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Transnational Organised Crime in West Africa

More Than a Problem of Terrorism and Law Enforcement

Judith Vorrath

The crisis in Mali has sharpened European awareness of the dangers posed by transnational organised crime in West Africa. The UN Stabilisation Mission in Mali (MINUSMA) set up in July 2013 will find itself confronted with the issue as well. But the problem of organised crime reaches far beyond the Sahel, and affects many coastal states in West Africa. Nor can it be reduced to the “crime-terror nexus” and the drug trade. Transnational criminal activities in the region are more diverse than that, the challenges more complex: from piracy in the Gulf of Guinea to illegal extraction of natural resources, cybercrime and human trafficking. Europe is directly affected by these developments as a market and target, and, moreover, has a strong interest in West African stability. So there are various reasons for addressing the problem. However, existing efforts by the European Union and other actors to improve law enforcement will fall short if they remain isolated.

Organised crime in West Africa has acquired a new order of magnitude over the past decade. Precise figures are by nature hard to come by, but the United Nations Office on Drugs and Crime (UNODC) estimates that since about 2005 cocaine smuggling from South America to Europe via West Africa has expanded to such an extent that it has come to endanger the stability and development of entire states. And indeed, the crisis in Mali and the 2012 coup in Guinea-Bissau are both partly connected with the drugs trade, especially in terms of the involvement of state actors.

Organised Crime in West Africa and European Interests

Although seizures of cocaine have fallen in recent years, according to official figures, most West African states remain affected by drug smuggling, which also includes the trafficking of heroin and the trade in larger quantities of cannabis for the local market. Moreover, in many places natural resources are illegally exploited and traded, such as gold from Ghana and diamonds, rubber and timber from Sierra Leone. The practice of stealing oil from pipelines for sale (“oil bunkering”) is prevalent in the Niger Delta.

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SWP Comments 24
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Piracy in the Gulf of Guinea originally centred on Nigerian waters, but in 2011 shifted to Benin and later to Togo. West Africa is also a source, transit region and destination for human trafficking for coerced labour and sexual exploitation, while smugglers using extensive regional networks and various routes via the Sahara or Senegal convey tens of thousands of migrants seeking to reach Europe every year. Alongside Central Africa, West Africa is additionally the continent's biggest source of illegal financial outflows.

Yet, the depth and breadth of criminal activity as such are not the only cause for concern. Organised crime is intricately interwoven into the political, economic and social fabric of West African countries. For two main reasons, Europe cannot ignore the associated challenges: Firstly, as a major market Europe is inexorably bound up with the problem of transnational organised crime in its "neighbourhood". But most of all, German and European interventions in fragile and conflict-affected states are directly confronted with the problem without being systematically prepared to deal with it.

Fragility and Grey Areas for Organised Crime

The intensity of transnational organised crime in West Africa stems from an interaction of various factors. Alongside growing integration in the global (shadow) economy and a generally noted internationalisation of criminal networks, specific aspects also play a role; these include West Africa's geographical location and regional economic integration in the Economic Community of West African States (ECOWAS), as well as the underdeveloped regulatory capacities, weak law enforcement, permeable borders and high rates of corruption that create incentives for criminal actors in many of the region's countries.

Yet the relationship between state fragility and organised crime is very complex, with smaller fragile states frequently func-

tioning as transit zones while economically more solid neighbours with major urban centres, like Ghana or Nigeria, often serve as bases for organised crime operations like cyberfraud (including advance fee fraud, "419 scams") and favoured places to invest the profits of crime. The harm caused is not restricted to the loss of state revenue; rather organised crime has repercussions on state and society as a whole.

Three grey areas are especially pronounced in fragile states. Firstly, it is hardly possible to distinguish "state" and "non-state" spheres in many places. Patronage and clientelism are widespread in West Africa, public offices often entangled with private interests. The importance of personal relationships and informal networks gives rise to hybrid forms of governance that facilitate the corruption or infiltration of state institutions by criminal actors. Incidents of direct participation by state actors or persons close to them are also regularly uncovered, one notable case being Ousmane Conté, arrested in 2009 shortly after the death of his father, the Guinean president, and named a "drug kingpin" by the United States in 2010.

A second grey area arises at the intersection of war and peace. As the 2011 World Development Report emphasises, many "post-conflict" states find themselves confronted with repeated cycles of political and criminal violence. Most West African countries have experienced armed conflict since the 1990s, and the concomitant war economies have often transformed after the official ending of hostilities, rather than completely disappearing. A civil war also leaves arms circulating uncontrolled and many ex-combatants lacking employment prospects. Transnational organised crime networks can exploit such unstable "post-conflict" phases to gain a foothold and become another source of violence. Cocaine smuggling in West Africa has not to date involved the levels of violence seen in Latin America, but political acts of violence like the 2009 assassination of the president and the armed forces chief of staff in Guinea-

Bissau are certainly linked to the drugs trade.

Thirdly, the dividing line between informal and criminal business is extremely blurred. The regular and irregular economies are always closely interwoven, but in West Africa a large slice of economic activity takes place in the informal sector. Thus, commerce largely proceeds without formal state intervention; customary practices and personal (often cross-border) networks define business relations. Here, the step from legal to illegal activity is small and not necessarily perceived as such by those involved. At least, many smuggling activities are legitimate in the eyes of local populations. Transnational organised crime groups also frequently make use of existing networks and routes such as the ancient Tuareg salt route across the Sahara to Algeria. In such contexts it is particularly hard to identify where informal practices end and (organised) criminal activities begin. These complex manifestations of organised crime in West Africa are not amenable to simplistic isolated solutions.

Isolated Action Is Inadequate

Organised crime amplifies the problems of fragile states, especially as criminal actors usually resort to corruption and violence when necessary to defend their business interests. Important as it is to fight organised crime, isolated measures will not produce results. In some cases they may even make matters worse. The repercussions of organised crime on peace and security, governance, statehood and socio-economic development cannot be tackled using the familiar approaches of law enforcement alone. Many lessons can be learned from Latin America in particular, where police and security forces have themselves been involved in criminal activities and posed or posed a security threat in some areas.

In fragile states criminal activity can also open up access to income and status for certain parts of the population that

see few alternatives. Although profits are generally the priority, criminal actors do sometimes seek to accumulate social and political capital by providing services to communities. The Ghanaian politician Eric Amoateng, who was arrested in 2005 in the United States for heroin smuggling and later jailed, is a notorious example. His arrest provoked demonstrations in his constituency, and in 2011 he was honoured by local “chiefs” for his contribution to development in the district. He had funded road-building, provided stipends and granted interest-free loans for a community that had been largely isolated and impoverished. Where criminal actors meet a need with such “charity” they may generate genuine local support.

In West Africa, as elsewhere, the term “organised crime” stands for a plethora of different actor constellations. Professional, flexible transnational groups adapt quickly to changing conditions, for example if law enforcement is stepped up. Others, such as urban gangs and groups exploiting natural resources in a particular region, are more locally tied, with a “locational advantage” hindering their ability to simply shift their radius of activity. Armed groups also frequently combine political or ideological objectives with profit-seeking, whereby the primary motivation is not always clear and may change over time. Consequently, actor-centred approaches may be problematic and particular routes, commodities or environments may offer better starting points for fighting organised crime.

Challenges for Germany and Europe

Europe has a wealth of experience in dealing with organised crime and its consequences. West Africa can certainly profit from European insights on the possibilities and limits of law enforcement and cross-border collaboration. However, this would also require an exchange of experiences from different policy fields within Germany and Europe to connect expertise on crime-fighting and prevention with operative les-

sons from various approaches in fragile states.

At the same time, existing programmes and strategies must be adapted. Since 2009 the EU's Cocaine Route Programme has been supporting projects to fight international criminal networks in thirty-six states of Latin America, the Caribbean and (West) Africa. But like many other initiatives it relies overwhelmingly on law enforcement. At a conference on the Cocaine Route Programme held in May 2013 the European Union itself underlined the necessity of including questions of governance and development as well as regional actors like the African Union. Concretely that could mean including the issue of organised crime in existing cooperation schemes such as the Joint Africa-EU Strategy of 2007 that provides the framework for partnerships in all relevant fields, above all peace and security, governance and human rights, as well as regional integration. An inter-continental dialogue could further heighten awareness of the dangers emanating from organised crime. The problem as such is increasingly recognised in the region, as demonstrated by various activities at the level of ECOWAS and the West Africa Commission on Drugs launched in January 2013 and chaired by former Nigerian president Olusegun Obasanjo. However, it is still early days for these initiatives and circumstances in the individual countries differ enormously. External actors need to take this into account. Projects and operations must at least avoid side-effects that tend to further stimulate organised crime instead of reducing or containing it.

That means keeping in mind the political economy of conflict and the limited capacity, control and legitimacy of many West African states. So international actors in fragile states must be provided with instruments for adequate analysis, and expertise as well as training with a specific focus on organised crime must be integrated into existing processes. Measures to reform the justice and security sectors, to enhance the rule of law, and to prevent or contain

communal violence can also make an important contribution to strengthening the resilience of West African states.

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