

# Unholy alliance? Assessing the links between organised criminals and terrorists in Southern Africa

Annette Hübschle  
Institute for Security Studies



ISS Paper 93 • October 2004

Price: R10.00

## INTRODUCTION

What links, if any, are there between terrorism and organised crime in Southern Africa? Following the events of 11 September 2001, global law enforcement agencies, international organisations and research institutions have increasingly examined the possible linkages between terrorist groupings and organised criminals in different parts of the world. In countries such as Ireland and Peru, such links have been shown to exist. This paper explores whether similar links can be substantiated in Southern Africa. In doing so, definitional, theoretical and methodological problems around the concepts of terrorism and organised crime are highlighted. Seven case studies are examined, of which four deal with instances of 'international terrorism'. These are the United States (US) embassy bombings in the Tanzanian capital, Dar es Salaam, and the Kenyan capital of Nairobi, the implications of the gemstone tanzanite for terrorist financing, the terror attacks in the Kenyan port of Mombassa and the case of Mohamed Suleman Vaid, an alleged South African intermediary between terrorists and organised criminals.

Furthermore, three cases of what has been classified as 'domestic terrorism' are assessed. These are the Hezbollah movement in Mauritius and in South Africa, the vigilante group Pagad and the right-wing Afrikaner grouping, Boeremag. All examples were chosen due to contentions that organised crime and terrorism were inter-connected in these instances.

The focal area is Southern Africa, including the 14-member Southern African Development Community (SADC)<sup>1</sup> and the East African nation of Kenya. According to the 2002 Human Development Index of the

United Nations Development Programme (UNDP), which measures a country's achievements in terms of life expectancy, educational attainment and adjusted real income, eight countries including Kenya fell into the category of 'medium human development'. With the exception of the Seychelles, all other SADC member states were categorised as 'least developed' countries.

Thus, the countries covered display different levels of economic and social development and incongruous political systems. However, the evils of poverty, underdevelopment, the HIV/Aids pandemic, social inequities and economic inequalities are prevalent in all of them. In addition, some are reeling from the effects of violent conflict, which has led to a lack of internal regulation and/or to a weakness of the rule of law. A 2003 UN Office on Drugs and Crime (UNODC) report<sup>2</sup> stated that organised crime was on the increase. Incidents of domestic and international terrorism have been documented in parts of the sub-region.

The structural, economic, social, and political weaknesses in the sub-region, combined with well-organised criminal networks, provide, on the face of it, for potential linkages between organised crime and terrorism.

Structural,  
economic, social  
and political  
weaknesses,  
combined with  
well-organised  
criminal networks,  
provide for  
potential linkages  
between  
organised crime  
and terrorism.

## SCOPE AND DEFINITIONS

This section deals with definitions of 'terrorism' and 'organised crime'. Both are contested concepts invoking emotional debates among many commentators.

### Definition: terrorism

Terrorism has been catapulted into the international limelight following the terrorist attacks in Washington

and New York in September 2001. The events of that tragic day have come to be acknowledged as a turning point in international concern around the issue. The attacks did not occur in isolation,<sup>3</sup> yet many myths were born and persist around the highly-disputed concept of terrorism, such as that it is a new phenomenon, a weapon of the weak. The phenomenon originates from, and reflects, everyday occurrences in the developing world.

There certainly have been many attempts to arrive at a universally acceptable definition of terrorism. Schmid and Jongman<sup>4</sup> recorded 109 different definitions in a survey in the mid-1980s, but a present-day study would probably significantly increase that number. Definitions range from the highly specific to the overly general. Yet most states seem to share a common understanding of the types of activities they regard as terrorism and the types of groups and individuals to be categorised as terrorist.<sup>5</sup> Few state actors would admit that the actions of states could match the same criteria as applied to the activities of non-state actors and sub-national groupings.

The international community has actively sought consensus on the definition of terrorism for many years. Twelve separate international conventions on terrorism have been signed, each covering a specific type of activity linked to terrorism. Despite UN pressure, broad ratification has been difficult to achieve. The task of creating a comprehensive binding international convention against terrorism has proved to be a slow and tiresome process, as all fails when the question of defining terrorism is tackled. A major point of friction is whether terrorism should apply to the actions of states in the same manner that it applies to the actions of non-state actors.<sup>6</sup>

The closest to a universally accepted and state-sanctioned definition of terrorism is perhaps contained in the United Nations General Assembly Resolution 54/110 of 9 December 1999, stating that terrorism comprises:

criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes.

Defining terrorism has been a particularly difficult task on the African continent. In fact, most legal drafters stay clear of defining it but rather describe an 'act of terror' or 'terrorist activity'. The 35th Ordinary Session of the Heads of State and Government adopted the Organisation of African Unity Convention on the Prevention and Combating of Terrorism (the Algiers Convention) in July 1999. With the exception of Zambia and Zimbabwe, all other SADC countries have signed and/or ratified and/or deposited the Algiers Convention. This seems to indicate a level of consensus in the sub-region on what members consider to be a terrorist act. Hence, the definition of 'terrorist act'

contained in the Algiers Convention shall be employed as the working definition for this paper:

'Terrorist act' means:

- (a) Any act which is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to:
  - (i) intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular standpoint, or to act according to certain principles; or
  - (ii) disrupt any public service, the delivery of any essential service to the public or to create a public emergency; or
  - (iii) create general insurrection in a State.
- (b) any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organizing, or procurement of any person, with the intent to commit any act referred to in paragraph (a) (i) to (iii).

State terrorism is not considered in this definition. In fact, the inclusion of state terrorism was a bone of contention among OAU members. Globally there is a controversy between those countries that feel that the activities of the state should not be labelled 'terrorist' and others who want to address the phenomenon in all its forms and manifestations. It is arguable that most governments want to exclude the potential for any acts of their armed forces to fall under any international conventions against terrorism.

## Should a definition of terrorism apply to the actions of states in the same manner it applies to non-state actors?

### Definition: organised crime

This concept *per se* denotes the activities of organised criminal groups consisting of three or more persons who commit serious crimes over a period of time for profit. However, the meaning of organised crime differs from country to country due to its divergent nature. Analysts from the northern hemisphere tend to emphasise the hierarchical structure of organised crime, a typical feature of the American Mafia *La Cosa Nostra*.<sup>7</sup>

Unlike terrorism, organised crime is a relatively new concept to Southern Africa. However, the novelty of the concept should not detract from interpretational difficulties. Charles Goredema maintains that organised



criminal groups in Southern Africa bear little semblance with the Mafia. In fact, they tend to function “in loose and shifting associations and alliances with others or in a network without a clear hierarchy”.<sup>8</sup> Although there is a paucity of literature on organised crime in Southern Africa, many authors offer their own interpretation of the concept. According to Andre Standing,<sup>9</sup> these authors all share a common understanding of the concept based on an underlying paradigm. This paradigm is anchored in the belief that organised crime is a noun depicting a homogenous, structured group of criminals that exists outside the parameters of the formal economy. Peter Gastrow has provided a different perspective by acknowledging that the concept can be applied as a noun for a group or as an activity:

Organised crime consists of those serious criminal offences committed by a criminal organisation, which is based on a structured association of more than two persons acting in concert over a prolonged period of time in pursuit of both their criminal objectives and profits.<sup>10</sup>

Gastrow added the additional concept of “criminal syndicate,” which implies that organised crime can also be seen as an activity.

A crime syndicate is a criminal organisation, engaged in the commission of serious criminal offences, which is based on a structured association of more than two persons acting in concert over a prolonged period of time in pursuit of both their criminal objectives and profits.<sup>11</sup>

By introducing the second concept, Gastrow has distanced himself from the traditional Americanised approach to ‘organised crime’ which provides certain typical traits such as a clear structure and the commission of serious offences. Traditional definitions often omit the fact that not only seasoned criminals, but also law enforcement agencies or the ‘long arm of the state’ can be involved in organised criminal activities. South African researchers tend to differentiate organised crime as involving domestic criminals or foreign nationals. The latter category refers to what is generally known as ‘transnational organised crime’. This form of organised crime relates to a culturally homogenous group derived from their country of origin, i.e. the Italian or Russian Mafia or the Chinese Triads. Standing argues that South African commentators imply that transnational organised crime is more sophisticated than its local variant.<sup>12</sup>

Gastrow, in his 2001 questionnaire on police perceptions of organised crime,<sup>13</sup> made a distinction between indigenous and transnational organised criminal groups. The same distinction shall be employed for the pur-

poses of this paper, though the distinctions may seem minor or artificial. Gastrow defined indigenous organised criminal groups as follows:

‘Indigenous organised criminal groups’ are those that are made up primarily (but not exclusively) of nationals from your country and that are involved mainly (but not exclusively) in criminal activities within your borders.<sup>14</sup>

Accordingly, he provided the following definition for transnational organised crime groups:

Those that are made up primarily (but not exclusively) of foreign nationals or of individuals who originate from countries other than the respondent country and who are involved in cross-border crimes.<sup>15</sup>

Since the early 1990s organised crime has been identified as a growing security concern throughout Southern Africa. All states in the sub-region have either signed the United Nation’s Convention against Transnational Organised Crime (hereinafter the Palermo Convention) or have undertaken to do so in due course. Presently, only Zambia has adopted the UN’s definition of ‘organised criminal group’. According to a study conducted by Peter Gastrow in 2000,<sup>16</sup> only four police forces in the SADC region operated with an official definition of organised crime.

Reaching consensus on an internationally-agreed definition of organised crime proved a most difficult endeavour at the 1999 and 2000 meetings of the UN Ad-Hoc Committee in Vienna to negotiate the Palermo Convention. According to Gastrow,<sup>17</sup> participants compromised in the end. Multi-national perceptions around the concept pointed towards very divergent perspectives on its salient features. Andre Standing interprets the final broad definition as “probably a compromise by weary delegates”.<sup>18</sup> The Palermo Convention does not define organised crime; instead it provides a definition of an organised criminal group and then proceeds to criminalise participation in such a group.

Article 2 of the Palermo Convention stipulates:

- (a) ‘Organized criminal group’ shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;
- (b) ‘Serious crime’ shall mean conduct constituting an offence punishable by a maximum

Since the early 1990s organised crime has been a growing security concern in Southern Africa.



deprivation of liberty of at least four years or a more serious penalty;

- (c) 'Structured group' shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.<sup>19</sup>

Article 5 provides:

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:
  - (a) Either or both of the following as criminal offences distinct from those involving the attempt or completion of the criminal activity:
    - (i) Agreeing with one or more other persons to commit a serious crime for purpose relating directly or indirectly to the obtaining of a financial or other material benefit and, where required by domestic law, involving an act undertaken by one of the participants in furtherance of the agreement or involving an organized criminal group;
    - (ii) Conduct by a person who, with knowledge of either the aim and general criminal activity of an organized criminal group or its intention to commit the crimes in question, takes an active part in:
      - a. Criminal activities of the organized criminal group;
      - b. Other activities of the organized criminal group in the knowledge that his or her participation will contribute to the achievement of the above described criminal aim;
  - (b) Organizing, directing, aiding, abetting, facilitating or counselling the commission of serious crime involving an organized criminal group.
2. The knowledge, intent, aim, purpose or agreement referred to in paragraph 1 of this article may be inferred from objective factual circumstances.

## ISSUES AROUND METHODOLOGY AND THEORY

In recent years, international relations specialists have increasingly moved away from theories that inter-state warfare poses the greatest threat to the sovereignty of states. Factors such as globalisation, transparency of

borders and the explosion of information technology are said to have contributed to the increased threat from sub-state actors. In fact, some commentators refer to organised crime and terrorism as "the darker side of globalisation"<sup>20</sup> or the "new evil empire". While terrorism and organised crime are not new phenomena, they are far removed from the political terrorism of the 1970s and 1980s or the clichéd Mafia syndicates.

Not only academics but also the UN have expressed their concern about terrorism and organised crime and their proposed linkages. On 28 September 2001, the UN Security Council adopted Resolution 1373 in terms of Chapter VII of the UN Charter. All states, including those who are not UN members, were compelled to implement the Resolution's operative provisions. This includes the criminalisation of the financing and other acts of support for terrorism, the freezing of bank accounts, the introduction of effective border controls and other measures to fast-track the exchange of operational information. Besides the operative provisions, the Resolution acknowledges the close connection between international terrorism, transnational organised crime and other forms of crime:

The Security Council...notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, sub-regional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security.<sup>21</sup>

Many countries proclaimed terrorism and organised crime as the most poignant threat to national security.

The concern about the "close connection" or linkage between these two distinct phenomena begs the question of where this originates and whether there is substance to such theories. Many analysts have claimed that the forces of globalisation have provided organised criminals and terrorists with the spring-

board to expand their operations from a domestic to a global terrain in recent years. In the aftermath of the Cold War, many countries proclaimed terrorism and organised crime as the latest and most poignant threat to national security. According to Standing,<sup>22</sup> this has led to a new set of regulations, the establishment of specialised law enforcement agencies and a range of academic interest in the two phenomena.

Traditional criminal justice systems seem to be unprepared to face the new challenges posed by organised crime and terrorism. There have been widespread calls for dramatic new investigatory and prosecutorial powers, including an increased scope for police to use



means on the legal periphery in conducting undercover operations, measures to trace and seize the proceeds of criminal activities or terrorist financing and laws to make membership of a criminal or terrorist organisation a crime *per se*.<sup>23</sup> Perhaps this would partially explain the interest of international bodies such as the UN in promulgating new international regimes aimed at countering terrorism and organised crime?

Before rushing to enforce new international legal instruments, it may be appropriate to ask some basic question as to who the sponsors of these new measures are, who stands to gain from them and what the motives are for implementing these new measures and regiments. Naylor<sup>24</sup> poses a valid question in asking how clear the frontier is between profit-driven crime and normal economic activity. The same applies to terrorism: when does political violence as sanctioned by the state and its law enforcement agencies become a form of terrorism?

Recent research has shown that many organised crime groupings are not economic but political and social in nature. Thus, they tend to form a kind of underground government to adjudicate and allocate territorial and property rights. Once the ground rules have been set, each individual member operates alone or in partnership with others, who may or not be members of the group.<sup>25</sup> Certain terrorist networks, such as al-Qaeda, show similar characteristics, i.e. terror cells may act independently of the core, only occasionally falling back on its logistical, financial or spiritual support.

By the same token, Naylor argues<sup>26</sup> that criminal markets fail to mirror hierarchical administrative structures operating on command to monopolise a market, but operate rather as loose and ad-hoc networks engaged in at-arms-length commercial transactions. Bearing in mind the wide variety of definitions of organised crime and terrorism and the short overview provided of the contested nature of both concepts, it needs to be pointed out that any academic analysis dealing with either concept is likely to be biased. Commentators often point out that the interpretation of what constitutes terrorism lies in the eye of the beholder. The same can be said for organised crime. It suffices here to mention that the present author has adopted state- and UN-sanctioned definitions of both concepts. The paper was conceived against the backdrop of a UN initiative exploring of the nature of linkages between the two phenomena.

For the purposes of present analysis, seven case studies were chosen. The criteria for their selection included whether, on the face of it, a linkage between terrorism and organised crime seemed plausible. Subsequent to the selection, an in-depth analysis was undertaken of primary and secondary research materials and where possible, interviews were conducted with experts on

the particular cases. In attempting to answer the basic research question, i.e. whether can linkages between organised crime and terrorism in Southern Africa can be substantiated, the author asked whether there was a linkage between the two phenomena. If research affirmed such linkages, the follow-up question looked at their nature.

## THEORETICAL DISCOURSE ON THE LINKAGES BETWEEN ORGANISED CRIME AND TERRORISM

Before exploring the linkage between organised crime and terrorism, we first look at how to distinguish between them. Organised crime is traditionally seen as profit-maximising endeavour. The success of organised criminal groupings is usually dependent upon attracting as little government attention to their activities as possible, while terrorist organisations thrive on media attention. Acts of political violence garnering maximum attention are the *raison d'être* of terror groupings.<sup>27</sup> According to Francesco Marelli:

terrorists are generally perceived as a grave threat to national security, whereas organised crime, although seen as problematic, enjoys tacit tolerance due to corruption or short-term pragmatism.<sup>28</sup>

Alex Schmid<sup>29</sup> summarises the differences between terrorist and organised crime groups as follows: While terrorist groups are usually ideologically or politically motivated, organised criminals seek to maximise their profit. Some terrorist groupings attempt to compete with governments for legitimacy, which does not feature on the agenda of organised criminal groupings. Media attention is of importance to terrorists but not to organised crime groups. Lastly, terrorist victimisation tends to be less discriminate than the violence used by organised criminals.

Citing the deaths of Giovanni Falcone and Paolo Borsellino in 1993 as an example of organised criminals employing a terrorist strategy, Marelli<sup>30</sup> believes that the distinctions between criminals and terrorists are becoming increasingly blurred. He argues that well-established terrorist groups have advanced economic machines that support their activities. For example, the majority of Irish Republican Army (IRA) members are actively involved in racketeering, drug trafficking and dealing, whereas only a small number of the IRA's members carry out acts of terror. In some cases, terrorists and criminals collaborate on the exchange of expertise or the purchase of materials needed in the execution of their deeds. Thus, criminals may provide terrorists with weaponry and sometimes provide experts to use them. Columbia's Fuerzas Armadas Revolucionarias de Colombia (FARC), the Shining Path in Peru, al-Qaeda and others control drug-producing

Media attention is important to terrorists but not to organised crime groups.



territory, supplying some of the major drug cartels. The Shining Path and FARC have entertained a reciprocal arrangement with local drug lords.<sup>31</sup>

Another area of convergence is the illegal market in arms and munitions serviced by organised criminals and aimed at meeting the demands of fellow criminals, rebel movements, terrorist groupings and pariah states. Proponents of a strong link between the two phenomena argue that globalisation has facilitated and expanded the potential market for traffickers. Thus, an increased earnings potential has emerged for dealing in explosives and biological, chemical and radioactive devices. Terror groups are said to be making increasing use of money laundering systems and illegal markets created by organised criminal groups to generate and disguise revenue used for terrorist activities. Gold and gemstones, identity papers, passports and stolen telecommunication devices such as mobile and satellite phones are readily available on the black market. In this instance the laws of demand and supply apply.

Both terrorists and organised criminals challenge state authority and its monopoly on the use of violence. Several rebel movements, FARC in Columbia being the most prominent, employ terror tactics to fight their enemies, on one hand, and employ criminal tactics to support themselves and their activities, on the other. Such tactics may include black market activities in diamonds, gold, cocaine, heroin and 'tax collection' through extortion. FARC and the War Lords in Burma control territory where the state exercises no authority and no monopolistic control over the use of violence.<sup>32</sup> The analogy to be drawn is that the growth of terrorist and/or criminal networks may flourish in developing countries with weak state structures. However, this does not preclude the developed world from providing similar opportunities for criminal and terrorist activities. Weak states may simply be more susceptible and easily corrupted.

In sum, the relationship between organised crime and terrorism can take the following forms:

- terrorists may engage in the drug trade, extortion and black market activities in gemstones, weapons and contraband to finance their activities;
- from time to time, drug producers and traffickers may hire terrorist groups to protect their interests; and
- organised criminal groups may employ terror tactics in their struggle with the state or rival groups.<sup>33</sup>

Analysts from the 'strong links' spectrum have left out a very important variable in their assessments. What is the role and the connection of the state and its law enforcement agencies with criminal and terrorist groupings? They contend that terrorists and organised criminals chal-

lenge state authority and its monopoly on the use of violence. This argument could be turned around. How does state authority collaborate with criminal and terrorist groupings to achieve political, military and economic ends? However, for the purposes of this paper, an analysis of the linkages between the latter two is undertaken.

## TERRORISM AND ORGANISED CRIME IN SOUTHERN AFRICA

Africa has witnessed a wide array of terror incidents including domestic, state and international terrorism. The United Nations Convention against Transnational Organised Crime<sup>34</sup> stipulates that an offence is of a transnational nature if:

- It is committed in more than one State.
- It is committed in one State but has substantial part of its preparation, planning, direction or control takes place in another State.
- It is committed in one State but involved an organised group that engages in activities in more than one State.
- It is committed in one State but has substantial effects in another State.<sup>35</sup>

Examples of terror attacks that would fall into the category of 'international terrorism' or 'transnational terrorism' are the US embassy bombings in Dar es Salaam and Nairobi, the simultaneous attacks on the Mombassa-based Paradise Hotel and an Israeli Arkia jetliner and the spate of suicide bombings in the Moroccan city of Casablanca in 2003. Africa may not have witnessed many incidents of international terrorism, but domestic or sub-national terrorism and state terrorism have a long history on the continent.

Most of the continent suffered from prolonged sectarian, colonial and state-sponsored violence throughout the 20th and into the 21st century. There has been little regard for humanitarian law and many war crimes have been committed, including indiscriminate attacks on civilians and conscription of child soldiers.<sup>36</sup> Many insurgent movements and government forces still employ tactics of terror and intimidation. Here are a few examples of domestic terrorism:

- Unita and Renamo in Angola and Mozambique, respectively;
- the Mai-Mai in Kenya;
- the tit-for-tat violence perpetrated by the Ugandan government forces and John Kony's Lord's Resistance Army (LRA) in the northern parts of Uganda;
- violence in the Angolan Cabinda enclave;

Many  
insurgent  
movements  
and  
government  
forces in Africa  
still employ  
tactics of terror  
and  
intimidation.



- the five-year conflict in the Democratic Republic of Congo (DRC)—the struggle for control over the Ituri district's gold, oil and diamonds has killed 50,000 people and displaced over half a million more;
- the spate of bombings in South Africa allegedly perpetrated by the right-wing Afrikaner group, Boeremag; and
- vigilantism in Mauritius and the urban terror campaign in South Africa.

Prominent examples of state-sponsored and state terrorism include:

- the Zimbabwean government under Robert Mugabe (especially its campaign in Matabeleland); and
- the South African military campaign, with Western backing, against the Namibian liberation forces of the South West African People's Organisation (Swapo) in southern Angola.

Another point to take cognisance of in the debate on terrorism in Africa is the level of colonial violence perpetrated against African peoples.

In a nutshell, the difference between Western conceptions of international terrorism and the terror tactics experienced in Africa is that the African form is often "an ancillary tactic of guerrilla or even, occasionally, of conventional warfare, aimed primarily at gaining benefits such as control of territory, governmental resources or lines of supply for weapons or food".<sup>37</sup>

The relative paucity of international terrorism incidents in Africa should not detract from the problem posed by organised criminal activities. In South Africa alone, in August 2003 the South African Police Service knew of 238 criminal syndicates operating in South Africa and across its borders.<sup>38</sup>

However, the phenomenon emerged in Southern Africa much later than in other parts of the world. According to Peter Gastrow,<sup>39</sup> organised criminal groupings came of age in the 1970s and 1980s. While governments of fledgling democracies dealt with teething problems such as post-conflict reconstruction, transformation and structural adjustment programmes, numerous criminal networks entrenched themselves and developed significant illicit markets across the sub-region.

The forgery of money, arms smuggling, vehicle theft and hijacking are well-established in the sub-region, as revealed by surveys conducted by the Institute for Security Studies (ISS) in 2001 among nine of SADC's 14 member states. In eight of the nine countries surveyed, other widespread forms of organised crime included drug trafficking, forgery and the smuggling of ivory and rhino horns.<sup>40</sup> Narcotics trafficking is well-established throughout sub-Saharan Africa. Internally,

the most readily available drug is *cannabis* (marijuana) but other drugs have been introduced from outside the region. Huge quantities of cocaine, heroin and ecstasy are smuggled into the sub-region. South Africa tends to be the main destination for these drugs, but it also doubles up as the main transit point in the trade between South-East Asia, South America, North America and Western Europe.<sup>41</sup> Fraud and money laundering occur on a massive scale. The laundering of drug proceeds through the international banking system is made easy due to the inadequate level of preparation and countermeasures on the part of states in the sub-region, which have only recently been exposed to the activities of criminal cartels. The situation seems of an especially grave nature in South Africa, Lesotho, Swaziland, Namibia and Mozambique. Trafficking in persons and smuggling of migrants, as well as smuggling of human body parts, is another area of criminal activity.<sup>42</sup> The illegal export of diamonds, gold, precious minerals, agricultural products and game meat is also on the rise.<sup>43</sup> Growing high-level business and government corruption goes hand in hand with the increase in organised criminal activity in the sub-region.

## CASE STUDIES

This section presents case studies from the southern Southern African sub-region, selected due to a suggested link between terrorism and organised crime.

### Dar es Salaam and Nairobi, 7 August 1998

On 7 August 1998, two massive bombs exploded outside the US embassies in Dar es Salaam and Nairobi killing 224 people and injuring more than 5,000. A small pickup truck packed with explosives was driven to the delivery entrance of the US Embassy in Nairobi. After the occupants of the vehicle had killed several guards with a grenade, they triggered the bomb. The blast collapsed the adjacent Ufundi Co-operative Building and destroyed the left and rear side of the embassy building.<sup>44</sup>

A few minutes later, a similar scenario played itself out in Dar es Salaam. A vehicle pulled up to the main gates of the US embassy and a hidden bomb exploded, tearing off the east wing of the concrete building and raining debris on streets and houses for nearly a mile in every direction. According to Tanzanian police sources, a suicide bomber detonated the bomb.<sup>45</sup>

There were no immediate claims of responsibility. The Egyptian group, al-Jihad, was initially under suspicion because it had made threats against American installations before the bombings. Within days, Pakistani authorities detained a Palestinian national who had flown from Nairobi to Karachi on the day of the bombing.

Organised criminal activities emerged in Southern Africa much later than in other parts of the world.



Mohammad Sadiq Odeh admitted having a role in the blasts, as part of a team that was recruited and financed by the Saudi millionaire, Osama bin Laden. Kenyan authorities detained another suspect, Mohamed Rashed Daoud al Owahali, who was believed to have driven the truck that carried the Nairobi bomb. Owahali later admitted that he had attended terrorist training camps affiliated with al-Qaeda in Afghanistan.<sup>46</sup> Within weeks, authorities claimed that the bombings were linked to a widespread conspiracy orchestrated by bin Laden. Three more suspects with alleged links to al-Qaeda were arrested in September.

Police investigations indicated that preparations for the attacks started in the early 1990s, when some of the attackers left for military and logistical training in Afghanistan. In the period preceding the bombings, the attackers were engaged in petty business deals. Clothing was shuttled between Dar es Salaam and Mombassa.<sup>47</sup> Police searches in Dar es Salaam yielded several passport applications for the same persons. Local police found that terror suspects infiltrated local communities through sham marriages and through religious, charity and non-governmental organisations.<sup>48</sup> Police also suggested that explosives used in the bombings were shipped to Kenya and Tanzania via Somalia. The lawless situation in that country means there was—and still is—little control over the movement of vessels from the Middle East and South-East Asia to the East African coastline.<sup>49</sup>

Though investigations indicated that al-Qaeda might have interacted with organised criminals in the procurement of weapons, ammunition and explosives, this should not be overemphasised. Due to the clandestine and the self-sufficient nature of al-Qaeda, it is highly unlikely that there would be a permanent arrangement between it and organised criminals. The risk of detection is too high. The terrorists themselves are guilty of petty and serious criminal activities, such as identity document forgery, arms smuggle or the manufacture of arms and bombs. In this instance, the linkage between terrorists and organised criminals is of a tenuous nature and interactions are based on ad-hoc business deals.

#### **Tanzanite: An instance of terrorist financing?**

It is no secret that al-Qaeda has been linked to diamond and gemstone dealings in Africa. As recently as May 2003, former Liberian President Charles Taylor harboured al-Qaeda members that came to trade in diamonds. Two al-Qaeda members bought diamonds and attempted to buy surface-to-air missiles in Liberia.<sup>50</sup> The role played by so-called 'blood diamonds' in reviving and sustaining Unita in Angola and different rebel factions in the DRC is well documented elsewhere.<sup>51</sup>

On 16 November 2001, only two months after the terrorist attacks on New York and Washington, reporters Robert Block and Daniel Pearl of the *Wall Street Journal* dropped a bombshell by suggesting that Osama bin Laden's al-Qaeda network controlled a sizeable chunk of the tanzanite trade. This rare gemstone is mined only at a 13km<sup>2</sup> patch of graphite rock in northeastern Tanzania. The journalists' investigation was founded on an allegation that an al-Qaeda member had sold a few tanzanites in London a few years earlier. Tanzanite's links to bin Laden were suspected before September 11, however: during the 2001 trial of four men accused of the 1998 embassy bombings Nairobi and Dar es Salaam a prosecution witness testified that al-Qaeda operatives fed the terror network's coffers by trading in commodities including animal hides, sugar and tanzanite.

According to the *Wall Street Journal* article,<sup>52</sup> "Muslim extremists loyal to Mr bin Laden buy stones from miners and middlemen, smuggling them out of Tanzania to free-trade havens such as Dubai and Hong Kong". The article suggested that smuggling spirited 90% of tanzanite production out of the country. Local traders bought plastic bags full of rough stones, paying cash with no exchange of paperwork.

The article also claimed that the courtyard of the Taqwa mosque in Mererani, a town a few miles from the tanzanite mining shafts, doubled up as an open-air gem-dealing space. It was alleged that mosque traders acted as informal intermediaries and were instructed by the local imam, Sheikh Omar Suleyman, to sell their stones only to the region's largest tanzanite dealer, Abdulhakim Mulla. Al-Qaeda sympathisers bought gemstones from him and smuggled them through 'rat routes' to Mombassa. From there, tanzanites would make their way to Hong Kong or Dubai via two al-Qaeda companies, Tanzanite King and Black Giant. These two companies were allegedly set up by Wadih el Hage, a gem dealer and former personal secretary to Osama bin Laden. From Nairobi, el Hage personally ran Tanzanite King. His diary, which FBI agents seized in 1997, detailed his travels to London, Los Angeles and San Francisco, marketing the gem to jewellery stores.<sup>53</sup>

It was alleged in the *Wall Street Journal* article that the smuggling of gold and gemstones is a means to move terrorist funds around the world.

Imam Suleyman subsequently denied that the mosque was used to facilitate bin Laden's tanzanite trade. Mulla, the tanzanite dealer, also vehemently denied that he was bankrolling the terror network. He suggested that the allegations linking him to al-Qaeda were part of a plot by competitors trying to force him out of business.<sup>54</sup>

The high risk of detection makes it unlikely that there would be a permanent arrangement between al-Qaeda and organised criminals.





The *Wall Street Journal* article was not without consequences. Sales of the gem plummeted as the patriotic American public reacted to the allegations. Major retailers, such as Tiffany & Company, Zale and others, dropped tanzanite from their offerings.<sup>55</sup> As the US had provided 80% of the global market for tanzanite, the implications for Tanzania were severe and impacted on the livelihoods of miners, cutters, manufacturers, suppliers and dealers alike.

However, Tanzanian investigators could find no evidence of the operations the article had suggested. In February 2002, a Tanzanian delegation attended a major gem trade show held in Tucson, Arizona where they assured dealers that no terrorist groups were profiting from the sale of tanzanite. The East African Affairs Officer for the US State Department supported this:

We have seen no evidence that al-Qaeda or any other terrorist group is currently using tanzanite to finance its efforts or launder money.<sup>56</sup>

The Tuscon Tanzanite Protocols, which established a system of warranties guaranteeing that the gems were mined and exported legally, originates from this meeting. More than a dozen national and international organisations signed the Protocols. In addition, Tanzania has declared the mining site a controlled area where no visitors are allowed without a dealer's license and other identification.<sup>57</sup>

There is no concrete evidence that al-Qaeda had dealings in the tanzanite trade. US authorities contended that in the aftermath of September 11 and the subsequent disruption of some al-Qaeda cells in Europe and Northern America, the terror network was seeking to set up shop in new destinations. In this case, journalists in need of a good news story may have blown an allegation out of proportion.

### **Mombassa, 28 November 2002**

On 28 November 2002, suicide bombers attacked the Israeli-owned Paradise Hotel at Kikambala, north of Mombassa, killing 12 people. At the same time, members of an East African al-Qaeda cell unsuccessfully attempted to shoot down Arkia Airlines flight 582 leaving Moi International Airport in Mombassa for Tel Aviv.

A recent report by a UN Security Council Panel of Experts on Somalia<sup>58</sup> sheds light on the preparations leading to the simultaneous attacks. According to the report, preparations for the Mombassa attacks commenced shortly after the embassy bombings in 1998. Under the leadership of a Comoros national, Fazul Abdallah Mohamed (sought by the US for his involvement in the embassy bombings), a team was assembled along the Kenya-Somali coast. Its members became involved in small-scale lobster fishing with capital provided by al-Qaeda.

In November 2001, the team met in Mogadishu, where junior members were provided with ideological orientation and small-arms training. Kalashnikovs, pistols and hand grenades were purchased on the local Somali black market and two surface-to-air missiles and two griptestock launchers were procured for the attack.

The trafficking in small arms remains a problem along the long border between Kenya and Somalia. There is a surplus supply of small arms on the black market in the neighbourhood of Eastleigh, an area of the Kenyan capital inhabited largely by Somali nationals. The UN Panel of Experts also saw evidence that some weapons were smuggled in from either Sudan or the DRC.<sup>59</sup>

UN investigations revealed that the missiles had been sold to Yemen as part of a larger consignment. There were two possible routes of entry into Somalia: either commercial arms dealers smuggled them directly from Yemen or they were transferred to Eritrea and then to Somalia as part of an Eritrean Government transfer to faction leader Hussein Aideed in 1998. In August 2002, the missiles were smuggled into Kenya by sea from Somalia. In an effort to minimise the risk of detection, the launchers were painted blue and white.<sup>60</sup> The explosives used in the blast at the Paradise Hotel consisted of steel gas cylinders packed with ammonium nitrate, which was locally prepared in Kenya.

The attention given to the illegal traffic across the Kenyan-Somali border has cast a new light on the historic trading routes that form a 2,000-mile arc from Pakistan down to the eastern coast of Africa, to the Comoros Islands, between Mozambique and Madagascar. This age-old, unregulated trade route is sustained by tribal links and religious sympathies. Off the coast, small wooden boats stream back and forth between the neighbouring countries. A small sailing vessel can travel from Kenya to Mogadishu in less than three days.

Modern shipping vessels can do the same trip in less than 12 hours.<sup>61</sup>

The Kenyan-Somali border is very difficult to police. The boundary stems from a colonial agreement between British East Africa and Italian-controlled Somaliland. It cuts across 424 miles of dense forests and savannah to the shores of the Indian Ocean. Kenyan border guards say they lack the tools to combat smugglers, who they claim are armed with rocket-propelled grenades and heavy machine guns. Another issue, of course, pertains to corruption: many border guards allegedly turn a blind eye in return for cash from the smugglers.

The UN Panel of Experts noted that pursuant to the Mombassa attacks:

Owing to violations of the Somalia arms embargo, transnational terrorists have been able to

There is no  
concrete  
evidence that  
al-Qaeda had  
dealings in the  
tanzanite  
trade.



obtain not only small arms, but also man-portable air-defence systems, light anti-tank weapons and explosives. On at least one occasion in the past 12 months, arms delivered illegally to Somalia were employed in the commission of a terrorist act in Kenya; although that particular attack was unsuccessful, the Panel believes that additional weapons may have since been imported into Somalia solely for the purpose of carrying out further terrorist attacks in neighbouring States.<sup>62</sup>

In addition to the possible links between al-Qaeda and arms smugglers, there were initial allegations of a drug connection. Kenya is known as one of the major drug conduits in Eastern Africa. Following the attacks, Kenyan authorities arrested two brothers, Palestinian nationals who were connected to the late Kenyan drug baron, Ibrahim Akasha. It was alleged that they trailed the white Mitsubishi Pajero whose occupants were suspected of having fired the missiles at the Arka jetliner.<sup>63</sup> Charges against the brothers were later dropped because of a lack of evidence.

In this case, the alleged linkage between terrorists and organised criminals boils down to a business transaction on the black market. Al-Qaeda linked up with arms dealers, who fall into the category of transnational organised criminals. The nature of this relationship was a once-off ad-hoc business deal. Arms smugglers provided the terror network with the goods it required in exchange for money, gold or gemstones.

Once the deal was signed off, both sides would erase traces of the interaction. As both terrorists and transnational organised criminals live in constant fear of detection, a permanent arrangement between them would endanger the success of future operations on both sides.

#### **The case of Mohamed Suleman Vaid**

On 25 April 2001 South African police detained a Durban resident, Mohamed Suleman Vaid, and his wife, who were attempting to cross South Africa's border with Swaziland with R1.2 million stuffed into their underwear. Initially authorities believed that Vaid was a rogue businessperson trying to evade South African currency regulations. However, before his arrest he had travelled from Durban through Swaziland to neighbouring Mozambique 150 times in 18 months. Telephone records indicated that on several occasions Vaid had called an exchange bureau in the Mozambican capital of Maputo that had ties to gold dealers in Dubai.<sup>64</sup>

South African intelligence agents thought that the R1.2 million they seized was destined for a Mozambican business executive of Lebanese origin, with dual Czech-Mozambican nationality. As the incident happened just a few months before September 11, South African police investigators concluded that the reason for the

money smuggling was to fund the al-Qaeda terror network before the attacks on New York and Washington. They made a case that South Africa, due to its riches in commodities like diamonds and gold, its economic infrastructure, communication network, accessible transportation and geographical location, was an ideal location for money laundering and smuggling.<sup>65</sup> There have been allegations that Hamas has been active in South Africa since 1992, that Hezbollah para-military members were trained there in 1999—the list of alleged links between South Africa and terror organisations goes on. Yet police investigations initially made no headway. While Vaid admitted to carrying concealed money across the border, he insisted that he was not aiding al-Qaeda or any other terrorist organisation.

What makes the Vaid case interesting is the allegation that the foreign exchange bureau in question in Maputo may have been Unicambios,<sup>66</sup> which was owned by Ayob Abdul Satar, one of three men found guilty in January 2003 of ordering the murder of investigative journalist Carlos Cardoso. During the Cardoso murder trial it transpired that Unicambios moved large sums of money outside of the control of the supervision department of the Bank of Mozambique. Satar and his brother, Momade Assife Abdul ('Nini') freely admitted to these illegal transactions.<sup>67</sup> Nini Satar also ran a loan-shark racket from Unicambios, offering loans at extortionate interest rates to people who were unable to borrow from commercial banks. There were strong suspicions that Unicambios was involved in the illegal movement of vast amounts of South African banknotes from South Africa to Dubai. Mozambican authorities closed down Unicambios at the end of 2003.

The Mozambican capital alone has 36 exchange bureaux and 12 banks, which begs the question whether there is enough business for everyone. The Indian Ocean nation has long been regarded as a haven for money laundering activities.

However, investigations in the Vaid case are still underway and it would not be prudent to draw a link between terrorists and organised criminals at this stage.

#### **South Africa: People Against Gangsterism and Drugs (Pagad)**

Between 1994 and 2000 over 400 bomb explosions rocked urban centres in South Africa. Most occurred in the context of gang warfare and vigilante action against criminal gangs on the Cape Flats, home to the majority of Cape Town residents. This area was intended to act as a labour repository for the Apartheid State. It is severely underdeveloped and characterised by poverty. The blame for the bombings was firmly placed at the doorstep of Pagad. The organisation originated in a network of hitherto isolated anti-drug, anti-crime groups and neighbourhood watches. Members felt frus-

Mozambique has long been regarded as a haven for money laundering activities.



trated by their inability to tackle exploding levels of drug-dealing and drug-taking, increased crime levels and socio-economic problems in their neighbourhood.<sup>68</sup> The group found resonance with large numbers of people across the Cape Flats. However after its formation in 1995 as a popular anti-crime movement, perceptions around Pagad gradually changed. It gained notoriety following the public setting alight of drug lord Rashaad Staggie, in August 1996.

Following the Staggie murder the motive for some acts of violence seemed to have changed. Violence on the Cape Flats was no longer a tit-for-tat between gangs battling for territory and markets, on one hand, and vigilantes attempting to rid society of suspected drug dealers, on the other. Martin Schönreich<sup>69</sup> maintains that the new violence sought to “create a climate of fear and terror among the citizens of Cape Town”. From mid-1998 onwards, the locale where acts of violence occurred was no longer restricted to the ganglands of the Cape Flats but spread to the Cape Town city centre and tourist destinations in the Cape Peninsula. In fact, the urban terror campaign struck at the heart of government power, increasingly targeting police stations, courts, personnel of the justice system, as well as popular tourist and entertainment areas, restaurants and Cape Town International Airport.<sup>70</sup>

To this day it remains unclear whether Pagad was responsible for the wave of bombings that hit the Western Cape between 1998 and 2000. Despite its denial of responsibility, the South African police said that it had evidence to the contrary, even though most of it appeared to be circumstantial.<sup>71</sup>

As early as 1996, media reports linked Pagad with the Palestinian and Lebanese groups, Hamas and Hezbollah. It was suggested that they were corroborating on setting up military training camps.<sup>72</sup> Probably the most publicised attack in Cape Town was a bomb blast at the Planet Hollywood restaurant at the Waterfront complex, a popular tourist destination and shopping mall. The bombing killed two people and wounded 26, prompting the US State Department to add Pagad to its list of terrorist organisations.<sup>73</sup>

Pagad has repeatedly denied responsibility for terrorism. A prominent member of the Pagad leadership maintained that many high-ranking police officers were on the payroll of the gangsters. Pagad thus presented a threat to the status quo. Before the Staggie murder, Pagad enjoyed high levels of sympathy among the Cape community. Members of the organisation marched to drug merchants' houses, issuing them with ultimatums to stop selling drugs. In return for ceasing their activities, the community offered them alternate and legal methods of making a livelihood.<sup>74</sup>

A point to note is that during the so-called urban terror campaign, some newspaper reports linked Pagad with organised criminal activities. It was alleged that it was running an extortion racket, demanding protection money from Muslim business people. Attacks were directed at non-payers and anyone suspected of drug dealing.<sup>75</sup> Pagad members themselves acknowledged that gangsters abused the Pagad campaign in the later stages. Pagad members usually masked their faces during the marches. Pagad claimed that gangsters and petty criminals abused the masquerade, raiding houses and businesses during these marches. Furthermore, there were allegations that one of the Pagad leaders had been a ‘mule’ (drug carrier) prior to joining the organisation and had carried drugs between India and South Africa.

Pagad itself committed acts of crime, such as the murder of Staggie. However, the link between terrorism and organised crime and/or other forms of criminality is less clear. Corruption and a close and reciprocal relationship between gangsters and state authorities actually led to Pagad's formation. It was never clearly established whether Pagad were the perpetrators in the urban terror campaign. Be this as it may, elements in Pagad committed criminal acts. Furthermore, opportunists and outsiders used the platform provided by Pagad marches to launch their criminal activities.

### Similar to Pagad in South Africa, Hezbollah in Mauritius mobilised around opposition to drug trafficking.

#### Mauritius: Hezbollah

Similar to Pagad in South Africa, the Mauritian Muslim opposition party Hezbollah (which bears no relation to the Lebanese Party of God) was able to mobilise around opposition to drug trafficking and mounted a campaign of violence against those thought to be involved. Hezbollah took a tough stance against drugs, gambling and other non-Islamic practices, such as pork consumption.<sup>76</sup> Drug abuse had become endemic among Mauritian Muslims to the extent that in 1995, a group of drug warlords controlled the Port Louis city of Plaine Verte with the open and publicly-known

support of high government officials.

In December 2000, Mauritian authorities arrested the leader of Hezbollah. Cahl Meeah<sup>77</sup> was charged with instructing party supporters to gun down three activists of the Mauritian Militant Movement-Labour alliance during the 1996 general elections. The charges were based on the testimony of a single witness, who was a member of a military unit, the Death Squadron, which carried out the murders. Hateem Oozer, a lifelong criminal and alleged drug addict, turned state witness in return for *de facto* immunity from prosecution.

The Death Squadron was initially created to deal with the proliferation of drugs in Muslim-dominated areas of the country, particularly in Plaine Verte.<sup>78</sup> Some



Hezbollah members were suspected of being involved in the Death Squadron, which commanded the tacit and silent support of a large section of the Muslim community. It killed alleged drug kingpins and destroyed property. In exchange for immunity from prosecution, Hateem Oozer revealed some of Hezbollah's alleged evil-doings. He charged that bank robberies and armed hold-ups resulting in the monetary value of three million Mauritian rupees had helped to fill Hezbollah's coffers.<sup>79</sup>

In the aftermath of September 11, US authorities identified Mauritius as a haven for Islamist extremists and a money laundering centre for al-Qaeda. The Mauritian government seemed eager to jump on the bandwagon of the US-led 'War on Terror'. Late in 2001, the Mauritian Prime Minister, Sir Anerood Jugnauth, claimed that "certain daredevils close to the Hezbollah"<sup>80</sup> were plotting to use crop sprayers and insecticide to destroy the country's sugarcane plantations. There were allegations that Hezbollah received foreign funding from states and movements supporting the introduction of *sharia* law on the island.

Whether Hezbollah was a vigilante or a terrorist grouping or just a political party lies in the eye of the beholder. Evidence shows that it took violent action against drug dealers, thereby defeating the ends of justice. It is, however, doubtful whether it co-operated with organised criminals. The political oratory employed by the Hindu-dominated government suggests that Hezbollah had become a political force to be reckoned with. To link the party with organised criminals and international terrorists may have served to taint Hezbollah's reputation.

### South Africa: Boeremag

In the early morning hours of 30 October 2002, eight bomb blasts rocked Soweto, a township in the South African city of Johannesburg. Seven of the bombs were planted close to commuter railway lines, destroying them and inconveniencing more than 200,000 commuters. One woman was killed. Other blasts subsequently occurred at a bridge on the south coast, at an airport north of Johannesburg and at a Buddhist temple in a small town outside Pretoria.

A hitherto unknown organisation, Die Boeremag, claimed responsibility for the bombings. In 2002, 23 alleged Boeremag members were arrested and charged with terrorism-related offences, sabotage and high treason. The counter-terrorist police unit in charge of the 'white right' investigation found a lorry loaded with a few thousand automatic rifles and uncovered various arms cache around the country. Raids on the homes of suspected Boeremag members also uncovered documents and computer disks outlining the group's plans to depose South Africa's government.<sup>81</sup>

The unexpected appearance of the Boeremag, a small para-military right-wing group, initially caught South

African law enforcement and intelligence agencies by surprise. By late 2002, the group had become South Africa's primary state security concern.

The key objective of the Boeremag was the establishment of an exclusive Afrikaner state. Their campaign of sabotage was driven by noxious mix of religious fanaticism and radical nationalism. Police confiscated a document that provided the group's perceived justification for establishing an Afrikaner state. Among the points listed were 'unjust' affirmative action practices and the sidelining of the Afrikaans language.<sup>82</sup>

The Boeremag had a number of fantastical plans up its sleeve. It plotted to kill former South African president Nelson Mandela by blowing him up in his car. It planned to wage a car-bombing campaign aimed at creating panic among the residents of Alexandra township, northeast of Johannesburg. The group also hired ten rental vehicles, which they stored in rented property in Alexandra and which were to be converted into car bombs to be detonated at the World Summit on Sustainable Development in Johannesburg in 2002. The operation was called off after security forces learnt about the plans. The campaign was intended to incite violent protests from black people, creating a climate that would be conducive to staging a coup d'état.

Schönteich and Boshoff negate the level of threat posed in South Africa by extreme right-wing organisations such as Boeremag: "The extreme white right cannot attract sufficient popular support, and develop organisational capacity, to execute a coup d'état."<sup>83</sup>

During and in the run-up to the Boeremag's terrorist campaign, members of the organisation were accused of extortion, of stockpiling firearms and ammunition and of manufacturing and using explosives. It was alleged that Boeremag members were behind weapons thefts from several military bases.<sup>84</sup> It is highly unlikely that the Boeremag co-operated with organised criminals in the procurement of weapons and ammunition. In fact, the clandestine nature and structure of such a terrorist grouping precludes interaction with ordinary criminals. Confiscated 'coup documents' indicate that their authors were very well informed about military equipment and personnel at most military bases in the country. Two key points in the documents were that the Boeremag would employ strict security measures to prevent infiltration of the group by state security and intelligence agents and that it would, in turn, infiltrate military and police structures to obtain weapons, ammunition and communication equipment.<sup>85</sup> The Boeremag more than likely adopted an organisational structure used by most guerrilla and terrorist movements to minimise the risk of detection and infiltration by intelligence officials: Schönteich and Boshoff suggest that it was organised into small cells consisting of three to four people, co-ordinated into commandos and sectors. This organisational design is necessary for an organisation that needs to operate in secrecy and commit acts of terror.



## CONCLUSION

The structural, economic, social and political weaknesses in the sub-region, combined with well-organised and firmly entrenched criminal networks would, on the face of it, suggest that linkages between organised crime and terrorism are plausible. However, none of the cases examined here could establish a clear linkage between organised crime and terrorism in Southern Africa.

They show that international terrorists may have interacted with organised criminals at times in straightforward business deals, on ad-hoc basis. Thus, in the case of the embassy bombings and the Mombassa attacks, al-Qaeda had to procure weapons, ammunition and explosives from black market arm dealers.

The cases involving domestic terrorists and their purported linkages to organised criminals indicate that the terrorists themselves are implicated in criminal deeds.

Taking the organisational profile of organised criminals and terrorists into consideration, it is highly unlikely that they would co-operate with each other on an ongoing basis. Transnational organised criminals and terrorists fear detection; collaboration would serve to heighten the risk. As mentioned earlier, Southern African law enforcement officials and intelligence communities have taken note of the threat posed by these types of crime. Infiltration by such officials is just one of the means available to fight them.

It should be noted that organised criminals are fighting for survival due to increased competition between dif-

ferent criminal syndicates. Entering into a close relationship with terrorists would not feature on their agendas unless there was an immediate financial gain. Furthermore, there is little political or ideological common ground between terrorists and criminals. During Africa's 'winds of change' period, some 'indigenous' criminal groups did work with so-called terrorists. But in the post-transformation period, 'indigenous' groups are a-political; support for terrorist structures would not derive from similar thinking, or from fighting for a similar cause. (Though some of the former liberation fighters have in fact found a new home in criminal syndicates.)

While proven linkages elsewhere in the world (FARC, IRA, etc) would suggest that there is much to gain from a close symbiotic linkage between terrorists and organised criminals, this reality is not reflected in Southern Africa.

In conclusion, analysts, policy advisers and others should proceed cautiously in linking the two forms of criminality, both of which are threatening the very base of the nation-state. In fact, the question that arises is how terrorists and organised criminals are managing to sustain themselves and grow stronger in the shadow of the nation-state. Proving or establishing a linkage between the two distinct phenomena may conceal some uneasy questions, such as the linkages between states, commercial enterprises and multi-national co-operations, on one hand, and organised criminals and terrorists, on the other. This would be a challenging topic for future analysis.

## Notes

- 1 The SADC region consists of Angola, the DRC, Tanzania, Mozambique, Mauritius, Zambia, Zimbabwe, Botswana, Namibia, South Africa, Swaziland, Lesotho, Malawi and the Seychelles. Due to financial difficulties, the Seychelles announced its intention to pull out of SADC in 2004. Though the DRC and Angola are members of SADC, they have not been considered in this paper. The DRC is still in the midst of civil war, while Angola has only recently re-emerged from decades of civil strife.
- 2 UNODC Regional Office for Southern Africa, *Strategic programme framework on crime and drugs for Southern Africa*, Pretoria, UNODC, 2003.
- 3 A Hübschle, Conceptualising terrorism, paper delivered at a seminar on terrorism in Southern Africa, 18-19th September 2003, Colosseum Hotel, Pretoria, South Africa, p 1.
- 4 A Schmid & A Jongman, *Political terrorism* (2nd edition), Nort-Holland Publishing Company, Oxford, 1988.
- 5 A Rilke (ed), *Terrorism research: Trends, achievements and failures*, Frank Cass, London, 2003, p 2.
- 6 P Cyran, Defining terrorism, <[www.counterpunch.org/cyran1.html](http://www.counterpunch.org/cyran1.html)>
- 7 C Goredema, Zimbabwe in P Gastrow (ed) *Penetrating state and business: Organised crime in Southern Africa* (Vol 2), Institute for Security Studies (ISS), Pretoria, 2003, pp 2-3.

- 8 Ibid.
- 9 A Standing, *Rival views of organised crime*, ISS, Pretoria, 2003, p 43.
- 10 P Gastrow, *Organised crime in the SADC region: police perceptions*, ISS, Pretoria, 2001.
- 11 Ibid, p 30.
- 12 Standing, op cit, p 45.
- 13 Gastrow, op cit, pp 21-23.
- 14 Ibid, p 55.
- 15 Ibid, p 57.
- 16 Ibid, p 9.
- 17 Ibid, p 29.
- 18 Standing, op cit, p 37.
- 19 For the purposes of this paper, the high level of acceptance of the Palermo Convention in terms of its ratification amongst states in Southern Africa justifies the employment of the definition provided.
- 20 F Halliday, 'Terrorism in historical perspective', <[www.open-democracy.com/debates/article-2-103-1865.jsp](http://www.open-democracy.com/debates/article-2-103-1865.jsp)>, 22 April 2004.
- 21 UN Security Council, Resolution S/2001/1373, 28 September 2001.



- 22 Standing, op cit.
- 23 R T Naylor, Predators, parasites, or free-market pioneers: reflections on the nature and analysis of profit-driven crime, in Margaret E Beare (ed) *Critical reflections on transnational organised crime, money laundering, and corruption*, University of Toronto Press, Toronto, 2003, p 35.
- 24 Naylor, op cit.
- 25 Naylor, op cit, p 41.
- 26 Naylor, op cit.
- 27 F Marelli, Organised crime and terrorism: dancing together, <www.members.lycos.co.uk/ocnewsletter/SGOC0903/marelli.pdf>.
- 28 Ibid.
- 29 A P Schmid, The links between transnational organised crime and terrorist crimes, *Transnational Organised Crime*, 2(4), Winter 1996, pp. 40-82.
- 30 Marelli, op cit.
- 31 The Colombian cocaine cartels based in Medellin and Cali regularly hire FARC and M19 guerrillas to provide security at cocaine plantations. The terrorists receive payment for their services, which is used for future operations, while the cartels have found an efficient way to secure their operations.
- 32 Marelli, op cit.
- 33 S Calvani, Threats to human security: terrorism, organised crime and drugs in Asia, paper presented at the United Nations Inter-Agency Security Network Group Meeting, Bangkok, Thailand, 9 March 2001.
- 34 Article 3(2) of the United Nations Convention Against Transnational Crime.
- 35 Cited in J Cilliers, Terrorism and Africa, paper presented at the Third International Resource Group Annual Conference, Leopard Beach Hotel, Mombassa, 26-27 September 2003, p 6.
- 36 C H Powell and I A Goodman, Reconciling the fight against terrorism and organised crime with Banjul, in J Cilliers and K Stuurman (eds), *Africa and terrorism*, ISS, Pretoria, July 2002, p 43.
- 37 Ibid.
- 38 Cited in Crime explosion in SA says UN report, *The Daily Dispatch*, 20 August 2003.
- 39 P Gastrow, *Penetrating state and business: Organised crime in Southern Africa* (Vol 2), ISS, Pretoria, 2003, p vii.
- 40 Gastrow, op cit, p 64.
- 41 C Goredema, Organised crime, war and terror in Southern Africa: An analysis of a noxious cocktail, paper delivered at an International Experts Meeting on root causes of terrorism, Radisson SAS Hotel, Oslo, Norway, 9-11 June 2003, p 5.
- 42 UNODC, op cit, pp 13-14.
- 43 Powell and Goodman, op cit, p 44.
- 44 U.S. Embassy Bombings in Nairobi, Kenya, and Dar es Salaam, Tanzania, *The Washington Post*, <www.washingtonpost.com:terroristdata>.
- 45 V Mlowola, Terrorism in Tanzania, paper delivered at a seminar on terrorism in Southern Africa, 18-19th September 2003, Colosseum Hotel, Pretoria, South Africa, p 8.
- 46 *The Washington Post*, op cit.
- 47 V Mlowola, op cit, p 8
- 48 Ibid, pp 10-11.
- 49 Ibid, p 11.
- 50 D Farah, Liberian is accused of harbouring al-Qaeda, *The Washington Post*, 15 May 2003.
- 51 See: For a few dollars more, *Global Witness*, April 2003, <www.globalwitness.org>.
- 52 R Block and D Pearl, Bin Laden is backed by rare blue gem called tanzanite, *The Wall Street Journal*, 16 November 2001.
- 53 D Maharaj, The world gem tied to terror loses sparkle East Africa: reports that al-Qaeda controlled part of the tanzanite trade have sent the stone's price plunging and left miners in the lurch, *Los Angeles Times*, 20 March 2002.
- 54 D Maharaj, op cit.
- 55 John Elvin, Gem dealers face War-on-Terror backlash, *Insight on the News*, 18(25).
- 56 Cited in Elvin, op cit.
- 57 V Gomelsky, Tanzanite business recovering, *National Jeweler*, 96(13).
- 58 UN Security Council, S/2003/1035, 4 November 2003.
- 59 Ibid, p 23.
- 60 Ibid, pp 29-30.
- 61 D Filkins and M Lacey, Kenya's porous borders lies open to arms smugglers, *The New York Times*, 4 December 2002.
- 62 UN Security Council, op cit, p 28.
- 63 The drugs connection in the terror hunt at coast, *The Nation*, 9 December 2002.
- 64 R Block, Terrorists may be setting up shop in South Africa, *The Wall Street Journal*, 11 December 2002.
- 65 CSIS, South Africa's terrorist haven, *Transnational Threats Update*, 1(4), December 2002.
- 66 The author of this paper gained this information from an interview with a Mozambican investigative journalist. The possible link between Vaid and Unicambios was also mentioned in *All Africa* (Finally, Unicambios is closed, *All Africa*, 14 October 2003).
- 67 Ayob Satar submitted in his defence a series of cheques issued to him by the Polana Casino totalling seven billion meticais (about US\$300,000), but never cashed. Defence attorneys claimed that Gary Rouper, a South African national who was the then-manager of the casino, owed the Satar brothers vast sums of money. It was argued that Rouper had paid with post-dated cheques and then arranged for them to be arrested for the Cardoso murder before the cheques could be cashed. The court did not accept the defence but expressed interest in establishing the origin of the money lent to the casino. Nini Satar then stated that the total sum involved was ten billion



meticais (about US\$420,000), lent by a South African associate named Bachir Abdullah. Nini was supposed to collect the repayment from the casino in exchange for a commission. Nini did not reveal who Abdullah was or what sort of business he was running. But he said that Abdullah had paid the money in Rands into an account held by the Polana Casino in South Africa. He alleged that he was supposed to collect the repayment from the casino in meticais.

- 68 B Dixon and L-M Johns, *Gangs, Pagad and the state: Vigilantism and revenge violence in the Western Cape*, Centre for the Study of Violence and Reconciliation, Violence and Transition Series, 2, May 2001, p 3.
- 69 M Schönteich, Introduction, in H Boshoff, A Botha and M Schönteich, *Fear in the city*, ISS, Pretoria, September 2001, p 9.
- 70 Ibid.
- 71 Police interpreted the assassination of a judge who was involved in cases dealing with Pagad members as a confirmation of the group's involvement.
- 72 Dixon and Johns, op cit, pp 9-10.
- 73 Tally Kritzman, *Terrorism: a challenge to South Africa's new democracy*, <[www.itc.org.il/articles/articledet.cfm?articleid:150](http://www.itc.org.il/articles/articledet.cfm?articleid:150)>.
- 74 Information derived from an interview between the author and a founding member of Pagad.

- 75 D Daniels, *Pagad's true colours revealed*, *Mail & Guardian*, 28 August 1998.
- 76 Goredema, op cit, p 7.
- 77 According to Muslim sources, Meeah had been a thorn in the eyes of Hindu-dominated government since he returned to his birthplace after having spent seven years in Mecca. Upon his return he had founded Hezbollah to represent the interests of the island's 250,000 Muslims. In 1995, the party won its first seat in parliament.
- 78 K Mahmood, *Ex-Hizbullah man reveals military training for Mauritians in Qatar*, <[www.islamonline.net/English/News/2000-12/18/article3.shtml](http://www.islamonline.net/English/News/2000-12/18/article3.shtml)>.
- 79 H Marimootoo, *Report on criminality in Mauritius*, unpublished paper, 2003.
- 80 Cited in PanAfrican News Agency, *Mauritian PM promises tough action against terrorism*, *Panafrican News Agency Daily Newswire*, 31 October 2001.
- 81 M Dynes, *White extremists 'planted bomb to kill Mandela'*, *Times Online*, 20 March 2003, <[www.timesonline.co.uk/0,1-3-617095,00.html](http://www.timesonline.co.uk/0,1-3-617095,00.html)>.
- 82 Schönteich and Boshoff, op cit, p 7.
- 83 Ibid.
- 84 Ibid, p 74.
- 85 Ibid.



## Subscription to ISS Papers

If you would like to subscribe to the ISS Papers series, please complete the form below, and return it together with a cheque made payable to the **Institute for Security Studies** (marked not transferable) or a postal/money order for the correct amount.

**ISS Publication Subscriptions, P O Box 1787, Brooklyn Square, 0075, Pretoria, South Africa**

| <b>PERSONAL DETAILS</b> |                |                    |
|-------------------------|----------------|--------------------|
| Title: .....            | Surname: ..... | Initials: .....    |
| Organisation: .....     |                |                    |
| Position: .....         |                |                    |
| Postal address: .....   |                |                    |
|                         |                | Postal code: ..... |
| Country: .....          |                |                    |
| Tel: .....              | Fax: .....     | Email: .....       |

| <b>ISS PAPERS SUBSCRIPTION 2004 – MIN. 8 PER YEAR</b> |                    |               |
|---|--------------------|---------------|
| SOUTH AFRICA  | AFRICAN COUNTRIES* | INTERNATIONAL |
| R120.00   | US \$24.00         | US \$32.00    |

\* Angola, Botswana, Burundi, Comores, Congo-Brazzaville, Democratic Rep. of Congo, Gabon, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Reunion, Rwanda, Seychelles, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe (formerly African Postal Union countries)

**Details of subscription rates for the African Security Review, ISS Monographs, the Nedbank ISS Crime Index or other ISS publications are available from:**

**ISS Publication Subscriptions, P O Box 1787, Brooklyn Square, 0075, Pretoria, South Africa**  
 Tel: +27-12-346-9500/2 • Fax: +27-12-460-0998 • Email: [pubs@iss.co.za](mailto:pubs@iss.co.za) • [www.iss.co.za/Publications/Main.html](http://www.iss.co.za/Publications/Main.html)



# The ISS mission

The vision of the Institute for Security Studies is one of a stable and peaceful Africa characterised by human rights, the rule of law, democracy and collaborative security. As an applied policy research institute with a mission to conceptualise, inform and enhance the security debate in Africa, the Institute supports this vision statement by undertaking independent applied research and analysis, facilitating and supporting policy formulation; raising the awareness of decision makers and the public; monitoring trends and policy implementation; collecting, interpreting and disseminating information; networking on national, regional and international levels; and capacity-building.

---

## About this paper

Following the events of 11 September 2001, the international community has increasingly examined the possible linkages between terrorist groupings and organised criminals. The structural, economic, social and political weaknesses in the Southern African sub-region, combined with well-organised and firmly entrenched criminal networks, would, on the face of it, suggest that linkages between organised crime and terrorism are plausible. However, none of the cases examined in this paper could establish a clear linkage between the two phenomena. They show, instead, that terrorists may have interacted with organised criminals in straightforward business deals, on an ad-hoc basis. Entering into a close and more permanent arrangement with terrorists would not feature on the agendas of organised criminal groups unless there was an immediate financial gain. Ultimately, ongoing collaboration would heighten the risk of detection for both parties. Furthermore, there is little political or ideological common ground between terrorists and criminals to sustain such linkages.

## About the author

ANNETTE HÜBSCHLE joined the ISS in November 2002 and is a researcher in the Organised Crime and Corruption Programme. She specialises in issues dealing with the funding of terrorism, the fight against terrorism versus the protection of civil liberties, and matters relating to organised crime in the SADC region. She holds an Honours degree in International and Comparative Political Studies and International Political Economy from the University of Cape Town. She is currently working on a Masters degree focusing on the impact of international anti-terrorism strategies on developing economies.

## About the funders

The publication of this paper was supported by the Norwegian Agency for Development Cooperation (NORAD).

---

© 2004, Institute for Security Studies • ISSN: 1026-0404

The opinions expressed in this paper do not necessarily reflect those of the Institute, its Trustees, members of the Advisory Board or donors. Authors contribute to ISS publications in their personal capacity.

Published by the Institute for Security Studies • P O Box 1787 • Brooklyn Square • 0075 • Pretoria • SOUTH AFRICA

Tel: +27-12-346-9500/2 • Fax: +27-12-460-0998

Email: [iss@iss.co.za](mailto:iss@iss.co.za) • <http://www.iss.co.za>

67 Roeland Square • Drury Lane • Gardens • Cape Town • 8001 • SOUTH AFRICA

Tel: +27-21-461-7211 • Fax: +27-21-461-7213

Email: [issct@iss.co.za](mailto:issct@iss.co.za)

