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Transnational organized crime in West Africa: the additional challenge

ANTONIO L. MAZZITELLI*

The beginning of the twenty-first century has been celebrated all over the world as the century of the African renaissance. Africa has indeed been the subject of several ambitious programmes devised by African institutions, the United Nations and bilateral partners, aimed at facilitating and supporting the development of the continent.¹ In parallel to these programmes, Africa has recorded promising political achievements, with the ending of several conflicts and the strengthening of democracy. In West and Central Africa peace was restored in Sierra Leone, Liberia and Guinea-Bissau. A turbulent electoral process marked the end of the transitional phase in the Democratic Republic of Congo even though the political situation in some parts of this vast country continues to be a source of concern. The crises which erupted in Mauritania in 2005 has been successfully handled with functional democratic rule (re-)established by 2007. In Togo elections scheduled for October 2007 should complete the transition to full democratic rule disrupted by the crisis that followed the sudden death of President Eyadema in 2005. Electoral ballots, judged as fair by international observers, have been and are being carried out across the continent, leading to the ending of transitional regimes in Liberia, Sierra Leone, Mauritania and the DRC, and the emergence of new political figures in, for example, Benin (President Yayi Boni, elected in March 2006) and Nigeria (President Umaru Yar Adua, elected in 2007). Economically, too, Africa has scored significant progress.² Positive trends in GNP growth recorded almost everywhere in the region on which this article focuses are the result both of improved

* The views expressed in this article are those of the author and do not necessarily reflect those of the United Nations and the UN Office on Drugs and Crime.

¹ New Partnership for Africa's Development (NEPAD), adopted by the African Union (AU) at the 37th session of the Assembly of Heads of State and Government, July 2001, Lusaka, Zambia; New Global Compact for Africa's Recovery, adopted by the UN Economic Commission for Africa, Conference of African Ministers of Finance, Algiers, 8–10 May 2001 (based on plans and resolutions on Africa adopted by the UN at the Millennium Summit of Sept. 2000); Africa Action Plan, adopted by the G8, Kananalis, Canada, 2002, and subsequent G8 declaration at the Gleneagles Summit of 2005; *Our common interest: Report of the Commission for Africa* (London: The Stationery Office, March 2005); *EU strategy for Africa: towards a Euro-African pact to accelerate African development* (Brussels: Commission of the European Communities, Oct. 2005); *Plan de acción para África Subsahariana 2005–2008* (Madrid: Ministerio de Asuntos Exteriores y de Cooperación, June 2006).

² World Bank, *World Development Indicators 2006* (Washington DC, April 2006). Data in this document show a remarkable recovery in sub-Saharan Africa's growth since 2000. Twenty of the region's 48 countries grew by more than 5% in 2004. The surge in oil exports and the boom in the price of oil have helped, pushing up growth rates among oil producers such as Angola, Chad, Nigeria and Sudan. But 15 non-oil-producing countries have had an average growth rate of 5.3% since 1995, demonstrating their potential for long-term growth.

management of public finances, increased integration of West African produce into world markets, and of the decision taken by the international community progressively to recompense virtuous national efforts by alleviating the burden of external debt.

Despite these developments, however, West Africa continues to remain one of the world's most sensitive and volatile regions. Peace is still in the making in Côte d'Ivoire following the signing of the March 2007 Ouagadougou Agreement; kidnapping of foreign workers and violence continue to mark the development of the crisis in the Delta region of Nigeria;³ turmoil and instability are regularly reported from Guinea.⁴ In the Sahelian band, Touareg rebels periodically take up arms against governmental forces in Niger, Mali and Mauritania, justifying fears about possible infiltration by Al-Qaeda terrorist groups in the region.⁵ In Chad, the rule of President Idriss Deby is under serious challenge from disaffected army officers.⁶ The military crises in Chad and Sudan also spill over to affect the fragile stability of the Central African Republic,⁷ where rebel groups and the government regularly negotiate short-lived peace agreements with the help of the UN.

Varying in their ethnic mixtures, cultural backgrounds and endowments of natural resources, West African countries have in common some of the lowest standards of living in the world. Thirteen out of the 15 members of the Economic Community of West African States (ECOWAS) are among the bottom 30 countries in the 2006 Human Development Index compiled by the UN Development Programme.⁸ Wide inequalities in the distribution of wealth, unchecked population growth and the associated rapid, uncontrolled urbanization are all common features across West African societies,⁹ and all contribute to the increased salience of crime and criminal activities among the options available to individuals seeking to break out of poverty. The very structure of many West and Central African economies, based on exploitation of natural resources (mining or single-crop, export-oriented agriculture), coupled with a patrimonial conception of the state within which national natural and financial resources belong to the individual(s) in

³ International Crisis Group (ICG), *Fuelling the Niger Delta crisis*, Africa Report 118, Sept. 2006; ICG, *The swamps of insurgency: Nigeria's Delta unrest*, Africa Report 115, 3 Aug. 2006.

⁴ ICG, *Guinea: change or chaos*, Africa Report 121, 14 Feb. 2007.

⁵ The Sahelian band region is known for hosting logistic bases of the Salafist Group for Preaching and Combat which recently renamed itself Al-Qaeda Organization in the Islamic Maghreb.

⁶ ICG, *Chad: back towards war?*, Africa Report 111, 1 June 2006.

⁷ *Report of the Secretary General on the situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic*, United Nations S/2007/376, 22 June 2007.

⁸ United Nations Development Programme, *World Human Development Report 2006* (New York, 2006). The report lists 177 countries. Because of the lack of data, the listing does not include Liberia. The Economic Community of West African States (ECOWAS) includes Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

⁹ World Bank, *World Development Indicators 2006*; UNDP, *World Human Development Report 2006*. According to one estimate, between 1750 and 1996 Africa's population increased from 95 million to 732 million people. By 2016, the UNDP estimates that the population of sub-Saharan Africa alone will increase by more than another 200 million. On urbanization, see J. R. McNeill, *Something new under the sun: an environmental history of the twentieth-century world* (New York: Norton, 2001). In 1890 approximately 5% of Africans lived in urban areas; by 1990 the figure was 34%. The number of mega-cities on the continent has also mushroomed: in 2000 there were 36 cities with populations of between 1 million and 10 million people, and two (Cairo and Lagos) with populations of over 10 million.

power,¹⁰ also contribute to the creation of an environment where a disregard for existing laws and the use of institutional prerogatives for private goals is considered not only justified, but an indicator of power.¹¹

All these factors also attract unscrupulous economic operators, facilitate the establishment and development of local and transnational criminal networks, and foster a cultural model under which money can buy everything, including impunity, political power, social status and respectability. From this perspective, transnational organized crime represents not only a serious challenge to the balanced and sustainable development of individual countries and the region, but also a threat to the overall stability of these countries, the region and neighbouring regions. The enormous corruptive power of illicit money, coupled with the inner structural weaknesses of states, endangers the very foundations of the fragile democratic institutions.

Transnational organized crime in West Africa

The increased threat posed by transnational organized crime to the security of both individuals and states was clearly expressed by the 2004 Report of the UN Secretary General's High Level Panel on Threats, Challenges and Changes, entitled *A more secure world: our shared responsibility*.¹² This first important step in acknowledging the threat posed by organized crime has been operationally addressed by all the major partnership programmes developed and endorsed by the international community in recent years with Africa in mind.

Organized criminal groups operate according to strict rational principles aimed at minimizing risk and maximizing profit. Generally speaking, the higher the risk, the higher the profit. This simple formula applies particularly to illicit trafficking, which is intrinsically, albeit not exclusively, a transnational activity. Risks related to such criminal ventures are twofold: first economic, and second judicial. The economic risk attaching to illicit operations is itself twofold: criminal networks are exposed both to the risk of seizure and the consequent financial loss, and to the risk of non-compliance by other criminal business partners to 'contractual agreements'.¹³ The judicial risk relates to the possibility of criminal prosecution and consequent sentencing—although in a transnational context the risk of successful

¹⁰ Patrick Chabal and Jean-Pascal Daloz, *Africa works: disorder as a political instrument* (Oxford: James Currey, 1999); J.-F. Bayart, S. Ellis and B. Hibou, *La Criminalisation de l'état en Afrique* (Brussels: Complexe, 1997); Jean-François Bayart, 'Le crime transnational et la formation de l'état', *Politique Africaine*, no. 93, March 2004; United Nations Office on Drugs and Crime, *Crime and development in Africa* (New York: UNODC, June 2005).

¹¹ Emmanuel Kwesi Aning, 'The development of African criminal networks: the Ghana case', speech delivered at the African Criminal Networks Conference (ACNC), Bangkok, 16–19 May 2006. According to Kwesi Aning, the lack of respect for formal legal systems can also be interpreted as part of the historical rejection by Africans of practices and rules imposed on them during the colonial regime.

¹² *A more secure world: our shared responsibility*, report of the High-Level Panel on Threats, Challenges and Changes (New York: UN, 2004). The panel identified six security challenges: war between states; violence within states, including civil wars, large-scale human rights abuses and genocide; poverty, infectious disease and environmental degradation; nuclear, radiological, chemical and biological weapons; terrorism; and transnational organized crime.

¹³ In this context recourse to violence is the only available means to participants in criminal ventures to ensure their claims are respected.

prosecution is often mitigated by the many loopholes in various national legislations, which tend to limit, or even preclude, efficient international cooperation in criminal justice cases.

While drug trafficking remains by far the most lucrative transnational criminal activity,¹⁴ today's criminal networks have diversified their portfolios in order both to reduce risks and to make it more difficult for law enforcement agencies to trace them. Criminal activities such as trafficking in people, stolen vehicles, natural resources, firearms and contraband, counterfeiting and intellectual piracy, smuggling of migrants, and cybercrime all feature on the menu of services offered by criminal networks. All these activities go hand in hand with laundering of money and corruption, the two most essential means criminal networks must master in order to benefit from their illicitly acquired revenues and expand their range of activities and power. Through corruption, criminal operators can obtain protection from public officials, influence political decisions and infiltrate legitimate businesses.

West Africa as a whole, as well as individual West African countries, presents nowadays the ideal conditions for the establishment of structured criminal networks because of its competitive advantages in reducing risks and consequently maximizing profits. The permeability of national institutions to corruption, the porosity of borders, the structural deficiencies in states' control of their territories and enforcement of the rule of law are all among the factors that explain both the increased importance of West Africa in the map of transnational organized crime, and the rapid growth and development of West African transnational criminal networks. At the same time, the very nature of the issue, coupled with a chronic lack of official data, makes its analysis difficult: available information is based for the most part on secondary sources, and analysis must rely on direct field experiences rather than investigative and judicial proceedings.¹⁵ With the exception of a few bilateral drug liaison officers posted in the region, the only international specialized expertise available there is provided by the United Nations Office on Drugs and Crime (UNODC). Formally established in 2001 but with a previous history of almost 100 years under different names and acronyms, the UNODC is a specialized UN programme with both normative and operational functions in the areas of narcotics control, transnational organized crime, corruption and anti-terrorism (legislative assistance only).¹⁶

¹⁴ UNODC, *World Drug Report 2006* (New York, 2007). According to the UNODC, the overall turnover of the illicit drug industry worldwide can be estimated at some \$300 billion annually.

¹⁵ In order to diminish this significant gap the UNODC is currently implementing an Africa-wide programme named 'DATA for Africa'. Its objective is to assist African countries in better monitoring, understanding and thereby tackling the drugs and crime nexus and its links with socio-economic development. Data are collected through individual African states' responses to the official UN questionnaires on drugs and crime and through the implementation of crime victim surveys.

¹⁶ The UNODC's mandate derives directly from the three UN Anti-Narcotic Conventions (and related protocols) of 1961, 1971 and 1988; the UN Convention against Transnational Organized Crime of 2000, and its three protocols addressing trafficking in persons, smuggling of migrants and illicit manufacturing of and trafficking in firearms; the UN Convention against Corruption of 2003; and the 13 international instruments on combating terrorism. In West Africa the UNODC operates through its regional office for West and Central Africa in Dakar, Senegal, and the country office for Nigeria in Abuja.

Drug trafficking

West Africa's seashores and harbours have become the hub of transatlantic cocaine trafficking.¹⁷ In 2007 important cocaine seizures exceeding 150 kilograms have been reported in Benin, Cape Verde, Guinea, Guinea-Bissau, Mauritania and Senegal. Preliminary data for the first seven months of 2007 indicate a record level of 4,300 kilograms of cocaine seized in West African countries, against some 2,500 kilograms in 2006 and 1,200 kilograms in 2005.¹⁸ The massive use of West Africa as a cocaine stockpiling location is further confirmed by seizures made by European and Latin American law enforcement agencies of cocaine shipments from and bound for Africa: in 2006, the Spanish and British navies operating in international waters seized 9,800 kilograms of cocaine on five fishing boats departing from African ports, against 3,700 kilograms seized on a single ship in 2005.¹⁹ Ships are not the only means used by oil trafficking networks for moving large quantities of cocaine to West Africa: in June 2007 the Venezuelan authorities seized 2,500 kilograms of the drug on a private plane allegedly destined for Sierra Leone, and in the same month the Spanish authorities recovered in the territorial waters of the Canary Islands some 800 kilograms of cocaine dropped in the sea by a small private plane that had supposedly taken off in the Sahara Desert, close to Mauritania and the Western Sahara.²⁰ According to several well-informed sources, private planes loaded with cocaine shipments from South America regularly land in Guinea-Bissau.

The analysis of the seizures conducted almost daily both in West Africa and in destination markets indicates the presence and interaction of three different and complementary trafficking structures. The first, led by foreign operators,²¹ moves large shipments of cocaine from Latin America (Colombia via Brazil and Venezuela) to West Africa, whence they are rerouted to final destination markets, mostly in Europe, by the use of containers, ships, private yachts and, more recently, private airplanes.²² The second is operated by well-established local trafficking

¹⁷ US Department of State, *International Narcotics Control Reports 2004 and 2005* (Washington DC, 2004, 2005).

¹⁸ UNODC Regional Office for West Africa, 'Cocaine trafficking in western Africa', unpublished report, July 2007.

¹⁹ UNODC Regional Office for West Africa, 'Cocaine trafficking in western Africa'.

²⁰ 'Venezuela, Panama seize cocaine shipments', World Security Network, 15 June 2007, http://www.world-securitynetwork.com/showArticle3.cfm?article_id=14520&topicID=72, accessed 20 Sept. 2007; 'Hallan 800 kilos de cocaína tras el amerizaje forzoso de un hidroavión', ABC España, 21 June 2007, http://www.abc.es/hemeroteca/historico-21-06-2007/abc/Nacional/hallan-800-kilos-de-cocaína-tras-el-amerizaje-forzoso-de-un-hidroavion_1633827367526.html, accessed 20 Sept. 2007.

²¹ Most of these operators are Latin American, from Colombia, Venezuela, Mexico and Brazil, working in association with Spanish (Galician), Italian (Calabrian and Sicilian), French and Lebanese nationals. Very recently, large seizures conducted in Mauritania and Spain indicate a growing role by Moroccan drug-trafficking networks. According to the US Drug Enforcement Agency, Latin American drug cartels have set up branches in Nigeria, Guinea-Bissau, Guinea and Ghana. See *Drug cartels begin cracking West Africa*, Jane's Foreign Report (London: Jane's Information Group, 23 Aug. 2007).

²² On containers, see 'PJ apreende 500 quilos de cocaína no Porto da Praia', *A Semana*, 17 March 2007, <http://www.liberdadi.com/17-03-07-pj-apreende-500-quilos-de-cocaína-no-porto-da-praia>, accessed 13 Aug. 2007; on ships, see *La policía encuentra 7,5 toneladas de cocaína en un barco retenido en Vilagarcía de Arousa, Elmundo es-efe*, 14 Oct. 2003, <http://www.elmundo.es/elmundo/2003/10/13/sociedad/1066031653.html>, accessed 20 Sept. 2007; on private yachts, see 'Plus de 3 tonnes de cocaïne saisies grâce à la coopération franco-espagnole', AFP, 2 Sept. 2005, http://www.emarrakech.info/Plus-de-3-tonnes-de-cocaïne-saisies-grâce-a-la-cooperation-franco-espagnole_39469.html, accessed 20 Sept. 2007; on private planes, see 'Diez detenidos tras interceptarse en Segovia un avión con 100 kilos de cocaína', *El País*, 5 Dec. 2005.

networks, mainly Nigerian and Ghanaian, who are either paid in kind by foreign cocaine-trafficking operators for the provision of logistic services, or buy directly from foreign traffickers consignments of up to a couple of hundred kilograms. The cocaine received is then either sold on regional markets or rerouted via human couriers to final destinations. These local trafficking networks, which are able to mobilize dozens of human couriers on a single plane flight,²³ are the natural successors of local drug-trafficking entrepreneurs who started their operations in the region in the late 1980s and 1990s, and who progressively graduated from small subcontractors to larger regional independent entrepreneurs. Finally, the wider availability of cocaine at wholesale level and the consequent development of a regional market have generated a new group of operators, the 'freelancers'. These people, Europeans and West Africans with valid resident permits in Europe, invest their savings in the purchase of a couple of kilos of cocaine with the objective of smuggling it to Europe.

Cocaine is not the only narcotic trafficked through and within West Africa. Heroin enters the region mostly by air courier to be later re-exported to Europe and, to a lesser extent, the United States. The air routes linking West and Central African capitals to the air hub of Dubai, either directly or through East African capitals, are the channels through which heroin, mostly from the Golden Crescent (Afghanistan) but also from the Golden Triangle (Thailand, Laos, Burma/Myanmar), reaches West and Central African locations. Contrary to what is happening with cocaine, heroin trafficking through West Africa seems to be declining. The reason for this may be found in the relative stabilization of the heroin market in Europe and the United States, and the consequent reduced premium achievable by traffickers. The situation may, however, change quite soon both because of the overproduction of heroin in the main heroin world supplier, Afghanistan, and the resumption of direct flights from West Africa to North America.²⁴

Compared to cocaine and heroin, hashish is not a profitable item for trafficking in West Africa. Nevertheless, recent events in Senegal and Niger justify renewed attention to the phenomenon, both because of its possible implications with respect to the opening up of more profitable heroin-trafficking routes from South-East Asia, and because of the existence of a well-established trafficking route running through the Sahelian band (from Morocco through Mauritania, Mali, Niger and

²³ UNODC Regional Office for West Africa, 'Cocaine trafficking in western Africa'. In February 2007 Interpol launched an alert following the arrest by the Dutch airport authorities in December 2006 of 32 passengers carrying cocaine. All passengers were on the same plane coming from Guinea-Conakry, transiting through Casablanca and bound for Amsterdam. Twenty-eight of the passengers arrested were Nigerians. In January 2007 the Moroccan authorities arrested 16 Nigerians in Casablanca for cocaine trafficking. They were in transit from Conakry and Bamako and were going to Spain. Between mid-April and the end of May 2007 French authorities at Orly airport in France seized 60kg of cocaine in ten cases on flights coming from Dakar, Senegal. A total of 13 people were arrested, each carrying on average about 4.5kg of cocaine.

²⁴ US Department of State, *International Narcotics Control Report 2006* (Washington DC, 2006), <http://www.state.gov/p/inl/rls/nrcrpt/2006/>, accessed 14 Aug. 2007. In November 2005, following the seizure of 62kg of heroin on an air shipment from Ghana, US immigration and customs enforcement officers arrested Eric Amoateng, a member of Ghana's parliament. On heroin trafficking from Ghana to the United States, see also US Department of State, *International Narcotics Control Report 2007*, <http://www.state.gov/p/inl/rls/nrcrpt/2007/>, accessed 14 Aug. 2007.

Chad to Sudan and Egypt).²⁵ In Niger, the quantities seized, and the *modus operandi* used by traffickers, justify concern about the possible tactical links between drug traffickers and both the current Touareg rebellion and Al-Qaeda cells operating in the region.

Hard drugs smuggled through West and Central Africa are not only trafficked out of the region but increasingly consumed within it. Cocaine and crack cocaine are available in almost every major town of the region at affordable prices.²⁶ Heroin abuse is also reported to be on the increase. Cannabis, unknown in West Africa before the beginning of the twentieth century, is nowadays cultivated almost everywhere for local consumption, trafficking within the region and, to a lesser extent, export to north European markets.

Trafficking in people and smuggling of migrants: the routes of contemporary slavery

Poor security and economic hardship fertilize the soil where trafficking in persons and smuggling of migrants flourish. Children and women from all over West Africa are trafficked for labour and sexual exploitation both within the region and in Europe, the Middle East and the Arabian Peninsula.²⁷

The International Labour Organization (ILO) estimates that 200,000–300,000 children are trafficked each year for forced labour and sexual exploitation in West and Central Africa.²⁸ According to a 2001 survey²⁹ on child labour in West and Central Africa, some 330,000 children were employed in the cocoa agricultural industry only in Cameroon, Côte d'Ivoire, Ghana and Nigeria. Out of the 230,000 children working in Côte d'Ivoire, some 12,000 had no family connection to the cocoa farmer or any local farm in the country, and 2,500 were recruited by intermediaries in Nigeria and Côte d'Ivoire. Girls are more frequently the victims of

²⁵ For Senegal, see US Department of State, *International Narcotics Control Report 2007*. In March 2006 customs authorities seized a shipment of some 8 tonnes of hashish in a container from Pakistan that was destined for Europe. For Niger, see *Political drift and rebellion in Niger*, Jane's Foreign Report (London: Jane's Information Group, 7 June 2007). In 2006 and 2007 Nigerian authorities patrolling the northern part of the country made five seizures of hashish totalling some 5.7 tonnes. Drug traffickers were using large and well-armed convoys of four-wheel-drive vehicles. Following the accusation by the government of Niger of having initiated the rebellion only to cover up the hashish trade, on 13 June 2007 the leader of the Touareg rebel movement Mouvement des Nigériens pour la Justice (MNJ), Aghali Alambo, announced the seizure of an important shipment of narcotics transiting the territory patrolled by MNJ Niger ('Situation dans le nord: Le MNJ arrête des trafiquants de drogue', *L'Événement*, no. 196, 4 June 2007, <http://www.temoust.org/spip.php?article23150>, accessed 16 Aug. 2007). On 3 August 2007 President Moamadou Tandja called for an international conference on the issue of drug and small arms trafficking ('Tandja pour une conférence internationale sur la drogue et les armes', Panapress, 3 Aug. 2007).

²⁶ US Department of State, *International Narcotics Control Report 2006*. The following prices have been recorded by the Narcotic Control Board of Ghana for 2005: cocaine, 1g \$18.50, dose \$1.32; crack cocaine, dose \$0.55; heroin, 1g \$16, dose \$1.10; cannabis, 1 cigarette \$0.11.

²⁷ UNODC, *Trafficking in persons: global patterns* (New York, 2007); Office to Monitor and Combat Trafficking in Persons, *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report 2007* (Washington DC: Department of State, 12 June 2007).

²⁸ *Child trafficking in West and Central Africa* (UNICEF, West and Central Africa Regional Office, Abidjan, Côte d'Ivoire, 2001)

²⁹ 'Summary of findings from the child labor surveys in the cocoa sector of West Africa: Cameroon, Côte d'Ivoire, Ghana, and Nigeria' (Ibadan, Nigeria: International Institute of Tropical Agriculture, July 2002), <http://www.dol.gov/ilat/media/reports/iclp/cocoafindings.pdf>, accessed 21 Sept. 2007.

child trafficking than boys. In a study on child trafficking between Benin and Gabon, 86 per cent of the 229 children interviewed were female, and more than 50 per cent were under the age of 16.³⁰ Cultural patterns contribute to the expansion of the phenomenon: in West Africa the placement of children outside the home is often done within the context of the extended family, or within the framework of tribal and religious affiliation, with the objective of securing better education and working opportunities for the child. Other factors, such as ignorance on the part of families and children alike of the risks involved in entrusting the child to other persons, the high demand for cheap and submissive child labour in the informal economic sector,³¹ and the desire of young people for emancipation, contribute to the growth of the phenomenon, as does the inadequate response by national institutions. Indeed, until recently trafficking in people, particularly women and children, was not considered a punishable offence by the vast majority of West African states. Accordingly, perpetrators of trafficking and their accomplices could enjoy complete impunity.

Trafficking patterns generally mirror migratory flows. The shift is always from more economically disadvantaged areas (and countries) to those more economically secure (urban areas and more developed countries, but also rural areas offering seasonal job opportunities). A number of additional factors, such as the presence of an already established diaspora, the ease of crossing borders and securing travel documents, the existence of a demand for the services provided by the trafficked persons—whether cheap labour or sexual services³²—also play an important role in determining flows of trafficking and final destinations. In cross-border trafficking, Benin, Burkina Faso, Guinea-Bissau, Guinea, Ghana, Mali, Nigeria and Togo are the main countries from which child workers are exported, to the main urban centres and agricultural sites of countries including the DRC, Equatorial Guinea, Côte d'Ivoire, Gabon, Nigeria and Senegal.³³ It is not uncommon for a country both to supply and to receive children, while also serving as a transit country.

As for the final destination of trafficked persons, two major patterns can be observed in West Africa. The first involves intraregional trafficking flows, in which children are trafficked for exploitation in the agricultural, fishing and informal sectors, or for begging;³⁴ the second involves the trafficking and exploitation of

³⁰ Anti-Slavery International, *The trafficking of children between Benin and Gabon: report summary* (London, 1999).

This gender imbalance has been attributed to the fact that in families that can afford to educate only one child, it is the male child who will be sent to school while the female child is placed in a family to work.

³¹ 'Au royaume de l'"informel"', *Jeune Afrique*, no. 230, 13–19 Feb. 2005.

³² *Gambia ... the smiling coast: a study on child sex tourism in The Gambia and the involvement of Dutch tourists* (The Netherlands: Child Protection Alliance, The Gambia, and Terre des Hommes, The Netherlands, Jan. 2003). West African countries are increasingly becoming destinations for sexual tourism, particularly in its most heinous form, paedophilia.

³³ 'Trafficking in human beings, especially women and children, in Africa', *Innocenti Research*, inninso4/15 (UNICEF: Florence, 2004); UNODC, *Trafficking in persons: global patterns* (New York, 2006).

³⁴ UNODC, *Trafficking in persons: global patterns*. A 2002 study published jointly by the ILO and the International Institute of Tropical Agriculture found that an estimated 284,000 children on cocoa farms in West Africa were 'either involved in hazardous work, unprotected or un-free, or have been trafficked'. Most of the children were on cocoa farms in Côte d'Ivoire, the world's largest cocoa producer. The remaining children laboured on farms in Ghana, Cameroon and Nigeria. See Abimbola Lagunju and Moussa Diop, *Les Enfants talibés mendiants Bissau-Guinéens: leur vie, leur drame* (Dakar: Terre des Hommes/Enda Graf, 15 Dec. 2006).

girls and young women destined for either domestic services or forced prostitution in destinations in Europe, the Middle East and the United States.³⁵

Typically, a number of actors are involved: these may include recruiters, intermediaries, transporters, owners and operators of brothels, and even the families of the children taken. In some cases the child's family is asked to pay some 'placing fees': failure to meet this financial obligation entails the entanglement of the family and the child into debt bondage.³⁶

Trafficking in persons aimed at providing cheap labour is run for the most part by small networks, often abusing traditional customs and the system of child placement.³⁷ Traffickers of children are more often women than men, and in some cases relatives of the victims. In a typical child-trafficking scenario, the recruiter may earn from \$50 to \$1,000 for a child delivered to the 'employer'. Profits vary according to the source country, destination and 'use' of the trafficked person. An African child taken to the United States might net a trafficker \$10,000–20,000, according to the US Immigration and Naturalization Service. A recruiter and transporter of a woman to Europe for commercial sexual exploitation spends approximately \$2,000 to bribe appropriate officials, procure travel documents and safe houses, and transport the woman to a 'madam', who pays approximately \$12,000 for the victim.³⁸

In the case of sexual exploitation, traffickers rely on well-developed criminal networks which take charge of the trafficked person from the moment of recruitment to his or her exploitation at destination.³⁹ Violence and psychological pressure exerted by means of traditional rituals or the threat of turning the victim over to the police as undocumented are commonly used by trafficking networks in order to defeat the resistance of victims. Traffickers often resell victims as they approach the term of their contracts.⁴⁰

In March 2006 the Spanish authorities declared that illegal migration into the Canary Islands had reached alarming levels.⁴¹ Migrants from sub-Saharan Africa were embarking on small wooden boats in Mauritania and Senegal to make the

³⁵ G. Germano, Italian ambassador to Nigeria, speech to 'Pan-African conference against trafficking in persons', Abuja, Nigeria, Feb. 2000. Nigerian and Italian authorities estimate that there are 10,000–15,000 Nigerian prostitutes in Italy. See also United Nations International Crime Research Unit, *Programme of action against trafficking in minors and young women from Nigeria into Italy for the purpose of sexual exploitation*, final report, Oct. 2003–April 2004, Turin UNICRI 559/A/N.

³⁶ Kathleen Fitzgibbon, 'Modern day slavery? The scope of trafficking in persons in Africa', *African Security Review* 12/1, 2003, <http://www.co.za/Pubs/ASR/12No1/EFitz.html>, accessed 20 Sept. 2007.

³⁷ UNICRI, *Programme of action against trafficking in minors*; see also 'Bonoua: 32 enfants victimes de trafic interceptés', *Fraternité Matin*, Abidjan, Côte d'Ivoire, 13 Aug. 2007.

³⁸ Fitzgibbon, 'Modern day slavery?'

³⁹ International Organization for Migration (IOM), Geneva, *Assessment of trafficking in persons in Nigeria*, Obafemi Awolowo University, Ile-Ife, Nigeria, Nov. 2001. These trafficking networks, dominated by Nigerian organized crime, are highly adaptive and have expanded their operations into Benin, Togo, Ghana, Guinea, Mali and South Africa. See also UNICRI, *Programme of action against trafficking in minors*.

⁴⁰ Fitzgibbon, 'Modern day slavery?'. The madam then forces the victim into prostitution to repay a debt of up to \$50,000. Traffickers of women taken to Europe for commercial sexual exploitation typically earn \$20,000–50,000 per victim.

⁴¹ 'Official: 300 African migrants drown a month', Associated Press, 31 May 2006. The Spanish minister of the interior told radio Cadena Sur that 'while hundreds of Africans have died in the past few months trying to make the trip, three or four boats reach the island every day. So far this year, more than 2,000 immigrants have made it to the islands.'

perilous ocean voyage to Europe. According to data provided by the government of Spain, over 36,000 irregular migrants managed to reach the Canary Islands in 2006. Many others, however, did not make it.⁴² Originally reserved for the strongest (young males), the risky trip across the Atlantic nowadays carries a growing presence of women and minors,⁴³ the groups most at risk both of perishing during the trip and of becoming victims of people trafficking.

Today, some potential migrants who have no access to regular visas resort to the services of professional smugglers, who have developed a wide range of different travel options. According to Europol, some 80 per cent of illegal migration to Europe is 'facilitated'.⁴⁴ The routes and *modus operandi* change over time depending on a number of factors including law enforcement intervention, availability of smugglers, prices, means of transportation, chances of success and the level of risk involved.

According to the *El País* correspondent in Tenerife, there are more than 45 organizations in Mauritania, Morocco and the Western Sahara involved in smuggling irregular migrants across borders. Originally involved in contraband (for example, cigarettes), over the past five years these criminal organizations have moved into the more lucrative and less risky business of smuggling irregular migrants.

The easiest mode of travel is by air directly to Europe or, alternatively, to northern African and Middle Eastern countries from where the trip can be continued by boat. Obviously travelling by air is costly and highly dependent on organized crime as it requires the provision of false passports, visas and supporting documents. Because of its high costs, the air option is mostly used by Asian illegal migrants,⁴⁵ who are used to breaking the trip into several stages before reaching final destinations.

Sea travel is used by large numbers of clandestine migrants. Vessels often land in inadequately controlled ports on the route, or anchor offshore to take clandestine immigrants on board from canoes. In other cases, ferries travelling on established routes between two (neighbouring) countries are used by migrants on one leg of a longer journey. Smuggling of migrants on maritime routes is also highly dependent on organized crime, as it requires some initial capital investment for

⁴² 'Senegal: government working with Spain on child migrants', International Regional Information Network, UN Office for the Coordination of Humanitarian Affairs, Geneva, 26 July 2007, <http://www.irinnews.org/Report.aspx?ReportId=73447>, accessed 14 Aug. 2007. According to the authorities of the Canary Islands, 31,863 irregular migrants arrived on the islands in 2006, up from 4,790 in 2005. According to Manuel López Baumann, research and information officer in the IOM's West and Central Africa office, some 7,000 people are estimated to have died trying to reach the Canary Islands in 2006.

⁴³ 'Senegal: government working with Spain on child migrants'. According to a Human Rights Watch report issued on 26 July 2007, 'Unwelcome responsibilities: Spain's failure to protect the rights of unaccompanied migrant children in the Canary Islands', 931 migrant boys arrived on the Canary Islands after dangerous journeys in makeshift boats in 2006.

⁴⁴ Joint International Center for Migration Policy Development–Europol Mediterranean Transit Migration meeting on 'Migration flows and trends in the Mediterranean: threat assessments and risk analysis', 25–29 April 2006, Beirut.

⁴⁵ UNODC, *Organized crime and irregular migration from Africa to Europe* (New York, July 2006). Smuggling of Asian illegal migrants through West and Central Africa is managed directly by Asian networks relying on pre-existent legitimate commercial businesses along the smuggling route for the provision of the necessary local logistic assistance. In this context illegal migrants are often made to provide free labour to smugglers' commercial activities as partial payment in kind for the trip.

purchasing and reconditioning wrecked vessels and establishing onshore logistic bases for both refuelling and collection of migrants from several countries en route. Nigerian, Ghanaian, Liberian and Senegalese groups are believed to be involved in such activities.

Land routes used by illegal migrants from West and Central Africa run through the Sahara Desert from south to north. Two patterns are evident. In the first, the migrant buys a 'full package' solution from the place of origin; in the second, migrants try to get as far as they can by themselves, using normal roads and transportation, and seeking help as and when they need and can get it. Along the routes through the Sahara, local people have specialized in servicing migrants by providing food and accommodation, forging documentation, or offering transport and guidance through the desert to help the would-be migrants avoid detection.

Those who can afford it can pay a single price to be delivered from their point of origin to their destination. Services provided can include false documents, transport, accommodation, bribery of border officials and advice. The 'full package' solution is most commonly associated with Nigerian organized crime groups, which have been found to be active in Europe and Africa, trafficking both Nigerian nationals and citizens of other countries.⁴⁶ For example, in 2004 the Moroccan police arrested 70 Nigerian traffickers and rescued 1,460 Nigerian victims hidden by traffickers near Mount Gourougou, outside the Spanish enclave of the Autonomous City of Melilla.⁴⁷ The 'full package' offered included the proactive recruitment of migrants, the journey to the staging points in Senegal, Mali (Gao) and Niger (Agadès), and the crossing of the Sahara Desert.⁴⁸ When the recruiting network does not control the entire route, it outsources part of the transport to other networks.⁴⁹

Offering a 'full package' solution requires a certain degree of sophistication. Smuggling groups offering this service have contacts in several countries and access to funds payable internationally, control or contract means of transport, and procure falsified documents. Recently Spanish law enforcement authorities dismantled a Senegalese network facilitating the transfer of Senegalese irregular migrants disembarked in the Canary Islands to Italy.⁵⁰ Sometimes African networks work with European criminal groups which facilitate disembarkation and movement. In the south of Spain, smuggling networks consisting of nationals from Morocco, Algeria and Mauritania are known to facilitate smuggling operations from Morocco.⁵¹ The groups operating from destination countries are sometimes involved in collecting money from relatives of the migrants in advance, which is subsequently transferred to smugglers in source or transit countries using

⁴⁶ UNODC, *Organized crime and irregular migration from Africa to Europe*. In South Africa, 79 Nigerian nationals were arrested in connection with running a child prostitution ring in 2005.

⁴⁷ Department of State, *Trafficking in Persons Report 2005* (Washington DC, 2005).

⁴⁸ 'Ghana: 500 euros pour rejoindre Gaoou Agadez', Serge Daniel for Radio France Internationale, 27 April 2006, http://www.rfi.fr/actufr/articles/076/article_43343.asp, accessed 20 Sept. 2007.

⁴⁹ Interpol, 'Specialized meeting on illegal migration from Africa towards Europe', 20–23 May 2006, Casablanca.

⁵⁰ 'Una red Senegalese introduce en Italia à mas de mil inmigrantes llegados a Canarias', *El País*, 24 Oct. 2006.

⁵¹ UNODC, *Organized crime and irregular migration from Africa to Europe*.

informal *hawala* networks.⁵² Sometimes pressure is put on families of migrants in their home countries to pay additional 'transportation fees'.⁵³

According to a July 2006 UNODC report, the business of smuggling migrants from Africa to Europe has a turnover in excess of \$300 million per year.⁵⁴

Contraband, piracy and smuggling of natural resources

The same routes used for smuggling drugs and illegal migrants seem also to be used for the flourishing trade in counterfeit and pirated items. The problem of counterfeit goods seriously affects local industries, particularly the entertainment, food and pharmaceutical sectors.⁵⁵ Intelligence gained from Interpol investigations uncovered connections between organized crime gangs involved in music piracy in Ghana, Guinea, Liberia and Nigeria, which were suspected to be linked to Middle East terrorist organizations.⁵⁶ Examples of CDs carrying propaganda messages from extremist groups have been found in Mali, Mauritania and Nigeria. The interest of organized criminal networks in the counterfeiting and pirating business is well known, particularly with respect to the role of the Italian Camorra in Naples and Campania.⁵⁷

West and Central Africa are rich in natural resources. Oil, precious stones, gold, platinum and timber are the most important source of revenue for several states. Competition for control of the exploitation of such resources, and thus of the revenues arising from it, is the cause of many persistent internal conflicts. These revenues also fund the financing of private armies. The links between organized crime/terrorist groups, blood diamonds, conflict timber, and illegal oil bunkering⁵⁸

⁵² EUROPOL/Interpol, 'Assessment on people smuggling in the eastern Mediterranean', 2005. For more detailed information, please see <http://www.interpol.int/Public/FinancialCrime/MoneyLaundering/hawala>, accessed 20 Sept. 2007.

⁵³ Moroccan delegation at the Joint ICMPD–Europol MTM meeting on 'Migrations flows and trends in the Mediterranean'. Extortion of this sort has also been reported among Bangladeshi migrants. See also H. Vogt, 'Smuggled migrants struggle in African town', Associated Press, 29 April 2006.

⁵⁴ UNODC, *Organized crime and irregular migration from Africa to Europe*.

⁵⁵ The gravity of the situation is particularly evident in Nigeria, where in 2003 organized criminal networks controlling the parallel market of substandard and fake medical preparations attempted to take the life of the director of the Nigerian Agency for Food and Drug Control, Prof. Dora Nkem Akunyili. See also 'Counterfeiting medicines: a serious crime against humanity', presentation by Prof. Dora Akunyili to the European Parliament, Brussels, 10 April 2007, <http://64.233.183.104/search?q=cache:4Jg1lBP3IoAJ:www.europarl.europa.eu/comparl/deve/hearings/20070410/akunyili1.pdf+crime+west+africa&hl=en&ct=clnk&cd=65>, accessed 13 Aug. 2007.

⁵⁶ *Counterfeiting and organised crime* (Paris: Union des Fabricants, 2003), <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Publications/UDFCounterfeiting.pdf>, accessed 20 Sept. 2007.

⁵⁷ 'Pirate gold: music counterfeiting in Italy', *Jane's Intelligence Review*, 1 June 2007. In this context it is worth noting that Naples and Campania host large communities of West Africans, particularly Nigerians.

⁵⁸ There is an agreed definition of 'illegal oil bunkering', a neologism probably coined in Nigeria to describe a feature of its oil industry. 'Bunkering' is an industry term that describes the process of filling a ship with oil (or coal). 'Illegal oil bunkering' means the stealing (and subsequent selling on the open market) of crude oil and its derivatives either by drilling pipelines, or by clandestinely bunkering large quantities of crude oil by the use of forged documents. Illegal bunkering by drilling pipelines is mostly carried out by local people. In addition to the environmental damage caused by oil spillage, it often results in fatal accidents. In this context, it is a crime committed by the poor, feeding poor markets, the price of which in frequent fatalities is paid for by the poor. On the other hand, the large capital investments required for illegal bunkering by the use of bunkers suggests the existence of articulate and powerful networks composed of both national and foreign operations able to load, transport and sell the stolen crude oil. This is why illegal oil bunkering appears in the list of economic crimes of competence of the Nigerian Economic and Financial Crime Commission.

in the Manu River region, the DRC and the Niger Delta region of Nigeria have been demonstrated in a number of reports by both the UN and well-known international non-governmental organizations.⁵⁹ Whether or not Al-Qaeda invested in Sierra Leonean diamonds, its operatives visited West Africa,⁶⁰ and funds from West African diamonds supported Hezbollah's operations in Lebanon.⁶¹ Oil bunkering in Nigeria is estimated at something between 7 per cent and 10 per cent of yearly production, with a value in the range of \$1.5–4 billion.⁶² Part of this money consistently finances an arms race by criminal gangs and tribal militias operating in the oil-rich but impoverished Delta region.⁶³

Conservative estimates for illegal logging in the whole West and Central African region by the American Forest and Paper Association hover around some 30 per cent of total production,⁶⁴ with country-specific studies estimating it up to 50 per cent of total national timber exports.⁶⁵ Illegal logging worldwide is estimated to cause annual losses in revenues and assets of between \$10 billion and \$15 billion.⁶⁶ Within West and Central Africa, annual losses are estimated at \$5.3 million in Cameroon, \$4.2 million in the DRC, \$10.1 million in Gabon and \$37.5 million in Ghana.⁶⁷ The case of Liberia under the Taylor regime is the most evident example of the perverse links between illegal logging, failed states and situations of conflict: in exchange for unrestricted access to logging, the Oriental Timber Company (OTC) and other Liberian companies provided Charles Taylor with arms, ammunitions and militia personnel.⁶⁸ In May 2003 the UN Security Council imposed an embargo on Liberian timber products, and in April 2006 Gus Kouwenhoven, general manager of the OTC, went on trial in the Netherlands on charges of having committed war crimes against Liberians and violating a UN arms embargo.⁶⁹

⁵⁹ See in particular 'Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo to the Security Council', S/2002/1146, 16 Oct. 2002, UN New York. See also reports by, among others, Global Witness, the International Crisis Group, the Open Society Institute and Small Arms Survey.

⁶⁰ 'For a few dollars more: how al Qaeda moved into the diamond trade', Global Witness, April 2003, www.globalwitness.org, accessed 20 Sept. 2007.

⁶¹ 'The usual suspects: Liberia's weapons and mercenaries in Côte d'Ivoire and Sierra Leone', Global Witness, March 2003, www.globalwitness.org, accessed 20 Sept. 2007.

⁶² The 7% estimate comes from 'Reforming the nearly unreformable', *The Economist*, 5 Aug. 2004; the 10% estimate from 'Peace and security in the Niger Delta: Conflict Expert Group baseline report', working paper for Shell Petroleum Development Company of Nigeria, Dec. 2003.

⁶³ 'Disarray among Nigeria's armed militants', *Jane's Intelligence Digest*, 10 Aug. 2007.

⁶⁴ 'Chinese involvement in African illegal logging and timber trade', testimony of Allan Thornton, President, Environmental Investigation Agency, before the US House of Representatives Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Operations, 28 July 2005, www.internationalrelations.house.gov/archives/109/22658.pdf, accessed 19 Sept. 2007.

⁶⁵ According to the WWF, countries topping the list of victims of illegal logging are Liberia, Gabon, Ghana, Cameroon and Equatorial Guinea: see http://www.panda.org/about_wwf/where_we_work/africa/problems/logging/index.cfm, accessed 19 Sept. 2007.

⁶⁶ 'Facing up to illegal logging', *The Economist*, 25–31 March 2006, quoting a World Bank study.

⁶⁷ 'Combating illegal logging in Africa: declaration strengthens law enforcement and sustainable forests management' (Washington DC: World Bank, 13 Nov. 2003).

⁶⁸ Murl Baker, Robert Clausen, Ramzy Kanaan, Michel N'Goma, Trifin Roule, Janice Thomson, 'Conflict timber: dimensions of the problem in Asia and Africa', Volume III, African Cases, final report by ARD, Inc., Vermont, submitted to US Agency for International Development, http://www.usaid.gov/our_work/cross-cutting_programs/transition_initiatives/pubs/vol3afr.pdf, accessed 21 Sept. 2007.

⁶⁹ 'Profile: Liberia's "Mister Gus"', BBC News, 7 June 2006, <http://news.bbc.co.uk/2/hi/africa/5055442.stm>, accessed 16 Aug. 2007. The Dutch court sentenced Mr Gus Kouwenhoven to eight years in prison for violating a UN arms embargo. He was, however, acquitted of war crimes charges.

According to several studies, something between four million and eight million light firearms are available in West Africa alone.⁷⁰ The ready availability of small firearms, coupled with the inability of the state to provide due security, control over its territory and fair justice, feed violent behaviour and property crime. The great majority of small arms circulating in the region come from stocks brought in during the Cold War, and demand for them, and for ammunition, has been sustained by the many internal conflicts that have marked the political development of the region—despite and in open violation of declared UN embargoes and the 1998 ECOWAS moratorium.⁷¹

Leakages from army deposits, diversion of legal imports and the development of illicit domestic manufacturing capabilities complete the supply options available.⁷² In countries where tensions are high, weapons availability risks reigniting or spreading conflict and violence. In 2002 the Nigerian customs service reported it had intercepted small arms and ammunition worth more than \$30 million at border posts over a six-month period. In 2004 the Nigerian government itself announced it had seized some 157,000 illegal firearms.⁷³

West African transnational organized criminal networks

West Africa and West Africans not only offer an attractive location and partners for foreign criminal networks but are gradually building up and exporting their own criminal network model.⁷⁴ Besides the well-known Nigerian networks,⁷⁵ new ones are developing in Ghana, Côte d'Ivoire and Senegal. Moulded on the Nigerian 'network' type, such criminal organizations have in common the very loose, fragmented and business-oriented features which made them extremely successful in the global village of modern 'disorganized' crime. Traditional organized criminal models, such as those used by the Sicilian Mafia, the American Cosa Nostra or the Japanese Yakuza would hardly fit the 'hit-and-run' conditions that characterize the African context, where project-based, business-oriented structures perform much more effectively.

⁷⁰ 'Armed and aimless: armed groups, guns, and human security in the ECOWAS region', *Small Arms Survey*, May 2005, www.smallarmssurvey.org, accessed 20 Sept. 2007; also Alex Vines, *Light weapons proliferation in West Africa*, paper presented at UNODC seminar, Dakar, 3 April 2004, repr. in UNODC, *Transnational organized crime in the West African region* (New York, 2005).

⁷¹ 'Delegation concludes sensitization mission for the ratification of Small Arms Convention', ECOWAS press release no. 70/2007, Abuja, 23 July 2007, <http://news.ecowas.int/en/presseshow.php?nb=70&lang=en&annee=2007>, accessed 16 Aug. 2007. The Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa was adopted and signed in Abuja on 31 Oct. 1998 by the heads of state and government of the Economic Community of West African States. The moratorium was renewed on 9 July 2001 for a further three years. On 14 July 2006 the ECOWAS heads of state endorsed and signed the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials at their summit in Abuja. The convention replaces the moratorium. As of July 2007, only Niger had deposited the instrument of ratification.

⁷² Vines, *Light weapons proliferation in West Africa*. In Ghana, pioneering research on manufacturing capacity suggests a total potential production of some 40,000–60,000 guns annually by over 2,500 small workshops. Major destination markets for guns manufactured in Ghana seem to be Côte d'Ivoire, Togo and Nigeria.

⁷³ Thomas Madnick, 'Arms trafficking in West Africa', *University of Michigan Political Review*, March 2005, pp. 21–5.

⁷⁴ UNODC, *Transnational organized crime in the West African region*.

⁷⁵ Stephen Ellis, paper presented to the African Criminal Network Conference, Bangkok, 16–19 May 2006.

African criminal networks (ACNs) have certain prime characteristics.⁷⁶ Typically, such a network

- is made of small, compartmentalized cells of between two and ten members;
- consists mostly of kinsmen from the same ethnic group or clan;
- communicates mostly in the local language;
- shares some confidence, but with minimal trust among members;
- makes deals and then disperses, regrouping only at a later date;
- is highly mobile;
- adopts false or protected identities for its members, including changing their nationality;
- adapts readily to any new environment;
- is ready to bribe and corrupt government officials;
- refrains from the use of violence in order not to attract the attention of law enforcement operators.

Relations among the different members of the network are generally based on egalitarian partnership, with each member contributing a specialized skill and being rewarded according to the task performed. The fact that each member has an equal share in the network does not imply trust. Information-sharing is strictly limited to the operations and tasks each member has to carry out. An ACN operative can be a member of more than one network. Secrecy and individuals' total loyalty to the group are further ensured by cultural pressures (belonging to the same village, clan and ethnic group) and by the use of religious and occult rituals.⁷⁷

The pursuit of profit appears to be the primary motivating factor or ultimate goal of ACNs, regardless of the type of criminal activity engaged in. They can be considered as project-based groups/networks, rather than concerted, long-term enterprises dedicated to the commission of a single type of crime.

Transnational organized crime and West African security

The development of transnational organized crime in West Africa is the most visible symptom of a much deeper and destabilizing disease which is progressively affecting West African states and institutions. The frequent denials of transnational organized criminal activities and the minimization of their real impact by West African institutions and opinion-formers alike are, from this perspective, a clear indication of the attitude prevailing in the region: narcotics are 'just transiting' West Africa; smugglers of irregular migrants are 'providing a service'; traffickers of persons, particularly children, are 'offering better opportunities'. This simplistic point of view is not shared by the international community and is progressively being challenged by local mass media and civil society organizations, which are

⁷⁶ Muazu Umar, of the National Drug Law Enforcement Agency, Lagos, Nigeria, paper presented to the African Criminal Network Conference, Bangkok, 16–19 May 2006.

⁷⁷ Umar, paper presented to the African Criminal Network Conference, Bangkok, 16–19 May 2006; UNODC, *Transnational organized crime in the West African region*.

increasingly putting pressure on national institutions. The latest report of the UN Secretary General to the Security Council on 'Cross-border issues in West Africa' is uncompromising:

The rapid extension of transnational organized crime is of growing concern in West Africa. Such illicit activities and trafficking take many forms, including drug and human trafficking, Internet fraud, smuggling of migrants, smuggling of diamonds and other natural resources, forgery, cigarette smuggling, the illegal manufacture of firearms, trafficking in firearms and armed robbery and the theft and smuggling of crude oil. These activities challenge State authority, especially the capacity of the State to enforce law and order, and can lead to tremendous national tragedies, as witnessed in the recent cases of oil smuggling in Nigeria and the deadly attempts to reach Europe by irregular migrants. Many West African State institutions are greatly weakened by economic crisis and/or civil war, making them susceptible to corruption and lawlessness, which are fertile ground for organized crime. The link between combating illicit activities and reforming the security sector, especially the judiciary and the police, should be given priority.⁷⁸

Similar statements addressing the inability of national institutions to guarantee and enforce both the rule of law and the fair administration of justice are contained in the Secretary General's reports to the Security Council referring to Guinea-Bissau, Côte d'Ivoire, Liberia, Sierra Leone, the Central African Republic and the DRC.

In 2005 the UNODC published a report analysing how crime affects development in Africa.⁷⁹ According to the UNODC report, this effect is threefold.

Crime erodes Africa's social and human capital by degrading the quality of life and pushing skilled workers overseas. It damages access to employment and educational opportunities, and discourages the accumulation of assets.

Crime drives business away from Africa by increasing the cost of doing business to both foreign and domestic investors. Aside from direct losses to national funds through corruption, crime can erode the tax base as the rich bribe tax officials and the poor recede into the shadow economy. Unfair tax regimes and bribe-seeking officials fuel inequality and increase informality, both of which are associated with crime. The flow of illicit money displaces productive investments and fosters consumption of imported items. Trafficking in drugs and people, with their related side-effects in terms of violence and sexual exploitation, also project a negative image that deters potential tourism investment and affects its financial sustainability.

Crime undermines the ability of the state to promote development by weakening the social contract between people and institutions. The inability of state institutions to provide security, enforce the rule of law and administer fair justice justifies recourse to vigilantism and self-administered justice. Illicit money can easily influence electoral ballots and disrupt the rooting of true democracy based on political programmes. The opportunities for highly profitable gains offered by criminal

⁷⁸ 'Report of the Secretary General on cross-border issues in West Africa', S/2007/143, 13 March 2007, p. 9. See also 'Progress report of the Secretary-General on ways to combat subregional and cross-border problems in West Africa', S/2005/86, 11 Feb. 2005, both at <http://www.un.org/unowa/unowa/scdocs/scdocs.htm>, accessed 18 Aug. 2007.

⁷⁹ UNODC, *Crime and development in Africa* (New York, June 2005).

activities and the corruptive power of illicit money can easily ignite violent conflicts among different (tribal) groups competing for a share of the business.⁸⁰

The case of Guinea-Bissau is probably the clearest example of how attractive West Africa can be to transnational criminal networks. Awash with small arms and light weapons as a consequence of the continued *coups d'état* that have characterized the past 30 years of its history, Guinea-Bissau is in a socio-economic situation of 'structural emergency'. The illiteracy rate is around 80 per cent, unemployment around 60 per cent. The government budget—80 per cent of which comes from external aid—is entirely devoted to paying the salaries of the public and military administrations. The state is virtually incapable of providing any services to its citizens, including security and justice. Border and territorial control are non-existent, because of a total lack of any kind of equipment and trained personnel. In Guinea-Bissau there are no proper prisons, so judicial sentences cannot be implemented. Often judges prefer not to sentence dangerous criminals through fear of reprisals by convicted individuals who remain at large.

The first report about the use of Guinea-Bissau by Latin American cocaine-trafficking networks dates from April 2005, when several foreigners including two Latin Americans were arrested in a small island in the Bijagos archipelago.⁸¹ Since then the mass media and law enforcement authorities have recorded a number of important cocaine seizures, both within Guinea-Bissau and involving the use of Guinea-Bissau as a transit and stockpiling location.⁸² In April 2007, following a seizure of 635 kilograms of cocaine, the UNODC issued a press release expressing concern about the involvement of military officers in cocaine trafficking in Guinea-Bissau.⁸³ In June the same year the newly appointed government of Guinea-Bissau decided to open a special parliamentary investigation on the fate of 670 kilograms of cocaine seized in Bissau in September 2006, and allegedly destroyed.⁸⁴ According to UNODC data, the seizure conducted in April was worth some \$11 million at prevalent 2005 West Africa wholesale prices, against some \$26 million at 2005 wholesale prices in Spain.⁸⁵ On the basis of available data, the added value resulting from shipping the cocaine consignment from Guinea-Bissau to Spain (\$15 million) was equivalent to some 20 per cent of all international development aid disbursed to Guinea-Bissau in 2004, 14 per cent of the country's exports and 280 per cent of all net incomes from foreign investments in the country.⁸⁶

⁸⁰ This aspect is of particular relevance in drug and natural resource trafficking, where foreign criminal networks are ready to pay large sums of money to buy impunity and operational freedom.

⁸¹ Unofficial report made available to UNODC by the Bissau-Guinean authorities. The group was operating a fake fish-processing facility where a clandestine landing strip had been built. A large number of weapons were also seized, together with 19kg of cocaine.

⁸² Several articles have recently been published on Guinea-Bissau and drug trafficking. See 'Guinea-Bissau: fears of an emerging narco-state', IRIN, 2 Feb. 2007; Vivianne Walt, 'Cocaine country', *Time* magazine, 27 June 2007; 'Pushers' paradise', *The Economist*, 7 June 2007.

⁸³ 'UNODC chief welcomes major cocaine seizure in Guinea-Bissau, urges full backing for police', UNIS/NAR/997, 4 April 2007.

⁸⁴ Kissy Agyeman, 'Narcotics trade in Guinea-Bissau a growing problem as former ministers questioned', *Global Insight Daily Analysis*, 7 June 2007. Two former ministers in Guinea-Bissau, former Treasury Minister Jose Dju and former Finance Minister Victor Mandinga, were brought before a government anti-drug commission regarding their supposed involvement in the disappearance of the seized narcotic.

⁸⁵ UNODC, *World Drug Report 2006* (New York, 2007).

⁸⁶ UNDP, *Human Development Index 2006*.

From second priority to priority of state

The preceding analysis and figures should amply indicate the urgency of properly addressing the issue of transnational organized crime in West and Central Africa. Failure to act may result in the emergence of a number of pariah states ruled under faked democratic processes and serving as safe havens for all kind of fugitive criminals. In November 2003 the Italian police arrested one of the most wanted men of the Sicilian Mafia at Dakar International airport on his arrival from Côte d'Ivoire.⁸⁷ According to security sources, the man had important economic interests in several African countries. The arrest in New York of a member of the Ghanaian parliament attempting to smuggle 67 kilograms of heroin,⁸⁸ the arrest in Mauritania of the son of former President Ould Haidalla on cocaine-trafficking charges,⁸⁹ the drug-related scandals involving highly placed officers in Ghana,⁹⁰ Guinea-Bissau and Nigeria⁹¹—all are indications of the ability of transnational organized crime to find protection and sponsors at the highest level in West African institutions. Similarly, and considering the often predatory nature of African internal conflicts,⁹² the appetite for quick and easy money accessible through criminal ventures may lead to *coups d'état* and long-lasting civil conflicts.

The response of West African governments to the serious challenges posed by transnational organized crime has for the most part been limited to updating national legislation and legal frameworks to bring them into line with the requirements of the international UN and other international and regional conventions and protocols. This approach has, however, yielded mixed results, the enforcement of new laws being dependent on numerous and variable factors, some of which are well beyond the control of national administrations. Concrete and courageous cleaning-up efforts like that implemented by the government of former President Obasanjo in Nigeria will certainly produce dramatic results if sustained long enough to ignite a virtuous cycle. Similarly, the decision by countries such as Cape Verde to give due political and financial priority to security and the rule of law is also an obvious positive and important signal to all countries of the region.

In general, however, West African governments have so far failed to respond adequately to the issues of enforcing the law and administering justice in their territories. Security, unless materialized as external threat or insurgency, has never been considered a priority. Because of both mismanagement and budgetary constraints, law enforcement agencies often have to operate with minimal

⁸⁷ 'Italy police arrest Mafia suspect', BBC News, 14 Nov. 2003, <http://news.bbc.co.uk/2/hi/europe/3270935.stm>, accessed 19 Sept. 2007. Giovanni Bonomo was sought for murder and associating with the Mafia, and had been on the run for seven years. Police say he has been involved in money-laundering activities for the Mafia in Namibia and South Africa.

⁸⁸ 'Ghana MP in US "heroin" arrest', BBC News, 22 Nov. 2005.

⁸⁹ <http://www.ajourdhui.ma/societe-details55846.html>, accessed 17 Aug. 2007.

⁹⁰ 'Golden age of cocainecracy', www.ghanaweb.com, accessed 15 Aug. 2007.

⁹¹ US Department of State, *International Narcotics Control Reports 2006* (Washington DC: Department of State, 2006).

⁹² Jeffrey Herbst, 'Economic incentives, natural resources and conflict in Africa', *Journal of African Economies*, 9: 3 October 2000, pp. 270–94; Adekeye Adebajo and Ismail Rashid, eds, *West Africa security challenges: building peace in a troubled region* (Boulder, CO: Lynne Rienner, 2004).

resources; and because their agents are subject to almost no scrutiny, corruption is widespread. The status of justice administration in the region is even worse. Judges and prosecutors are often so badly paid that corruption has become the easiest means of obtaining a decision on a pending case. Prosecution and sentencing of perpetrators of white-collar and economic crimes are rare, and most gaol sentences are handed out to small offenders who have no means to secure the services of a good lawyer. Prisons are overcrowded and conditions of detention are appalling. In this context prisons are void of any rehabilitative purpose, being exclusively a place of punishment.

Small but important steps are, however, under way. In 2004 a reform of the judicial function in Benin restored to magistrates and judges the prestige and financial independence they need. In Nigeria, the UNODC and the judiciary have implemented an important project aimed at improving judicial integrity.⁹³ In almost all post-conflict countries in the region, security sector reform programmes discussed and finalized with the international community take due account of the role of law enforcement agencies and, to a lesser degree, of the justice sector.⁹⁴ Important progress has been made in combating money-laundering at both regional and national level. National legislation against money-laundering has been endorsed by several countries,⁹⁵ thanks to the work carried out at regional level by both the specialized body set up by ECOWAS and the Union Economique et Monétaire de l'Afrique de l'Ouest (UEMAO).⁹⁶ Financial investigation units are taking their first important operational steps in Senegal and Nigeria, provoking earthquakes within local political and financial establishments.

In September 2005 the UNODC and the government of Nigeria held a round table on 'Drugs and crime as impediments to security and development in Africa'.⁹⁷ Attended by senior officials from 47 African states, along with 14 ministers and some 20 development partners, the round table endorsed a programme for action designed to serve as a strategic and operationally oriented framework for technical cooperation. The programme is structured around six themes, namely:

- 1 rule of law and criminal justice reform;
- 2 conventional crimes;
- 3 illicit trafficking, organized crime, corruption, money-laundering and terrorism;

⁹³ UNODC, 'Assessment of the integrity and capacity of the justice system in three Nigerian states', Jan. 2006, http://www.unodc.org/pdf/corruption/publications_nigeria_assessment.pdf, accessed 20 Sept. 2007. The report follows the implementation of a project signed in 2001 that aimed at strengthening the rule of law, through increased capacity and integrity of the justice system, in particular of the judiciary.

⁹⁴ Unfortunately, however, in these programmes the needs of the civilian security and justice sectors come second to those of the military apparatus (under plans for disarmament and demobilization).

⁹⁵ Legislation to counter money-laundering, albeit not always conforming to international standards, is in place in Benin, Cape Verde, The Gambia, Guinea, Guinea-Bissau, Mali, Niger, Nigeria, Senegal and Sierra Leone.

⁹⁶ The Interministerial Action Group Against Money Laundering—GIABA, according to its French acronym, was established by ECOWAS in 2000. As UEMOA member states are concerned (Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, Togo), the process of legislating to counter money-laundering has been facilitated by the promulgation of a common UEMOA model law, Règlement no. 14/2002/UEMOA, in 2002.

⁹⁷ https://www.unodc.org/art/docs/english_prog_action.pdf, accessed 20 Sept. 2007.

- 4 drug abuse and HIV/AIDS;
- 5 ratification and implementation of conventions on drugs, organized crime, corruption and terrorism;
- 6 data collection, analysis, publication and dissemination.

Once adjusted to each country's specific requirements and implemented with the support of the international community, the strategies and measures listed in the UNODC programme for action would provide higher protection against transnational organized crime, contributing substantially to progress towards good governance, democracy and human rights. Considering its significance, objectives and strategies addressing the fundamental issue of the rule of law ought not to be linked to governments' programmes and priorities, but should become a priority of state, a status offering larger and wider temporal perspectives. At regional level ECOWAS should consider how to give 'teeth' to its regional plans of action to oppose narcotics, transnational organized crime and trafficking in persons, all of which have since their inception suffered from insufficient funding at both national and regional level.⁹⁸ Similarly, at a continental level the African Union should prioritize transnational organized crime within its operational agenda. The drafting by the AU Commission of a continental plan of action in July 2007 is certainly a first important step in this direction.⁹⁹ It should pave the way to more proactive AUC leadership in the matter, given the links between international crimes and trafficking and both good governance (including the AU NEPAD programmes) and the prevalence of instability and internal conflicts across Africa. Finally, the international community should fully embrace the perspective under which security, the rule of law and the fair administration of justice are the indispensable preconditions for development, and consequently assign to these sectors the resources they require. Investments in security and the rule of law should not, indeed, compete with investment in development, but rather act as their necessary support.¹⁰⁰ This is the real challenge that West African states and Africa at large are going to confront in the near future.

⁹⁸ 'West Africa draws up plan to fight drug smuggling', Reuters, 11 Sept. 2007. In July 2007, as an immediate reaction to the deterioration of the drug-trafficking situation in the region, the heads of state of ECOWAS mandated the GIABA secretariat with the preparation of an emergency action plan, which is due to be launched before the end of 2007.

⁹⁹ The draft AU Plan of Action on Drug Control and Crime Prevention (2007–10) elaborated by the African Union Commission includes most of the priorities contained in the 2005 UNODC programme for action. The draft AU plan is expected to be adopted by the AU ministerial conference to be held in November 2007, in Libya, and launched immediately afterwards.

¹⁰⁰ Carlo Maria Verardi, 'Democrazia, giustizia e libertà', speech delivered at the 20th Magistratura Democratica National Congress, Bologna, April 1998.