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From financing needs to criminal terrorism: The role of terrorist financing in crime-terror relations

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Abstract

After twenty years of national and international measures to combat financing of terrorism and money laundering, global terrorism has encountered greater restrictions to access the volume of economic resources it needs which has justified its collaboration with criminal organisations or conversion into criminal-terrorist organisations. This study seeks to analyse crime-terror relations by looking at the influence of the fight

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against terrorist financing in the evolution of global terrorist organisations, which have developed structures to establish a new range of relationships with transnational organised crime with unprecedented intensity. This article highlights some of the features that differentiate global terrorism from other types of terrorism, especially in terms of its objectives, organisational structures and funding possibilities, as well as pointing out a possible effect of the fight against terrorist financing in the relationship between terrorism and crime. Finally, it offers the different contexts where economic, political and social circumstances have created new cooperation models with organised crime groups.

Key words

(Counter)financing; terrorism; crime; nexus

Resumen

Tras veinte años de desarrollo de medidas nacionales e internacionales encaminadas a combatir la financiación del terrorismo y el blanqueo de capitales, el terrorismo global ha encontrado grandes restricciones para acceder al volumen de recursos económicos que necesita. Este estudio aborda la influencia de la lucha contra la financiación del terrorismo en la evolución de las organizaciones terroristas globales y en el cambio de la naturaleza y alcance de las relaciones entre el crimen organizado y el terrorismo. Así mismo examina los diferentes contextos en los que las circunstancias económicas, políticas y sociales han propiciado la creación de nuevos modelos de cooperación de las organizaciones terroristas con los grupos criminales organizados.

Palabras clave

(Contra)financiación; terrorismo; crimen; nexo

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1. Introduction

Since the 9/11 attacks, the international community has intensified its efforts to develop the most appropriate mechanisms to prevent terrorists from obtaining the resources they need to carry out new large-scale terrorist attacks. That moment marked the culmination of a process whereby terrorism objectives expanded to a global scale with the aim of endangering the security of much of international society, especially the so-called Western world, as well as many mainly Muslim regimes (Karlsrud 2019).

Innovations in the nature, objectives and organisational structure of Al-Qaeda and the self-proclaimed Islamic State required more adequate measures to combat their financing (United Nations Security Council - UNSC - 2021)1 which were different to those states previously used to combat internationalised internal terrorism, predominantly of an ethno-nationalist or ideological nature (FATF 2015a, Keatinge 2020). International organisations and states have made significant efforts to combat all sources of terrorist financing by developing a wide range of measures, sanctions and legal mechanisms (Gilmore 2004, Biersteker and Eckert 2007, Keatinge 2020). After twenty years of applying these measures to counter terrorist financing and money laundering and development of national legislation and sanctions,² global terrorist groups have encountered greater difficulties to receive transfers from non-governmental organisations that share their ideology and have dismantled business activities that were used as a cover for money laundering or whose legal profits were simply directly used to finance terrorist acts.3 However, international cooperation in the fight against terrorism and its financing was designed to fight firstly Al-Qaeda and all the organisations, affiliates and cells dependent on or sympathetic to it, and subsequently the self-proclaimed Islamic State and its sympathetic organisations. This new terrorism has evolved to develop an organisational structure and move into new spaces characterised by two fundamental elements: decentralisation and the autonomy of most of its activities, including in particular terrorist financing.

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¹ Detailed information on the CTF measures for these groups is available through the United Nations Security Council's monitoring team on ISIL/al-Qaeda https://www.un.org/securitycouncil/sanctions/1267/monitoring-team/reports [Accessed 20 January 2022]. ²Counter-Terrorist Financing has been developed since the 1990s, mainly based on standards created within the framework of the United Nations and the Financial Action Task Force (FATF). The FATF created in 1989 was entrusted with the drafting and enactment of an international framework for Anti-Money Laundering (AML). The FAFT has complemented the UN's efforts to combat terrorist financing, developing Special Recommendations which are universally recognised as the international standard to combat money laundering, terrorist financing and arms proliferation, establishing a range of measures aimed at preventing terrorist financing and ensuring that these activities may be effectively investigated and prosecuted. The FATF Recommendations assist countries with the implementation of the relevant UN instruments, including United Nations Security Council Resolution 1373, United Nations Security Council Resolution 1267 and its successor resolutions and the International Convention for the Suppression of the Financing of Terrorism. The financial provisions of these UN instruments are embedded in the FATF Recommendations, which also postulated that terrorist financing be prosecuted as a distinct offence.

³ In October 2015, the Financial Action Task Force (FATF) published a report that explored the financing mechanisms of 22 terrorist cells and the financial activities of their individual members. This study revealed that the international struggle against terrorist financing had affected small groups and cells as well as their leadership, forcing them to resort to self-financing by the members themselves, who contributed small sums of money legally or illegally to maintain the organisation (FATF 2015a).

These two characteristics have facilitated different schemes for global terrorism in relationships with criminal activities and in collaboration with organised crime networks, the nature and scope of which are conditioned by the circumstances of the geographic areas in which they arise, and the financing needs of these entities ideologically linked to the global organisation. This study seeks to analyse crime-terror relations by looking at the influence of the fight against terrorist financing in the evolution of the organisations that practise global terrorism. The main premise is that international Counter-Terrorist Financing (CTF) efforts have forced terrorism to look for and access new sources of funding and have limited the financing options for terrorists. This in turn has facilitated, justified and enabled the reinforcement of terrorists' criminal behaviour, modifying the structure of these organisations and serving to establish a new range of relationships with international organised crime with unprecedented intensity.

The first section of this work offers a review of the scientific literature and reports by international organisations on the evolution of terrorism from internationalisation to the current global terrorism. It also highlights some of the elements that differentiate global terrorism from other types of terrorism, especially in terms of its objectives, implementation structure and operation. All these elements have been adapted over time to access changing funding possibilities and duly meet terrorists' needs, with the current relationship between terrorism and crime deriving from the change in the nature, objectives and modus operandi of international terrorism over the last two decades to what is now known as global terrorism (Chomsky 1987, Jackson 2007, Stohl 2008, Stump and Dixit 2013, Lizardo 2015).

The second section analyses the mechanisms used by terrorists to obtain funds in light of the above literature, looking beyond the financing of specific terrorist groups or in specific moments to focus on the evolution of the different types and channels of terrorist financing. This section offers a comparative overview of these funding methods and the international efforts to combat them, aiming to show the connections between the development of CTF measures and terrorist financing trends. This analysis points to a possible effect of the fight against terrorist financing in the relationship between terrorism and crime, due to changes in the means used by terrorists to meet their needs in different contexts.

The final section focuses on the evolution of terrorist organisations and terrorist financing to adapt to the specific dimensions of crime-terror relationships. This comparative analysis jointly explores the changes to these dimensions with the evolution of terrorist organisations, their funding needs and activities and the different CTF efforts and measures over the last two decades. Different aspects of the relationship between terrorism and crime have been changing over time due to the evolution of the financing needs and activities of terrorist organisations and cells, which have also been related to the development of CTF measures. Organisations linked to global terrorism that operate in diverse geographical areas with the necessary economic, political and social circumstances have created new cooperation models with organised crime groups. ⁴ This

as weak border control, a weak judicial system and high levels of corruption in public administration have given rise to numerous terrorist and criminal organisations that have developed a hybrid nature to

⁴ This is the case of fragile states such as those in a process of transition after an armed conflict. Factors such

analysis aims to identify the variables determining the current relationship between crime and terror as documented by international organisations.

2. From international terrorism to global terrorism: New organisations and new needs

Global terrorism is a type of political violence regardless of who perpetrates it and the nature of the ideas defended, if we consider terrorist violence as a strategy to achieve political objectives and focus on the political-ideological-moral element that is the basis of terrorist actions (Wieviorka *et al.* 1991, Crenshaw 2012).⁵ However, the elements that differentiate international terrorism from global terrorism have not been formally established because international society has been unable to agree on a definition of terrorism. Although treaties have been adopted to prohibit certain terrorist practices and combat their financing, they do not offer a universally accepted definition, even in the case of political violence in both cases.⁶

Despite the absence of an internationally accepted definition of the terrorist phenomenon, there are certain elements of a territorial, social or political-ideological nature that are relevant to differentiate domestic, international and global terrorism from other types of terrorism, especially in terms of their goals, implementation methods and functioning and how they have adapted to obtain sources of funding (Kennedy 1999, Malik 2000, Sorel 2003, Wieviorka 2020).

Initially, terrorism emerged as a domestic phenomenon within the legal-political limits of the state. Examples from the late nineteenth to the early twentieth century include ideological anarchist groups, followed later on in the 1960s and 1970s by radical leftist terrorist groups. The composition of these organisations was characterised by their

complement each other's activities. In post-conflict situations or when authorities barely exist or find themselves incapable of exercising full, exclusive sovereign authority throughout their territory and over all the population, the confusion between the identities of both organisations is heightened and it is difficult to decipher the nature of the alliances established.

⁵ Political violence, understood by Cesare Beccaria and Jeremy Bentham as a fracture in the social contract that binds citizens and authorities, usually emerges in connection with states in which there have been heavy doses of institutional violence (torture, death penalties, assassinations and other forms of violence), as was the case in the Qaddafi regime, usually also provokes political violence by non-state actors (Bentham 2008, Beccaria 2009).

⁶ This has been addressed by both academics and different UN treaties such as the Draft Comprehensive Convention on International Terrorism and was widely discussed within the Ad Hoc Committee on International Terrorism of the UN General Assembly. It may be assumed that groups related with global terrorism, as opposed to classical terrorist groups, arose as part of a worldwide expansion strategy. Right from the outset, they assumed a decentralised organisational structure via networks, in which each of the parts has significant freedom to collaborate and associate with other groups and thereby obtain the resources they need to carry out their activities. In this context, the definition of terrorism proposed by the Ad Hoc Committee on International Terrorism of the UN General Assembly is as follows: "Any person commits an offence within the meaning of the present Convention if that person, by any means, unlawfully and intentionally, causes: (a) Death or serious bodily injury to any person; or (b) Serious damage to public or private property, including a place of public use, a State or government facility, a public transportation system, an infrastructure facility or to the environment; or (c) Damage to property, places, facilities or systems referred to in paragraph 1 (b) of the present article resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act" (United Nations 2013, p. 6).

national homogeneity and their activities and objectives were limited within the borders of their respective states (Catanzaro 1991, Merkl 1995, Jensen 2004, 2013, Malkki 2018).⁷

Terrorism assumed an international nature when terrorist organisations began to cross state borders for operational reasons, establishing themselves in other jurisdictions as a sanctuary where they could train their members and stock up on military equipment or economic resources. Examples include the activities of ETA in France, the Red Army Fraction (RAF) in the defunct GDR and the Kurdish Workers Party (PKK) in Iraq (Gregory 2003, Paredes Badía 2009, Casier 2010, Wunschik 2011). The process of internationalisation of ethno-nationalist terrorist groups and radical ideologies occurred when these organisations began to cross national borders in order to attack other states which also had interests or a population linked to the objectives and activities of the organisation, or simply to eliminate dissidents who took refuge in foreign states. Examples include the Popular Front for the Liberation of Palestine (PFLP) and the Armenian Secret Army for the Liberation of Armenia (Ruiz Durán 2017). Likewise, the institutions of some states have been linked to terrorist activities or support of terrorist groups as a strategy for their external action, as in the cases of terrorism attributed to the Gaddafi government in Libya, among other governments (Hoffman 1996).

Until less than two decades ago, international terrorism was considered to be terrorism that exceeded the borders of the state of origin, sometimes for operational reasons, while its members and objectives were clearly circumscribed within a specific national reality, although they were conditioned by the ideological and security context of the Cold War and received support from foreign governments with whom they shared objectives (Enders and Sandler 1999). However, global terrorism originated from the formal alliance established between different Islamist groups in February 1998 following the constitution of the World Islamic Front for Jihad against Jews and Crusaders. Of all the groups under that alliance the most important was Al-Qaeda ("The Base" in English), which already had a global structure that included different terrorist groups and had experience organising and mobilising thousands of foreign fighters as it had shown in Afghanistan in the struggle against Soviet occupation (Jacquard 2002). The redefinition of its objectives towards a global vocation and the declaration of the holy war against the USA and its allies was a consequence of the establishment of US troops in Saudi Arabia in the months before the first Gulf War, although Muslims who did not follow Islamist precepts also constituted targets. Years later, the self-proclaimed Islamic State began as a "franchise" of Al-Qaeda when Musab al-Zarqawi assumed leadership of the jihadist forces in Iraq. In 2004 he formed an alliance with Osama bin Laden and renamed his group from Organisation of Monotheism and Jihad to Al-Qaeda in Iraq. After the death of al-Zarqawi in 2006 the group assumed different names, including Islamic State. However, under Baghdadi's leadership the group was renamed the Islamic State of Iraq

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⁷ These same armed groups have been called revolutionaries, liberators, freedom fighters and terrorists, as in the case of Hamas (Gaza), Hezbollah (Lebanon), the Revolutionary Armed Forces of Colombia, the Kurdistan Workers' Party (Turkey) and the Tamil Tigers (Sri Lanka). These groups have been analysed in critical terrorism studies, with more conventional studies generally focusing on the protagonists of terrorism (the actors) but without taking into account "terrorist behaviour". This latter perspective is much more neutral and does not enter into assessments of the nature and convictions of the actors but rather their strategy of struggle.

and the Levant. A year later, Baghdadi declared a Caliphate encompassing the entire Muslim world (Jacquard 2002, Hove 2018).

Today, global terrorism is presided over by the Islamic State and Al-Qaeda. Also called transnational terrorism, jihadist terrorism or the "new" international terrorism, it has a series of differences compared to international terrorism (Den Boer and Monar 2002, Lutz and Lutz 2004, LaFree and Dugan 2007). The self-proclaimed Islamic State eclipsed Al-Qaeda and managed to convince many of the insurgent terrorist groups that sympathised with Al-Qaeda to become its franchises until it had a greater number of sympathetic organisations across the Muslim world who declared their loyalty. These local organisations have become stronger in countries such as Libya, Yemen, Nigeria, Egypt, Pakistan, Saudi Arabia and Algeria, among others, and together they project an image of unity and strength on which to continue expanding the global jihadist movement and enhance the impact of their terrorist actions despite their failure in Iraq and Syria (Herrero and Machín 2015, Lounnas 2018, Thurston 2020).

There are fundamental differences between international terrorism and what we now call global terrorism. The first of these is **the breadth of its objectives and strategies**, with an international vocation based on radical ideologies with a religious foundation. Its global aims are to challenge state borders and reconfigure international power relations, creating new states or unifying others to develop a new social or political project based on its ideological and political principles (Rougier 2008, Paz 2009, Martini 2016).

The second characteristic that differentiates global terrorism is **the marked international character of its members**, who despite their different geographical origins are united by their profession of a certain extremist and violent version of Islam: neo-Salafism. These individuals, whether urban jihadists or foreign fighters, endorse these goals at an international level, granting them a new identity in substitution of a previous identity based on a nation state logic (Hegghammer 2010, Van Zuijdewijn and Bakker 2014, Marrero Rocha 2020). Thus, the members of the organisation cease to identify with a specific state of origin, which grants global terrorism greater autonomy and independence compared to other actors that are conditioned to a greater extent by national and state elements (Malet 2013, 277) As a result, states have lost the degree of influence they used to have to determine the resources and actions of terrorist groups who acted within a specific territory during the Cold War.

The third difference is a consequence of the two previous ones and consists of its **vocation for expansion** through the establishment of groups and cells related to these larger organisations all over the world. This is achieved through the activities of individuals who follow the precepts of the organisation in their respective local areas or individuals who decide to become foreign fighters and move from their home countries to places where the organisation believes it is necessary to defend global interests and claims by waging internal conflicts. Finally, this *decentralisation strategy* provides new possibilities for geographic expansion, ethnic-cultural-national diversification of its members and the projection of a unique image with respect to its purposes and modus operandi.

This decentralised structure through cells, derivatives, subsidiaries and franchises, among others, guarantees its survival, the expansion of its power and the dissemination

of its ideology of global terrorism, constituting itself as a social movement that promotes jihadism worldwide with its own legends, heroes, symbols, theological foundations and political ideals (Githens-Mazer 2008). The virtual space that these organisations monopolise to transmit their narrative and objectives and showcase their achievements to attract more individuals has been a crucial factor to maintain their ideological-political centralisation in a decentralised worldwide organisational scheme.

The decentralised scheme of global terrorism contrasts with the authoritarian centralism of other terrorist groups, which are characterised by a strict hierarchy and the concentration of power in the upper echelons responsible for decision-making. The relocation of global terrorism does not prevent the violent activities of its affiliates, associated entities and derivatives from having a global impact because they are conceived as part of the same strategy, inspired by a single ideological programme that grants them their own identity (Atwan 2015) due to their common doctrinal basis, thereby helping to promote the interests and objectives of global terror in very diverse points of the globe (Reinares 2003, 90, Pearson *et al.* 2017). A good example of this is Syria, where firstly Al-Qaeda and later the Islamic State managed to attract between 25,000 and 30,000 individuals from more than ninety different nationalities and insert them into a new strategy of transnational insurgency (Klausen 2015, Pokalova 2019).

Decentralisation offers cells and other groups linked to the central organisation complete autonomy to adapt to the political, social, economic, geographical and cultural conditions of the territories where they are established, and as a result they are sometimes called franchises. In this decentralised scheme, the different units have to procure their own economic and human resources in order to contribute towards the objectives set by the "parent" organisation with the same political-religious ideology. This occurs for three reasons: firstly, **impossibility**, because the two large global terrorist organisations would be unable to provide resources to all their splinter groups throughout the world, not only because it is materially impossible but because international cooperation to combat terrorist financing has made this increasingly difficult; secondly, sustainability, because the restrictions on financing of global terrorism have led to its decentralisation and the different groups or cells affiliated with or deriving from global terrorist organisations deciding on their own logistics and activities and also assuming responsibility for their own financing where they act; and finally, adaptability, because this decentralisation allows each group to finance itself autonomously and adapt to the possibilities offered by the territory where it operates. Accordingly, they can take advantage of the legal or illegal sources of financing they have access to depending on their structure, objectives and activities, and above all the context in which they operate (Dishman 2005). Therefore, the changes in the characteristics of terrorist organisations in recent decades giving rise to global terrorism are intimately linked to economic and financial motives. The need to efficiently obtain and manage resources is of course fundamental, and as the European Commission (2019) has recognised, counter-terrorist measures and sanctions are a powerful precautionary instrument denying terrorists resources and mobility that will continue to be reinforced. Measures such as the Terrorist Finance Tracking Programme (TFTP) have generated significant intelligence that has helped to investigate and detect terrorist plots and trace the persons behind them. The development of mechanisms by terrorist organisations to circumvent the international barriers developed under the framework of the fight against terrorism and counter-terrorist financing is a cross-cutting factor that characterises the evolution towards global terrorism.

3. The role of (counter)terrorism financing and mutual conditioning

Motivated by the huge financial capacity shown by certain terrorist groups such as Al-Qaeda and especially the Islamic State, and further supported by the apparent simplicity and cheapness of recent terrorist attacks against Europe, terrorist financing has received increasing attention in recent years (Bell 2003, Normark and Ranstorp 2015). Terrorists' need for funding to carry out their activities constitutes the basis of CTF, which aims to identify and prevent the appropriation of funds by terrorist organisations and hamper their ability to move money around.

Terrorist financing consists of a wide range of continuously evolving methods and mechanisms for raising funds and resources and their movement (Gilmore 2004, Keatinge 2020). There is no general explanatory model nor is there any consensus on how to classify funding methods. Krieger and Meierrieks (2011) suggest three dimensions: legal, illegal and state-sponsored financing. The Norwegian Defence Establishment identifies 15 different types of fund-raising sources and activities used by jihadist terrorist cells in Europe. Transfer mechanisms have also been examined to explain the options terrorist organisations have when acquiring and moving funds (Freeman 2011, Freeman and Ruehsen 2013, Oftedal 2015). However, the methods adopted are increasingly diverse and complex due to the use of Information and Communication Technologies, which speed up the financing process and grant more power to organisations (FATF 2015a). In addition, terrorist organisations' needs and the associated costs of terrorist activities and objectives influence the amounts, funding activities and transfer methods. In brief, the costs depend on the size and type of activity and include not only operational costs but also the living costs and day-to-day expenses of members (Acharya 2009b, Oftedal 2015).

Besides the different models and classifications, and considering the overall panorama from large terrorist organisations through to smaller groups or cells and even lone actors, common patterns emerge that suggest a broad distinction may be drawn between two main dimensions of terrorist financing activities. Firstly, the legal dimension allows a broad division of these mechanisms into legal or illegal methods. The second dimension is the source, which ranges from self-sufficient funding to externally-derived financing sources. The former includes all financial operations carried out by terrorists themselves, while donors, sponsors and other external sources provide the latter. Terrorist organisations have traditionally mixed activities using methods from each of these dimensions and between both dimensions, receiving external funds as well as carrying out their own activities and also combining legal and illegal sources of funding.

During the Cold War, terrorist funds were derived from a mix of criminal activities and external financing. Crime-terror relationships were mainly confined to the field of arms and drugs trafficking, while combination with external funds from state sponsorship and private donors was also common (Napoleoni 2004, Sánchez 2008). In a sense, the original architecture of CTF may be traced back to the 1990s. This marked a turning point when states drastically reduced their support for terrorist organisations, mainly due to the end of the Cold War and the development of international countermeasures

(Bantekas 2003, Krieger and Meierrieks 2011). In 1989 the Financial Action Task Force (FATF) was created, which was entrusted with the drafting and enactment of an international framework for Anti-Money Laundering (AML). Since then, the FATF has developed the main international CTF tools, including the Special Recommendations which are universally recognised as the international standard for the fight against money laundering, terrorist financing and arms proliferation (Gilmore 2004).

During the 1990s, reduced state support and the first CTF structures led some terrorist groups to cease their activity, while others looked for new funding sources and financing strategies. Non-state external sponsors and private donors took advantage of market deregulation and economic globalisation to increase their support for terrorism (Passas and Giménez-Salinas 2017). This increase in the use of donors and private supporters prompted terrorists to hone their financial skills. In fact, terrorists allocated specialist human resources tasked with refining their "financial engineering" strategies. The 1998 attacks against the US embassies in Kenya and Tanzania⁸ led the UN to issue Security Council Resolution 1267, which focused on Taliban involvement in crime and in the financial arena. Meanwhile, the Convention for the Suppression of the Financing of Terrorism drafted by the UN and the FAFT in 1999 undertook an extensive review of previous recommendations pertaining to the criminal sphere (FATF 2012–2021). In Europe, measures were developed and implemented in line with international efforts by the UN and the FAFT following the bomb attacks by the Algerian GIA network in 1995 and the aborted plot against the Strasbourg Christmas market in 2000.

However, the 9/11 attacks in 2001 marked a dramatic turning point, launching the "War on Terror", and leading to the intensive development of countermeasures in the realm of terrorist financing. Since the movement and transfer of large amounts of money were achieved through the formal banking system, the role of financial institutions was placed in the spotlight and strategies were devised to increase public-private cooperation in the field (Keatinge *et al.* 2018). In December 2001, the EU governments agreed in Common Position 2001/931/CFSP to create a list of individuals, groups and entities involved in terrorism whose funds and financial assets had to be frozen. Council Regulations (EC) No 2580/2001 and (EC) 881/2002 reinforced this strategy.

Extensive monitoring of the data of financial institutions became both acceptable and possible due to technical software advances (Wesseling 2014). This resulted in the launch of the Terrorist Finance Tracking Programme (TFTP) set up by the US Treasury Department. This Programme secured access to the database of the Society for Worldwide Interbank Financial Telecommunication (SWIFT) and in 2010 the EU Member states were also granted access under the EU-US TFTP Agreement. These changes not only placed financial institutions on the front line of CTF measures (Lin 2016), it also urged them to make further advances in the field of financial intelligence (FININT). Collaboration was also offered by EUROPOL's FIU.net, a decentralised

⁸The attacks, whose perpetrators were linked to Al-Qaeda, took place three years before 9/11 in August 1998. The US embassies in Nairobi (Kenya) and Dar es Salaam (Tanzania) were the main targets, leaving 300 dead and more than 4,000 wounded.

⁹ This agreement entered into force to meet EU requirements to provide appropriate safeguards in response to legitimate concerns regarding security, privacy and respect of fundamental rights (European Commission 2017b).

computer network connecting the Financial Intelligence Units (FIUs) of national member states, while the informal Egmont Group provided FIUs around the world with a confidential information exchange forum.

The attacks perpetrated in Europe in the following years by home-grown terrorists — Madrid in 2004 and London in 2005 — constituted yet another turning point for the further development of urgent reactions and additional countermeasures: the European Union's Strategy on combating the financing of terrorism presented in December 2004. The Third Anti-Money Laundering Directive (2005/60/EC) extended the scope of AML to terrorist financing, moving from a rule-based to a risk-based approach and enhancing the "know your customer" principle to urge financial institutions to increase surveillance of transactions. The Cash Control Regulation (EC) No. 1889/2005 and Regulation (EC) No. 1781/2006 established the obligation to gather information on customers transferring funds, while the Payment Services Directive 2007/64/EC addressed alternative remittance systems, reinforcing public-private cooperation in this area (Wesseling 2014, Wensink *et al.* 2017).

In recent years, the emergence of the Islamic State and the spread of jihadist attacks in the West have led to continued reinforcement of these strategies and development of additional measures. Directive 2014/42/EU set minimum standards and reinforced crossborder cooperation for freezing and confiscation orders and sought to improve crossborder cooperation for freezing of assets. The Payment Services Directive 2015/2366/EU amended Directive 2002/65/EC among others, while Regulation (EU) 2015/847 governs information on payers and payees accompanying money transfers and expands the scope of surveillance by financial institutions. Later specific efforts include Council Decision 1693/2016 and Council Regulation 1686/2016 to establish restrictive measures directed against ISIL and Al-Qaeda independently from the UN (European Commission 2017a, 36). In February 2016 the European Union's Strategy on combating the financing of terrorism gave way to the European Commission's Action Plan for strengthening the fight against terrorist financing, which is now the main European instrument to articulate current and future CTF efforts and EU policy. This plan which recognises that financial information can be used to trace terrorists and their networks identifies two main objectives: disrupting terrorist revenue sources on the one hand and preventing and detecting fund transfers on the other. As part of the Action Plan, in July 2016 the Commission presented a proposal to revise the Fourth Anti-Money Laundering Directive to further strengthen EU rules on anti-money laundering and better counter terrorist financing. The proposal sets out a series of measures to ensure increased transparency of financial transactions and use of virtual currencies and pre-paid cards and enhance access to information by Financial Intelligence Units. To reinforce cooperation and coordination, the European Counter Terrorism Centre (ECTC) launched in 2016 by EUROPOL shares information, intelligence and expertise on terrorism financing.

¹⁰ The strategy was later revised in 2008 and 2011.

¹¹ This Directive is the result of the previous AML Directives 91/308/EEC and 02001/97/EC.

¹² This regulation requires the disclosure of cash or equivalent in excess of €10,000 when entering or leaving the EU.

All these efforts, measures and strategies over the last two decades have played a role to fight terrorism and limit terrorists' options to obtain and move funds and resources. However, these CTF efforts have also had an impact on the evolution of terrorism, as they have forced terrorist organisations to explore new ways and models to continue financing and bolstering their activity (Ruggiero 2019b). The funding limitations imposed by these measures have been overcome in different manners by terrorists depending on their geographical context. The first context is in fragile states, where large terrorist organisations have based the core of their operations taking advantage of the conflict and lack of governance. Within this new mechanism, terrorist organisations have branched out into criminal activities and in some cases have even gained control over territories acting in a state-like role. This allows groups to appropriate resources by levying taxes and making a profit from all activities, including criminal activities such as counterfeiting, smuggling and trafficking of all types of goods, drugs, arms and humans, among others. The most advanced organisation in this sense was the Islamic State, which quickly became one of the richest terrorist organisations ever with an annual turnover of around €3 billion, including use of a perfectly adapted self-sufficient accounting system that saw it emerge as a new model of a terrorist organisation with a new financial paradigm (FATF 2015b, Napoleoni 2015).

A second different context is in locations with more developed state and control mechanisms as in Western countries, where the FATF recommendations have been implemented and even exceeded. The activities of cells directly linked to the organisation in these countries are therefore risky in terms of funding and disruption possibilities, as well as being expensive to maintain.¹³ The evolution in this context consisted of changes to the operational procedures related with the core of terrorist financing, along with changes in the modus operandi of terrorist attacks. The perception of simplicity and low cost of previous attacks in Europe contributed significantly to increase the sense of social anxiety and insecurity among Europeans (Nitsch and Ronert 2017). High impact attacks committed simply using knives or rented vehicles such as those in Nice and Berlin in 2016, followed in 2017 by others in Stockholm, London (Westminster and London Bridge), Manchester and Barcelona have been placed under the category of "low-cost terrorism" (Acharya 2009a, Levitt 2017) or "low-tech terrorism" (Witherspoon 2017, Zoli 2017). On the other hand, these cells are no longer directly linked to the main group and terrorist organisations devote increasing efforts to marketing, propaganda and supporting materials, whether tactical or for indoctrination and online recruitment activities.

In this vein, terrorist groups and organisations in both contexts have evolved towards self-sufficient activities adapted to the previously mentioned framework of decentralisation and autonomy and providing the required sustainability (Marrero and Trujillo 2019). This in turn has had an impact on the relationship with crime, modifying the interaction between terrorist organisations and criminal groups over time and intensifying the use of illicit and criminal activities to meet their needs. This evolution and the changes in their nature and characteristics are also related with the advance of

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¹³ Previous research considered that the cost of an associated cell for a terrorist organisation ranges depending on the size, type and amount of activities (Acharya 2009b, 285–298). but may only account for 10% of the total budget (Oftedal 2015, 14).

CTF schemes and the progression of interactions and relations towards new collaboration and interaction models.

4. Financing and "criminal" terrorism: Characteristics and models

Global terrorism is much more independent from state governments than other terrorist organisations that have received protection or sponsorship or acted in collusion with certain states, especially during the Cold War period, when both the superpowers exercised significant control over the movements of any international actor that might be favourable or contrary to their geopolitical interests (Ruiz Durán 2017).¹⁴ This independence also entails greater possibilities for cooperation between them or with other non-state actors such as criminal groups.

The relationship of terrorist groups with criminal activity has been a constant throughout history and has always depended on the financing needs of the former and the limits that their ideology placed on such criminal activity, although terrorist groups have always preferred to collaborate with each other to obtain resources when they did not have sufficient state support. Such was the case of the Italian Red Brigades which paid the Popular Front for the Liberation of Palestine for courses on explosives, and the members of ETA that were trained in Palestinian camps in Beirut.¹⁵ However, the need to obtain resources to defend a cause has also been used as justification by terrorist groups to establish links with crime. This criminal activity is influenced by three <u>variables</u>. The first has to do with the amount of resources required by the activities the organisation carries out within its strategy and its context. The second variable is related to the limits imposed by the ideology of the organisation in its relationship with crime. Finally, the third variable relates to its internal organisation and its ability to integrate and manage relationships with criminal activities from above. Within a given context, these three variables push terrorist financing in relation to the aforementioned legal dimension from licit to illicit activities and in terms of their source from externally funded to self-sufficient activities. While the first variable — amount of resources should intensify all the dimensions, this will of course depend on the possibilities in the given context. On the other hand, the second and third variables foster the trend towards increasingly self-financed and illicit mechanisms.

Both domestic and international terrorist organisations usually defined a more or less stable relationship with crime depending on these variables. In order for each group to identify its resource needs and the context in which they should be met (1) they evaluated the limits imposed by their political ideals so that this criminal relationship did not overlap with their political goals, which were not the same for each organisation (2), along with the capacity of its organisational structure to manage its relationship with criminal activities and organised crime groups (3).

¹⁴Soviet intelligence services encouraged many of the terrorist movements based on communist ideologies, even though they were convinced they were acting on their own. ETA, the Red Army Faction, the Red Brigades and the Irish Republican Army (IRA) were part of a kind of international terrorist organisation, to which states such as Syria, Algeria, Libya, Yemen and Cuba offered support in different periods of the 1970s and 80s.

¹⁵ According to Ruiz Durán, a clear example of this international cooperation among terrorist groups was the detention in 1982 by Israeli Armed Forces of 113 members of ETA, 26 of the Red Army Faction and two of the Red Brigade in Saido Camo in Beirut (Ruiz Durán 2017).

Taking into consideration these three variables, three basic models or relationships may be identified. The first model may be called a functional crime-terror relationship. Examples include the financing of ETA through extortion of Basque businessmen and its collaboration with the Revolutionary Armed Forces of Colombia (FARC) to provide training in the handling of explosives in exchange for drugs used to purchase weapons. The relationship between the IRA and crime was even more flexible; in addition to the exchanges of arms for drugs with the FARC (Makarenko 2012, Campbell 2014, 230), its leadership was able to manage the organisation's participation in the illegal arms market as if it were another criminal organisation, justifying these actions based on the general need for resources due to the context of ongoing armed confrontation. Mention should also be made of the joint heroin trafficking operations between the Kosovo Liberation Army — considered a terrorist group by some states — and the Albanian mafia in the late 1990s and the beginning of 2000, in addition to the suspected large-scale criminal activities in the field of drug trafficking, money laundering and weapons by Hezbollah (Proksik 2017). As the activities of international terrorist organisations continued, their criminal activity expanded from the commission of crimes to collaboration with criminal organisations. In some cases, they even ended up forming part of organised crime, provided that this was in keeping with their political ideology and their leadership could justify it. Accordingly, these changes in the second and third variables contributed to reinforce the evolution of terrorist financing mechanisms towards more self-funded and illicit methods.

Unlike the relationship between crime and terror up until 2001, the expansive and decentralised nature of global terrorism has also led to a diversification of the mechanisms used to meet their needs in the different parts of the world in which they operate and a corresponding expansion of crime-related models. Unlike international terrorism, **this second decentralised model** is characterised by the independent nature of the relationship with crime, which depends fundamentally on only the first of the three variables mentioned above: the socio-economic and political context in which they operate to carry out their terrorist activities. This is because large global terrorist organisations have accepted the compatibility with their ideology of all these financing modalities which are managed autonomously by their cells or other types of dependent organisations, while the leadership concentrates on offering guidelines and objectives.

This panorama of decentralisation and financial autonomy gives rise to very diverse situations depending on the possibilities offered by each geographical area. For example, the cells linked to global terrorism that operate in legal, democratic countries have adopted a modest financing model in which their relationship with crime has a very low profile, since they usually finance themselves with the assets of their members, whether salaries, membership fees or even consumer loans (Holland-McCowan and Basra 2019). However, they also rely on illegal activities such as robbery, blackmail, credit card fraud and minor drug dealing. Moreover, they obtain many of their human resources by recruiting individuals who previously engaged in crime but who have embraced the religious ideology of the organisation and seek to redeem themselves by contributing their knowledge and criminal skills at the service of terrorism. To a lesser

¹⁶ Emilie Oftedal carried out a detailed investigation with the research data of jihadist cells dismantled in Europe to identify the sources of their financial resources and the costs of their activities (Oftedal 2015).

extent, there have been cases of collaboration between jihadist organisations in European border zones and European criminal organisations, for example between urban jihadist cells that need self-financing and classical criminal organisations based on a strict internal hierarchy and ties of nationality or racial origin which do not hesitate to expand their connections, as in the cases of drugs exchanged for weapons between criminal organisations such as the Calabrian 'Ndrangheta or the Neapolitan Mafia and Islamist terrorist cells operating in Europe (Curtis and Karacan 2002, Ruggiero 2019a). Generally, in Western countries the crimes perpetrated by jihadist cells only fund small-scale activities and organisational structures that go unnoticed by state security forces. These amounts are far from being adequate to finance other types of terrorist activities such as those carried out in the context of long-term armed conflicts, which require major infrastructure to equip a large number of foreign combatants with the necessary material and weapons (Sanderson 2004, 53-54, Acharya 2017, Krueger 2017). In such cases it is necessary to intensify criminal activity, cooperate with criminal organisations that operate in these territories in conflict or even become an organisation that engages in criminal terrorism.

In the second model in the context of armed conflict and failed states, the confusion between political violence and criminal violence is much more intense and continuous, a situation which did not arise in the case of ethno-nationalist or extremist ideological terrorist organisations. This could be called **the symbiotic model**, characterised by a continuous alliance between terror and crime which at times involves a merger of their activities. This intensity arises on the one hand because they represent the only source of financing in contexts of armed conflict and failed states and, on the other hand, because they do not engage in a single type of illegal business; the context of impunity and lack of governance in which they operate allows them to engage in a number of illegal activities ranging from trafficking in drugs, humans, cigarettes and weapons through to appropriation of cultural assets and natural resources, theft, fraud and kidnapping (De Diego and Torres Kumbrián 2016, Brodie and Sabrine 2018). These are cases in which the terrorist organisation collaborates closely and continuously with criminal organisations, establishing a permanent alliance to reap greater benefits.

TABLE 1

"Criminal" Terrorism Models	Functional Model	Decentralised Model	Symbiotic Model
Characteristics	Flexible relation; Inconstant collaboration to meet the needs	Relation of Independent nature; Related and specific to the context	Continuous alliance. Intense confusion between political and criminal violence. May imply a fusion in practices.
Variable 1: Context and need of resources	Mainly ethno- nationalist and separatist groups. High level need of resources.	Context adaptive. Need of resources: low to medium (vary on the context)	(post-) Armed conflicts, fragile or failed states (misgovernance, impunity). Need of resources: High level
Variable 2: Ideological limits to the criminal relationship	High	Medium	Low to zero
Variable 3: Management capabilities to deal with crime	Low	Medium	High
Funding sources' dimensions	Mixed sponsored/self- funded; Mixed licit/illicit	Self-funded; Mixed: licit/illicit	Self-funded; Illicit
Examples	ETA, IRA, Hezbollah, Kosovo Liberation Army, FARC,	Jihadist cells in Europe linked to global terrorism, ISIL Foreign terrorist fighters, Lone terrorist actors	Taliban, AlQaida, ISIL, Ansar-Eddine, Boko Haram, Ansar- al Sharia

Table 1. The three models of "criminal" terrorism.

Meanwhile, organised crime — even organisations that have more hierarchical structures and elements of national or ethnic identity — have expanded the geographical limits of their activities, increasing and intensifying their cooperation processes with other violent actors in different regions of the planet and thereby leading to what is known as global crime or globalisation of organised crime (Galeotti 2014, Bouchard and Morselli 2014, Akobi 2016). Collaboration with terrorist groups can undermine the political structures of states in conflict or situations of structural violence, reducing the capabilities of their security forces and allowing them to carry out their illegal businesses with greater impunity, including theft, fraud, contract killings and trafficking of arms, drugs, luxury goods and humans, although in principle they do not seek to take control of the state, declare war on it or overthrow the government (McDonald 2013). In return they obtain knowledge of terrorist strategies and the protection of terrorist groups that exert an important influence and control over the population and different factions and militias, allowing criminal organisations to protect their businesses and increase their profits. Some examples include the drug trafficking networks that collaborated with the

Taliban regime for opium trafficking in Afghanistan, the trafficking of cigarettes on the trans-Sahara route and trafficking of cocaine from Colombia through Guinea-Bissau with Europe as the final destination (Wannenburg 2003, Doward 2013, Shaw and Mangan 2014, Strazzari 2019). In exchange for the participation of terrorist groups in the profits of these activities, criminals gain security along the routes controlled by these terrorist groups and related factions which are used to transport the goods trafficked (Williams 2001, 58–ff., Dishman 2005, Forest 2019). According to a report by the Global Initiative Against Transnational Organized Crime (GI-TOC), collaboration between terrorists and criminals is on the rise, the routes and volume of contraband in the Trans-Sahara region have increased and the terrorist groups that control areas of Libya and the Sahel — Ansar-Eddine, Boko Haram and Ansar al-Sharia — are competing fiercely to obtain greater shares in this type of business (RHIPTO and GI-TOC 2015). Many have managed to establish an entire criminal industry in places such as Mali and Nigeria to reach North Africa, from which the goods are sent to Europe (Mikail 2012, 3-ff., Antonopoulos and Comolli 2018). The interests, objectives and strategies shared by criminal and terrorist organisations in the context of armed violence make it the perfect scenario for sharing and exchange of members, especially when they share a series of religious and cultural beliefs that allow their insertion in both types of organisations, which seems to be a common practice among groups related to Al-Qaeda in the Sahel area (Dishman 2005). This rapprochement among the members facilitates the joint use of routes, contacts, and infrastructure to increase their profit margins and seize de facto control of the territory in which the conflict develops, controlling the local population and developing the most appropriate political and social project to meet the interests of both organisations (Kfir 2018).

Another model which is also the result of ongoing conflict arises when the destruction of state institutions in these territories facilitates terrorist insurgency and stimulates a wartime economy whereby local and foreign fighters directly appropriate natural and economic resources previously managed by public institutions, acquiring the status of an organised criminal group as well as a terrorist group. Such is the case of the self-proclaimed Islamic State in Iraq and Syria and Boko Haram in Nigeria, which have gained control of part of the territory in these states and have imposed a specific model of socio-political organisation based on illegal economic activities suited to their financial needs (Katulis *et al.* 2015, Griffin 2016, Ojo 2020, 77). The Islamic State trafficked with oil and works of art and appropriated Iraqi gold and cash reserves, while the Iraqi authorities witnessed how the country's economic-productive networks and infrastructure were destroyed and the population became increasingly dependent upon foreign aid (Duncan and Coyne 2013, Watkin 2014, 499–ff., Emery 2014).

The above three models of "criminal" terrorism which can occur with greater or lesser intensity have facilitated the establishment of permanent "associations" with criminal groups, turning jihadists and foreign fighters into "criminal" terrorists with the legitimacy granted by a religious ideology-policy that justifies these violent acts and criminal activities such as murder, torture, extortion, theft and smuggling in pursuit of their holy cause, although they are often only motivated by pure profit (Emery 2014).

5. Conclusions

The international CTF efforts deployed over the last 18 years have been designed and developed through measures resulting from reactions to major terrorist threats, specific terrorist organisations and large-scale attacks. CTF aims to foster public-private cooperation mechanisms and place financial institutions in the front line (Hutchinson and O'Malley 2007, Galeotti 2016, Boeke 2016). These measures also limited terrorists' options to access funds and created additional barriers for transfers of funds with terrorist purposes, forcing terrorists to look for new organisational models.

In short, the results of the fight against terrorism financing together with the possibilities of relocation and flexibility gained by the traditionally hierarchical structures of terrorist and criminal groups due to a globalisation process characterised by freedom of establishment and action in particularly violent contexts has diversified and intensified the relationship between crime and terror (Pantucci 2011, Weiman 2012, United Nations 2015, p. 1, Kassab and Rosen 2018). Currently, more than ever organisations that engage in global terrorism need to collaborate with organised crime or become criminal organisations themselves in order to maintain a decentralised army of combatants. Although the need for terrorist groups to finance themselves has always existed and occasional collaboration with organised crime to obtain such funding is nothing new, global terrorism has encountered greater restrictions to access the volume of economic resources it needs and has justified its collaboration with criminal organisations or conversion into criminal terrorist organisations with a political-religious rhetoric that has allowed them to retain the support of their sympathisers and activists. In addition, organisational and operational decentralisation does not prevent these violent illegal activities by both criminals and terrorists from having a global impact, on the understanding that they are based on the same logic and are subject to sanctioning measures at both a domestic and international level.

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