

**Chemical Biological Radiological and Nuclear Weapons
Terrorism and Transnational Crime
A Policing Problem**

By

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Abstract

Counter proliferation is the proactive set of actions that can be taken to prevent the proliferation of weapons, in this case weapons of mass destruction. It is a complex capability and one that involves all levels of government. First it requires both the implementation and the understanding of intricate export laws, laws which must be understood not only by the nation passing those laws but other nations as well. International diplomatic actions and understanding are vital, for to be successful counter proliferation needs to be multilateral. It also involves a variety of sophisticated technologies. These technologies encompass everything from border security, to actually protecting a countries cities and territory to assisting in the collection of intelligence. These technologies, and other skills, support the collection of intelligence which is essential to successful counter proliferation operations. Every day the tradecraft of counter proliferation becomes more complex for it now reaches well beyond the old state on state structure and it encompasses several different yet related threats—terrorism, weapons of mass destruction, international espionage, and the theft of intellectual property and its trafficking on black market trade networks. No longer are the adversaries clearly understood for they involve a complex matrix of criminals, small special interest and terrorist groups, nations working through proxies and even lone wolves. To counter this growing threat requires collaboration between a variety of national agencies and strong collaboration between nations.

This discussion will focus on the role of Law Enforcement and their role in countering the proliferation and movement of with Chemical, Biological and Radiological weapons, or the materials that are associated with those weapons.

Key Words: Proliferation, WMD, Detection, Intelligence, Counter terrorism

The issue I want to address is the nexus between international crime and terrorism, specifically those activities encompassing the movement of chemical, biological, nuclear or radiological weapons, their precursors and other elements. This growing potential is a critical problem for all, and constitutes an emerging threat. Whereas in the past CBRN, or Weapons of Mass destruction were looked upon as a military threat and something that would be encountered on the battle field that has changed, and continues to change.

One of the great changes occurred sixteen years ago, a Japanese apocalyptic cult, Aum Shinrikyo, dispersed sarin, a chemical weapon, in the Tokyo subway system, killing 13 people and prompting 6,000 others to seek hospital treatment.ⁱ Before that, the cult developed other weapons and used, or tried to use, biological agents against six targets and chemical agents against approximately 11 targets. Even if it is not an effective deterrent, law enforcement pressure can substantially inhibit efforts to develop biological and chemical weaponsⁱⁱ. Noooow we are seeing a resurgence; in one of the more bizarre cases I have seen of late, in the United States, where two protagonists Curtis, 45, a sometime Elvis impersonator with bipolar disorder who has long warned of a seemingly imaginary underground traffic in stolen body parts at the hospital from which he was fired as a janitor. He was apparently set up by Dutschke, 41, is a blues band front man, martial arts teacher and failed political candidate and indicted child molesterⁱⁱⁱ. Their act was to send a Ricin laced letter to the US President, Obama. Dutschke tried to frame Curtis. Charges initially were filed last week against Paul Kevin Curtis, 45, the Elvis impersonator, but then dropped after authorities said they had discovered new information. Curtis' lawyers say he was framed. Everett Dutschke, 41, was later arrested at his Tupelo home in connection with the letters. This has spawned copy cats, on May 29th the NY Times reported "Two letters that contained threats to Mayor Michael R. Bloomberg — one addressed to him, the other to a lobbyist who works on his gun control campaign — have tested positive for the deadly poison ricin, the authorities said on Wednesday."

These were small attacks, ineffective and all delivered by mail. The first significant mail attack was in 2001 when In September and October 2001, at least five envelopes containing significant quantities of Bacillus Anthracis (also referred to as "BA") were mailed to United States Senators Patrick Leahy and Thomas Daschle in the District of Columbia, and to media organizations located in New York City and Boca Raton, Florida^{iv}. An eight year investigation ensued, and eventually Dr. Bruce Ivins was suspected as the attacker but he committed suicide before charges were brought. An excellent study can be found published by the Report of the Expert Behavioral analysis Panel, led by Dr. Greg Sarthoff.

The effects were huge, since then the US has spent more than \$67 billion in biosecurity, there are exercises, training and technology has been developed. CBRNE detection and response is a part of Special Events worldwide – read the excellent book by my colleague Dan Kaszeta CBRN and Hazmat Incidents at Major Public Events: Planning and Response. Police in many places are now well trained as are other first responders. The technology is not perfect but most are capable of handling domestic incidents. The fear, a requirement of terrorism, was proven in 2001. Still the terrorist, domestic and otherwise remain most enamored with explosives as was recently evinced by the bombing at the Boston Marathon and the murder of Lee Rigby, in southeast by two people, the prime suspects being Michael Adebolajo, and Michael Adebawale. These attacks are, of course, dwarfed by the massive attacks such as Mumbai, London and New York, none of which featured Chemical, biological or radiological weapons.

Are we prepared for something on the scale of those attacks but using a CBRN weapon? Prepared or not I can say with some certainty that an attack for such a scale using a weapon of mass destruction would change society. Hollywood films, such as the natural event inspired “Contagion” tell a plausible story. These are truly Weapons of Mass Effect

So, how could this happen? How could a terrorist prepare such a weapon? Could we detect that activity?

Let me answer the first part of my question. How?

One answer to how it could happen lies in the matter of Transnational Crime, a subject which is attracting a lot of attention as a destabilizing influence.

Let me start by quoting the US President:

Significant transnational criminal organizations constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and I hereby declare a national emergency to deal with that threat...Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing.

President Barack Obama

Other quotes may be taken from testimony given by senior United States military commanders in before the Senate a year ago in March and April 2012. Most were made in front of the Senate armed services committee.

Senate Armed Services Committee Testimony of Admiral William H McRaven, USN, Commander, U.S. Special Operations Command:

"Strategic trends and challenges are producing a distinct change in the character of conflict. Insurgents, transnational terrorists, criminal organizations, nation states and their proxies exploit gaps in policy developed for the more predictable world of yesterday. Increasingly these threats are networked, adaptable, and empowered by cyberspace to find new ways to recruit, train, finance and operate. In short, the strategic environment is changing - quickly and constantly (Prepared statement, March 6, 2012).

At the same time, also before the Senate Armed Services Committee, Admiral James G.Stavridis, USN, Commander U.S.European Command & Supreme Allied Command Europe said:

Located at the historic crossroads of Europe, the Middle East and Asia, the European Command area of focus remains both a key global transit zone and destination for illicit trafficking in drugs, weapons, human beings held against their will, and a host of other illicit commodities. The effects of globalization - expanded international trade, increased border porosity, and a widened potential for corruption among nascent governments- has created vulnerabilities which sophisticated criminal networks continue to exploit across the Black Sea, Caucasus, Balkans, and Eastern and Southern Europe.

The U.S. Secretary of State has estimated that as many as 23 million people worldwide are victims of human trafficking. These tragic activities, along trafficking routes that run through Europe, make this dark site of globalization a signal security issue for European Command.

On March 13, 2012 Gen. Douglas F Fraser Commander of US Southern command pointed to exactly the same threats in his AOR and he noted that this underscores the truly global nature of this networked threat stating that: While we have not yet seen any attempts by international terrorist groups to leverage these smuggling routes, we remain watchful for the potential threat of transnational criminal organizations collaborating to move terrorists through our AOR and into the United States. The global illicit economy is underpinned by vast and intricate money laundering systems that are utilized by both criminals and terrorists alike, albeit to different ends. Understanding the complex financial flows of these networks can help the law enforcement, intelligence, and defense communities focus our efforts on groups engaging in activities that most directly threaten the U.S. national security. We do see evidence of international terrorist groups benefitting from the intertwined systems of illicit trafficking and money laundering.

Gen. Carter F Ham, Commander of US Africa, stated the same except he added, with regard to Africa: Across the continent, illicit trafficking and its nexus with violent extremist organizations pose significant threats to regional stability and U.S. national interests. Illicit trafficking across the spectrum from weapons proliferation to trafficking in narcotics and humans, contributes to instability by eroding governance and development.

Also in the spring of 2012 Adm. Robert F Willard, U.S. Navy, Commander US Pacific Command testified to a similar picture in the Pacific. Throughout the world we see this nexus between crime and terrorism.

Even though every one of the foregoing testimonies addresses a particular commander's area of responsibility you'll see that all raise the same specter of transnational crime. The huge drug flows from South America to North America, the Pacific is rife with trafficking of everything from drugs to goods and people. In the Caribbean after dark the sea comes alive with small boats trafficking from one island to the next. The movement from Africa and the opium growing areas of Asia are all sources of flow to the more affluent countries. This means that there are in place trafficking routes and trafficking capabilities all of which can be exploited to move people and weapons.

And most to the point:

Director of National Intelligence, James R. Clapper's testimony to Congress in 2012 reiterated the findings of the U.S. intelligence community's 2010 review of threats posed by transnational organized crime. In that review, the first of its kind in 15 years, the intelligence community ultimately concluded that such illicit networks have "dramatically" increased in size, scope, and influence internationally. A public summary of the assessment identified a "threatening crime-terror nexus" as one of five key threats to U.S. national security:

Terrorists and insurgents increasingly will turn to crime to generate funding and will acquire logistical support from criminals, in part because of successes by U.S. agencies and partner nations in attacking other sources of their funding. In some instances, terrorists and insurgents prefer to conduct criminal activities themselves; when they cannot do so, they turn to outside individuals and facilitators. Proceeds from the drug trade are critical to the continued funding of such terrorist groups as the Taliban and the Revolutionary Armed Forces of Colombia (FARC). Terrorist organizations such as al-Shabaab and drug trafficking organizations such as the cartels based in Mexico are turning to criminal activities such as kidnapping for ransom to generate funding to continue their operations. Some criminals could have the capability to

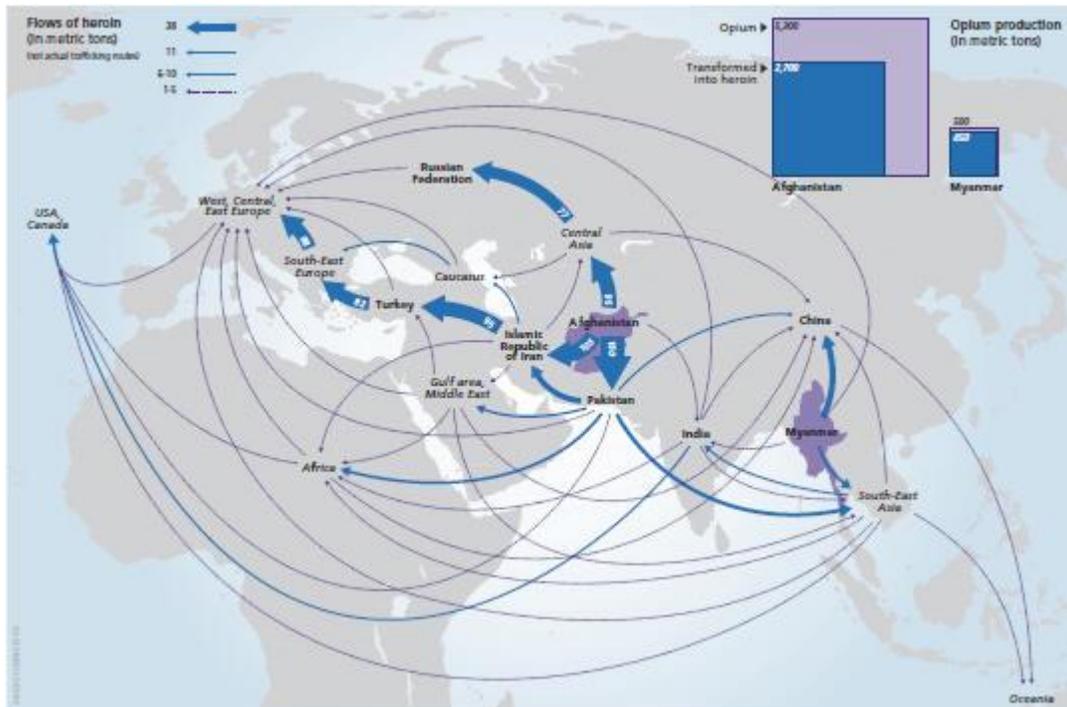
provide weapons of mass destruction (WMD) material to other terrorist groups, such as Hizballah and al-Qaida in the Islamic Maghreb, though the strength of these drug links and support remain unclear. U.S. intelligence, law enforcement, and military services have reported that more than 40 foreign terrorist organizations have links to the drug trade. Some criminal organizations have adopted extreme and widespread violence in an overt effort to intimidate governments at various levels.^v

These groups have become most sophisticated, they are well financed and they can afford research and they can buy capability. I shall address one of the areas of sophistication, merely as an example. First, do not assume that these criminals are unsophisticated, far from it they are intelligent, well organized and in many cases very well-funded. For example on April 19, 2012, one year ago, the Miami Herald newspaper reported that the Coast Guard had stopped the thirtieth drug submarine. The submarines have been around since the early 1990s when US law enforcement regarded them as something of a comic curiosity. But on March 30 and the Western Caribbean the US Coast Guard, in collaboration with the Honduran Navy, chased down a submarine; unfortunately the smugglers scuttled the cramped craft before they were taken into custody hence sending their suspicious cargo into thousands of feet of water^{vi}. Army Gen. Barry McCaffrey noted that this was the first submarine found on the Pacific coast and also on board the wood to Russian engineers as he stated probably just unemployed some guys who help the design of thing. Now the submarine has become the preferred delivery method for the South American drug runners, each submarine is capable of carrying approximately 7 tons of cargo. If they carry drugs, why not weapons, why not weapons of mass destruction? And not only between South America and North America but also from Africa to Europe. Where after that?

Transnational Criminal Organizations affect military operations and force protection through active manipulation of supply chains and systemic cooption and compromise of governing authorities through bribery, violent coercion, and illicit financial networks. These financial networks are interwoven and often indistinguishable from legitimate commerce making them that much more difficult to identify and interdict. TCOs do not recognize geographic or jurisdictional borders nor delineated combatant command areas of responsibilities. Rather they rely upon the underground economy, which guarantees stability, anonymity, and long-term viability. This underground economy is based upon centuries old trade routes, originally designed to fuel economic progress however these routes also facilitated illicit trade and

commerce. Over time, the commodities have changed but the rules of engagement are at times as ruthless and barbaric as the Han Dynasty^{vii}.

This chart shows some of the major routes. Please note that irrespective of where they start the end in the more affluent countries. The same countries are often the chosen targets of terrorist organizations. One only needs to look at the routes that are followed to see how well developed the networks are. The thick blue arrows come out of Central Asia and the largest of them passes right by where we are holding this Congress.



At current levels, world heroin consumption (340 tons) and seizures represent an annual flow of 430-450 tons of heroin into the global heroin market. Of that total, opium from Myanmar and the Lao People's Democratic Republic yields some 50 tons, while the rest, some 380 tons of heroin and morphine, is produced exclusively from Afghan opium. While approximately 5 tons are consumed and seized in Afghanistan, the remaining bulk of 375 tons is trafficked worldwide via routes flowing into and through the countries neighbouring Afghanistan.

The Balkan and northern routes are the main heroin trafficking corridors linking Afghanistan to the huge markets of the Russian Federation and Western Europe. The Balkan route traverses the Islamic Republic of Iran (often via Pakistan), Turkey, Greece and Bulgaria across South-East Europe to the Western European market, with an annual market value of some \$20 billion.

The northern route runs mainly through Tajikistan and Kyrgyzstan (or Uzbekistan or Turkmenistan) to Kazakhstan and the Russian Federation. The size of that market is estimated to total \$13 billion per year^{viii}.

Another major criminal enterprise engaged in by TCOs is the smuggling and trafficking of human beings. The UN estimates global profits from forced labor to be over \$30 billion. This includes all forms of forced labor particularly sexual exploitation but does not include migrant smuggling. Human smuggling is the movement of people from one country to another by deliberately evading immigration laws. There are many estimates of the profits made from human trafficking and smuggling, as well as the number of people trafficked each year, however, they may underestimate the overall number due to the underground nature of the crimes. Various TCOs such as Mexican Coyotes, Russian mafia, snakeheads, and many groups in the Balkans all profit from trafficking humans^{ix}.

I would like to pose a question, how hard would it be to hide a terrorist fighter, a skilled biologist, or a nuclear physicist or engineer amongst the others being trafficked?

At this point we can accept that there is a thriving international criminal trade in most things where a profit can be made. Drugs may be the most profitable, but they are far from the only commodity. There is a full infrastructure of illicit "super Highways". For more in-depth study I can refer you to no better group than New Haven's Institute for the Study of Violent Groups.

In summary:



Illicit Networks are Empowered by Globalization

The question as to whether a terrorist would work with such a group is largely rhetorical.

Similarities between organized crime and terrorist groups include:

- Both are generally rational actors
- Both use extreme violence and the threat of reprisals
- Both use kidnappings, assassinations, and extortion
- Both operate secretly, though at times publicly in friendly territory
- Both defy the state and the rule of law (except when there is state sponsorship)
- For a member to leave either group is rare and often fatal
- Both present an asymmetrical threat to the United States and “friendly” nations
- Both can have “interchangeable” recruitment pools
- Both are highly adaptable, innovative and resilient
- Both have back-up leaders and foot soldiers
- Both have provided social services, though this is much more frequently seen with terrorist groups^{xi}

But, there are differences and recognizing those difference can aid us in understanding where to look:

Longstanding transnational organized criminal groups and the newer crime groups have a very different relationship to terrorism.^{xii} The longstanding organized criminal groups—including the Sicilian Mafia, the Russian Mafia and the Hong Kong Triads—possess long term financial strategies and are depending on the long-established states^{xiii}. The linkage between these traditional groups and the state seems like symbiotic relationship, thus these groups benefit a lot from the post-war recoveries of their countries^{xiv}. For instance, the Hong Kong Triads have transformed into entrepreneurs in order to adapt to the changing economic circumstances, such as the involvement of Triad in interior decoration business^{xv}. The Japanese Yakuza even “serves the state” through corrupting law enforcement, which creates mutual benefits for organized criminal groups as well as police^{xvi}. Therefore, the older crime groups usually reject association with terrorists. A notable example is the Russian Mafia which is satisfied with their steady and huge profits raised from their traditional and low-risk business, such as private protection service, debt collection, extortion and legitimate business (Varese, 2001). On the other hand, involvement in trafficking CBRN materials tend to bring a fierce response from the Russian authorities and huge political pressures from the United Nations, the doom of the Russian criminal groups would be inevitable.^{xvii}

Additionally, there remain cultural, operational, and practical differences between older criminal groups and terrorist groups, thus there are different aims and motivations between the two entities^{xviii}. In practical and political terms, older criminal groups are engaging in organized crime without attracting the public attention, while terror groups tend to draw unwelcome law enforcement attention.^{xix} The older criminal organizations are closely associating with the law enforcement agencies through the political-criminal nexus^{xx}. Thereby, the United State keeps a close eye on terror groups rather than organized criminal groups, as a result, most states would participate actively in counter-terrorism campaign^{xxi}. Other important distinctions are motivations and aims. The organized criminals are not concerned with influencing and affecting public opinion; they are involving in organized crime to their solely to criminal profits and illicit wealth. On the other hand, terrorists are engaging in either terrorism activities or criminal activities in order to seek their political ends^{xxii}. In this case, organized criminal groups more likely to acquire “in-house” capabilities to guarantee their organizational security and organizational operations without cooperate with other terrorist groups. However, some newer transnational crime groups, often originating in ungovernable regions, are now establishing their links with terrorist groups; because the criminal groups do not possess long-term and efficient financial strategies and they

want neither nether stability nor strong states who can control them. Another significant reason is that new transnational groups likely take advantages of the chaos of war and dysfunctional state functions and generate huge profits from cooperating with terrorists^{xxiii}. Consequently, the new types of transnational crime groups share consistent interests with terrorist and they gradually form terrorist-transnational crime relationship. As Louise Shelley^{xxiv} argues that “the terrorist-transnational crime relationship extends beyond a marriage of convenience that generates profits or provides logistics: it goes to the very heart of the relationship between crime groups and the state”^{xxv}.

Now to Al Qaeda brings us to the WMD, and specifically nuclear and radiological question. They were sought by Al Qaeda and by Aum Shinrikyo. Al-Qaeda has sought nuclear weapons for almost two decades. The group has repeatedly attempted to purchase stolen nuclear material or nuclear weapons, and has repeatedly attempted to recruit nuclear expertise. Al-Qaeda reportedly conducted tests of conventional explosives for its nuclear program in the desert in Afghanistan. The group’s nuclear ambitions continued after its dispersal following the fall of the Taliban regime in Afghanistan. Recent writings from top al-Qaeda leadership are focused on justifying the mass slaughter of civilians, including the use of weapons of mass destruction, and are in all likelihood intended to provide a formal religious justification for nuclear use. Aum Shinrikyo was a very closed organization, and we must remember that they existed in days before the common use of the Internet for the exchange of information and doctrine. They traveled to Russia seeking nuclear weapons however their chemical and biological aspirations were all home based.

Since 2001, the features of WMD-related trafficking appear not to have changed substantially. Most known trafficking incidents involve radioactive orphan sources, contaminated scrap metal, radioactive isotopes such as cesium-137, and low-grade nuclear material, primarily LEU.

There are now many programs to detect to the transit of nuclear and radiological materials, in the United States there is the department of homeland security’s office called The Domestic Nuclear Detection Office (DNDO) is a jointly staffed agency within the Department of Homeland Security. DNDO is the primary entity in the U.S. government for implementing domestic nuclear detection efforts for a managed and coordinated response to radiological and nuclear threats, as well as integration of federal nuclear forensics programs. Additionally, DNDO is charged with coordinating the development of the global nuclear detection and reporting architecture, with partners from federal, state, local, and international governments and the private sector. They

have had several successes and rely on a relatively robust global network. There is no similar office for biological or chemical weapons. The technology for detecting such weapons is still not effectively honed to the levels required to provide effective border protection. There is still a great reliance on human intelligence, understanding the networks which support such transport activities. This brings us back in a full cycle to the transnational criminals who could be transporting a biological weapon, a chemical weapon, or covertly moving a scientist. There is no significant difference in the activities required to move WMD from the activities required to move other contraband.

A great deal of the international collaboration is on managing the consequences of an incident and one of the points I want to make is that we need the same level of collaboration, and understanding, in trying to seize materials and possible perpetrators before the incident ever occurs. Another area of international collaboration is in building laboratories, especially those which concentrate on epidemiological surveillance. A great deal of excellent work has been done in this domain, but once again this does not address the question of the movement of the materiel. That problem falls squarely in the domain of the police, border security, and intelligence agencies.

While this is undoubtedly a global problem we cannot avoid the fact that today's concern is Syria. We have a pretty good idea of what they had, and where it was stored, but do we know where they are now? If they are moving out of Syria where may they end up? As we have seen there are a myriad of routes where the materials can move, there are those willing to enable that movement, and we are not only talking of the materials, we must also be concerned about the people, those with the technical know-how.

We can see that what was a mostly military concern is also a police and border security concern and that concern is outside Syria for as can be seen from the illicit trade route maps there are substantial routes running past Syria not only into Europe and Russia but also China and South East Asia. Wherever terrorist groups are operating there is a plausible capability for them to obtain the CBRN weapons they may want. General Flynn, director of the US Defense Intelligence Agency recently stated: Southeast Asia (SEA) remains a facilitation hub for transnational terrorist groups. Transnational and regional Islamic terrorists and insurgents exploit porous borders and limited security cooperation between SEA nations, enabling movement of personnel and logistics throughout the region. Although authorities have arrested several terrorists with ties to al-Qa'ida, al-Qa'ida remains interested in maintaining links to

associated networks and persistent efforts by al-Qa'ida to reestablish a foothold in SEA remain a long-term threat^{xxvi}.

Consideration must be given to the likelihood of groups trying to obtain WMD. As stated earlier al-Qa'ida and Aum Shinrikyo both did. FARC has shown interest since 2002 and have resorted to some very rudimentary method, essentially coating bullets and shrapnel with feces, but where there is already and expressed willingness. In mid 2002, evidence suggested that the Colombian insurgence could employ rudimentary forms of biological weaponry. During the first days of June, in the context of an offensive action with bombs in the region of Cundinamarca, the police inactivated in Silvania a cylinder bomb charged with 5 kilos of homemade explosive R1, potassium chlorate, aluminum powder, sawdust, scraps of iron and "a mix of clay with human feces"^{xxvii}.

The danger of these explosive devices are that, when exploding, they produce lethal skin and organic infections to the person affected by its splinters. For this reason, the police declared that if the bomb has exploded, it would have triggered "a tragedy of great proportions"

Human feces is also used in filling hollowed ammunition warheads. "Operation Pegasus", already mentioned in this paper, provided concrete evidence of this issue^{xxviii}. FARC used not only crude biological weapons but also chemical: Records on the use of chemical agents for offensive purposes by the Colombian guerrilla groups, date back to December 2000. On that occasion, the ELN attacked the police department in Cajibío (Department of Cauca), with pipettes loaded with sulfuric acid and ammoniac. Two civilians and two uniformed officials died^{xxix}

This is not the time for complacency for this is something that concerns all of us; one of the features of many of the weapons and materials is that they do not observe neat boundaries, contamination spreads, infectious disease can spread widely, radiation and biological agents can be pernicious through their invisibility and delayed action.

The question is do we need to alter police and security behavior and capabilities to be able to detect, interdict and for want of a better word "render safe" CBRNE materials?

I would venture to propose that collaboration and sharing of tactics, training, technology and procedures are vital elements, and that such sharing not only be between police forces, but between the police and the military and with the same forces in other countries. The terrorist and the criminal must be made to see that they will not succeed should they combine forces to move any weapon of mass destruction or people associated with such capabilities.

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