

CROSS –STRAIT COOPERATION IN FIGHTING AGAINST CHINESE ORGANIZED CRIME

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Fighting organized crime (OC) with joint efforts has already become a prevalent practice among different regions of the world. However, if politics became the major stumbling blocks for the mutual cooperation to combat OC, and that would be interesting to see how this security issue can be addressed. In Asia, People's Republic of China (PRC) and Republic of China (ROC or Taiwan) are perhaps the two most peculiar states whose bilateral relations are way too complex to explain in any lengthy articles. Over the decades, contentions about the history and national identities always come into play on both sides, and consequently, they see each other as potential enemies. This has largely thwarted the cooperation in many aspects between them.

However, no matter how struggling they are, they have to face the same challenges, as other nations do: transnational threats. Since the 1990s, the dynamics of globalization has dramatically changed the socio-economic and security environment in East and Southeast Asia. The security threats, such as terrorism, territorial conflicts, possible warfare in the Korean Peninsula and Taiwan Strait, the proliferation of weapons and nuclear armament and transnational organized crime, have existed in the region for decades or even centuries, and the irresistible wave of globalization has transformed them massively. Among them, OC is one of the most devastating security threats. Over the past decades, many Asian countries, PRC in particular, have enjoyed the economic booms. According to UNODC, the Asian countries' growth in international trade has grown 527 times from 8.3 billion dollars in 1948 to 4,353 billion dollars in 2008.ⁱ Following this tremendous economic upgrades, the "illicit economy" has also boosted tremendously. This gives OC groups a great environment to grow. In other words, globalization has helped transform OC in terms of the criminal activities, the people and groups involved, and the capacities to conduct their illegal businesses across the borders in the region.

Faced with this inevitable challenge, both side of the Taiwan Strait must do something, putting aside their political and ideological differences. One of the practical ways to look at the OC problem and to cooperate with each other is to perceive OC as their common enemy, or, a common security threat. Given that the OC has yet to become a direct threat to national security to PRC and Taiwan, it'd be down-to-earth to see it as a non-traditional security (NTS)

issue. THE Chinese Art of War master Sun Tzu says, “*Know your enemy and know yourself, and you can fight a hundred battles without defeat.*” From the scope of NTS, there are several key viewpoints on OC, from which we can know better about it: First, speaking about the reference object, since NTS considers OC groups as non-state actors, hence OC can be seen as an object in security issue. Secondly, regarding the values, the threat posed by OC not only harms the cross-strait and societal interests, but also the national ones. Thirdly, concerning the source of threat, OC posts challenges on a state both from internal and external source. Fourthly, in terms of means, NTS stress on governmental and instrumental cooperation as means to gain security, because OC problem cannot be solved by a single state. Lastly, as to the roles of state and non-state actors, NTS recognizes non-state actor as an important player, so the transnational OC groups can be recognized as “illicit” non-state actors gaining the illegitimate profits.

Now, if both sides of the Taiwan Strait see OC as a common NTS threat, then where is their common target? Probably the most serious NTS threat is Chinese OC, which is considered by both sides as an obvious common target. When we look at the Chinese OC, two things must be identified: *who they are* and *what they do*. In terms of *who they are*, both sides have to realize which OC groups would damage their security. Two ways to determine this: the first one is to look into the “traditional” OC groups in the region. Perhaps the most prominent groups are the Chinese Triads. This term is not belong to any single syndicate, but is a general name for the OC groups which has existed in Chinese underground society for centuries. The UN and US has identified at least five Chinese OC groups in PRC and Hong Kong: the Liu Yong, the Zhang Wei, and the Liang Xiao Min, The Fuk Ching and The Tung On syndicate. In Taiwan, The nearly 60-year-old Bamboo Union is the largest in the country, followed by the Four Seas Gang and the Tiendaomeng. The all have solid roots in local society and run their own illicit businesses, sometimes cooperate with OC groups in PRC, Hong Kong and Japan. The second one is to look into any OC groups in which the gang members work together “temporarily” for gaining short-term profits. The size of this type of Chinese OC group is much smaller, and most of them do not have a name for themselves. Notwithstanding, with the help of modern technology, they can now operate transnational dirty jobs easily, and the national revenue is of course hampered by them.

Concerning what they do, the Chinese OC groups take advantage of the proximity, the insufficient rule of law and poorer economy of the neighboring Southeast countries, and run their cross-border illicit businesses with more ease. Some of their major activities are listed as the following: The first is human trafficking and smuggling, a modern type of slavery. It is one of the major concerns for most Southeast Asian countries. The second is drug trafficking. East and Southeast Asia has been had the problems of drug production and distributions which affected the health security and human security to a large extent. The third is trafficking in small arms and light weapons. This has something to do with the small arms proliferation problems because of ethnic, cultural and political diversity, and emergence of major organized crime. The fourth activity is counterfeit goods/pharmaceuticals. PRC, in particular, has grown rapidly as the world’s workshop, and according to World Customs Organization data, in recent years around two thirds of counterfeits discovered worldwide were shipped from PRC. Finally, the telecommunication frauds have become a new profitable business in the region. With the advancement of technology, Chinese OC groups now make use of the computer/ smart phone apps, such as LINE, WeChat, Skype, Weibo, along with other telecommunication tools such as VOIP(voice over IP), to establish call centers and scam people in the region. Millions of US dollars have been lost within the past years. Surprisingly, their bases can be found all over the East and Southeast Asia countries.

Recognizing the Chinese OC as a common threat and the necessity to work hand-in-hand, PRC and Taiwan therefore reached a consensus and signed the “Cross-Strait Joint Crime Combat and Mutual Legal Assistance Agreement” in 2009. Both Taiwanese and Chinese police forces implemented the Agreement and established direct cooperation mechanisms. Since then, many Chinese OC groups have been busted as a result of the cross-strait intensive joint operations. Taking example of the transnational fraud crimes involving Chinese OC groups, in Taiwan only, the annual average fiscal loss due to fraud amounts was more than NT\$10 billion from 2005 to 2009. However, after three years of cooperation across the Strait, the fraud fiscal loss amount dropped to NT\$4.98 billion in 2011.ⁱⁱ

To conclude, with the globalization process, the Chinese OC is no longer limited within borders. On the contrary, it has spilled over across the boundaries of the countries in the region, and become more transnational per se. In the past, both PRC and Taiwan addressed this issue separately, owing to the political impediment as well as the different perceptions about the security threat. However, the global trend has transformed the Chinese OC modus operandi and it has become a major NTS issue that both side of the strait can do nothing but to face it and really work hand-in-hand. It turned out that the Chinese OC has been perceived as their common enemy. Bearing this in mind, the Cross-strait started to institutionalize their joint efforts which led to the signing of the agreement, which has yielded a fruitful outcome. This type of cooperation has indeed become a new model of mutual cooperation in fighting against Chinese OC in East and Southeast Asian region.

ⁱ World Drug Report, 2010, United Nations Office on Drugs and Crime.

ⁱⁱ Mainland Affairs Council, June 2012, www.mac.gov.tw/public/Data/2101911582271.pdf