



**Counter-Terrorism  
Centre of Excellence**

**EAPCCO CTCoE Issue Paper 1/2022**

# **Addressing the Links Between Transnational Organized Crime and Terrorism in Eastern Africa**

Funded by the Government of the Federal Republic of Germany as part of the UNODC project on Supporting EAPCCO and its Regional Counter-Terrorism Centre of Excellence to prevent and counter terrorism in Eastern Africa



## **Abstract**

Links between terrorist, armed and organized criminal groups are of great concern, particularly where evidence suggests that these groups may be expanding their cross-border operational capacity. For several decades, the discussion of linkages between transnational organized crime and terrorism focused on the nature of the relationship and how these groups interact. While transnational organized crime groups, armed, and terrorist groups may differ in their ultimate objectives, they often adopt a pragmatic approach in achieving these objectives. Indeed, relationships the existing relationships between these groups, as well as the adoption of similar tactics are not static. The linkages fluctuate depending on the needs and capacity of each group. This Issue Paper aims to identify these linkages and provide evidence-based recommendations to enhance criminal justice responses in the region.

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# INTRODUCTION

## 1.1 Background

With the financial support from the Government of the Federal Republic of Germany, since 2020 United Nations Office on Drugs and Crime (UNODC) has been implementing a three-phase project on *supporting the Eastern African Police Chiefs Cooperation Organization (EAPCCO) and its regional Counter-Terrorism Centre of Excellence (CTCoE)*. The project benefits fourteen EAPCCO members<sup>1</sup> while supporting the EAPCCO CTCoE and assisting EAPCCO members in enhancing national and regional capacities to effectively prevent and counter violent extremism and terrorism, and related serious crime.

One of the objectives of the project is to produce evidence-based research and knowledge products, relevant for law enforcement and criminal justice practitioners in Eastern Africa. The CTCoE developed this paper with the support from UNODC as part of this objective.

The CTCoE have jointly published issue papers on cooperation between law enforcement and prison authorities,<sup>2</sup> terrorism financing,<sup>3</sup> and engagement with victims of terrorism.<sup>4</sup> Upcoming issue papers include publications on the links between terrorism and transnational organized crime, the nexus between terrorism and trafficking in persons and smuggling of migrants, a deradicalization case-study, and practical border security guidelines.



- 1 The EAPCCO members are Burundi, Comoros, the DRC, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, Sudan, South Sudan, Tanzania, and Uganda.
- 2 EAPCCO CTCoE Issue Paper 1/2021 Cooperation between law enforcement and prison authorities in counterterrorism cases: unravelling expectations and proposals to strengthen cooperation: [https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC\\_CTCoE\\_Issue\\_Paper.pdf](https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC_CTCoE_Issue_Paper.pdf)
- 3 EAPCCO CTCoE Issue Paper 2/2021 Countering the financing of terrorism in Eastern Africa: [https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC\\_CTCoE\\_Issue\\_Paper\\_2\\_2021.pdf](https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC_CTCoE_Issue_Paper_2_2021.pdf)
- 4 EAPCCO CTCoE Issue Paper 3/2021 Law Enforcement Engagement with Victims of Terrorism: [https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC\\_CTCoE\\_Issue\\_Paper\\_3\\_2021.pdf](https://eapcco-ctcoe.org/wp-content/uploads/2021/08/UNODC_CTCoE_Issue_Paper_3_2021.pdf)

## 1.2 Objectives

Transnational organized crime, including trafficking in persons, firearms, drugs, cultural property, natural resources, as well as kidnapping for ransom and extortion are prevalent in Eastern Africa. While criminal activity is likely funding terrorist and other armed groups in the region, both directly and indirectly, this relationship is not yet well understood. Consequently, criminal justice responses require further tailoring to address these linkages.

This Issue Paper aims to address this need and has a two-fold objective - to explore the linkages between various types of transnational organized crime and terrorist and armed groups in Eastern Africa, including the relationship between actors and the role of criminal activity, and to provide recommendations for enhancing the criminal justice response to the nexus between terrorism and organized crime in Eastern Africa.

## 1.3 Methodology

The Issue Paper is based on a desk review of relevant reports, policy documents, and academic research on the linkages between transnational organized crime and terrorism. Where available, quantitative data was used to plot the movement of drugs, arms, and smuggled commodities vis-à-vis terrorist and armed groups activity. Motives of terrorist and armed groups to engage in transnational organized crime were examined. Interviews were conducted with law enforcement authorities in Eastern Africa, civil society organizations working on countering human trafficking and migrant smuggling, as well as with think tanks and academics.

## 2. KEY DEFINITIONS AND INTERNATIONAL LEGAL FRAMEWORK AGAINST TERRORISM AND TRANSNATIONAL ORGANIZED CRIME

### 2.1 Organized criminal group and transnational offence

For the purposes of this paper, an “organized criminal group” is a group defined by Article 2 of the United Nations Convention against Transnational Organized Crime (UNTOC)<sup>5</sup> as:

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

Consequently, Article 3 of the UNTOC defines a “transnational offence in nature”:

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

### 2.2 Terrorist group, terrorist suspect and international legal framework against terrorism

For the purposes of this paper, the term “terrorist group” denotes a group or an entity listed under the [UNSC Consolidated List](#) pursuant to resolutions

[1267 \(1999\)](#), [1989 \(2011\)](#), [2253 \(2015\)](#), and subsequent resolutions concerning ISIL (Da’esh), Al-Qaida and associated individuals groups undertakings and entities. These groups may include individuals being reasonably suspected of being a terrorist, or being associated with a terrorist group, including foreign terrorist fighters’ groups, resorting to acts of terrorism to advance their goals. Each country has the authority to request listing or delisting entities engaged in terrorist acts or associated with terrorist groups from the UN consolidated list of sanctions as per the [mechanisms](#) established by the UNSC resolutions.

Furthermore, at the national and regional levels, lists of terrorist individuals and groups may have also been created in accordance with domestic laws or regional frameworks and regulations, or within the scope of the UNSC Resolution [1373 \(2001\)](#) for those reasonably suspected of having participated in the financing, planning, preparation of terrorist acts or in supporting terrorist acts (OP 2(e)). Hence, at the national and regional levels, the term “terrorist group” may not be limited to the entities listed by the Security Council, i.e. ISIL (Da’esh) and Al-Qaida and groups affiliated to ISIL and Al-Qaida.

While there is no universally accepted comprehensive definition of terrorism, in the context of Eastern Africa, the EAPCCO CTCoE refers to the UNSC Resolution [1566 \(2004\)](#) which condemns and calls upon Member States to prevent criminal acts, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, including acts against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostage, with the purpose to provoke a state of terror in the general public or in a

<sup>5</sup> United Nations Convention Against Transnational Organized Crime and the Protocols Thereto, 2004: [UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO \(unodc.org\)](#)

group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing an act.

International efforts to prevent and combat terrorism are guided by nineteen thematic international legal instruments, United Nations Security Council<sup>6</sup> and General Assembly<sup>7</sup> resolutions, collectively known as the Universal Legal Framework against Terrorism (ULFAT)<sup>8</sup>. The ULFAT supports Member States<sup>9</sup> in harmonizing national legislation including through obligations to criminalize certain types of conduct, while the international legal instruments create an obligation for state parties to either prosecute or extradite perpetrators of terrorism-related offences to prevent the creation of safe-havens, and serve as bases for international cooperation.

## 2.3 United Nations Security Council and General Assembly resolutions addressing the links between terrorism and transnational organized crime

The linkage between terrorism and transnational organized crime is recognized in multiple United Nations Security Council (UNSC) Resolutions. For instance, UNSC resolutions 2161 (2014) and 2195 (2014) recognize the potential of terrorist groups to profit from, and be involved in transnational organized crime. UNSC resolution 2462 (2019) focuses on terrorist financing, and resolution 2482 (2019) further expresses concern that terrorists can benefit from organized crime, and calls for continued research to enhance knowledge of, and to better understand, the nature and scope of

linkages between transnational organized crime and terrorism. In the context of the Eastern African region, Resolution 2551 (2020) focuses specifically on how Al-Shabaab raises revenue, establishing an arms embargo and banning charcoal exports.

In 2021, the existence of a linkage between terrorism and transnational organized crime was reiterated in the seventh review of the United Nations Global Counter-Terrorism Strategy (A/RES/75/291), encouraging Member States, and international and regional organizations to enhance knowledge of, and support the initiatives to address the linkages between terrorism and transnational organized crime.

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6 These resolutions address terrorism in its various forms and manifestations. They are often adopted under Chapter VII of the Charter of the United Nations, which deals with the maintenance of international peace and security. They frequently contain binding language addressing all Member States and impose a number of obligations on them.

7 The General Assembly has played an important role in establishing an international legal framework against terrorism and encouraging Governments to work together more closely to address that threat. In that regard, the Assembly has adopted a series of resolutions relating to terrorism. Although not legally binding, these resolutions, together with non-binding Security Council resolutions, constitute authoritative recommendations, and language used therein has often been a source of inspiration for the drafting of subsequent binding instruments. In September 2006, the Assembly adopted the United Nations Global Counter-Terrorism Strategy, which consists of a resolution and an annexed Plan of Action aimed at enhancing national, regional and international efforts to counter terrorism (see section 1.2 below). The Strategy embodies the first successful attempt by all Member States to agree on a common strategic approach to prevent and suppress terrorism by resolving to take practical steps both individually and collectively.

8 For further information on the ULFAT, see UNODC, Module 2 of the Counter-terrorism Legal Training Curriculum, the Universal Legal Framework Against Terrorism. [https://www.unodc.org/documents/terrorism/Publications/Training\\_Curriculum\\_Module2/17-04123\\_eBook\\_FINAL.pdf](https://www.unodc.org/documents/terrorism/Publications/Training_Curriculum_Module2/17-04123_eBook_FINAL.pdf)

9 The above-mentioned sources of requirements and recommendations must be kept distinct from one another since they are addressed to different (albeit often overlapping) groups of States. Whereas Security Council resolutions must be observed by all Member States (by virtue of having ratified the Charter of the United Nations), universal instruments bind only those States that have specifically ratified or acceded to them.

### 3. VARIOUS DIMENSIONS OF THE NEXUS BETWEEN ORGANIZED CRIME AND TERRORISM

On 19 July 2019, the Security Council adopted the resolution 2482 (2019), expressing concern that terrorists could benefit from organized crime as a source of financing or logistical support through, among other, trafficking persons and firearms. The Security Council requested the Secretary-General to submit a joint report by UNODC and the Office of Counter-Terrorism (UNOCT) on actions taken by Member States and United Nations entities to address the issue of linkages between terrorism and organized crime.

In the report by the Secretary-General, released in 2020, Member States reported various manifestations of the linkages between terrorism and organized crime, indicating the existence of opportunistic alliances based on shared hostility towards national authorities, limited socioeconomic opportunities, shared operational territory or ethnic background, or for profit. Importantly, some Member States highlighted that such linkages could have developed in prisons.

The linkages described in the report involve the full spectrum of crimes, including the smuggling of migrants, the illicit trade in arms, light weapons and other military equipment, fraudulent documents, kidnapping for ransom, car theft, illicit mineral extraction and trafficking in drugs, cultural property or other licit or illicit goods. Organized criminal groups are further reported to be involved in transporting terrorists across borders and of returning foreign terrorist fighters in organized crime activities.

On the other hand, weary of the possible additional scrutiny from the national authorities caused by the links with terrorist groups, in some cases organized

crime groups increasingly distance from them. Some Member States report that lack of investigative capacity or low intensity of terrorist activity do not allow to draw a clear conclusion as to links between terrorist and organized crime groups.<sup>10</sup>

Efforts to counter terrorist financing have sparked a debate on the nexus between terrorism and organized crime. In 2014, Makarenko set out a theoretical framework of interactions between criminal and terrorist groups.<sup>11</sup> Such interaction can be an alliance, using similar tactics, or extending operations into crime on the side of terrorists, or commercial terrorism by organized crime groups.

Other researchers have classified the nexus between organized crime groups and terrorist groups in the following ways:<sup>12</sup>

- a. coexistence, or no relationship – groups concurrently occupying, but operating independently within a common area;**
- b. cooperation and alliance – groups form a mutually beneficial coalition;**
- c. convergence – groups combine and pursue objectives as a single entity.**

Proving collaboration or convergence between terrorist and organized criminal groups is difficult, and the ability of national authorities to measure its scope is made more complicated within this dynamic. This is particularly the case concerning groups that operate internationally, and when data sharing among different law enforcement agencies

10 United Nations (2020). Action taken by Member States and United Nations entities to address the issue of linkages between terrorism and organized crime, Report of the Secretary-General, S/2020/754. Para 4-6.

11 Tamara Makarenko (2004). 'The Crime-Terror Continuum: Tracing the Interplay between Transnational Organized Crime and Terrorism', *Global Crime* 6(1): 129-145.

12 UNODC, "Similarities and difference between organized crime and other forms of crime." University Module Series: Organized Crime. <https://www.unodc.org/e4j/en/organized-crime/module-1/key-issues/similarities-and-differences.html>; Alda, E and Sala, J L 2014 Links Between Terrorism, Organized Crime and Crime: The Case of the Sahel Region. *Stability: International Journal of Security & Development*, 3(1): 27, pp. 1-9, DOI: <http://dx.doi.org/10.5334/sta.ea>

is encumbered by various factors. As Hansen and others argue, reducing this collaboration to economic needs overlooks the nuance in the relationship.<sup>13</sup> Furthermore, Philip Herbst argues that “labelling a group as ordinary criminals (notwithstanding that terrorism is also illegal), belittles the underlying grievances, ideologies, and motivations, attributing their actions to solely personal, often material gain. In all cases, the designated label channels a policy reaction that is anchored in the very different fields of counterterrorism, counterinsurgency (COIN), or law enforcement, each centered around its own principles, dogmas, and common practices.”<sup>14</sup>

The relationship may exist in a form of mutual recruitment. Terrorist groups recruit individuals from criminal organizations – gangs or larger syndicates – and leverage these criminal networks to smuggle illicit goods. Recruits from criminal networks may enhance the secrecy of terrorist operations,<sup>15</sup> provide the recruiting group with access new illicit markets,<sup>16</sup> or bring new skills to a terrorist group, including experience in committing violence.<sup>17</sup>

Furthermore, the aims of organized crime and terrorist organizations may differ. For criminal groups, profit making is the end goal, and while they may engage in political activities, this is primarily to pave the way for criminal activity. For terrorist groups, however, profit making is a means to an end. Petrich highlights other benefits terrorist groups derive from crime, including criminal groups acting as a force multiplier, tapping into different skill sets, such as operational security, avoiding government attention, accessing transportation routes and others.<sup>18</sup> At the same time, both terrorist and organized crime groups have been seen to be pragmatic in how they realize their objectives.

The nexus between organized crime and terrorism inevitably clouds perceptions of which group is commissioning or conducting crimes. As such, discerning the motivation driving a particular crime is important for prosecutorial purposes, should counterterrorism or organized crime laws apply, or both. Better understanding of how groups finance the commission of crimes would be of consequence to better determine who, or which type of group, is physically committing crimes, but this is challenging, particularly as groups increase their use of digital money transfers and crypto currencies.

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13 Stig Jarle Hansen (2021). 'Into Darkness? Scrutinizing Economic Explanations for African Jihad', Hudson Institute, <https://www.hudson.org/research/17330-into-darkness-scrutinizing-economic-explanations-for-african-jihad> ; Katharine Petrich (2019). 'Cows, Charcoal, and Cocaine: Al-Shabaab's Criminal Activities in the Horn of Africa', *Studies in Conflict & Terrorism*, DOI: [10.1080/1057610X.2019.1678873](https://doi.org/10.1080/1057610X.2019.1678873)

14 Philip Herbst (2003). *Talking Terrorism: A Dictionary of the Loaded Language of Political Violence*. Westport, CN, Greenwood.

15 Interpol and ENACT Project, "Overview of Serious and Organized Crime in East Africa" 30 Sept 2018

16 Sahgal, Gayatri and Martine Zeuthen. "The nexus Between Crime and Violent Extremism in Kenya." Royal United Services Institute. Research Article. 4 June 2020. <https://www.tandfonline.com/doi/pdf/10.1080/03071847.2020.1793686?needAccess=true>

17 Katharine Petrich, 'Cows, Charcoal, and Cocaine: Al-Shabaab's Criminal Activities in the Horn of Africa', *Studies in Conflict and Terrorism* (17 October 2019)

18 Katharine Petrich (2019). 'Cows, Charcoal, and Cocaine: Al-Shabaab's Criminal Activities in the Horn of Africa', *Studies in Conflict & Terrorism*, DOI: [10.1080/1057610X.2019.1678873](https://doi.org/10.1080/1057610X.2019.1678873)

## 4. TRANSNATIONAL ORGANIZED CRIME AND TERRORISM IN EASTERN AFRICA

The following section deals with the various forms in which terrorist organizations and armed groups may participate in, and profit from criminal activities, including drug trafficking, firearms trafficking, trafficking in persons and smuggling of migrants, wildlife and forest crime, taxation, and extortion.

Most terrorist groups are not tightly controlled hierarchies but operate through decentralized cells. Within these cells, individuals may have more direct roles in transnational organized crime, separate from their terrorist activities. Consequently, the individual involvement in either activity is not static, and may shift between different groups and activities. Thus, when analyzing or investigating the nexus between terrorism and transnational organized crime, the principle that the responsibility and punishment are “personal and can be imposed only on the offender”, expressed in the African Charter of Human and Peoples’ Rights should be given due consideration.

Of the terrorist groups discussed, Al-Shabaab is the most successful at generating income, and has the strongest links with organized crime, or itself engages in criminal activities to sustain operations. Al-Shabaab has a well-developed revenue collection system, which makes it less reliant on external funding. According to the the UNSC Analytical Support and Sanctions Monitoring Team 2022 report, the group is capable of collecting between USD 2 million and 10 million monthly.

Furthermore, the group extorts money from citizens through a comprehensive illicit taxation system targeting a number of goods and services. Al-Sabaab also exploit the collection of zakat, using

targeted and detailed lifestyle audits of wealthy businessmen. The group utilizes mobile money, local bank accounts and a mobile money wallet to collect revenue.<sup>19</sup>

### 4.1 Drug trafficking

Eastern Africa is increasingly becoming not just a transit, but a destination for the narcotic drugs trafficking, including the trafficking of cocaine, heroin, cannabis, and amphetamine-type stimulants. In March 2022, a large quantity of bhag, a cannabis derivative, was seized in Kenya, worth KES 1 million, indicative of the scope of illegal drug trafficking in the region.

International travel allows traffickers to move cocaine using different nationalities, and different routes. Between September and November 2020, there were 28 seizures of cocaine, with a combined weight of 57kg, and twenty-one Nigerian citizens were arrested, as well as two Brazilians, two Thai nationals and two South Africans.<sup>20</sup> However, airport authorities estimate that only 10% of traffickers are being identified.<sup>21</sup>

In contrast, heroin is primarily identified after it has moved through Addis Ababa. For example, in February 2018, 4.8kg of heroin was found on a passenger in Ouagadougou; the passenger had arrived from Mozambique via Addis Ababa.<sup>22</sup> More recently, two shipments have been identified in India. In March 2020, 3.4kg of heroin was found on a South African national in Delhi after arriving from Addis Ababa<sup>23</sup> and in September 2021, 3.5kg was

19 United Nations (2022). Twenty-ninth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities. Para. 20.

20 Data from UNODC's AIRCOP project

21 ENACT (2021). 'Organized crime in Africa / Addis Ababa: low-risk choice for trafficking drugs into Africa', <https://enactafrica.org/enact-observer/addis-ababa-low-risk-choice-for-trafficking-drugs-into-africa>

22 [https://twitter.com/AIRCOP\\_UNODC/status/964113154090393601](https://twitter.com/AIRCOP_UNODC/status/964113154090393601)

23 Saurabh Sinha (2020). 'CISF detects flyer from Ethiopia at Delhi Airport with 3.4 kg heroin worth Rs 15 crore', The Times of India, [https://timesofindia.indiatimes.com/business/india-business/cisf-detects-flyer-from-ethiopia-at-delhi-airport-with-3-4-kg-heroin-worth-rs-15-crore/articleshow/74476632.cms?utm\\_source=twitter.com&utm\\_medium=social&utm\\_campaign=TOIBusinessNews](https://timesofindia.indiatimes.com/business/india-business/cisf-detects-flyer-from-ethiopia-at-delhi-airport-with-3-4-kg-heroin-worth-rs-15-crore/articleshow/74476632.cms?utm_source=twitter.com&utm_medium=social&utm_campaign=TOIBusinessNews)

found on a Zambian national landing in Mumbai from Addis Ababa.<sup>24</sup> Reports mention that both cocaine and heroin moving through Bole International Airport are being brought into Addis Ababa for repackaging, and then re-trafficked by air.<sup>25</sup> Accordingly, there is limited scope for the involvement of terrorist groups.

Eastern Africa also serves as a hub for maritime transportation of heroin from Pakistan and Iran's Makran coast. Following significant seizures of heroin in Kenya and Tanzania, dhows have moved further down the coast to Mozambique, towards the Cabo Delgado province in north of the country. Initially, dhows were landing near Mocimboa de Praia, and transferring heroin to fishing boats.<sup>26</sup> Trafficking in persons, arms, and drugs used to be prevalent at Mocimboa de Praia. However, when the town was overtaken by Ahl al-Sunna wal-Jama'a in August 2020, dhows have moved further south to Pemba and even Nakala to avoid the risks posed by the related instability.<sup>27</sup>

Increasingly, dhows have been combining the movement of Afghan-produced heroin with methamphetamine.<sup>28</sup> Different types of drug shipments move in different directions. Methamphetamines are primarily destined for the South African market, whereas heroin moves both north and south overland.<sup>29</sup> Cocaine has also been arriving in Maputo, primarily by air, and carried by couriers from South Africa, Mozambique, Nigeria and Tanzania.<sup>30</sup> However, there are also instances where cocaine has been seized in Pemba, arriving

in containers from Brazil.<sup>31</sup> Once in Mozambique, cocaine, heroin, and methamphetamine move along the same routes to markets in South Africa and Europe.<sup>32</sup>

Ahl al-Sunna wal-Jama'a, a local group in Mozambique that has pledged allegiance to Da'esh, does not appear to be directly involved in drugs trafficking activity in Cabo Delgado, although it has been active since 2017 and reportedly taxes goods moving through towns and areas under their control.<sup>33</sup> However, as the area claimed by Ahl al-Sunna wal-Jama'a has shifted, the movement of illicit goods fell outside of its control, suggesting the links are weak.<sup>34</sup> It is likely, however, that the presence of armed groups is making it more difficult to benefit from illicit flows moving through ports in northern Mozambique. As a result, there have been increased raids on drug traffickers. In 2020, a government taskforce intercepted multiple vessels resulting in arrests of several foreign drug traffickers, who all received a 15-year prison sentence.<sup>35</sup>

Khat and cannabis are also widely traded in the region, primarily moving overland. Kenya earns an estimated USD 400,000 per day in khat exports.<sup>36</sup> At the same time, varying legislative responses result in khat often being transported discreetly rather than openly traded.

The Organized Crime Index claims that Al-Shabaab has a policy of executing drug traffickers, implying that in the areas where Al-Shabaab operates the drug market is non-existent.<sup>37</sup> Yet, in 2011, a report

24 Vijay Kumar Yadav (2021). 'Zambian national held with Heroin worth ₹18 crore at Mumbai Airport', Hindustan Times, <https://www.hindustantimes.com/cities/mumbai-news/zambian-national-held-with-heroin-worth-rs-18-crore-at-mumbai-airport-101632482406744.html>

25 ENACT (2021). 'Organized crime in Africa / Addis Ababa: low-risk choice for trafficking drugs into Africa', <https://enactafrica.org/enact-observer/addis-ababa-low-risk-choice-for-trafficking-drugs-into-africa>

26 Simone Haysom, Peter Gastrow and Mark Shaw (2018). 'The Heroin Coast: A political economy along the eastern African seaboard', ENACT Research Paper, <https://globalinitiative.net/analysis/the-heroin-coast-a-political-economy-along-the-eastern-african-seaboard/>

27 As of August 2021, Rwandan forces have pushed insurgents out of Mocimboa de Praia.

28 Global Initiative against Transnational Organized Crime (2021). Observatory of Illicit Economies in Eastern and Southern Africa: Risk Bulletin, Issue 16, <https://globalinitiative.net/wp-content/uploads/2021/03/GITOC-Eastern-and-Southern-Africa-Risk-Bulletin-16.pdf>

29 Jason Eligh (2021). 'A Synthetic Age: The Evolution of Methamphetamine Markets in Eastern and Southern Africa', Global Initiative against Transnational Organized Crime, <https://globalinitiative.net/wp-content/uploads/2021/03/GITOC-A-Synthetic-Age-The-Evolution-of-Methamphetamine-Markets-in-Eastern-and-Southern-Africa.pdf>

30 Mimi Yagoub (2014). 'Is Mozambique Set to Become Africa's Next Hub for LatAm Cocaine?' InsightCrime, <https://insightcrime.org/news/brief/is-mozambique-set-to-become-africas-next-hub-for-latam-cocaine/>

31 AllAfrica (2021). 'Mozambique: 25 Kilos of Cocaine Seized in Pemba', <https://allafrica.com/stories/202104280712.html>

32 Alessandro Ford (2021). 'Mozambique Becoming Southern Africa's Cocaine Platform', InsightCrime, <https://insightcrime.org/news/mozambique-becoming-southern-africas-cocaine-platform/>

33 Simone Haysom (2018). 'Where Crime Compounds Conflict: Understanding northern Mozambique's Vulnerabilities', Global Initiative against Transnational Organized Crime, <https://globalinitiative.net/wp-content/uploads/2018/10/TGIATOC-North-Mozambique-Report-WEB.pdf>

34 Global Initiative against Transnational Organized Crime (2021). Observatory of Illicit Economies in Eastern and Southern Africa: Risk Bulletin, Issue 17, March-April, <https://globalinitiative.net/wp-content/uploads/2021/04/GITOC-East-and-Southern-Africa-Risk-Bulletin-17.pdf>

35 USAID (2020). Regional Report: Rule of Law and Accountability Assessment for Southern Africa, [https://pdf.usaid.gov/pdf\\_docs/PA00WQ5S.pdf](https://pdf.usaid.gov/pdf_docs/PA00WQ5S.pdf)

36 Mohamed Daghar (2021). 'Regulating khat could disrupt East Africa's illegal drug economy', ISS Today, <https://issafrica.org/iss-today/regulating-khat-could-disrupt-east-africas-illegal-drug-economy>

37 Global Initiative against Transnational Organized Crime (2021). Global Organized Crime Index 2021.

by the Monitoring Group on Somalia and Eritrea identified two vessels transporting heroin that were interdicted in Somali waters, with the involvement of smugglers linked to Al-Shabaab.<sup>38</sup> Other times, Al-Shabaab's participation in the illicit drug trade is not as clear. In 2018, vessels loaded with heroin were reported arriving to the Somali port of Kismayo, for the drugs to be then transported overland to Kenya, however, Al-Shabaab's involvement has not been established.<sup>39</sup>

Petrich highlights how law enforcement and policymakers reject the idea of Al-Shabaab's involvement in the illegal drugs market because of their religious beliefs and their early campaign against khat. However, reports suggest that Al-Shabaab is pragmatically taxes drugs just like other commodities.<sup>40</sup> As early as 2010, Al-Shabaab was taxing khat, estimated to generate half a million USD between January and mid-October that year.<sup>41</sup> Cannabis cultivation has also been reported in Al-Shabaab-controlled areas. For example, after a special operation to establish control over Kunturwarey of Lower Shabelle in August 2020, cannabis plants were found growing on a maize farm.<sup>42</sup> Thus, even if indirectly, terrorist groups are connected to the drugs trade.

As reported by the surveyed officials, drugs trafficking is difficult to tackle as it is rarely the suppliers and influential traffickers that are apprehended, but rather couriers distributing the drugs. This adds a layer of complexity to the criminal justice response to drugs trafficking, in particular where direct or indirect linkages with terrorist groups may exist.

## 4.2 Firearms trafficking

Illicit firearms are widespread in Eastern Africa. In 2018, INTERPOL estimated that 7.8 million civilians held legal and illicit firearms in Eastern Africa.<sup>43</sup> Legal small arms are manufactured in South Sudan, Kenya, Rwanda, Tanzania, and the DRC.<sup>44</sup> Organized criminal groups, a major user of illicit firearms are most concentrated along Eastern African coastline.<sup>45</sup> In Kenya alone, there were an estimated 326 organised criminal groups in 2017, an increase of nearly 900 per cent over a seven-year period.<sup>46</sup> There are also links between illicit firearms trafficking, gangs, and pastoral groups, spanning Kenya, extending to Uganda, Tanzania and beyond,<sup>47</sup> as well as link between the border communities on either side of the Ethiopia and Kenya border, where illicit firearm circulate.

For armed groups, and terrorist groups in particular, firearms are multi-purpose tools: they provide means to perpetrate violence as well as to exercise control over populations, institutions, and territory. As a tradable commodity with which a group can generate revenue to directly finance its activities, firearms also provide a means of indirectly financing groups', enabling migrant smuggling, drugs, and wildlife trafficking. These crimes, in turn, finance group membership, the purchase of additional weaponry, and cover other expenses. Thus, the destabilizing impact of illicit firearms trafficking goes well beyond the monetary value that marketable illicit firearms provide.<sup>48</sup>

The link between terrorist groups and arms trafficking is more direct than with the other forms of crime, as terrorist groups have high demand for weapons to carry out attacks. At the same time,

38 UN Security Council (2011). Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010). S/2011/433.

39 Simone Haysom, Peter Gastrow and Mark Shaw (2018). 'The Heroin Coast: A political economy along the eastern African seaboard', ENACT Research Paper, <https://globalinitiative.net/analysis/the-heroin-coast-a-political-economy-along-the-eastern-african-seaboard/>

40 Katharine Petrich (2019). 'Cows, Charcoal, and Cocaine: Al-Shabaab's Criminal Activities in the Horn of Africa', Studies in Conflict & Terrorism, DOI: 10.1080/1057610X.2019.1678873

41 UN Security Council (2011). Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010). S/2011/433.

42 Radio Dalsan (2020). 'Danab Forces Discover Marijuana Planted On A Piece Of Land In Lower Shabelle', <https://www.radiodalsan.com/en/somali/danab-forces-discover-marijuana-planted-on-a-piece-of-land-in-lower-shabelle/>

43 INTERPOL (2018). Overview of Serious and Organized Crime in East Africa.

44 Small Arms Survey (2019). Weapons Compass: Mapping Illicit Small Arms Flows in Africa. <https://www.smallarmssurvey.org/resource/weapons-compass-mapping-illicit-small-arms-flows-africa>

45 Interpol and ENACT Project, "Overview of Serious and Organized Crime in East Africa" 30 Sept 2018

46 National Crime Research Centre, "Issue Brief on State of Organized Criminal Gangs in Kenya, 2018. <http://crimeresearch.go.ke/wp-content/uploads/2019/10/Issue-Brief-on-State-of-Organized-Criminal-Gangs-in-Kenya.pdf>

47 Robert, Ivor, "An Unholy Alliance: Links between Extremism and Illicit Trade in East Africa." Counter Extremism Project, March 2021. <https://www.counterextremism.com/sites/default/files/2021-03/unholy-alliance-report-032921.pdf>

48 The Global Initiative Against Transnational Organized Crime, and RHIPTO. "Libya: a growing hub for Criminal Economies and Terrorist Financing in the Trans-Sahara." Policy Brief, May 11, 2015: 2; Bergema, Rinier, Tanya Mehra and Méryl Demuyneck. "The Use of Small Arms and Light Weapons by Terrorist Organisations as a Source of Finance." International Centre for Counter-Terrorism, The Hague. ICCT Report. September 2020. <https://icct.nl/app/uploads/2020/09/SALW-Synthesis-Report.pdf>

arms trafficking differs from other transnational organized crimes, as terrorist groups are customers of organized crime groups, creating a lucrative or useful transactional relationship for both sides. Accordingly, terrorist groups strive to form relationships with arms suppliers to facilitate supply, as dealers and traffickers are particularly critical to terrorist groups' ability to access firearms and ammunition, especially when necessary to source them from outside of areas under immediate territorial control.<sup>49</sup> Terrorist groups drive the demand for weapons, but they are not always on the supply side. Outsourcing the logistics of firearms trafficking is a way to minimize groups' risk of exposure and helps maintain secrecy around other activities.<sup>50</sup>

An important factor bearing on terrorist groups' involvement in firearms trafficking is the degree to which it controls territory, a potential multiplier in terms of the quantities and types of firearms it can access, and revenue it can generate through extortion and taxation. Controlling a seaport, either through physical force, or by way of corruption of port authorities, is naturally a boon to any terrorist or organized criminal group. Even at the ports that al-Shabaab does not control, it is still able to generate revenue.<sup>51</sup> Furthermore, Al-Shabaab's control of territory along border with Ethiopia and Kenya presumably make it easier to traffic weapons into either of those two countries, in addition to launching cross-border attacks.<sup>52</sup>

Da'esh in Somalia has been linked to arms transfers from Yemen. Deputy leader of the group, Mahad Moalim, was reportedly responsible for facilitating the movement of both fighters and weapons from Yemen to Somalia.<sup>53</sup> Raids on the group have also included raids on weapons stores to degrade their military capacity.<sup>54</sup>

There are also attacks on national armed forces and AMISOM to seize weapons and materials.<sup>55</sup> In one attack in 2016, Al-Shabaab seized over 150 assault rifles, 26 machine guns, five mortars and 140,000 rounds of ammunition from Kenyan troops deployed to AMISOM, based in El Adde camp.<sup>56</sup>

The Allied Democratic Forces (ADF) have raided military bases in the DRC for weapons, although the group also uses machetes.<sup>57</sup> In Mozambique, Ahl al-Sunna wal-Jama'a primarily uses stolen weapons from government forces, with fighters also wearing government military uniforms.<sup>58</sup> When the group attacked Mocimboa de Praia, they seized the military barracks and enough weapons to equip two battalions.<sup>59</sup> However, as their tactics have become more sophisticated, so has their weaponry: the use of drones and other weapons not used by the Mozambican military forces indicates a link to arms trafficking networks.<sup>60</sup>

Accumulation of weapons also allows terrorist and armed groups to engage in other forms of organized crime.<sup>61</sup> For instance, being well armed is necessary

49 Demuynck, Méryl, Tanya Mehra and Reinier Bergema., "ICCT Situation Report: The Use of Small Arms & Light Weapons by Terrorist Organizations as a Source of Finance in West Africa and the Horn of Africa." Project CRAAFT & the International Centre for Counter-Terrorism - The Hague. June 2020. <https://icct.nl/app/uploads/2020/06/The-Use-of-Small-Arms-Light-Weapons-by-Terrorist-Organisations-as-a-Source-of-Finance-in-West-Africa-and-the-Horn-of-Africa.pdf>

50 Mangan, Fiona and Matthias Nowak. 2018. Mapping Illicit Arms Trafficking in West Africa. Draft unpublished report commissioned by the German Federal Foreign Office. 29 June version.

51 Harper, Mary. "Somalia conflict: Al-Shabab collects more revenue than the government". BBC, 26 October 2020. <https://www.bbc.com/news/world-africa-54690561>

52 Bahadur, Jay, "An Iranian Fingerprint? Tracing Type-51 assault rifles in Somalia", Global Initiative Against Transnational Organized Crime. Research Report. November 2021. <https://globalinitiative.net/wp-content/uploads/2021/11/GITOC-An-Iranian-Fingerprint-Tracing-Type-56-1-assault-rifles-in-Somalia.pdf>

53 EIP (2018). 'Islamic State in East Africa'. [https://www.eip.org/wp-content/uploads/2020/07/Report\\_IS-in-East-Africa\\_October-2018-3.pdf](https://www.eip.org/wp-content/uploads/2020/07/Report_IS-in-East-Africa_October-2018-3.pdf)

54 Jason Warner, Ryan O'Farrell, Heni Nsaibia and Ryan Cummings (2020). 'Outlasting the Caliphate: The Evolution of the Islamic State Threat in Africa', CTC Sentinel 13(11).

55 Khristopher Carlson (2016). Measuring Illicit Arms Flows: Somalia. Small Arms Survey, <https://www.jstor.org/stable/resrep10638>

56 James Reinl (2019). 'How stolen weapons keep groups like Boko Haram in business', <https://www.pri.org/stories/2019-04-19/how-stolen-weapons-keep-groups-boko-haram-business>

57 Catherine Wambua-Sol (2020). 'ADF rebels cleared from last stronghold in Beni: DR Congo army', Al Jazeera, <https://www.aljazeera.com/features/2020/2/28/adf-rebels-cleared-from-last-stronghold-in-beni-dr-congo-army>

58 Nicolas Cook (2021). 'Insurgency in Northern Mozambique: Nature and Responses', Congressional Research Service, <https://www.everycrsreport.com/reports/R411864.html>; Robert Postings (2019). 'Islamic State arrival in Mozambique further complicates Cabo Delgado violence', Defense Post, <https://www.thedefensepost.com/2019/06/13/islamic-state-mozambique-cabo-delgado-iscap/>

59 Peter Fabricus (2020). 'Mozambique jihadists 'capture strategic port in major victory'', Daily Maverick, <https://www.dailymaverick.co.za/article/2020-03-24-mozambique-jihadists-capture-strategic-port-in-major-victory/>

60 Nicolas Cook (2021). 'Insurgency in Northern Mozambique: Nature and Responses', Congressional Research Service, <https://www.everycrsreport.com/reports/R411864.html>

61 Méryl Demuynck, Tanya Mehra and Reinier Bergema (2020). The Use of Small Arms & Light Weapons by Terrorist Organizations as a Source of Finance in West Africa and the Horn of Africa, ICCT Situation Report, <https://icct.nl/app/uploads/2020/06/The-Use-of-Small-Arms-Light-Weapons-by-Terrorist-Organisations-as-a-Source-of-Finance-in-West-Africa-and-the-Horn-of-Africa.pdf>

to maintain the taxation networks, as the threat of the use of force is necessary to coerce payment. Similarly, weapons can be used in other illicit activity, such as kidnapping for ransom, or can be sold or traded. For example, Al-Shabaab is reported to sell a portion of stolen weapons, distributing process among its members.<sup>62</sup> In addition, there are indications that weapons are smuggled into Kenya and traded locally, sparking instability.<sup>63</sup> A surveyed police investigator from the region suggested that there is evidence that terrorist activities are financed through proceeds from illegal firearm trade as well as purchasing firearms through proceeds from ransoms from kidnapping, armed robbery and drug trafficking among other criminal activities. However, further research will need to be conducted to ascertain whether arms trafficking is a significant source of terrorist financing or not.

### 4.3 Trafficking in persons and smuggling of migrants<sup>64</sup>

Migrant smuggling is prevalent across Eastern African region, and affects all EAPCCO members, albeit to varying degrees. Smuggling routes run from the Horn to the Arabian Peninsula and North Africa, while other routes stretch southward through Kenya, Tanzania, and Mozambique, often with South Africa as a destination.<sup>65</sup> Migrants are heavily reliant on smugglers to cross international borders, thus becoming vulnerable to trafficking in persons. Therefore, the distinction between smuggling of migrants and trafficking in persons is often blurred in the region.

Migrant smuggling probably provides what could be the largest and most readily accessible finance

opportunity for criminal, armed and terrorist groups to purchase arms, demand taxation and, for armed and terrorist groups in particular, establish larger forces.<sup>66</sup> However, terrorist groups are more likely to tax the routes, rather than facilitate irregular migration themselves. There is also a link between trafficking in firearms and migrant smuggling. In some instances, the sale of migrants' illegal firearms facilitates their smuggling. Since 2021, there has been an increase in the number of migrants crossing into Kenya and selling firearms for cash, using this money to pay smugglers to facilitate their movement through security check points and further into Kenya's interior.<sup>67</sup>

Concerningly, smuggling networks have been used to move fighters into and out of the region. The Monitoring Group on Somalia and Eritrea reported that facilitators have generated false documentation to move fighters and allowed terrorist groups to capitalize on global smuggling operations.<sup>68</sup> A 2019 INTERPOL operation on criminal mobility identified 827 individuals at air and land border points in Eastern Africa, including individuals linked to terrorism<sup>69</sup>, with evidence of individuals relying on smuggling networks to facilitate their movement into Somalia. While many individuals are willingly joining Al-Shabaab, trafficking networks also recruit individuals with false promises of employment.

Somalia has been especially affected by forced displacement,<sup>70</sup> driven by Al-Shabaab's activity.<sup>71</sup> The refugees' camps place a pressure on host communities and have raised fears of radicalization. Large numbers of Somalis are leaving the region and susceptible to becoming trafficking victims, with those travelling overland. Accordingly, terrorist activity in Eastern Africa increases the risk of trafficking in persons.

62 James Reinl (2019). 'How stolen weapons keep groups like Boko Haram in business', <https://www.pri.org/stories/2019-04-19/how-stolen-weapons-keep-groups-boko-haram-business>

63 Duncan E. Omondi Gumba and Guyo Chepe Turi (2019). 'Cross-border arms trafficking inflames northern Kenya's conflict', ISS Today, <https://issafrica.org/iss-today/cross-border-armstrafficking-inflames-northern-kenyas-conflict>

64 For a more detailed discussion of the link between terrorism and trafficking in persons and smuggling of migrants please refer to the UNODC / CTCOE Issue Paper on Addressing the Links between Terrorism and Trafficking in Persons and Smuggling of Migrants (2022).

65 UNODC, "Global Study on Smuggling of Migrants 2018." [https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM\\_2018\\_Africa\\_web\\_small.pdf](https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_Africa_web_small.pdf)

66 Global Initiative Against Transnational Organized Crime. "Libya: a growing hub for Criminal Economies and Terrorist Financing in the Trans-Sahara, 11 May 2015. [https://globalinitiative.net/wp-content/uploads/2015/05/TGIATOC-Libya\\_-a-growing-hub-for-Criminal-Economies-and-Terrorist-Financing-in-the-Trans-Sahara-web.pdf](https://globalinitiative.net/wp-content/uploads/2015/05/TGIATOC-Libya_-a-growing-hub-for-Criminal-Economies-and-Terrorist-Financing-in-the-Trans-Sahara-web.pdf); UNODC. Organized Crime and Trafficking in Eastern Africa. Discussion Paper, 2009.

67 Interview, CSO officer, Lodwar, 8 July 2021.

68 UN Security Council (2011). Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010). S/2011/433.

69 INTERPOL (2019). 'INTERPOL operation exposes terrorist mobility in East Africa', <https://www.interpol.int/en/News-and-Events/News/2019/INTERPOL-operation-exposes-terrorist-mobility-in-East-Africa>

70 United Nations High Commissioner for Refugees (2017). Global Trends. Forces Displacement in 2016, UNHCR - Global Trends: Forced Displacement in 2016

71 Aimee-Noel Mbiyozo (2018). Fleeing Terror, Fighting Terror: The Truth about Refugees and Violent Extremism. Nairobi, Institute of Security Studies, [https://media.africaportal.org/documents/Fleeing\\_terror.pdf](https://media.africaportal.org/documents/Fleeing_terror.pdf)

Forced recruitment by terrorist groups also constitutes trafficking in persons.<sup>72</sup> This is most widely recognized in terms of recruitment and exploitation of children, whether as soldiers, porters, cooks, lookouts, or sexual slaves.<sup>73</sup> The recruitment and exploitation of children is common among all terrorist groups active in Eastern Africa. The Lord's Resistance Army (LRA) has been responsible for the recruitment of more than 50,000 people in northern Uganda between the late 1980s and 2004, many by force, around half of whom were under 18,<sup>74</sup> and was well known for its conscription of children. Also active in Uganda, the Allied Democratic Forces (ADF) has a reputation for the use of child soldiers.

The 2012 Group of Experts report highlighted how the ADF had recruited children, including a case where a recruiter was captured by Ugandan authorities travelling to the DRC with six boys.<sup>75</sup> In a separate case, 30 children were rescued from a training camp on Lake Victoria.<sup>76</sup> More recently, in the first video published by the armed group Islamic State Central Africa Province (ISCAP) in the DRC, many of the soldiers were children, where fighters were pledging allegiance to Da'esh.<sup>77</sup> There is less evidence on the use of child soldiers in Mozambique, but news reports indicate that a large number of boys are being trained by Ahl al-Sunna wal-Jama'a/ISCAP.<sup>78</sup> In addition, there are increasing reports of children active with ISCAP in both Mozambique and the DRC.<sup>79</sup>

The forced recruitment of women is more prevalent with Al-Shabaab than other groups in Eastern Africa, with a differentiation between Somali and non-Somali women. Somali women are more likely to be forced into marriage, which gives them some status within the terrorist organization, while others, especially Kenyan women, are more likely to be used as sexual slaves or for domestic labour.<sup>80</sup> Sexual and gender-based violence has been increasing in Somalia, with Al-Shabaab as the main perpetrator<sup>81</sup>, one of the reasons being to further their political objectives.<sup>82</sup>

## 4.4 Wildlife and forest crime, illegal mining

Eastern Africa is a major area of wildlife and forest crime, as well as illegal mining. In 2018, it was estimated to generate between USD 110 and 281 billion globally.<sup>83</sup> This figure includes forest crimes, illegal, unreported, and unregulated fishing, illegal mining, and illegal wildlife trade. The volume of this illicit trade explains its lucrative nature for organized criminal, armed, and terrorist groups.

Ivory, rhino horn, pangolin scales and endangered reptiles and birds are trafficked out of Eastern Africa to markets in Asia from seaports in Kenya, Tanzania, and Mozambique, as well as by air.<sup>84</sup> In addition, cheetahs are smuggled from Ethiopia into northern Somalia.<sup>85</sup> Illegal logging is also common across the

72 For more detail see UNODC (2017). Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice System. Vienna, UNODC.

73 Sasha Jespersen (2019). 'Conflict and Migration: From Consensual Movement to Exploitation', *Stability: International Journal of Security and Development* 8(1): 1-13.

74 Tim Allen et al. (2020). 'What Happened to Children Who Returned from the Lord's Resistance Army in Uganda?' *Journal of Refugee Studies* 33(4): 663-683.

75 <https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/allied-democratic-forces-%28adf%29>

76 Godfrey Olukya (2013). 'Uganda rebels in DRC recruit child soldiers', *The Africa Report*, <https://www.theafricareport.com/5397/uganda-rebels-in-drc-recruit-child-soldiers/>

77 Pauline Draps (2019). The Evolution of the Terrorist Threat in the DR Congo: Growing Numbers of IS-Claimed Attacks on Congolese Territory Seem to Suggest a Connection with Local Armed Groups. ESISC Briefing 15/08.

78 Pinnacle News (2020). 'Thousands of people are cloistered in Mocimboa da Praia', <https://pinnaclenews.net/ainda-vive-se-em-mocimboa-da-praia-e-sao-milhares/>

79 Goldberg (2021). 'Weekly Counter-Terrorism Intelligence Brief for East and Central Africa (Somalia, Mozambique, DR-Congo): Tracking Islamic State Terrorists in Period of 13th May- 21st May 2021', <https://intelligencebriefs.com/weekly-counter-terrorism-intelligence-brief-for-east-and-central-africa-somalia-mozambique-dr-congo-tracking-islamic-state-terrorists-in-period-of-13th-may-21st-may-2021/>

80 Katharine Petrich and Phoebe Donnelly (2019). 'Worth Many Sins: Al Shabaab's Shifting Relationship with Kenyan Women', *Small Wars & Insurgencies* 30(6-7): 1169-1192.

81 UNSC Resolution 2607 (2021). Adopted by the Security Council at its 8905th meeting, on 15 November 2021. S/RES/2607.

82 Anne-Marie de Brouwer, Eefje de Volder and Christophe Paulussen (2020). 'Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab', *Journal of International Criminal Justice* 18(2): 499-516.

83 INTERPOL and RHIPTO (2019). World Atlas on Illicit Flows.

84 Global Initiative against Transnational Organized Crime (2021). Global Organized Crime Index 2021.

85 Global Initiative against Transnational Organized Crime (2020). Observatory of Illicit Economies in Eastern and Southern Africa: Risk Bulletin, Issue 12, <https://globalinitiative.net/analysis/esaobs-risk-bulletin-12/>

region, in Kenya, Uganda and Tanzania, and is then shipped from coastal ports.

Minerals are smuggled out of the region, with the DRC being a major source of gold, tantalum, tin, and other minerals. Gold is transported to major towns in eastern DRC, before being transferred to Kampala and Kigali, where it is laundered by the gold refineries. Convicted money launderer, Belgian

Alain Goetz, used to have a stake in the refineries in both Kampala and Kigali, and they are reported to transfer laundered gold to the UAE.<sup>86</sup> Other minerals from the DRC are smuggled into Kenya, and sold as Kenyan minerals.<sup>87</sup> Rubies are mined in Mozambique, and some are traded illicitly.

As wildlife crime is widespread in Eastern Africa, profits made by armed groups are assumed to be significant. According to Elephant Action League, terrorist and armed groups make significant profits out of wildlife and forest crimes, including an allegation that 40% of Al-Shabaab's income in 2013 came from the ivory trade.<sup>88</sup> This claim has since been challenged: research by Maguire and Haenlein found that the movement of ivory was more common through Tanzania and Kenya, rather than territory Al-Shabaab controls, and the volume required to fund 40% of Al-Shabaab's income would have been difficult to hide.<sup>89</sup>

Other armed groups in the region have also engaged in wildlife crime, such as poaching and ivory smuggling. For instance, the LRA is reportedly engaged in poaching in Garamba and Okapi National Parks and southern Central African Republic, transporting ivory to Sudan where it is exchanged for weapons.<sup>90</sup> As the LRA did not hold

territory, generating revenue from taxation was not feasible, which made poaching one of the most lucrative alternatives.<sup>91</sup>

In contrast, the Allied Democratic Forces (ADF) has previously profited from illegal logging and gold smuggling. The 2011 Group of Experts on the DRC report found that the ADF was charging a tax on chainsaws of USD 200 per year, with a USD 500 fine for unauthorized chainsaws.<sup>92</sup> Moreover, the group previously controlled several small mines where they taxed miners 1000 Congolese francs per week.<sup>93</sup> The gold was reportedly sold by miners in Beni and Butembo, before being moved to Kampala. More recently, control of the gold sector in the DRC has been dominated by other armed groups, particularly Mai Mai Yakutumba and Mai Mai Malaika, primarily because gold is concentrated in the eastern DRC.<sup>94</sup> Since the ADF's resurgence in 2018, financing has come from taxing farmers in the area where the group is active, charging USD 10-25 per acre per month.<sup>95</sup>

Exploitation of natural resources in areas controlled by terrorist groups is opportunistic. The Lord Resistance Army's engagement in poaching resulted from the lack of territorial control and few other options to generate income. The Allied Democratic Forces (ADF) has been profiting from illegal logging and artisanal gold mining within its territory but has also extended its activities to taxing farmers in the area.

86 David Lewis and Peter Hobson (2020). 'Race to refine: the bid to clean up Africa's gold rush', Reuters, <https://www.reuters.com/article/us-gold-africa-refineries-insight-idUSKBNIZEOYC>

87 Global Initiative against Transnational Organized Crime (2021). Global Organized Crime Index 2021.

88 Andrea Crosta and Kimberley Sutherland (2016). The White Gold of Jihad: Al Shabaab and the Illegal Ivory Trade. <https://earthleagueinternational.org/wp-content/uploads/2016/02/Report-Ivory-al-Shabaab-Oct2016.pdf>

89 Thomas Maguire and Cathy Haenlein (2014). An Illusion of Complicity: Terrorism and the Illegal Ivory Trade in East Africa. London, RUSI.

90 Theo van der Merwe (2017). Resource Extraction and Violent Extremism in Africa, SAIIA Policy Insights 44, <https://saiia.org.za/research/resource-extraction-and-violent-extremism-in-africa/>

91 Christian Nellemann, Rune Henriksen et al. (2014). The Environmental Crime Crisis – Threats to Sustainable Development from Illegal Exploitation and Trade in Wildlife and Forest Resources. <https://www.cbd.int/financial/monterreytradetech/unep-illegaltrade.pdf>

92 UN Security Council (2011). Letter dated 18 October 2011 from the Group of Experts on the Democratic Republic of the Congo addressed to the Chair of the Security Council Committee established pursuant to resolution 1533 (2004). S/2011/738.

93 Ibid

94 UN Security Council (2021). Report submitted by the Group of Experts to the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo. S/2021/560

95 UN Security Council (2020). Final report of the Group of Experts on the Democratic Republic of the Congo. S/2020/482

## 4.5 Taxation and extortion

Taxation is a lucrative strategy for groups that control territory to capitalize on criminal markets and establish a monopoly on the use of force in that area. Protection in exchange for payment is a basic activity for many organized criminal groups.<sup>96</sup> In the context of terrorist activities, taxation generates revenue, as well as provides a form of protection, albeit coercive.

For some terrorist groups, steady streams of revenue are not always assured, but others may experience less pressure to generate regular revenue to finance weapons, operations, and so on. Compared to the ADF or ASWJ, Al-Shabaab is a sophisticated criminal and revenue-collecting enterprise, espousing a “hybrid” operational model. Al-Shabaab’s political objectives are supported by a vast criminal enterprise, while its criminal enterprise is supported by the expansion and control of territory, gained and maintained by violence. For Al-Shabaab or any other group that has a similar structure, this “hybrid” dynamic enhances resilience to traditional counterterrorism efforts.<sup>97</sup>

Al-Shabaab generates millions of dollars through taxation of transiting vehicles, goods, and livestock, and is alleged to collect more revenue than the Somali government.<sup>98</sup> Al-Shabaab derives significant income from vehicles and goods passing through Somalia, with a network of around 100 permanent, semi-permanent and mobile checkpoints.<sup>99</sup> Analysis by the Panel of Experts on Somalia of one checkpoint at Kamsuma Bridge found that Al-Shabaab would generate USD 15,000-30,000 per day based on a tax of USD 500-1000 per truck, with an average of 30 trucks passing through each

day.<sup>100</sup> Al-Shabaab also visits shops and warehouses, checking inventory and goods belonging to traders, charging 2.5% of their value as tax.<sup>101</sup>

Tax is also charged on livestock: farmers are required to give a percentage of their herd to Al-Shabaab, reportedly one camel for every 25 owned, and one goat for every 40 owned.<sup>102</sup> These livestock are sold on for USD 400-600 per camel and USD 30 per goat.<sup>103</sup> Taxes are also charged on livestock sales, USD 3 per cow and USD 5 per camel.<sup>104</sup> As a consequence, there is very little economic activity on territory controlled by Al-Shabaab that is not taxed.

The smuggling of charcoal and sugar have been important revenue sources for Al-Shabaab. The charcoal trade is linked to illegal logging in Eastern Africa, with timber smuggled to foreign markets from Somali ports using false certificates of origin.<sup>105</sup> The trade in charcoal has been dominated by criminal networks operating in Kismayo port.<sup>106</sup> The ban on charcoal initially reduced exports by a quarter, but since August 2018 there have been no major shipments, although large stockpiles of charcoal are still present in Somalia.<sup>107</sup>

In contrast, sugar is shipped into Somalia from Brazil, and then smuggled into Kenya. In 2016, the UN Monitoring Group on Somalia and Eritrea estimated that Al-Shabaab imposed a tax of USD 1500 per truckload of sugar, with as many as 230 trucks passing through each week.<sup>108</sup> However, informal taxes were also allegedly imposed by the foreign militaries present in Somalia, with some estimating this tax as USD 2 per bag of sugar coming into Kismayo port.<sup>109</sup> While Al-Shabaab controlled the entire sugar and charcoal supply chain, from

96 Stergios Skaperdas (2001). ‘The political economy of organized crime: Providing protection when the state does not’, *Economic Governance*, 2: 173-202.

97 Stern, Orly Maya. “Al-Shabaab’s Gendered Economy.” Adam Smith International. March 2021. Pg. 14. <http://www.orlystern.com/wp-content/uploads/2021/05/Al-Shabaabs-Gendered-Economy.pdf>

98 Schouten, Peer, “It’s the Roads, Stupid.” *Foreign Policy*, 12 June 2021; Harper, Mary. “Somalia conflict: Al-Shabab collects more revenue than the government”. BBC, 26 October 2020. <https://www.bbc.com/news/world-africa-54690561>

99 UN Security Council (2021). Final report of the Panel of Experts on Somalia. S/2021/849.

100 UN Security Council (2021). Final report of the Panel of Experts on Somalia. S/2021/849.

101 Orly Maya Stern (2021). ‘Al Shabaab’s Gendered Economy’, Adam Smight International, <http://www.orlystern.com/wp-content/uploads/2021/05/Al-Shabaabs-Gendered-Economy.pdf>

102 Ibid.

103 Ibid.

104 Ibid.

105 UN Security Council (2018). Report on Somalia of the Monitoring Group on Somalia and Eritrea. S/2018/1002.

106 UN Security Council (2018). Report on Somalia of the Monitoring Group on Somalia and Eritrea. S/2018/1002.

107 UN Security Council (2021). Final report of the Panel of Experts on Somalia. S/2021/849.

108 UN Security Council (2016). Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 (2015): Somalia. S/2016/919.

109 Simon Allison (2015). *Think Again: Who Profits from Kenya’s War in Somalia*, Institute for Security Studies.

port to the land border, incomes were high. However, since the armed group does not control ports anymore, it switched to taxing vehicles passing through its territory at a flat rate regardless of the cargo.<sup>110</sup>

The group also charges tax in areas it does not control. Despite being driven out of Kismayo port in 2012, the group continues to engage in extortion: a vessel can be charged over USD 30,000, as a 20-foot container is charged USD 80 and a 40-foot container, USD 160.<sup>111</sup> In Mogadishu port, Al-Shabaab charges a tax based on tonnage of imports, at a rate of USD 4 per ton.<sup>112</sup> In addition, Da'esh in Somalia has taxed businesses in Mogadishu and Puntland, coming into direct conflict with Al-Shabaab in 2018 over which businesses had been taxed by which group.<sup>113</sup>

In Mozambique, the ADF and Ahl al-Sunna wal-Jama'a also rely heavily on taxation to sustain their activities, including taxing transiting minerals, drugs, and other illegal commodities. In turn, this

allows the groups to purchase weaponry to further perpetuate violence and add to its territorial hold.<sup>114</sup>

Taxation and extortion payments, whether at checkpoints, made by businesses, or when importing goods, are primarily made using mobile money transfers or domestic bank accounts.

## 4.6 Summary of the role of terrorist and armed groups in various criminal activities

The analysis of the different criminal markets in Eastern Africa and of the involvement of terrorist groups suggest that these groups adopt a pragmatic approach to generating revenue, with most groups willing to tax any commodity moving through their territory, while groups without territorial control have fewer options.

**Table 1:**  
**Summary of the role of terrorist and armed groups in various criminal activities in Eastern Africa**

Criminal activity	Role of terrorist groups
Drug trafficking	Taxation when narcotic drugs move through a group's territory (several attempts to ban by Al-Shabaab, but more pragmatic recently)
Arms trafficking	Customer of arms trafficking networks, not facilitators of the trade, although individuals may be involved in both arms trafficking and terrorist groups.  Weapons used in attacks and commission of other forms of organized crime. <sup>115</sup>
Trafficking in persons and smuggling of migrants	Taxation of smuggling networks running through the territory, use of smuggling routes to move fighters, recruitment and exploitation of children, sexual exploitation and forced marriage.  Used for pragmatic purposes and to spread terror. Reliance on smuggling networks to generate fraudulent travel documents.
Wildlife and forest crime	Direct involvement in poaching when accessible, but primarily taxation of activity / flows through controlled territory.

<sup>110</sup> Interview, ISS, December 2021.

<sup>111</sup> UN Security Council (2021). Final report of the Panel of Experts on Somalia. S/2021/849.

<sup>112</sup> UN Security Council (2021). Final report of the Panel of Experts on Somalia. S/2021/849.

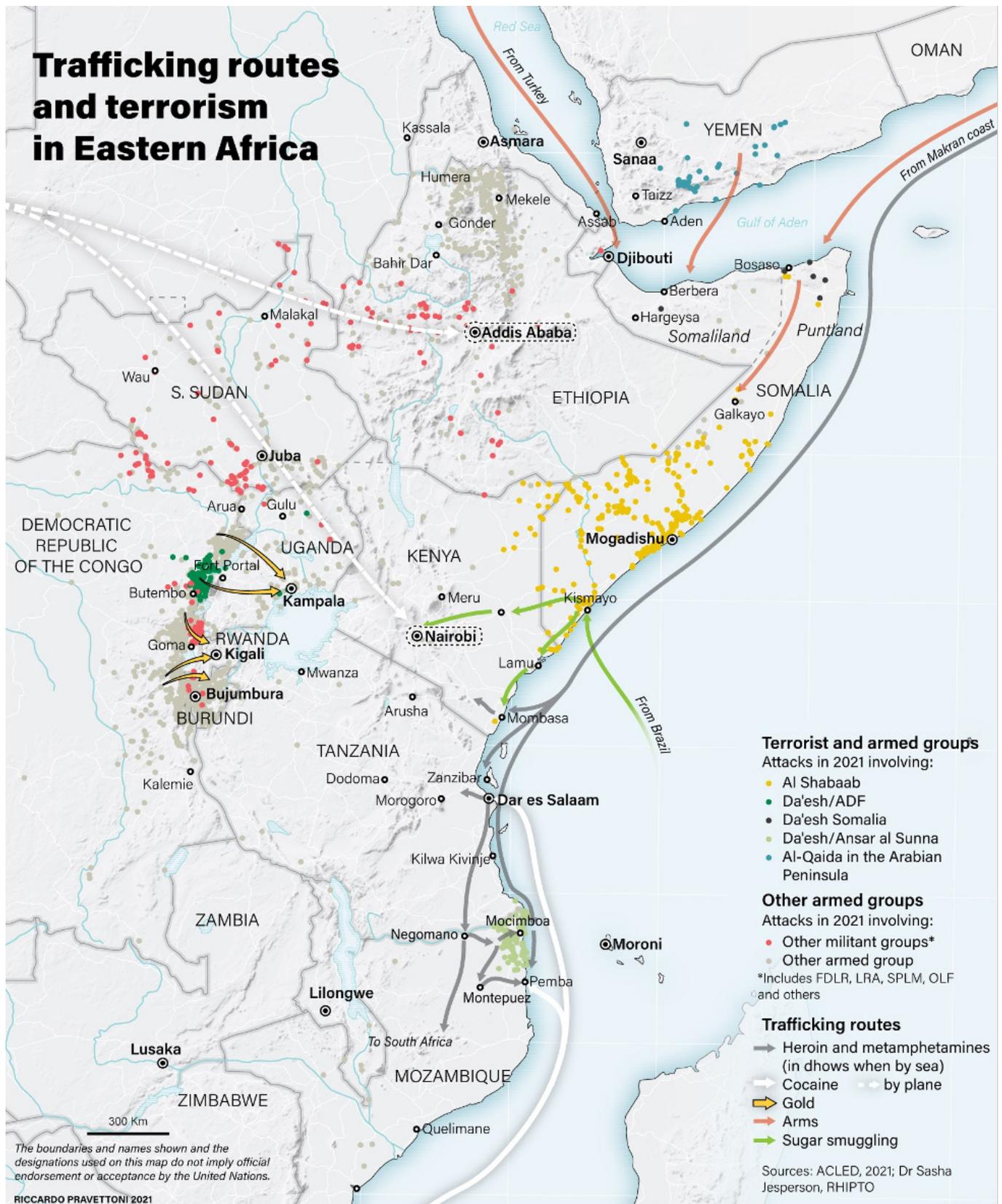
<sup>113</sup> UN Security Council (2021). Letter dated 29 September 2021 from the Secretary-General addressed to the President of the Security Council. S/2021/858.

<sup>114</sup> Renon, Eva. "Terrorism in Mozambique's Cabo Delgado province: Examining the data and what to expect in the coming years." HIS Markit. 5 April 2021. <https://ihsmarkit.com/research-analysis/terrorism-mozambiques-cabo-delgado-data.html>

<sup>115</sup> For a more detailed discussion of the firearms and ammunition trafficking dynamics in Eastern Africa, see UNODC Issue Paper on Firearms and Ammunition Trafficking in Eastern Africa (2022).

**Figure 1:**

**Movement of drugs, arms, and other smuggled commodities vis-à-vis terrorist and armed groups activity in Eastern Africa.**



## 5. RECOMMENDATIONS

Comprehensive recommendations to strengthen the response to the nexus between transnational organized crime and terrorism have been set out in UNSC resolution 2482 (2019), and in the Hague Good Practices developed by the Global Counter Terrorism Forum, which are relevant for Eastern Africa. In addition, specific recommendations have been developed below.

### 5.1 Overarching recommendations

Continue to strengthen the strategies set out in UNSC resolution 2482 (2019), including:

1. Promote intelligence collection and sharing among law enforcement and criminal justice practitioners on international and regional levels;
2. Strengthen prison management to prevent radicalization, recruitment to either transnational organized crime or terrorist organizations;
3. Promote inter-agency responses, at the policy level through national action plans to promote information exchange and through the establishment of joint task forces, operations centers, and other coordination mechanisms;
4. Conduct risk assessments on the financing of terrorism and strengthen the role of Financial Intelligence Units in collaboration with counterterrorism investigations;
5. Support international cooperation, including regional cooperation platforms, bilateral information sharing agreements, exchange of liaison officers, use of INTERPOL and regional databases, and mutual legal assistance treaties;
6. Establish and use databases to collect and analyses information, such as passenger data systems;

7. Build public-private partnerships to counter specific criminal markets, including art dealers, firearms manufacturers, banks, internet service providers and others;
8. Build capacity of law enforcement to detect and prevent the movement of illicit goods and the illicit movement of people.

In addition, the Criminal Justice and Rule of Law Working Group of the Global Counter Terrorism Forum identified good practices<sup>116</sup> on the nexus between transnational organized crime and terrorism, grouped thematically, and including:

#### Prevention

- Raising awareness and capacity among criminal justice actors and other competent authorities;
- Developing and strengthening public-private partnerships and the role of the private sector in prevention;
- Improving protection measures to prevent illicit trafficking of goods;
- Developing solid mechanisms to prevent corruption and protect whistleblowers.
- Promote the adoption of recognized good practices among Member States.

#### Detection

- Making risk assessments to understand the linkages between transnational organized crime and terrorism;
- Promoting availability of tracing and surveillance instruments;
- Strengthening the role of customs and border control;
- Building and strengthening public-private partnerships in detection.

<sup>116</sup> GCTF (2020). Addendum to the Hague Good Practices on the Nexus Between Transnational Organized Crime and Terrorism: Focus on Criminal Justice.

## Investigation

- Strengthening multidisciplinary and multi-agency coordination and analysis;
- Encouraging police-to-police cooperation and mutual legal assistance;
- Enhancing the use of special investigation techniques;
- Strengthening the use and capacity in financial investigation;
- Cooperation with private sector in investigation.

## Prosecution

- Enhancing the legal framework;
- Establishing jurisdiction;
- Developing a comprehensive prosecutorial strategy;
- Strengthening mutual legal assistance and extradition (judicial cooperation);
- Improving the use of different types of evidence;
- Court security and witness protection.

## Sentencing, Rehabilitation, and Reintegration

- Sentencing considerations;
- Strengthening the use of criminal confiscation and where possible non-conviction-based confiscation;
- Encouraging the use of risk assessment in a prison context;
- Improving the use of prison intelligence;
- Developing individual rehabilitation and reintegration programs.

## 5.2 Specific recommendations

### 5.2.1 Firearms trafficking

- Develop a new approach to intercepting dhows and prosecuting individuals linked to firearms trafficking, while taking into account that dhows will likely shift their transshipment points in response.

As was identified in the response to piracy in the 2000s, the current approach of catch and release is not going to have a significant impact on arms trafficking from Iran to Somali waters.<sup>117</sup>

- Strengthening the implementation of the 2014 Nairobi Protocol to reduce the circulation of small and light weapons in Eastern Africa.

### 5.2.2 Taxation and extortion

- Strengthen the banking system response to terrorist organizations using mobile money systems.

As Al-Shabaab started using mobile money and domestic banks to accept payments, there is a need to strengthen the banking system. The World Bank commenced the work to strengthen the banking system in Somalia through the Somali financial system initiative, which supports the Somali Federal Government by providing an interface between Somali private sector financial institutions, Somali authorities, and the international community.

Continue supporting the implementation of a financial disruption plan pursuant to the UNSC resolution [2551 \(2020\)](#).

<sup>117</sup> Meryl Demuyneck, Tanya Mehra and Reinier Bergema (2020). The Use of Small Arms & Light Weapons by Terrorist Organisations as a Source of Finance in West Africa and the Horn of Africa, ICCT Situation Report, <https://icct.nl/app/uploads/2020/06/The-Use-of-Small-Arms-Light-Weapons-by-Terrorist-Organizations-as-a-Source-of-Finance-in-West-Africa-and-the-Horn-of-Africa.pdf>

UNSC Resolution [2551 \(2020\)](#) called for the establishment of a financial disruption plan, led by the Federal Government of Somalia and UNODC. Training was held for the Financial Reporting Centre in April-July 2021. UNODC continued to support the Financial Reporting Centre by providing IT equipment. These activities should remain a priority. Similar approach may be considered in Uganda, given the ADF's links to the real estate industry.

- Enhance physical protection of routes where taxation and extortion occur, protect private sector from extortions.

Undermining taxation requires physical control of the taxation routes and protection of the private sector. Ultimately, strengthening governance and public institutions.

### 5.2.3 Enhancing collaboration

- Promote and strengthen cooperation between various law enforcement and criminal justice agencies and institutions towards a more holistic approach to the nexus between terrorism and transnational organized crime

#### GOOD PRACTICE

In Kenya, the National Counter-Terrorism Centre (NCTC) receives seconded officers from different agencies, which allows intelligence gathering and analysis to identify linkages between transnational organized crime and terrorism. For example, a workshop was held with the Kenya Wildlife Service (KWS) in November 2021 to deepen the understanding of the wildlife trafficking and terrorism nexus, and strengthen KWS's role in detecting, deterring, and disrupting suspicious activities. This approach needs to be systematized across agencies.

In Kenya, the anti-terrorism police unit works closely with other specialist police units, including the transnational organized crime unit, the anti-trafficking unit, and the anti-narcotics unit. Best practices in collaboration on cases that have tackled the organized crime-terrorism nexus should be showcased and discussed in training courses to encourage further collaboration within countries.

- Strengthen inter-regional collaboration with Central and Southern African Member States through harmonization of legislative frameworks, joint law enforcement operations, and information and knowledge exchange.

The EAPCCO and the Central Africa Police Chiefs Cooperation Organization (CAPCCO) have agreed on a legal framework and strong cooperation in combating transnational crimes, and while EAPCCO and Southern Africa Police Chiefs Cooperation Organization (SARPCCO) members have worked together on joint operations, there would be benefits to strengthening that relationship to address the challenges related to Da'esh and Ahl al-Sunna wal-Jama'a in Mozambique and links to Tanzania and the DRC. At a regional and inter-regional level, legislative frameworks also provide for enhanced cooperation through mutual legal assistance treaties, intelligence sharing and joint investigations. Good practices and knowledge exchange should occur at national, regional, and inter-regional levels.

### 5.2.4 Building trust and strengthening community relations

- Adopt and implement criminal justice rule of law-, and human rights- based measures to prevent, detect, and counter terrorism and violent extremism as opposed to hard security responses that undermine trust among communities.
- Support civil society organizations working on countering and preventing terrorism and violent extremism and promote community policing to further build trust and diminish terrorist and organized crime recruitment opportunities.

## CONCLUSION

This Issue Paper presents an overview of the linkages between transnational organized crime and terrorism in Eastern Africa. Further research and actions are required to identify, develop, and implement specific criminal justice responses to criminal activities that benefit terrorist and armed groups, while avoid unintended consequences.

In addition, the analysis predominantly focused on Somalia and Al-Shabaab, as the group has developed its financing mechanisms over a longer time, whereas the emergence of Da'esh affiliates in the DRC, Uganda, and Mozambique is still relatively recent, and the mechanisms by which these groups profit require further investigation and analysis.





## Counter-Terrorism Centre of Excellence

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