMUNITY RECOVERY AND LIVELIHOODS PROGRAM**

The Community Recovery and Livelihoods Program (2012-2016), also known as Tufaidike, aims to enhance stable socio-economic recovery in 70 communities in Ituri District, North and South Kivu Provinces. The project uses a combined community- driven approach to support three project pillars of peacebuilding, governance and livelihoods. Crosscutting support will be given on the themes of inclusion (especially of women), conflict sensitivity, good governance principles and participatory monitoring and learning. The intended results in the targeted communities are to develop or strengthen conflict prevention and management capacity, strengthen citizens’ participation in good governance and improve livelihoods.

### **CONFLICT-FREE SUPPLY CHAIN INFRASTRUCTURE AND REGULATORY REFORM**

With the Conflict-Free Supply Chain Infrastructure and Regulatory Reform project (2012-2016), USAID enhances civilian control of the DRC’s mineral trade through the demonstration of conflict-free supply chains. This activity establishes pilot certification and traceability systems in 105 sites in eastern DRC, monitors security, provides training to Mines ministry personnel, rehabilitates and equips mineral trading centers and strengthens artisanal mining cooperatives.

### **MEDIA SECTOR DEVELOPMENT PROGRAM**

Media Sector Development Program (2010-2015) aims to improve the capacity of media outlets to provide reliable, objective news and information that contribute to stronger civic participation. It has four objectives:

1. Enhance the capacity and management of media institutions, particularly community radio and radio networks, to increase Congolese citizens’ access to information in the target provinces;
2. Improve the quality of news production through training of journalists, media managers and media practitioners;
3. Strengthen the legal framework for mass media, including legal protections for journalists and media businesses; and
4. Assist media outlets to provide more informative news and information, leading to increased involvement of Congolese constituencies in public affairs and decision making.

## **OVERCOMING SEXUAL AND GENDER-BASED VIOLENCE IN EASTERN CONGO (USHINDI)**

The Overcoming Sexual and Gender-Based Violence in Eastern Congo (USHINDI) Project (2010-2015) implements holistic approaches to combat Sexual and Gender Based Violence (SGBV) in the Eastern Democratic Republic of Congo by 1) Increasing access to timely and quality services for individuals affected by SGBV; 2) Improving the quality of services and interventions for individuals and communities affected by SGBV; and 3) Reducing the vulnerability of individuals to future acts of abuse and violence. The project operates in North and South Kivu and Maniema.

## **PROGRAMME DE BONNE GOUVERNANCE (PBG)**

The Programme de Bonne Gouvernance (PBG) (2009-2014) operated in four provinces (Bandundu, Katanga, Maniema and South Kivu). PBG focused on three tracks – civil society, parliaments and local government – that correspond to the three Intermediate Results (IRs): citizens demand accountability (IR1); selected parliaments are more democratic and effective (IR2); and laws, policies and procedures for decentralization are established and implemented (IR3). By midcourse in the project, PBG concentrated on support to revenue management by 12 Decentralized Territorial Entities (ETDs) with citizen participation.

## **RESOURCES TO IMPROVE FOOD SECURITY IN EASTERN DRC (RISE) PROGRAM**

Resources to Improve Food Security in Eastern DRC (RISE) program (2011-2016) is aimed at ensuring that vulnerable households and communities in North Kivu build and sustain their food security. The program focuses on improving agricultural production, controlling and eradicating crop disease, increasing household incomes, and preventing childhood malnutrition. Activities specifically address the challenges that vulnerable households face regarding food availability, access, and utilization. RISE aims to build communities' resilience to shocks by introducing and encouraging the adoption of sustainable household coping mechanisms, while being able to engage more efficiently in market activities. The program includes a substantial focus on good governance to ensure that the results achieved are sustainable.

## **GUATEMALA**

### **ACCIÓN JOVEN**

The purpose of the Acción Joven Project (2013-2015) is to create partnerships with the private sector to provide alternatives to violence to approximately 600 young people between the ages of 14 and 21 from the municipalities of Guatemala City and Villa Nueva. The target groups will be youth at risk of being recruited into organized crime. The project will provide participants with vocational training, internships and life skills based on market demand, and encourage corporate social responsibility among companies present in Guatemala City and Villa Nueva.

### **ELECTIONS: MORE INCLUSION, LESS VIOLENCE PROJECT**

The goal of the Elections: More Inclusion, Less Violence Project (2012-2017) is to institutionalize processes and strengthen traditionally marginalized civil society groups to mitigate the risks for political violence and illicit financing of electoral campaigns. The goal will be accomplished through four objectives: civil society organizations and media are effectively strengthened to prevent electoral violence and monitor campaign spending in targeted areas; capacity of the Supreme Electoral Tribunal to counter political violence and better regulate campaign finance is increased; capacity of the Guatemalan

government, Congress, Supreme Electoral Tribunal, political parties and civil society to promote and implement key reforms is increased; and cisgender and transgender women's political participation is strengthened for the 2015 and future elections. The project is working with 20 municipalities where election violence is a concern.

## **LOCAL GOVERNANCE PROJECT**

The Local Governance Project's (2014-2019) goal is to strengthen municipalities so they foster more responsive, inclusive, and effective socio-economic development while reducing local vulnerabilities such as food insecurity and natural disasters. The project will increase the capacity of local governments to raise revenue, respond to citizen concerns related to violence and security, food insecurity and global climate change and manage public resources in a participatory and financially sound manner. The project will also strengthen the capacity and systems of local governments to deliver basic services and develop and implement security plans; strengthen the National Association of Municipalities (ANAM) and the Guatemalan Association of Indigenous Mayors and Authorities (AGAAI); and strengthen civil society participation in decision-making via the Development Council System. This project works jointly with the Feed the Future initiative in 30 municipalities in Guatemala's Western Highlands, selected based on their inclusion in the Western Highlands Integrated Program. The Local Governance Project is called Nexos Locales in Spanish.

## **SECURITY AND JUSTICE SECTOR REFORM PROJECT**

The Security and Justice Sector Reform Project (2012-2017) supports institutional strengthening and reform efforts in the judicial branch, the Attorney General's Office, the National Civilian Police, and other security and justice sector institutions. Among other activities, the project provides technical assistance for a broad range of security and justice sector reform initiatives; strengthens civil society to help increase accountability and encourages citizen participation in security and justice sector issues; and assists with the implementation of key legislation in such areas as organized crime, human trafficking, and domestic and sexual violence. The project works with Guatemala's central government in Guatemala City although recently, USAID amended the project's scope of work to include strengthening the justice sector's ability to investigate and prosecute environmental crimes that are linked to larger criminal networks in the Maya Biosphere Reserve (Petén department).

## **VIOLENCE PREVENTION PROJECT**

The Violence Prevention Project's (2010-2014) objective was to strengthen the rule of law by building local and national awareness of the causes of crime and promoting crime prevention activities as a solution, using a community level approach and sustainable alliances to support crime prevention. The project promoted and facilitated sustainable interventions for at-risk youth to provide alternatives to joining gangs, committing crime, and engaging in violence as a means to settle conflicts or assert identity, as well as promoting and supporting the development of community-based policing, and supporting communities and local governments in the creation and implementation of crime and violence prevention plans. The project focused on at-risk youth in urban, suburban, and rural high risk communities, as well as local officials and police in 40 communities within 10 municipalities. The project selected communities and municipalities in consultation with USAID and other USG agencies under the Central American Regional Security Initiative (CARSI).

## **NIGERIA**

### **LEADERSHIP, EMPOWERMENT, ADVOCACY AND DEVELOPMENT PROJECT (LEAD)**

The objective of the Leadership, Empowerment, Advocacy and Development Project (LEAD) (2009-2014) is to improve local governance by strengthening the capacity of state and local governments, increasing transparency of local government operations, bringing constitutionally mandated Fiscal Responsibility and Public Procurement Laws to the local governance level; strengthening organizational and service capacity for service planning, budgeting and monitoring; and improving service in health and education through collaboration with other state and local projects and services. LEAD is implemented in Bauchi and Sokoto States in northern Nigeria and is part of the Focus States Strategy governance model created to demonstrate and achieve efficiency and synergy in programming by concentrating USAID resources in states where USAID believes they can most effectively be used.

### **STRENGTHENING INTEGRATED DELIVERY OF HIV/AIDS SERVICES (SIDHAS)**

The aim of the Strengthening Integrated Delivery of HIV/AIDS Services (2011-2016) project is to sustain cross-sectional integration of HIV/AIDS and TB services in Nigeria by building Nigerian capacity to deliver sustainable high-quality, comprehensive prevention, treatment, care and related services. The geographic scope of the project is 15 states located mostly in the Southern and the North-Eastern parts of the country. There are several integrated components to the project that includes capacity building for the Government of Nigeria; optimizing the continuum of care through a holistic, chronic care model; targeting gender-based barriers to accessing HIV/AIDS services; and introducing efficiencies and scaling-up innovations for Nigeria's health system.

### **TRAINING OF LEADERS ON RELIGIOUS AND NATIONAL COEXISTENCE (TOLERANCE)**

The goal of the Training of Leaders on Religious and National Coexistence project (2012-2017) is to increase political stability and ensure development in the northern regions of Nigeria by building peaceful coexistence among different faiths, mitigating extremism, and increasing legitimacy and capacity of governance structures to defend religious freedom. To achieve this, the project uses a variety of intervention approaches such as training in dialogue practices, interfaith discussion forums and building early warning networks and response systems. TOLERANCE interventions encourage participants to find deeper understandings of their own faiths and new perspectives across the religious divide. The project is focused on six states: Bauchi, Borno, Kaduna, Kano, Plateau and Sokoto states.

### **STRENGTHENING ADVOCACY AND CIVIC ENGAGEMENT PROJECT (SACE)**

The Strengthening Advocacy and Civic Engagement project (2014-2019) seeks to strengthen the capacity of national civil society clusters to engage on specific issues, such as extractives, education, local governance, women's participation, people with disabilities, and health to improve transparency, accountability and good governance in Nigeria. The project will support grants to 'anchor' civil society organizations that will provide leadership for the cluster. The project will work with eight national level CSOs with a focus on strengthening their organizational capacity and their engagement with key government and non-government stakeholders, as well as building strong public awareness on their issues. The project will also strengthen six CSOs and two business member organizations in the Niger Delta towards inclusive economic growth in partnership with Chevron Foundation's Partnership in the Niger Delta (PIND).

## ANNEX 2 – LIST OF INTERVIEWS

### DEMOCRATIC REPUBLIC OF CONGO

#### USAID

##### *By phone*

- AOR, Community Recovery and Livelihoods Program
- COR, Capacity Building for Responsible Minerals Trade Project and Conflict-Free Supply Chain Infrastructure and Regulatory Reform
- Manager, Programme de Bonne Gouvernance
- Manager, Media Sector Development Program
- COR, USHINDI

#### OTHERS

##### *By phone*

- Chief of Party, Community Recovery and Livelihoods Program
- Principal Researcher, CRESA
- Chief of Party, USHINDI
- Chief of Party, RISE
- Country Director, Mercy Corps
- Chief of Party, Media Sector Development Program
- Visiting Scholar, University of California, Berkeley
- Researcher, Congo Research Group, Center on International Cooperation
- Officer, Human Rights Watch, DRC

##### *In person*

- Chief of Party and Project Manager, Community Recovery and Livelihoods Program
- Program Manager at Heal Africa, USHINDI
- Senior Advisor at Heal Africa, USHINDI
- Chief of Party, USHINDI
- Chief of Party, and colleagues, RISE
- Focus group of beneficiaries at Kalungu, Community Recovery and Livelihoods Program (57 participants of which 26 women)
- Program Officer, Media Sector Development Program
- Journalist a Radio Rural de Sange, Media Sector Development Program

### GUATEMALA

#### USAID

- AOR, AcciónJoven
- COR, Local Governance Project
- Democracy and Governance Office Director
- Former AOR, Violence Prevention Project

- AOR, Elections: More Inclusion, Less Violence Project
- COR, Security and Justice Sector Reform Project

## **GUATEMALA CITY**

- Political Officer, International Commission Against Impunity in Guatemala
- Advisors to Mirza Arreaza, Diputada Presidente, Human Rights Committee
- Representative, Centro de Estudios de Guatemala
- Representative, Grupo Ceiba
- Former AOR of USAID Guatemala rule of law project
- Two representatives from Laboratorio de Medios
- Representative, Asociacion de Investigacion y Estudios Sociales Guatemala (ASIES)
- COP, Security and Justice Reform Project
- High Impact Court Judge
- Academic Director, Instituto Nacional de Administracion Publica and former employee of Violence Prevention Project
- Representative, International Republican Institute
- Executive Director, Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)
- Secretario Ejecutivo, National Association of Municipalities (ANAM)
- Organized Crime Prosecutor, International Commission Against Impunity in Guatemala
- Country Manager, UNODC
- Three representatives from Acción Ciudadana
- Coordinador de Ventas and representative from Chamber of Commerce of Guatemala
- Two representatives from the National Democratic Institute
- Secretario de Política Criminal, Ministerio Público
- Magistrate and President, Supreme Electoral Tribunal (TSE)
- COP, Acción Joven, Fundación Paiz para la Educación y la Cultura
- Comisario Director and Officer, National Civil Police, Oficina de la Dirección General de la Investigación
- Two representatives from Instituto de Enseñanza para el Desarrollo Sostenible (IEPADES)
- Representative from Universidad Rafael Landívar
- Executive Director, Alianza Joven
- Inspector General, Supreme Electoral Tribunal (TSE)
- Technical Advisor in Justice and Public Security, UNDP
- Two representatives from the European Union
- Magistrate, Supreme Electoral Tribunal (TSE)
- Seized Assets Court Judge
- Country Director, International Foundation for Election Systems

## **WESTERN HIGHLANDS**

- Two representatives from CEDFOG
- Municipalidad de Quetzaltenango
- Mayor, and representative from San Juan Ostuncalco
- Representative from Nexos Locales
- Representative from Asociacion Gente Joven
- Three representatives from Nexos Locales
- Secretary, and Assistant to Mayor, Municipality of Chiantla
- President, Chamber of Commerce of Quetzaltenango

- Representative from Sociedad Civil
- Representative from Unidad de Prevencion de Violencia
- Seven representatives of the Social Audit Committee of the CODEDEH, Huehuetenango

## **NIGERIA**

### **SOKOTO**

- Diamond Development Initiative, Director (a partner of the US African Development Foundation)
- Coalition of NGOs in Sokoto Council members
- Professor of Sociology, Center for Peace Studies at Usmanu Danfodiyo University
- Professor of History, Center for Peace Studies at Usmanu Danfodiyo University
- Professor of Political Science, Center for Peace Studies at Usmanu Danfodiyo University
- Assistant Superintendent of Police with the Department of Criminal Investigations for Sokoto state
- Sokoto state Social Mobilization Officer, National Orientation Agency of Nigeria
- Chairman of the Change Initiative (local NGO and sub-grantee of LEAD)
- Chairman of Coalition of NGOs in Sokoto
- USAID's LEAD Program staff
- Catholic Relief Services, Chief of Party
- Assistant Superintendent of Police in the Department of Criminal Investigations for Sokoto State
- Interfaith Mediation Center Sokoto Coordinator
- Program Manager for the Change Initiative (sub-grantee of LEAD)
- Safe-space for girls mentor for the Change Initiative
- Center for People's Health, Peace and Progress (3PS) (sub-grantee of the LEAD program and T-SHIP, USAID's flagship health program)
- Community focus group organized by LEAD (LEAD program coordinator, a Central Bank employee, a trainee with the Teaching Hospital, an NGO Coordinator, and an automobile salesman)
- Executive Director for the Rural Women and Youth Development project (past and present implementer for USAID Northern Education Initiative (past), Catholic Relief Services and Save the Children)
- Executive Director for Life Helpers (local NGO focused on addressing the needs of vulnerable children, youth and women, and a past and present sub-grantee USAID's TSHIP, SHARE, NEI, STEER and LEAD program)
- Program Coordinator for Caritas Nigeria Justice, Development and Peace Caritas Center and sub-grantee of USAID SHARE project
- District Head and Chair of Bodinga Local Governance Council
- Focus group: Bodinga beneficiaries of the LEAD program (Ward Development Committee Leaders (4) and program beneficiaries (13 male youth, nine females and three children)
- Bishop of Sokoto
- Commissioner for the Environment
- NDLA Commander for Sokoto state

### **RIVERS**

- LEAD Programme, Rivers State Manager
- Accord for Development (CSO grantee to LEAD), Deputy Director

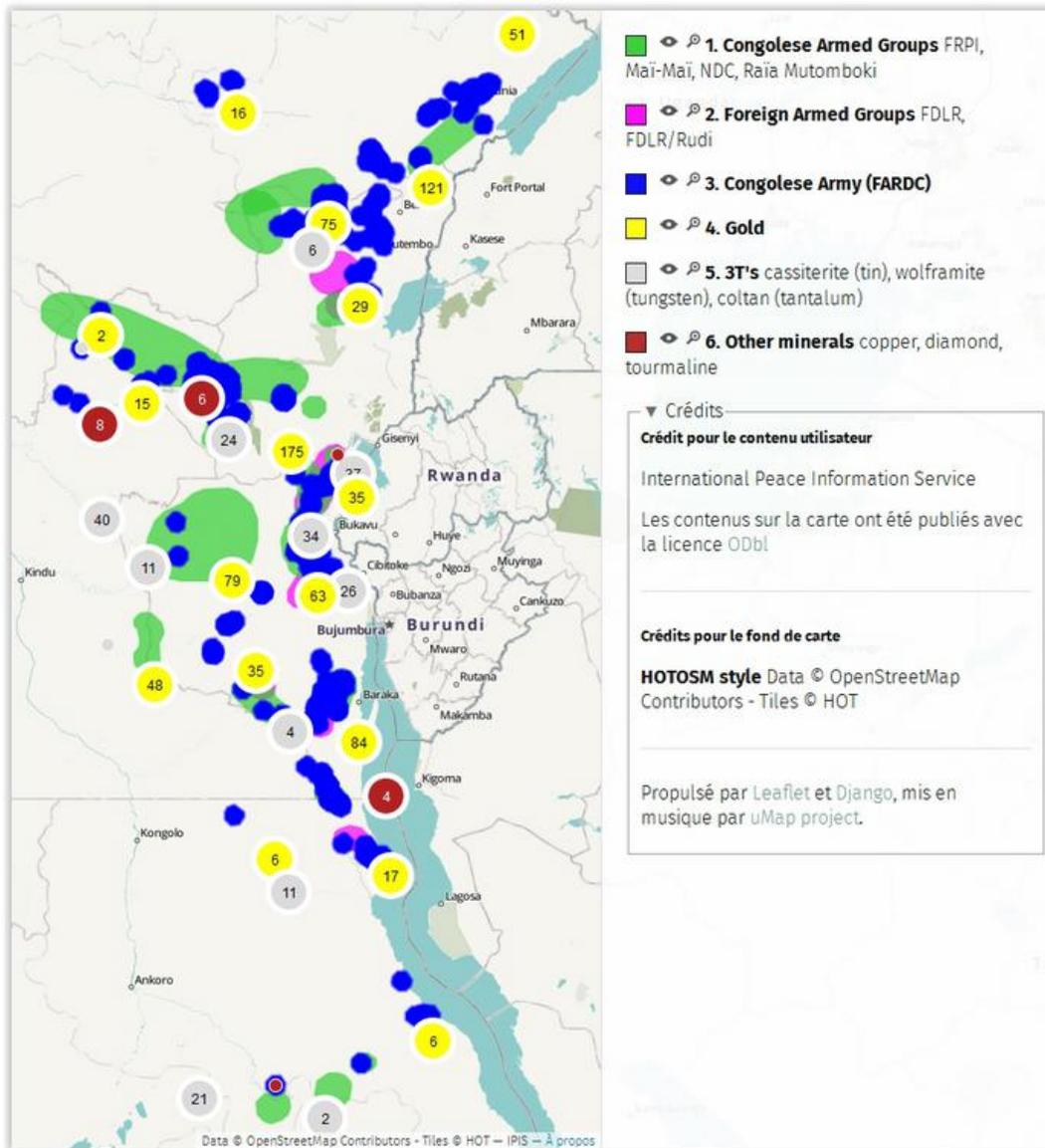
- Community Initiative for Enhanced Peace and Development (CIEPD) (CSO grantee to LEAD), Executive Director and Director of Programmes
- Local government council director – Akuku-Toru LGA (LEAD beneficiary)
- Local government council director - Okrika LGA (LEAD beneficiary)
- Local government council director - Gokhana LGA (LEAD beneficiary)
- Right Path CSO network (LEAD sub-grantee), Secretary
- SACE Program, Niger Delta Advisor and Niger Delta Program Officer
- SIDHAS State Programme Manager, with large staff team
- SIDHAS beneficiaries – hospital director, clerk and CBO
- Kebetkache, grassroots NGO, Executive Director
- Center for Environment, Human Rights and Development, Executive Director and staff
- Partnership Initiative for the Niger Delta (PIND), Secretary
- Search for Common Ground, Project Manager Niger Delta
- Niger Delta, Nigeria Stability and Reconciliation Programme (DFID), Regional Manager
- Commissioner of Police, Rivers State
- Nigerian Union of Journalists, Chairman, Port Harcourt
- Journalist and activist

## **ABUJA**

- SACE Chief of Party, Strengthening Advocacy and Civic Engagement program (Chemonics)
- TOLERANCE, Chief of Party
- Advisor to TOLERANCE project
- Mission Director, USAID-Nigeria
- Deputy Mission Director, USAID-Nigeria
- Conflict and Governance Specialists, PDG Team, USAID-Nigeria
- Civil Society and Media Specialist, PDG Team, USAID-Nigeria
- Supervisory Care and Treatment Advisor HIV/Aids and TB Unit, USAID-Nigeria
- Legal Attaché, Federal Bureau of Investigation, US Embassy- Abuja
- Director, US International Narcotics and Law Enforcement Affairs Section, US Embassy- Abuja
- Special Advisor on Economic Intelligence, Nigerian National Security Agency
- Director General for the Institute for Peace and Conflict Resolution (Ministry of Foreign Affairs)
- Executive Director, CLEEN Foundation
- Country Director, Search for Common Ground
- Program Coordinator, Open Society Institute West Africa
- Professor of criminology and organized crime expert, University of Jos
- Project Coordinator, UN Office on Drugs and Crime (UNODC)
- Former head of Inter-Governmental Action Group against Money Laundering (GIABA) West Africa
- Conflict Advisor, UK DFID
- Program Manager and Peacebuilding Advisor, Nigeria Stability and Reconciliation Program (DFID)
- Project Officer, Political Governance and Democracy, European Union Delegation

## ANNEX 3 – MAP

### Mines, Armed Groups and Army in the Eastern DRC<sup>107</sup>



Source: <http://ipisresearch.be/2015/01/infographic-mapping-security-human-rights-mining-areas-eastern-drc/>

<sup>107</sup> The numbers in the circles refer to the number of mines in that locale on the map.

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# ANNEX 5 – INTERVIEW PROTOCOL OR RESEARCH METHODOLOGY

## USAID ORGANIZED CRIME, VIOLENT CONFLICT AND FRAGILE SITUATIONS RESEARCH

### INTERVIEW QUESTIONS FOR FIELD RESEARCH

Thank you so much for taking the time to talk with me today. As I mentioned in the email, I am carrying out research on the relationship between organized crime and development programs. The USAID Office of Conflict Management and Mitigation in Washington has contracted with Management Systems International, a consulting firm, for this research. The aim of this effort is to help develop programming guidance for USAID to improve conflict and fragility programming in the presence of organized crime. I am a researcher carrying out this effort for MSI.

I am trying to better understand the issues around organized crime, violent conflict and state fragility in [country] from the viewpoint of [country's] government, civil society and communities. Your participation is voluntary and nothing that you say will be directly attributed to you. We will not quote you by name and we will only include your name in the acknowledgements section, if you agree with that.

#### Context

1a) First, let's talk about your overall impressions of the issue of organized crime in [country]. We are using the UN definition of organized crime, which defines it as taking place when three or more people operate in a structured or networked way to repeatedly execute or commission serious crime for profit.

- What are the main forms of organized crime from your point of view?
- Is it primarily violent or non-violent?
- What would you say are the main power structures operating in [country]? These can be formal or informal, legal or illegal.

1b) Let's talk about the links between organized crime and state effectiveness.

- Would you describe the situation as weak institutions creating the space for crime organizations to prosper?
- Do you think organized crime has also made state institutions more fragile? In what way? Does organized crime in [country] affect national institutions? Does violence linked to organized crime lead to higher state fragility?

1c) Now let's talk about the links between the conflict and the prevalence of organized crime.

- Do you see the dynamics that contribute to conflict as relating to the dynamics that contribute to organized crime?
- Do actors who are engaged in conflict cross into organized criminality?

1d) Does organized crime have a different impact on men and women in terms of their participating in criminal groups or being victims of organized crime?

#### Impact of Organized Crime on USAID Programs

2a) Let's talk now about the impact of organized criminality on this program.

- Did the presence of organized crime affect the choice of program location?

- Have program organizers or participants ever been threatened or attacked?
- Keeping in mind the principle of ‘do no harm,’ is the program putting people at risk in ways not originally anticipated? If risks were anticipated, what, if any, protective measures were put in place, and were these effective?
- How have implementers co-existed in areas impacted by organized crime while still meeting their program targets and objectives?
- Overall, in the presence of organized crime, how effective has this program been and by what measures?

2b) Have problems of organized crime galvanized political actors, civil society or the general population to advocate for institutional change? Did this pressure result in any shift in government policies or effect on USAID development programs?

#### Impact of USAID Programs on Criminality

- Do you think this program has weakened organized criminal organizations?
- Is it possible that the program has inadvertently had the opposite effect?
- Has the program strengthened community/ state capacities? Has this had any impact on organized criminality?
- Could the program have been structured or focused differently given issues of organized criminality?

#### Closer

Thank you very much for taking the time to share your insights with me today. Do you have any questions for me?