

The Invisible Tide: Towards an International Strategy to Deal with Drug Trafficking Through West Africa

James Cockayne and Phil Williams

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Cover Photo: Gendarmes guard a truck with part of a seized cocaine haul at a cement furnace in Rufisque, near Dakar, August 2, 2007. © Georges Gobet/AFP/Getty Images.

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Executive Summary

An invisible tide is rising on the shores of West Africa,¹ creeping into its slums, its banks, its courts, its barracks, and its government ministries. It is a tide of money, influence, and power, born from the drug trafficking that is sweeping the region. Cocaine produced in Latin America is transported to West Africa, and then on to Europe. From there, the proceeds find their way back to North and South America, fueling further investment and further narco-trafficking. Some of the profits from the trade stay in West Africa, laundered through construction projects and other avenues, and increasingly corrupting politics, society, and security institutions. As the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Antonio Maria Costa, recently put it: “Drug money is not only buying real estate and flashy cars: it is buying power.”²

The international community is only just beginning to grasp the scale of this problem. It has no clear strategy for responding or even for containing the risks the invisible tide poses for human, national, and international security in West Africa—and beyond. In this paper, we explain what these risks are, and recommend steps that policy-makers in national capitals and multilateral institutions might take to address them in the next three to five years.

While we emphasize the interregional nature of this drug trafficking and any effective response, our focus is on West Africa, because it is the involvement of West Africa in this trade which is new and transformative. We focus on the drug trade, rather than the illicit economy as a whole, because we believe this is the engine for growth in the illicit economy in this region.³ We do, however, recognize that profits from the drug trade are being reinvested in the region and used to generate new illicit business. Increasingly, sideline trades seem to be picking up along parts of these routes, with cannabis, amphetamines, arms, and sex trafficking

becoming important secondary activities and exports.

We also limit our focus to West Africa rather than other parts of Africa. Again, while we recognize that drug trafficking through West Africa might fuel the growth of illicit activities elsewhere in Africa, and that there might be some ballooning effects if control efforts are improved in West Africa, we believe that controlling the drug trade through that region is an important first step in limiting the overall growth of African criminal markets. Criminal entrepreneurs are exploiting West Africa’s vulnerabilities precisely because, under current conditions, they provide an optimal combination of risks and rewards. An effective international response must begin by changing that arithmetic.

We argue that the extent to which drug trafficking will penetrate and devastate existing social, political, and economic structures will differ in each West African country—and even different regions within each country—just as the extent to which a quietly rising tide rolls inland depends on the existing lie of the land. Different parts of West Africa have different risk profiles. We argue that the challenges for West Africa stem mainly from the interaction between the region’s growing drug-consumption and drug-trafficking problems on the one side, and preexisting social, economic, and political vulnerabilities on the other. West Africa is characterized by high levels of poverty, low levels of human development, weak governance, high levels of corruption, latent instability, rapid and uncontrolled urbanization, high levels of unemployment—especially among youth, a continued youth bulge, and large informal economies. In all cases, and most immediately, drug trafficking will lead to an increase in local drug use, a likely rise in HIV, increased financial volatility, and opportunistic corruption.⁴

Despite these differing impacts, there will be certain impacts commonly felt across the region.

1 For the purposes of this paper, “West Africa” refers to the member states of the Economic Community of West African States (ECOWAS): Benin, Burkina Faso, Cape Verde, Côte d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

2 Antonio Maria Costa, remarks delivered at the opening of the “ECOWAS High-level Conference on Drug Trafficking as a Security Threat in West Africa,” Praia, Cape Verde, October 28, 2008.

3 But see United Nations Office on Drugs and Crime (UNODC), “Transnational Trafficking and the Rule of Law in West Africa: A Threat Assessment,” (Vienna, July 2009).

4 UNODC, “Cocaine Trafficking in West Africa: The Threat to Stability and Development (with Special Reference to Guinea-Bissau),” (Vienna, December 2007), pp. 23-29; Economic Community of West African States (ECOWAS), “ECOWAS Ministerial Conference on Drug Trafficking as a Security Threat to West Africa—Aide Memoire,” (Abuja: ECOWAS, September 2008), on file with the authors.

The invisible tide of drug money will fuel increased political instability in the region, and possibly rekindle protracted violence, as different factions vie for control of the drug trade in and through their territory, or use its revenues to seek political or military power. The recent assassination of military and political leaders in Guinea-Bissau, which some have speculated could be linked to the drug trade, might be just the first of many such narco-related assassinations to come. We describe the likely resulting political and military instability as West Africa's coming "drug wars."

We also argue that West Africa's economic system is increasingly heading towards what we describe as "junk economics," with economies addicted to drug-trade-related revenues and skewed towards the unhealthy and unnatural economic imperatives dictated by the illicit economy. All of this will undermine the human security of West Africa's populations, as the cheapening of African lives fuels the drug trade leading to higher consumption in Europe and increased production in Latin America.

Despite increasing attention to this issue from the United Nations system, existing international responses are fragmented and do not reflect the gravity of the situation. The UN Security Council has recognized that drug trafficking and other emerging challenges in the region "pose a threat to regional stability with possible impact on international security."⁵ And recently, some very positive signs of coordination have been evident. Nevertheless, the responses developed by the UN Security Council, Peacebuilding Commission (PBC), Department of Peacekeeping Operations (DPKO), Department of Political Affairs (DPA), Office on Drugs and Crime (UNODC), and the International Criminal Police Organization (INTERPOL) have all been developed largely autonomously, without a clear overall strategy for building political will to fight the trade, or to put effective regional drug control, prevention, treatment, and rehabilitation mechanisms in place. While we are seeing improved coordination in specific cases, the UN and other international agencies remain hamstrung in responding to this

transnational threat because of the bureaucratic silos in which they operate.⁶ The agreement by some UN bodies and INTERPOL on a region-wide technical-assistance program to support the Economic Community of West African States (ECOWAS) is promising, but focuses on operational coordination only.⁷ There is as yet no real evidence of effective, strategic (as opposed to operational), and medium-term coordination among the UN, ECOWAS, West African capitals, European and Latin American capitals, and regional organizations, and other relevant international sectoral organizations, such as the World Customs Organization.

We argue that an effective response from the international community will require both measures to increase political will to fight this invisible tide, and measures to strengthen political, social, and law-enforcement institutions so they can resist its pernicious effects. We recommend four specific sets of measures:

First, we recommend increased attention to these issues at the political and strategic levels in Latin American, North American, and European capitals, and in multilateral institutions. Cooperative responses to drug trafficking through West Africa have, to date, largely been confined to operational coordination, and have not yet received the strategic attention they need. Accordingly, we recommend that the Security Council, exercising its responsibility to maintain international peace and security in the region, gives a clear conflict-prevention mandate to the Secretary-General's Special Representative (SRSG) for West Africa, Ambassador Said Djinnit, to work with the PBC and all other relevant actors to develop, within one year, a proactive international strategy for dealing with drug trafficking through West Africa, on a regional and interregional basis, for consideration by the Security Council.

Second, we recommend the development of a state-based Forum on West African Drug Trafficking (FWADT). This would provide a space for West African states, supported by external donors, to take ownership of efforts to deal with the

5 United Nations Security Council, *Statement by the President of the Security Council*, UN Doc. S/PRST/2009/20, July 10, 2009.

6 See generally James Cockayne and Christoph Mikulaschek, "Transnational Security Challenges and the United Nations: Overcoming Sovereign Walls and Institutional Silos," (New York: International Peace Academy, February 2008).

7 UNODC, DPKO, UNOWA (DPA), INTERPOL, and ECOWAS, "UNODC, DPKO, UNOWA (DPA), INTERPOL Partnership in Support to the Implementation of the ECOWAS Regional Action Plan on Illicit Drug Trafficking and Organized Crimes [sic] 2008-2011: Programme Concept," Vienna, April 2009.

invisible tide of drug trafficking through West Africa, and to respond to its social and economic impacts. The FWADT would be structured as a space for sharing experiences, developing practices and techniques to improve drug control, strengthening prevention, treatment, and rehabilitation arrangements, and enhancing control of drug-related corruption and money-laundering. A regional system of effective peer review should be an integral part of the forum. In time, the FWADT might also develop an operational component to facilitate coordinated programming and action to deal with specific aspects of the drug trade, serving as a region-wide mechanism for coordinating technical assistance from external donors and partners to states in the region. We examine some precedents that might help the development of such a forum.

Third, we recommend increased support for action by civil society to create social resilience to this invisible tide, to prevent the emergence of drug wars, and to mitigate the slide towards “junkie economics.” We suggest that the UN leadership and national leaders do more to call attention to the harm caused by drug trafficking through West Africa, to make drug consumers in Europe and beyond more aware of—and accountable for—their

role in fueling drug trafficking through West Africa, and to encourage civil society actors to work to create resistance to drug trafficking. We argue that more could be done to reinforce existing social norms against drug trafficking, to encourage traditional authorities in the region to condemn drug trafficking, and to ensure that rapid urbanization and the youth bulge in West Africa do not undermine those norms.

And finally, we recommend the creation of a system of international, complementary law-enforcement capacities, covering the full spectrum of operational activities “from intelligence, to interdiction, to incarceration” needed to deal with drug-trafficking networks through West Africa. This system should buttress and reinforce—not replace—national capacity; but it should also provide strong disincentives for political leaders to defect from international efforts to roll back the tide of drug trafficking through West Africa. We examine a number of precedents for how the UN system might work with local and regional partners to foster such capacity, including through hybrid investigative and prosecutorial capacity, and through an international contact group addressing the issue.

The Invisible Tide

Contemporary Drug Trafficking Through West Africa

In the last half decade, West Africa has emerged as a major hub in the global drug economy.⁸ Between 2001 and 2006, annual cocaine seizures in the region increased from approximately 273 kilograms to just under 14,579 kilograms. Most of these seizures were made in Nigeria, reflecting that country's enhancement of its law enforcement and interdiction capabilities.⁹ But in the four years from 2005 to 2008, annual seizures of cocaine destined for or coming from West Africa—rather than seizures *inside* the region—have in turn amounted to an additional 11 tons.¹⁰ Some of these large seizures seem to have been discovered almost inadvertently, suggesting that the true volume of cocaine being moved through the region is much higher than previously thought. At the same time, West Africa remains a key source of cannabis in southern Europe,¹¹ and is also emerging as an important transshipment point for heroin,¹² and precursors of amphetamine-type stimulants.¹³

This rapid transformation is in large part the result of the exploitation of the region by external—especially Latin American and southern European—drug-trafficking organizations, forging alliances and joint ventures with already-strong West African networks. The relatively weak drug-control and law-enforcement capacity of the states

of ECOWAS (the states upon which this report focuses) and the ubiquity of corruption in that region have made it a soft target not only for Colombian drug-trafficking organizations but also for groups from Italy, Mexico, Morocco, Spain, Venezuela, and perhaps Lebanon. They increasingly use the region for what might be termed “strategic warehousing,” and as a safe haven for the formation of commercial criminal relationships.¹⁴ West Africa's weak state capacity, poverty, and political instability mean that, increasingly, both its populations and foreigners are seeing its major “comparative advantage” in the world economy as “the production of illegality.”¹⁵ And one of the major forms of illegality, as the international community knows from its experiences in Afghanistan, Colombia, and Myanmar, is as a source of and marketplace for drugs. Indeed, Secretary-General Ban Ki-moon reports that Guinea-Bissau, one of the countries most vulnerable to drug trafficking, has already transitioned from being a mere transit hub to serving as a genuine marketplace.¹⁶

The emergence of this tricontinental trade should not be surprising. Cocaine consumption has grown steadily in Europe since the mid-1990s, almost tripling in a decade.¹⁷ In 2006, cocaine use in Europe almost matched that in America—and cocaine is almost twice as expensive in Europe.¹⁸ According to a 2008 report of the European Monitoring Center for Drugs and Drug Addiction (EMCDDA), cocaine is the “second most used illicit

8 For a detailed account, see UNODC, “Drug Trafficking as a Security Threat in West Africa,” (Vienna, October 2008).

9 UNODC, *2008 World Drug Report* (Vienna, 2008).

10 UNODC, “Cocaine Trafficking in West Africa,” pp. 3-7; and UNODC, “Drug Trafficking as a Security Threat in West Africa,” p. 3

11 See generally UNODC, “Drug Trafficking as a Security Threat in West Africa,” pp. 31-33. See also UN International Narcotics Control Board (INCB), *Annual Report 2008*, UN Doc. E/INCB/2008/1, February 2009, p. 47; UN General Assembly Resolution 59/160 (December 20, 2004); UN Doc. A/RES/59/60; Economic and Social Council (ECOSOC) Resolutions 2004/36 (July 21, 2004) and 2006/31 (July 27, 2006); and Commission on Narcotic Drugs (CND) Resolutions 45/8 (March 15, 2002), and 49/2 (March 2006).

12 See generally INCB, *Annual Report 2008*, p. 47; UNODC, “Drug Trafficking as a Security Threat in West Africa,” pp. 29-30. On the heroin trade from West Africa to the US, see US Department of State, “International Narcotics Control Strategy Report 2008,” (Washington, DC: Department of State, March 2008); and see Antonio L. Mazzitelli, “Transnational Organized Crime in West Africa: the Additional Challenge,” *International Affairs* 83, no. 6 (2007): 1071-1090, p. 1076. For example, in 2006, the DEA and the Chicago Police Department mounted a joint operation that led to the arrest of nine West Africans for importation of pure heroin originating in South Asia and moved through West Africa for distribution in the American Midwest. See J. Peter Pham, “The Security Challenge of West Africa's New Drug Depots,” *World Defense Review*, July 10, 2007, available at www.defenddemocracy.org/index.php?option=com_content&task=view&id=11780018&Itemid=0.

13 INCB (March 5, 2008), *West Asia, Africa Emerging as Major Trans-shipment Areas for Chemicals*, Says INCB, Press Release no. 6, available at www.incb.org/incb/press_releases_2008.html.

14 See *ibid.*; US Drug Enforcement Administration (DEA), “The Need for European Assistance to Colombia for the Fight Against Illicit Drugs,” Testimony, Prepared for the House Judiciary Committee's Subcommittee on Crime, Terrorism, and Homeland Security, September 21, 2006, available at www.usdoj.gov/dea/pubs/cngrtest/ct092106.html; and see UNODC, “Cocaine Trafficking in West Africa,” p. 20, for a good discussion of who controls the cocaine after it leaves West Africa.

15 The term is drawn from Barnett R. Rubin and Alexandra Guaqueta, “Fighting Drugs and Building Peace: Towards Policy Coherence Between Counter-Narcotics and Peace Building,” (New York: Friedrich Ebert Stiftung, November 2007); see also Mazzitelli, “Transnational Organized Crime in West Africa,” p. 1074.

16 United Nations, *Security Council is Told Progress in Guinea-Bissau Since Civil War of Late 1990s Imperiled by Drug Trafficking, Lack of Stability*, UN Doc. SC/9468, October 7, 2008.

17 Vivienne Walt, “Cocaine Country,” *Time*, July 9, 2007, p. 22.

18 UNODC, “Transnational Trafficking and the Rule of Law,” p. 14.

drug in Europe after cannabis.”¹⁹ And West Africa is already the major source of cannabis resin for the western European market.²⁰ It was estimated in 2008 that about 4 million Europeans (aged between fifteen and sixty-four years) had used cocaine in the last year and that about 2 million of those were in the fifteen-to-twenty-four-year-old age bracket.²¹ While the Netherlands, Spain, and the UK have long-standing problems with cocaine, in recent years France, Italy, and Portugal have also experienced increases in both the use and seizures of the drug.²² And this recent rise in demand is almost exclusively western European: an expected rise in demand from eastern Europe is yet to unfold.

The European cocaine market has become increasingly important as the US market has declined, an importance accentuated by the long-term strengthening of the euro against the dollar.²³ All of this makes Europe an increasingly important destination for the cocaine produced in Latin America. With interdiction efforts stepped up in the Caribbean, and now Mexico, as well as off Spain and Portugal, West Africa has emerged as a major access route and transshipment region. Indeed, overall figures suggest that traffickers of cocaine into Europe are accruing perhaps as much as \$11 billion each year, some of which they appear to be investing in opening up new drug-trafficking routes through West Africa by developing the relationships and infrastructure needed in the region to underpin their businesses.²⁴ With increased attention to efforts to interdict drugs flowing into North America through Mexico, drug trafficking through West Africa to Europe is likely to become an even more attractive business for Latin American and European, especially Italian, drug traffickers in the next three to five years.

There are some signs that increased interdiction efforts in West Africa are having some impact: cocaine seizures in the region rose in 2007, and the use of aerial couriers from the region appears to have fallen since then, resulting in lower seizures in Europe of drugs trafficked through West Africa.²⁵ But by UNODC’s own assessment, the value of cocaine trafficking through West Africa remains at least \$1 billion.²⁶ This may in fact understate the scale of the problem, because increased seizures in specific places in West Africa may well have led traffickers to develop new routes, including overland routes through the Sahel and on through the Mediterranean, or through more southerly parts of western Africa. There is anecdotal evidence suggesting that the intensified spotlight on Guinea-Bissau in recent years has led to traffickers moving their operations to neighboring countries.²⁷ And by UNODC’s own assessment, “[s]hould international attention waver, this region retains all of the attractions that drew traffickers here in the first place.”²⁸

Even some quick and conservative arithmetic highlights that the scale of drug money now apparently flowing through West Africa is enough to radically distort economic incentives in many small, poor West African states—and in some Latin American countries and European communities. As Table 1 shows, the European wholesale price of just 3 grams of cocaine is roughly equivalent to the average gross domestic product (GDP) per capita in Liberia. Even if drug mules receive only a tiny proportion of that value for their risky journeys, and even if intermediaries staying put in Liberia make even less than that, it is not hard to see that it will quickly become very tempting for many impoverished West Africans to participate in the drug trade, despite its risks.

19 European Monitoring Center for Drugs and Drug Addiction (EMCDDA), “2008 Annual Report: the State of the Drugs Problem in Europe,” 2008, available at www.emcdda.europa.eu/publications/annual-report/2008, p. 59.

20 EMCDDA, “A Cannabis Reader: Global Issues and Local Experiences,” *EMCDDA Monographs* 8, no. 1 (June 2008), available at www.emcdda.europa.eu/attachements.cfm/att_53353_EN_Cannabis%20Vol%201%20FINAL.pdf, p. 191.

21 EMCDDA, “2008 Annual Report,” p. 60.

22 EMCDDA, “Technical Datasheet: Monitoring the supply of Cocaine to Europe,” October 2008, available at www.emcdda.europa.eu/publications/technical-datasheets/cocaine-trafficking.

23 That strengthening, and the fact that the euro currency includes 500-euro notes, whereas the highest denomination US dollar note is 100, have made the euro symbol a recurring motif in gangsta-inspired hip-hop and rap, because many drug-trafficking organizations (often celebrated in these cultural art forms) now prefer to store their profits in 500-euro notes, rather than 100-dollar bills.

24 This assessment is based on UNODC’s 2008 trade volume figures, and its online database of wholesale and retail prices of cocaine, available at www.unodc.org/unodc/en/data-and-analysis/Research-Database.html.

25 UNODC, “Transnational Trafficking and the Rule of Law,” p. 4.

26 *Ibid.*, p. 3.

27 Author’s confidential interviews with national and international law-enforcement officials, Praia, October 2008, and New York, March 2009. See also, United Nations, *Statement of Mr. Antonio Maria Costa, Executive Director of UNODC, to the United Nations Security Council*, UN Doc. S/PV.6157, July 7, 2009, p. 5.

28 UNODC, “Transnational Trafficking and the Rule of Law,” p. 3.

Table 1: Per Capita GDP as grams of cocaine at European wholesale price

Country	Per Capita GDP, 2005E	Number of grams of cocaine, at European wholesale prices, whose value is equivalent to per capita GDP
Benin	\$604	12.9
Burkina Faso	\$407	8.7
Cape Verde	\$2,136	45.4
Côte d'Ivoire	\$937	20.0
Gambia	\$348	7.4
Ghana	\$484	10.3
Guinea	\$357	7.6
Guinea-Bissau	\$223	4.8
Liberia	\$137	2.9
Mali	\$441	9.4
Niger	\$268	5.7
Nigeria	\$611	13.0
Senegal	\$780	16.6
Sierra Leone	\$205	4.4
Togo	\$417	8.9

Source: Global Insight. All numbers for 2005. Wholesale value based on UNODC *Annual Report 2008* (Vienna, 2008).

Add to this economic arithmetic the drug trade's traditional calculus of violence, corruption, and coercion, and there seems to be every reason to believe that some West African states are seeing the beginning of a process of "narco-intervention" in some of the areas—such as urban slums, archipelagic coastlines, and banking systems—over which they exercise weak central control. As we argue in more detail below, this will have profound impacts on the region's security, politics, development, and health. And drug trafficking through West Africa will also have serious negative impacts on Latin American and European drug control and public order by providing Latin American and European drug-trafficking organizations with access to new markets and revenue streams. This will have knock-on implications for policies on issues as diverse as immigration, official development assistance, policing and crime control, and even military force structures and deployments.

Fertile Ground: West Africa's Emergence in the Global Illicit Drug Market

West Africa has proved to be fertile ground for foreign trafficking organizations in the last five years because they have found there both a permissive operational environment—with easily corrupted law-enforcement agencies of limited

territorial reach—and, equally important, experienced and capable local partners in crime. The salience of West Africa's own extensive history of participation in transnational organized crime—especially drug trafficking—is often overlooked in accounts of the emergence of the drug trade through West Africa in recent years. West Africa's significant involvement in the drug-trafficking business is all the more remarkable because of its location—until recently—outside major drug routes, its poverty, and the absence of major consumer markets within the region. That involvement therefore suggests that West African participation in global drug trafficking will be quite resilient, even if the involvement of foreign drug-trafficking organizations in the region is curtailed—unless local control capacity is substantially strengthened.

West African involvement in the global drug trade was pioneered by Nigerian drug-trafficking organizations. Some accounts trace this involvement back to the collapse in oil prices in the early 1980s. With many Nigerian students overseas no longer able to count on family support, the drug business sometimes provided alternative funding mechanisms. Military dictators and corrupt civilian leaders provided protection and support, and

Nigerian drug traffickers rapidly graduated from being couriers in the global drug trade to being organizers in their own right. By the mid-1990s it was reported that Nigerian groups in Brazil employed about 1,500 people, exported 10 tons of cocaine a year, and engaged in the barter of cocaine and heroin.²⁹

With highly adaptive organizations which varied in structure—hierarchies, networks, and self-contained independent cells—Nigerian drug traffickers flourished and expanded both in West Africa and further afield. Nigerian drug-trafficking organizations were reported to be active in Cambodia, the Czech Republic, Germany, Great Britain, Hungary, Italy, the Philippines, Singapore, Thailand, Turkey, and the United States—even as far away as Australia.³⁰ By 2002 they had come to

dominate the African drug trade and transport narcotics as well to markets in the United States, Europe, and Asia. Southeast and Southwest Asian heroin smuggled via Nigeria accounts for a significant portion of the heroin imported into the United States. Nigerian criminal elements operating in South America transship cocaine through Nigeria to Europe, Asia, and Africa. South Africa is a major destination for Nigerian-trafficked cocaine within Africa.³¹

This emergence of Nigerian drug trafficking has had serious consequences not only for Nigeria but also for the West African region. First, as the Nigerian government, under international pressure, was forced to confront drug-trafficking organizations, the traffickers extended their operations into other parts of West Africa where governments were less attuned to the challenge. This regionalization of the problem may also have been unwittingly facilitated by improved mobility and deepening economic integration among the ECOWAS states.³² Second, Nigerians, who were increasingly targeted at airports in Europe and the United States, began

to recruit citizens from neighboring countries who were outside the established drug-trafficker profile. Third, in many countries in West Africa, Nigerian drug traffickers were regarded by many as models to be emulated, leading to the emergence of a distinct, highly flexible criminal business model known in the specialist literature as “West African criminal networks” or “West African criminal organizations.”³³ This model eschews the traditional hierarchical forms associated with the Italian mafia and other loyalty-, kinship-, and ethnicity-based criminal organizations (such as the Japanese *yakuza*), in favor of a higher-risk/higher-profit system of one-off joint ventures and transaction-based partnerships. There is evidence that this more transactional approach is, in fact, becoming the dominant paradigm in a highly connected transnational illicit economy.³⁴ It seems no accident that this model emerged from West Africa, given its history of significant interethnic commercial relations, often in an informal economy obscured from colonial powers or conducted in the hinterland, beyond the reach of the state.

It would, however, be unfair and inaccurate to pin responsibility for drug trafficking through and in West Africa exclusively on Nigerian organizations. Autonomous criminal entrepreneurs emerged throughout the region, often supported by collusion from the political and business elites. In 2001, 1,127 people were arrested for drug offences in Senegal; the majority of them were Nigerians and Ghanaians.³⁵ And in 1996, Benin was described as a “hard drugs hub,”³⁶ while in 2002 “the police at Cotoneau Airport ... acknowledged that the diplomatic bag was being used for drug trafficking.”³⁷ In 2002, as part of a major money-laundering investigation in Europe known as Operation Spider Web, Gabriel Toussou, chairman of Mobile-Plus group in Benin was arrested for

29 For a good analysis of the pervasiveness of Nigerian organized crime, see Peter Chalk, “Countering Nigerian Organized Crime,” *Jane’s Intelligence Review*, September 1, 2003.

30 See Steve Jackson, “West African Organised Crime in Focus,” *Platypus* (Australian Federal Police magazine), No. 74, March 2002, pp. 14-19.

31 US Department of State, “International Narcotics Control Strategy Report 2002,” (Washington, DC: March 2003).

32 See UNODC, “Transnational Organized Crime in the West African Region,” (New York: UNODC, 2005), p. 4.

33 For an examination of the emergence of a distinct “West African” model of criminal organization, see UNODC, “Results of a Pilot Survey of Forty Selected Organized Criminal Groups in Sixteen Countries,” (Vienna: UNODC, 2002). British criminal intelligence reports certainly used the term “West African” rather than just “Nigerian.”

34 *Ibid.*

35 US Department of State, “International Narcotics Control Strategy Report 2002.”

36 *Ibid.*

37 See Newscast presented by Charles Benayiou, “Benin: Customs Official Comments on Efforts to Combat Drug Trafficking,” Open Source Center AFP2000112000235, Cotonou Golfe FM original French broadcast, 06:30GMT, November 29, 2000.

drug trafficking and money laundering and was accused of collaborating with Russian organized crime.³⁸ And in October 2003 a former Beninese ambassador to Côte d'Ivoire was arrested in Brazil with 23 kilograms of cocaine while en route to France.³⁹ These incidents reveal that even prior to the recent influx of Colombian and other Latin American drug-trafficking organizations, West Africa had witnessed the emergence of indigenous trafficking networks.

Transformation: How Narco-intervention is Opening Up West Africa

In recent years, this indigenous West African involvement in the drug trade has been transformed by the arrival of emissaries and agents from cocaine-producing-and-supplying organizations from Latin America. Like the commercial agents of European states sent to open up West African markets in the sixteenth and seventeenth centuries, and those sent to open up the Chinese market to opium in the eighteenth and nineteenth centuries, these agents have used a combination of coercion and corruption to induce local populations to receive and traffic these foreign goods. And as in those previous cases, their activities are having a profound effect on local political economies.

Yet the attractiveness of West Africa to these foreign organizations does not lie primarily in West African demand, as was the case when British gunboats opened up China to the opium trade. Nor does it lie in supply, as was the case when European powers used textiles, rum, and trinkets to create a supply of slaves, which fueled the Triangle Trade. Instead, the added value offered by West Africa is its lack of effective and responsible government.

West Africa offers a safe haven, half-way between the site of production (Latin America) and the site of consumption (Europe), where drugs can be warehoused and traded, relatively free from effective interference by states. In the drug business, as in real estate, location matters. And West Africa has become the major transshipment route for the

flow of cocaine to western Europe. Most states in West Africa meet the two major requirements of transshipment countries: ease of transit and access to target.⁴⁰

It is not surprising, therefore, that West Africa is increasingly being squeezed between trafficking organizations from Latin America and criminal organizations from Western Europe, most significantly the Calabrian 'Ndrangheta. 'Ndrangheta members are known to have been responsible for at least one trafficking operation in which cocaine was brought from South America to Italy via Senegal and Portugal.⁴¹ In this instance, 'Ndrangheta families operating through the Calabrese port of Gioia Tauro were linked to criminal groups in Spain and West Africa. Other reports have suggested that the 'Ndrangheta has also established a presence in Togo, and that there are growing linkages between 'Ndrangheta families and Moroccan drug-trafficking organizations.⁴²

Yet exploitation of the region is not simply about access to Europe. The emergence of West Africa as a hub for cocaine trafficking should also be understood as part of the continuing dialectic between drug-trafficking organizations and state authorities. Using West Africa for transshipment allows Latin American traffickers to expand available trafficking routes and complicate the task of interdiction. This became increasingly urgent after first the Caribbean route, and then high-seas transshipment to Europe, were made significantly more perilous by interstate cooperation to improve maritime and aerial interdiction. The use of West Africa—which lacks effective coastguards and airspace control arrangements—adds additional maritime and aerial routes both out of Latin America, and into Europe.⁴³ In fact, there is some evidence to suggest that drug-trafficking organizations are developing overland routes to ship cocaine from the West African hinterland to North Africa, where it can be smuggled by established routes across the Mediterranean and into southern

38 Distel Amoussou, "Beninese Businessman Detained in Paris for Drug Trafficking, Money Laundering," Open Source Center AFP20020702000235, Cotonou Le Progres (Original in French), June 27, 2003, p. 1.

39 Philippe d'Almeida, "Benin: Former Ambassador Arrested with Cocaine in Brazil," Open Source Center, AFP20031003000040, Cotonou L'Aurore (in French) October 1, 2003, pp. 1, 3.

40 Richard Friman, "Just Passing Through: Transit States and the Dynamics of Illicit Transshipment," *Transnational Organized Crime* 1, no.1 (1995): 69-83.

41 See Natasha Kingston, "Cocaine Trafficking in Southern Italy: The 'Ndrangheta, the SCU, and the Transnational Threat of Cocaine Trafficking, Supply, and Consumption," *Standing Group Organised Crime E Newsletter* 6, no. 2, pp. 10-12.

42 Italian National Police Annual Report 2007, Second Part, p. 39, available at http://poliziadistato.it/pds/file/files/Annual_Report_2007_web_1_2.pdf.

43 UNODC, "Cocaine Trafficking in West Africa," December 2007, p. 21.

Europe.⁴⁴

West Africa's vulnerability to such external intervention is exemplified by Guinea-Bissau, to date the most publicized case of drug trafficking in the region. The country has proved a perfect way-station or transshipment point for drugs, personnel, and other goods on the way from Colombia (often via Venezuela and Brazil) to Europe, whether transported by plane or ship. As one commentator notes,

Guinea-Bissau lies at a crucial point for South American cartels trying to get their drugs into Europe. Light aircraft are thought to carry it from Brazil to land in the remote islands of Guinea-Bissau's Bijagos archipelago. The cocaine then travels on to Europe—by boat, shipping container, plane, or truck.⁴⁵

Guinea-Bissau's archipelagic coastline includes some ninety or so small islands, most of which are uninhabited and some of which contain small, secluded airstrips. The country suffers from high levels of poverty. Law enforcement is weak and underfunded, with the coastguard extremely limited in capacity, airspace-control essentially nonexistent, and terrestrial security organizations pitted against each other. The governing elite, the military, and law-enforcement personnel are vulnerable to corruption, and there are historic links with both Brazil and Portugal, making it easy to deliver and offload cocaine supplies.

Yet these traits are by no means unique to Guinea-Bissau. In fact, they are ubiquitous among countries in the region, although they are present in different combinations. In global surveys measuring positive attributes of economic, social, and political development, the states of West Africa are generally clustered towards the bottom. In surveys measuring negatives such as poor governance, political instability, and corruption, they typically rank at or near the top. The region is characterized by high levels of poverty, low levels of human development, extremely poor governance, high levels of corruption, latent instability, rapid and uncontrolled urbanization, high levels of unemployment—especially among youth—a

continued youth bulge, and large informal economies. Indeed, West Africa can be understood as a concentrated microcosm of the inherent problems and challenges in states which are at or near the bottom of the development chain. Much of the population of West Africa makes up a significant portion of what Paul Collier has termed the "bottom billion."⁴⁶

Consequently, the region provides multiple vulnerabilities which can be exploited by both indigenous and transnational drug-trafficking organizations. The variations in these risk profiles within West Africa in turn enable drug-trafficking organizations to engage in strategic arbitrage. They can—and do—engage in jurisdiction-hopping to avoid short-term law-enforcement clamp-downs, and develop a dynamism that makes proactive law enforcement very difficult, particularly if carried out on a unilateral, national, and uncoordinated basis.

In the following sections we explore the different risks West African countries face from exploitation by drug traffickers, and the consequences for the region. The analysis identifies four broad areas of risk and impact: on political and military security and stability within the region; on human security, including health, urbanization, and employment; on broader economic security and development; and on security beyond the region, through external spillover.

Political and Military Security Risks and Impacts: West Africa's Coming "Drug Wars"

The invisible tide of drug money flowing into West Africa will fuel political instability and violence between both local and foreign factions, as they compete for control of the trade or use its profits to compete for political power. The result could well be an extended period of "drug wars" in West Africa.

Such a devastating result will not solely be the result of malevolent external intervention, but also local collusion, corruption, and predation. West Africa has long suffered from high levels of

44 Author's confidential discussions with Western intelligence community, October 2008; see also Kurt Pelda, "Schnee in der Sahara," *Neue Zürcher Zeitung*, August 13, 2009, p. 7.

45 Jonathan Miller, "Africa's Drugs Gateway to Europe," July 19, 2007, available at www.channel4.com/news/articles/society/law_order/africas+drugs+gateway+to+europe/611152.

46 Paul Collier, *The Bottom Billion* (New York: Oxford University Press, 2007).

instability, which both reflect the colonial legacy and the predatory and partisan nature of the state in large parts of Africa. In many countries in West Africa, states have developed in ways that may actually—if unintentionally—pose the risk of facilitating practices that the current rules of the international system label as crime and corruption.

Indeed, as William Reno has argued, West African states often adopt governance practices that many outsiders perceive as forms of organized crime and typically involve the subordination of the collective interests to individual and sectoral interests.⁴⁷ The dominant pattern has been one of strong, often authoritarian, regimes combined with weak state structures with low levels of legitimacy. In Reno's terms, in many West African states, public governance has frequently been subordinated to parochial and narrow interests, whether personal, familial, or tribal.⁴⁸ Disconnected from the "nation" and other ties of trust and loyalty, West African states are frequently not institutions above politics, but the prize of politics: whoever controls the state controls the distribution of resources.⁴⁹ These zero-sum governance arrangements all too often produce "predatory," "vampire," or "mafia" states, in which the state becomes something of "a mafia-like bazaar, where anyone with an official designation can pillage at will..."⁵⁰ Of course, it is easy to mistake traditional systems of family-, clan-, and tribe-based social protection for "greed." And it is not only states in West Africa that might be criticized for such vulnerabilities. But, equally, it is also easy for those who are truly motivated by avarice and self-regard to use the cloak of traditionalism as a defense against legitimate criticism of their disregard for broader public purposes.

This double-game—using public institutions and the technologies of sovereignty and popular legitimacy, while pursuing personal or private interests—creates a dangerous fragility throughout much of the region. It also tends to produce somewhat schizophrenic security governance,

oscillating between contested anarchy and repressive monopolies of violence. Indeed, what one observer has called the "politics of exclusion" ensures that the competition for power in West Africa often short-circuits the democratic process.⁵¹ Such patterns are likely to continue as long as West African political economies are dominated by zero-sum conceptions of power.⁵²

For transnational drug-trafficking organizations, both repressive and contested states hold potential as sites for drug-trafficking activities, or even for the creation of joint venture "narco-franchises." Where government is *repressive* and predatory, criminal activity might be welcomed as an additional and particularly lucrative source of income for political elites—particularly if they have been excluded from access to international markets by international policies (such as targeted sanctions).⁵³ This seems likely to produce an apparently stable, if somewhat brittle, symbiosis between local elites and external trafficking organizations, as appears to have emerged in Guinea-Bissau. At first, the violence associated with drug trafficking may be controlled by the state, and used as an instrument of internal repression. Still, as events in Guinea-Bissau also suggest, these apparently stable symbioses can suddenly crack, with violence flaring as a rebellious faction seeks to wrest away from the dominant group control of political power—and access to the profits from drug trafficking.

Where the state is *contested*, and especially where there are no-go zones for government and law-enforcement agencies, transnational drug-trafficking organizations can operate either with government acquiescence or by establishing themselves in those no-go zones. Although many of the West African armed conflicts of the 1990s have dissipated or been controlled, divisions remain. One of the dangers in divided societies is that illicit revenues themselves will regenerate and fuel violent competition. Indeed, there is already strong

47 William Reno, "Understanding Criminality in West African Conflicts," *International Peacekeeping* 16, no. 1 (February 2009), p. 53.

48 William Reno, "Clandestine Economies, Violence and States in Africa," *Journal of International Affairs* 53, no. 2 (Spring 2000): 433-459.

49 See, for example, Obi N. I. Ebbe, "The Political-Criminal Nexus: The Nigerian Case," *Trends in Organized Crime* 4, no.3 (Spring 1999): 29-59.

50 George B. N. Ayittey, *Africa in Chaos* (New York: St. Martin's Griffin, 1999) p. 151.

51 *Ibid.*, p.73

52 Jean-Francois Bayart, Stephen Ellis, and Beatrice Hibou, *The Criminalization of the State in Africa* (Bloomington, IN: Indiana University Press, 1999).

53 A similar emergence of a politico-criminal nexus in the face of international sanctions has been evident in disparate cases such as Haiti, Iraqi, North Korea, and Serbia.

evidence of the involvement of separatist elements in the Casamance in cannabis trafficking.⁵⁴ Additionally, according to the 2004 annual report of the International Narcotics Control Board, in both Côte d'Ivoire and Liberia the proceeds from drug trafficking facilitated the acquisition of "arms and ammunitions used by rebel groups and criminal organizations."⁵⁵ And since West Africa is already the location of large numbers of armed groups, and is awash with a ready supply of small arms and light weapons, drug-money-fueled armed violence seems all the more predictable.⁵⁶

If Guinea-Bissau were the easiest and most convenient target for "narco-intervention," it would be far from the only candidate for such a process. Indeed we might be seeing something of a "bandwagon effect," with elites in other countries seeking to emulate the profit-making they see in that country from involvement in intercontinental drug trafficking. One particular concern is that military cadres in other states may seek to emulate the drug-trafficking activities of elements of Guinea-Bissau's military. Drug-trafficking revenues could offer a highly tempting fast-track to the top for a younger generation of military officers. Indeed, one long-time correspondent for a major international newspaper who spoke with one of the

authors of this paper indicated that there was already an element of *The Godfather* in the embrace of drug trafficking by some younger West African political and military figures: where their forebears had refused to become involved in the trade out of fear that it would ultimately consume them, the younger generation sees it as a vehicle to supersede and capture the power of their elders.⁵⁷

Many of the states in West Africa exhibit a level of corruption which suggests that government officials might be prepared—confronted by the right carrots and sticks—to collude with both indigenous and transnational drug-trafficking organizations. Consequently, the military, police, members of the judiciary, key ministers and officials, and even prominent parliamentarians are likely to be targets for corruption by drug-trafficking organizations. With little oversight and accountability many are likely to succumb to the inducements. The result is that opportunistic corruption will become even more entrenched and pervasive than in the past. Recent revelations in Guinea (see Box 1) point to the depth of the problem. Any prolonged political instability or protracted violence in that country could easily pose risks for the stability of Sierra Leone and Liberia.

Box 1: Confessing to drug trafficking through Guinea

The death of President Lansana Conté of Guinea in December 2008 was followed quickly by a military coup that propelled Capt. Moussa Dadis Camara to power. Since he seized power, Dadis has arrested more than a dozen figures close to the former President. Many of them – including Conté's son, brother-in-law and intelligence chief – have made video-taped confessions of partnering with Latin American drug traffickers, which have subsequently been broadcast on national television. These confessions are not unimpeachable: they were made in custody, and Dadis has not arrested a number of figures in his own regime that are thought to be involved in the drug trade. Still, the broadcasts appear to have done much to bring the issue of pervasive connections between the state and drug-trafficking to the surface. "Eighty percent of the men in uniform lived off of this - it wasn't just me," said one junior police officer who confessed to stealing a packet of cocaine and reselling it for \$15,000. "It was everyone."

See Rukmini Callimachi, "Guinea narcostate revealed in TV confessions", Associated Press, March 15, 2009.

54 Martin Evans, *Ni Paix ni Guerre: the Political Economy of Low-Level Conflict in the Casamance*, Background research for HPG Report 13 (London: Overseas Development Institute, February 2003), p. 11-13.

55 "Annual Report of the International Narcotics Control Board Focuses on Relationship between Drug Abuse, Crime and Violence at Community Level" February 27, 2004, available at www.incb.org/incb/press_release_2004_02_27_1.html.

56 See for example N. Florquin and E. Berman, *Armed and Aimless: Armed Groups, Guns, and Human Security in the ECOWAS Region* (Geneva: Small Arms Survey, 2005).

57 Author's confidential interview, New York, April 2009.

Drug-related corruption is particularly pernicious: it corrodes the rule of law, neutralizes law enforcement, and undermines good governance. Moreover, once key members of the elite cooperate or collude with drug traffickers, the incentives for suppressing or inhibiting the freedom of the press, for undermining the capacity of civil society to monitor or investigate government, and for preventing the creation or effective operation of anticorruption institutions become almost overwhelming. Protecting criminal-political corruption networks requires a lack of both transparency and accountability.

We do not claim that drug trafficking through West Africa will immediately spark “drug wars” or the wholesale embrace of drug corruption. The mere arrival of the drug trade in a country whose governance is already weak need not pose an immediate and dramatic threat. Its dangers are, in many ways, more insidious and slow burning. The danger is that the invisible tide of drug money will rot the foundations of existing social, security, and political institutions, and hollow out the progress that has already been made towards democratic practice in the region, providing an attractive source of funding for electoral campaigns and corrupting democratic decision making. With inadequate governance and widespread corruption, drug-trafficking organizations can “buy” departments, police agencies, judicial authorities, and even whole governments thereby obtaining not only impunity but even protection. Ironically, far from acting as safeguards, democratic elections—absent effective electoral-finance transparency and oversight—could provide opportunities for corruption payments by drug-trafficking organizations to finance campaigns and buy subsequent favors. Drug money could easily provide an important, even transformative, source of electioneering funds. Whatever form it takes, this convergence between the transnational and the local—with local politics becoming an extension of transnational criminal activities and transnational crime becoming an extension of local politics—seems

likely to be highly disruptive and damaging to West Africa’s governance, security, and enjoyment of human rights.

Of course, undifferentiated regional assessments fail to do justice to those who are seriously and systematically trying to provide good governance. In Transparency International’s 2008 Corruption Perceptions Index, for example, Cape Verde ranked 47, Ghana ranked 67, and Senegal ranked 85, which put all three in the top half of the 180 countries included in the index. Benin and Mali both ranked at 96, while Niger was placed at 115, Nigeria at 121, Liberia at 138, and Côte d’Ivoire at 151.⁵⁸ Gambia, Guinea, Guinea-Bissau, and Sierra Leone were clustered among the most corrupt countries at 173.⁵⁹ In some ways this was a considerable improvement on the early 2000s when Nigeria was ranked second only to Bangladesh as the most corrupt country in the world. And recent developments in Cape Verde also demonstrate that a concerted effort by a local political leadership to resist drug trafficking and develop living standards, if supported appropriately by external agencies, can achieve significant results. It is noteworthy that these improvements in Cape Verde have been accompanied, if not directly caused, by a concerted effort to improve Cape Verde’s resistance to corruption and manipulation by drug-trafficking organizations, supported by UNODC and the European Union (EU).⁶⁰ As we argue later in this report, such external support may be crucial to transforming the incentive structures confronting local elites, challenging and perhaps even undermining their willingness to collude with drug-trafficking organizations.

Generally speaking, West Africa’s law-enforcement institutions are likely to provide few effective checks on such corruption. There are weaknesses in the whole chain of law-enforcement activities and institutions—from intelligence, to interdiction, to incarceration—necessary to combat drug trafficking. In some countries, the problem is that police forces are inadequately paid, poorly trained, and susceptible to bribery and intimidation. Many

58 Transparency International, “Corruption Perceptions Index,” 2008, available at www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table.

59 Ibid.

60 CAVE INTECRIN is a drug- and crime-control initiative of the UNODC and Cape Verde, funded by the European Commission and some EU member states. While representing a concrete response to increasing crime levels (at least partially resulting from increased cocaine trafficking through the country), the CAVE INTECRIN also targets drug prevention, treatment, and rehabilitation, as well as money laundering and organized crime. (See UNIS, “UNODC Teams with Government of Cape Verde and European Commission to Combat Crime and Narco-Trafficking,” UNIS/NAR/918, October 4, 2005, available at www.unis.unvienna.org/unis/pressrels/2005/unisnar918.html).

West African states lack adequate forces dedicated to counternarcotics. In a few countries, such as Guinea-Bissau, the problem is also a lack of adequate prison facilities in which to detain suspected drug-traffickers. In some others, where the police, intelligence, and military forces make serious efforts to combat trafficking, their efforts are undermined by a corrupt judiciary. This has been evident in Ghana, where, according to one analyst, “the judiciary has in no small way thwarted the zeal and ability of the security agencies” to combat drug trafficking by granting bail to traffickers for very modest amounts.⁶¹ As a result, traffickers are able to escape, and drugs which have been seized simply disappear. The implication is that “drug trafficking networks in Ghana increasingly have the capacity to corrupt ... government officials and influence the outcome of the criminal justice and political processes.”⁶² The neutralization of the judicial system and law-enforcement institutions allows drug-trafficking organizations the space in which to operate. Consequently, it is a desired objective for targeted corruption.

Nor will borders contain this trend. West African states have highly permeable borders, stemming partly from traditional trading practices and partly from weak border-control institutions. The region has a long history of intercommunal trade, in addition to cross-border smuggling arrangements designed to escape the reach of colonial powers and state institutions controlled by hostile groups. The informal economy has been encouraged and facilitated by corruption, differential commodity prices, and varying import and export duties, as well as the weak penetration of state bureaucratic infrastructures into the rural hinterland. Additionally, borders throughout much of the region are relics of colonial agreements between European states, and do not reflect the distribution of populations or their habitual trading patterns—both of which often straddle those borders. Contraband smuggling of licit products such as cocoa, textiles, and oil is rife in various parts of the region. It is only a small step from the illicit movement of legal commodities to the smuggling of prohibited products such as drugs and drug money. Both

human smuggling for immigration purposes and people trafficking for labor and sexual exploitation have also become endemic in the region. This is hardly surprising. As a 2004 assessment noted,

porous borders, the limited capacity of security forces, and the inaccessibility of many border regions also make border zones particularly vulnerable to the spread and trafficking of drugs, small arms, mercenaries, child soldiers and women. Insecurity is often rife in areas where there are few checks on the activities of rogue armed groups.⁶³

Such conditions allow members of transnational drug-trafficking organizations to move around relatively easily within West Africa, to multiply the number of transshipment locations through which drugs can be moved to Europe, and to develop enough flexibility to compound the difficulties facing law enforcement. Intra-regional mobility also allows easy identification and exploitation of governance inadequacies and dysfunctions which are not distributed evenly among the countries of the region. And we already see the results of this mobility in the emergence of jurisdictional arbitrage: with increased international attention to Guinea-Bissau, there is already significant evidence that trafficking has been “displaced” across the border to neighboring states where the spotlight of the international community burns less brightly.⁶⁴

Human Security Risks and Impacts: Cheapening West African Labor and Life

If West Africa is becoming a key source of production and distribution of illegality in the global drug economy, one major reason for this is the cheap price of labor—and the low value placed on life—in the region. “Cheap” West African labor was at the heart of the original slave trade. It is also at the heart of the success of drug trafficking through West Africa. What makes West African labor so cheap—and West Africans so willing to undertake risks for a price that undercuts other markets—is the region’s endemic poverty and unemployment, which seem likely to deepen in the next three to five years on the back of a global economic downturn, declining overseas state aid and private remittances, a dramatic youth bulge, and the increasing impact

61 Kwesi Aning, “Are There Emerging West African Criminal Networks? The Case of Ghana,” *Global Crime* 8 (August 2007): 193-212, p. 201.

62 *Ibid.*, p. 202.

63 See UNOWA, “Background Paper: Integrated Strategies for Sensitive Border Areas,” (Dakar, September 2004), p. 1.

64 Author’s confidential discussions with Western intelligence community, October 2008 and early 2009.

of climate change. Desperate times will, for many young African men and women, lead to desperate measures—even participation in intercontinental drug trafficking.

Though there are important differences within West Africa, one of the most important commonalities is widespread poverty. The level of economic and human development in the region is very low. This is reflected in the Human Development Index (HDI) produced by the United Nations Development Program (UNDP). In the most recent index (2006) only three West African countries rank in the category of “medium” human development with Cape Verde at 118, Ghana at 142, and Senegal at 153.⁶⁵ These are the development success stories. The rest of West Africa falls into the “low” human development category with Nigeria at 154, Togo 159, Gambia 160, Benin 161, Côte d'Ivoire 166, Guinea 167, Mali 168, Guinea-Bissau 171, Burkina Faso 173, Niger 174, Liberia 176, and Sierra Leone in last place at 179.⁶⁶ Although the HDI covers more than gross national product (GNP) per capita and includes life expectancy, literacy rates, and educational levels, it is clear from these rankings, as well as other studies throughout West Africa, that large numbers of people live at or below the poverty line. And just as wealth encourages the creation of additional wealth, poverty also tends to be self-reinforcing. Not surprisingly, West Africa has very low levels of foreign direct investment. Although a few countries have experienced some level of economic growth, economic opportunities have remained limited. The worldwide economic downturn will only make this worse.

In these circumstances, the development of indigenous drug-trafficking organizations and—even more—the influx of transnational trafficking networks are seen by many citizens as a major boon. One West African journalist even suggested that many people believe that the use of Guinea-Bissau for drug transshipment is “a blessing from

God because the government does not have the money to pay people.”⁶⁷ The influx of Colombian and other drug-trafficking organizations in the last several years coincided with a period of economic dislocation as a result of a decline in the price of Guinea-Bissau’s major export: cashew nuts. According to some press reports, when drug-trafficking planes land on islands off the coast, which have old Portuguese-built airfields, villagers help to unload the drugs, police and military protect the operation, and government officials often collect crates of cocaine.⁶⁸

Organized crime looks particularly attractive where high levels of poverty are accompanied by high levels of unemployment and underemployment. West Africa has some of the highest estimated unemployment rates in the world.⁶⁹ As elsewhere on the African continent, the unemployment and underemployment problem is increasingly exacerbated by a youth bulge. According to one assessment, 60 percent of the region’s 270 million inhabitants are under the age of thirty years. Moreover, an expanding percentage of the population is between fifteen and twenty-four years of age: the age at which young men are most likely to be involved in criminal activity and to pose a threat to stability.⁷⁰ All this adds a highly pernicious component to the unemployment problem. As a recent study by the United Nations Office for West Africa (UNOWA) notes, “current levels of unemployment among young men and women in West Africa are a ticking time bomb for the region and beyond. In some countries, such as Sierra Leone, the number of young people lacking proper work exceeds 50 percent.”⁷¹ The same study goes on to point out that “youth unemployment is the root cause of destructive and self-destructive behavior, ranging from activity in neighborhood gangs to membership of local militias, where unemployed young people desperately seek not only income, but also recognition and a sense of belonging.”⁷² As a

65 See “Statistics of the Human Development Report,” 2008, available at <http://hdr.undp.org/en/statistics/>.

66 Ibid.

67 Walt, “Cocaine Country.”

68 As recounted in, for example, Walt, “Cocaine Country.”

69 For example, the current estimates of the CIA World Factbook include: Liberia, 85 percent (2003 est.); Burkina Faso, 77 percent (2004); Senegal, 48 percent (2007 est.); Mali, 30 percent (2004 est.); Cape Verde, 21 percent (2001 est.). The mere fact that more accurate data is not available provides an indication of the parlous state of labor markets in the region.

70 Ellen Brennan-Galvin, “Crime and Violence in an Urbanizing World,” *Journal of International Affairs* 56, no. 1 (Fall 2002), p. 131.

71 UNOWA, “Youth Unemployment and Regional Insecurity in West Africa,” (Dakar, August 2006), p. ix.

72 Quoted in *ibid.*, p. x.

result, they can pose a risk for security and stability: “Youth who are able-bodied but unskilled, jobless and alienated, have been ready to take up arms in exchange for small amounts of money ... and are more likely to be drawn into the influence of warring factions or criminal gangs to gain this ‘empowerment.’”⁷³

Drug-trafficking organizations seem likely, therefore, to prove highly attractive to poor, unemployed men and some women. “In economies marked by high levels of surplus labor, unemployment, poverty and an egregious mal-distribution of wealth and power, crime creates opportunity, and opportunity creates organized crime.”⁷⁴ In other words, drug-trafficking organizations are typically seen by populations and even by many elements in governments as providing wealth and opportunities rather than posing a national security threat. They provide a safety valve and even a safety net in areas where the state is characterized largely by its absence. When urbanization is added to the mix the dangers become even more obvious.

Urbanization inevitably will open fissures through which the invisible tide will roll with relative ease. First, rapid and large-scale urbanization almost always involves a breakdown of the traditional norms and rules of behavior which govern relations in rural areas. In the anonymity of the city, forms of behavior which are not prevalent in rural areas become permissible, lowering barriers to deviance and leaving anomic youth seeking sources of fellowship, community, and identity—which they will often generate themselves, through gang behavior, if no alternative is provided.⁷⁵ Second, urbanization, although it has many benefits, is increasingly linked to the growth of slums which, in West Africa, have become “the norm, with more than ninety percent of the urban population living in sub-standard conditions.”⁷⁶ The

resulting “chaotic expansion of urban spaces” has significantly reduced the “capacity of national governments and local authorities to provide urban security and to supply basic social infrastructure.”⁷⁷ In these circumstances, many urban areas are already degenerating into what Richard Norton termed “feral cities,” characterized by the inability of the state to exercise control, impose law and order, or make adequate provision for the citizens.⁷⁸ The circle will be both vicious and self-reinforcing. As “poverty, deprivation, crime, violence and general human insecurity... become more prevalent in West Africa’s cities,” the state will become even less willing or capable of intervening.⁷⁹

With both the state and traditional forms of authority absent from urban spaces, it is almost inevitable that alternative forms of governance will emerge. Even if only for reasons of patronage, protection, and access to finance and guns, local youth gangs will form connections with “higher” criminal networks in those countries, including foreign narco-trafficking organizations. This, in turn, seems highly likely to result in these organizations using the gangs as their local agents and drug distributors.

We can thus anticipate, within the next three to five years, the development of West African criminal enclaves and drug ghettos, where local gangs not only control the distribution of cheap cocaine derivatives such as crack—and perhaps amphetamine-type stimulants—but also run local protection rackets. Although drug markets in West Africa will never be as lucrative as those in developed countries, they could be attractive to local suppliers in societies where opportunities in the legal economy are so limited. In fact, local drug use in the region already seems to be on the rise.⁸⁰ This also poses risks for public health in the region:

73 Ibid., p. 1.

74 Gary W. Potter, “Defining the Context of Organized Crime in Africa,” in “Unit #12 The Development of African Organized Crime,” available at www.policestudies.eku.edu/POTTER/crj401_12.htm.

75 Indeed, with the emergence of offshoots of North American gangs schooled in drug trafficking and street dealing, such as MS-13, in locations as far afield as Bangladesh, it seems highly likely that such gangs may soon emerge in West Africa’s *favelas*, especially if a more permissive security environment leads to deportation from the US of West African citizens with criminal records. That is the vector through which MS-13 and other gangs were exported throughout Central America and the Caribbean.

76 UNOWA, *Urbanization and Insecurity in West Africa: Population Movements, Mega Cities and Regional Stability*, Dakar, October 2007.

77 Ibid., p. 16.

78 Richard Norton, “Feral Cities,” *Naval War College Review* 56, no. 4 (Autumn 2003): 97-106.

79 UNOWA, *Urbanization and Insecurity*, p. 30.

80 The 2008 *World Drug Report* indicates increased levels of cocaine use in Africa, in particular in western and southern Africa and along the Atlantic coast of North Africa. The report relates this increase to the “increasing importance of Africa as a transshipment location for South American cocaine destined for Europe.”

the drugs that are sold in low-income communities are cheaper than those sold in higher-income communities, and will therefore be of poorer quality, and likely greater toxicity. Cocaine derivatives are likely to be cut with cheaper alternative stimulants. And intravenous drug use will pose a risk of exacerbating the region's already serious HIV/AIDS problem.

There is little prospect, absent a significant international effort, of West African states being able to provide effective treatment and rehabilitation programming for the victims of this growing drug economy. Like the favelas of Rio de Janeiro and São Paulo, where rival trafficking organizations vie for dominance and organized crime has become endemic, West Africa's slums seem likely to increasingly become no-go zones for the state. Parts of some West African cities will take on the characteristics of the slums in Kingston, Jamaica, where the only form of governance is provided by so-called "dons" who are part criminal bosses and part community leaders.⁸¹ In some slums the dominant conflict is likely to be among competing gangs seeking to dominate even very modest drug markets; in others, the conflicts will be between gangs and police, who themselves will probably become implicated in the drug trade. In some instances, it is likely that the conflict will be over which groups become local joint-venture partners and distribution agents for transnational drug-trafficking organizations. Even in the short and medium terms, the consequences for West African states already suffering from capacity gaps, functional holes, and legitimacy deficits will be a further erosion of authority and legitimacy.

Crime, especially violent and petty crime and sexual violence, will rise. Some local youth groups will probably seek to develop a reputation for violence, if only as a way to impress traffickers and be recruited to their organizations. Given the proliferation of kidnapping as a fundraising tactic around the world, it seems likely that kidnapping—already a serious risk in the Niger Delta—will

become even more prevalent. And, less frequently, some of the more well-equipped and well-funded groups will use the ready supply of small arms and light weapons to turn their hands to offshore piracy. Already, the International Maritime Bureau's Piracy Reporting Centre is reporting a distinct rise in piracy in Nigerian and other West African waters.⁸²

These processes will impact particularly negatively on women and children. Gang rule will leave women and children even more exposed to domestic and sexual violence, and to coercion into prostitution and sex trafficking. Nigerian trafficking organizations already serve as major suppliers to some European markets for illicit sex, with, for example, Nigerian women now making up an estimated one-third of all illegal sex workers in Italy.⁸³ And the nexus between gang violence and illicit sex may also contribute to a further rise in HIV/AIDS rates in the region. Children will also suffer: as civil wars are replaced by drug wars, so child soldiers will be replaced by child gangs. Cheap and easily manipulated labor, their lives, already among the most endangered on the planet, will become cheaper by the day.

Economic Security Risks and Impacts: West Africa's Emerging "Junky Economics"

If informal governance is likely to become increasingly important in the future, informal economies already play a huge part in West African economic and social life. Indeed, "people turn increasingly to clandestine economic transactions in the parallel or informal economy to keep their incomes and assets out of reach of the state. These are survival mechanisms... They involve hoarding, exchange of goods above the official price, smuggling, illegal currency deals, bribery, and corruption."⁸⁴ Although they are an essential coping mechanism, informal economic activities of this kind are extremely conducive to the emergence and growth of criminal activities. Economic transactions deliberately shielded from the reach of the state are

(UNODC, *World Drug Report 2008*, Vienna, 2008, p. 86.) Also, according to a recent FRIDE Report, *Organized Crime, Drug Trafficking, and Terrorism: The New Achilles' Heel of West Africa*, p. 5, cocaine use is on the rise in Senegal and Guinea-Conakry and reported as stable in Nigeria and Burkina Faso. Use of crack was reported in Côte d'Ivoire, Gambia, Ghana, and Nigeria.

81 See Obika Gray, *Demeaned but Empowered: The Social Power of the Urban Poor in Jamaica* (Jamaica: University of the West Indies Press, 2004), especially pp. 286-290.

82 ICC Commercial Crime Services, "Unprecedented Rise in Piratical Attacks," October 24, 2008, available at www.icc-ccs.org.

83 See generally Jørgen Carling, "Trafficking in Women from Nigeria to Europe," Migration Information Source, July 2005.

84 Ayittey, *Africa in Chaos*, p. 217.

also beyond its protection. And many of those who are skilled in informal economic exchanges which are beyond the purview of the state are primed for involvement in serious criminal activities such as drugs and arms trafficking. Economic dislocation provides an additional catalyst for such involvement.

The money and the employment opportunities brought into the region by drug-trafficking organizations are an imperfect substitute for foreign direct investment. The injection of drug money and trafficking-related employment opportunities into West African economies will likely be welcomed in the short term, partly because of the payoffs to the political elites and partly because of the multiplier benefits in economies starved of investment capital of any kind. This has already happened in Guinea-Bissau and is likely already occurring elsewhere in the region.

In recent years there have been large and unexplained inflows of foreign exchange, currency fluctuations, and trade deficits, that all raise suspicion of the influx of foreign currency associated with illicit transactions.⁸⁵ These investments are, unsurprisingly, welcomed by governments and populations which are not faring well economically.⁸⁶ But over time this can also have a curious effect akin to Dutch Disease, distorting the local export economy and driving down production and activity in other economic sectors, making states more and more dependent on the revenues brought in by the illicit drug economy. They become, in effect, “junkie economies,” addicted to the drug trade and negligent of many of the basic habits and institutions necessary for the long-term economic health of the country. As we have seen in Afghanistan, this can easily reinforce the hold of drug-trafficking organizations over large segments of the population, and quickly transform their power from economic to political power. In the meantime, the production base and future economic prospects of the country deteriorate even further.

West Africa’s significant economic dependence on agricultural commodities will also continue to ensure that when demand falls—for whatever reason—economic dislocation is inevitable. Since African finance is somewhat disconnected from global financial systems, African economies are also somewhat less deeply exposed to the current financial contagion. But as financial crisis begets crisis in the “real” economy, African economies are increasingly exposed to the global economic downturn, for example, through steep declines in global trade. If official development assistance (ODA) levels drop significantly, as they are predicted to, the outlook will darken further.⁸⁷ And contractions in some of the economies that consume Africa’s agricultural and primary industry exports will only make things even worse, especially given recent declines in commodity prices. As economic dislocation spreads, the pressures to resort to criminal activity and the opportunities for criminal recruitment both increase significantly.

Informal and cash economies also provide major opportunities for money laundering. Although money laundering can sometimes have positive multiplier effects in poor economies, it can also have highly disruptive effects. This has already been evident in relation to repatriation of criminal proceeds into the region. In September 2008, the Lagos State Commander, National Drug Law Enforcement Agency, expressed concern over the increasing rate at which Nigerian drug traffickers “were repatriating money earned, through importation of goods.”⁸⁸ This was hurting domestic industries in Nigeria. These negative aspects of trade-based money laundering are often ignored. Even if they are laundered through West Africa, the majority of drug revenues will not stay in the region—with the possible exception of those proceeds reinvested in trafficking activities, real estate, or other nonliquid assets.⁸⁹ Moreover, although drug proceeds are often welcomed, the corrosion of financial institutions and the reputational harm that results can inhibit the increased

85 See UNODC, “Drug Trafficking as a Security Threat,” pp. 42-45; UNODC, “Transnational Trafficking and the Rule of Law,” pp. 77-78.

86 See Mark Weston, “FDI Shoots Up in West Africa,” *Global Dashboard*, November 3, 2008, available at www.globaldashboard.org/africa/fdi-shoots-up-in-west-africa/.

87 IRIN Humanitarian News Analysis, “GLOBAL: Financial Crisis Could Cut Official Aid,” November 6, 2008, available at www.irinnews.org/Report.aspx?ReportId=81319.

88 “Narcotics Agency Sees Money Laundering as ‘Serious Threat’ to Economy,” *The Punch*, September 9, 2008.

89 There is anecdotal evidence of a real-estate boom with ties to drug finance in some of the more stable jurisdictions in West Africa, notably Cape Verde and Senegal.

legitimate foreign direct investment that is critical to the longer-term development of West African economies.

In spite of the creation of the Inter-Governmental Action Group Against Money Laundering in West Africa (GIABA) in 1999 and subsequent efforts by individual countries, most notably Nigeria, to strengthen anti-money-laundering laws and regulations, few states in the region have comprehensive anti-money-laundering regimes which fully meet international norms and standards. As a result, financial systems and institutions, as well as businesses, remain vulnerable to laundering. And although initiatives have been taken to increase sensitivity to the dangers of laundering, for countries with limited capacity and multiple challenges this is hardly a high priority. Absent sustained, collective peer pressure, credible threats of enforcement, and alternative sources of foreign investment, West Africa's economies seem likely to become increasingly skewed towards the drug trade, and increasingly emaciated as a result.

Interregional Security Risks and Impacts: Spillover

The impacts of drug trafficking through West Africa will not be limited to West Africa.

Latin American—and to some extent their partner European—drug-trafficking organizations will continue to benefit from the European market and the growing, if secondary, market in West Africa. As the US market for cocaine has diminished and the competition in Mexico for control of key storage facilities and access routes into the United States become increasingly violent, Mexican, Colombian, and other Latin American drug traffickers have all looked east. The continuing opportunities to expand into the European market via transshipments through West Africa will enable at least some of these trafficking organizations to reestablish themselves in the less competitive environment of West Africa. The region already appears to be providing a welcome haven for groups such as the FARC (*Fuerzas Armadas Revolucionarias de Colombia*), although the extent of the organization's penetration of West Africa remains uncertain. Although FARC has declined as

an insurgency, its drug-trafficking activities have expanded significantly and its position in the drug business appears to have been consolidated.⁹⁰ The proceeds from the European market and the penetration of West Africa have likely helped in this.⁹¹ The additional shots in the arm that FARC, and other paramilitary drug-trafficking organizations, potentially including those in Central America, will receive from this trade could lead to renewed violence in Latin America, either through renewed confrontation with governments, or through competition with rival drug-trafficking organizations.

Negative impacts will also be felt in Europe. Interdiction—which has increased significantly in recent years, in large part because of the effectiveness of Spanish naval forces and effective bilateral cooperation with Cape Verde, among other states—will be severely complicated by the use of multiple locations in West Africa for transshipment and the increasing resort to overland routes. This might help fund Islamist militants in the Maghreb, terrorist activities in the Sahel band, and maritime insecurity in the Gulf of Guinea.

In addition, the growing number of West African drug couriers apprehended in Europe could well create additional hostility towards migrants from West Africa. And because so many legal migrants and visitors from West Africa are being arrested at airports, there might well be greater reliance by traffickers on illegal migrants who are smuggled into the European Union. In other words, there is likely to be a growing overlap between illegal migration and drug trafficking. Sideline trades, for example, in human, sex, and arms trafficking, will also likely grow.

The emergence of this complex criminal haven on Europe's southern border will significantly complicate its relations with Africa—and race relations within Europe itself. Pressures will arise to reduce or place new conditionalities on European ODA to West Africa. Development policy towards the region might become increasingly militarized, following the lead of the US. Immigration rhetoric and debates will become further "securitized," adding to an already combustible mix in race

90 International Crisis Group, "Colombia's New Armed Groups," *Latin American Report* no. 20, May 10, 2007.

91 Author's confidential interview with Western intelligence official, late 2008.

relations and attitudes to immigrants in some southern European countries. European governments will come under additional pressure to reorient their law enforcement, customs, and even military forces towards West and North Africa, placing greater emphasis on naval and aerial interdiction and forward deployment of law-enforcement personnel. Foreign ministries and intelligence agencies will find themselves spending increased time and resources on the region, after two decades of relative neglect.

All of this points to complex and escalating costs for the international community: not only for individual states in West Africa, Latin America, and Europe in law enforcement, but also for the international agencies tasked with responding to the security, political, humanitarian, and development crises that result. The time is ripe, therefore, to examine how the international community is preparing to tackle this problem.

Towards an International Strategy

Existing Responses and Their Weaknesses

The international community is only just beginning to grasp the risks posed by drug trafficking through West Africa. National governments throughout the region are making significant efforts to improve their capacity to control the drug trade.⁹² In some cases—notably Cape Verde and Guinea-Bissau—they have received extensive bilateral and multilateral assistance, and have made very good use of it (most notably in improving interdiction in Cape Verde). As discussed more fully below, operational bodies within the UN have begun to work closely with ECOWAS and INTERPOL to improve response capacity within the region. Yet the paucity of resources available, the intercontinental nature of drug trafficking, and the intertwining of drug trafficking and politics in these countries suggest that a more concerted, complementary, and cooperative effort by external actors is crucial.

The scarcity of resources increases the importance of a strategy based on clearly articulated and realistic goals, which identifies connections between these goals, and the ways and means

of achieving them. Such a strategy cannot guarantee success, but without it, failure is inevitable. And because the international community is lagging behind the development of the West African drug market, a strategic approach cannot focus only on prevention; measures which aim at mitigation and establishing greater resilience are also essential. Both will require raising the priority of combating drug trafficking in West Africa. This will require both enhancing capacity in those countries which continue to face difficulties in adopting and effectively implementing relevant legal instruments and serious antitrafficking programmes, and exerting sustained pressure on all relevant public and private actors to resist this traffic.

Matters would be simple if there were a single agency with the responsibility for formulating and implementing strategy to combat the West Africa drug problem. But this is not the case now, and it is not likely to be the case in the foreseeable future. A coherent strategy will need to ensure that different international institutions and national agencies play specialized but complementary roles, depending on their particular capabilities, resources, and mandates. Indeed, a mix of institutions encouraged by political support “from the top” but dealing with problems on the ground and “from the bottom” is probably needed to deal with what is already a complex and multifaceted problem. At the same time, cooperation and coordination need to operate at multiple levels:

- the national level where different government agencies in the intelligence and law-enforcement communities often fail to share intelligence, inform one another about operations, and coordinate their efforts for maximum impact;
- the regional level where governments need to work together to minimize balloon effects and opportunities for regional arbitrage;
- the international level among multiple governments affected, in one way or another, by trafficking, whether it is in source, transshipment, or destination countries;
- the global-governance level among international organizations and agencies with responsibility for both combating drug trafficking and mitigating its consequences; and

⁹² See generally the INCB *Annual Report 2008*, UN Doc. E/INCB/2008/1, New York, 2009, p. 50.

- the level of civil society—including both local and transnational nongovernmental organizations (NGOs), churches and mosques, and transnational business—which will play a major role in shaping and realizing societal responses to drug trafficking.

Against this background, we look at existing responses at the international level, and assess their strengths and weaknesses.

Central to the response to drug trafficking through West Africa is the issue of region-wide capacity. Network-based law-enforcement projects such as the West Africa Police Chiefs Committee (WAPCCO) and the US-Nigerian backed West African Joint Operations initiative (WAJO) have had some success, but are hampered by the weakness of state law-enforcement institutions, and their susceptibility to corruption as described above, as well as the limited capacity of West African governments to complement supply and transshipment reduction with drug treatment, control, and rehabilitation programs. Institutions at the regional level, such as the ECOWAS Drug Control Unit and Drug Fund, and the regional anti-money-laundering initiative (GIABA), have thus far proved underresourced and unable to arrest the tide of drug money and trafficking into the region. The Drug Control Unit was, for many years, dormant.⁹³

External actors have also recognized the need to assist and complement regional efforts. The African Union (AU) has adopted a Plan of Action on drug control and crime prevention (2007-2012), which emphasizes the imperative for interlocking national, subregional, and regional solutions. At the eleventh High-Level Meeting of Heads of United Nations Peace Missions in West Africa, in November 2007, the heads of missions emphasized the crucial importance of their missions addressing drug trafficking and organized crime in the West African subregion.⁹⁴ The UN's Special Political Mission in Guinea-Bissau has played a key role in raising awareness of the impacts of drug trafficking through that country, and in helping mobilize resources to build capacity in Guinea-Bissau to confront the challenge.

European actors are also stepping up their efforts to deal with the emerging problem of West African drug trafficking. The Portuguese government, working with UNODC, organized an International Conference on Combating Drug Trafficking in Guinea-Bissau in Lisbon in December 2007. It secured \$6.7 million of commitments by European states to back projects to improve law-enforcement capacity in Guinea-Bissau, in line with the Operational Plan that UNODC had helped the government of Guinea-Bissau to formulate. A number of national and European law-enforcement agencies have increased their presence in West Africa through the posting of liaison officers to the region. And a group of interested countries (France, Ireland, Italy, the Netherlands, Portugal, Spain, and the UK) has also developed a coordinated maritime interdiction capacity, the Maritime Analysis and Operations Centre—Narcotics (MAOC-N).

Established in Lisbon in 2007, the center uses warships and narcotics officers from each member state to intercept shipments before they reach EU soil. MAOC-N is also notable for the involvement of the European Union Law Enforcement Organisation (Europol) and the US Joint Inter Agency Task Force as observers and to exchange expertise. While the US is involved, somewhat passively, in this enterprise, its own bilateral activities in West Africa remain somewhat underdeveloped and fragmented. In particular, it remains unclear, at this stage, how the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) and the new continent-wide US military command, Africom, will coordinate their roles, missions, and resources on these issues. As for law-enforcement cooperation between West African and Latin American states, it remains very limited.

INTERPOL has also stepped up its assistance to the region. Under an initiative known as the Global and Regional Anti-Crime Centers, INTERPOL has established a program called OASIS Africa, funded by the Federal Republic of Germany, which aims to enhance local policing capacity.⁹⁵ The program has three main objectives: capacity building, infrastruc-

93 For an overview for ECOWAS activities in this field in recent years see United Nations, *Report by the Economic Community of West African States (ECOWAS) to the Commission on Narcotic Drugs Fifty-First Session, Vienna, 10-March 14, 2008*, UN Doc. E/CN.7/2008/CRP.7, February 19, 2008.

94 Amado Philip de Andrés, *Organised Crime, Drug Trafficking, Terrorism: the New Achilles' Heel of West Africa* (FRIDE: Madrid, May 2008).

95 The full name of the program is OASIS Africa - Providing Operational Assistance, Services and Infrastructure Support to African Police Forces.

ture building, and operation support.⁹⁶ This provides law-enforcement officials access to INTERPOL's global secure police communications network and operational databases, as well as providing operational support to African law-enforcement agencies.

Likewise, the UNODC, based in Vienna, has begun to play a crucial role in the hands-on efforts to improve capacity on the ground, which is needed to arrest the drug trade through West Africa. UNODC has developed a number of initiatives to assist states in the region (and beyond), focusing in particular on improving access to information and statistics on crime, security services, legal cooperation arrangements, and interairport communications. In recent years it has developed a legal advisory program to strengthen law-enforcement and intelligence cooperation against cocaine trafficking between Latin America and West Africa, financed by the European Commission with an in-kind contribution from Spain. It aims to provide improved law-enforcement and intelligence-sharing training and equipment to Cape Verde, Gambia, Ghana, Guinea-Bissau, Senegal, and Togo, as well as Bolivia, Colombia, Ecuador, Peru, and Venezuela. UNODC has also developed improved cooperation with INTERPOL, particularly in providing an Airport Communications Project (AIRCOP) to ECOWAS states based on an existing border-control initiative.⁹⁷ Additionally, UNODC has assisted individual states in developing and implementing national plans and strategies to combat drug trafficking. In collaboration with the government of Guinea-Bissau, it prepared a program aimed at combating drug trafficking and organized crime in that country "with activities in the fields of law enforcement, capacity-building, institutional reform and nationwide training."⁹⁸ Similar programs are planned for several other countries in the region, including Liberia, Mali,

Niger, and Sierra Leone.⁹⁹ UNODC has also shown great dexterity in raising the political profile of this issue, through a combination of tightly drawn, highly credible technical documents providing evidence for new policy thinking, and forceful but pragmatic advocacy of the need for such thinking.¹⁰⁰ But UNODC's efforts remain severely limited by the meager resources available, and its highly constrained capacity-building mandate.¹⁰¹

In no small part due to UNODC's awareness-raising efforts, there is now recognition at the regional level that there is a need for a "big bang" in the regional fight against drug trafficking. With support from outside donors and institutions including the EU, UNODC, and UNOWA, ECOWAS convened a Ministerial Conference in Praia, Cape Verde, in late October 2008, to try to formulate a common approach to fighting the trade. This took the form of a detailed Regional Response Action Plan, designed to create a road map for growing local capacity to fight drug trafficking. It, and an accompanying Political Declaration, were endorsed at a subsequent ECOWAS summit held in Abuja on December 19, 2008. The Regional Response Action Plan includes a number of important hooks which may prove critical in the long-run, including commitments by states to:

- "develop a regional legal framework to tackle drug trafficking";
- "[e]stablish or strengthen specialized anti-drug trafficking/transnational organized crime law enforcement units/agencies, with a view to investigating and prosecuting organized criminal groups involved in drug trafficking and other related crimes"; and
- "[p]romote effective international cooperation in criminal matters."

Effective implementation of the Region Response Action Plan will depend on significant external

96 INTERPOL, "OASIS Africa," 2008, available at www.interpol.int/Public/Region/Africa/Oasis/Default.asp.

97 UNODC, *Annual Report 2008* (UNODC: Vienna, 2008), pp. 32-33. See also UNIOSIL, *Eleventh High-Level Meeting of Heads of United Nations Peace Missions in West Africa, Dakar, Senegal*, UN Doc. UNIOSIL/PIO PR 96, November 4, 2007.

98 INCB, *Annual Report 2008*, pp. 49-50.

99 *Ibid.*, p. 50.

100 UNODC, "Drug Trafficking as a Security Threat in West Africa," pp. 1, 49; Antonio Maria Costa, "Drug Trafficking is a Security Threat," speech given at the conference "Drug Trafficking as a Security Threat to West Africa," Praia, Republic of Cape Verde, October 26-29, 2008, available at www.unodc.org/unodc/en/about-unodc/speeches/2008-28-10.html; Mazzitelli, "Transnational Organized Crime in West Africa," p. 20.

101 UNODC is funded largely through voluntary contributions, but does receive some funding from the UN general budget. The total consolidated budget for the organization for the period 2006-2007 was \$335.9 million, approximately 20 percent of which was received from the UN general budget. In 2007 UNODC ran a portfolio of 229 programs, and operational expenditures on drugs and crime technical assistance programs was \$126.7 million. For further information, see UNODC, *Annual Report 2008*, available at www.unodc.org/unodc/en/about-unodc/annual-report.html.

support (and pressure)—a fact recognized by the operational bodies of the United Nations. Secretary-General Ban Ki-moon has emphasized the need for close cooperation between the UN and ECOWAS to “roll back” the invisible tide of drug trafficking through West Africa,¹⁰² and, in a report to the Security Council in January 2009, he appealed to the international community to “support the sub region in facing the formidable challenge posed by drug trafficking.” Specifically, he stressed the “critical importance of building capacity in the countries of the sub region and mobilizing resources to help regional States in confronting the threat at the national and cross border levels.”¹⁰³ ECOWAS has approved a “Monitoring and Evaluation Mechanism” for the Action Plan, but it remains entirely dependent on outside funding—to the tune of \$750,000 over three years.

DPKO, DPA, UNODC, and INTERPOL have agreed on a relatively sophisticated joint technical-assistance programme, costing \$50 million over four years, to assist ECOWAS in implementing the Praia Regional Response Action Plan. Its centerpiece is the development of “transnational crime units” (TCUs) in Côte d’Ivoire, Guinea-Bissau, Liberia, and Sierra Leone (the four ECOWAS countries where DPKO and DPA have an operational presence).¹⁰⁴ These TCUs will draw staff from different law-enforcement agencies, and pool their expertise to improve intelligence collection and analysis, surveillance, investigations, tactical operations, and international coordination. They are based on models used in the South Pacific, Caribbean, and Central and Southeast Asia.

As the Security Council’s recent vocal support for this initiative suggests,¹⁰⁵ this is an excellent first step towards developing an effective regional response capacity. But it is only that—a first step. It is limited to four, possibly five, countries in the region. It involves three years of technical assistance and political mobilization (the latter led by UNOWA). By its nature, such a technical-assistance

program cannot clearly address the need for a broader political strategy to deal with the inevitable challenges that implementation of the program—or other efforts to “roll back” the invisible tide of drug trafficking—will face. That will require the marshalling not only of additional resources to achieve effective, coordinated operational implementation, but also the fostering of a political and social dialogue within the region and beyond to keep West African states to their promises. And that role of facilitating political dialogue and developing coordinated political strategy will need to be discharged by an actor with broad, intercontinental legitimacy, working in tandem with local institutions such as ECOWAS and the AU. In other words, it is a role for the UN.

The UN’s intergovernmental political organs—and the member-state capitals that provide instructions to the representatives who sit in them—have only just begun to consider the problem of drug trafficking through West Africa, and do not yet seem to have adequately grasped the very real risk to human and international security it poses. The Security Council *has* referred the situation in Guinea-Bissau to the PBC, but this was done at the request of Guinea-Bissau’s own government,¹⁰⁶ and was limited to the referral of a single country. It does not address the broader regional challenges.

The Council’s referral has enabled the PBC—which brings together a wide range of UN member states to develop postconflict strategies—to work with Guinea-Bissau’s government, civil society, and foreign partners, to develop a Strategic Framework for Peacebuilding in Guinea-Bissau to run from 2008 to 2011. While it might be faulted for providing a series of aspirational statements across a very wide array of issue areas, the Strategic Framework does, at least, purport to commit the PBC to ongoing engagement on these issues—specifically including the fight against drug trafficking—and to “advocate for regional approaches to combating drug trafficking, including international support for UNODC and

102 African Union, “Secretary-General: Address to Summit Meeting of the African Union. Addis Ababa, 2 February 2009,” February 2009, available at www.africa-union.org/root/ua/Conferences/2009/Jan/Summit_Jan_2009/doc/CONFERENCE/ASS_AUC_UN_SG.DOC.

103 United Nations, *Report of the Secretary-General on the United Nations Office for West Africa*, UN Doc. S/2009/39, January 21, 2009, paras. 31-32.

104 Consideration is also being given to the inclusion of Guinea (Conakry) in the rollout of the program, subject to favorable political circumstances.

105 United Nations, *Statement by the President of the Security Council*, UN Doc. S/PRST/2009/20, July 10, 2009.

106 United Nations, *Letter Dated 11 December 2007 from the President of the Security Council to the Chairperson of the Peacebuilding Commission*, UN Doc. S/2007/744, December 14, 2007.

ECOWAS regional programmes.”¹⁰⁷ Perhaps the most valuable aspect of this process is that it potentially provides for exactly the kind of consultative forum that is needed to coordinate the approaches of multiple bilateral and multilateral donors and implementing partners.

But the Security Council’s delegation of the issue to the PBC, conducted largely in and from New York, highlights two weaknesses in the international community’s approach to these issues to date:

First, by delegating the issue to the PBC, the Council might unwittingly signal to member states that the issue is not a high priority. In many states, that could subtly reduce engagement with the issue. A better approach, as we explore below, might be for the Council to give the SRSG for West Africa, Said Djinnit, working with the PBC, a specific mandate to develop a draft international strategy for dealing with drug trafficking through West Africa, to present to the Council for its consideration and possible action in one year. This would help raise the visibility of the issue in member-state capitals and ensure more serious engagement.

Second, by delegating the issue to the PBC the Council misses an opportunity to foster West African ownership of and buy-in to any resulting strategic or institutional response. PBC business is conducted through member states’ permanent representatives to the United Nations in New York. Even with their best efforts to engage local actors in the region, they face inevitable constraints in fostering ongoing local engagement with the strategies they develop. A better approach, as we explore below, might be to create a living forum specifically designed to facilitate an ongoing dialogue and community of learning among states (and possibly civil society actors) in West Africa. This would both help foster regional ownership of responses and encourage peer pressure among regional actors to raise standards in responding to increased drug trafficking. We also point to steps that might be taken to foster civil society resilience to the invisible tide of drug trafficking through West Africa.

Political Will at the International Level: the Need for an International Strategy

Despite increased attention to some key states, especially Cape Verde and Guinea-Bissau, there are few signs that the international community has come to terms with the regional—indeed interregional—scale of the issues at stake, or that a coherent, shared strategy will emerge to roll back drug trafficking through West Africa. Efforts remain largely fragmented and trapped behind the international community’s existing sovereign walls and institutional silos.¹⁰⁸

The initiatives detailed above will all do their part to help contain drug trafficking through West Africa, and its impacts. But they suffer from a lack of strategic coordination and coherence, and fall far short of the scale of effort needed to pose a serious threat to the drug trade through West Africa and to contain its damaging impact throughout the region and beyond. UNODC’s Operational Plan for coordinating efforts to build Guinea-Bissau’s law-enforcement capacity, for example, amounts to a total of \$19 million in projects. The joint implementation plan of DPKO, DPA, UNODC and INTERPOL, supporting ECOWAS’ Regional Response Action Plan, has a price tag of \$50 million over four years. Certainly not small change, but easily out-matched by the sums put in play by foreign trafficking organizations, and easily avoided by their movement of operations to neighboring states. As they are, these efforts will roll out on such a slow, small, and uncoordinated basis that they pose little real threat to drug trafficking in and through the region.

Each of these efforts has developed largely independently, with greater emphasis on operational than strategic coordination. Indeed, often they operate from independent assessments of the nature of the problem being addressed. Each responds (and corresponds) largely to the bureaucratic mandates and incentives of the agency that has developed the response, rather than an appreciation of how the agency might contribute to a

107 United Nations, *Strategic Framework for Peacebuilding in Guinea-Bissau 31 July 2008*, UN Doc. PBC/3/GNB/3, October 2, 2008, p.16.

108 See, generally, Cockayne and Mikulaschek, “Transnational Security Challenges.”

coherent and consistent strategy developed by the international community to arrest the tide of drug trafficking through West Africa. Quite simply, this is because no such strategy exists.

There is an urgent need for such an international strategy, both to improve coordination and the efficient allocation of resources, and to mitigate the serious risks to human and international security that drug trafficking through West Africa poses. “Business as usual” will condemn millions of people in West Africa to suffer at the hands of drug traffickers and their impacts on the region, and will expose Latin American and European states to unnecessary risks.

The key to effective action, we argue, is to go beyond mere operational coordination and to develop and sustain political will for a more concerted effort to contain and subsequently roll back drug trafficking through West Africa. This political will needs to be developed in a number of places, including West African governments and among West African social leaders; donor and assistance-providing capitals; Latin American drug-producing states and European drug-consuming states; and multilateral fora. A united front at the international (and not merely regional) level will be particularly important, to ensure there are real costs for political leaders who collude in drug trafficking.

Political declarations, such as that adopted by ECOWAS in Praia in October 2008 or the presidential statement of the UN Security Council from July 10, 2009,¹⁰⁹ are important. They send a signal to drug-traffickers and to governmental actors alike. Sometimes, as in Praia, they create commitments of some form to which governments can later be held by external actors. But if they are not backed up by adequate implementation and enforcement arrangements, that signal is actually one of weakness, not strength. The real test, then, is whether or not the emerging political rhetoric decrying the emergence of drug trafficking through West Africa can be transformed into the political will to create and sustain a strategy that will both (1) address the myriad impacts of drug trafficking through West Africa on security, health, and development; and (2) develop effective enforcement action across the region and beyond.

There is no real evidence, yet, of effective coordination between the United Nations, ECOWAS, West African capitals, European and Latin American capitals, and regional organizations, to work with other relevant international sectoral organizations, such as INTERPOL, the World Customs Organization, and World Health Organization to develop such a comprehensive strategy. With many other crises competing for the attention of policymakers, the development of a coherent policy and a systematic strategy will—if we pursue the “business as usual” approach—probably have to await specific eruptions of violence or threats to major economic interests. Even more pessimistically, if past cases such as “blood diamonds” are instructive, it might in fact require the accumulation of evidence over not one, but two or three “drug wars,” to convince policymakers in Latin America, Europe, and elsewhere, that drugs are fueling a level of regional instability and extraregional spillover costs that warrants their attention and investment.

The blood diamond case also highlights, however, that the UN has a key role to play in fostering an understanding of the connections between illicit trade and conflict in Africa, and mobilizing political will in diverse locations to develop an effective international response and prevention strategy.

Short-term solutions that rely on external assistance to upgrade existing local capacity (for example, of countries’ national criminal bureaus, as described above, or of public health services) will be necessary steps towards an effective regional response. There is a great deal that UNOWA, DPA, the AU, and ECOWAS could do on this front, especially with adequate assistance from external partners such as the EU. But such measures will be insufficient to tackle the problem effectively, since they rely on external sponsorship—which will likely diminish with declining political will over time—and will neither mitigate the most serious consequences of drug trafficking through West Africa, nor resolve deeper concerns about the susceptibility of West African governance to corruption and capture by organized criminal interests. A medium- to long-term strategy, developed and sustained through ongoing consul-

109 United Nations, *Statement by the President of the Security Council*.

tation with local, subregional, regional, and international partners, will be needed. The hard work to develop such a strategy will have to occur both in West Africa and in supply and demand countries. But it is precisely because of the interregional nature of this problem—and because it requires combining a range of development, public health, diplomatic, law-enforcement, and even military-assistance measures—that an organization such as the United Nations has a crucial facilitation role to play in developing a coherent international strategy.

UN facilitation of the building of political will and the development of coordinated strategy could occur on a number of levels: information sharing, political dialogue and policy facilitation, and moral leadership.

The first and simplest of these is information sharing. Organizations such as UNODC, the Peacebuilding Commission, and the UN Police Division have important roles to play in regularly and systematically bringing together a wide range of stakeholders to share information about develop-

ments in the region, bilateral and multilateral assistance initiatives, and models for improving response (for example, drawing on collaborative information-sharing, investigation and/or prosecution models such as Europol, the UNODC's initiatives in Central Asia [CARICC], the Pacific Islands Forum's TCUs, or EUROJUST) (see Box 2). The West African TCU initiative, within the joint DPKO-DPA-UNODC-INTERPOL assistance program in support of the ECOWAS Regional Response Action Plan, is a promising first step in this direction.

Second, and perhaps even more importantly, though, the UN Department of Political Affairs—and in particular its West Africa office (UNOWA)—could play a key role in working with these diverse stakeholders to foster dialogue and develop a coherent political strategy. The SRSG for West Africa, Said Djinnit, should work with states and regional organizations from Latin America, West Africa, and Europe, and with the support of the United States, to develop a common vision of how to tackle this burgeoning problem. It would, of course, be much easier for the SRSG to take on such

Box 2: Precedents for standing regional cooperation against drug trafficking

Europol: Assists EU member-state law-enforcement agencies by facilitating the exchange of information, providing operational analysis, generating strategic reports and crime analyses, and providing expertise and technical support for investigations and operations carried out within the EU. Europol also promotes crime analysis and the harmonization of investigative techniques among member states.¹

The Central Asian Regional Information and Coordination Centre (CARICC): Part of the Regional Office for Central Asia of UNODC, CARICC was established in response to the escalating drug-trafficking problem in Central Asia. A major role of the CARICC is to try to combine the efforts of all competent authorities among member states that are engaged in counternarcotic activities, e.g., ministries of internal affairs, border-control bodies, and specialized drug-control agencies.²

Pacific Transnational Crime Network: Established to combat transnational crime in the larger Pacific region. Composed of national transnational crime units (TCUs), which are comprised of officials from police, customs, and other law-enforcement and border-patrol agencies, and a Pacific Transnational Crime Coordination Centre (PTCCC) that provides a gateway into the network for other law-enforcement agencies.³

Eurojust: An EU body established to enhance the development of EU-wide cooperation on criminal-justice cases. In particular, it aids member states dealing with the investigation and prosecution of serious cross-border crimes. National members are senior-level officials, experienced prosecutors, or judges.⁴

1 Europol, "Fact Sheet on Europol," 2008, available at www.europol.europa.eu/index.asp?page=facts.

2 UNODC Regional Office for Central Asia, "Milestones," July 2008, pp. 1-2.

3 "A New Network in the Pacific," *Platypus*, December 2005, pp. 1-2.

4 See the website of Eurojust, available at www.eurojust.europa.eu.

a task if he were formally mandated by the Security Council to work with stakeholders to develop such a strategy.

UNOWA might arguably already have the leeway to develop such an approach, without the need for an additional mandate, especially given the Council's recent stressing of "the importance to take into account a comprehensive strategy of conflict resolution and crisis prevention while addressing the cross-border issues and the regional challenges."¹¹⁰ But UNOWA's mandate has, to date, largely been conceived in subregional terms. Even in its recent presidential statement, the Security Council commended UNOWA's work and requested "the Secretary-General, through his Special Representative, to continue to develop further the active cooperation existing between the United Nations and regional and sub-regional organizations."¹¹¹ An additional statement from the Council might help clarify that UNOWA is empowered to work cross-regionally, including with Latin American and European actors, to conceive a more comprehensive set of measures to tackle this problem. A specific statement from the Council, mandating UNOWA to work with states and other partners to develop a comprehensive strategy would also help underpin UNOWA's authority in developing that strategy, create a sense of urgency that would help UNOWA to mobilize engagement in capitals, and probably assist with access to the financial and professional resources needed to develop such a strategy.

Accordingly, we propose the following:

Recommendation 1: the UN Security Council, exercising its responsibility to maintain international peace and security in the region, should give a clear conflict-prevention mandate to the Secretary-General's Special Representative for West Africa, Said Djinnit, to work with the UN Peacebuilding Commission and all other relevant actors to develop, within one year, a proactive international strategy for combating drug trafficking through West Africa, on a regional and interregional basis, for consideration and action by the Council.

Political Will at the Regional Level: Creating a Forum on West African Drug Trafficking

For such a strategy to be effective and legitimate, it will need not only to be developed, but also to be implemented, through extensive engagement with political leaders and social elites in West Africa, and the African Union. Indeed, the effectiveness of any international response to drug trafficking through West Africa will ultimately depend on choices made by actors in West Africa itself. Drug traffickers will attempt, deliberately and persistently, to disrupt and corrupt law-enforcement capabilities. And they will do this through corruption of local elites and manipulation of political will. Already, some West African states such as Guinea and Guinea-Bissau have begun to acknowledge state complicity in the drug trade.¹¹²

As UNODC Executive Director Antonio Maria Costa made clear in Praia last October, efforts to arrest the drug trade will be ineffective unless political elites are convinced to stop their collusion:

Members of the ruling classes benefit from this bloody trade, because of greed and as an insurance policy for hard times when power will be lost. We are aware that major trafficking rings are run from places of power, while counter-narcotic operations (run by low paid, junior officers) are compromised by corrupt, high-level interference... It is up to you—the leaders of West Africa—to turn the tide. To launch a counter attack against drugs and crime you need expensive hardware from abroad, as well as inexpensive software already at your disposal: political will, leadership, and integrity... Yes, you are victims of a global trade—caught in the cross-fire of drug suppliers to the West and drug consumers to the North. But traffickers are targeting your countries because of conditions that enable them to operate with low risk. And many of these wounds are self-inflicted.¹¹³

A crucial question, therefore, is how an international strategy might foster political will in West Africa to actively resist drug trafficking—especially given the very real short-term pecuniary benefits that derive from collusion with drug trafficking.

One approach would be to create very strong

110 Ibid.

111 Ibid.

112 Alberto Dabo, "Guinea-Bissau Probes State Complicity in Drug Trade," Reuters, June 1, 2007. And see Box 1 above.

113 Costa, "Drug Trafficking is a Security Threat."

disincentives for local elites to engage in drug trafficking. This might involve creating monitoring and sanctions mechanisms that impose costs on those government officials who fail to abide by international commitments. Already, there is talk of both. Mr. Costa suggested in Praia in October 2008 that the Security Council should consider establishing a monitoring mechanism to hold ECOWAS states to their political commitments, reflected in the Political Declaration they adopted there. In Guinea-Bissau, too, the idea of targeted sanctions to deal with drug traffickers has already been raised.¹¹⁴ These could include travel restrictions, freezes on assets, and, ultimately, criminal prosecution.

But there are several problems with such approaches. The commitments captured in documents such as the Praia Action Plan are extremely vague, and merely political. They cannot easily be “monitored.” And even if a sanctions regime were created for a specific country, such as Guinea-Bissau, experience suggests that any monitoring mechanism the Council creates will struggle to monitor extensive, region-wide clandestine activity, given limited resources and access to member states’ intelligence. The al-Qaida/Taliban sanctions regime is perhaps the exception that proves the rule. It has functioned on the basis of significant intelligence-sharing by member states. But there is absolutely no prospect of the kind of massive surge of political will to deal with drug trafficking through West Africa that there was to deal with al-Qaida and the Taliban following September 11, 2001, so there is equally no real prospect of the creation of an intrusive monitoring regime of a similar nature. And even if there were a real prospect of creating such a monitoring-and-sanctioning body, it would probably quickly antagonize ECOWAS states if it did find evidence of noncompliance.

As elucidated in more detail in the final section of this paper, we believe there is a significant role for disincentives in an effective international strategy: but they should take the form of criminal sanctions, administered through duly constituted judicial institutions. Political and administrative sanctions imposed by the Security Council are likely to create

a counterproductive atmosphere of hostility around this issue. Similarly, an international strategy simply imposed on the region by the Council without the region’s active buy-in and participation in its implementation will not work. On the contrary, it is likely to engender significant hostility and resistance.

We argue that the key to fostering political will in West Africa is the creation of an ongoing discussion, at the regional level, to create regional momentum and support for efforts to resist drug trafficking, through a process of mutual learning and peer-group activity and pressure. ECOWAS has already approved a “Monitoring and Evaluation Mechanism” for the Praia Regional Response Action Plan. This involves visits by ad hoc “Monitoring Mission Teams” to each ECOWAS member state to report on implementation efforts. It is designed primarily to ensure that states report to ECOWAS on their implementation of the Action Plan, rather than to foster shared evaluation between states and the formation of a trust-based regional network of practitioners and officials who might be better socialized to resist organized crime.

The international community could help foster such a regional discussion by encouraging the creation of a state-based Forum on West Africa Drug Trafficking (FWADT), and by supporting civil society efforts. In this section, we explain the concept of the Forum. We address support for civil society efforts in the next section of the paper.

Recommendation 2: The international community should encourage the development of a Forum on West African Drug Trafficking. This would provide a space for West African states, supported by external donors, to take ownership of efforts to deal with the invisible tide of drug trafficking through West Africa, and especially its social and economic impacts. It would be structured as a space for sharing experiences, practices, and techniques to improve drug control, prevention, treatment and rehabilitation arrangements, and control of drug-related corruption and money-laundering, and should involve a system of effective peer review. In time, it might develop an operational component to facilitate coordinated programming and action

¹¹⁴ United Nations, *Report of the Secretary-General on Developments in Guinea-Bissau and on the Activities of the United Nations Peacebuilding Support Office in that Country*, UN Doc. S/2008/628, September 29, 2008, para. 45.

to deal with specific aspects of the drug trade, serving as a region-wide mechanism for coordinating technical assistance from external donors and partners to states in the region.

Within this mechanism, it is important both to engage states in a process of peer-group review and peer pressure, and to allow states to request (and receive) aid and assistance in implementing specific issues highlighted in their reviews. The forum might be developed under ECOWAS auspices and initially designed to foster improved implementation of the Regional Response Action Plan. But we also suggest that space should be reserved for observer states from outside the subregion. This would not only ensure transparency, but help to ensure that Latin American and European states affected by the tricontinental trade, and other relevant donor and assistance-provider states, are engaged. It should also allow civil society actors to participate as observers. This would help to create a regional discussion at the civil society level, and create cross-border constituencies for effective responses to drug trafficking that might be more resilient to pressure from national institutions than are single-state civil society groups.

In developing such cooperation and a peer-review forum, the international community could draw on three precedents that would be of particular relevance: the Inter-American Drug Abuse Commission (CICAD) Multilateral Evaluation Mechanism (MEM), the Financial Action Task Force (FATF), and the African Peer Review Mechanism (APRM). We explain the relevance of each precedent in the Appendix to this paper.

Supporting Civil Society Resilience

Throughout this paper we have argued that one of the major risk factors for West Africa is the vulnerability of its politics and governmental institutions to corruption by drug trafficking. A response strategy that relies on state institutions alone will equally be at risk of being undermined by that corruption, and will fail to draw on the reserves of legitimacy that often reside in traditional authority structures in West Africa. Accordingly, dealing with the invisible tide of drug trafficking in West Africa requires action at the social level: to create civil society pressures on state institutions to resist drug trafficking and its pernicious effects; and to support civil society resilience and even foster social resist-

ance to drug trafficking through West Africa, by engaging directly with traditional authorities and encouraging them to condemn drug trafficking.

Recommendation 3: The international community should provide increased support for action by civil society and traditional authorities to create social resilience to this invisible tide, to prevent the emergence of drug wars, and to mitigate the slide towards junky economics. We suggest that the UN leadership and national leaders do more to call attention to the harm caused by drug trafficking through West Africa, to make drug consumers in Europe and beyond more aware of—and accountable for—their role in fueling drug trafficking through West Africa, and to encourage civil society actors to work to create resistance to drug trafficking. More should be done to reinforce existing social norms against drug trafficking, by working with traditional authorities, and to ensure that rapid urbanization and the youth bulge in West Africa do not undermine those norms.

Civil society clearly has a key role to play in raising awareness and building an educated constituency for action. But the UN and other international actors also have important roles to play, through the use of their bully pulpits, and especially to foster a genuine transnational discourse that creates resistance to drug trafficking through West Africa. There is much the UN could do to build on the strong start made by UNODC in advocating greater attention to this issue. Options range from having the Secretary-General speak on the issue, to convening an international conference on the subject. If the Security Council mandates the Special Representative of the Secretary-General for West Africa to work with the Peacebuilding Commission to develop a draft strategy for its consideration, as we recommend above, this would do a lot to raise the profile of the issue.

Both UN and national leaders, however, should also do more to create awareness among the long chains of individuals complicit in the suffering caused by drug trafficking through West Africa. It is remarkable that there are large-scale, international civil society campaigns calling for consumers to boycott certain telecoms carriers for their complicity in the extraction of coltan which fuels conflict in eastern DRC, and to boycott conflict

diamonds, but no comparable campaign encouraging European and North American consumers of cocaine to refrain from consumption on similar ethical grounds. UN and national leaders could do more to draw attention to the moral responsibility of consumers, producers, and traffickers from outside the region, as well as accomplices in the region, for the harms they cause. They would thereby help to foster advocacy by transnational civil society on the issue, which would in turn generate a constituency dedicated to ensuring that states and leaders in the region, and beyond, live up to their commitments to tackle the drug trade through the region.

More could also be made of existing social resistance to drug trafficking and organized crime. National leaders in West Africa should take stronger steps to create the space civil society needs to encourage a frank discussion of the impacts of drug trafficking, for example by protecting journalists who are terrorized by criminal networks. And by encouraging the growth of community organizations and the revitalization of traditional authority structures in slums and other peripheral and neglected urban areas, and of youth groups throughout the region, external donors might help to create governance capacity that provides alternatives to gangs and protection rackets. Thought should particularly be given to finding ways to work with traditional authority structures, many only weakly represented in West Africa's burgeoning slums, to ensure they maintain or even increase their influence, especially where it provides a strong bulwark against involvement in organized crime.

Improving Complementary Law-enforcement Capacity: a Special Enforcement Commission or an International Contact Group

Political exhortation and peer review need to be matched by effective enforcement capacity. The point is well made in the aide memoire prepared by the ECOWAS Commission for the Praia Conference held in late October 2008. After listing a long string of formal decisions adopted by ECOWAS conferences relating to the combat of drug trafficking, it states, quite simply: "However,

operationally, not much has taken place."¹¹⁵

To be effective, any international strategy for dealing with the invisible tide of drug trafficking through West Africa must buttress and complement existing state and regional law-enforcement capacity. Our final recommendation is therefore as follows:

Recommendation 4: The international community should foster the development of international, complementary law-enforcement capacities, covering the full spectrum of operational activities "from intelligence to interdiction to incarceration" needed to deal with drug-trafficking networks through West Africa. This system should buttress and reinforce—not replace—national capacity. It could take the form of either a special enforcement commission, or an international contact group.

The TCUs that DPKO, DPA, UNODC, INTERPOL, and ECOWAS are now seeking to develop in a number of West African states are a crucial first step down this path. But they have two key limitations: their (small) number; and the fact that they will operate as—and be dependent on—national institutions. Even if the TCU in Sierra Leone, for example, turns out to be a strong and effective institution, its impact might be limited by weaknesses in Sierra Leone's prison system or financial intelligence system, or by weaknesses in analogous institutions in neighboring Guinea. Over time, it is hoped that this network of TCUs will raise standards of intelligence, enforcement, and cooperation across the board. And that is a strategy that should be pursued. But, in the meantime, there is a need to develop a broader regional capacity that can complement the TCUs and thereby facilitate their work and improve their prospects of success.

Effective enforcement requires going well beyond the growing success of interdiction on the high seas, or even international efforts in international airspace. It requires the development of a region-wide enforcement capability covering everything from the development of intelligence on drug-trafficking networks, to coordinated multinational interdiction operations, to fair and effective trial, and humane and secure incarceration. This will

115 ECOWAS, "ECOWAS Ministerial Conference on Drug Trafficking as a Security Threat to West Africa—Aide Memoire," p. 2.

require bringing together foreign partners and ECOWAS states in a joint venture or around agreed protocols for sharing information and intelligence, developing coordinated investigation and prosecutorial strategies, and complementing and strengthening sometimes ineffective national penal institutions.

The Praia Declaration already provides some hooks for setting up such a region-wide complementary enforcement capacity. In that declaration, heads of state and government commit to:

- “develop a regional legal framework to tackle drug trafficking”;
- “[e]stablish or strengthen specialized anti-drug trafficking/transnational organized crime law enforcement units/agencies, with a view to investigating and prosecuting organized criminal groups involved in drug trafficking and other related crimes”; and
- “[p]romote effective international cooperation in criminal matters.”

There have, in fact, been some limited efforts at joint investigation and cooperation on a project basis, which have demonstrated both the viability of such an approach, and the need for its institutionalization and support by the international community. On July 12, 2008, a Venezuelan plane landed in Guinea-Bissau unannounced. The crew was arrested, and, at the request of the local judicial police, UNOGBIS, UNODC, INTERPOL, the US Drug Enforcement Administration (DEA), and others, all assisted in a joint investigation entitled “Operation Bissalanca.” Despite efforts by the Bissau-Guinean military to block the investigation, an international arrest warrant was issued against one of the crew members—only for the crew to be released by order of a local, apparently corrupt, criminal court judge (who was later suspended from duty). As the head of the local judicial police noted in an after-action review, Operation Bissalanca highlighted both the weaknesses of the local system and the benefits of international cooperation in investigation.¹¹⁶

But Operation Bissalanca also emphasizes the need for international reinforcement not only in

investigating, but also in prosecuting drug traffickers. A number of precedents might guide such efforts by the international community. In Lebanon, for example, the Security Council established an International Independent Investigation Commission to investigate the assassination of former Prime Minister Rafiq Hariri, and twenty-two other related bombings.¹¹⁷ A Special Tribunal for Lebanon, combining international and local law and judges has now been established to try those implicated by the investigation in the bombings. The United Nations has provided a Commissioner for an International Commission Against Impunity in Guatemala (CICIG), which investigates clandestine armed groups (many financed by the drug trade) in that country and can recommend their prosecution under domestic law.¹¹⁸ And the United Nations has established an international investigation into the assassination of former Pakistani Prime Minister Benazir Bhutto.¹¹⁹

The United Nations could work with concerned member states and ECOWAS to develop a specially tailored investigative-and-enforcement capacity to address drug trafficking through West Africa. This could take a more or less formal and institutionalized form.

In the more institutionalized form, this capacity could be housed in a special enforcement commission, focused on investigation and enforcement in specific cases, not on capacity building, which is already covered by existing programming from bilateral and multilateral partners. This special enforcement commission could be established by an intergovernmental treaty, or through agreement between the states of the region, ECOWAS, and the United Nations, or perhaps at those states’ request by the Security Council. It would probably need to be financed by voluntary contributions and staffed by representatives of, or liaison officers from, regional and extraregional police forces (along the lines of Europol), financial intelligence units, and national criminal bureaus. It should also develop cooperative relationships with local enforcement institutions such as GIABA, WAPCCO, and WAJO,

116 United Nations, *Report of the Secretary-General on Developments in Guinea-Bissau and on the Activities of the United Nations Peacebuilding Support Office in that Country*, paras. 21-23.

117 UN Security Council Resolution 1757 (June 10, 2007), UN Doc. S/RES/1757 (2007).

118 For further information on CICIG, see the website of Human Rights First, available at www.humanrightsfirst.org.

119 “Three Named to Investigate Bhutto’s Killing,” *New York Times*, June 20, 2009.

and the customs agencies of participating states (both from within ECOWAS and beyond). It could be housed at the former site of the Special Court for Sierra Leone, in Freetown.

The role of the Commission would be to provide a secure environment for the sharing of information about drug-trafficking developments across the region, and in relation to specific cases. It would also facilitate coordinated enforcement action by participating states, in conjunction with the relevant international agencies (including DPKO, DPA, UNODC, and INTERPOL). It would have subpoena and postarrest detention powers (making use of the small detention facility at the site of the Special Court for Sierra Leone). But it would not itself try defendants or imprison convicts: instead, states involved in the investigation phase or otherwise entering into cooperation agreements with the commission would provide the venue for trial and/or incarceration.

In a less institutionalized form, a system of complementary regional law-enforcement capacity could be provided by an International Contact Group on Drug Trafficking Through West Africa, established under the auspices of (if not by a formal resolution of) the Security Council. This would follow the model recently used to address piracy off the coasts of Somalia and Yemen. Pursuant to UN Security Council Resolution (UNSCR) 1851, adopted on December 16, 2008, a number of concerned states and international organizations established a Contact Group on Piracy off the Coast of Somalia.¹²⁰ This Contact Group, which will report periodically to the Security Council, has six related focus areas: (1) improving operational and information support to counterpiracy operations; (2) establishing a counterpiracy coordination mechanism; (3) strengthening judicial frameworks for arrest, prosecution, and detention of pirates; (4) strengthening commercial shipping self-awareness and other capabilities; (5) pursuing improved diplomatic and public-information efforts; and (6) tracking financial flows related to piracy. The Contact Group is considering the establishment of a Counter-Piracy Coordination Center to facilitate

these efforts. And it has established four working groups: working group one, convened by the UK with the support of the International Maritime Organization, will address activities related to military and operational coordination and information sharing and the establishment of the regional coordination center; working group two, convened by Denmark, will address judicial aspects of piracy with the support of UNODC; working group three, convened by the US, will focus on strengthening shipping self-awareness and other capabilities, with the support of IMO; and Egypt will lead working group four, to improve diplomatic and public information efforts on all aspects of piracy.

An analogous approach is entirely feasible to deal with the invisible tide of drug trafficking through West Africa. A UNSCR could mandate (or a presidential statement could bless) the creation of a contact group, perhaps chaired by the SRSR for West Africa, and drawing together concerned states and international organizations. Separate working groups of such a contact group could focus on (1) strengthening national-level enforcement capacities; (2) strengthening interstate law-enforcement cooperation within the region; (3) financial intelligence systems and anti-money-laundering efforts; (4) coast guards and maritime and aerial interdiction; and (5) public-awareness campaigns.

Conclusion

Without a more effective international response, the slowly rising tide of drugs and drug money creeping onto West Africa's shores will, in time, exact a terrible toll. It will corrupt governments, police, and security forces. It will fuel crime, violence, and perhaps even drug wars. It will skew West Africa's political economy towards what we describe as "junkie economics." It will fuel the spread of HIV/AIDS, exacerbate sexual violence, and encourage prostitution and sex trafficking. And it will fund illegal armed groups in Latin America and create pressures on European race relations, immigration policies, and law enforcement and military postures. But above all, without a more

120 Participating states are currently: Australia, Austria, Bahamas, Belgium, Canada, China, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Ethiopia, France, Germany, Greece, India, Indonesia, Italy, Japan, Kenya, Republic of Korea, Liberia, Malaysia, The Marshall Islands, Mexico, Morocco, The Netherlands, Nigeria, Norway, Oman, Panama, Portugal, Russia, Saudi Arabia, Seychelles, Somalia, Spain, Sweden, Turkey, United Arab Emirates, United Kingdom, United States of America and Yemen. Participating international organizations are: African Union, European Union, International Maritime Organization (IMO), International Criminal Police Organization (INTERPOL), League of Arab States, NATO, United Nations. The Baltic Maritime Council and the International Association of Independent Tanker Owners (INTERTANKO) are currently observers.

effective and strategic response, this invisible tide will wreak havoc on many individual lives in years to come.

While the risks for drug traffickers operating through West Africa remain low, and the profits they reap remain high, this invisible tide will continue to rise. The foundations of West Africa's social, political, and security institutions risk being slowly rotted by corruption and intimidation. In this policy report, we have advocated a realistic four-pronged approach that the international community might develop to begin to increase the risks drug traffickers confront in operating through West Africa, and to reduce their rewards for doing so.

The key to changing these incentives is the insertion of effective governance capacity. This first requires measures that improve the protection offered to West Africa's populations, who are currently destined to bear the real risks and pay the onerous price of this insidious trade. We recommend the development of a Forum on West African Drug Trafficking to encourage states to put such protections in place. This could be done through the creation of a consensual, sustainable process of consultation and mutual learning among states. Such a process would facilitate the access of states to the programs, techniques, and systems they need; create the peer pressure needed to ensure they are effectively implemented; and slowly foster political will within the region to discharge these governance responsibilities as well as to resist drug trafficking and temper its impacts.

But additional enforcement capacity will also be needed, especially where states prove themselves unwilling or unable to protect their populations from drug trafficking—perhaps because traffickers have corrupted political elites and security officials. Our recommendation for the development a complementary enforcement capacity for the region, supported by states and international partners from outside the region, aims to address this concern.

Our third recommendation, on supporting civil society resilience, recognizes that political and

institutional and even penal levers will not be adequate to arrest the flow of drugs through West Africa: ultimately, the power to stem that tide lies in the hands of individual drug producers, traffickers, mules, money-launderers, customs officers, police officials, and consumers. Governments and international actors should take steps, as we explain above, to foster social action in West Africa, as well as among Latin American drug producers and European consumers.

We also recommend creating a political process to give momentum to efforts to develop an international strategy—whether or not that strategy incorporates aspects of our other recommendations. To that end, we propose that the Security Council mandate the Special Representative of the Secretary-General for West Africa and the Peacebuilding Commission to consult with all relevant actors and present the Council with a draft international strategy in one year.

Some might argue that we have painted an overly alarmist picture of the consequences of the drug trade through West Africa. We do not share that assessment. On the contrary, we believe the description we have offered here might turn out to be rather conservative. We have not, for example, discussed the prospect that Latin American drug traffickers, with a safe beachhead in West Africa, will seek to expand operations into other parts of Africa. Nor have we dwelt on the possibility that West Africa's hospitality to illicit organizations, like drug-trafficking organizations, could also make it a safe haven for terrorist groups—as have some others.¹²¹ Nor have we spilt ink on the possibility that even if terrorist *organizations* do not transplant to West Africa, terrorist *tactics* might find their way there. Such an assessment might not be entirely outlandish, given, for example, that a FARC intelligence commander has recently been sighted in Guinea-Bissau.¹²²

Nor, finally, have we dwelt on the small possibility that it is not only drug trafficking, but also drug *production*, that might be transplanted from Latin America to West Africa. Such an eventuality is not beyond the realm of possibility, given that, a century ago, cocaine was produced on a commer-

121 See generally, Philip de Andrés, "Organized Crime, Drug Trafficking, Terrorism."

122 Author's confidential discussions with Western intelligence agencies.

cial scale in not only Australia, Java, Latin America, and Taiwan—but also Cameroon.¹²³ Were this to occur, the entire strategic outlook for the region and its neighbors would change radically. It is a

possibility that we should take strenuous steps to avoid. We hope that the recommendations in this paper will go some way towards achieving that objective.

¹²³ That the coca leaf is no longer grown anywhere outside Latin America seems to be primarily a result of the fact that no organization with the know-how, territorial control, and resources of the state has attempted to grow it outside Latin America, since it was internationally banned a few decades ago.

Appendix: Precedents Relevant to Developing a Forum on West African Drug Trafficking

Inter-American Drug Abuse Control Commission Multilateral Evaluation Mechanism

One particularly well-suited mechanism for emulation and adaptation is the Inter-American Drug Abuse Control Commission (CICAD) Multilateral Evaluation Mechanism (MEM). A part of the Organization of American States (OAS) system, it was developed through the 1980s and 1990s to provide “a singular and objective process of multilateral governmental evaluation in order to monitor the progress of [OAS member states’] individual and collective efforts in the Hemisphere . . . in dealing with the diverse manifestations of the problem [of drug trafficking].”¹²⁴ All OAS member states participate, evaluating each other in rolling cycles.¹²⁵ The country being evaluated fills out a standardized questionnaire that forms the basis for an initial narrative report by the MEM staff at CICAD.¹²⁶ A governmental expert group then analyzes and evaluates this narrative report and delivers a draft report. States subsequently provide comments on the draft, which is revised and approved by the CICAD commission and presented to the OAS general assembly. During the second phase, a similar drafting procedure ensues, but includes updates from states on progress made on the recommendations made to the country in earlier rounds of evaluation.¹²⁷ Countries may also, in these reports, “request technical or other assistance related to the implementation of recommendations.”¹²⁸ There are no sanctions for poor or slow implementation.

The CICAD MEM covers four thematic areas related to the drug problem:

- Institutional strengthening, including national antidrug strategies, adherence to and implementation of international conventions, and information systems;
- Demand reduction—prevention and treatment, and better drug-use statistics;
- Supply reduction, which focuses on drug production, development programs, and control of pharmaceutical products and chemical substances; and,
- Control measures, which tackle the issues of illicit drug trafficking, firearms, ammunition, explosives, and other related materials, and money laundering.¹²⁹

The Forum on West African Drug Trafficking could cover very similar issue areas with, perhaps, an initial focus on the institutional strengthening and control measures, expanding to address policies dealing with social implications, such as prevention and treatment.

The OAS suggests that the CICAD MEM has “strengthened the existing multidimensional, institutional and political framework for addressing problems arising from drug use and trafficking in the hemisphere.”¹³⁰ This is supported, for example, by the fact that the number of member states with national drug strategies in place has grown from twenty-two to thirty-three over the course of the four MEM evaluation rounds.¹³¹ This peer-review approach appears to buttress political will for drug-control efforts by giving each participating country a sense of ownership and responsibility in addressing the problem. In the case of prevention, CICAD has developed guidelines that have served as a tool for several countries to develop their national strategies. These strategies have, in turn,

124 CICAD, “II Summit of the Americas: Plan of Action,” 2009, available at www.cicad.oas.org/EN/basicdocuments/Summit2PlanAction.asp.

125 Current members of the OAS are: Antigua and Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States of America, Uruguay, and Venezuela.

126 The indicators on the questionnaires have changed as the Mechanism has developed (it is currently in its fourth round); in the first round there were sixty-one indicators, in the second round there were eighty-three, for the third round there were eighty-six, and the fourth round has fifty-one.

127 Organization of American States Inter-American Drug Abuse Control Commission, *The Multilateral Evaluation Mechanism: Achievements 1997-2007* (Washington, D.C., 2007), p. 4; OAS, *Multilateral Evaluation Mechanism: Procedural Manual* (Washington, D.C., 2005), p. 4.

128 MEM Achievements 1997-2007, p. 4.

129 CICAD, Multilateral Evaluation Mechanism (MEM), “Frequently Asked Questions,” 2009, available at www.cicad.oas.org/MEM/ENG/FAQ.asp.

130 MEM Achievements 1997-2007, p. 80.

131 CICAD MEM, “Hemispheric Report: Evaluation of Progress in Drug Control 2005-2006,” 2008, p. 1.

been evaluated by the MEM and “[t]his has led to horizontal cooperation among countries in designing programs and in transferring technical skills and advisory services.”¹³² It serves, in other words, as a basis for constructive mutual learning, and not merely for finger-pointing.

Financial Action Task Force

Another—perhaps more controversial—precedent that the international community might look to in fashioning a Forum on West African Drug Trafficking is the Financial Action Task Force (FATF). The FATF, although it has critics, might serve as an important source of lessons on how peer reviews can improve anti-money-laundering practices and institutions.

Established at the 1989 G7 (Group of 7) Summit, the FATF is an intergovernmental body tasked with establishing and promoting international standards and policies to combat money laundering and terrorist financing. To this end, the FATF has adopted forty recommendations for fighting money laundering and nine recommendations for fighting terrorist financing. These are collectively known as the “40+9 Recommendations.”

The FATF comprises thirty-four members: thirty-two states and two regional organizations.¹³³ The FATF works closely with regional and international organizations (including eight FATF-style regional bodies [FRSBs], five of which are associate members in the FATF¹³⁴) involved in combating money laundering and terrorist financing. It also has nineteen observer organizations that are in some way involved in its work.¹³⁵ One-hundred and eighty states have endorsed the FATF standards, as have the boards of the International Monetary Fund (IMF) and the World Bank. The UN Security

Council has urged all member states to “implement the comprehensive, international standards embodied in the Financial Action Task Force’s (FATF) Forty Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing.”¹³⁶ The FATF has no enforcement capability, but it can suspend members that fail to comply with its guidelines.¹³⁷

For a time, FATF also placed states on a list of noncooperative countries, which led to significantly increased scrutiny by member states of business relationships and transactions emanating from those countries. With improved compliance, in recent years FATF has backed away from this confrontational approach.¹³⁸

In determining whether to exert this pressure, the FATF relies on self-assessments by member states and periodic mutual evaluations. These mutual evaluations are used by the FATF both to examine how well individual members are complying with its standards and to evaluate the effectiveness of the overall (i.e., global) anti-money-laundering/ countering terrorist financing (AML/CTF) regime.¹³⁹ The FATF evaluations are performed by an eight-member team, drawn from other FATF participating states, which visits the country and subsequently drafts a detailed report on progress made on implementing an effective AML/CTF system and makes recommendations on further actions. According to agreed procedures of the third round of evaluations, states report back to the FATF two years after the evaluation to give a progress update.¹⁴⁰ The FATF also assists countries in the development of national threat assessments.¹⁴¹

132 *Ibid.*, p. 12.

133 Member states are Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Denmark, Finland, France, Germany, Greece, Hong Kong, China, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Portugal, Russian Federation, Singapore, South Africa, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States. The regional organizations are the European Commission and the Gulf Co-operation Council.

134 The associate members are the Asia/Pacific Group on Money Laundering (APG), the Caribbean Financial Action Task Force (CFATF), the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL), the Grupo de Acción Financiera de Sudamérica (GAFISUD) and the Middle East and North Africa Financial Action Task Force (MENAFATF). The other groups are the Eurasian Group on combating money laundering and financing of terrorism (EAG), Eastern and South African Anti Money Laundering Group (ESAAMLG) and Groupe Inter-gouvernemental d’Action Contre le Blanchiment en Afrique (GIABA).

135 Financial Action Task Force, “FATF Annual Report 2007-2008,” June 30, 2008, pp. 2-3.

136 UN Security Council Resolution 1617 (July 29, 2005), UN Doc. S/RES/1617, pp. 3-4.

137 US Congress, “The Financial Action Task Force: An Overview,” CRS Report for Congress, March 4, 2005, p. 2.

138 See recommendation 21 of the FATF, available at www.fatf-gafi.org/document/39/0,3343,en_32250379_32236992_33916519_1_1_1_1,00.html.

139 FATF, “FATF Annual Report 2007-2008,” p. 7.

140 *Ibid.*, p. 8.

141 *Ibid.*, pp. 10-11.

FATF provides another valuable example of how states can engage effectively in a process of mutual evaluation of implementation of complex regulatory schemes related to drug trafficking. It has not escaped criticism, with some—including one of the authors of this paper—suggesting that it risks assessing paper compliance with AML procedural norms, rather than effective compliance of substantive norms.¹⁴² But it does stand as a useful example of how states can combine expert knowledge and peer pressure to encourage each other to take the hard steps needed to control illicit trade and finance.

African Peer Review Mechanism

The African Peer Review Mechanism (APRM) is an instrument of the New Partnership for Africa's Development (NEPAD). Membership is voluntary and open to all member states of the African Union.¹⁴³ The mandate is “to ensure that the policies and practices of participating states conform to the agreed political, economic and corporate governance values, codes and standards” outlined in NEPAD's *Declaration on Democracy, Political, Economic, and Corporate Governance*. This covers four thematic areas: democracy and political governance; economic governance and management; corporate governance; and socioeconomic development. Each thematic area has a number of indicators that are examined in order to evaluate current status and areas for improvement.¹⁴⁴ While strongly maintaining an African identity and ownership of the process, the APRM benefits from a strategic partnership with the UN Development Programme (UNDP), the UN Economic Commission for Africa (UNECA), and the African Development Bank.

The APRM conducts its reviews in five stages. Stage one—which has proved to be the most time-consuming for many participants in the

mechanism—involves assembling the national APRM structure (including a national focal point, national commission or governing council, national secretariat, and technical research institutions), which provides initial responses to the APRM questionnaire and carries out both qualitative and quantitative research in order to present the views of the general public. Once the national APRM structure has been established, a country support mission is sent by the APRM panel to ensure that the national structure is in accordance with APRM standards. The state then writes a self-assessment report and a draft national program of action and submits them to the APRM panel and secretariat.

During stages two through five, states receive a country review mission (stage two), a country review report is drafted by an intergovernmental APRM team (stage three), the country review report and a final program of action are reviewed by the APRM panel and submitted to the APRM forum (stage four), and, finally, the APRM forum meets to conduct a peer review of the findings of the panel's report with the president of the reviewed country (stage five).¹⁴⁵

The APRM places a great deal of responsibility on states themselves to actively engage in the process. There is a concerted effort to have African ownership of the process (as can be seen by state membership in both the APRM forum and panel, as well as by the restrictions on funding for the mechanism¹⁴⁶). The APRM also places an emphasis on ensuring that all sectors of society are adequately represented.¹⁴⁷ Preparation for the APRM process entails a process of consultation and formalization of oversight mechanisms that, in itself, is intended to improve governance. The involvement of national technical research institutions also helps create national-level momentum behind the process.

142 See Phil Williams, “Transnational Organized Crime, Illicit Markets, and Money Laundering,” in *Managing Global Issues*, edited by P. J. Simmons and Chantel Ouderen (Washington, DC: Carnegie Endowment, 2001) pp. 106-150.

143 Current members are Algeria, Angola, Benin, Burkina Faso, Cameroon, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Republic of Congo, Rwanda, São Tomé & Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Uganda, and Zambia.

144 For a detailed description of indicators, see NEPAD, *Objectives, Standards, Criteria and Indicators for the African Peer Review Mechanism (“the APRM”)*, March 9, 2003.

145 APRM, “Annual Report 2006,” pp. 1-3.

146 Sixty-two percent of the funding for the APRM has come from member states and 38 percent from external donors. All external donations are kept in a basket account created in the UNDP, “the APRM Trust Fund,” and “managed in a way that will clearly respect the principle of African ownership of the APRM and its processes.” APRM, “Annual Report 2006,” p. 34.

147 For example, in 2006, Egypt had put in place its national APRM structure, but was advised by the Panel that it needed to reduce the representation of the public sector “in order to have a more balanced, all-inclusive structure.” APRM, “Annual Report 2006,” p. 26.

Yet recent experience with the APRM indicates that while a peer-led review process is important for fostering political will and raising regulatory and governance standards across a region, it is inadequate without the teeth needed when real crises hit. A Kenyan APRM report settled before the election violence of the end of 2007 and in early

2008 identified some serious weaknesses in the country's governance structures and highlighted underlying political tensions within the state. Yet it did not prevent the subsequent election violence, in part because little was done following the conclusion of the report to remedy the shortcomings it identified.¹⁴⁸

148 Bronwen Mandy, "Was the APRM Process in Kenya a Waste of Time? Lessons that Should Be Learned for the Future," OSI, April 16, 2008.

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