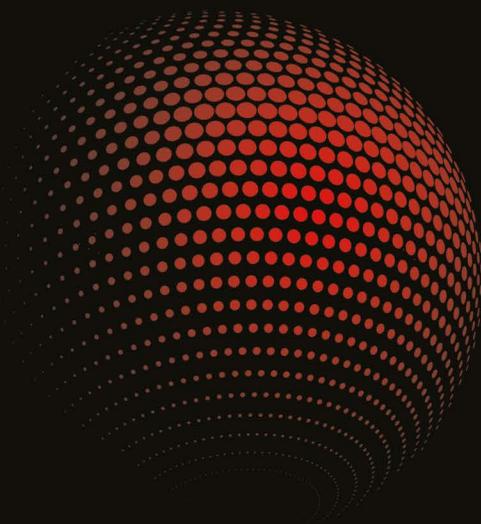


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**SPECIAL ISSUE:  
ECONOMIES OF VIOLENCE**



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renseignement, criminologie, crises, cybermenaces



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## ECONOMIES OF VIOLENCE

### ABSTRACT

Recent trends reveal a significant increase in the use of violence to generate profit as illustrated during the sanitary crisis. The *Economies of Violence*, understood as the actions or behaviors leading to a financial benefit to the detriment of another person, organization, or institution, are therefore detrimental to better apprehend as a concept and phenomenon. Hence, addressing this violence requires an examination of the multiple forms it may take in all fields of the economy and their evolution across time and space. Through the identification of actors in the *Economies of Violence*, this piece shows that legal and illegal spheres interact and overlap. Manifestations of violence in the legitimate economic system may take insidious forms, thus further complicating the task for those who seek to combat it. The report ultimately argues that the economic system is inherently generating and sustaining *Economies of Violence*, underlining the need for academics and decision-makers to apprehend these phenomena outside the legal-illegal opposition.

**Keywords:** Violence - Crime - Economies - Externalities - Criminal behavior - Legality - Illegality - Violent entrepreneurs - Transnational Organized Crime - Trafficking networks - Corporate Crime - Underground economy - Environmental crime - White-collar crime - Hybridization - Transitional societies

## Economías de violencia

### RESUMEN

Las tendencias recientes revelan un aumento significativo en el uso de la violencia para generar ganancias, como se ilustró durante la crisis sanitaria. Las Economías de la Violencia, entendidas como las acciones o comportamientos que conducen a un beneficio económico en detrimento de otra persona, organización o institución, son por tanto perjudiciales para comprender mejor como concepto y fenómeno. Por lo tanto, abordar esta violencia requiere un examen de las múltiples formas que puede tomar en todos los campos de la economía y su evolución a través del tiempo y el espacio. A través de la identificación de actores en las Economías de la violencia, esta pieza muestra que las esferas legal e ilegal in-

teractúan y se superponen. Las manifestaciones de violencia en el sistema económico legítimo pueden adoptar formas insidiosas, lo que complica aún más la tarea de quienes buscan combatirlas. En última instancia, el informe argumenta que el sistema económico está inherentemente generando y sustentando Economías de la Violencia, subrayando la necesidad de que los académicos y los tomadores de decisiones aprehendan estos fenómenos fuera de la oposición legal-ilegal.

**Palabras clave:** Violencia - Crimen - Economías - Externalidades - Conducta criminal - Legalidad - Ilegalidad - Emprendedores violentos - Crimen organizado transnacional - Redes de tráfico - Crimen corporativo - Economía sumergida - Delitos ambientales - Delitos de cuello blanco - Hibridación - Sociedades en transición

## 暴力的经济结构

### 摘要

近期趋势显示，使用暴力牟利的情况显著增加，这在新冠肺炎卫生危机期间也是如此。“暴力的经济结构”（*Economies of Violence*）被理解为一系列导致他人、组织或机构受损以获取金融利益的行动或行为，其被作为一种概念和现象加以理解则是不利的。因此，研究这类暴力需要对其在所有经济领域及其时空进展中可能出现的多种形式加以分析。通过识别暴力的经济结构中所存在的行动者，本文表明，合法和非法领域相互影响和重叠。合法经济系统中出现的暴力可能是潜藏的，因此使那些试图打击该暴力的任务更为复杂。本文最终主张，经济系统从内在上产生并维持暴力的经济结构，这强调需要学术界和决策者在“合法-非法二者对立”之外对这些现象加以理解。

**关键词：**暴力，犯罪，经济结构，外部性，犯罪行为，合法性，非法性，暴力企业家，跨国有组织犯罪，非法交易网络，法人犯罪，地下经济，环境犯罪，白领犯罪，混合（*Hybridization*），过渡型社会

## EXECUTIVE SUMMARY

Led by Pr. Clotilde Champeyrache and Mr. Guillaume Soto-Mayor, our international team of renowned scholars has produced a transverse and innovative report. Indeed, Criminology is at the crossroads of disciplinary fields and includes sociological, political, but also economic approaches to crime. Globalisation, technological innovations (e.g., proliferation and diversification of cyber threats) and evolutions within the financial and economic market have broadened the scope of criminology studies. The contemporary dynamics of violence involve significant overlaps between legal and illegal economic spheres, as it multiplies the potential sources of profit for both illicit and licit actors. The multiplication of reported environmental crime illustrates these dynamics. In addition, these trends have contributed to a sophistication and hybridization of the *modus operandi* used by actors involved in the economic system. In creating the concept of *Economies of Violence*, our working group has attempted to develop an analytical tool capable of capturing the varied dynamics of contemporary violence driven by profit.

After conceptualizing our core notion, the report presents the variety of actors involved in the *Economies of Violence*, as well as covers their concrete profitable activities in the illegal world and explores the occurrence of violence in the legitimate economic systems. The originality of *Economies of Violence* lies in the disruptive understanding of violence as a concrete and symbolic tool economic actors consider and exploit. The use of violence constitutes a comparative advantage for certain actors or organizations, enabling them to increase their profit. Beyond an analysis of violence confined to actors in the underground economy (e.g., mafias, criminal groups, warlords), our study also intends to apprehend the role granted to violence in the legal economy. Thus, we consider various actors, ranging from organised crime groups, paramilitaries to state services. Hence, the ramifications of the *Economies of Violence* run deep and have dire and transverse consequences in society. For instance, in the case of environmental crime, sand smugglers or polluting industries benefit from the lack of internalization of the social cost of their activities. Ecosystem degradation, notably soil and water pollution, have major consequences on humans' livelihood (e.g., health, socio-economic and environmental living conditions etc.) and can be thus understood as a violence-generating economic activity that benefits one actor while harming others. Consequently, the quest for profit, the study shows, often results in

the use of violence, both in the legal and illegal economic spheres. In fact, *Economies of Violence* impact the economic system as a whole. This quest for profit and the subsequent dynamics deeply transforms individual and collective behaviors, economic and security trends, the environment, and individuals' health. However, the report shows actors of the *Economies of Violence* can sometimes replace the state in certain regions and specific contexts. An interesting case study has been the Covid-19 pandemic, which has shown the crucial role of mafia actors in redistributing resources and providing the population with basic services, in Mexico for example. Indeed, our subject is of particular importance nowadays, due to the peculiar link between organised crime and times of crisis, on which they thrive. It is therefore noteworthy to consider violent actors as integral parts of the functioning of the economy. Hence, *Economies of Violence* have strong political consequences.

# Economies of Violence

## Part 1. A definition endeavor

In this report, we address *Economies of Violence*, characterized as all actions or behaviors leading to a benefit in terms of power and/or financial gains to the detriment of another person, organization or institution. The resulting damages are intentional and therefore at the core of the violent nature of the harm. It can be identified by certain visible or invisible methods, tools, processes, and/or norms. The prejudice may be physical, psychological, normative,<sup>1</sup> and/or reputational, and will eventually result in an economic loss for the targeted individual, organization or institution. Hence, the action or behavior will always benefit one party and negatively affect a second one, whether it produces short term losses or indirect impacts over time.

Thus, our study will focus on the analysis of violent acts perpetrated for the purpose of making a profit. The nature of the act is not at the heart of our study. Whether it is a licit, illicit, or illegal act, we will focus on the economic benefit for one and the loss for another. In fact, the contours of legality are porous, notably because of the diverse legal frameworks, social and cultural practices that form transnational economic organizations. The legal/illegal distinction does not account for “the interface between custom, il/legality and morality” that illicit practices entail (Gregson & Crang, 2016, p.209). Therefore, taking into consideration this ambiguous delineation, the report touches upon both legal and illegal actions and behaviors.

*Economies of Violence* is an evolving concept encompassing mutating phenomena. Associated activities increasingly happen in cyberspace and contribute both to violence in the physical world and to the development of forms of violence online (Shelley, 2018). Since the outbreak of the COVID-19 pandemic, the spike in internet activity has offered cyber-criminals new ways of exploiting *Economies of Violence* online. Significant trends of violence in the past year also include the abuse and sexual exploitation of children’s increased presence on the internet.<sup>2</sup>

To frame our research, we propose the following definition of the term “violence,” strictly reflecting the term as understood in the previously outlined notion of *Economies of Violence*. There is no simple qualification of what violence is

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1 An actor (group, individual, organization...) imposing through violence a lack of freedom, free will or withholding opportunities for some other individual/organization/institution and obtaining an economic and financial benefit from it.

2 WHO Bulletin (2020), COVID-19 response measures and violence against children, Bulletin of the World Health Organization 2020;98:583-583A. Available at <<http://dx.doi.org/10.2471/BLT.20.263467>>; REITANO T. and SHAW M. (2021), *Criminal Contagion: How Mafias, Gangsters and Scammers Profit from a Pandemic*, London: Hurst and Company, 115-32.

in that sense. Nonetheless, a common feature is the notion of intentionality and premeditation for purposes of power and enrichment. In this setting, violence is motivated by the lure of gain and/or the establishment of power relations ensuring in return a dominant financial and economic position. Finally, the harm endured by another person or entity following the perpetuated action, which resulted in a financial gain, being physical/moral/psychological, remains a common denominator qualifying the latter act as “violent.”

From a methodological point of view, the *Economies of Violence* can then be measured according to different types of indicators, both quantitative and qualitative. The use of quantitative indicators, i.e., concrete data and recorded actions (financial revenues and loss, homicides, deaths rates, harms made on ecosystems, overexploitation of natural resources, etc.) offers an indispensable overview of physical violence measured in the form of numbers or counts. Then, the use of qualitative data is essential to highlight unaccounted, hidden forms of violence that occur not only in the shadow economy, but also affect economic life on a daily basis. This method is particularly used in criminology studies, in which surveys can, for example, estimate the level of violence through variables such as the perception of crime, victimization surveys, levels and perception of insecurity, but also physical trauma, depression and other mental health issues, etc. These variables are important to take into account inasmuch as actions leading to trauma on individual or collective victims can effectively limit their access to economic opportunities or lead to unwanted economic decisions that put them at an economic disadvantage.

Violence can therefore be perceived from two angles: the victim’s and the perpetrator’s. While the perpetrator deliberately causes harm for his or her own benefit, victims are not always aware of the loss until it materializes in their lives through financial loss, coerced choices, health problems, mental trauma, etc. Health problems or mental trauma fall within the scope of our study if caused by violence and followed by economic difficulties. Thus, these two methods are complementary and indispensable for a comprehensive understanding of the dynamics and impact of *Economies of Violence*.

The core of our research on *Economies of Violence* can consequently be summarized as follows: to what extent and by what means do actors of the *Economies of Violence* manage to take advantage of the legal economic system to generate economic benefit and financial gains through the use of violence? What are the links and interplay between the various stakeholders of this violence and what are its concrete manifestations—both in the legal and illegal world?

Further explanations are indispensable to frame the exact scope of our research and the notion of *Economies of Violence*.

In fact, the aim of our research is not to pin out the determinants and purposes of violent acts. It neither intends to describe the sources or nature of econom-

ic violence, nor the economic factors leading to violent behaviors. Rather, we focus on *Economies of Violence* as financial and economic gains, acquired through the use of one or several forms of violence. Thus, the study will not address all forms of violence and will not cover gender-based violence or racialized violence *per se*. Yet if one of these acts serves as leverage for economic and financial gain, or is directly linked to an economic violent activity, it will fall within the scope of our study.

The definition of *Economies of Violence* will apply both in the physical and digital worlds. Considering malicious cyber-attacks, our report will consequently focus on acts either resulting in direct economic benefits (e.g., ransomware) or giving the perpetrator a market advantage (i.e., diminishing a competitor's position or reputation). Conversely, our study will not encompass nor consider cyber-attacks such as identity theft or Zoom bombings that do not lead to a financial benefit, either direct or indirect for their perpetrators.

Economic activities run by violent entrepreneurs<sup>3</sup> (armed groups, terrorist organizations, but also legitimate agencies) can be qualified as violent themselves as they benefit them financially and harm another individual or entity in the process (Shelley, 2014). In addition, some violent actions, although seemingly motivated by the pursuit of economic gain, may also be carried out in order to serve other causes. Considering terrorist organizations and armed groups, these actors increasingly invest in criminal activities, cybercrime, and lucrative legal investments as levers to finance their political and ideological projects. As a result, the economic activities, as well as the ideological and political projects, they are pursuing are almost unequivocally accompanied by violence. Indeed, the funds raised through these channels can be used to finance violent actions, either directly or indirectly, i.e., preparing a terrorist attack, recruiting foot soldiers, or buying weapons. The multiplication of fundraising platforms operated by extremist groups is also a growing concern for policy makers, especially in the U.S.<sup>4</sup> Since the final goal of these actors is not to seek profit but to finance a political or ideological cause, this does not fall within the scope of our study.

## Part 2. Actors of the *Economies of Violence*

**E**conomies of violence involve a large number of actors, some acting in a self-managed way and in opposition to the state's authority, others constituting hierarchical and organized structures navigating between illegal practices and "customary illegality in doing business" (Gregson & Crang, 2016, p. 206).

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3 Defined by Volkov (2002) as wielders of force for the purpose of obtaining financial and economic gains. See Part 2.

4 See for example, NEWHOUSE, A. (2017), "From Classifieds to Crypto: How White Supremacist Groups Have Embraced Crowdfunding," CTEC. Available at <[https://www.middlebury.edu/institute/sites/www.middlebury.edu.institute/files/2019-06/Alex%20Newhouse%20CTEC%20Paper.pdf?fv=9T\\_mzirH](https://www.middlebury.edu/institute/sites/www.middlebury.edu.institute/files/2019-06/Alex%20Newhouse%20CTEC%20Paper.pdf?fv=9T_mzirH)>

For the purpose of simplification, these actors will fall under the category of “violent entrepreneurs” (Volkov, 2002), defined as wielders of force for the purpose of obtaining financial and economic gains. In a broader sense, violent entrepreneurship is defined by Volkov as “a set of organizational solutions and action strategies enabling organized force (or organized violence) to be converted into money or other valuable assets on a permanent basis” (Volkov, 2002, p. 26).

Certain activities within the *Economies of Violence* are considered to be directly connected to the action, decisions, personality of the violent entrepreneur, his/her image and personal power. Indeed, some individuals play a determining role within organizations due to their expertise, managerial competences and/or networks. These individuals are undoubtedly connected to organizations, for example, in the case of brokers, they are subcontractors employed by these structures. They should not be perceived as lone wolves operating outside of a larger dynamic. Nevertheless, the individual characteristics specific to their functions and missions should be analyzed, as well as the importance of their role within criminal enterprises, which are sometimes even dependent on their personalities and expertise. Hence, certain specific actors will be studied: warlords, informal sovereigns, criminal brokers, and criminal entrepreneurs.

The second category of actors studied includes organizations and institutions, amongst which mafias, criminal organizations, smuggling networks, and criminal gangs, along with private corporations. What these entities have in common is the search for benefits. Corporations can become violent economic actors when their search for benefit leads them to abuse their economic power or to commit crimes (e.g., corruption, intimidation, extortion) to gain economic advantages. However, organizations and institutions which are part of the *Economies of Violence* exploit their physical, psychological and/or moral power to different degrees and through complex schemes. Criminal actors particularly exploit their victims’ desire for protection, using fear and intimidation, corruption, and the lure of personal enrichment. These actors are characterized by continuity and permanence, sometimes materialized and ensured through explicit doctrines, rules and ceremonials. They vary in structure and are involved in multiple activities, non-dependent to a specific individual. Some are informal while others have a clear division of labor and bureaucracy (i.e., centralized, decentralized, a federation, a network).

The common denominator between the two types of actors remains that violence— whether physical or online— is used as a means to obtain financial and economic profits. Thus, the nature of the acts committed— illicit or illegal— is not a determining factor in the classification of the actors. The study of certain actors, such as private companies, sheds light on the porous borders that exist between these two worlds, where the legality of an actor’s existence does not imply that all his practices are undoubtedly legal and non-violent. Indeed, as highlighted hereaf-

ter,<sup>5</sup> the search for profit is concomitant with the activity of any actor active in the capitalist system of an imperfect market of competition. It must finally be noted that violent entrepreneurs are often connected, using, if not managing, organizations. Hence warlords rely on foot soldiers, while criminal brokers are always dependent on a complex network of logistical support and corrupted officials.

However, the classification of actors of the *Economies of Violence* is complexified by the changing face of criminal groups that stems from the disappearance of clear frontiers between their sphere of activity since the 1980s. Their nature is now hybrid, at the intersection of the previous categories that applied. These actors are multiple, and their interweaving is complex. The theories of hybridization explain that most criminal actors tend to converge, cooperate, and evolve more easily. Jean-François Gayraud distinguishes two types of hybridization (Gayraud, 2017): hybridization between organized crime and terrorism on the one hand, and hybridization between organized crime and white-collar crime on the other. While Alain Bauer evokes a hybridization between “political operators and criminal organizations” (Bauer, 2010, p. 132). According to Louise Shelley (2005), intersections between groups, for example between criminal groups and white-collar criminals, occur through the appropriation of methods, the maintenance of business relationships, or the mixing of the two entities through individuals working for both. Previously confined to their own sphere of expertise, criminals are now sharing and communicating more, merging their economic activities, and complexifying the analysis of violence.

Furthermore, some activities, despite their violent and harmful consequences for others, are carried out by actors who are legally integrated into the economic system, i.e., private corporations. The profit-seeking dynamics of capitalism pushes its various actors to seek a decrease in their marginal costs of production in order to be more competitive, sometimes opting for a criminal and violent strategy for individuals. Thus, certain illicit—or even illegal—practices are implemented to this end, such as the exploitation of workers, the production of counterfeit goods under official labels, or the mis-declaration of the contents of cargo ships etc.

Indeed, the international structure of trade involves logistics with multiple actors, “enabling many points or moments of crossover between illegality and legality” (Gregson & Crang, 2016, p. 210). Hudson goes even further and affirms that “legal and illegal practices can be seen as genetically entwined in the DNA and ‘normal’ operations of contemporary capitalism, integral to the workings of the capitalist economy rather than a marginal and unusual anomaly” (Hudson, 2014, p. 775). As stated above, our work will not consist in classifying *Economies of Violence* according to their degree of legality. Rather, we will seek to explore the links between the different actors in this ecosystem, as well as the multiple dynamics, and spaces in which *Economies of Violence* manage to thrive.

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5 See Part 4.

Our work will therefore attempt to highlight and describe the great diversity of actors who are perpetrators of *Economies of Violence*, as well as its concrete manifestations, both in the underground economy—*de facto* illegal—and—in a more original way—in the legal economy. Violence in the legal economy, indeed, has usually been ignored and/or misunderstood. We will attempt to give some key elements as to identify when the border between legal, illicit, and illegal activity gets blurry in the functioning of these economies. Increasingly, these different actors use the same practices, drawing on knowledge from all sectors to prosper economically. A dimension that we will address in our sections dedicated to actors of the *Economies of Violence* and its concrete manifestations in the illegal world.

### **2.1. Violent entrepreneurs**

As introduced, violent entrepreneurs are defined as actors who are benefiting economically and financially from the use of physical and online violence. In addition, these actors often prosper under limited state sovereignty, restricted application of the rule of law and within territories where governments exert little effective power (Volkov, 2002; Gambetta, 1993). This concept thus addresses the behavior of certain actors, groups, or organizations, called Violence Managing Agencies, that exerts different forms of coercion through their “capacity to manage organized force (and information)” (Volkov, 2002, p. 65). These actors, such as criminal brokers, can also be problem solvers (Von Lampe) or middlemen. They are the managers of international criminal economic activities and provide support to political coalitions.

### **Warlords and informal sovereigns**

Warlords and informal rulers operate in distinct political contexts. The first are generally associated with wartime or conflictual contexts, where the loss of state authority leads to an increase in the influence of certain non-state actors. On the contrary, informal rulers exercise their influence in peaceful contexts.

A warlord is a leader controlling part of a territory within a State, thanks to its military, economic, political, and ideological power. Pejoratively connoted, and generally associated with violent actions such as terrorism, spoliation, or racketeering, “warlords have been present for centuries and have periodically emerged whenever centralized political-military control has broken down” (Jackson, 2003). Thus, a warlord’s power is based on the choice of armed individuals to be loyal to him, rather than to the official government. Warlords seize the wealth of the territory, in competition with the State’s economy, through extortion, trafficking, and physical violence.

Actors such as criminal groups and politicians may engage in similar practices. They may dominate a specific territory for economic and/or political purposes and employ predatory and (at times) violent tactics. In doing so, they do not

neatly fall in the category of warlords but may be considered ‘informal sovereigns’ (Hansen & Stepputat, 2006). While informal sovereigns may carry out functions typically associated with the state, they do not oppose head-on the state. However, their actions may be tacitly supported by low-level bureaucrats and loyally carried out by their affiliates. Competition among these actors over a specific territory often contributes to competition over resources, thereby creating “artificial scarcity.” Indeed, the capture of certain resources by a group, and thus entry into a monopolistic framework, leads to the establishment of a “system of waiting-lines and monitored access to goods” (Champeyrache, 2014). Echoing similar patterns in many cities around the world, water delivery in urban poor communities in Metro Manila and Karachi illustrates these dynamics.

### Criminal brokers

The system of small, changing, and temporary coalitions described above is invigorated by the essential intervention of a specific type of entrepreneur, the broker, also referred to as ‘go-between,’ ‘intermediaries,’ ‘criminal brokers,’ etc. Their origin dates back to the development of consulting firms in the legal economy in the 1970s, when criminal organizations have had to adapt to the multiplication of trade routes, technological innovations, norms and criminal challengers, by incorporating this new position to their structures. Their role is crucial because, as described by Boissevain (1974: p. 148), social brokers bring people into direct or indirect contact with each other for profit. Their usual role in the criminal underworld is to connect potential partners, potential buyers and sellers, and potential employees and employers. The most important brokers are also tasked with securing criminal operations between two or several criminal organizations. Their mission, relying on their specific expertise, often entails taking care of transport, stocks, and parts of the distribution of the product.

Brokers therefore develop special skills in complex criminal logistics, corruption, communication, money transfer and laundering and, where applicable, in various forms of violence. These occult stage directors connect the dots, they orchestrate immense and various illicit trafficking, they estimate the costs and choose the routes, decide the modes of transports, hire the necessary and reliable workforce (Saviano, 2014). These actors are central to the *Economies of Violence* in several ways. First, they are facilitators of illegal trafficking that generates violence, thanks to their logistical role. Also, their activities themselves generate violence. For example, illegal maritime traffic, like the legal transport market, is characterized by long chains of subcontractors. Notably, the magnitude of the goods transported through maritime trade involves huge amounts of money and potential earnings. The competition between the different actors attempting to capture these resources results in a high level of violence and casualties in transiting hubs.<sup>6</sup> In

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<sup>6</sup> Report EUROPOL spotlight (January 2021), The use of violence by organised crime groups. Avail-

particular, port hubs are a hotbed of fatal incidents unresolved by the authorities—usually related to illegal activities.

Nowadays, brokers are increasingly hired and operating online through the unregulated dark web (Glenny, 2012; Goodman, 2015). Cyber-mercenaries of the private sector can be employed through intermediaries. They are responsible for new types of attacks on state institutions and individual's data, and actively engaged for example in online illegal trafficking (e.g., NPS and firearms) in the Dark Web. In a truly growing market, "a cyber mercenary can be defined as an individual or a group of experts who can offer their skills to anyone who will pay them a good amount of money" (Noor, 2014). Once hidden in the dark web, it is now possible to hire a cyber-mercenary to hack someone's data on the regular web. These hackers-for-hire groups, that offer different services, include private intelligence companies and other freelance actors. Active cyber mercenaries in 2020 falling in the Advanced Permanent Threats category include DeathStalker, CostaRicto, and Bahamut.<sup>7</sup>

One of the most notorious cyber-criminals of the 20th century is Paul Calder Leroux. Starting out as a programmer and cyber-mercenary, he introduced and applied modern business strategies into the booming web industry of the 2000s and collected its large economic benefits. His online pharmacy, expanding with the opioid crisis, that generated around \$250 million per year, grew into a global criminal empire. His enterprise then thrived in drug trafficking, arms, and violence in general. According to his own confession, he provided illegal services to "rebels, warlords, criminals—essentially anyone who had money" (Ratiff, 2019). He served as an intermediary in helping Iran for its missiles program and trafficking methamphetamine in North Korea. Arrested in 2012, his legacy remains on the internet as his business strategies are still omnipresent on the web's economy. In 2021, he is rumored to be the possible creator of bitcoin.

Another interesting case study is that of "money laundering brokers." For nearly ten years, "underground banking" has played a major role in drug money laundering. Numerous cases support this trend in America, Europe, but also in Africa, the Middle East, and Asia.<sup>8</sup> These bankers are called *brokero* in Latin American countries, *Saraf* in North African countries and *hawaladars* in Pakistan and Afghanistan.

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able at <<https://www.europol.europa.eu/europol-spotlight/europol-spotlight-use-of-violence-organised-crime-groups>>

7 Report PwC (26 February 2021), *Cyber Threats 2020: Report on the Global Threat Landscape*. Available at <<https://www.pwc.co.uk/issues/cyber-security-services/insights/cyber-threats-2020-report-on-global-landscape.html>>

8 "China mounts massive crackdown on sprawling underground bank network" (South China Morning Post, 17 August 2016), Available at <<https://www.scmp.com/news/china/money-wealth/article/2005307/china-mounts-massive-crackdown-sprawling-underground-bank>>

These “money laundering brokers” possess extensive expertise in transporting cash and/or financial compensation, without the money necessarily crossing borders. As bankers, money collectors, money changers, insurers, and factorers, these crime brokers manage to launder large sums of money unnoticed. The money does not pass through the traditional banking channels, at least not in regions where the banking system is highly controlled (FATF, 2018, p. 34). This informal financial network is based on age-old practices. Numerous cases such as the Virus operations between France, Switzerland, and Morocco, but also the Retrovirus between Europe and Dubai (Vittori & Page, 2020) and Cedar between Colombia, Lebanon and West Africa (Mugg, 2021) attest to this. However, it is certainly between Colombia, Mexico, and the United States that this system has grown the most. Called the “Black Market Peso Exchange” by the American DEA, this system made it possible to move hundreds of millions of dollars as early as the 1990s.<sup>9</sup>

Economic analysis can provide a useful interpretive framework for the relationship between traffickers and brokers. Trust from an economic point of view is mostly seen as a belief, a conjecture in the behavior of the other, which is assumed to be dictated by the pursuit of a common interest over time rather than by the desire to maximize short-term self-interest.<sup>10</sup> This definition serves a dual purpose. On the one hand, it links trust not to calculation but to a wager and to probabilities,<sup>11</sup> and on the other hand, it makes it possible to ease governance arrangements by limiting the use of supervision and incitement mechanisms, as well as of the threat of violence. Thus, it increases the efficiency of coordination while reducing transaction costs. For this reason, the highest risks, i.e., the loss of the money collected, are assumed by the broker. He stirs up enough cash that he would manage to dissipate the loss in numerous transactions or even to mutualize it via informal insurance systems among members of these clearing networks. These “money laundering brokers” are therefore essential in the *Economies of Violence* as they are central facilitators and logistical supports for criminal activities.

### Mafiosi entrepreneurs

Arlacchi (1983) focuses on the infiltration of legal activities by Mafiosi in Calabria. He shows that these Mafiosi entrepreneurs benefit from what he refers to as “competitive advantages” over “honest” entrepreneurs of the legal sphere of the economy. According to him, there are three reasons why Mafiosi manage to expel non-Mafiosi from legitimate businesses. First, they benefit from easy access to fi-

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9 ‘Black Market Peso Exchange Evolving in United States’ (Insight crime, 26 January 2021), Available at <<https://insightcrime.org/news/analysis/black-market-peso-exchange-us/>>

10 Bowles, S., & Polanía-Reyes, S. (2012). Economic Incentives and Social Preferences: Substitutes or Complements? *Journal of Economic Literature*, 50(2), 368-425.

11 Williamson, Oliver E. (1993). Opportunism and Its Critics. *Managerial and Decision Economics*, 14(2), 97-107.

financial capacities and can therefore easily invest thanks to illegal profits (especially on drug markets) and to privileged access to credit. Second, they also can use workers paying them low wages because Mafiosi deter unionization in their firms. Last but not least, Mafiosi resort to intimidation and violence and take advantage of their reputation of being violent men. Arlacchi even refers to violence as “an economic strength” (1983: p. 98) as far as Mafiosi entrepreneurs are concerned.

However, it is important to note that these Mafiosi entrepreneurs are nothing more than emanations of the criminal organization to which they are affiliated. The mafia entrepreneur is in charge of a business as an agent of the mafia. The latter is the true owner of the network of legal businesses owned by its members (Champeyrache, 2004). In this sense, the entrepreneurial individual only deploys all his entrepreneurial capacities because he is backed by the criminal organization.

## ***2.2. Organizations and institutions of the Economies of Violence***

In this section, we will focus on three types of organizations: mafias and criminal networks, private companies, and militias and armed groups.

### **Organized crime: Mafias, criminal organizations, smuggling networks, criminal gangs**

Although it may vary from one judicial system to another, from one country to another, crime usually designates the most serious infraction a moral or physical person can commit. We will primarily consider the definitions given by the European Union (EU) or the United Nations (UN) in the Palermo Convention on Transnational Organized Crime (2000). They describe organized criminal groups as “a structured group of three or more persons, long-existing and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.”<sup>12</sup>

Thus, organized crime organizations tend to control and focus on certain territories or markets, even though they may reach transnational borders. Some criminal organizations focus on certain illegal activities, such as drug trafficking, while others are simultaneously involved in various illegal practices, goods, or services. The latter include activities as diverse as trafficking in stolen goods (cars and cargo), piracy, counterfeiting, extortion, human trafficking—including children, women, and organ trafficking—arms trafficking or prostitution, as well as illegal mining, cash trafficking, and several types of environmental crimes.

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12 UNODC, (2004), *Palermo Convention on Transnational Organised Crime*, Vienna. Available at <[https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED\\_NATIONS\\_CONVENTION\\_AGAINST\\_TRANSNATIONAL\\_ORGANIZED\\_CRIME\\_AND\\_THE\\_PROTOCOLS\\_THERETO.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf)>

Furthermore, transnational organized crime increasingly occurs in cyberspace. Due to the intrinsic characteristics of the cyber world, criminal actors generally operate in the form of networks, and not that of large and well-structured organizations such as the mafias. For example, the dismantling of the Avalanche cybercrime network in 2016 required the mobilization of services from more than 30 countries, demonstrating the importance of the network (Shelley, 2018, pp. 112-113). However, only five individuals were arrested.

Drawing a typology of criminal actors is necessary to distinguish Mafias from other criminal groups. According to Jean-François Gayraud, Mafias “are secret and fraternal societies, permanent and hierarchical, founded on a principle of obedience, practicing ethnical recruitment, having a territorial basis, while dominating other forms of criminality and appropriately using mythological origins” (Gayraud, 2005). As particular types of organizations, they all share three common broad characteristics. Firstly, mafias hold significant shares of the world’s largest sources of illicit income, such as transnational trafficking in drugs, human beings, or arms, and, at national level, the systematic racketeering of major economic activities. This poly-criminality is a major asset of the mafias as they are not dependent on a single source of income. Secondly, by being at the head of the criminal pyramid, Mafias dominate inferior types of criminalities such as street gangs. Finally, Mafias have impermeably survived all forms of repression, none have been eradicated yet despite being active for over a century.

A more inclusive definition of Mafias could be as follows. In fact, they try to capture some legal income. Their aim is to gain and concentrate market and political power to develop their activities. They carefully plan their activities and development. Some of these organizations have complex structures, an internal division of labor and bureaucratization, usually managed by a criminal entrepreneur. In this sense, their structure may resemble the appearance of a legal economy enterprise. They often develop corruption networks that operate within the state. Hence, financial gains associated with their operations often benefit not only criminal bosses, but in several cases banks, legal corporations, security contractors, states’ officials, etc.

Mafias may have multiple objectives but share the goal of protecting themselves and their members (Alvarado, 2020, p. 26). In the contemporary world, only a few criminal organizations meet the criteria to be categorized under the Mafia label. Crime aristocracy is composed of the Sicilian Cosa Nostra, the Calabrese Ndrangheta, the Pugliese Sacra Corona Unita, the Neapolitan Camorra, the Turkish Maffya, the Albanese-speaking Mafia, the Japanese Yakuza, the Chinese Triads and the American Cosa Nostra (Gayraud, 2014). These Mafias have new competitors as dangerous and as powerful as they are, yet not integrally part of the criminal aristocracy. For example, outlaw motorcycle gangs are dominated by U.S.

Cosa Nostra and Brazilian gangs by Mexican cartels, which are the only genuine contenders of Mafias' power alongside the Russian Bratva.

Currently, it is arguable that the most powerful criminal organizations are the Ndrangheta, Mexican Cartels, and the Triad *Sun Yee On*, which alone has over 50,000 members. New-comers in the criminal upper-world such as Mexican Cartels and Nigerian Crime Syndicates (NCS) share many characteristics with traditional Mafias. They run large and highly profitable illicit and licit economic activities and thrive within varied legal and regulatory environments (Williams, 2014). Yet their short existence and structural instability, their excessive use of violence and, for some, their interest in short-term profits rather than long-term power differentiate them from Mafias.

### **Private corporations**

Listing the actors of the *Economies of Violence* implies taking into account private companies. Even though private corporations that engage in *Economies of Violence* are just as dangerous, if not more so, as other actors such as mafias and smuggling networks, the fact that they are legal in their incorporation makes it complex to identify and cease their wrong doings. In other words, these structures are founded legally for legitimate business reasons, but then engage in criminal activities on their quest for profit. For instance, the distinction between lobbying and corruption can be hard to make. According to a UN report published in 2018, the cost of corruption in the world represents at least 5 percent of the World's Gross Domestic Product.<sup>13</sup> Private corporations and individuals pay out around \$1 trillion in bribes each year to achieve their ends. The widespread phenomenon reaches all spheres of the economy and is deeply rooted in the *Economies of Violence* ways of doing business.

Private corporations may get involved in *Economies of Violence* directly as actors, i.e., in manipulating a stock market, selling dangerous drugs, or indirectly as enablers/facilitators for other actors to commit and conceal crime (Bertrand, Lumineau, & Federova, 2014). One violent manifestation of the action of private companies is the sale of dangerous products (e.g., drugs, prostheses), endangering consumers, in the interest of making money (Keefe, 2021). These actors thus take advantage of the asymmetry of information or even misinformation they benefit from as suppliers, which can cause physical and psychological damage to the consumer and his environment.

In addition, private companies can play a facilitating role in *Economies of Violence* by providing weapons and other resources to other criminal actors. They may be involved in a variety of crimes, ranging from ordinary crimes to interna-

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13 'Global Cost of Corruption at Least 5 Percent of World Gross Domestic Product, Secretary-General Tells Security Council, Citing World Economic Forum Data' (UN Press, 10 October 2018). Available at <<https://www.un.org/press/en/2018/sc13493.doc.htm> >

tional crimes such as genocide. For example, the French bank BNP Paribas was accused of complicity in the 1994 Rwandan genocide by participating in the financing of the purchase of weapons.<sup>14</sup>

Therefore, the activities of corporate-related *Economies of Violence* lead to and exploit a wide range of individual harm to sustainable societal and environmental harm. A good case in point is Volkswagen's car emissions fraud, which is characterized as "one of the **biggest scandals in German automobile history**" which has had a global impact.<sup>15</sup>

Some types of private corporations that often involve in the most insidious manifestations of *Economies of Violence* are worth mentioning:

*The pharmaceutical industry:* For example, the pharmaceutical company Purdue Pharma, (Keefe, 2021) partly responsible for the opioid crisis in the United States, managed to corrupt the WHO's guidelines in order to introduce their drug as an appropriate painkiller. The company actively encouraged the over-use of its opiate, spreading misinformation on OxyContin, knowing the addictive and harmful effects of the drug. The company, committing fraud, deployed huge lobbying campaigns pushing for the prescription of opioids in the United States in order to make profit from its sales. Purdue Pharma knowingly caused the deaths of around 40,000 people in the United States per year and is largely responsible for the 400 billion economy that represents the opioid epidemic.<sup>16</sup> As Purdue Pharma willingly made profits on causing deaths and inducing violence in people's lives, the corporation neatly falls into our concept of *Economies of Violence*. In 2019, the company declared bankruptcy to avoid a lawsuit.

*Transnational oil and mining corporations:* It is not uncommon for transnational oil and mining companies to be willingly implicated in crimes that obviously impact human rights, pollutes the environment, and destroys lives, through activities conducted for the purpose of making profits. Private corporations as such are often accused of using hazardous materials in the production of goods that can increase the risk of health problems. In Brazil, for instance, a

14 'French bank BNP Paribas accused of complicity in Rwandan genocide' (France 24, 29 June 2017). Available at <<https://www.france24.com/en/20170629-france-ngo-target-top-bank-bnp-paribas-lawsuit-rwanda-genocide>>

15 'German emissions scandal threatens to engulf Mercedes, BMW' (Deutsche Welle, 23 December 2015). Available at <<https://www.dw.com/en/german-emissions-scandal-threatens-to-engulf-mercedes-bmw/a-18937447>>

16 MCGREAL C., 'Purdue Pharma accused of 'corrupting' WHO to boost global opioid sales' (The Guardian, 22 May 2019). Available at <<https://www.theguardian.com/us-news/2019/may/22/purdue-pharma-opioid-world-health-organization-painkiller-global-sales>>

mining company was convicted to pay compensation for environmental and social damages as a result of contamination by lead which affected more than 18,000 people in the city of Santo Amaro da Purificacao (De Oliveira, 2019). The effects of these illicit mining activities can have detrimental and possibly lethal consequences on the health of individuals. Violence is clearly used to reduce costs and bring in considerable profit margins with a conscious disregard for human welfare. This intended use of violence is distinctive of the *Economies of Violence*.

*Private military contractors (PMCs):* As the participation of private contractors in armed conflict is becoming common, so is their involvement in *Economies of Violence*. Private military contractors engage in different forms of crime such as human rights abuses and slavery. They also provide support to violent actors or willingly keep the hostilities going. All these violent actions are conducted in order to advance financial gains and power. A good case in point is the infamous private military company called Blackwater USA, which is considered to be the largest private army in the world and was implicated in several criminal activities during the Iraq war. More recently, the company's founder was accused of interfering and assisting a warlord in Libya in 2019, violating an international arms embargo.<sup>17</sup> What makes private military contractors complex is that they often play undefined roles in war and are elusive in their operation as they lack transparency. As these private military contractors make a profit on the occurrence of violent conflicts and hostilities, they also try to ensure its continued perpetuation in order to sustain their *Economy of Violence*.

Hence, the involvement of private companies in the *Economies of Violence* is directly related to section 4 on the intrinsic violence of the current economic system. In fact, private companies can resort to various illegal practices in order to reduce their production costs and increase their margins. Several tools are then available for them to do so. For example, social dumping is part of the economic model of many international companies. Their profit margin sometimes depends on it, which is why they do not hesitate to engage in certain illegal practices such as forced labor and the exploitation of minors, in other words, modern slavery. The most recent example is the internment and exploitation of Uighurs in the Xinjiang region by the Chinese state. Companies such as H&M, Uniqlo, Zara and Nike were supplied in cotton from factories in Xinjiang, although the illegality of such practices was questioned and denounced by the international community. Their

17 'U.N. Report Accuses Blackwater Founder Erik Prince of Libya Weapons Ban Violations, Diplomat Says' (WSJ, 19 February 2021). Available at <<https://www.wsj.com/articles/u-n-report-accuses-blackwater-founder-erik-prince-of-libya-weapons-ban-violations-diplomat-says-11613784585>>

complicity with the Chinese government encourages violence and its perpetuation, while providing them with economic benefit.

The “new generation” private companies that develop and manage social media platforms are also used to conduct criminal activities, such as drug trafficking, but also other crimes, such as hate speech/crimes and child pornography.<sup>18</sup> For example, Snapchat has been accused of facilitating through its functionalities, e.g., instant removal of messages, the diversion of its use for criminal purposes.<sup>19</sup> This has also been the case on gaming platforms and encrypted social media where numerous instances of online grooming are reported. Legitimate companies also use the Internet to sell drugs or chemical substances (e.g., poisons) which are increasingly used by young people to commit suicide. These corporations exploit the online platform to avoid legal constraints, regulations, and enforcement activities. Therefore, the limited control of these online activities allows criminal actors to make economic profit from their violent actions.

Another example of the effect of the internet on the involvement of private companies in *Economies of Violence* is that of the role of hotel industry in human trafficking. Nowadays in Europe and the United States, the vast majority of prostitution activity takes place in hotel rooms or private apartments following advertisements on the Internet.<sup>20</sup> The hotels concerned generally belong to chains and offer low-cost rooms. Prostitution takes place at a frantic pace, with victims often having up to ten clients per day. Hoteliers are therefore on the front line of trafficking for the purpose of sexual exploitation. This is reflected in the evolution of judiciary procedures. In fact, in France a new criminal offence named “Hotel pimping” has been added to the French Code Pénal in 2003, with additional penalties added in the 2016 “Prostitution Law.”<sup>21</sup> Local news regularly report of hotel owners and managers being charged with “hotel pimping,” however, often ending with low-level penalties as their participation in prostitution rings is difficult to prove and investigate. In the United States, the Human Trafficking Institute has reported that in 2019, hotels were sites of exploitation in 80% of federal criminal cases of sex trafficking.<sup>22</sup> Moreover, victims of human trafficking are suing hotels

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18 ‘Social media has provided a new marketplace for drugs and police are struggling to keep up’ (ABC News, 27 August 2019). Available at <<https://www.abc.net.au/news/2020-08-24/rise-and-challenge-of-social-media-drug-dealing/12545320>>

19 ‘Snapchat Has Become A ‘Haven For Child Abuse’ With Its ‘Self-Destructing Messages’ (Forbes, 26 May 2019). Available at <<https://www.forbes.com/sites/zakdoffman/2019/05/26/snapchats-self-destructing-messages-have-created-a-haven-for-child-abuse/?sh=198bfe53399a>>

20 “Human Trafficking Network Investigations: The Role of Open-Source Intelligence and Large-Scale Data Analytics in Investigating Organized Crime.” (with Leah F. Meyer), *International Journal on Criminology* Vol. 7, No. 2 (spring 2020), pp. 87-100.

21 FONDATION SCELLES (Avril 2019). *Labolition de la prostitution, une réalité française : bilan de trois années de la loi 2016-444*. Available at <<https://www.fondationscelles.org/fr/actualites/270-labolition-de-la-prostitution-une-realite-francaise-bilan-de-trois-annees-de-la-loi-2016-444>>

22 FEEHS K. and CURRIER A. (2020), *2019 Federal Human Trafficking Report*, Human Trafficking In-

for their complicity in their exploitation. Over 50% of the civil suits filed by victims of sexual trafficking in courts were directed at hotels.<sup>23</sup>

### **Armed groups/militias/paramilitaries**

Non-state armed groups are any form of (illicit) organizations that pursue a criminal activity for an economic purpose (either protection of certain territory, cultivation of illicit crops, labs, and storage facilities of a company).

Militias are both a licit and some forms of illicit organization. For instance, there are militias that are called from members of civil society (citizens) to act-protect populations and territories in certain emergencies. In those cases, they usually support and supplement regular armies. In other situations, militias are also built up by citizens and communities to rebel against certain groups (guerrillas) and to protect certain illicit activities developed by communities. They also engage in anti-state activities, and they can be part of terrorist groups.

Paramilitaries have military training, equipment and usually are paid by a boss or warlord and they engage in these activities for economic gains, even if they might have an ideological or political purpose (like fighting communist guerrillas in Colombia). Some of this groups (militias and paramilitaries have formed what is known in Latin America as self-defense groups (*grupos de autodefensas*) and in certain countries like Colombia or in states in Mexico they have some recognition from the state, but their activities go beyond legal protection of communities or enforcing of properties, and they usually do it for an economic gain. They might be leaning towards far-right ideologies such as the Autodefensas Unidas de Colombia or originally defending a marxist-leninist cause such as the FARC. In the Mexican case, *autodefensas* are similar to *vigilante* groups that protect certain economic activities like the production of citric fruits or avocados, and they might be part or associate with the producers and guarantee the protection of land and the transportation of the product for export. In the case of Colombia, they are usually linked to fight guerrillas and other militias or non-state armed groups, to protect certain territories.

Paramilitaries all participate in the *Economies of Violence* by enforcing their power on territories through assassinations, mass killings and intimidation in order to ensure their control over natural resources' exploitation as well as numerous trafficking operations, including drug trafficking and environmental crimes.

They do not always operate outside the realm of the law. In countries under colonial rule, paramilitary forces were formed to suppress dissent and prevent political turmoil in societies (Arnold 1977). For example, the West African Frontier

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stitute. Available at <[https://www.traffickinginstitute.org/wp-content/uploads/2020/05/2019-Federal-Human-Trafficking-Report\\_Low-Res.pdf](https://www.traffickinginstitute.org/wp-content/uploads/2020/05/2019-Federal-Human-Trafficking-Report_Low-Res.pdf)>

23 Ibid., p. 16.

Force was formed by combining police forces and armies to protect colonial authorities in Nigeria, Sierra Leone, Ghana, and Gambia (Cole 1999). These legacies continue to this day in the form of paramilitary forces associated with the functioning of the state. In Pakistan and India for instance, paramilitaries are security forces commanded by high level police or military officials, which are accountable to the government (Sharma 2008; Gayer 2010).

### **Part 3. *Economies of Violence* concrete activities in the illegal world**

**I**n the illegal world, *Economies of Violence* cover a wide range of activities. They have penetrated all areas of the economy. The practice of illicit behavior can be traced in all areas where there is a demand and a search for profit (Fisman & Miguel, 2008). One cannot address all these concrete manifestations, as it requires certain angles. The growing interweaving of criminal activities makes its framing difficult. However, in the framework of this study, we have decided to focus on the following topics: human trafficking, environmental crimes, drug trafficking and cyber-violence. Thus, other major criminal activities, such as arms smuggling, piracy, counterfeit medicines, or cigarette trafficking will not be addressed.

The range of these activities expresses different levels of violence, exerting force in obvious or more insidious ways. The innovative ways the underground economy has sought out to gain can be ambiguous in the legal field. Furthermore, these *Economies of Violence* have been able to take advantage of the changing context and thrive within certain legal uncertainties.

#### ***Human trafficking***

Human trafficking consists in the exploitation of human beings by persons or organizations seeking to make profit from the use of physical and psychological violence.<sup>24</sup> Under international law, the act of trafficking is defined as both a criminal offence and as a human rights violation. As Europol defines it, “human trafficking is a serious crime that abuses people’s fundamental rights and dignity. It involves the criminal exploitation of vulnerable people for the sole purpose of economic gain. Human trafficking is a modern form of slavery. It is often transnational in character and its victims are of both genders and all ages.”<sup>25</sup>

The internationally accepted legal definition of human trafficking is contained in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (A/RES/55/25) (2000). Ac-

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24 Report UNODC (2018) Global Report on Human Trafficking 2018, pp. 1-47. Available at <[https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP\\_2018\\_BOOK\\_web\\_small.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf)>

25 Report EUROPOL, EMPACT Priority (2018-2021), Trafficking in human beings. Available at <<https://www.europol.europa.eu/crime-areas-and-trends/crime-areas/trafficking-in-human-beings>>

According to the 2020 report on the progress made in the fight against human trafficking of the European Commission, “the estimated global annual profit from human trafficking amounts to EUR 29.4 billion (conservative estimate).”<sup>26</sup>

The perpetrators of many of these acts belong to organized criminal groups with well-established logistics (recruitment, transport, communications, money laundering, management, etc.). These groups benefit from human exploitation in many ways. First of all, their victims, who may be children, could be used as labor or sold as merchandise as modern slaves and sex slaves. Victims are sometimes forced into illicit actions such as begging, stealing, or trading. Also, organ trafficking can be included in this category. Vulnerable and/or dependent persons are privileged targets of these traffics. Thus, migrants are particularly vulnerable to human trafficking networks, both in refugee camps and at strategic high-risk crossing points (Tinti & Reitano, 2016).<sup>27</sup> For example, the Mediterranean Sea<sup>28</sup> or the border between the United States and Mexico<sup>29</sup> are particularly conducive places for such trafficking. When borders close, migrants can be stranded in hostile environments on their routes. This dynamic has been particularly observed in the context of the Covid 19 pandemic.<sup>30</sup> They represent an easy target for these sophisticated networks whose adaptable modus operandi enables them to quickly respond to policy changes. The heightened violence of these groups against migrant populations adds to the death toll. Research shows that reinforcing punitive policies even tends to drive these businesses further underground, as shown by the development of multiple captive markets (Andersson, 2016, p. 1061).

Thereupon, the health crisis is of concern to UNODC, which is alarmed by the potential impact of measures to contain the virus on vulnerable and traffic-exposed population groups. In its report, the agency explains that “undocumented migrants and seasonal workers are faced with more precarious working and living conditions, resulting in greater vulnerability to falling prey to criminal networks. There are concerns that people in the sex industry and domestic work will

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26 Report EU COMMISSION (2020). Third report on the progress made in the fight against trafficking in human beings. Brussels. Available at <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0661>>

27 European Parliament Research Service (2016). “The gender dimension of human trafficking.” Available at <[https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577950/EPRS\\_BRI\(2016\)577950\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577950/EPRS_BRI(2016)577950_EN.pdf)>

28 IOM (2017). Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from the Central and Eastern Mediterranean Migration Routes. Available at <[https://publications.iom.int/system/files/pdf/migrant\\_vulnerability\\_to\\_human\\_trafficking\\_and\\_exploitation.pdf](https://publications.iom.int/system/files/pdf/migrant_vulnerability_to_human_trafficking_and_exploitation.pdf)>

29 POLARIS PROJECT (2018). Fighting Human Trafficking Across the U.S. – Mexico Border. Available at <<https://polarisproject.org/wp-content/uploads/2016/10/Consejo-NHTH-Statistics-2018.pdf>>

30 SANCHEZ G. and ACHILI L. (2020), Stranded: the impacts of COVID-19 on irregular migration and migrant smuggling. Policy Briefs, 2020/20, Cadmus, *European University Institute Research, Migration Policy Centre*. Available at <<http://hdl.handle.net/1814/67069>>

be more vulnerable to exploitation, as health hazards and exposure to COVID-19 increase.”<sup>31</sup> However, socio-economic characteristics of the victims cannot solely explain why human trafficking is more intense in certain countries or regions. Indeed, it is an evolving, cross-cutting and complex economic activity, the prevalence and forms of which vary in different regions of the world (Shelley, 2010).

Human trafficking and child sexual exploitation (CSE) are particularly odious *crimes* that violate the fundamental rights of the individuals and create general security challenges. They are especially difficult to contend with because they are characterized by a *wide cross-border dimension*, by a deep exploitation of the *globalisation phenomena* and by a clever utilization of the *last technological developments* for planning, executing, and concealing the criminal activities and the revenues stemming from them. These developments include the use of surface/deep Web, of online social networks and of financial transactions involving virtual currencies and/or *underground markets in the darknet*, where violent images are trafficked. Indeed, the “ever-expanding digital environment” contributes to the “nonconsensual production, distribution, or threats of distribution, of nude or sexual images” (Henry & Flynn, 2019, p. 1948).

However, as pointed out by the GOPD’s Brief, more research needs to be conducted on the exploitation of violent images on trafficking platforms. The acceptability to users of disseminating these images on sites selling arms or drugs has yet to be assessed (Buxton & Bingham, 2015, p. 19). The COVID-19 crisis is a worrying illustration of the growing impact of cybercrime. In a report published in April 2020, Interpol points to the increasing vulnerability of children and young people. The report specifies that “offenders are likely to attempt to take advantage of emotionally vulnerable, isolated children through grooming and sexual coercion and extortion.”<sup>32</sup>

Human trafficking and CSE are pressing problems that affect millions of people. Worldwide, an estimated 16 million people are exploited in the private sector, in areas such as construction, agriculture and domestic work. Five million people are estimated to be forced into sexual exploitation and four million into labor exploitation. According to the 2020 European Commission report on human trafficking, 60% of human trafficking in the EU was for the purpose of sexual exploitation and 15% for labor exploitation. Moreover, children make up a quarter of the victims, with a large majority being girls (78%) and European citizens (75%).<sup>33</sup>

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31 UNODC (April 2020). Impact of covid-19 pandemic on trafficking in persons. Available at <[https://www.unodc.org/documents/Advocacy-Section/HTMSS\\_Thematic\\_Brief\\_on\\_COVID-19.pdf](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf)>

32 INTERPOL (April 2020). Catching the virus cybercrime, disinformation and the COVID-19 pandemic. Available at <[https://www.europol.europa.eu/sites/default/files/documents/catching\\_the\\_virus\\_cybercrime\\_disinformation\\_and\\_the\\_covid-19\\_pandemic\\_0.pdf](https://www.europol.europa.eu/sites/default/files/documents/catching_the_virus_cybercrime_disinformation_and_the_covid-19_pandemic_0.pdf)>

33 Report EU COMMISSION (2020). Third report on the progress made in the fight against trafficking in human beings. Brussels. Available at <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0661>>

Globally, according to the United Nations Office on Drugs and Crime, of all the trafficking victims detected in 2016, women and girls made up 94% of those trafficked for sexual exploitation; 35% of those trafficked for forced labor; and 57% of those trafficked for other purposes. 70% of all detected trafficking victims worldwide in 2019 were women and girls.

Recognizing the gender-specificity of the forms of trafficking in women and girls and its consequences, including harms suffered, the Consortium stresses out that trafficking in women and girls is unequivocally a phenomenon rooted in gender-based discrimination and inequality and constitutes gender-based violence against women. These practices subject women and girls to grave risk of gender-based violence and abuse, as they are subjected to multiple and intersecting forms of discrimination, particularly when living under poor socio-economic conditions, living in remote areas, forcibly displaced, or migrants.

Human trafficking involves a complex interplay of supply and demand amongst perpetrators, abusers, profit-takers, exploiters, and users creates a *long chain of illegal and legal actors*, whether they are knowingly or unknowingly involved. *Sexual exploitation, notably of children, goes beyond human trafficking*. The Europol Socta has signaled that sexual exploitation on the Internet and social media, targeting younger victims and persons with disabilities as well as young migrants<sup>34</sup> has become a contemporary phenomenon of diversification of sexual exploitation forms. In fact, reported emerging patterns also include pornography, the use of live web cameras and live distant child sexual abuse.

Human trafficking flows can be broadly described using the metaphor of a “criminal chain” and of a “global market.” First, on a geographical prism, human trafficking flows have countries of origins, countries of transits, and countries of arrival. Each route involves different modes of transports, sometimes aerial, but mostly transportation by land and sea. Each route has key nodes that must be identified but it also constantly evolves according, or due, to local and global socio-economic, political, and criminal context.

Second, on an economic dimension, human trafficking flows are fed by the demand from countries of arrival, they generate one or, most often, several financial transactions. Hence, consumption and transaction prices evolve alongside the criminal flow and generally increase from the countries of departure to the countries of arrival. Dedicated human and slave markets punctuate the human trafficking chain. Moreover, the human vulnerability of the impoverished populations is a key element of this economy. These financial transactions generate significant revenues that enrich actors ranging from crime syndicates to corrupted officials, money flows are often facilitated thanks to elaborated money laundering schemes.

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34 See for example: UNICEF Office of Research (2019), The sale and sexual exploitation of children in the context of migration. Available at <[https://publications.iom.int/system/files/pdf/migrants\\_and\\_their\\_vulnerability.pdf](https://publications.iom.int/system/files/pdf/migrants_and_their_vulnerability.pdf)>

Third, on a criminal dimension, human trafficking flows involve both the action of specific actors using specific criminal techniques or *modus operandi*. Different actors of different levels are also involved depending on the type of human trafficking. Within human trafficking, sex trafficking, and labor exploitation networks can be well structured at the international level, from the country of origin all the way to the final destination. At each step of the trafficking process, a member of the organization is designated to take care of the recruited girl until she reaches the next stage on the road. Similarly, networks specialized in child sexual exploitation are also strongly structured, discrete and rely on important technological and multi-level corruption. Criminal networks often resort to violence to exploit human beings of all ages, they rely on both physical and psychological harms to force victims to prostitute or beg in the streets. They force addictions on victims of sex trafficking to strengthen their mental grip and exploitation schemes, notably providing drugs against a “voluntary” participation to the prostitution ring.<sup>35</sup>

The involvement of Organized Crime groups such as the Albanian and Nigerian crime syndicates, as well as the Chinese Triads need to be underlined. For example, there have been investigations into the role played by Chinese triads in smuggling Chinese migrants to the US. The number of victims is estimated at several thousand per year. This is a lucrative criminal activity, given that, as Rachel Brown writes, “the total value of the trade for the Chinese mafias involved has been estimated at \$750 million.”<sup>36</sup>

Fourth, the human trafficking that accompanies irregular migration, the violence and cost that accompanies migrations, as well as the potential adverse impacts of global, European and States’ migration framework and the resulting risk of being trafficked. The smuggling and trafficking of migrants is the fourth largest criminal sector in the world in terms of its economic weight according to the Global Atlas of Illicit Flows made by Interpol. The market value of the migrant smuggling and trafficking business is estimated around 157 billion dollars.<sup>37</sup>

The effect of tightening border controls on the reinforcement of human smuggling operations and/or transforming migration flows and migration smugglers into human trafficking flows/human traffickers are noteworthy. For instance, European border policies and migration initiatives have had a severe impact on the evolution of human trafficking flows in recent years, both inside and outside of Europe. The repressive policies of the European Union such as the closure of the

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35 See for example: SHELLEY, L. (2012), “The Relationship of Drug and Human Trafficking: A Global Perspective,” *European Journal on Criminal Policy and Research*, Volume 18, Issue 3, pp. 241-253.

36 ‘Chinese Human Smuggling and the U.S. Border Security Debate’ (CFR, July 18, 2016). Available at: <<https://www.cfr.org/blog/chinese-human-smuggling-and-us-border-security-debate>>

37 NELLEMAN, C.; HENRIKSER, R., PRAVETTONI, R., STEWART, D., KOTSOVOU, M., SCHLINGEMANN, M.A.J, SHAW, M. and REITANO, T. (Eds). (2018). *World atlas of illicit flows*, p.17. Available at <<https://globalinitiative.net/wp-content/uploads/2018/09/Atlas-Illicit-Flows-FINAL-WEB-VERSION-copia-compressed.pdf>>

Balkan migration route in 2015, and the tightening of controls around the main routes in Libya or Turkey has forced migrants to take more dangerous tracks, leading them into more violence exposure.<sup>38</sup> Therefore, these measures have turned the cost of passage to Europe riskier and more expensive, notably in Libya where migrants are particularly vulnerable to human trafficking violence and criminal gangs violence.<sup>39</sup>

Returned migrants captured by EU coastguards have a high chance of being trafficked. On several accounts, detention centers, where migrants are returned, have been a prime location for criminal groups to prey on.<sup>40</sup> For instance and as the result of the situation explained above, the cost of illegal passage between Calais in Northern France and the United-Kingdom was 500 euros in 2010. Nowadays, it has spiked to over 7,000 euros.<sup>41</sup>

Finally, different types of corruption (passage, protection, and involvement in the logistics of the criminal operation) are also necessary for human trafficking and CSE to operate. Criminal groups indeed exploit local political weaknesses in countries of origins and transit. Widespread corruption and impunity have allowed crime syndicates to operate freely and to expand from these safe working environments.

### **Environmental crimes**

Ecocide, or ecological crime, is a concept that includes any act of destruction or significant damage to an ecosystem, including overexploitation and pollution of natural resources, e.g., illegal mining, illicit logging, illicit sand exploitation, hunting of protected wildlife and their trade. According to the definition of UNEP and Interpol (2016), environmental crime is therefore any illegal activity that voluntarily harms the environment and whose objective is the enrichment of individuals, criminal groups or companies through the exploitation, damage, trade, or theft of natural resources. At an international level, environmental crime may therefore include participation in the illicit processing of various environmental products, their transportation, sale, possession, laundering of the proceeds of their

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38 SANCHEZ, G. (February 2020), *Beyond Militias and Tribes: The Facilitation of Migration in Libya*. *Robert Schuman Centre for Advanced Studies Research Paper*, No. RSCAS 2020/09. Available at SSRN: <<https://ssrn.com/abstract=3630310> or <http://dx.doi.org/10.2139/ssrn.3630310>>

39 MICALLEF M. & AL. (2019). "After the storm: Organized crime across the Sahel-Sahara following upheaval in Libya and Mali." *Global Initiative against transnational organized crime*. Available at <<https://globalinitiative.net/analysis/after-the-storm/>>

40 OHCHR (2018). *Report on the human rights situation of migrants and refugees in Libya UNSMIL*. Migration report from January 2017 to 30 September 2018. Available at <<https://www.ohchr.org/Documents/Countries/LY/InfographicsMigrationReport.pdf>>

41 'La traite des êtres humains est en plein essor sur les routes migratoires vers l'Europe' (National Geographic, 9 March 2021). Available at <<https://www.nationalgeographic.fr/histoire/la-traite-des-etres-humains-est-en-plein-essor-sur-les-routes-migratoires-vers>>

trade, or any violation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES, or the Washington Convention).

Several reasons have led the consortium to consider environmental crimes as an integral part of *Economies of Violence*. Firstly, in various regions, the degradation of ecosystems has major consequences for the inhabitants of these regions, amongst which agricultural, economic, health, psychological and cultural damage. For indigenous people, ancestral territories are part of their culture. It thus has a considerable impact on the livelihoods of communities and on the sustainability of their living standards. Moreover, environmental degradation and the decrease in available resources is a potential source of tension between inhabitants and communities, or between inhabitants and public authorities.

Indeed, the scarcity of resources and even the resulting forced migration can therefore be a source of violence. Secondly, environmental crimes are usually perpetrated with the aim of generating economic gain. These violent actions are perpetuated by a wide range of actors, from both the private and public sectors (Shelley, 2018). The case of the destruction of the Amazon rainforest is a good illustration of this, as it involves the Brazilian government but also private companies and criminal groups. Another example is that of timber wood, according to a World Bank report from 2012, 80% of the timber wood leaving Peru is illegal relying heavily on an important corrupted system.<sup>42</sup> Therefore, environmental crime falls within the conceptual framework of this study.

However, only environmental crimes with a direct, visible, impact on human beings and societies will be considered. For example, wildlife crimes will be taken into account insofar as they impact on human life. The development of the internet has contributed both to the promotion and to the increase in wildlife trade. One of the peculiarities of this form of crime is that it does not only pass through an underground canal, i.e., the dark web. Wildlife traffickers use legal websites<sup>43</sup> “such as auction sites, classified ads and discussion forums” (Demeau, E., Vargas, M., & Jeffrey, K., 2019, p. 106).

Over the last decade, the role played by social networks in this form of traffic has increased considerably. In 2015, an estimated 80% of this traffic was done through social networks (Bouhuys & Van Scherpenzeel, cited in Demeau, E., Vargas, M., & Jeffrey K., 2019, p. 107). This phenomenon is explained by the free, accessible, and limited control of these platforms. This allows users to share their

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42 ‘Corruption in Peru Aids Cutting of Rain Forest.’ (*New York Times*, 10 October 2019). Available at <<https://www.nytimes.com/2013/10/19/world/americas/corruption-in-peru-aids-cutting-of-rain-forest.html>>; NAVARRO GOMEZ, R. ‘Authorized to Steal: Organized Crime Networks Launder Illegal Timber from the Peruvian Amazon.’ (Ciel, July 2019). Available at <<https://www.ciel.org/reports/authorized-to-steal/>>.

43 VIOLLAZ, J., GRAHAM, J. & LANTSMAN, L. (2018). “Using script analysis to understand the financial crimes involved in wildlife trafficking.” *Crime, Law and Social Change*, p. 69.

“products” with a wide audience, contributing to the increase in this form of trade. To address this phenomenon, different security actors are increasingly involved in the fight against online wildlife trafficking, as illustrated by CITES decisions 17.92-17.96, 2016.<sup>44</sup>

Contrary to a preconceived idea, environmental crime is not just poaching. It is neither a spatially limited activity nor a new form of crime. These activities and the networks that manage them are old, well-established, and structured criminal actors, whose power and ramifications should not be underestimated.<sup>45</sup> Generating an annual profit estimated between 200 and 270 billion dollars, environmental crime is the fourth most profitable criminal activity in the world with an annual growth of 5 to 7% according to the UNEP.<sup>46</sup>

### **Examples of environmental crimes**

#### *Smuggling of sand*

Every year, about 6 billion m<sup>3</sup> of concrete are poured worldwide.<sup>47</sup> The essential component of concrete is sand (up to 80%), ahead of paper, detergent, and microprocessors. The demand is exponential, particularly in emerging countries which have to accommodate a growing and increasingly urban population (China, India, Singapore, etc.), or in the Gulf countries as well as Africa. As the second most used and needed substance in the world, concrete has huge costs. Its exploitation is done by circumventing states (bypassing laws and taxes), using corruption and coercion. International trade is estimated at around 70 billion euros<sup>48</sup> and organized crime, particularly in South Asia (Cambodia, Pakistan, India, etc.) has taken control of many reserves and has developed illicit extraction and trafficking on a large scale.<sup>49</sup>

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44 Decisions of the Conference of the Parties to CITES in effect after its 17th meeting (2016). [online]. Available at: <<https://cites.org/sites/default/files/eng/dec/valid17/E17-Dec.pdf>>

45 EAGLE Network Annual Report (2020). Available at <<http://www.eagle-enforcement.org/annual-reports/>>

46 “Environmental crime.” UN Environment Programme website. Available at <<https://www.unenvironment.org/news-and-stories/story/environmental-crime>>

47 ‘Concrete: the most destructive material on Earth’ (The Guardian, 25 February 2019). Available at <<https://www.theguardian.com/cities/2019/feb/25/concrete-the-most-destructive-material-on-earth>>

48 ‘Pénurie de sable : un enjeu planétaire environnemental et économique’ (TV5 Monde, 11 February 2020). Available at <<https://information.tv5monde.com/info/penurie-de-sable-un-enjeu-planetaire-environnemental-et-economique-185813>>

49 ‘He who controls the sand: the mining ‘mafias’ killing each other to build cities’ (The Guardian, 28 February 2017). Available at <<https://www.theguardian.com/cities/2017/feb/28/sand-mafias-kill-each-other-build-cities>> ; see also MAHADEVAN, P. (2019), “Sand Mafias in India: Disorganized crime in a growing economy,” Global Initiative Against Transnational Organized Crime. Available at <<https://globalinitiative.net/wp-content/uploads/2019/07/Sand-Mining-in-India-Report-17Jul1045-Web.pdf>> ; DAHGAR, M. ‘Sweeping illegal sand mining under the rug in Uganda’ (Enact, 10 August 2020). Available at <<https://enactafrica.org/enact-observer/sweeping-illegal>>

In Asia, in the Maghreb, in West Africa, or in Australia, the increasingly lucrative industrial extraction of sand has therefore developed considerably, as have the quarries, which are subject to intensive looting on the coasts. Legislation is also circumvented by fetching sand from unprotected seabeds, with the primary victim being the associated ecosystems, which are systematically destroyed. The extraction machines disturb the water and put pollutants (heavy metals) contained in the sediments back into suspension, damaging the ecosystems in areas that sometimes go far beyond the extraction sites alone. It undermines the nesting areas for sea turtles. The highly profitable illegal exploitation of sand therefore impacts local communities' health, livelihoods, and ecosystems.

### *Waste trafficking*

Illegal trade in ozone-depleting substances (CFCs), pollution through waste and waste trafficking (including toxic waste) generates revenues estimated by Interpol to be close to 258 billion for the various actors involved.<sup>50</sup> The difficulty with this “object” is that it is not criminal *per se*. The prohibition is materialized either by the agent or by the methods used to deal with it. The criminalization of waste occurs when its management causes the illicit enrichment of an actor—criminal or not—and causes damage to the environment and health. The wastes most likely to be criminalized are those that are expensive to dispose of and profitable to resell. The holy grail in that matter is waste electrical and electronic equipment.

Defined in Article R.543-172 of the French Environment Code, it contains valuable but also dangerous components, such as mercury, lead or bromide, and feeds a traffic that is poorly controlled and rarely sanctioned. This is a legal niche: they can be exported under the name “second-hand equipment” and thus pass controls with ease. However, certain cross-border movements of toxic waste are still prohibited by the Basel Convention, which nevertheless struggles to regulate the phenomenon. It is worrying to note that 40% of the waste exported from Europe to Africa is European waste, as illustrated by the case of Ghana's computer cemetery on the outskirts of Accra.

It should thus be noted that Africa is severely affected in terms of climate, health, and the preservation of its terrestrial and marine ecosystems by the poor management of the waste “produced” on its soil, but also by the traffic of waste, particularly toxic waste, mainly from Europe, but also from Asia, the Middle East and the United States. As an example, in June 2017, Interpol seized 1.4 million tons of end-of-life plastic products from vehicle and computer scrap destined for Africa in a worldwide operation.<sup>51</sup> The complex logistics of this lucrative traffic

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[sand-mining-under-the-rug-in-uganda](#)>

50 INTERPOL-UN Environment (2016). Strategic Report: Environment, Peace and Security – A Convergence of Threats. Available at <[www.interpol.int](http://www.interpol.int)> and <[www.unep.org](http://www.unep.org)>

51 ‘Le trafic juteux des déchets illégaux’ (L'Express, 12 June 2017). Available at <[https://lexpansion.lexpress.fr/actualite-economique/le-traffic-juteux-des-dechets-illegaux\\_1951299.html](https://lexpansion.lexpress.fr/actualite-economique/le-traffic-juteux-des-dechets-illegaux_1951299.html)>.

requires involvement and attracts crime syndicates to the subregion.

In the same way that the cost of environmental pollution by companies that legally belong to the economic system is not internalized, the activities of criminal groups generate negative externalities. Thus, these groups acquire a private marginal benefit greater than the very limited social marginal benefit. On the other hand, the social cost of such activities is much higher than the cost internalized by these organizations.

Legal companies, some public authorities and criminal organizations all make considerable profits knowingly disrespecting environmental protection, health protection measures and bypassing judiciary regulations. Economic gains are thereof made from waste trafficking directly affecting many communities' livelihoods, health conditions, and economic sustainability.

### *Illicit mining and illicit logging*

The extractive industry includes all industries exploiting liquid or solid mineral resources, with the exception of water. This includes oil and natural gas, metals such as gold, silver, copper, etc. Energetic substances (uranium, coal, lignite), agricultural substances (phosphates) and materials for development and construction (sand, gravel, block, or crushed rock etc.). It is interesting to note that, globally, the mining crime, that is, the illegal exploitation and trade of mining resources, is the second most important environmental crime in terms of revenues generated, with annual profits estimated between 32 and 48 billion dollars (an estimate that is surely underestimated).<sup>52</sup>

Heavy metals (iron, bauxite, manganese) are mainly exploited by international mining companies with strong state participation. These heavy metals and other substances such as phosphate and base metals (copper, lead, zinc) are exploited and occasionally processed locally but most often directly exported. Gold is also exploited and exported by international mining companies (Canadian and Australian in particular) but, alongside diamonds, it is the main extractive resource exploited artisanally, which explains why, otherwise, illegal mining is often referred to as "illegal gold panning." An estimated 50% of gold production is artisanally mined and exported outside of legal channels, according to a report by TRACIT its revenues exceed those of the illicit cocaine trade.<sup>53</sup> This profitable trade, along with its mines and routes are increasingly seized by criminal groups.<sup>54</sup>

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52 NELLEMAN, C. (Eds). (2016). *The Rise of Environmental Crime – A Growing Threat To Natural Resources Peace, Development And Security*.

53 TRACIT (2019). *Mapping The Impact Of Illicit Trade On The UN Sustainable Development Goals*. Available at <[https://www.tracit.org/uploads/1/0/2/2/102238034/standalone\\_preciousmetals\\_gemstones.pdf](https://www.tracit.org/uploads/1/0/2/2/102238034/standalone_preciousmetals_gemstones.pdf)>

54 See reports by: VERITE (2016). *The Nexus of Illegal Gold Mining and Human Trafficking in Global Supply Chains: Lessons from Latin America*. Available at <[https://www.verite.org/wp-content/uploads/2016/11/Verite-Report-Illegal\\_Gold\\_Mining-2.pdf](https://www.verite.org/wp-content/uploads/2016/11/Verite-Report-Illegal_Gold_Mining-2.pdf)>; C4ADS (2021). *Regulating Illicit Gold*,

At the same time, the over-exploitation of wood around the world is often the result of forest crime, i.e., not only the illegal felling of wood, but also all the activities and practices related to forest crime, from the falsification of logging permits, fencing and money laundering of illegally sold wood, to its transport and export. Timber trafficking or forest crime, i.e., illegal logging and trade in timber, generates global annual revenues estimated at between \$100 and \$150 billion, and is estimated to account for more than a third of the world's total timber trade. The problem of forest crime has gotten significantly worse in the Amazon during the pandemic as there has been more limited guardianship of the forests. This has been particularly noted in the Amazon region, in both Peru and Brazil.<sup>55</sup>

The illegal exploitation of natural resources by criminal actors can both generate conflict and be undertaken to finance conflict. According to the Heidelberg Institute's Conflict Barometer, natural resources accounted for 20% of the 400 conflicts identified in 2014.<sup>56</sup> It is reasonable to assume that this number is on the rise (Shelley, 2018, pp. 54-55). The financing of the Islamic State is a good illustration of this phenomenon. By taking control of the oil infrastructures located in the areas it occupied in Eastern Syria and North-West Iraq, the group was able to extract and resell these resources on local and international markets. Thus, although their profit is difficult to evaluate because of the opacity of resales on the black market, oil sales by the Islamic State have been estimated at between 1 and 2 million dollars per day in 2014.<sup>57</sup> The resale of oil, notably to Turkey, and the profits generated by this illegal lucrative business enabled ISIS to finance its military activities.

Another example of the diversion of natural resources by criminal groups is that of the Mexican criminal group Los Zetas, which started out as a cartel in the drug war, then expanded grounds in the coal mining and extraction of oil and gas, migrant smuggling, up to the market of avocados. Correa-Cabrera, who has spent seven years investigating their economic activities, now describes them as a "transnational corporation" in her book *Los Zetas Inc* (2017). Hence, illicit exploitation of natural resources is exemplary of the *Economies of Violence*.

### *Violence in the fishing industry*

The fishing industry employs more than 59.6 million workers globally.<sup>58</sup> This in-

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Obstacles and Opportunities in the United States. Available at <<https://c4ads.org/regulating-illicit-gold>>

55 TNRC Blog Post (2020). "Understanding how Corruption is Accelerating Illegal Logging during the Pandemic." Available at <<https://www.worldwildlife.org/pages/tnrc-blog-understanding-how-corruption-is-accelerating-illegal-logging-and-deforestation-during-the-covid-19-pandemic>>.

56 *Conflict Barometer*, Heidelberg Institute for International Conflict Research, 2014.

57 BRONSTEIN S., 'Self-funded and deep-rooted: How ISIS makes its millions,' (CNN, 7 October 2014). Available at <[https://edition.cnn.com/2014/10/06/world/meast/isis-funding/index.html?hp\\_t=hp\\_t1](https://edition.cnn.com/2014/10/06/world/meast/isis-funding/index.html?hp_t=hp_t1)>

58 FAO The State of World's Fisheries and Aquaculture (2018) 5. Available at <<http://www.fao.org/3/i9540en/i9540en.pdf>>

dustry is growing faster than other agricultural sectors, particularly in developing countries. Despite the existence of international regulations on responsible fishing, illegal fishing remains a global concern. Illegal fishing generates a double exploitation: on the one hand of natural resources, on the other hand of the labor force. The intersections between these different forms of violent practices—against the environment and human beings—must be taken into account. Both private companies and criminal actors resort to these practices.

In 2008, the UNODC reported the diversion of fishing activities by criminal actors. Boats are commonly used for smuggling by drug traffickers, particularly in West Africa,<sup>59</sup> but also for the illegal transport of migrants and weapons.<sup>60</sup> In addition, violence against crews in this sector has been reported by UN agencies, including the International Labor Organization. The latter reports that the fishing industry makes extensive use of forced labor and depicts a large number of human rights abuses against its workers, most of whom are precarious—migrants in particular. According to the ILO study, “victims describe illness, physical injury, psychological and sexual abuse, deaths of crewmates, and their vulnerability on board vessels in remote locations of the sea for months and years at a time.”<sup>61</sup> An investigation released in February 2021 revealed the violence committed on some 40 South Korean fishing boats, authorized for export to the United States, the EU, and the UK. The investigation denounces the exploitation of workers (physical abuse, overexploitation) as well as illegal fishing.<sup>62</sup>

Thus, the economic benefits within this industry come from both the criminal exploitation and degradation of the seabed, leading to a reduction in stocks, but also the violation of human rights through the exploitation and trafficking of its employees as well as the trafficking of human beings.<sup>63</sup>

## **Drug-trafficking**

In this report, we argue that economic actors continually seek to increase their profit. To do so, they must necessarily play against competition laws to establish a monopolistic situation, using different tools: mergers, cartels, and many others anti-competitive behavior to eliminate competition. Both legal and criminal actors use

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59 UNODC Drug Trafficking as a Security Threat in West Africa (2008) 11. Available at <<http://www.unodc.org/documents/data-and-analysis/Studies/Drug-Trafficking-WestAfricaEnglish.pdf>>

60 UNODC Transnational Organized crime in the fishing industry (2010) 9. Available at <[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)>

61 FAO Global Action Program against forced labour and trafficking of fishers at sea (2015) 3. Available at <[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_429359.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_429359.pdf)>

62 CHASE C., ‘Investigation alleges worker abuse on South Korean fishing vessels exporting to US, EU’ (Seafoodsource, 3 February 2021).

63 URBINA, I. (2020). *The Outlaw Ocean: Journeys Across the Last Untamed Frontier*, New York: Vintage.

violence to do so; however, only the preferred way of action may vary (Duplat, Véry & Monnet, 2012). Actors must necessarily play against the rules of competition to increase their profits, seeking to find themselves in monopolistic situations by using agreements, asymmetric information, etc. Criminal actors can therefore use violence in order to eliminate all competition (Paul & Wilhite, 1994, pp. 106-110). This also happens in the legal economy, more or less in the same manner, using different types of violence, somewhat more insidious.

Criminal organizations use violence differently to protect and expand their drug trafficking networks in order to generate profits. Victims of drug-trafficking are numerous, the category includes the inhabitants of the specific areas where the trafficking takes place, consumers (overdoses caused by adulterated products, for example), States (lost tax revenues), etc. Moreover, the chain of production and its multiple stages—production, transport, distribution, sale—also implies the use of various forms of violence. Thus, without denying their existence on the licit market, we may wonder whether legalizing certain traffics such as drug trafficking would not limit the intensity of these *Economies of Violence*. In this section, we will follow a socio-economic approach, in order to observe that the violence generated by/against/within drug trafficking organizations varies in intensity according to the relationship between the supply and demand of illicit drugs.

First, when demand for a drug is greater than supply, violence will be relatively low because prices are high and the competitive tension is therefore low. These periods generally correspond to the initial period of drug diffusion—before the market matures—when the product remains relatively scarce, and the suppliers use high prices (the cost of the Pareto scarcity).<sup>64</sup> In this phase, the volume/price/purity ratio is very high. This means that sellers can easily sell their entire production and generate higher margins (for example, traffickers may cut the drugs to increase their profits). Buyers, who are ignorant or have difficulty obtaining their drugs, are less demanding than in a context where the choice of supply is more important.

In this socio-economic cycle where the demand of drugs is greater than the supply, only the desire to impose a monopoly is a source of violence, but it remains rare because the economic rationality of traffickers is to limit the costs of violence to what is strictly required and not necessarily to generate violence against competitors (Reuter, 2010). In other words, this period is the most desirable for supply-side actors who take full advantage of their trade, thus reducing violence between competing trafficking groups. The suppliers in a monopoly situation become powerful actors with a high capacity to induce violence. However, the mere threat of violence, and the risks and anticipated economic losses posed by violence

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64 CHAMPEYRACHE C. (2015). "L'entreprise légale-mafieuse: efficience ou éthique?" *Éthique et économique*, 12 (1). Available at <[https://papyrus.bib.umontreal.ca/xmlui/bitstream/handle/1866/11353/2015v12n1\\_Champeyrache.pdf?sequence=1&isAllowed=y](https://papyrus.bib.umontreal.ca/xmlui/bitstream/handle/1866/11353/2015v12n1_Champeyrache.pdf?sequence=1&isAllowed=y)>

discourages its use. Consequently, this situation encourages the establishment of criminal alliances. As an example, Mexican drug cartels regularly form joint shipments to smuggle drugs across the US border. The Juárez Cartel, some groups of the Sinaloa Federation, and elements of the Zetas often combine their merchandise in vehicles to meet the demand for drugs in the United States.<sup>65</sup>

Second, when demand equals supply, violence increases as the effects and tensions of competition become apparent. Average selling prices tend to stabilize or even decrease, and consumers have a wider choice of products. Less information asymmetry pushes traffickers to improve their supply, notably by reducing the amount of cut products. Thus, at this transitional stage in the socio-economic cycle of drugs, the growth of criminal organizations is only sustainable through the development of different strategies: innovation, reduction of structural costs and/or the conquest of new market shares.

These last two strategies will generate an increase in violence. On the one hand, “vertical violence” will be generated: the reduction of structural costs will create more internal tensions—defection, fraud, betrayal—as incomes tend to stabilize. Then, “horizontal violence” will emerge, aiming at the absorption of some competitors’ markets, generally in a logic of territorial control. Finally, a “symbolic violence” with a dissuasive function will develop, which consists in obtaining a reputation that limits the risks of horizontal and vertical violence. It can be considered as criminal organization terrorism since this violence is used to terrorize both the criminal organization’s competitors but has the same function as on the internal members of the organization. The “symbolic violence” of these criminal groups is based on their ability to corrupt and intimidate. This ensures the continuity of the business and the flow of their profits. For example, in the Mexican cartels, symbolic violence has become a cost-effective means of exerting violence and controlling local populations. Mexican traffickers are now using YouTube and Facebook to display their high levels of violence. For this purpose, vocal anti-drug activists on social media have been specifically targeted and murdered by drug trafficking cartels.<sup>66</sup>

Third, as the market matures, demand falls below supply and the price/safety ratio decreases. There is a contraction of supply actors accompanied by an increase in violence. Gains decrease as competition acts accordingly. Violence increases at all levels: vertical, horizontal, or symbolic. France has been experiencing

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65 “Mexico: Organized Crime and Drug Trafficking Organizations.” Updated July 28, 2020. Congressional Research Service. CRS Report. Prepared for Members and Committees of Congress.

66 NIX J., SMITH M. R., PETROCELLI M., ROJEK J., and MANJARREZ V. M. “The Use of Social Media by Alleged Members of Mexican Cartels and Affiliated Drug Trafficking Organizations.” *Journal of Homeland Security and Emergency Management*, vol. 13, no. 3, 2016, pp. 395-418. <<https://doi.org/10.1515/jhsem-2015-0084>>

this situation with regard to cannabis trade since the early 2010s.<sup>67</sup> This situation logically generates increasing violence: traffickers are investing in the conquest of the territory (Paul & Wilhite, 1994). The proletarian trafficking lumpen, the most affected by the income drop, is becoming more volatile and unstable. This situation generates a non-vertical “organizational” circle where only the consumers are “winners” in terms of consumerist rationality, since the external costs only increase for the taxpayers/inhabitants (increase in the cost of repression, security, decrease in the feeling of impunity, increase in corruption, etc.). Hence, the use of physical violence is the key element in economic benefits and high profits for the suppliers in this situation.

Thus, the relationship between Supply and Demand provides a relevant reading of the violence generated in the context of illicit markets such as illegal drugs. The latter generally describe the economic life cycle of drugs: youth, puberty, and maturity, for which the price/purity indicator is the only objective, reliable and periodic information available to the researcher. However, this logic is partially reversed with regard to the production chain of certain drugs: those whose production is concentrated in specific areas, as it is the case for cocaine and heroin.

The higher the production, the less risk there is of a shortage; criminal organizations are therefore less in a position to fight for control of the drugs produced. On the other hand, market-driven forces will reduce prices and remuneration, and as a result, indirect violence remains, consisting of underpaying the producers: we thus find ourselves in the same configuration observed in legal large-scale distribution. Inversely, in a logic of contraction of production, we see an increase in violence in the production zones because criminal organizations will deploy aggressive strategies in order to gain control over other production zones. For other illicit drugs such as cannabis and synthetic drugs, production is so atomized and close to the consumer areas that the interplay of Supply and Demand on the level of violence is similar to that observed in the retail market.

The level of violence will also vary according to the structuring of Supply. The more control the economic actors hold on the supply of illicit drugs, as they share a stable or decreasing demand, the more the effects of competition will not result in violence. On the contrary, in the case of an “unstable” market, which designates the period when the market is emergent, violence tends to increase as the different players try to grab the largest market shares. This was for example the situation in Canada between 1994 and 2001 during the so-called “biker war.” At that time, the Hell’s Angels and its rival fought over the control of the cocaine market. Several dozen deaths and several hundred acts of violence were recorded in connection with this “drug war” (Schneider, 2013). In fact, only a perfect monopoly can reduce this so-called horizontal violence. However, it will not make it possible

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<sup>67</sup> Journal Officiel du Sénat, 15<sup>ème</sup> législature (22/03/2018). Violence due aux trafics. Available at <<https://www.senat.fr/questions/base/2018/qSEQ180303879.html>>

to limit vertical violence, which results from the internal organizational logic of criminal groups. These are inherent to criminal organizations that, faced with the risks of defection, theft, and arrest, are led to use violence as an internal regulator.

If the situation of perfect monopoly is almost impossible and unverifiable, the situation that comes closest to it was the period of hegemony of the Medellín cartel, which corresponds to the beginning of the young cycle of cocaine trafficking in the early 1980s. During that time, Escobar and his associate's powerful organization was in a quasi-monopoly situation. Violence in the production areas was scarce, remaining for a limited time to vertical violence. However, Colombian criminals diversified their clientele by mobilizing various local criminal groups in the United States. When the market began to stabilize while the groups in charge of sales continued to increase, violent conflicts appeared. The massacre of the Dadeland mall in Florida was the breaking point of an economy that had previously been illegal and immoral but not particularly violent. Although the assassination of rival groups by an aggrieved criminal group is relatively innocuous (6 deaths), the U.S. government was pushed to react and focus on the war on drugs.<sup>68</sup> This violence was intended to move up the economic chain, favoring the implosion of the hegemony of the Medellín cartel, followed by the Cali cartel.

Other elements exogenous to Supply and Demand, regulation being the principal one, influence the level of violence. By regulation, we mean all the forces competing in the fight against crime in general and drug trafficking in particular. This regulation intervenes in the price/purity fixing, in particular by significantly increasing the costs of criminal organizations. These costs are of two related orders. The first refers to the costs generated by losses due to seizures and, to a lesser extent, to arrests. These losses are reflected in the final price, again in a similar way to the cost of theft in a supermarket. The second refers to the structural costs related to the illegality of the activity and organization. If criminals do not pay taxes, they overpay for a set of services related to police and judicial actions. This pressure intervenes on the level of violence observable on the drug markets and despite the police forces will, the stronger the repressive pressure, the more frequent the use of violence will be—arrests and seizures amplify the uncertainties of these criminal organizations and increase the need for control.

In conclusion, drug trafficking-induced violence is inherent to criminal organizations, and is influenced by regulatory actions, post-Cold War history and geopolitics, among others. However, as we have attempted to demonstrate, the level of violence varies according to the capacity of the actors to generate a significant profit, hence its fluctuation relative to the structuring of supply and demand. Secondly, the spread of the most pernicious effects of state failure is accelerating at

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68 'Bullets once flew at Dadeland Mall in a deadly shootout. The Cocaine Cowboys were here' (Miami Herald Archives, 23 June 2019). Available at <<https://www.miamiherald.com/news/local/community/miami-dade/kendall/article231644003.html>>

the same pace as the globalization of trade in the informal economy. Drug trafficking, for example, is a good illustration of the multifaceted violence that threatens to sweep away the rule of law in areas of production, transit, and consumption.

### Economies of Cyberviolence

The emergence of cyberviolence in the economy can be apprehended as the final stage of crime globalization, the pinnacle of crime having no boundaries, and whose development is not hindered by time, space or legal regulation. There are a number of cyber-related crimes that can be considered as *Economies of Violence*. Cyberviolence includes both traditional *Economies of Violence* committed using cyber tools and new forms of *Economies of Violence* from cyberspace. Cyber fishing, Deepfakes, ransomwares the new ways cybercriminals have developed to exert violence online is changing the web and its *Economies of Violence*.

Ransomware is another manifestation of *Economies of Violence* originating from cyberspace. The actors of ransomware can be traditional organized criminals or malicious hacker groups.<sup>69</sup> This form of *Economies of Violence* has become one of the biggest cyber security headaches for the private and public sectors. According to a recent report from the software company Chainalysis in 2019, a group of hackers behind ransomware attacks made more than \$350m in 2020, increasing by a 311% jump in their profit on the previous year.<sup>70</sup> The cost to businesses from the disruption due to ransomware is now as high as \$20bn a year.<sup>71</sup> Some firms are also involved in cyber-related *Economies of Violence* indirectly by providing new tools to other criminal actors. For instance, there are several software companies that specialize in manufacturing and selling hacking tools and other cyber weapons to governments with poor human rights records.

Started by highly skilled individuals as a hobby or for curiosity, notoriety or profit purposes, cybercrime has now grown into a mature industry that inflicts significant damage globally.<sup>72</sup> One significant aspect of this development that can be considered as *Economies of Violence* is the emergence of cybercrime-as-a-service—the provision of services to others to facilitate their commission of a crime—that demonstrates the evolution of the cybercrime marketplace from a direct sale of illegal products to a managed service model. In its 2015 report, Europol identified

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69 YUXING HUANG D., et al. (May 2018), “Tracking Ransomware End to End,” IEEE Symposium on Security & Privacy (Oakland), San Francisco, CA. Available at <<http://damonmccoy.com/pubs.html>>

70 ‘The negotiators taking on the ransomware hackers’ (*Financial Times*, 17 February 2021). Available at <<https://www.ft.com/content/c0def43a-6949-44ca-86ff-f28daa3818be>>

71 Ibid.

72 Cybercrime Magazine estimates that “cybercrime will cost the world \$10.5 Trillion annually by 2025.” See ‘2021 Report: Cyberwarfare in the C-Suite’ (Cybercrime Magazine, 21 January 2021). Available at <<https://1c7fab3im83f5gqiow2qqs2k-wpengine.netdna-ssl.com/wp-content/uploads/2021/01/Cyberwarfare-2021-Report.pdf>>

that cybercrime-as-a-service would be one of the key features of the digital underground economy.<sup>73</sup> Cybercrime-as-a-service offerings that range from hiring hackers on-demand to espionage-as-a-service offerings are readily available today in cybercriminal underground forums and markets. Sophisticated hacker groups are offering their services to wealthy overseas businesses and governments interested in buying on-demand hacking. With the emergence of cybercrime-as-a-service, anyone with little to no hacking skill can simply purchase or hire services that range from malware to sophisticated botnets with little effort and on-demand.

In 2018, Europol, jointly with dozens of law enforcement agencies from around the world, seized the world's biggest cybercrime-as-a-service operation known as [webstresser.org](http://webstresser.org), which was the primary marketplace to hire Distributed Denial of Service (DDoS) services. According to Europol's report, *webstresser* was used to conduct over 4 million DDoS attacks by 136,000 customers until 2018.<sup>74</sup> Commenting on the investigation, the Head of Europol's European Cybercrime Centre (EC3) noted that "We have a trend where the sophistication of certain professional hackers to provide resources is allowing individuals—and not just experienced ones—to conduct DDoS attacks and other kinds of malicious activities online."<sup>75</sup>

Moreover, the thriving of the cybercrime as-a-service model has also created new professions such as hackers-for-hire. Hackers-for-hire are readily available services that can be used by anyone, from technically savvy individuals to non-technically skilled terrorists by just filling a request form. Business executives hoping to gain an edge over their competitors can also easily hire hackers to do the actual spying for them.<sup>76</sup> Law enforcement agencies have recognized the dangers of hackers-for-hire services and begun to prosecute individual users of such services. A good case in point is the prosecution of a New York private investigator who pleaded guilty to hiring online hacking services to break into dozens of email accounts of his client's opponents.<sup>77</sup>

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73 EUROPOL (2015). Exploring Tomorrow's Organised Crime. Available at <<https://www.europol.europa.eu/publications-documents/exploring-tomorrow%E2%80%99s-organised-crime>>

74 'World's biggest marketplace selling internet paralysing DDoS attacks taken down' (Europol, 25 April 2018). Available at <<https://www.europol.europa.eu/media-press/newsroom/news/world%E2%80%99s-biggest-marketplace-selling-internet-paralysing-ddos-attacks-taken-down#:~:text=Webstresser.org%20was%20considered%20the,attacks%20measured%20by%20April%202018>>

75 Ibid.

76 For instance, Spy & Monitor offers hacking-for-hire services by requiring clients to submit a contract form. Available at <<https://spyandmonitor.com/>>. For more discussion on espionage-as-a-service, KAHN R. A., 'Economic Espionage in 2017 and Beyond: 10 Shocking Ways They Are Stealing Your Intellectual Property and Corporate Mojo' (American Bar Association, Business Law Today, 30 May 2017). Available at <<https://businesslawtoday.org/2017/05/economic-espionage-in-2017-and-beyond-10-shocking-ways-they-are-stealing-your-intellectual-property-and-corporate-mojo/>>

77 U.S. Department of Justice (11 February 2015). 'Private Investigators Indicted In E-Mail Hacking Scheme.' Available at <<https://www.justice.gov/usao-ndca/pr/private-investigators-indicted-e>>

Actors of cyberviolence range from individual hackers to organized cyber-criminals to cyberterrorists. Traditional crime organizations are moving to more rewarding and less risky operations in cyberspace, especially the dark web. The dark web enables cybercriminals not only to organize themselves but also to create new forms of crimes and crime networks. It constituted an imperfect cyber market, full of perverse effects as it enriched some actors at the expense of others differentiated on the basis of their use of violence. It offered multiple illegal goods and services. Silk Road Marketplace, which was considered as the first and fastest growing darknet market for selling everything from drugs to stolen credit cards, is a good example of new forms of *Economies of Violence* emerging from cyberspace. Moreover, the founder of Silk Road was sentenced to multiple life sentences for ordering and paying for the murders of individuals who did not pay their debts (Shelley, 2018: p. 69). Until it was shut down by the U.S. government in 2013, Silk Road was used to transact over \$1.2 billion dollars in less than two years (Bilton, 2017). The shutting down of Silk Road<sup>78</sup> does not stop the proliferation of new similar cybercrime networks.<sup>79</sup> Last year alone, the U.S. government seized more than \$1bn (£772m) in Bitcoin linked to Silk Road.<sup>80</sup>

The emergence of deep fakes, a privileged way of spreading misinformation, can serve as an aggressive tool to influence and manipulate the economy. As the videos become easier to create and increasingly accurate, manipulated footage of several high-ranking personalities abound on the net. Using “deep fake” technologies, cyber attackers are able to impersonate higher officials and diplomats to convince people to fraudulently obtain funds. In a recent incident that illustrates such deepfake scam, cyber attackers managed to clone the voice and attempted to trick several ministers and diplomats into sending them money.<sup>81</sup> Another example, revealed by Cado Security researchers,<sup>82</sup> is the Palestinian attacker group *Molerats*. This group of cyber attackers uses voice transformation software to entice users to

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[mail-hacking-scheme](#)>

78 U.S. Department of Justice (February 2014). ‘Manhattan U.S. Attorney Announces The Indictment Of Ross Ulbricht, The Creator And Owner Of The “Silk Road” Website.’ Available at <<https://www.justice.gov/usao-sdny/pr/manhattan-us-attorney-announces-indictment-ross-ulbricht-creator-and-owner-silk-road>>

79 POLLOCK T., ‘Silk Road was the fastest growing online marketplace ever’ (Medium, 2 November 2017). Available at <<https://medium.com/startup-grind/silk-road-was-the-fastest-growing-online-marketplace-ever-be5759ab3332>>

80 ‘Bitcoin: \$1bn seized from Silk Road account by US government’ (BBC, 5 November 2020). Available at <<https://www.bbc.com/news/technology-54833130>>.

81 GALLOWAY A., ‘The new world of ‘deep fake’: How cyber attackers impersonated senior ministers, diplomats’ (Sydney Morning Herald, 10 April 2021). Available at <<https://www.smh.com.au/politics/federal/the-new-world-of-deep-fake-how-cyber-attackers-impersonated-senior-ministers-diplomats-20210409-p57ht7.html>>.

82 ‘Threat Group Uses Voice Changing Software in Espionage Attempt’ (Cado Security, 6 April 2021). Available at <<https://www.cadosecurity.com/post/threat-group-uses-voice-changing-software-in-espionage-attempt>>

download infected software. Their targets are also political parties, as well as members of the Israeli and European governments, among others. A market is thus emerging, as profiles of sellers appear on the open web. In addition to institutions and governments, individuals are also privileged targets of these attacks through the use of spams. The production of deep fakes represents a true business opportunity, as they could be sold as a commodity by cyber-criminals.

A final example that constitutes *Economies of Violence* in cyberspace is the emergence of cyber mercenaries. Due to the proliferation of new business models such as hackers-for-hire discussed above, state or non-state actors can hire cyber mercenaries to conduct sophisticated attacks such as espionage operations. As states often contract cyber mercenaries to conduct proxy cyberwarfare or project cyber power against their adversaries, private companies could also hire the same actors to gain an edge over their competitors. For this reason, law enforcement authorities have long recognized the rise of cyber mercenaries as a threat to security and the global economy.<sup>83</sup>

#### **Part 4. Legitimate Economic Systems and violence: Transition and Overlaps**

**M**ost economists dealing with the legal part of the economy do not talk about violence and intimidation. The dominant theory presents the market as a creator of harmony: it allows the peaceful meeting of individual interests through freely accepted transactions by the contracting parties. This view is marginally challenged by conflict theory and ignores previous institutionalists' work dealing with power in economics. As violence may not be "visible" (in the sense of statistically countable), it raises the question of an expression of violence specific to the legal economic sphere: "economic violence" could more specifically be assessed in terms of the conditioning capacity of the economic (or even political and social) sphere through economic activity. Three situations will be considered: transitional societies, overlaps between legal and illegal economies, and hidden forms of violence occurring through the manipulation of the effective content of free will for economic actors.

##### ***4.1. Hybrid forms of Economies of Violence, the case of transitional societies***

Historical periods of economic transition can be favorable moments of the development and strengthening of *Economies of Violence* and the emergence, in the legal sphere, of "violent entrepreneurs" to use Volkov's (2002) term referring to Russia. Volkov observes that "(...) seemingly different groups were all engaged in

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83 See for instance, JOSÉ DE ARIMATÉIA DA CRUZ S.P. (2020). 'Cyber Mercenaries: A New Threat to National Security,' *International Social Science Review* 1-35; DEPASQUALE C. and DALY M. 'The growing threat of cyber mercenaries' (Politico, 10 December 2016). Available at <<https://www.politico.com/agenda/story/2016/10/the-growing-threat-of-cyber-mercenaries-000221/>>

the same activities: they intimidated, protected, gathered information, settled disputes, gave guarantees, enforced contracts, and imposed taxes. Their similarity, I concluded, was derived from the management of the same resource: organized violence. Hence I called them violent entrepreneurs and their activity violent entrepreneurship” (Volkov, 2002, p. 5).

Generally speaking, transition can be defined as “a set of processes and transformations required for a country to move from one economic system to another” (Dallago, 1996, p. 1). During this process there is a coordination vacuum, i.e., a period of latency during which the old system (feudal, socialist, etc.) is no longer able to ensure the coordination of the economy and its agents while the new system has not yet taken over. This temporal shift can lead to a redistribution of wealth and property over goods according to opportunistic and predatory behavior, thus favoring violent economic agents.

This situation is all the more exacerbated when economic transition is not accompanied by an effective and clearly delineated transfer of the monopoly of violence to a legitimate state. When the rule of law is not, or only partially, in place, a private protection industry with potential abuses of private violence establishes itself. The use of violence can then be perceived as an opportunity. For a population sometimes impoverished by the transition process, physical violence can become a livelihood. Sometimes official as in the case of the development of private protection companies in post-socialist Russia or in the case of the recruitment of guards —known for their violent curriculum—to ensure the security of agricultural properties in Sicily in the 19th century (see Champeyrache, 2000).

For criminal groups and other previously mentioned violent actors such as informal sovereigns, extortion on economic activities in exchange for alleged protection becomes a source of income, or even a way of gaining effective control over productive entities. The state itself can give in to this logic of resorting to violence for the benefit of private economic interests. The period of industrialization in the United States, which began at the end of the 19th century, saw the birth of industrial empires concentrated in the hands of a few people: glorious captains of industry for some, “robber barons” for others, as Josephson (1940) put it. Among the facts blamed on the said robber barons was the fact that the monopolization of natural resources in the form of monopolies was partly allowed by the state’s violent repression of workers’ revolts against deteriorating working conditions in 1892 (Homestead Strike) and 1894 (Pullman Strike).

Indeed, the socio-economic and political context accentuates the level of violence, particularly with regard to its function of market regulation. The Anglo-Saxon and European sociological literature focuses mainly on the socio-economic violence of the actors in the retail traffic. This violence is real and the weight of the socio-economic context is central to understanding, especially when analyzing the trajectories of petty crime. This situation is even more glaring among the

proletarian lumpen in production and transit zones, generally located in countries much less rich than European countries, the United States and Canada. For the exploitation of small hands in the producing countries is rooted in economic and political violence: a history of violence, whose prohibitive regime, unbeknownst to it, has reinforced its intensity: This is the case of opium poppy cultivation or coca leaf. These two traditionally cultivated plants were distinguished from other ancestral crops as soon as its legal position changed in the early 1920s. Their prohibition will result in an increase in the general cost of production and sale in a context of economic fragility.

In Latin America, for example, this legislative evolution is part of a structural economic violence that stems, among other things, from monopolistic strategies for the control of licit raw materials by large international (especially North American) groups. While perfectly legal, these aggressive strategies have contributed to the impoverishment of the most modest Latin Americans (more than 8/10th of the population). In this context, Latin American peasants could join legal agricultural monopolies in very degraded economic conditions or be tempted to enter work outside the legal system by agreeing to produce an agricultural resource whose prohibition increased its value.

These economic strategies were exempt from legal regulation and therefore subject to a balance of power in which violence was central. Thus, the farmer is confronted with a choice of a form of violence vis-à-vis others, of which the illegal option may appear to be the most remunerative: legitimate violence, whether it comes from the legal or institutional economic world, therefore also intervenes in the social construction of individual strategies. These peasants, who have become criminals, subjected to new constraints and uncertainties, of which the imposition of non-legal regulation through intimidation and violence is the most obvious in their daily lives, will increase the possession of firearms among the population. This violence increases when the public response is fragile. This well-known relationship seems to have strata that can lead the territories that host these illicit economies to the rarely sought-after status of “failed states,” or worse, that of narco-state. These two terms refer to a form of graduation in the decline of institutions and economic forces in the face of the rise of drug trafficking.

In particular, recent history indicates that control of cocaine-producing areas—parts of Bolivia, Peru and Colombia—or heroin-producing areas—Afghanistan, Burma and Latin America—has become a global geopolitical issue since the end of the Cold War. Indeed, the fight against drug trafficking has been part of a desire to legitimize the intrusions of superpowers into areas where state violence is not legitimate. In this sense, Afghanistan is an ideal example, as it alternates strategies in the fight against drugs led by both the Americans and the Russians, for which the control of Central Asia is certainly the main issue. This region is all

the more illustrative because, alongside the United States, it is once again the focus of Russian but also Chinese interests.

At the same time, the crystallization of political conflicts in the main drug production zones has provided the necessary economic conditions for the survival of local politicized armed groups, whatever their allegiance. As every political organization needs funding, especially illegal funding of organizations considered illegitimate by states, we have thus witnessed the growth of so-called “narcoterrorism” or criminal hybridization. This phenomenon illustrates the complex crystallisation of post-Cold War violence in the main drug producing areas.

The example of Venezuela is illustrative in this respect. It is difficult to say whether Bolivar’s homeland is a failed state or a narco-state. The work of sociologist Roberto Briceno Leone provides a good analysis of the evolution of violence in this country. In particular, he describes a transfer of violence from narco-trafficking to transit zones because, unlike its neighbour Colombia, Venezuela is not a producer country. On the other hand, the weight of international regulation, geopolitical conflicts under the control of the oil zones, the country’s historical socio-economic violence and the loss of control of state regulation are plunging this country into a lasting crisis. Venezuela, like other regions of the world, is confronted with a particularly palpable cultural violence, which is reflected in the generalization of narco-culture: narco-corridos,<sup>84</sup> narcopeliculas<sup>85</sup> (inculcate the values of criminals: easy money, impunity. These factors flood a generation and challenge our rule of law in a more worrying way than the generalization of corruption.

#### *4.2. The overlaps between legality and illegality*

Reasoning as if the legal and illegal economic worlds were sealed off from each other is a mistake. There are many interactions and interrelationships between the two spheres. To confine violence to the illegal economy alone is therefore illusory. On the one hand, the Mafia’s presence in the legal economy shows that violent methods also exist in the legal economy. On the other hand, violence in economic relations cannot be reduced to a quantitative and ostensible vision (homicides, attacks, damage to equipment, racketeering, etc.). It is also necessary to take into account more subtle uses of violence—it is expressed as a capacity for conditioning and reducing the field of economic opportunities.

The economic power of the organized crime organizations is a major threat to Nation-States, as their annual profits are equivalent to the world’s richest countries. Hence, Mafias have built phenomenal empires in the legal economy and are among the wealthiest actors in the international scene thanks to the benefits they accrue from highly profitable illicit activities.

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84 “Drug ballad”: type of music.

85 Translation: Narco film.

## **Organized crime's strategic investments: an increasing presence in legal economy**

Multiple elements illustrate Mafias' growing ties with legal economic channels. In December 2000, 13 U.S. Federal administrations redacted an International Crime Threat Assessment warning the U.S. government that reducing economic and political barriers, notably in Customs Unions, had allowed the least scrupulous capitalistic actors, Mafias, to launder massive revenues in the legal economy.<sup>86</sup> In fact, in recent decades Mafias have successfully increased and diversified their presence in the legal economy,<sup>87</sup> creating their own business or taking over already existing companies (De Grawe & Costa Storti, 2012, p. 5). While hardly measurable, increasing dependency on Mafias' money following successive economic shocks in Russia, Japan, the U.S. and Europe may have further opened companies to Mafias' liquidities and expanded Mafias' pernicious influence in our economies (Potter & Lyman, 2007, p. 270).

The fact that all Mafias privilege investments in critical sectors of our consumerist and urban societies such as construction, waste management, entertainment and sport industries or funeral services, is no coincidence. Mafias are perennial institutions which look for the most profitable licit and illicit long-term investments, based on its understanding of the core forces driving our societies, including taboos. This for instance the case with Triads' involvement in wildlife trafficking in Asia, South America, and Africa, which fuels Chinese traditional medicine.<sup>88</sup> Hence, Mafia investments are strategically decided following four criteria. First their profitability, second their intensity in human capital (allowing Mafia to offer jobs and remunerations to their constituents), the quality of the fiscal and social coverage provided and its criticality in terms of political leverage. Here are three examples of Mafias' strategic investments and economic power:

- In the 1980s, and probably to date, Cosa Nostra Families were levying a 2% tax on every construction project in New-York (Kelly, 1999, p. 63). The 5 Families willingly chose to invest in this highly profitable sector, as through the control of the teamsters' and mason' unions, they could provide jobs to 100,000 workers and dispose of an effective political weapon.

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86 CIA (2000). International Criminal Threat Assessment. Available at <[https://www.cia.gov/readingroom/docs/DOC\\_0000497956.pdf](https://www.cia.gov/readingroom/docs/DOC_0000497956.pdf)>

87 'A Wells Fargo personal banker pleaded guilty to helping launder millions of dollars for drug traffickers like the Sinaloa cartel' (Business Insider, 17 May 2019). Available at <<https://www.businessinsider.fr/us/wells-fargo-banker-money-laundering-drug-cartel-sinaloa-mexico-2019-5>>; United States Department of Justice (25 May 2019). "Wells Fargo Personal Banker Pleads Guilty to Money Laundering Charges." Available at <<https://www.justice.gov/usao-sdca/pr/wells-fargo-personal-banker-pleads-guilty-money-laundering-charges>>

88 UNODC report (2010). The Globalization of Crime: a Transnational Organised Crime Threat Assessment. Available at <[http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA\\_Report\\_2010\\_low\\_res.pdf](http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf)>

- Renowned expert Alain Rodier estimated in a 2013 study that Triads 200 billion annual profits, 40% of the Chinese GDP, were massively reinvested in the Chinese legal economy. Sun Yee On and the Triad 14K have allegedly been among the largest investors in Shenzhen “special economic zone” as well as in construction sites of the 2010 Shanghai universal exhibition. Interestingly, Rodier notes that the Chinese government favorably considers every “energy contributing to the economic uprising of the country” (Rodier, 2012).
- In 2004, the Italian national anti-mafia prosecutor Lucio Di Pietro, revealed during a press conference that the two Agrofood multinational Parmalat and Cirio had made an agreement with Camorra. Against remuneration, the Neapolitan Mafia was imposing these two companies’ products in all Southern Italian regions, especially around Naples.<sup>89</sup>

### **An indelible criminal footprint in the Finance world**

Criminal organizations’ perpetual attempt to increase its tremendous wealth by reinvesting illicit revenues in the legal and illegal economic and financial systems, legitimately raise questions over its ability to influence positively or negatively its course. In other words, have criminal organizations successfully developed a new deadly political weapon, and tremendous source of revenue, by investing a critical part of its estimated \$500 Billion annual revenues in financial markets.<sup>90</sup>

Criminal organizations’ increasing interest in the Finance sector emerged in the 70s. Increasingly loose fiscal legislations encompassed one of criminal organizations’ key strategic objectives, i.e., “the creation of venues for the private accumulation of capital, without the loss of any of that capital to public governmental purposes through redistributive taxation, social welfare or the provision of public goods” (Cockayne, 2016, p. 94). Moreover, as Holton highlights, global multiplication of stock markets, complexification of financial operations and rapidity of information sharing match criminal organizations’ desire to stay invisible while conducting their illegal activities (Holton, 2012, p. 23).

Hence, criminal organizations have considerably extended their activities thanks to the development of wild capitalism, offshore shell companies, tax evasion schemes and tax havens. The participation in this economic system is constitutive to the financing of the violent actions of criminal actors. As finance is a vital part of their revenue making operations, it facilitates as much as it produces violence in this economy. Corruption, money-laundering and tax evasion enable criminal

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89 ‘Mafia link to Parmalat, Cirio, 18 held’ (Sydney Morning Herald, March 2004). Available at <<https://www.smh.com.au/business/mafia-link-to-parmalat-cirio-18-held-20040303-gdigitl.html>>

90 UNODC Research Report (2011). Estimating illicit financial flows resulting from drug trafficking and other transnational organized crimes. Available at <[https://www.unodc.org/documents/data-and-analysis/Studies/Illicit\\_financial\\_flows\\_2011\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/Studies/Illicit_financial_flows_2011_web.pdf)>

organizations to expand their networks and influence. Economic and financial de-regulation is constitutive of the perpetuation of the *Economies of Violence*.

In addition, criminal presence in the finance world has had a strong destabilizing effect. Thriving criminal organizations' presence in the finance world was brought into the open during the successive financial crisis. Several studies, notably those from Yakuza expert Philippe Pons, indicate indeed that 30 to 40% of toxic assets during the 1990s Japanese stock exchange crisis belonged to the Yakuza. These "Mafia assets" were, by definition, unrecoverable loans. Criminal organizations', and especially Mafias', uprising in the financial world, Naim argues, has been boosted by the 2008 crisis, as they easily recruited brilliant unemployed bankers, accountants or informaticians and became major players of the international finance system.<sup>91</sup>

In December 2009 Antonio Maria Costa, then UNODC Director, declared that criminal organizations' earnings made up the sole liquid assets at the disposal of some banks seeking to avoid collapse during the 2008 financial crisis.<sup>92</sup> According to the IMF, between 2007 and 2009, banks in the U.S. and Europe lost more than \$1 trillion in toxic assets and bad loans, and by the second half of 2008, shortage of liquid assets (cash flow) had become a major problem for the banking system. In many instances, organized crime' enormous assets were the only available liquid investment capital, further encouraging banks to open their doors to criminal organizations.

This was demonstrated by two Colombian economists, Alejandro Gaviria and Daniel Mejía, as they revealed that 97.4 percent of South America drug-trafficking revenue, \$352 billion overall, is laundered annually in American and European banking circuits through various financial operations.<sup>93</sup> In a Chinese box system, the drug money is transformed into electronic titles, using several currencies (notably cryptocurrencies such as Bitcoins), passed from one country to another through offshore companies and untraceably reinjected in the financial systems through interbank loans.<sup>94</sup>

Several cases revealed by whistle-blowers reinforced the growing influence of criminal organizations in the banking system, notably in the U.S. and the UK recently described by Saviano as "criminal capitalism capitals" (Saviano, 2014, p. 358). In 2016, HSBC notably agreed to pay \$1.9bn in fines to the U.S. government

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91 NAIM M., 'Mafia States, Organized crimes take office' (Foreign Affairs, June 2012). Available at <<https://www.foreignaffairs.com/articles/2012-04-20/mafia-states> >

92 'How the Mob Gets Rich Off of Recessions' (Vice, 15 December 2014). Available at <[https://www.vice.com/en\\_us/article/how-the-mob-gets-rich-off-of-recessions-0000528-v21n12](https://www.vice.com/en_us/article/how-the-mob-gets-rich-off-of-recessions-0000528-v21n12) >

93 'Drug money saved banks in global crisis, claims UN advisor' (The Guardian, 13 December 2009). Available at <<https://www.theguardian.com/global/2009/dec/13/drug-money-banks-saved-un-cfi-ef-claims> >

94 'How the Mob Gets Rich Off of Recessions' (Vice, 15 December 2014). Available at <[https://www.vice.com/en\\_us/article/how-the-mob-gets-rich-off-of-recessions-0000528-v21n12](https://www.vice.com/en_us/article/how-the-mob-gets-rich-off-of-recessions-0000528-v21n12) >

for financial irregularities in dealing with money that had come from Mexican cartels (Saviano, 2014, 358). In 2010, the U.S. administration ordered Wachovia Bank to pay a paltry \$160 million fine for failing to properly control the transfer of a staggering \$378.4 billion from Mexican *casas de cambio*.<sup>95</sup> Using local *bureaux de change*, the Sinaloa Cartel sent millions of dollars in cash and opened hundreds of accounts in the Miami branch of the Wachovia bank (Saviano, 2014, p. 351).

As Walter Howie highlights, the penetration of criminal money and criminal behavior in the Chinese state-owned banking system is as worrying as the situation in the United Kingdom or in the United States (Howie, 2011). Other tax havens such as the Bahamas, Luxembourg or Switzerland have also been largely targeted by organized crime, a 2008 investigation by Italian research institute Eurispes showed that 44 billion euros of Ndrangheta assets were looted in Zurich banks (Reski, 2013, p. 223). Finally, as already mentioned, criminal organizations own banks, sometimes entire banking systems, also in poorer countries, Nigeria, Cyprus or the Bahamas are notorious examples (Reski, 2013, p. 223).

Criminal organizations successfully became major actors of the banking and financial system in the least and most developed regions of the world, developing a potentially lethal political weapon as overreliance of modern States and corporations on this financing source critically exposed them.

Legal markets are not naturally protected against these conditioning strategies, which can be equated with masked violence. The legalization of the sale of organs, particularly kidneys, in Iran to compensate for the shortage has led to the appearance of “intermediaries” who go to the poorest populations to “convince” them to sell an organ.

Overlaps between legality and illegality may also be conceptualized as the two realms—legal and illegal—existing in relation to each other. This relational perspective may help to make sense of the institutional (formal and informal) landscape in which crime-based activities unfold and criminal actors operate. Relationships may exist between actors in the legal and the illegal realm that facilitate criminal activities or provide them legitimacy. For example, understandings between actors in the legal realm such as government institutions or political parties, and actors in the illegal realm such as crime groups or violence specialists may create space for particular activities. In riots and lootings for instance, scholars have documented connections between looters and established power holders forming a “grey zone”—an actual space as well as a lens that allows us to take note of blurred normative borders between the legal and the illegal (Auyero, 2007).

In less turbulent times, relationships between government bureaucrats, political parties, and “informal sovereigns” are reported in literature to highlight the

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95 UK Parliament (14 February 2013) ‘Banking Standards.’ Available at <[https://publications.parliament.uk/pa/jt201314/jtselect/jtpcb/27/27v\\_we107.htm](https://publications.parliament.uk/pa/jt201314/jtselect/jtpcb/27/27v_we107.htm)>

complicated relationship between the legal and the illegal realms (Lund, 2006). Selective application of laws to criminalize particular actors (or activities) while endorsing others also highlights grey spaces and ambiguities that characterize overlaps between legality and illegality. For instance, when it comes to land regulation laws in cities, governments may reward powerful actors while punishing small-time (criminal) entrepreneurs (Björkman, 2014), even when in principle, both may be involved in similar practices.

Criminal actors can also operate by subverting the spirit of the law while still respecting the letter of the law. For example, in illegal water operations in Metro Manila, criminal actors do not “steal” water, but tap into legal water connections with the tacit permission of individual account holders. They may also lay water pipes on the banks of public waterways to connect legal connections to illegal water supply systems. Through their ingenuity, these actors operate in liminal spaces, defying easy categorization (Hussain, 2021). Their actions can have serious consequences, such as creating artificial scarcity of housing, water, etc., thus influencing economic chains and/or accumulating power to some extent.

#### ***4.3. The hidden (uncounted) violence of legal economy***

Following the teachings of Adam Smith and his famous “invisible hand,” economics as a discipline has mostly developed a positive and pacified vision of economic relations. The competitive market—according to the mainstream—is an idealized mechanism for the meeting and matching of private personal interests, this meeting being realized in a harmonious, non-conflictual way respecting the free will of each individual. Even scarcity of resources, which forces agents to make choices, is not treated from a perspective of conflict for the appropriation of resources, but as the source of peacemaking institutions such as the market and property rights. The result is an economic science marked by irenicism and by many aspects incapable of grasping the question of violence except to confine it to the illegal sphere.

As we have seen, it is erroneous to consider legal and illegal economies as watertight. Moreover, the pacified vision of the economy, while dominant, is nonetheless incomplete. A theory of conflict, of marginal audience, was born in the wake of Hirschleifer’s work, which demonstrated that alongside the “coasian world”—that of mutually advantageous private negotiation advocating cooperation and production—the “Machiavellian world” also exists in economics. This “dark side of the economy” forces us to integrate conflict and violence through the study of activities of appropriation and confiscation of wealth.

Even before the birth of conflict theory, currents of thought that are now marginal—including Marxism—provided keys to take into account possible violent relationships in economics. This is not the place to go back over all of these proposals. Emphasis is placed on the contribution of the original institutionalist economy, as the latter allows to deal with violence not in its strictly physical (ho-

micides, attacks, etc.) or strictly in its material dimension (racketeering, theft, destruction of equipment, etc.) but in the form of undue coercion of others.

Although he does not deal directly with the question of violence, John R. Commons (1924) distinguishes between freedom “in vacuo” and freedom “in action.” The first corresponds to the absolute freedom at the basis of dominant economic models—every agent has at any moment the alternative between doing and not doing (working, producing, consuming). This is a purely theoretical freedom according to Commons. Freedom in action reflects reality because it is shaped by the constraints exercised by others, by the real opportunities offered to each person economically and institutionally. This freedom therefore includes asymmetries of power between agents and allows the shift from persuasion to coercion in economic thinking to be introduced into the effective expression of will in the market. In this respect, Commons develops the idea that the nature of property has been transformed with the development of the market economy and industrialization. From a simple relationship of holding a good for personal use, property has become the capacity to deny others access to resources they need (*economic power to withhold*). This notion may shed new light on the notion of the economy of violence, which is not reduced to the sole sphere of illegality.

The economic dimension of violence then stems from the denial to individuals of access to all or part of the economic opportunities theoretically offered to them. This can be related to the legal debate on the appropriateness of qualifying the abusive exploitation of a situation of economic dependence as a case of violence (for more exposition of French jurisprudence there is extensive research on the subject).<sup>96</sup>

Abuse of economic dependence refers to a situation in which a person is forced to accept contractual conditions that he or she would not have accepted had he or she not been in a position of dependence. This echoes the example taken by Commons on the employer-employee relationship. According to Commons, there is no symmetry between supply and demand and no equivalent free will expressed in this case. The employer is faced with several candidates and is therefore not constrained. On the other hand, the job seeker is constrained by the need to obtain the position to ensure his or her subsistence. His freedom in action is therefore shaped by that of the employer. This is what confers—unless legislation to the contrary—the possibility, for example, of the employer making recruitment subject to a non-unionization clause, a condition to be taken or left for the job seeker.

In France, the legal debate on the possibility that abuse of economic dependence may lead to violence resulted in the addition in 2018 to the Civil Code, under the heading of defects of consent, of article 1143, which states that “Violence

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96 ‘L’abus de dépendance ou la violence économique.’ (Aurélien Bamdé, 20 February 2017). Available at <<https://aurelienbamde.com/2017/02/20/labus-de-dependance-ou-la-violence-economique/>>

also occurs when a party, abusing the state of dependence in which his co-contractor finds himself towards him, obtains from him a commitment that he would not have entered into in the absence of such constraint and derives a manifestly excessive benefit from it.” Until then, violence was considered only in the following terms: “Violence occurs when a party enters into a commitment under the pressure of coercion that inspires fear of exposing his person, his fortune or those of his relatives to considerable harm” (art. 1140, Civil Code).

Considering that harmonious workings of the free market represent an ideal condition, we may consider how some actors contribute to “artificial scarcity” (Champeyrache, 2014). In this instance, violence may not translate directly into quantitative measures, and yet, constrains the will of other actors. Another example is that of interactions between local and global markets, with changes in the latter (say, in commodity prices), leading to destructive effects including social unrest in local societies and political economies (Robbins, 2011). In this instance as well, violence may not result directly, and yet, contribute to less than ideal social and ecological realities.

These asymmetries of power in the neoliberal conception of perfect competition are often elided in the analysis of violence (that is generally attributed to the illegal realm). Yet, they shape the broader contexts (social, institutional, political, economic, cultural, etc.) in which legal and illegal activities unfold, and where actors may traverse porous boundaries (normative and otherwise) between legality and illegality (Hussain, 2021).

Lastly, asymmetries of power also direct attention to questioning the apolitical (and seemingly objective) understanding of free and fair markets. Political readings of dynamics of market economies may help in identifying social and economic inequalities, winners and losers, and power of some actors in relation to others (Robbins, 2011). From this lens, a reading of violence may illustrate its diffuse composition.

## **Perspectives**

Ongoing global trends are particularly worrisome when related to the evolution of the *Economies of Violence*. The sanitary crisis has had a significant impact on the economy, both illicit and licit, as it has generated new constraints among which are border shutdowns, drastic reduction in the number of people in public spaces, decrease in commercial flights, etc. The economic and social systems are threatened by two new viruses, COVID-19 and cybercrime. The COVID-19 pandemic has indeed provided new opportunities for criminal groups, particularly due to the high demands for health services, but also due to the increase in the use of the Internet and online trade.<sup>97</sup> This has also been facilitated by

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97 Report Global Initiative against Transnational Crime (2021). Crime and Contagion, The impact of

the impact of the crisis on state action, including police, customs, and justice services. As an example, these actors significantly increased smuggling in counterfeit medicine and other pharmaceutical products.

Since the start of the pandemic, criminal actors have also been able to take advantage of the boom in internet use. Indeed, the confinements, the generalization of home-officing and the implementation of distance learning has broadened the spectrum of populations exposed to internet violence. The latter took multiple forms. First, cybercrime has multiplied and materialized through cyberattacks—such as ransomware—on institutions and companies. Furthermore, children have been particularly targeted. In particular, criminal groups have resorted to sexual coercion and extortion, thus blackmailing people in order to make money. The economic effects of the sanitary crisis heightened the vulnerability of precarious populations. In addition to children and youth, other populations have also become more vulnerable to violence during the crisis. As its consequences directly impacted human trafficking on migrants, as well as sex workers and home-based workers, individuals have been particularly exposed to the new criminal ways of the *Economies of Violence*.

Criminal groups permeated and diversified their activities in all spheres of the economy. This criminal takeover in times of crisis affects all political regimes and geographical areas. However, a posteriori the covid-19 crisis, it is very likely that criminal groups will face losses comparable to those in the licit economy. While criminal organizations have adapted to some extent, the organizational cost of this adaptation has certainly been high and the decline in wealth around the world is likely to have an impact on the overall turnover of crime.

This evolution of the criminal economy will likely result in an increase of extreme precarious and violent situations which will in turn also foster illicit activities. The *lumpenproletariat* of crime, i.e., the one that is logically the most affected in an unregulated and capitalistic economy, often engage in illicit activity for its daily subsistence. Thus, a contraction of the criminal economy will potentially bring this population to compensate for the losses related to the pandemic by carrying other illicit activities such as robbery with violence, prostitution, etc. Finally, it is very likely that the crisis has accentuated the conduct of corruption practices, particularly in the so-called “failed states.”

Moreover, the impoverishment of the middle classes in emerging countries and the “temporary” reconfiguration of international relations seem to have had significant effects on regional balances of power.<sup>98</sup> The derived instability is par-

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a pandemic on organized crime. Available at <<https://globalinitiative.net/wp-content/uploads/2020/03/CovidPB1rev.04.04.v1.pdf>>

98 DUCLOS, Michel (2020), ‘Is COVID-19 a Geopolitical Game-Changer?’ (Institut Montaigne, 24 March 2020) (blog), Available at <<https://www.institutmontaigne.org/en/blog/covid-19-geopolitical-game-changer>>

ticularly observed in Africa, the Caucasus, and Latin America. Although these elements are not yet known from field studies, transnational crime actors may play an increasing role in these contexts. These effects will certainly be the focus of future research as the interweaving of the licit and the illicit is becoming increasingly tenuous.

Thus, the ramifications of the COVID-19 pandemic and the multiplication of cyberthreats, notably reinforced by the sanitary crisis, seem to have generated, in the words of Professor Alain Bauer, a “global crisis” faced by political, economic and social institutions. In spite of the reported difficulties, organized crime proved to be capable of taking advantage of these periods of crisis, thanks to its new currencies, its new entrepreneurs and its parallel economic systems. Hence, it is essential for academic research to develop extensive and coordinated analysis of these phenomena, in order to provide policy makers with effective levers for action to protect society as a whole.

## **Conclusion**

**T**his report has sought to explore the diversity of forms of violence as they may manifest themselves in the field of economics. If violence expresses itself quite naturally in terms of illegal activities, even constituting a type of “comparative advantage” for certain economic actors or certain organizations, it appears that violence is not exclusive to illegality. Forms of violence can also be observed in the legal economy. On these occasions, violent actions take on more subtle forms given that they are less ostensibly visible. In this case, violence often stems from conditioning relationships such that certain actors impose their will on others. Thus, a first observation is necessary: violence—in the variety of its manifestations—is much more widespread than one might initially think.

Violence can even be considered as a contributory element to a more general process of blurring the boundaries that normally structure human economic activities. The identification of actors in the *Economies of Violence* shows that there are indeed significant interactions between legal and illegal spheres. Moreover, the variety of manifestations of violence (from murder, for example, to the ability to restrict the free will of others) blurs the boundary between the visible—tangible and the invisible—intangible. This further complicates the task for those who seek to combat violence in the field of economics.

It is also important to evaluate these initial results in dynamic terms. The assessment of future trends and risks seems to indicate an increase in the use of violence in economics. The current health crisis may illustrate this concern. It is also questionable whether non-obvious forms of violence will partly replace

“visible” violence. This could paradoxically lead to a potentially higher level of violence, but traditional indicators (homicide rates, property damage, etc.) are not able to point to this trend.

Times of crisis—social, political, economic, environmental or health—directly affect the stability of state institutions and increase the vulnerability of populations, creating additional and privileged space for *Economies of Violence* to thrive. First, criminal organizations, characterized by a strong capacity to adapt and innovate, take advantage of these moments of instability and of the growing inability of the State to ensure its regalian prerogatives. During the health crisis, Brazilian gangs controlled the enforcement of confinement in the favelas. In Italy, many businesses were saved from bankruptcy by the Mafia. As they were the only actors to intervene with these populations, they acquired popular legitimacy. Thus, crises facilitate the penetration of criminal actors into the legal economy and political power. Moreover, since the outbreak of the COVID-19 pandemic, criminal actors were quick to adapt their activities to the evolution of demand.

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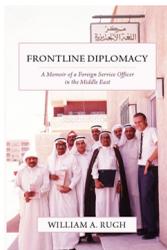
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## Contests of Initiative: Countering China's Gray Zone Strategy in the East and South China Seas by Dr. Raymond Kuo

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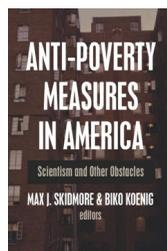
China is engaged in a widespread assertion of sovereignty in the South and East China Seas. It employs a “gray zone” strategy: using coercive but sub-conventional military power to drive off challengers and prevent escalation, while simultaneously seizing territory and asserting maritime control.



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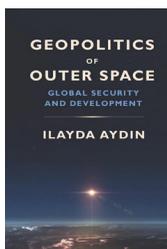
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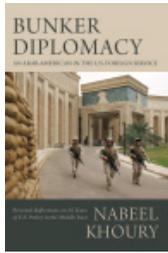
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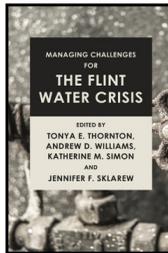
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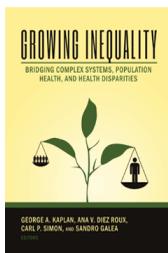
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