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Coping with complexity: Dealing with non-state armed actors

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GIGA Research Programme:
Peace and Security

**Coping with Complexity:
Dealing with Non-State Armed Actors**

Yannick Deepen and Sabine Kurtenbach

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Coping with Complexity: Dealing with Non-State Armed Actors

Abstract

Non-state armed actors (NSAAs) come in a variety of shapes and sizes, including warlord-led groups, insurgencies, militias, and organised-crime syndicates to name just the most prominent examples hereof. In war or lower-level armed conflict, as well as violence-prone contexts, these groups pose acute problems for peacebuilding, democratic governance, and sustainable development. They control resources and territories, as well as compete, cooperate, or align with political and economic elites both within and beyond the state to promote the unstable status quo that serves their interests. Various challenges arise when dealing with NSAAs. Prevailing strategies vary between repression, co-optation, and submission to the rule of law. This analysis maps cross-regional trends regarding NSAAs based on available datasets. On this basis we develop a typology for NSAAs and a conceptual frame for their transformation. We then apply this to three paradigmatic case studies – Colombia, Mali, the Philippines – and formulate recommendations for the designing of improved strategies vis-à-vis development cooperation and other external actors.

Keywords: non-state armed actors, armed conflict, resources, violence, peacebuilding

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Coping with Complexity: Dealing with Non-State Armed Actors

Yannick Deepen and Sabine Kurtenbach

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1 Non-State Armed Actors – a Challenge with Many Faces

Non-state armed actors (NSAAs) come in a variety of shapes and sizes, including warlord-led groups, insurgencies, militias, and organised-crime syndicates to name just the most prominent examples hereof. These groups pose acute problems to peacebuilding, democratic governance, and sustainable development, and not only in the context of war, armed conflict, and high levels of violence. They control resources and territories, as well as compete, cooperate,

or align with political and economic elites within and beyond the state to promote the unstable status quo serving their interests.

In the academic as well as the political debate on NSAAs, there is a tendency to develop dichotomous categories such as “criminal” versus “political” groups. However, these groups evade easy and clear-cut distinctions as they are very flexible and able to adapt to changing circumstances. At the same time, the framing of what is “criminal” or “political” depends a lot on the actors dominating the related discourses. This is nothing new. During the Cold War, many insurgent or rebel groups were framed as proxies either for the Soviet Union or the United States. But although these wars might have been financed and influenced by that geopolitical rivalry, they had roots in local conflicts too. While some of these “proxy” wars ended after 1989 (Cambodia, Mozambique, Nicaragua) others either recurred (Angola) or their patterns of violence morphed (El Salvador). With the fading away of international sponsors, most armed groups needed to find other sources of sustenance in their immediate environment and thus mostly resorted to the illegal or criminal economy. The rise of the international drug trade (cannabis, cocaine, opium) would be closely linked to this. Other forms of financing such as the extortion of local populations might resemble Tilly’s (1985) extraction–protection cycle but are clearly illegal from the view of the respective states concerned.

Given the variety of actors and strategies in play, it is important to identify which factors influence the likelihood of the success or failure of peacebuilding and governance approaches when dealing with NSAAs. This paper therefore first presents an overview of the latter based on the literature, therewith developing a typology of the main indicators helping to distinguish the nature of these groups: embeddedness; financial base; relations to state and society; and, transnational as well as international connections. All these elements need to be addressed in strategies seeking to control, demobilise, and transform these groups. We will develop a conceptual frame for such strategies, identify their limitations and risks, and also investigate how far these actors and approaches to dealing with them affect peacebuilding and governance initiatives. As such, this work contributes to our understanding and dealing with NSAAs in a number of ways:

First, by providing an overview over the different kinds of actors involved, we propose a new typology of NSAAs. Herewith we attempt to highlight common features and challenges among these armed groups, with the goal of overcoming typical silo thinking when dealing with them. Instead, we promote a more connected and context-sensitive approach including preferred ways to address these groups’ main characteristics.

Second, we discuss and analyse different strategies to engage with NSAAs, drawing on the literature as well as case studies in Colombia, Mali, and the Philippines respectively. These country cases were selected for their shared longevity and prominence of conflict at the international level, the existence of different NSAAs in each, and their variety regarding the main elements of our typology; last but not least, we are also able hereby to include examples from different regional contexts, namely Latin America, sub-Saharan Africa, and Southeast Asia.

While we do not deny the importance of security approaches such as demobilisation and disarmament, we find that merely suppressive approaches such as those currently seen in El Salvador without accompanying socio-economic reforms tend to worsen the security situation for the affected population and diminishes the chances of a sustainable peace. Therefore, we encourage a transition from violent confrontation to non-violent forms of engagement, such as negotiation, the rule of law, and broader socio-economic reform – in particular that facilitating the greater inclusion of local communities and marginalised groups.

2 A Review of Empirical Evidence and the Relevant Literature

Analysing NSAAs poses a challenge for a variety of reasons. NSAAs are a complex phenomenon at the intersection of local conditions (socio-economic, political, social) and external dynamics (transborder, regional, global), such as the illicit-drugs markets. This makes overarching analysis difficult. Arguably, one of the most important challenges is the definition of “NSAAs” *per se*. Given the large variety of types and forms, there is no set definition of the latter (Hofmann and Schneckener 2011). Actors differ regarding their size, goals, tactics, memberships, relationships with other actors, financing, and/or functions (Almond 2021; Felbab-Brown 2020). Additionally, NSAAs act in fast-changing environments, adapt quickly, and can change their goals and tactics over time (Idler 2020). Given these issues, the literature has extensively focused on specific case studies in certain geographic areas or on particular groups, such as those led by warlords (Giustozzi 2005; P. Jackson 2003; Marten 2007), Islamist insurgents (Malthaner 2011), or organised-crime actors (Barnes 2017; Felbab-Brown 2012; Lessing 2021b).

In practice, policymakers as well as participants in public debates often distinguish between the “criminal” and “political” when seeking to engage with NSAAs (Cockayne 2013; Felbab-Brown 2012). Differentiation here is between those actors motivated by greed, ones aiming at maximising profits from illicit or licit economic activities, and more legitimate counterparts who contrariwise strive to gain access to or increase political power (Bosetti, Cockayne, and de Boer 2016; Cockayne 2013). While governments might negotiate with the latter, strategies vis-à-vis crime are rather based on repression or legal sanctioning. However, NSAAs with some sort of political agenda or goal offer a starting point for negotiation and compromise (Cockayne, de Boer, and Bosetti 2017). For instance, secessionists may be granted more autonomy (Fujikawa 2021), militant groups could be integrated into the military (Quinn, Joshi, and Melander 2019; Thaler 2021), or those concerned could be recognised as political parties (Nasi 2018). In contrast, criminal actors do not necessarily pursue a clear political end and are therefore often considered as purely profit-seeking, making negotiations difficult and often unlawful (Felbab-Brown 2020).

Such a distinction, however, is a simplified depiction of the realities on the ground, whereby organised-crime groups exert significant political influence and may undermine or

subvert policy interventions (Bosetti, Cockayne, and de Boer 2016). Similarly, political actors frequently rely on criminal pursuits to finance their activities and therefore are often embedded in illicit economies (Cockayne, de Boer, and Bosetti 2017). Some politicians also make pacts with criminal groups before elections to eliminate competitors or increase their voter base (Albarracín 2018; Ley 2018; Ponce 2019). Therefore, the sharp distinction between “political” or “criminal” actors is often overstated, with significant consequences for policy design (Felbab-Brown 2012). The framing of a group matters significantly for future policies given path dependencies (Cockayne 2013). For instance, positioning a given entity as an insurgency group allows for diplomatic and military means being used against it, while a criminal group requires law-enforcement strategies being resorted to (Cockayne 2013). Negotiation or even dialogue with these groups is highly stigmatised and prone to producing a moral panic instead of context-adapted strategies.

Moreover, by separating out the two concepts organised crime (at least in its transnational form) is often considered as something external that will simply disappear after suppression (Edwards and Gill 2004). This heavily contradicts the realities on the ground, as for many states organised crime is deeply embedded in society (Lessing 2021b) and political-criminal milieus are a key feature of diverse contemporary states (Briquet, Favarel-Garrigues, and Leverdier 2010). We follow Barnes, who argues that “criminal organisations, like other non-state armed groups, have developed variously collaborative and competitive arrangements with states that determine levels of violence and the nature of political authority and order in many subnational contexts” (2017, 268).

The large literature corpus on NSAAs is mostly focused on single-case studies or analyses specific phenomena such as warlords, organised crime, Islamist groups with a specific regional background. Examples are Islamist groups in the Middle East and North Africa (MENA) region, ethnic groups in sub-Saharan Africa or organised crime in Latin America. At the same time, ethnographic and single-case studies dominate along with a debate on external interventions as transregional or international security challenges. Quantitative data are either restricted to specific (pro-government militias, rebels, and similar) NSAAs (Braithwaite and Cunningham 2020; Carey, Mitchell, and Scharpf 2016; Carey, Mitchell, and Paula 2022a; Cederman, Wimmer, and Min 2010; Cunningham, Gleditsch, and Salehyan 2013; Magid and Schon 2018; Powell and Florea 2021;) or are event-based, such as the Uppsala Conflict Data Program (UCDP) (Sundberg, Eck, and Kreutz 2012) data on armed conflict or ACLED (Raleigh et al. 2010).

Challenges regarding taking a comparative and integrated approach as well as data collection are related to the fact that NSAAs are:

- a complex phenomenon, as noted, at the intersection of local conditions (socio-economic, political, social) and external dynamics (transborder, regional, global), such as the drug markets and other illicit goods;
- fluid, extremely flexible, and able to adapt quickly to changes in their environment.

Colombian NSAA groups are a case in point. Paramilitary groups there unified under the name of Autodefensas Unidas de Colombia (AUC, United Self-defence Forces of Colombia) in 1997. A process of demobilisation overseen between 2003 and 2006 aimed at their disarmament but many of the rank and file as well as middle tier formed new groups or joined others. Tracking the trajectory of specific groups or persons is thus difficult, often impossible. Hence the ACLED database labels many groups “political militias” without them having an actual name. Colombian organisations such as INDEPAZ and The Foundation Peace and Reconciliation (PARES) (PARES 2023a, 2023b; Perafán et al. 2022) try to document related developments on a more or less regular basis. Another important research gap exists regarding the variety of NSAAs and emerging policies to deal with them; creating synergies between relevant debates and policy approaches is essential going forward (Cockayne 2013; Bosetti, Cockayne, and de Boer 2016; Cockayne, de Boer, and Bosetti 2017).

3 What We Know about NSAAs

What do existing data on militias such as, among others, the Pro-Government Militia Database (Carey et al. 2022), the Government and Armed Actors Relations Dataset (Otto et al. 2020), and ACLED (Raleigh et al. 2010) tell us about regional trends and particular cases?

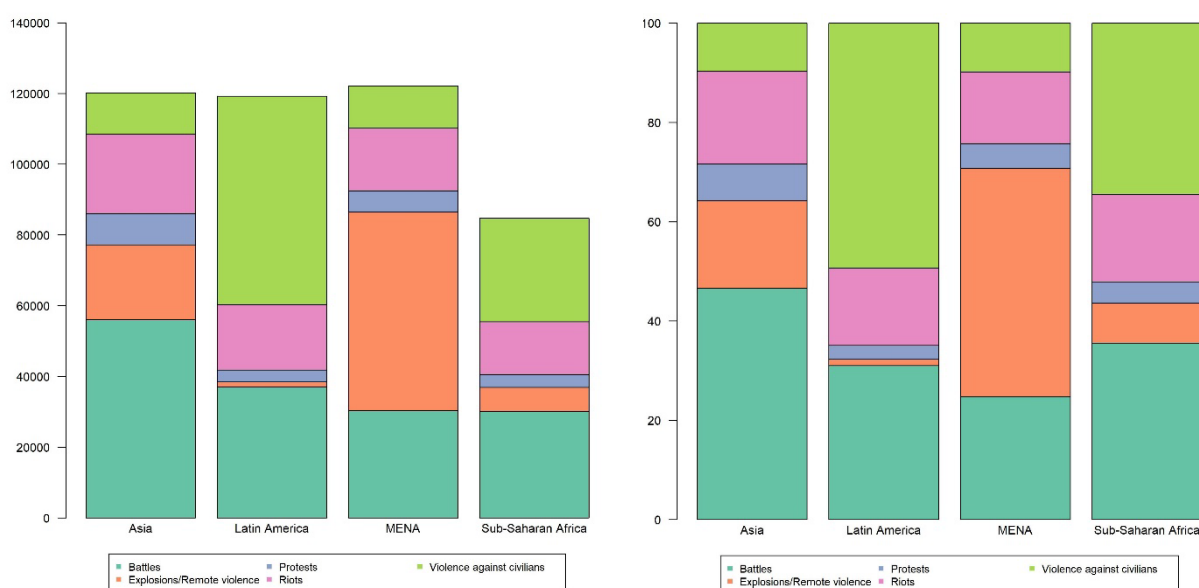
Illicit-drugs economies, NSAAs, and their linkages to state actors are by definition difficult to measure, as the various parties involved have a shared interest in keeping them hidden from the public (Bosetti, Cockayne, and de Boer 2016). Nevertheless, many of these “hidden powers” (Peacock and Beltrán 2003) are not so arcane at all as they constitute networks of greedy, traditional, new, and mostly well-known political, economic, and military elites. Analyses by UNODC (2012) and others show that transnational organised crime is not per se violent but rather seeks to remain under the radar. Where illegal goods are accompanied by high levels of violence, territorial control is at stake.

Direct physical violence comes in many guises: from organised collective forms such as war and armed conflict, to homicide, to gender-based and domestic violence. At the comparative level, there are increasing efforts at data collection regarding collective and organised forms of violence; other types such as homicides and gender-based violence depend on the capacities as well as willingness of state institutions to document them and on the disposition of those affected to report them. Therefore, we will restrict our overview to collective forms of violence.

To detect overall trends in NSAA violence, we rely on ACLED (Raleigh et al. 2010). The latter records information on political violence, demonstrations, and specific non-violent, politically important events. The units of observation are political events. While non-violent events include instances such as peaceful protests, ACLED defines “political violence” as “the use of force by a group with a political purpose or motivation.” Each event is coded with in-

formation including the designated actors involved in the event as well as date, location, description, and possible fatality rates estimated or documented as precisely as possible. The data is collated from a wide range of sources, including local, national, and international media, reports by non-governmental organisations or international bodies, select social media, and partnerships with local-conflict observatories. Hence, ACLED not only includes traditional violent actors such as state or rebel groups but specifically accounts for violent organised-crime actors, given their political interests and influence as well as their de facto territorial control.

Figure 1. Most Prominent NSAA Violent Events by Region (absolute and relative)

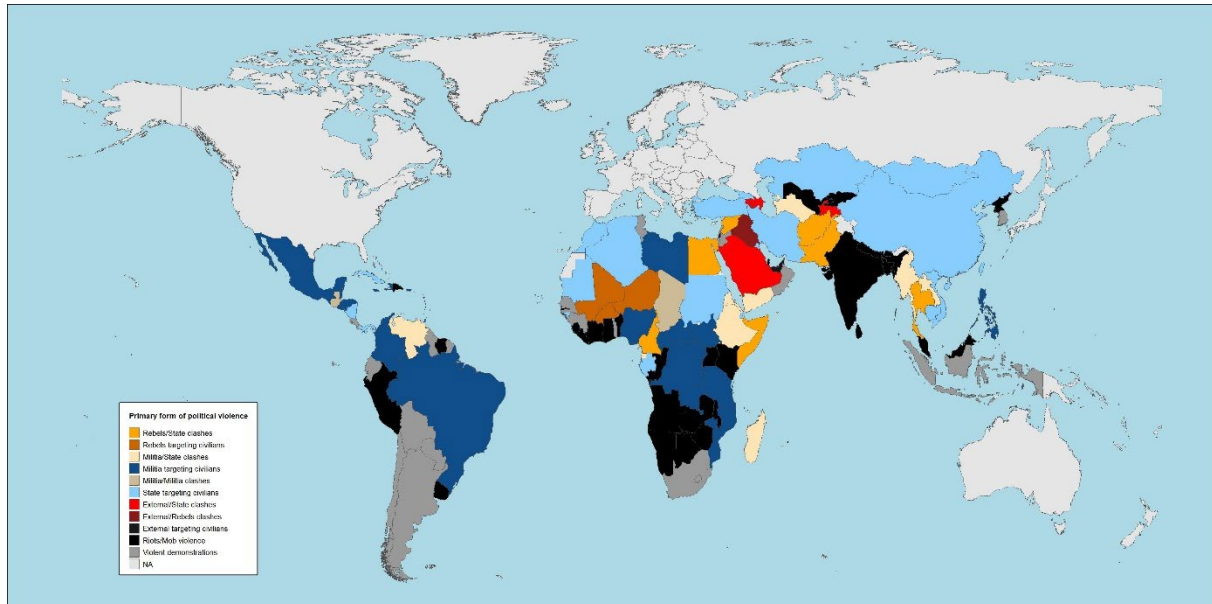


Source: ACLED (Raleigh et al. 2010)

Comparing the activities of NSAAs across different geographic regions for the period 2018 to 2022 in Figure 1, we can see differences regarding the proportions of event types. Battles and violent clashes with state actors or between NSAAs differ slightly across world regions, with almost 50 per cent of all such events occurring in Asia and roughly one-third in the other listed regions. Similarly, there are only modest differences for riots / mob violence and interactions between NSAAs and violent demonstrations across these regions, ranging from 16.5 per cent in Latin America to 20 per cent in sub-Saharan Africa. In stark contrast, remote violence plays a central role in the MENA, making up one-third of all events there compared to roughly one-fifth thereof in Asia. This can be expected given the different kind of conflicts in the region, with the massive use of artillery, air, drone, and missile strikes in countries such as Iraq, Syria, or Yemen in the MENA or Afghanistan in Asia. While militias and rebels do clash with protestors occasionally, they do not play a significant role for the overall trends across the examined regions. The largest differences consist in the violence against civilians perpetrated by NSAAs. Whereas in Asia and the MENA around 12 per cent of all events consist of violence against

civilians, that share is roughly one-third in sub-Saharan Africa and over 50 per cent of all events in Latin America respectively.

Figure 2. Most Prominent Type of Political Violence 2018–2022



Source: ACLED (Raleigh et al 2010)

Looking at the spatial distribution of the most prominent type of violence employed by different actors, we see violence against civilians is most dominant. In Latin America and sub-Saharan Africa, militia groups are responsible for the majority of this violence against civilians; in Asia and the MENA, it is mostly the state and rebel groups. Aside from violence against civilians, we see that violent demonstrations and mob violence are most common in countries not marked by open armed conflict and that at least formally constitute democratic regimes.

The most common form of violent conflict consists of armed struggles between state and non-state actors or between non-state actors (Berti 2015). As such, NSAAs have a significant influence on the situation both during and after armed conflict onset, making engagement with them in some form inevitable (A. Jackson and Giustozzi 2012; Schneckener 2009). What we can see is that the four regions show a mixture of different NSAA groups. However, the numbers differ significantly. While we see roughly 180 groups active in Asia in 2020, only two years later sub-Saharan Africa has almost 500 groups involved in violent activities. Moreover, while there are only a few communal militias active in Asia and Latin America, they make up a substantial part of all groups in the MENA and sub-Saharan Africa. Political militias are common in all regions under investigation; still, they are especially active in Latin America and Asia. While communal militias make up a substantial number of groups in sub-Saharan Africa, they play only a minor role for the overall violent dynamics in the area and are confined to specific geographic locations such as the Sahel or the Horn of Africa. Rebels play a signifi-

cant role in Asia, the MENA, and sub-Saharan Africa, but no longer have a role in Latin America as drug cartels and other organised-crime actors dominate the violence witnessed in the region.

Figure 3. Violent NSAAs in 2022 per Region

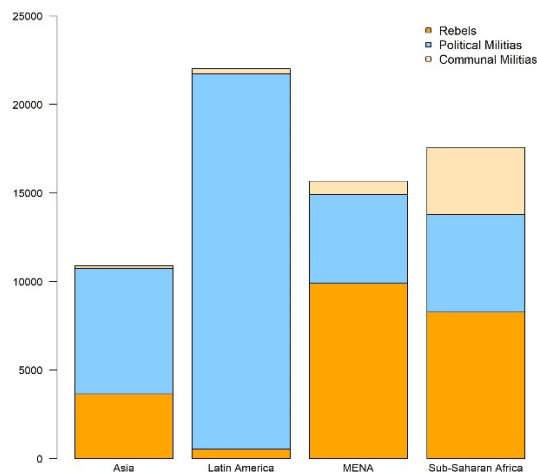
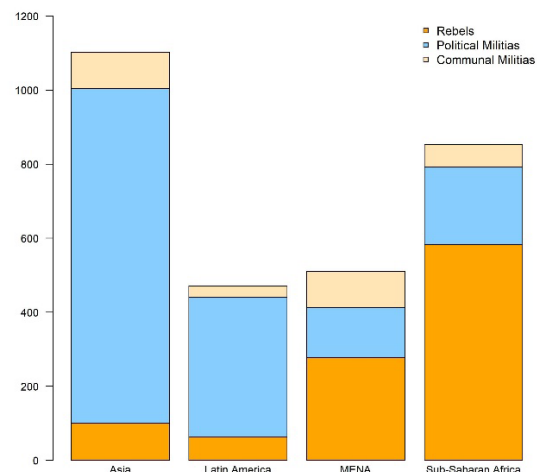


Figure 4. Violent Events by Actor per Region



Source: ACLED (Raleigh et al 2010)

4 Laying the Ground for a Typology of NSAAs

Typologies help us to classify and sort the phenomena we are interested in and rely on a set of variables that can be either auto-exclusive or gradually present. These variables can be identified either deductively from theoretical considerations and/or based inductively on the empirical analysis of the cases. Regarding NSAAs a mixture of approaches is necessary. Two variables are already used in the name: the fact that these groups are formally not part of a state and that they are armed. Nevertheless, both criteria can vary. Even if NSAAs are not formally part of state institutions, they can cooperate with or substitute for them – as in the case of pro-government militias. Armament can be technically highly sophisticated or be based on very simple weapons still capable of inflicting physical harm. Using only these two criteria we have a broad universe of cases, and we need to identify other criteria to classify and sort them. The underlying hypothesis is that the identification of these characteristics is important for the development of strategies to control, rein in, or transform these groups. A serious problem in the intent to build a typology is the fact that NSAAs are a moving target: they adapt quickly to changing contexts. As parameters are fluid and change frequently, stable classification is difficult if not impossible. We will thus classify specific NSAAs only for a certain point in time but try to document trajectories wherever possible. Hence, what are the important elements to classify NSAAs?

The first relates to the **embeddedness** of NSAAs and the ways they recruit and mobilise. The debate about this is shaped by the dichotomy of political versus criminal groups and concerns: a) the specific context of armed violence, that is “war” or “non-war”; and, b) the armed groups’ aims and objectives. In one of the first attempts to collect data on war, Mel Small and David Singer emphasised two criteria in the Correlates of War Project: the use of violence and the status of war participants. This led to the definition of “war” as “sustained combat, involving organised armed forces, resulting in a minimum of 1,000 battle-related fatalities” (Sarkees and Wayman 2010, 40). Other definitions, such as UCDP’s (2013, 3), bear resemblance to this focus, which includes armed conflicts seeing the existence of contested incompatibilities, the use of force by two competing militaries (one of them a state one), and a minimum of 25 (armed conflict) or 1,000 (war) battle-related deaths each year (or cumulatively). ACLED has a focus on violent events meanwhile, thus transcending war and armed conflict by including “violent activity that occurs both within and outside the context of a civil war, particularly violence against civilians, militia interactions, communal conflict and rioting. It aims to capture the modes, frequency and intensity of political violence and opposition as it occurs in context across developing states” (Raleigh and Dowd 2016, 4). At least implicitly, all these definitions include the classic notion of Carl von Clausewitz: “[W]ar is not merely an act of policy but a true political instrument, a continuation of political intercourse, carried on with other means. What remains peculiar to war is simply the peculiar nature of its means” (Clausewitz, Howard, and Paret 1976, 87). But what is “political”? At the intrastate level, the aim to overthrow a government, demands for territorial or political participation, and the quest for self-determination are clearly political objectives. Regarding international wars, the invasion of other countries is also a case in point here.

The act of framing or classifying armed actors as “political” always suggests that their claims have a minimum of legitimacy. Nevertheless, certain labels are an integral part of the related conflicts, as the slogan “one man’s terrorist is another one’s freedom fighter” says. The Cold War is full of examples for these framings: South Africa’s ANC, El Salvador’s FMLN, or East Timor’s FRETELIN. With its end, most non-state armed groups lost their international sponsors and financiers and had to search for other sources of backing instead. Even before this turn of events many had relied on extortion, kidnapping, and the trafficking of illegal goods. This is even true for the US government, which financed the Nicaraguan Contras (their freedom fighters) via a deal to sell drugs and arms, the so-called Iran-Contra deal (Walker 1991).

In the aftermath of the Cold War, a debate about “criminal” armed violence started up around cases where NSAAs seemed to prioritise enrichment by illicit means or based on illegal resources, pointing towards the importance of war economies (Jean and Rufin 1999). The subsequent debate on “new wars” (Collier 1999; Collier and Hoeffler 2005; Kaldor 2012) claimed that such conflicts had changed significantly after the end of bipolarity, with a focus on personal enrichment instead of political change and violence now mostly being directed towards

civilians instead of the armed forces. However, this claim is ahistorical as it does not recognise that war and violence have always been a means of personal or national enrichment. Just think about World War II and the German exploitation of the occupied territories in the east and the west (Judt 2005) or the colonisation of the Global South. Claiming to have political motives might just be a way to legitimise greed. At the same time, actors with an economic agenda also have political objectives. In minimalist form, they are all interested in the maintenance of the status quo – thus allowing them to pursue their economic goals, such as the production and trafficking of drugs among other things. The targeting of civilians also has a long historical trajectory, being widespread both before and after the Geneva Convention's inscription. The distinction between “old” and “new” wars thus tends to idealise classic interstate war. An analysis of Russia's war against Ukraine gives heavy emphasis to the multiplicity of war-related goals, as do other prominent examples such as the US in Vietnam, France in Algeria, or Great Britain in Ireland.

While civil wars and organised crime are distinct phenomena (Kalyvas 2015), they also have some patterns in common. From the perspective of their drivers, for example, a lack of public social policies or socio-economic crises are important elements in the recruitment of marginalised youth in both cases. Similarly, repressive policies seeking to exert control over armed groups are a major factor in the escalation of violence.

A second element is a group's **economic basis**. With regards to this, we can primarily distinguish between “legal” and “illegal” sources of income. Given that most NSAAs without state sponsorship cannot rely on legal revenues, illicit activities feature heavily here. Illicit economies always co-exist with licit ones (Strazzari and Kamphuis 2012). Armed groups may use the income from illicit activities to increase their fighting capabilities and to hone supply chains (Felbab-Brown 2012). Moreover, groups can use their income to deliver material benefits to local populations in their territory, increasing their legitimacy (Felbab-Brown 2012; Flanagan 2014). In addition, illicit activities may prolong violent confrontation, increase corruption, and therefore affect conflict in the long run by hindering reform attempts. The type of products and services provided hereby are heavily context-dependent. For instance, while groups in the eastern Democratic Republic of Congo often rely on minerals or diamonds for income, in Latin America drug trafficking takes precedence.

Besides these activities, groups may resort to different types of illegal activity such as human trafficking, extortion, or even some kind of taxation in cases where stronger territorial control exists. Nevertheless, state sponsorship still plays an important role, in particular for pro-government militias. States may provide weapons, training facilities, or financial support. Support is thus not limited to the states in which the actor is active. A number of NSAA groups receive foreign sponsorship to pursue the interests of certain states abroad. Examples include US counternarcotics strategies in several Latin American countries, Iran's backing of Hezbollah in Lebanon, Sudan's support for the Lord's Resistance Army in Uganda, or the Russian Wagner Group's activities (Marten 2019).

A third element is the **relations with state and society**. While there is a strong focus in the literature on state-sponsored armed groups, often called “pro-government militias” (see Ahram 2016; Aliyev 2020; Carey, Mitchell, and Paula 2022b; Carey, Mitchell, and Scharpf 2016), and in particular in the aftermath of civil wars (Podder 2014), there is less focus on groups emerging outside the context of civil war (Berti 2013) and those existing beyond the state (Almond 2021). The question of whether armed groups work as proxies for the state, are autonomous, or both is among the key debates in NSAA research (Almond 2021). Broadly, we can think about the relationship here as a continuum, ranging from a complete rejection of the state, through indifference, to clear allegiance pledged to the state. This relationship can take many different, non-exclusive forms: from co-existence, to direct cooperation, to co-dependence, to direct competition (Berti 2016; Staniland 2012). However, a group can cooperate with the state in certain areas and simultaneously challenge it in others. Similarly, preferences should not be considered as fixed or mutually exclusive and may change over time (Otto, Scharpf, and Gohdes 2020b; Staniland 2015). For instance, state-sponsored militias might develop additional capabilities over time through legal and illegal activities and decide to challenge the state once greater strength has been achieved (Gayer 2010; Mucha 2016). Colombian paramilitaries, originally serving as state proxies, increased their capacity to autonomously control markets, territory, and profits from the drug trade over time, thereby challenging state elites’ influence and interests (Hough 2011; Rivera and Duncan 2018).

NSAAs fulfil a variety of functions for different audiences, depending on their size, goals, and territorial control. At the core of any NSAA activity lies the provision of some degree of security (Berti 2016; Branović and Chojnacki 2011), often as a proxy for the state (Ahram 2011; Aliyev 2020; Carey, Mitchell, and Paula 2022b; Civico 2016). By offering security as well as other services, NSAA groups can position themselves as the primary provider of basic order and thus strengthen their standing vis-à-vis other groups or the state, thereby increasing their legitimacy among the local population (Berti 2018). For effective governance, however, these groups must justify the use of violence, as its disproportionate, indiscriminate employment might lead to a backlash (Schlichte and Schneckener 2015). While the investment in governance is traditionally associated with insurgency groups that often have a political agenda and need to rely on the goodwill of locals, it can increasingly be observed among other actors without a clear political agenda – such as criminal organisations (Berti 2018). The latter need some degree of territorial control to expand their ability to extract resources, improve logistics, and ensure cooperation from parts of the population (Flanigan 2014). Looting and violence towards civilians may lead to short-term gains for these groups, but repression is still too costly in the long run for most of them (Barnes 2022, Berti 2018; Ottaway 2002; Stokke 2006).

Thus, instead of repression, groups might have an interest in investing in governance to obtain resources, ascertain control, or to increase their legitimacy (Felbab-Brown 2020). By providing basic services such access to water, healthcare, or food, NSAAs can increase the dependency of the local population on the group, which in turn can lead to more effective

control (Flanigan 2014). Through the provision of security, NSAA groups may demonstrate their power and contribute to a reduction in violence by alternate actors such as the state or other active groups in the area (Felbab-Brown 2020; Schlichte and Schneckener 2015).

However, how far NSAAs generally contribute to a reduction of violence is still up for debate. For instance, state-backed militias often tend to use indiscriminate violence against civilians given their impunity and relative independence (Ahram 2016; Kalyvas 2006). Still, the provision of governance may increase the legitimacy of the group vis-à-vis other actors active in the area (Lee, Walter-Drop, and Wiesel 2014; Risse and Stollenwerk 2018). In marginalised areas where the influence of state actors is limited or the state deploys excessive violence, NSAAs can out-compete the state and pose a serious threat to it (Almond 2021; Blickman 2010; Felbab-Brown 2012). In these areas, criminal groups might represent the only viable option to generate income – for instance, through the cultivation of coca plants. Criminal groups might even claim some representation regarding the populations under their control as regards the state and other actors, for instance when negotiating prices for agricultural products or other types of trade agreements (Felbab-Brown 2012). However, effective governance and the provision of direct material benefits are just some sources of legitimacy and NSAA functions (Schmelzle and Stollenwerk 2018). Groups that rely on ethnic loyalty, religious authority, or charisma might trump effective governance through the provision of basic services in certain areas (Boege, Brown, and Clements 2009). They may also fulfil a symbolic function, representing the struggles of particular population segments (Schlichte and Schneckener 2015). In the same vein, NSAAs may help to create a sense of justice via the provision of mediation and court-like structures.

While scholars find that the provision of basic services to local populations is an important function of armed groups for ensuring effective governance, another strand of the literature argues it is not so much this but rather militias acting as quasi-state agents and serving the interests of economic and political elites that is key (Ahram 2011; Mazzei 2009; Rivera and Duncan 2018). Current debates highlighting this function address “rebel governance” (Arjona 2017; Arjona, Kasfir, and Mampilly 2015) or “criminal governance” (Arias 2006, 2017; Lessing 2021a; Lessing and Willis 2019). While the first is closely related to war, criminal governance is mostly analysed in non-war contexts (Brazil, Mexico, Nigeria). Staniland’s (2017, 2021) concept of “armed politics” includes the whole spectrum from war to non-war contexts but explicitly excludes organised crime.

Last but not least, a fourth element is **transborder, and international connections**. While the end of the Cold War reduced connections between NSAAs and supportive states, regional powers, or hegemons, these ties were not fully cut or and thus continue to exist. Three contexts are currently relevant here: First, military and economic cooperation or support for states at the bilateral or even multilateral level is still highly relevant in contexts of armed conflict or war or of its aftermath. Afghanistan might be the most recent example, with Western forces having intervened there for over 20 years (as did the Soviets in the 1970s and 1980s) (Honig

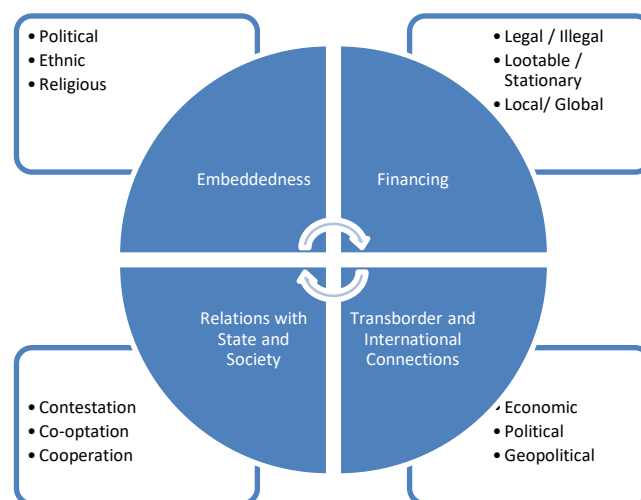
and Kähkö 2022). Another form of intervention is related to Islamist expansion and jihadist groups such as Al-Qaeda or the transborder networks of Boko Haram in Africa. These groups form networks and have relations with Iran or Saudi Arabia. The academic debate frames this mostly as “international terrorism” (Wieviorka 2007). Second, the transborder connections and international production and trafficking routes for illegal narcotics such as cocaine, opium, and similar are, as noted earlier, highly relevant for the financing of many NSAAs. The related worldwide commodity chains are documented each year by the UNODC World Drug Reports (UNODC 2022).

Finally, and maybe an exception, there is the outsourcing of military interventions by Russia to the Wagner Group – a private army of mercenaries financed by the Russian state and by economic operations (such as mining concessions) in the places where it is active. Currently, Wagner troops are involved not only in Ukraine but also in a series of armed conflicts in sub-Saharan Africa (such as Mali), the Middle East (Syria among others), and in support of the authoritarian regime in Venezuela (Rabin 2019).

Accordingly, we develop a typology for the analysis of NSAA groups regarding the four elements outlined above:

- embeddedness in the places where they are active and their basis of mobilisation (such as political, social, ethnic, religious)
- finances for their activities (such as taxing local populations, involvement in illicit economies)
- relations with state and society (spectrum of cooperation, substitution, co-optation or confrontation)
- transborder and international connections and networks can be important, as they might provide vital support (in some cases, financing)

Figure 5. Typology of NSAA



Source: Author's own illustration

In the empirical case studies below, we will show the usefulness of these distinctions.

5 Coping with NSAAs

Peacebuilding and governance strategies recognise the challenges related to the transformation of NSAAs, but regardless mostly focus on strengthening and (re)constructing state structures and institutions (Hofmann and Schneckener 2011). Reliance is on top-down approaches here (Autesserre 2010, 2014; van Leeuwen, Verkoren, and Boedeltje 2012). At the same time, these strategies tend to include NSAAs framed as “political” – that is rebels, insurgents, militias. In exceptional cases such as Afghanistan or the DRC, they also need to handle warlords. NSAAs deemed “criminal” usually face repression either by the police or the military, as well as being subject to legal prosecution. However, as they are highly diverse and relations on the ground complex, the transformation of NSAAs needs to be pursued in a context-specific manner.

This means that realities at the local level need to be taken into account (Leonardsson and Rudd 2015; Mac Ginty and Richmond 2013) and that one-size-fits-all strategies and top-down approaches will rarely work. The necessity instead, then, is curb illicit economies and organised crime (Cockayne 2013; Gillies, Collins, and Soderholm 2019; Idler 2020), as well as to address NSAAs’ governance functions in specific communities or regions (Lessing 2021b) alongside their transborder and international connections. Theoretically, we can distinguish four different engagement strategies with non-state armed actors: negotiation; co-optation; submission to the rule of law; and, repression. These strategies are not mutually exclusive but vary over time, are often combined, and may include national as well as international actors.

5.1 Negotiations

Negotiations with insurgents and rebels are often difficult but possible, as events after the Cold War’s end have shown (Kreutz 2010). This has involved a number of peace agreements, ones whose contents differ greatly but nearly always include provisions on demobilisation, demilitarisation, and the social (re)integration of NSAA combatants. Other provisions might include social, political, and economic reforms to allow for the participation of formerly armed actors in the political system (Haass and Ottmann 2017; Hensell and Gerdes 2017; Söderberg-Kovacs 2008) or grant autonomy or even independence to end a war (Fujikawa 2021; Roeder 2014; Wolff 2009). While there are examples of successful negotiations to end war, a series of problems exist herewith:

- not all combatants might lay down their arms, either to continue fighting because the agreement has not been encompassing enough in their view or implementation falls short (Daly 2014; Jarstad and Nilsson 2008; Keels and Mason 2018);
- others may choose to stay within or move into the illegal economy (Cockayne, de Boer, and Bosetti 2017; Nussio 2017).

The spread of groups financed by the criminal economy has widened to many contexts beyond just drugs (Newman and Keller 2007). These groups can undermine or spoil peacebuilding

strategies (Barnes 2017; Cockayne, de Boer, and Bosetti 2017; UK Stabilisation Unit 2019) by blocking or undermining the credibility of actors regarding the delivery of promised reforms (Felbab-Brown 2017) or by subverting the policy process and co-opting political actors from the state and society (Bosetti, Cockayne, and de Boer 2016). Hence negotiations need to tackle the problem of these so-called spoilers by including some preventive measures.

Negotiating with groups framed as “criminal” is even more difficult and officially ruled out by many countries, governments, and international actors despite the fact that there was an increasing trend of doing so over the past few years (Cockayne, de Boer, and Bosetti 2017; Felbab-Brown 2020). Governments tend to negotiate with criminal NSAAs primarily with the goal of violence reduction. Negotiations are usually more relevant in areas marked by low state legitimacy and weak state institutions and capacities, given that they are highly conducive to corruption and often lack the ability to pursue these groups in other ways (Felbab-Brown 2020). As such, negotiation is often an act of desperation when other policies have failed, for example the *mano dura* (“iron fist”) strategy employed against organised-crime groups in Central America (Farah 2012).

For governments, negotiating with criminal NSAAs is a risky endeavour with potential repercussions. On the one hand, governments risk giving these groups a certain type of legitimacy by recognising them, encouraging other groups to pursue similar strategies (Felbab-Brown 2020). In conflicts with rebel groups in particular, the recognition as an armed struggle with a political opposition group requires different strategies than labelling the groups “terrorist” or “criminal” organisations, which allows for a more coercive strategy (Clapham 2006). Similarly, making concessions to criminal NSAAs creates a moral hazard and might provoke more violent behaviour to achieve even larger goals (Cockayne, de Boer, and Bosetti 2017). Benefits such as jobs or money may be appropriated by gangs in an environment of corruption, which could unintentionally lead to a strengthening of the NSAAs in question. Since dealing with criminal NSAAs involves lots of uncertainty, governments tend to be reluctant to be publicly associated with negotiations early on as they have little interest in paying the political toll for failed agreements. In addition, policymakers need to take into account that failed agreements can lead to radicalisation, such as the persecution of negotiators after the breakdown of the truce between *maras* (“gangs”) in El Salvador (Rosen 2022).

However, besides all the risks, governments often prefer a deal to uncontrolled violence, given that the possible dividend of peace outweighs the risks when negotiating with criminal NSAAs (Cockayne, de Boer, and Bosetti 2017). Still, up until today the results of such negotiations have been mixed at best (Felbab-Brown 2020; Felbab-Brown and Freeman 2021; Whitfield 2013). Successful negotiations depend on a variety of factors that may hamper the process. Negotiations with relative strong criminal NSAAs, such as cartels in Mexico with strong territorial control and a quasi-replacement of state-like structures, are less likely to concede in negotiations given the lack of credible threat that the state will actually carry out attacks in earnest against the actor in question. Similarly, gangs are more likely to cut a deal and accept

unfavourable conditions if they are weak and fear for their existence due to the threat posed by other groups (Felbab-Brown 2020).

The internal structure and cohesion of the negotiating parties play a crucial role for the commencement and eventual success or not of negotiations. Division among negotiators makes credible commitment difficult. Hardliners in the government may sabotage the negotiations to gain political capital, groups might be fragmented, and the results not respected by all factions in the group. For instance, the gang truce in El Salvador was spoiled by a variety of opposition players in parliament out of fear of success and by corrupt state forces anticipating the exposure of their networks and a termination of cash flows (Aguilar 2014; van der Borgh and Savenije 2019; Whitfield 2013).

International actors may significantly hamper negotiations by imposing restrictions when it comes to starting them or to granting concessions to NSAAs. In particular, the US war on terror and the USA Patriot Act from 2001 made negotiations with certain groups difficult if not outright impossible, as governments were dependent on US aid (Art and Cronin 2003; McQuinn and Oliva 2014). This is especially unfortunate as long-term solutions require substantial socio-economic reform for the (re)integration of NSAA group members.

Given the extensive uncertainty and lack of credibility during negotiations with NSAAs, many such processes aim to take a gradual approach – that is, with modest short-term actions and specific goals. This eventually leads to increased trust between the negotiating entities (Felbab-Brown 2020). This is particularly true for groups with a limited, not structurally transforming political agenda, such as organised-crime syndicates, often leading to very concrete demands as improved conditions for imprisoned members.

While the state is often the primary negotiating entity, non-state actors such as churches or NGOs have also been able to influence violent non-state armed actors, leading to partial successes that government actors could not achieve. Typical goals revolve around humanitarian access to crisis areas and mediation efforts (Hofmann and Schneckener 2011). These groups are often respected by and embedded in local populations, for instance the Catholic Church in Central America, and attacking them would mean a decrease in NSAA legitimacy (Felbab-Brown 2020). Moreover, while direct negotiation with criminal NSAAs is often not feasible for development actors for political or safety reasons, NGOs, churches, the political wings of violent organisations, or even influential individuals may work as intermediaries, allowing for the exchange of information with NSAAs or the delivery of humanitarian aid to conflict areas (BMZ and GIZ 2012).

Independent of the nature of the NSAA group to hand, governments may direct resources towards an area of uncertain control to buy the local population's compliance (Fjelde and De Soysa 2009; Liu 2022). This, in turn, can address grievances and improve the socio-economic situation of marginalised groups. As such, they might be less likely to join armed struggles against the state (Azam 2001; Buhaug 2006; Thyne 2006).

5.2 Co-optation

Co-optation might form part of the negotiation strategy when the aim is to integrate former combatants into the political structures (Hofmann and Schneckener 2011). This can be the preferred option for governments in cases of military stalemate or prolonged fighting, suggesting that some kind of balance of power exists (Joshi 2010). Here, power-sharing agreements can provide a meaningful way to end armed struggles and to (re)distribute power between different camps to ensure that no single faction controls the entire state apparatus (Hartzell and Hoddie 2019). Examples include Liberia (2003), Aceh Indonesia (2005), and Nepal (2006) (Ottmann and Vüllers 2015). The idea is that NSAAs play a role in the country in question's political structures, which in turn might help transform their attitudes and goals in the long run (Hofmann and Schneckener 2011).

The degree of power-sharing and the nature of institutional settings differs significantly, of course, from case to case, ranging from the assignment of rather unimportant cabinet positions to rebels in Djibouti in 2007, to presenting the vice minister in the DRC in 2003, to the full integration into the military forces in Angola in 2003 (Haas and Ottmann 2015). In the context of decentralisation and separatism, complex power-sharing agreements featuring territorial self-governance are a common case – such as in the Aceh region of Indonesia (Wolff 2009).

However, co-optation also carries certain risks. For example, cooperation with the government achieved through economic incentives might result in a loss of legitimacy among the leaders of NSAA groups, thereby increasing the chances of fragmentation and prolonged violence (Brenner 2015). Moreover, failed economic and social integration after the dismantling of armed groups can result in economic hardships and frustration among former fighters, which leads them back into armed groups – such as with FARC (Fuerzas Armadas Revolucionarias de Colombia) dissidents (Crisis Group 2021). More generally speaking, when power-sharing agreements fail to address key causes of conflict, they often tend to institutionalise self-enrichment and clientelism, reducing the chances for enduring peace by excluding parts of the population (Haas and Ottmann 2015). Similarly, power-sharing agreements may reinforce group identities and institutionalise antagonistic relationships between different groups, leading to zero-sum games of economic and political gains and might in the long run increase the chances of violence re-occurring (Joshi 2010). Additionally, other violent actors excluded from power-sharing agreements might intensify their operations in the hope of subsequently gaining similar concessions (Mehler 2009).

Co-optation can also work the other way round, when NSAAs establish control over local or state actors in pursuit of their goals. The means used by “criminal” NSAAs here include corruption, formal and informal deals, or threats of violence. “Hidden powers” (Peacock and Beltrán 2003) or “state capture” (Dávid-Barrett 2023) emerge herewith. An example of NSAAs’ co-optation of formal institutions is Colombian para-politics. From the very beginning of drug-trafficking operations in the country, there were high levels of collusion and cooperation be-

tween NSAAs and the state. This was not limited to the local level but spread to national politics. Pablo Escobar was elected alternate congressman in 1982 and in the first decade of the twenty-first century over 100 members of Congress were investigated on charges of cooperation with the AUC, the largest paramilitary group (Duncan 2005; Escobar Arango 2013; Gutiérrez Sanín 2007; Rivera and Duncan 2018). These patterns of co-optation have negative consequences for democratic governance and the rule of law, as criminal actors attack and threaten independent journalists, members of the police and the judiciary, as well as NGO activists seeking transparency and accountability.

5.3 Submission to the rule of law

Depending on the specific polity and the relevance and independence of the judicial system as well as the rule of law, NSAAs may face legal prosecution. In the context of negotiations to end armed conflict and violence, a series of instruments can be used to avoid impunity. The documentation of gross human rights violations by NGOs and/or truth commissions is a first step (Bakiner 2014; Krueger 2016; Sriram 2000). The hard question is whether – and if so, under what conditions – these crimes can be prosecuted. Amnesties are a possibility but are heavily contested. While they might help bring NSAAs to the negotiating table, they do not provide justice for the victims (Dancy 2018; Druckman and Wagner 2019, Hofmann and Schneckener 2011).

The establishment of the International Criminal Court (ICC) in 2002 based on the Rome Statute made amnesties for gross human rights violations unviable for the signatory states. If these states do not prosecute such crimes, the ICC will step in and hold trials itself. However, this does not mean that there is no room for manoeuvre in negotiations but that a minimum international standard of prosecution needs to be upheld. Possible reductions in sentences can be based on truth-telling, reparation, or alternative mechanisms of victim compensation (Firchow and Mac Ginty 2013; Gavron 2002; Prorok 2017).

Still, the judiciary in many conflict-afflicted and violence-prone states is either corrupt, weak, not independent, or dysfunctional. In consequence, prosecution may either be delegated to international entities such as the ICC or to US courts in the case of leading drug dealers – as has happened frequently over the years with Colombia and Mexico. In contexts lacking a functional judiciary, reforms to install a minimum adherence to the rule of law is key but ultimately unlikely (Donais and Barbak 2021; Sriram 2017).

5.4 Repression

Direct confrontation between the state and NSAAs can take various forms – from open battles, to counterinsurgency policies, to repression, to leadership “removals” (Arjona 2021; Barnes 2017; Felbab-Brown 2012). The effectiveness of such tactics is rather limited and often counter-productive, as such repression may lead to an increasing spiral of violence and backlashes,

thereby actually worsening the situation (Barnes 2022; Magaloni, Franco-Vivanco, and Melo 2020). In a similar vein, strategies to curb illicit activities such as drug cultivation or trafficking are often highly violent. Some states delegate their violence to (pro-government) militias, thereby complicating the situation (Wilshusen 2021). Recent examples of such failed efforts include in Afghanistan (Goodhand and Hakimi 2014) and Colombia (Rivera and Duncan 2018).

Peacebuilding and national as well as international development efforts try to promote a certain level of security and the reduction of violence, with a focus on its collective and political manifestations. However, the focus on increased means of repression such as open confrontation, mass incarceration, or leadership removals has in fact led to an increase in violence (Barnes 2017). For instance, the removal of leaders or specific groups leaves a power vacuum that will be filled by other violent actors, therewith intensifying struggles over territory and power. A prominent example is the incarceration of Miguel Angel Felix Gallardo, former head of the Guadalajara cartel in Mexico, and the subsequent escalation of violence between the latter's rival factions (Beittel 2022). Extreme forms of such iron-fist policies also can be seen in the recent escalation of violent clashes between *maras* and the government in El Salvador, leading to the incarceration of tens of thousands of people and several hundred deaths (Cruz and Speck 2022). However, mass incarceration has a detrimental effect on security. If petty offenders are put in prison with hardened peers for an extended period of time, they will learn and adapt – thus likely leave prison as tougher criminals (Felbab-Brown 2020).

Additionally, some states tend to rely frequently on non-state, often pro-government militias to oversee violence, in particular in remote areas (Rivera and Duncan 2018). With regards to the confrontation with NSAAs, such militias are used to combat guerrilla movements (Civico 2015; Wienand 2015), gain information about other groups (Carey and Mitchell 2016), or to support military forces (Carey, Mitchell, and Scharpf 2016). Such a use of militias is often associated with an increase in violence in general and against civilians in particular (Carey and González 2021; Carey and Mitchell 2016; Wilshusen 2021). Moreover, militias have their own goals different to those of the state (Almond 2021). Over time, they may develop capabilities to challenge the very state that sponsored them initially (Mucha 2016). A good example is the Colombian paramilitary group Urabeños (today, Clan del Golfo), which first fought insurgencies for the state but soon gained the capabilities to challenge the latter by establishing control over markets, territory, and the drug trade (Rivera and Duncan 2018) (see 6.1 below).

International actors directly and indirectly influence the spread of violence and strategies on the ground. On the one hand, they may deploy military troops on their own – thereby actively participating in violent confrontation with NSAAs (Art and Cronin 2003). This may include fighting or arresting members of NSAA groups, the training of police and military, the creation of no-fly zones, or participation in joint international-peacekeeping missions (Hofmann and Schneckenner 2011). However, such interventions may also increase violence

through their unintended consequences, such as a subsequent backlash against state and international actors (Kattelman 2020; Salverda 2013), a rise in violent extremism (Rrustemi 2021), or the spread of conflict to neighbouring areas (Beardsley 2011). Furthermore, violence reduction might open up economic opportunities and provide operational safety for criminal organisations. Moreover, foreign states or organisations can supply weapons and funding to NSAAs, thereby increasing their capabilities (Cederman, Girardin, and Gleditsch 2009; Salehyan, Gleditsch, and Cunningham 2011). Similarly, foreign aid to states is shown to increase the outsourcing of violence to comply with donor conditions, leading to an increase in overall violence (Carey and Mitchell 2016). Still, also in countries with no open conflict such as El Salvador, international policies – and in particular those of the US – at least indirectly lead to an increased violence by criminalising engagement with certain NSAAs, such as the notorious MS-13. This leaves little room for alternative measures such as negotiation (Jackson and Giustozzi 2012; McQuinn and Oliva 2014) or socio-economic reform (Felbab-Brown 2020).

Aside from open confrontation, states and international actors try to weaken NSAAs by tackling their illicit activities, often with negative repercussions for local populations (Barnes 2017). Eradication and suppression strategies of labour-intensive illicit economies such as opium or coca plantation lead to a loss of livelihoods for large segments of local society dependent on it (Gillies, Collins, and Soderholm 2019). Given the absence of viable socio-economic alternatives, NSAAs can benefit from the situation by increasing their legitimacy among locals – simultaneously undermining their willingness to cooperate with law enforcement or state actors. Moreover, actors might move to even more remote areas, making it increasingly difficult for law enforcement to reach them (Felbab-Brown 2012). Finally, these strategies are often prematurely employed and effective at best only in the short term, as a feasible long-term solution would require a strong presence on the ground of security forces and the existence of alternatives for locals (Felbab-Brown 2017).

6 Challenges for External Actors and Development Cooperation: Some Cross-Regional Qualitative Evidence

The country cases were selected based on four criteria: variation in NSAAs along our typology; the duration of the related armed conflicts; covering different world regions; and, a significant presence of international actors and donors.

6.1 Colombia

The Latin American country looks back on a history of over six decades of civil war and multiple manifestations of violence (Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición 2022). NSAAs are mostly divided along their political or criminal agen-

das, but this distinction is not clear-cut. A series of guerrilla groups with various leftist ideologies have been active since the 1960s, the largest being the FARC and the ELN (Ejército de Liberación Nacional). Paramilitary groups established as the private armies of large landholders increased their violent actions in the 1990s, forming the earlier-mentioned AUC in 1997. Peace and demobilisation processes with the AUC in 2006 and the FARC in 2016 reduced violence at the national level while the regions home to key legal and illegal resources remain heavily violence-afflicted. All armed actors fund their activities by either “taxing” or directly participating in the illicit economy, mostly but not exclusively vis-à-vis illegal drugs (production and trade). Today, NSAAs fight among themselves and to a lesser extent against the military and police. The level of violence differs according to the specific power relations and the place in the commodity chain.

The Gulf Clan

The Gulf Clan, also called Autodefensas Gaitanistas de Colombia (AGC), is considered the largest post-paramilitary group and drug cartel in Colombia today (InSight Crime 2022). While there is some continuity to the AUC, there are also ruptures and new elements too. According to Badillo and Trejos (2020, 2023) the AGC includes former AUC members who either did not demobilise or rearmed, as well as newly emerging armed actors. The AGC operates in a non-hierarchical network structure with a core organisation and a sort of “franchise system” recruiting local groups with high levels of autonomy. This permitted its territorial expansion from the core Urabá region to the rest of the country through subcontracting as well as lower levels of violence (Barrera 2020; Badillo Sarmiento and Trejos Rosero 2023; Colombian Investigative Unit 2022).

The complicated NSAA group trajectories become evident in some protagonists’ biographies: The former leader of the AGC, Dairo Antonio Úsuga David (alias Otoniel), joined the FARC in 1987, when he was 16. In 1988, he became a member of the Maoist guerrilla EPL (Ejército Popular de Liberación) and demobilised in 1991 but joined a dissident group soon after. In 1996, he joined the paramilitaries (AUC); then, in 2006, he demobilised before declaring himself again a dissident, ending up as AGC’s head.

Embeddedness

The AGC is today present in over 200 Colombian municipalities. Its traditional strongholds have been Antioquia and Urabá, but after the FARC’s demobilisation the AGC, in filling the void left behind herewith, expanded to the Caribbean coast and the frontier regions with Ecuador and Venezuela (see Figure 6 below) (Perafán et al. 2022). Its patterns of embeddedness resemble those of the paramilitaries but today lack an anti-insurgency ideology. Beyond involvement in illegal economies, AGC provides various forms of criminal governance. The monitoring mission of the Organisation of American States observes how AGC’s influence is

asserted via control over the local populations and involvement in illegal economies, interventions in community conflicts, and by extortion (OAS 2023).

Relations with state and society

Contrary to the paramilitary groups, the AGC is increasingly taking on the Colombian military and police. Under the name of “Plan Pistola,” they fight and attack state security forces – mostly the police. Regarding civil society, “armed strikes” (*paros armado*) are used as a demonstration of control over the local populations in restricting their mobility, declaring curfews, and similar (the last in May 2022). While this is often seen as a reaction to the capture or assassination of one of their leaders, it is mostly a show of force (Badillo Sarmiento and Trejos Rosero 2023).

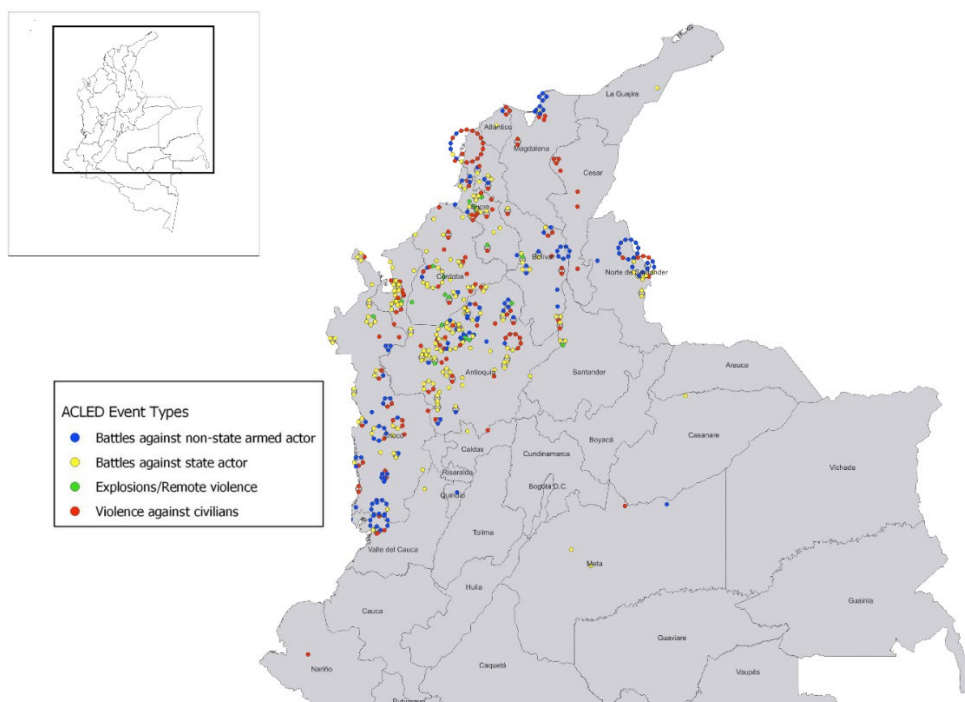
Financing

Extortion and inclusion in the illegal economy (mostly but not exclusively based on drugs) are the AGC’s main sources of income. Today, they are supposed to be the largest drug cartel in South America.

Transborder relations

The AGC has a series of transborder relations via its prominent role in the drug trade and has recently expanded its activities to the Caribbean coast and the borders with Ecuador and Venezuela.

Figure 6. Violent Events Involving the AGC, 2021–2022



Source: Carla Kienel based on ACLED (Raleigh et al 2010)

Strategies used

The Colombian government has used a mixture of strategies to deal with the AGC. Talks on submission to the rule of law in 2017–2018 failed (Felbab Brown 2020). Afterwards, the main strategy consisted of direct armed confrontation as well as the assassination or imprisonment of its leaders and members. While the government of Iván Duque (2018–2022) claimed to have captured Otoniel, he declared that he had surrendered himself to the police. He was later extradited to the US, being sentenced to 45 years in prison in August 2023.

A change in strategy came with the election of the country's first leftist president, Gustavo Petro (2022–). He pursues a “total peace,” aiming at the demobilisation of all non-state armed actors either via negotiation (groups granted political status) or submission to the rule of law (those considered to be criminal). During the Petro government's first year in office there have been ups and downs. While, as noted, the truce with the AGC was suspended, negotiations with the ELN have led to a ceasefire (for six months, starting in August 2023). However, this policy is highly contested and complicated: First, due to the multitude of NSAAs fighting for territorial control despite the fact that many have expressed their interest in talks with the government. Second, the current legal frame for talks with these groups distinguishes between “political” and “criminal” actors. Dissident FARC factions (Estado Mayor Central and Segunda Marquetalia) insist on their own political nature. As many of their leaders first formed part of the agreement with the FARC (e.g. Iván Márquez is one of the signatories) and declared later their return to taking up arms, this poses significant legal and political hurdles for the government – which lacks a majority in Congress.

These approaches draw on and are informed by Colombia's experiences during the last few decades. Various governments have pursued diverse approaches to dealing with NSAAs. Since 1982, they have sought to end armed conflict via peace negotiation with those NSAAs having a political agenda. Two means of negotiation have dominated: First, negotiations directly or indirectly related to political reforms. Second, agreements limited to the demobilisation of armed actors and reduced punishment for those cooperating with the judiciary (since the early years of the new century).

What lessons can we learn?

Both adopted approaches – negotiation and repression – have revealed similar limitations and problems: namely, they each lead (unintentionally) to the fragmentation and recycling of armed actors. A significant number of combatants has demobilised with one force but shortly after joined or founded another. As long as the state and its security forces are unable or unwilling to intervene in these contexts and the structural conditions providing the fertile ground for taking up arms prevail (lack of livelihoods for youth, high levels of inequality, rural–urban disparities, and similar), the cycles of violence will only continue. Another contributing factor to their persistence is the fact that demobilised fighters face a high risk of being assassinated.

According to the last report of the UN Secretary General to the United Nations Security Council (2023), 375 demobilised FARC ex-combatants have been killed since the signing of the peace agreement in 2016. This shows how contested peacebuilding is. While a majority of Colombians are in favour of ending violence, how to do it is contested and there are still influential actors that seem to gain more from violence than from its cessation. The Colombian state needs to contain, marginalise, and combat these actors (armed and non-armed alike).

6.2 Mali

After two military coups in the past three years, Mali suffers from a multitude of overlapping crises.

JNIM

Jihadists, in particular JNIM (Jama'at Nusrat al-Islam wal-Muslimin), attack civilians and military forces and are gaining ground in central and southern Mali. In rural areas, ethnic tensions and intercommunal violence are on the rise, as often fuelled by jihadists. With the withdrawal of international troops in the last year and the increased number of clashes between state forces and rebels, violence is spiralling – particularly against civilians. While jihadists are still the main perpetrator of human rights violations, a considerable number hereof can also be attributed to the Malian security forces (Tine 2022). Given the threat posed by JNIM for regional stability, we will focus on it specifically.

Embeddedness

JNIM is a coalition of Islamist insurgents formed in 2017, pledging loyalty to Al-Qaeda (International Crisis Group 2021). It is led by Iyad Ag Ghaly, a former Tuareg rebel turned jihadist and consists of four groups: Ansar Dine, Katibat Macina, al-Mourabitoun, and the Sahara branch of Al-Qaeda in the Islamic Maghreb (AQIM) (Thompson 2021). The goals of these groups can be broadly defined as first the withdrawal of all foreign forces from the country and second the creation of an Islamic republic and sharia law and society. However, while the coalition has a central leadership, each group has a certain level of independence with regards to how to achieve these goals and how to rule in their respective spheres of influence (Guiffard 2023).

Relations with state and society

JNIM actively attacks state forces, foreign troops such as MINUSMA (the UN's Multidimensional Integrated Stabilization Mission in Mali), and civilians. Still, particularly regarding violence against civilians, there are significant differences within the coalition. Given its decentralised organisation, different factions rely more heavily on violence against civilians than others (Thompson 2021). For instance, while only 2 per cent of JNIM attacks in northern Mali

target civilians, they make up to one-third of all attacks in central Mali in areas under the control of Katibat Macina (Eizenga and Williams 2020).

JNIM tries to rally popular support for recruitment and force the government to negotiate, which is why officially the group announced it would not harm civilians who do not resist JNIM's governance claims (International Crisis Group 2021). Instead of mass punishments, the group tends to quell dissent more discreetly. Namely, by kidnapping or eliminating militia members, communal leaders, or individuals who denounce the group or allegedly collaborate with the security forces (Thompson 2021).

The group has various strongholds in northern and central Mali and exercises governance-like functions (Doxsee and Thompson 2022; Guiffard 2023). Under the threat of violence, JNIM imposes a conservative Islamic governance, including the outlawing of traditional customs, forbidding the celebration of weddings and baptisms, forcing men to attend mosque services (Thompson 2021), banning the mixing of sexes in public transport, instituting Islamic courts, and prohibiting public schools. However, when imposing sharia law, the group tends to have a more pragmatic approach as violent enforcement might cause a backlash, which is why JNIM often refrains from punishments such as stoning for adultery or cutting off the hands of thieves (International Crisis Group 2021). It rarely establishes control by actively occupying a settlement. Instead, the jihadists tend to camp outside the city, using guerilla tactics and imposing blockades on the movements of goods and people. They tend to leave the existing hierarchy intact and impose a shadow government while using fear to induce cooperation, thus seeking not to antagonise communal leaders (Guiffard 2023). For instance, JNIM permitted participation in the national elections of 2018 as well as allowing people to elect their own qadis among local religious leaders – albeit alongside opposing open elections (International Crisis Group 2021).

While JNIM consists of members from multiple ethnic backgrounds, the majority are Fulani (Eizenga and Williams 2020; Thompson 2021). The struggle between different ethnic groups in Mali, often over access to land or water, is fuelled by JNIM's activities. The group in particular has attacked the Dogon people, who have built self-defence forces such as Dana Ambassagou and retaliated against Fulani civilians suspected of collaborating with the jihadists (Eizenga and Williams 2020; International Crisis Group 2020). Moreover, a general stigma has led to indiscriminate violence against Fulani civilians by Mali's security forces, facilitating the recruitment of new JNIM members out of revenge (Human Rights Watch 2021; Thompson 2021).

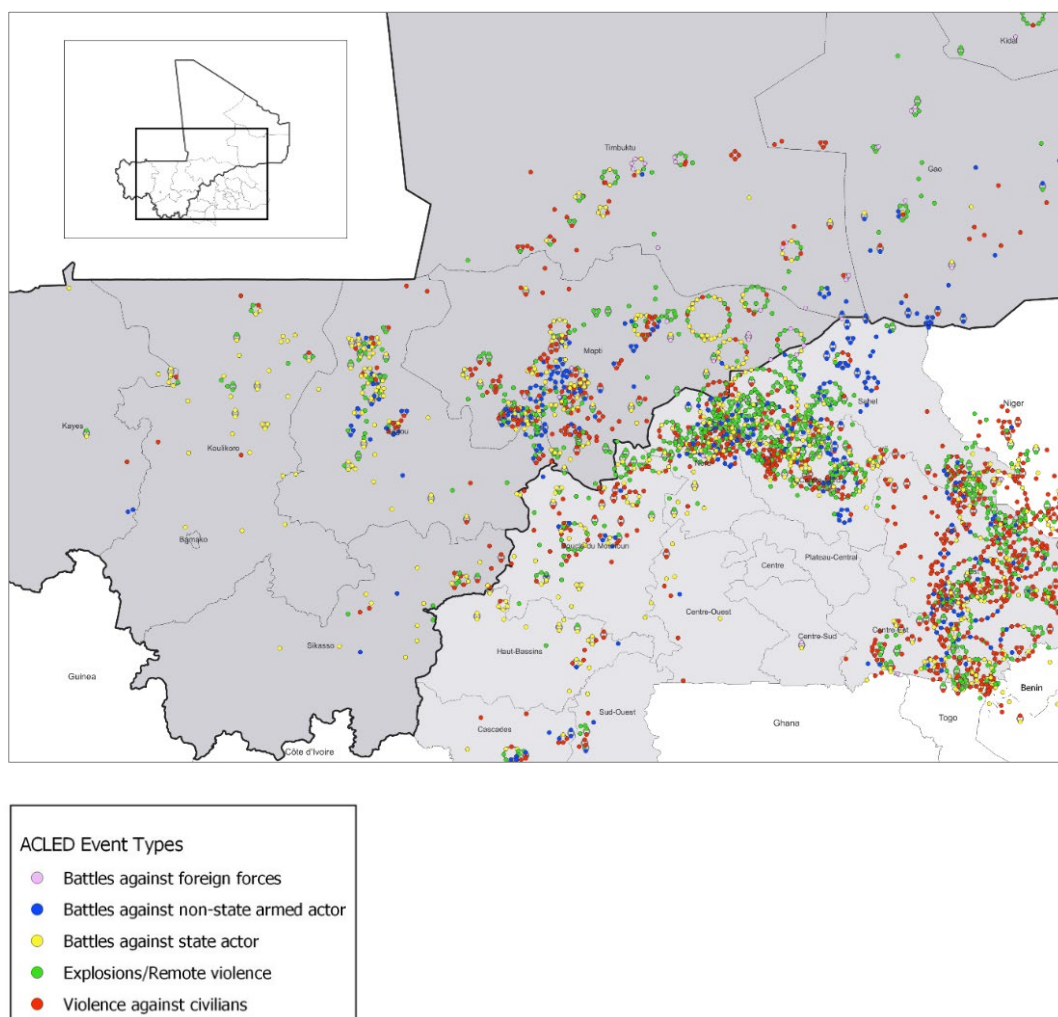
Financing

JNIM relies on a variety of income sources. The yearly amount is estimated to be between USD 18 to 35 million, from ransom money, looting, extortion, smuggling, or illicit taxation. Ransom provides the main source of income among all these, estimated to bring in roughly USD 8 million annually (Nellemann et al. 2018). JNIM strategically chooses high-profile targets and

foreigners to enter negotiations about ransom payment and prisoner release (Guiffard 2023). In October 2020, for instance, JNIM achieved its largest prisoner release yet, with over 200 persons freed in exchange for two French and one Italian citizen as well as former opposition leader Soumaïla Cissé (International Crisis Group 2021). Another significant revenue stream is derived via taxation and extortion. On the one hand, JNIM taxes transnational criminal organisations that rely on important smuggling and transit routes through northern Mali (Eizenga and Williams 2020; Tinti 2020). On the other, JNIM imposes taxes on companies and civilians working in areas under their control (Guiffard 2023; Thompson 2021). Additionally, JNIM generates income from communities engaged in artisanal mining activities. At the same time, it is directly involved in the smuggling of drugs and other contraband such as cigarettes (Nellemann et al. 2018; Oneko 2017). Finally, JNIM regularly launches attacks on Malian military bases and Wagner troops to kill soldiers but also to seize equipment, vehicles, weapons, and prisoners for exchange (Guiffard 2023).

Transborder relations

Figure 7. JNIM Violence in Mali and Burkina Faso, 2021–2022



Source: Carla Kienel based on ACLED (Raleigh et al 2010)

JNIM's activities are not confined to within Mali's borders alone but reach into neighbouring countries too, with a particular focus on Burkina Faso and Niger. While the group used to cooperate with Islamic State in the Greater Sahara in the past, they have clashed a number of times since 2020 over access to land and pasture (Nsaibia and Weiss 2020).

Strategies used

The Malian government and its international partners have relied primarily on a militarised approach, thus not addressing the underlying political drivers of conflict (Dakono 2022; Doxsee et al. 2022; International Crisis Group 2020; Thompson 2021). While this has enabled mostly tactical victories, such as the elimination of several members of the JNIM leadership, Mali's armed forces and its Western allies have not managed to gain the upper hand in the past decade (Thompson 2021). This is partly due to the fact that counterinsurgency efforts are largely based on the wrongful assumption that the root of the current crisis is jihadists per se rather than governance issues (Doxsee et al. 2022). Moreover, counterinsurgency activities are often accompanied by extensive human rights violations, undermining the operations in the long run and playing into the hands of jihadists for recruitment purposes (Thompson 2021). While these abuses were already present prior to the departure of French forces from Mali in 2022, the frequency and intensity of them increased significantly with the stronger engagement of the Wagner Group (Doxsee and Thompson 2022; International Crisis Group 2021). The latter is unlikely to eliminate the JNIM threat, given their significant smaller force and lack of experience and professionalism compared to the French *Operation Barkhane* (Doxsee et al. 2022). Instead, the Wagner Group is likely to coup-proof the military junta in Bamako and protect its own interests – mainly mining sites – while committing atrocities against civilians (Doxsee et al. 2022). At the same time, the Malian state increasingly prosecutes political opponents, attacks the media, reduces civic space, and forbids international investigations of human rights abuses (Doxsee and Thompson 2022; International Crisis Group 2021). MISMA and the G5 force are ill-equipped for the task of fighting JNIM and other similar groups, with the former having a strict mandate limiting its abilities to engage extremists and a troop contingent too small to control an area twice the size of Western Europe (Tuma 2022). The mounting violence against civilians by predatory state actors and unresolved grievances drive people into the arms of jihadists or lead to the creation of self-defence or communal militias, thereby exacerbating the crisis (Doxsee and Thompson 2022).

After a decade of failed counterinsurgency endeavours by the Malian military and an increasing deterioration of the security situation in the country's northern and central areas, various rural communal leaders have attempted to hold direct local dialogues with Islamist insurgency groups to end the fighting. In many cases, these communal leaders have accepted sharia law to varying degrees. This has served as a compromise to help end sieges and avoid further killings, thereby leading to temporary ceasefires (Kleinfeld and Tapily 2022).

On the national level, the government openly sought to have talks with jihadists in March 2020, which was positively received by the population; the jihadists also declared their willingness to engage in dialogue. France as well as other partners took a strong stance against negotiating with JNIM and other terrorist groups. However, JNIM's declared goal was to push out foreign forces; the withdrawal of France and other European forces is therefore perceived as a partial victory. JNIM is aware that they cannot win militarily, therefore their strategy is more focused on dragging out the conflict until the other side retreats or becomes worn out. JNIM has no intention of surrendering, rather it can expect significant gains over time. Additionally, JNIM frames the dialogue as a courtesy towards an exhausted public after years of fighting. There is evidence that a large part of the population prefers negotiation over extended fighting (Dakono 2022). In fact, with the recent pullout of France and other international forces there might be a window of opportunity for renewed negotiations. However, currently the Islamists have the upper hand in the circumstances.

What lessons can we learn?

The case of Mali clearly shows once more that an overwhelmingly militarised approach cannot work in a situation of asymmetrical warfare. While ensuring some stability is necessary, it is important to address the political drivers of conflict to ensure an enduring peace. Participation opportunities and having locally elected leaders rather than ones put in power by the central government – who often lack influence and are merely symbolic – are key (Dakono 2022). Given JNIM's favourable current position and extremist goals, it is unlikely to transform into a law-abiding organisation any time soon. However, trying to facilitate talks with jihadists remains a necessary means to end the lengthy conflict.

6.3 The Philippines

The Philippines has a long history of armed conflict and violence, with significant subnational variations shaped by its geography in being home to over 7,000 islands. A communist insurgency (New People's Army) has been active across the islands since the 1960s – specifically in Luzon, the largest of them. Islamic separatists fight for control over the second-largest island Mindanao, which was only integrated into the Philippine state in the twentieth century when the country was occupied by the US. Other conflicts include border disputes with China and the erstwhile “war on drugs” declared by former president Rodrigo Duterte (2016–2022) after he came to power. Unlike in countries such as Colombia, this war on drugs mostly targeted consumers and dealers in cities, not producers. A report by the UN High Commissioner for Human Rights (2020), citing the Philippine Drug Enforcement Agency, stated that between July 2016 and January 2020 the police killed 5,601 people – with drug operations leading to

some 2,022 deaths between July 2016 and November 2017 alone. Beyond this, it is highly interesting that the Duterte government followed up on the various peace processes with the Mindanao separatists.

Moro Islamic Liberation Front (MILF)

The armed conflict in Mindanao has its roots in the patterns of state formation and the economic-development model. Land conflicts stand at the heart of it, as first the US administration and later subsequent Philippine governments promoted migration from Christian Luzon to Muslim Mindanao. Consequently, the Moro population became a minority. Armed resistance against the government of Ferdinand Marcos Sr. began in 1968, with the Moro National Liberation Front (MNLF) formed in 1972. Between 1972 and 1986, the Marcos government ruled under martial law. In 1974, the Moros proclaimed a Free Moro Republic in Jolo, the capital of Sulu Archipelago. The Philippine Armed Forces destroyed two-thirds of the city, leading to at least 300 civilian casualties and seeing 40,000 people be left homeless (Salomon 2022). A peace agreement – supported by the Islamic foreign secretaries in Tripoli (1976) – promoted Muslim autonomy but was rejected in a referendum by Mindanao's Christian majority. The Marcos government offered some limited autonomy in just two administrative regions, which the MNLF declined but some Muslim leaders accepted. This started a process of fragmentation where every peace agreement led to new factions. Fighting resumed in 1977, with varying levels of violence.

Embeddedness

In 1978, the "New MNLF" seceded from the MNLF – changing its name to the Moro Islamic Liberation Front (MILF), emphasising its religious character. A Central Committee oversees the MILF's political structure. In 2012, its military power was estimated to be 8,000 to 11,000 men under arms (Özerdem and Podder 2012, 525). The group is embedded in local communities, as divided between Muslims and Christians, as well as in the secessionist movement for an independent Mindanao. Due to the national government's promotion of Christian migration to and settlement in Mindanao, Muslims there have become a minority. This helped somehow to overcome tribal fragmentation of the Muslim population. Nevertheless, the main driver to join the MILF seems to have been poverty – as wrapped up in a narrative of religious and ethnic exclusion (Özerdem and Podder 2012).

Relations with state and society

At the community level, (the lowest administrative unit called Barangays in the Philippines) MILF has established grassroots organisations and assumed governance functions related to self-defence, justice through Islamic Courts based on sharia law, as well as some socio-economic and cultural functions (Özerdem and Podder 2012). These parallel institutions compete

with institutions organised by the national government such as the “Citizen Armed Force Geographical Units” under the control of the military. Support for one or the other is largely dependent on the geographical distance or closeness to either the MILF camps or the presence of the army.

Financing

Like other NSAAs, the MILF finances its activities through a variety of sources. According to Croissant and Barlow (2007), most of the MILF’s finances are internally generated and stem from illicit economies such as logging, the trafficking of drugs (methamphetamines) and arms, and extortion (a jihadist tax). The MILF has also received funding from Al-Qaeda. Some financing also comes from external sources such as the Moro diaspora.

Transborder relations

Besides its relationship with other Southeast Asian Muslim states and groups, the MILF has actively pursued international diplomacy and successfully sought third-party involvement in talks with the government. The first peace agreement was negotiated in Tripoli (1976), another one in Jakarta (1996), and after 2001 with facilitation of Malaysia and an international contact group (UK, Turkey, Japan, and Saudi Arabia) established in 2009 to accompanying negotiations with the Benigno Aquino III (2010–2016) government in 2011 (Özderem and Podder 2012).

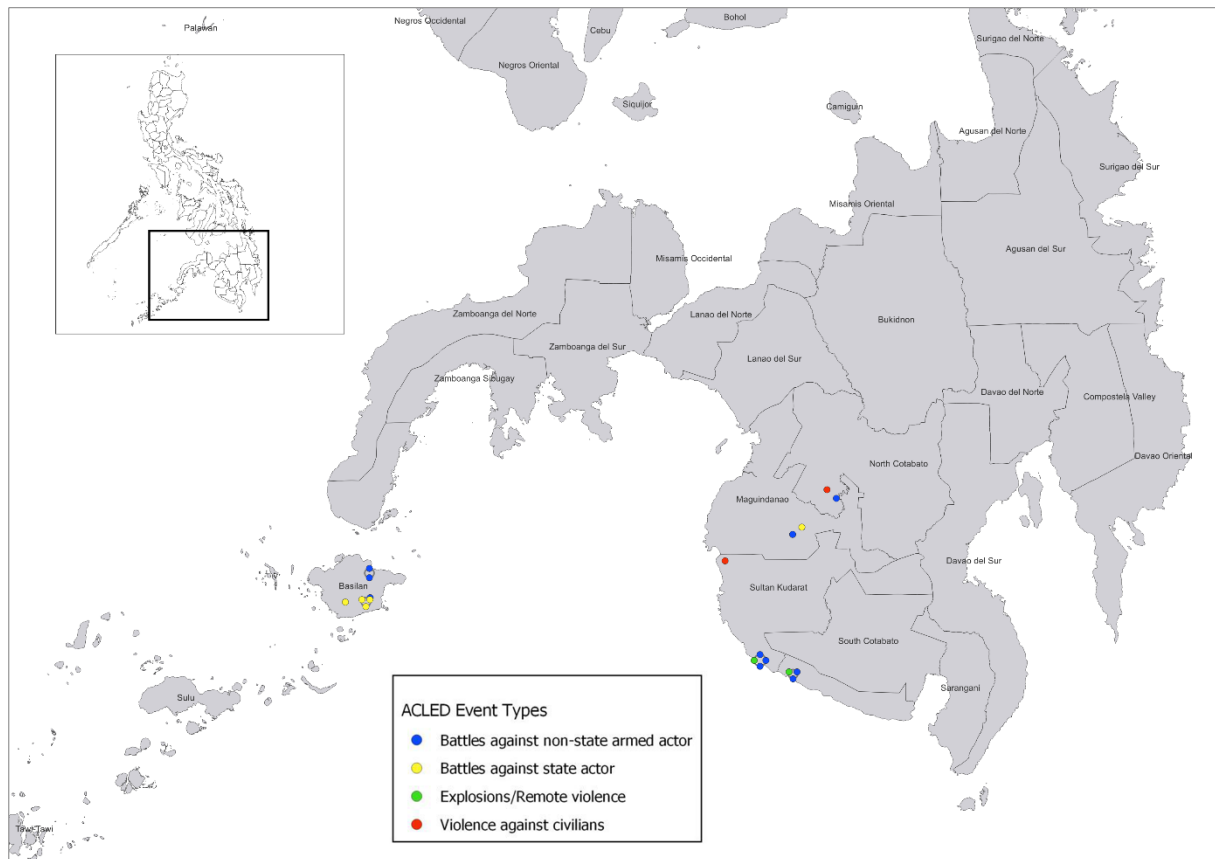
Strategies used

Both the government and the MILF have pursued strategies alternating between high levels of violence and the intention to negotiate an end to the violence. After democratisation in the Philippines in 1986, a new constitution granted some autonomy rights to the Muslim population; nevertheless, violence continued. According to UCDP (2023), violence between the government and the MILF in Mindanao was most intense between 1999 and 2004 – claiming over 2,000 lives. In part this was due to the declaration of an “all-out war” by the Joseph Estrada (1998–2001) government. At the same time, Mindanao has also witnessed violence involving other groups. The most prominent example is the siege of Marawi, when the Maute-ISI group and the Philippine armed forces fought for control. Over 300,000 people were displaced and the city destroyed. However, the violence seems to have “rejuvenated” the stalled peace process in Mindanao (USIP 2022).

The first democratic government under Corazon Aquino (1986–1992) declared a ceasefire in 1986. In the following year, the new constitution authorised the establishment of the Autonomous Region of Muslim Mindanao – covering four of the island’s provinces. This autonomy was accepted in a local referendum. However, while some Muslim groups agreed to political autonomy, others still wanted secession. The 2001 Tripoli Agreement of Peace explicitly recognised three issues: security, rehabilitation, and the traditional rights of the Moro ancestral

domain. However, the peace process had stalled by 2008. A new intent was displayed by the Aquino III government when a framework agreement on Bangsamoro (one of the autonomous regions) was signed in 2012, as was a comprehensive peace agreement in 2014. Nevertheless, military clashes postponed its ratification by the Senate and thus its implementation. A plebiscite endorsed the peace agreement in 2019.

Figure 8. MILF Activities in the Philippines 2021–2022



Source: Carla Kienel based on ACLED (Raleigh et al 2010)

When Duterte was elected president in 2016, he was the first politician from outside Luzon to enter the country's highest office. His government promoted a federalisation agenda and he stuck to the existing road map to peace in Bangsamoro. This peace process envisions two tracks being pursued: First, a political process of self-determination with the establishment of the Bangsamoro Transitional Authority in 2019. Members of the regional parliament and the regional government (former MILF fighters and political clans) were appointed by the president. Elections for the regional parliament and executive functions were originally scheduled for 2022 but were postponed until 2025 due to the COVID-19 pandemic.

Second, there is the so-called normalisation process – as consisting mostly of the demobilisation and disarmament of 40,000 fighters and their civilian supporters. Some 12,000 MILF fighters were demobilised during the first phase of the peace process, albeit with progress being delayed due to the pandemic's onset. In 2022, another 14,000 fighters were set to lay

down their arms. As of May 2023, nearly 25,000 persons had been demobilised. The last phase of the process is supposed to end before the elections in 2025. Socio-economic support for former fighters, their families, and communities is a weak spot in this process. While violence is sporadic (see Figure 8 below), there have been some serious incidents having the potential to endanger the overall peace (International Crisis Group 2022, 2023; Engelbrecht 2022).

What lessons can we learn?

The transformation of the MILF – from secessionist insurgency to regional government – shows how violence and the intent to deal with the underlying causes of conflict come to interact with each other. First concessions towards some form of autonomy and subsequent peace talks incentivised the fragmentation of the separatists along the question of autonomy versus secession. As early as 1991, the Philippine branch of Abu Sayyaf split off and absorbed former MNLF members; in 2008, the Bangsamoro Islamic Freedom Fighters broke with the MILF. On the other hand, the government had to upgrade the autonomy proposal and make it politically significant. Violence played a major role in bringing the government and the MILF to the negotiating table.

The open question for the immediate future is what happens if the political party related to the MILF, the United Bangsamoro Justice Party, does as poorly as it did during the 2022 municipal elections when it fared badly even in communities that were supposed to be MILF strongholds. The elections also showed the power of Mindanao's traditional political clans. This bears a resemblance to problems encountered elsewhere: namely, how peace processes must deal with power relations on the ground as not all actors (e.g. political and economic elites) fully buy into such agreements necessarily.

7 Creative and Context-Sensitive Policies

Dealing with NSAAs is difficult, might go in different directions, and is highly context-sensitive. Some positive experiences provide evidence that the transformation of NSAAs into political parties is indeed possible. Think about the South African ANC (African National Congress), El Salvador's FMLN (Frente Martí de Liberación Nacional), or the East-Timorese FRETILIN (Frente Revolucionária de *Timor-Leste* Independente). However, these examples are from the late twentieth century and might not be replicable under today's circumstances. At the same time, they also show that revolutionaries in the government have serious problems with hierarchical structures, a lack of transparency, and the acknowledgment of an independent civil society.

The transformation of NSAAs faces at least five major challenges:

- 1) Academics and policymakers need to recognise that a clear-cut distinction between "political" and "criminal" actors is not possible and that a vast grey zone between the two exists.

The framing of NSAAs as political or criminal follows not only an analysis of their formulated goals and objectives but also the interest and priorities of those actors who do and use the framing. While a political frame suggests a certain form of legitimacy, a criminal one disqualifies and renders illegal. This does not neglect the urgent need to contain and prosecute the illicit forms of financing these groups use. However, NSAAs are not the only actors profiting here. In most countries, there are significant networks between state and non-state, armed and non-armed, legal and illegal actors in the value chains of these products. Successful transformation needs to take into account these networks across production, trafficking, and money laundering. Sole focus on the NSAAs is insufficient.

- 2) Where negotiations between governments and NSAAs happen, either in the context of peace agreements or beyond, there is a high probability of fragmentation and factionalism within those armed groups. Small to medium-sized ones may stay armed or re-arm: the above-mentioned cases of Colombia's Gulf Clan and the Philippine MILF provide evidence for this. Related problems should not be reduced to the discussion of "spoilers." While these exist, in many cases splinter groups or factions are a sign of the persistence of the structural drivers of violence such as a lack of livelihoods. All actors involved in peacebuilding need to develop strategies to cope with these actors.
- 3) The prevailing focus on the national level and the state is not adequate, as the latter may be just one among many influential actors. At the same time, many NSAAs do not pursue objectives at the national level but have rather local agendas (and influence). However, local and subnational developments may impact on or be entangled with the national level. Border regions are a case in point: either because rebels or insurgents may find a safe heaven or because the trafficking of illegal goods passes borders. Peacebuilding should thus always include a regional dimension, to prevent processes of transborder shift or displacement (Almohamad, Kirchschrager, and Kurtenbach 2020).
- 4) Given NSAAs' fast adaptation and change in strategies, more efforts are necessary to provide policymakers with real-time analysis for effective conflict management. Therefore, policymakers should strengthen the capabilities of organisations aiming to obtain micro-level data and a local impression of the scope and scale of illicit economies. While these are by definition rather difficult to obtain, there have been some promising attempts here at by organisations such as GITOC.
- 5) Last but not least, and closely related to these points, the protection of civil society actors such as reform agents and human rights defenders is key for important transformations that may reduce and/or prevent violence. Consequently, the transformation of NSAAs needs to be based on the rule of law, human rights, and must proceed with high levels of transparency and accountability.

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