

MODULE 5

Best practice in tackling drugs, security and organised crime



Aim of Module 5

To discuss and explore how drug markets impact upon public security and organised crime, and what the best responses to this problem are.



Learning objectives

Participants will gain an understanding of:

- the evidence and experience of the nexus between drugs, security and organised crime in West Africa
- an understanding of the context and underlying causes of this nexus
- an understanding of the existing responses, and some ways in which these could be improved or enhanced in order to reduce harms



Introduction

Much has been made in recent years of the increase in drug trafficking in West Africa, but the production, smuggling and use of drugs is nothing new to this region. However, in their 2014 report, the West Africa Commission on Drugs state “The drugs trade in West Africa is worth hundreds of millions of dollars, in a region where the majority of countries are still among the poorest in the world. The growth in drug trafficking comes as the region is emerging from years of political conflict and, in some countries, prolonged violence. This instability has left a legacy of fragile state institutions and weak criminal justice systems that are vulnerable to infiltration and corruption by organized crime, and

are hard pressed to keep up with the quickly adapting skills of the traffickers”¹ This Module will address these complex issues, and explore the options that may be available for the region’s governments.

SESSION 5.1:

Presentation: Setting the scene

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Activity: Insecurity and violence

SESSION 5.6:

Presentation: Organised crime and terror

SESSION 5.7:

Activity: Modernising drug law enforcement

1. West Africa Commission on Drugs (2013), Not just in transit: Drugs, the State and Society in West Africa, http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf

MODULE 5

Session 5.1

Presentation: Setting the scene

 20 min

Facilitators' note

If you have not already done so, this session is also a good opportunity to show some of the videos produced by the West Africa Commission on Drugs presented in Session 1.6.

Aim – To provide an introduction to the related issues of drug markets, public security and organised crime

1. Introduce the aim of the session.
2. Present the accompanying slides and the information below.
3. Encourage questions and discussions from the participants.

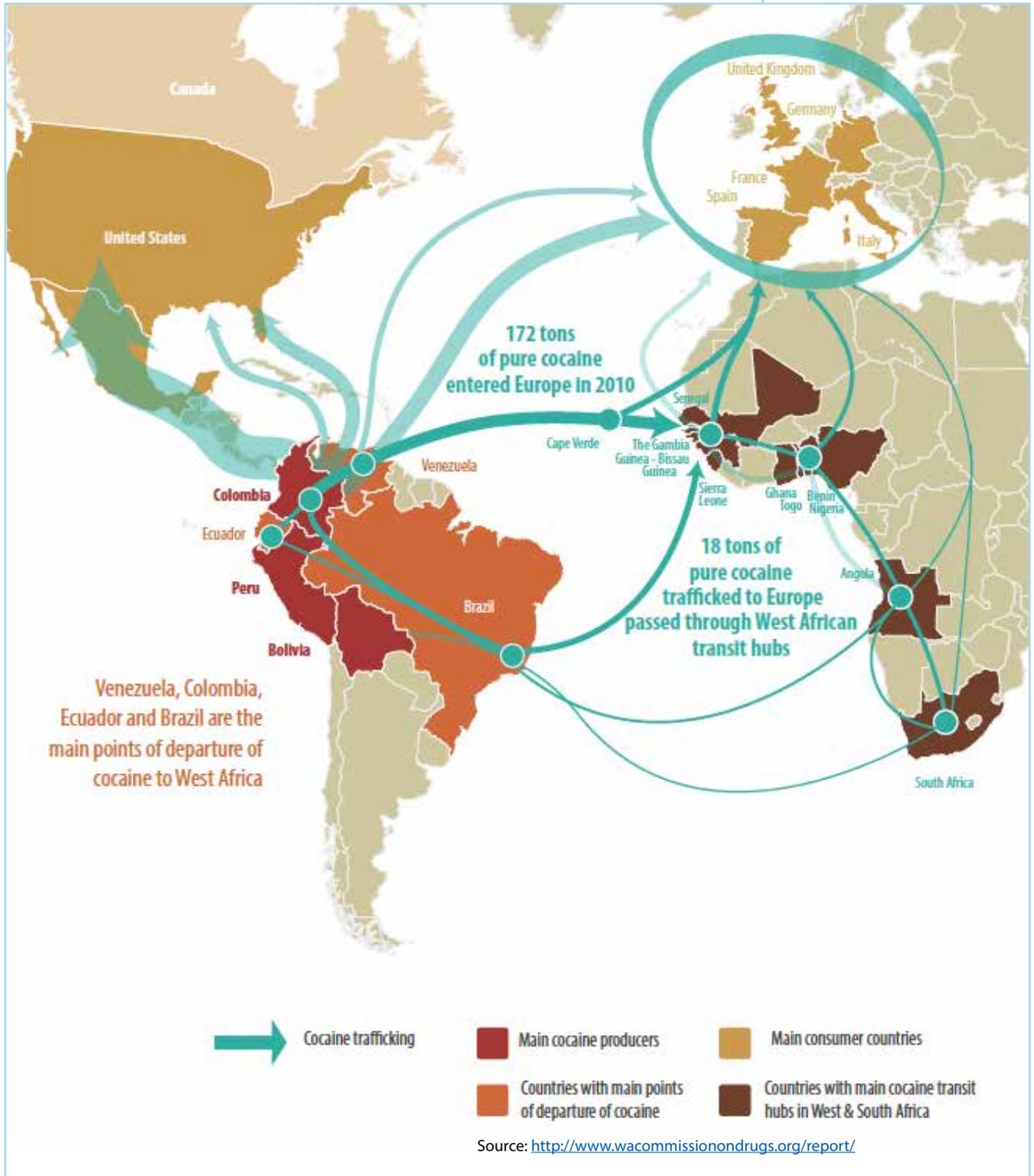
Information to cover in this presentation:

The international drug policy landscape has evolved significantly in the past few years. The surge in drug-related killings in Mexico from 2007 onwards has shed light on the pervasive nature of drug trafficking and organised crime, and their destabilising human, economic, social and institutional effects, including through corruption and violence. New routes, substances and challenges have emerged. Increasingly, experts and officials are pointing to the ineffectiveness and potentially damaging impacts of current drug policies.

This has led some commentators to point out that the drug policy debate “has evolved more in the past three years than in the previous three decades”.¹ In 2013, the Organization of American States (OAS) became the first multilateral organisation to openly challenge the status quo and explore alternative policy options.² The African Union (AU) Plan of Action on Drug Control 2013-2017 stresses the importance of the socio-economic and health dimensions in the drug problem, and notably recommends the development of alternatives to incarceration for minor offences.³ The Economic Community of West African States (ECOWAS) has also begun to build up its institutional efforts to tackle these growing challenges.⁴ In parallel, actual reform has taken place, with decriminalisation policies in Portugal and several other countries⁵, and legally regulated cannabis markets operating in Uruguay and in several US states.

West Africa has emerged in this international landscape as a transit area increasingly affected by the transatlantic cocaine trade. While the cocaine trade seems to have declined since 2007 following an earlier sharp increase, the United Nations Office on Drugs and Crime (UNODC) points out that drug traffickers may have adapted their techniques, moving to smaller shipments from Brazil dispatched by local actors in West Africa, and therefore making drug law enforcement more difficult. In addition, there are indications that the trafficking of heroin and methamphetamines may be on the rise.⁶

Flow of cocaine through West Africa, 2010



As a consequence, there is increasing evidence that the region is becoming an important market for the consumption of drugs as well as for producing drugs (notably methamphetamines). In June 2014, the West Africa Commission on Drugs (WACD), chaired by former President Olusegun Obasanjo of Nigeria, produced a ground-breaking report on the drug problem in the region, highlighting key challenges and making a number of policy recommendations to “respond humanely, effectively and pre-emptively to these problems”.⁷ The report includes the following specific recommendations related to the impacts of drug trafficking and counter-narcotics policies on security and governance in West Africa:

- Actively confront the political and governance challenges that incite corruption within governments, the security services and the judiciary, which traffickers exploit.
- Strengthen law enforcement for more selective deterrence, focusing on high-level targets.
- Avoid militarisation of drug policy and related counter-trafficking measures, of the kind that some Latin American countries have applied at great cost without reducing supply.
- Balance external assistance between support for security and justice efforts on the one hand, and support for public health efforts on the other.

Barriers in understanding the nature of drug trafficking

Understanding the nature of drug trafficking suffers from the fact that important information about key participants and their support networks in governments are largely unavailable. Drug trafficking takes place in an atmosphere of secrecy, rarely leaving any paper trail. Where available, the information tends to be inconclusive because it is open to denial and possibly legal challenge. The problem is compounded in West Africa by the frequent overlap between licit and illicit spheres in economic and political systems, which often operate through informal networks. This makes it extraordinarily difficult to acquire accurate information about both drug trafficking and drug consumption in West Africa. However, while it is hard to acquire data on the drug trade that can be regarded as utterly reliable, it is nonetheless possible to amass information – through a range of different official sources as well as expert intelligence – that can help to produce a fairly accurate picture.

The gradual entrenchment of the drug trade may have long-term effects on society, creating a culture of criminality appealing to the youth with few alternative role models and lifestyles to aspire to. The examples of “Narco-cultura” in Mexico⁸⁻⁹ and gang culture in the USA and Central America may very well be replicated across West Africa, with young individuals aspiring to the “Cocainebouyou” way of life – marked by luxurious houses, cars and jewellery. Endemic levels of corruption and/or government incompetence may push individuals away from mainstream activities and towards more adventurous, appealing and seemingly rewarding groups.

Policy burden and economic impact

Drug trafficking weakens the state through budgetary and institutional pressures on structures that are already suffering from a lack of resources. It also creates tensions between the need to respond to crises as soon as they occur, and sustainable approaches to address the root causes of the problems. Foreign development aid makes a much-needed and positive contribution, but is rarely a sustainable solution.

Drug trafficking and organised crime have four main destabilising economic impacts:

1. They drain scarce resources: while organised criminal groups make billions of dollars from drug markets each year, more than half of the region’s population lives on less than US\$1 per day.¹⁰ At the same time, money and effort spent by individuals involved in the drug trade and related organised crime activities (e.g. money laundering) in the region are not spent on legal activities or collected as taxes. In some contexts, organised criminal groups can sometimes provide much-needed services to the local population – filling a governance vacuum with jobs, social services, healthcare, infrastructure, protection, etc. However, these pale quantitatively and qualitatively in comparison to what the functioning states would be able to offer without such a large-scale diversion of resources.

2. Distorting economic indicators and prospects through money laundering, which can contribute to disproportionately inflating the financial, real estate and construction sectors in particular – with negative impacts for the local population, and investments and consumptions that are not conducive to long-term development.¹¹
3. Discouraging foreign companies from investing in West Africa, as drugs and organised crime tend to reflect broader social instability and therefore likely higher costs of doing business. Corruption is often listed as the number one obstacle to development in the region.¹² Tourism has also been particularly affected by crime and instability.¹³ Recent research conducted by USAID also suggests that “inflows of illicit profits may inflate the currency, rendering legitimate exports less competitive.”¹⁴
4. Spoiling the region’s social and human capital, forcing workers to move abroad, hampering education, employment and personal economic success, affecting citizens’ health, and creating a climate of fear across society that obstructs economic growth and human development.

In addition, drug trafficking is by nature a cross-border issue, which breaks up traditional and legal conceptions of frontiers. It requires highly challenging and complex transnational and regional policy cooperation. Countries in the region face challenges that easily migrate from a country to another, highlighting the need for stronger regional cooperation – for instance, via bilateral agreements and broader multilateral programmes.

1. Gomis, B. (2014), *Illicit drugs and international security: Towards UNGASS 2016* (Chatham House), <http://www.chathamhouse.org/publications/papers/view/197070>
2. Organization of American States (2013), *Scenarios for the drug problem in the Americas 2013-2025*, http://www.oas.org/documents/eng/press/Scenarios_Report.PDF
3. African Union Plan of Action on Drug Control (2013-2017), <http://sa.au.int/en/sites/default/files/AUPA%20on%20DC%20%282013-2017%29%20-%20English.pdf>
4. See for instance: European Union (2013), *Support to ECOWAS Regional Action Plan on illicit drug trafficking, related organised crime and drug abuse in West Africa*, http://ec.europa.eu/europeaid/documents/aap/2013/af_aap-spe_2013_west-africa_p4.pdf
5. Rosmarin, A. & Eastwood, N. (2012), *A quiet revolution: Drug decriminalisation policies in practice across the globe* (London: Release), <http://www.release.org.uk/publications/quiet-revolution-drug-decriminalisation-policies-practice-across-globe>
6. United Nations Office on Drugs and Crime (2013), *transnational organized crime in West Africa: A threat assessment*. <http://www.unodc.org/toc/en/reports/TOCTAWestAfrica.html>
7. West Africa Commission on Drugs (2013), *Not just in transit: Drugs, the State and Society in West Africa*, http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf
8. Schwarz, S. (2013), *Narco Cultura* (film), <https://www.youtube.com/watch?v=rAz9ShUNU9E>
9. Mohar, J., Volkow, K. & Gomis, B. (January 2014), ‘Bragging rights: Mexican criminals turn to social media’, *IHS Jane’s Intelligence Review*
10. United States Agency for International Development (2013), *The development response to drug trafficking in Africa: A programming guide*, http://www.usaid.gov/sites/default/files/documents/1860/Development_Response_to_Drug_Trafficking_in_Africa_Programming_Guide.pdf
11. United States Agency for International Development (2013), *The development response to drug trafficking in Africa: A programming guide*, http://www.usaid.gov/sites/default/files/documents/1860/Development_Response_to_Drug_Trafficking_in_Africa_Programming_Guide.pdf
12. World Bank (2010), “Quiet corruption” undermining development in Africa, <http://go.worldbank.org/TOK9PZ01V0>
13. United Nations Office on Drugs and Crime (2005), *Why fighting crime can assist development in Africa: Rule of law and protection of the most vulnerable*, https://www.unodc.org/pdf/research/Africa_Summary_eng.pdf
14. West Africa Commission on Drugs (2013), *Not just in transit: Drugs, the State and Society in West Africa*, http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf

MODULE 5

Session 5.2

Activity: Motivations for criminality



30 min

Facilitators' note

It may be helpful to keep the accompanying slide for this activity projected onto the wall/board throughout – to remind participants of the three scenarios.



Aim – The flow of drugs, other commodities and money through West Africa has corrupted many government, military and police officials. This session will explore the reasons why people may become engaged in drug trafficking, in order to better understand the appeal and existence of this problem

1. Introduce the aim of the session.
2. Participants will work individually on the first part of the activity – but assign each person to one of the three scenarios below. This can most easily be done by either dividing the room into three parts (assigning one scenario to everyone sat in one part), or going around the room calling out “1, 2, 3, 1, 2, 3...” to give each person a number.

Scenario 1: You are an entry-level customs official. You have been working there for a few years, but are frustrated at the lack of respect you receive from your managers, who you know are also receiving side payments from some of the major transporters, and the fact that you have not had a pay rise since you started.

Scenario 2: You are a newly-elected member of parliament. Your election campaign was expensive, and has left with debts. You have strong political ambitions to climb the ladder within your government, but do not get the attention that you feel you deserve as you are young and new to the system.

Scenario 3: You are a police officer, and have been working for the police for several years. You have been promoted up to the level of sergeant, and are now responsible for the work of around 30 officers in your local, coastal town.

3. Ask the participants to “put themselves into the shoes” of the character that they have been assigned, and think about what might lead that person to begin engaging with the drug trade.



Example of what participants may come up with

- Favours owed to those who have helped you in the past
- Loyalty to family and relatives approaching you for favours
- Corrupt superior orders you to participate
- Money or other material benefits (for example, the average annual salary of a civil servant in Guinea Bissau is around US\$ 5,000 – an amount dwarfed by the value of illicit drugs and other goods smuggled through the country)

- Political power
- Political donations and support
- Fear of, or threats of, violence if the person refuses
- Protection
- The offer of promotions and other benefits
- Blackmail or coercion by organised crime groups using violent tactics and threats
- Naivety or ignorance about what is happening

4. After a few minutes, ask participants to share their ideas with the group – writing the response on a flipchart.
5. Ask the participants to add any other factors that they can think of, and then ask them what the implications of these factors would be for an effective policy response. Summarise by emphasising the range of different reasons for engaging in the drug trade – and that it is not always necessarily down to the greed of the individual, but can also be because of threats, fear and coercion. Such factors need

MODULE 5

Session 5.3

Activity: Corruption case studies



20 min

Facilitators' note

If time is limited, you could distribute the handout and discuss the case studies in one large group.



Aim – To discuss real cases of drug-related corruption in West Africa

1. Introduce the aim of the session.
2. Split the participants into between five and seven groups, assigning each group to one of the case studies in the handout "[Corruption case studies](#)".
3. Ask each group to read and discuss the case studies, answering the following questions:
 - What does this case reveal about the levels of corruption in the country?
 - What was the outcome? Was it deserved?
 - What factors do you think influenced these individuals to do what they did?
 - What factors do you think influenced the outcomes of the case?
 - What impact do you think this case had on the broader drug market?
4. If there is time, ask each group to briefly present their thoughts to the rest of the participants. If not, encourage participants to read the whole handout after the workshop, and to consider the same questions for the other case studies.
5. Present the accompanying slides and the information below.



Information to cover in this presentation:

These types of cases create an overwhelming impression that corruption is all-pervasive, regardless of the often more nuanced reality, as discussed in Session 5.2. Nonetheless, the current situation presents a number of policy implications for West Africa:

1. Foreign governments and agencies (especially the USA) are likely to remain involved in the capture, extradition and prosecution of key drug traffickers. The US criminal code, for example, "authorizes US agencies to pursue and prosecute drug offences outside the US if a link to terrorism is established", and gives their Drug Enforcement Administration (DEA) "extraterritorial jurisdiction over drug offenses with some link to the US, even if there is no actual entry into US borders by the drugs at issue".¹ Policy cooperation with the USA – as well as other Western countries with security interests in the region, including the UK and France – may be potentially highly effective, in particular to tackle the issue of corruption. However, in itself, this type of involvement does not provide a comprehensive and durable response to the challenges related to drug trafficking in West Africa and the broader African continent.

2. Given the transnational nature of the problem, policing strategies to tackle the current challenges must include regional collaboration. This may involve bilateral agreements among neighbouring countries, trans-regional cooperation mechanisms between West Africa and the likes of Europe, South Asia and the Middle East (who are all affected by the flow of drugs transiting through West Africa), efforts to build the capacity and legitimacy of existing regional bodies (including ECOWAS and the AU), and enhanced cooperation with relevant international organisations (such as UNODC).
3. A number of measures may help mitigate corruption, as the World Bank have highlighted through the example of Georgia: “exercising strong political will; establishing credibility early; launching a frontal assault; attracting new staff; limiting the state’s role; adopting unconventional methods; coordinating closely; tailoring international experience to local conditions; harnessing technology; and using communications strategically”.² As has also been pointed out with regard to Sierra Leone, potentially effective efforts also include the creation of institutions specifically dedicated to tackling corruption, and the development of oversight processes led by civil society, parliamentary committees or the judiciary. In order to be most effective, these may focus on education, accountability and transparency, especially regarding asset disclosure and political party financing – and should engage the private sector.³
4. It is also important to remember that illicit drugs are just one category of commodities being trafficked. Tackling corruption only related to illicit drugs may simply lead to officials shifting to focus on other commodities (such as cigarette smuggling – against which countries often have more lenient laws and a more passive law enforcement strategy).⁴

1. Csete, J. & Sánchez, C. (2013), *Telling the story of drugs in West Africa: The newest front in a losing war?* <http://www.swansea.ac.uk/media/GDPO%20West%20Africa%20digital.pdf%20FINAL.pdf>
2. World Bank (2012), *Fighting corruption in public services*, <http://elibrary.worldbank.org/doi/book/10.1596/978-0-8213-9475-5>
3. Walker, S. & Burchert, E. (2013), *Getting smart and scaling up: The impact of organized crime on governance in developing countries: A desk study of Sierra Leone*, <http://r4d.dfid.gov.uk/Output/193543>
4. Walker Guevara, M. (2008), *The world’s most widely smuggled legal substance*, <http://www.icij.org/project/tobacco-underground/worlds-most-widely-smuggled-legal-substance>

MODULE 5

Session 5.4

Presentation: Improving governance and political processes



20 min

Facilitators' note

Civil society has an important role to play in ensuring greater transparency from governments – but this is beyond the scope of this document. Instead, you may wish to look at, or direct participants to, the Transparency International “Corruption Fighters’ Toolkit” for more information

[\(http://www.transparency.org/whatwedo/tools/corruption_fighters_toolkits_introduction/2/\)](http://www.transparency.org/whatwedo/tools/corruption_fighters_toolkits_introduction/2/).



Aim – To provide an introduction to the related issues of drug markets, public security and organised crime

1. Introduce the aim of the session.
2. Present the accompanying slides and the information below.
3. Encourage questions and discussions from the participants.



Information to cover in this presentation:

It is clear, from evidence around the world, that weak state institutions create environments that facilitate the illegal drug trade. As discussed elsewhere in this Module, the spoils and strength of the drug market are often used to corrupt political figures, but they can also infiltrate and undermine political processes themselves – such as elections and judicial safeguards. Weak governance therefore needs to be considered as one of the most urgent priorities for the region.

In order to be effective, the work of drug traffickers is facilitated by a wide range of people outside of the informal sector – business executives, politicians, the military, police and customs, and members of the judiciary. Connecting with people who have legitimate influence means that the drug market can establish complex networks and avoid detection – but it can also reshape relationships between and among political and security actors, the general public, the religious community and the business community.¹ This places obvious strain on political systems in the region, which are already vulnerable in many countries – dramatically increasing the risks of polarisation and violence around electoral contests.²

According to the West Africa Commission on Drugs, “One key source of weakness is that elections – key instruments of democratic politics – are not publicly funded in most of West Africa. In many cases, candidates tend to “own” parties, funding them from their private resources or raising support from friends, regional allies or from their ethnic base. Moreover, though some electoral systems in West Africa require asset disclosure and impose ceilings on campaign spending and restrictions on campaign funding, mechanisms to verify and monitor such measures are limited. Where they do exist, they do not always expose new means of cheating the system, and in many cases the absence or weakness of access to information laws makes monitoring by civil society difficult. These flaws make West Africa’s electoral processes vulnerable to corruption by drug money.”³

The Commission’s recommendations therefore include:

“Actively confront the political and governance challenges that incite corruption within governments, the security services and the judiciary, which traffickers exploit.

- Support the establishment of inter- and intra-party platforms to discuss the impact of drug trafficking and illicit party funding on political systems in the West African region with the aim of establishing mechanisms to buffer these systems from illicit funding.
- Strengthen the oversight role of parliaments with regard to the drafting and implementation of drug legislation.
- Support the conduct of national, regional, or inter-regional (South-South) meetings of independent electoral bodies or electoral tribunals to discuss avenues to protect electoral processes from drug trafficking, and share lessons on building resilience against drug trafficking (and other forms of organized crime) into the electoral system. Existing networks of electoral management bodies should be encouraged to take on this issue.
- Support efforts aimed at developing the capacity of civil society, media and academia to monitor and assess the links between drug trafficking and party and campaign financing, while also providing them with the relevant safeguards.
- Actively explore options for the establishment of a panel or a special regional court to investigate or try high-target offenders, including state and security officials suspected of being complicit in, or facilitating, drug trafficking. Such efforts should not replace the need to ensure that national justice systems have the independence, specialised expertise and the resources to prosecute these kinds of cases.”⁴

1. West Africa Commission on Drugs (2013), Not just in transit: Drugs, the State and Society in West Africa, http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf
2. Aning, K. & Pokoo, J. (2013), Drug trafficking and threats to national and regional security in West Africa: WACD Background Paper No.1, <http://www.wacommissionondrugs.org/wacd-commissioned-papers/>
3. West Africa Commission on Drugs (2013), Not just in transit: Drugs, the State and Society in West Africa, http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf
4. Ibid

MODULE 5

Session 5.5

Activity: Drug market-related insecurity and violence



30 min

Facilitators' note

The correct answers for the handout are:

Annual prevalence of cannabis use:

- West & Central Africa = 12.4% of population
- North America = 11.2%
- Europe = 5.7%
- Caribbean = 2.5%

Cocaine seizures (% of the global total):

- Latin America = 71.10%
- Europe = 10.26%
- Africa = 0.47%
- Asia = 0.21%

Homicide rates (per 100,000 population):

- Southern Africa = 30
- Latin America = 22
- West Africa = 14
- Eastern Europe = 6

Prisoners (per 100,000 population):

- Caribbean = 376
- Southern Africa = 205
- Western Europe = 98
- West Africa = 46

Corruption Perceptions Index (lower score indicates greater corruption):

- Sub-Saharan Africa = 33 out of 100
- Middle East & North Africa = 38
- Asia = 43
- Europe = 66



Aim – To explore some of the drug-related data for West Africa and put it into a global context, and to discuss the levels of drug-related insecurity and violence in the region

1. Introduce the aims of the session, and tell the participants that there has been much focus on drug-related violence and insecurity in West Africa. Although violence has not yet become a major feature of the drug trade in the region, the risk is that West Africa may well face such challenges in the future.
2. Split the participants into groups of 3 or 4 people, and distribute the handout "[Drug-related data: putting West Africa in context](#)".
3. Ask participants to match the drug-related violence data to the region.
4. Walk around the room, passing from group to group to see how they are doing. Discuss with them the correct answers, and discuss how their answers differ (if at all), and why this might be the case. Perhaps the situation in West Africa has been over-reported, or the situations in other parts of the world have not received the same attention?
5. Bring the participants back together for a short brainstorm activity, and discuss the factors that might increase or reduce drug-related violence in a region or country, and the policy implications of these. Note these factors on a flipchart.
6. Present the accompanying slides and the information below, highlighting where issues have already been written on the flipchart(s).



Information to cover in this presentation:

The levels of violence associated with the drug trade depend on a number of factors:

1. **The presence of weapons:** According to UNODC, while two thirds of homicides were carried out with firearms in the Americas, only less than a third were related to firearms in Africa.¹ Many analysts have shown that a greater availability of weapons in a geographical area is likely to lead to more violent deaths. The case of Mexico is telling in this regard. Over 250,000 guns are smuggled from the USA to Mexico annually.² While West Africa holds a large number of weapons as well, the region has nowhere near the same levels of violence as Latin America – however, the smuggling of an estimated 10,000-20,000 firearms from Libya has certainly contributed to instability in Northern Mali.³

2. **Law enforcement measures and strategies:** An aggressive crackdown on drug trafficking organisations can result in overcrowded prisons and more violence – as the organisations may fight back aggressively and other groups may violently compete for newly available market shares. This can cause significant collateral damage for the civilian population. Furthermore, the capabilities of some drug cartels can simply outweigh those of a country’s law enforcement forces, rendering it powerless to stop the violence associated with the trade.
3. **Corruption:** Corruption can influence the levels of violence, but it can play out in different ways. In Japan, the Yakuza are a very successful organised crime group, with an estimated 79,000 members divided among 22 groups and involved in a number of activities including legal businesses (e.g. construction) and illegal ones (such as extortion, money laundering, financial fraud, blackmail and racketeering).⁴ However, the country holds one of the lowest homicide rates in the world (less than 0.5 per 100,000, according to the UNODC). One of the reasons for this apparent contradiction is the level of enabling and collusion from politicians and police officers, which reduces the need for the Yakuza to resort to violent measures.⁵ Kenya’s homicide rate is above the global average of 6 per 100,000 inhabitants,⁶ while it is perceived as one of the most corrupt countries in the world, ranking 136th out of the 177 reviewed by Transparency International.⁷
4. **The type of drug market:** In Canada, the province of British Columbia is one of the world’s largest producers of marijuana. Yet the illegal production and trafficking of this drug (often to serve domestic markets) is not associated with any significant violence and insecurity. It is commonly the case that the longer the “supply chain” for a drug (i.e. from cultivation and/or production, through to sales and consumption) and the higher the profits and income to be made – the higher the risk that the trade will create some level of violence, through the involvement of a wider range of actors.
5. **Balance of power:** The balance of powers within a drug market is a key factor that can lead to more or less drug-related violence. For example, a clear hierarchy and division of labour between drug trafficking organisations, or a market that is strongly led by an organisation keen to avoid the use of force, may lead to more “peaceful” situations, at least in the short-term.
6. **How drugs are sold:** It is being increasingly hypothesised that online sales – which are emerging as an important market development, especially in North America and Europe – may create less violence than street dealing, as they limit face-to-face interactions: “with Silk Road [one of the most infamous online drug marketplaces, which is currently in its third version after having been shut down twice by law enforcement authorities] functioning to considerable degree at the wholesale/broker market level, its virtual location should reduce violence, intimidation and territorialism”.⁸ However, the immediate impact of online drug marketplaces similar to Silk Road on West Africa is unlikely to be significant, as most consumers do not have access to online drug markets. In addition, while online markets may reduce violence in the country of sale, the true impact on producing and transit countries remains unknown.
7. **Local contexts:** Other factors that may contribute to the levels of drug-related violence include demographic factors such as the age of criminal bosses, the geographic concentration of minority groups, and levels of poverty.⁹ Another crucial determinant is the strength of a country’s institutions. In order to control and mitigate levels of violence within a country, the state must be present and in charge of all of its territory. This can then translate into economic opportunities, social services, a solid education system, law enforcement forces maintaining order while respecting the rule of law, and an effective judiciary – all of which are crucial drivers for peace and security. “Most crises take place in areas with weak regional organizations that have limited capacities to prevent and manage conflict”.¹⁰

1. United Nations Office on Drugs and Crime (2014), *Global study on homicide 2013*, <http://www.unodc.org/gsh/>
2. McDougal, T., Shirk, D.A. et al (2013), *The way of the gun: Estimating firearms traffic across the US-Mexico border*, http://catcher.sandiego.edu/items/peacestudies/way_of_the_gun.pdf
3. United Nations Office on Drugs and Crime (2013), *Transnational organized crime in West Africa*, <http://www.unodc.org/toc/en/reports/TOCTAWestAfrica.html>
4. Adelstein, J. (2012), *The Yakuza lobby*, <http://foreignpolicy.com/2012/12/13/the-yakuza-lobby/>
5. United Nations Office on Drugs and Crime (2014), *Global study on homicide 2013*, <http://www.unodc.org/gsh/>
6. Ibid
7. Transparency International (2014), *Corruption by country: Kenya*, <http://www.transparency.org/country#KEN>
8. Aldridge, J. & Décary-Héту, D. (2014), *Not an 'Ebay for drugs': The cryptomarket 'Silk Road' as a paradigm shifting criminal innovation*, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2436643
9. Felbab-Brown, V. (2012), *Organized criminals won't fade away* (London: Chatham House)
10. Feuer, A. & Ighani, H. (2014), Guest post: Conflict prevention challenges in 2014, <http://blogs.cfr.org/zenko/2014/03/06/guest-post-conflict-prevention-challenges-in-2014/>

Session 5.6

Presentation: Organised crime and terrorism



30 min



Aim – To critically explore the narrative linking drugs and terrorism in West Africa and beyond

1. Introduce the aim of the session.
2. Present the accompanying slides and the information below.



Information to cover in this presentation:

Drug trafficking is one source of funding for, and therefore helps to empower, organised crime groups in many parts of the world. But these groups are rarely focused solely on drugs – their portfolio of criminal activities may also include human trafficking, robberies, smuggling of other substances and items, racketeering, extortion, “milking” (oil theft), mining, logging, online or credit card fraud, and money laundering. This creates complex and opportunistic overlaps between the illegal and legal economies. In addition, drug trafficking may lead to an increase in drug production in transit areas – as has been the case in Mexico, Guatemala and other Central American countries. Some West African countries appear to be following similar patterns, with methamphetamine production reportedly increasing (i.e. in Nigeria and Ghana)^{1,2,3}

Given the wide range of illegal and legal activities most organised crime groups are involved in, it is clear that policy reform must go beyond tackling only the illicit drug trade – otherwise criminals may simply diversify and shift towards other sources of revenue. A comprehensive approach focusing on violence reduction and addressing the conditions that allow organised crime to flourish in the first place (in particular poor economic and social prospects, and weak institutional support) would help create lasting conditions for peace and development.

Links between the drug trade and terrorism / extremism

There is some overlap between organised crime groups and terrorist and extremist groups operating in West Africa. Field research suggests that MUJAO (Movement for Oneness and Jihad in West Africa) is directly involved in smuggling, while AQIM (Al Qaeda in the Islamic Maghreb) has provided protection to drug convoys in exchange for a fee, and facilitated and financially benefited from smuggling in general.^{4,5,6}

However, there is a lot of misinformation, over-simplification and exaggeration on the connections between drug traffickers and terrorists, insurgents, extremists and rebels – often further blurred with simplistic terms such as “narco-terrorism” and the “drug-terror nexus”. This stems from a widespread obsession over terrorism, which often sparks irrational fears and disproportionate levels of attention and policy responses. Drug traffickers and terrorists often have very different goals and

modus operandi: organised criminals aim to remain discreet and focus on financial gains, while terrorists seek publicity to share their political or religious messages.

It has been suggested that there are three main reasons why narratives emphasising strong links between drug trafficking and terrorism have become so widespread throughout the region: the media's search for sensationalist stories; government (and civil society) perceptions that drawing a link between the two threats is likely to attract awareness and funding for their work; and diverting attention from the most important issue – corruption.⁷

In West Africa and the broader Sahel, actors in the drug trade and terrorist activities are largely connected through loose, local and evolving relationships, rather than robust regional networks. Moreover, drug trafficking only constitutes one – often minor – source of revenue among many others for smugglers and extremists of the region, alongside kidnapping, cigarette smuggling, human trafficking and extortion. The most important commonality between drug trafficking and terrorism in West Africa is actually their collusion with governments and other legitimate actors. Weak governance and failure to resolve long-standing political and economic issues are therefore the most urgent priorities for the region.

Counter-narcotics and counter-terrorism

Both drugs and terrorism have been tackled through heavy-handed law enforcement approaches as part of publically announced abstract “wars”. The “war on terror” and the “war on drugs” have become mutually reinforcing narratives in recent years, focusing on a blanket and reactive approach against all suspected offenders. Little emphasis has been placed on the motivations and grievances of actors, or on addressing the structural issues that underlie the problems of terrorism and drug trafficking in the first place. Yet it is crucial for West Africa not to replicate the ineffective and damaging drug policies put in place in Latin America decades ago.⁸

Drug trafficking and terrorism are two distinct types of threats that largely only interplay on a rare and opportunistic, ad-hoc basis. Policies to counter these two sets of challenges should therefore not be identical. However, both traffickers and terrorists often capitalise on state weakness and on poor economic and social prospects to recruit members to pursue their causes. Current talks of reform in the fields of counter-terrorism and counter-narcotics should therefore build on this refined understanding of the institutional and political roots of the problems. Effective policies must act upon these enabling factors (such as the lack of economic prospects, the absence of reliable social services, education, healthcare and welfare, the presence of inequalities and opaque political systems, widespread corruption, and disproportionate law enforcement actions) – rather than only addressing the symptoms.

Recent Countering Violent Extremism (CVE) initiatives have proved to be an initial step in the right direction, moving away from the “us versus them” mentality and focusing on prevention, community engagement and empowerment, the rule of law, human rights, and training and capacity building. USAID-funded programmes including the Kenya Transition Initiative - Eastleigh (KTI-E) and the Garissa Youth Program (G-Youth) in Kenya, the Somali Youth Livelihoods Program (SYLP), and other programmes under the auspices of the Global Counterterrorism Forum (GCTF), such as the Sahel Region Capacity Building Working Group, are important case studies to draw lessons from in this regard.^{9, 10, 11, 12}

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MODULE 5

Session 5.7

Presentation: Modernising drug law enforcement

 30 min

 **Aim** – To describe some of the negative impacts of traditional law enforcement responses to drugs, and how new thinking could yield better outcomes

1. Introduce the aim of the session.
2. Present the accompanying slides and the information below.

Information to cover in this presentation:

The “war on drugs” – comprising “tough on drugs” rhetoric, zero tolerance policing and high incarceration rates – has failed to curb drug use and markets around the world despite costing an estimated \$100 billion a year at least.¹ The zero-tolerance approach – with harsh punishments imposed on any activity related to drugs – has often led to widespread human rights violations, abusive policing practices, prison overcrowding, criminal justice overload, social stigmatisation, discrimination and marginalisation, and the channelling of resources towards the symptoms rather than the root causes of violence and crime. UNODC itself has acknowledged that the international drug control system has created a number of negative impacts – which they termed “unintended consequences” (see Module 1).²

A true cultural shift is needed to adjust the drug response to fit the modern world and manage drug markets in a way that minimises the harm to communities. In many settings, discussions are now focusing on how law enforcement powers can be used to beneficially shape, rather than entirely eradicate, drug markets.³

Selective law enforcement strategies

One promising option is “focused deterrence”, which is a more selective law enforcement approach that concentrates on:

- The most harmful groups (i.e. the most violent or corrupt drug trafficking gangs, or those smuggling the most dangerous drugs)
- The most harmful behaviours (i.e. executions, kidnappings, or terrorist activities)
- The geographical areas with the highest rates of violence.

The objective is to target the most harmful behaviours of certain criminal groups in order to deter other groups from resorting to similar actions. At its core, the strategy acknowledges that some level of drug trafficking will continue to exist, but that its most negative aspects will be mitigated⁴ This is often based on a

gradual approach – tackling targets one at a time rather than a blanket policy of trying to tackle everything at once. One of the first applications of this concept was Operation Ceasefire in Boston in the 1990s.⁵ The operational focus on the most violent gangs helped to reduce youth homicide by two thirds.⁶ To involve local community leaders, a coalition of religious groups hosted forums for gang members, police officers, church ministers and social service staff to discuss issues, and to give an opportunity for gang offenders to receive education and training in exchange for leaving the gangs. Similar initiatives in the USA and El Salvador have also proven to be effective.⁷

Selective targeting is not a magical solution to all drug problems. For example, in areas where violence is widespread, it may be difficult to identify which group(s) to prioritize on – so focusing on the most violent areas may be the best way forward. If corruption is pervasive, the implementation of the strategy will be flawed and less effective. Success also depends on the strength of the institutions, the number of law enforcement units and actors involved, the size of the territory, and of course the existence of economic and social prospects to steer individuals away from crime.⁸

Alternatives to incarceration

More often than not, a zero-tolerance approach results in dramatic increases in the prison population – which is problematic from several perspectives. Large prison populations are costly, morally undesirable, and do not have a convincing deterrent effect. In the USA, where federal and state prisons hold more than two million people, almost half of those released from prison are re-incarcerated within three years, either for a new crime or for a violation of conditions of their release.⁹ Prisons become overcrowded with non-violent drug offenders whose influence on drug markets is minimal – and these individuals then suffer long-term damage to their economic and social prospects as a result of their imprisonment. Ironically, this can make their participation in the drug market even more likely following their release, especially when rehabilitation and reintegration programmes are scarce or non-existent. Mass incarceration is also highly problematic from a public health perspective – placing individuals at elevated risk of HIV, viral hepatitis and tuberculosis – to name a few. These concerns are all particularly salient with regard to West Africa, as criminal justice systems in the region are already struggling and operating with limited capacities.

As the UNODC Executive Director Yuri Fedotov states: “a public health response to the drug problem should consider alternatives to criminalisation and incarceration of people with drug-use disorders.”¹⁰ Alternatives to incarceration have been widely implemented around the world, and may prove useful for West Africa. Indeed, the Africa Union Plan of Action on Drug Control (2013-2017) includes a recommendation to “Institutionalise diversion programmes for drug users in conflict with the law, especially alternatives to incarceration for minor offenses.”¹¹

Such programmes may include administrative sanctions (such as fines) instead of criminal ones for minor, non-violent drug offences. Other possibilities include the voluntary diversion of people who use drugs into treatment and support programmes as an alternative to prison sentences.¹² Potential benefits include lower costs for police and the criminal justice system, reduced stigmatisation of people who use drugs, increased uptake of drug treatment, and reduced rates of re-offending (especially among youth and first-time offenders).¹³

Nonetheless, challenges exist to this approach – not least in countries that lack a drug treatment system capable of handling large numbers of referrals from the criminal justice system. There is also a risk of “net-widening” whereby lower threshold punishments encourage the police to engage with greater numbers of people who use drugs (especially where performance indicators and financial

incentives encourage police officers to arrest as many people as possible).¹⁴ Additionally, referrals to treatment are an inappropriate use of resources for individuals who are not experiencing problems or dependence because of their drug use (see Module 3).

Proportionate sentencing

In the majority of countries around the world, drug offences attract the greatest criminal sanctions – with widespread incarceration, mandatory minimum drug sentences, and even the use of the death penalty (contrary to international law). One basic principle of a just and sustainable criminal justice response is that the sanctions imposed should be proportionate to the crime committed. Yet drug sentencing frameworks are often out-dated based on moral justifications that drugs are “bad” or “evil”.

Drug-related sentences should be comparable to those for other offences of similar motivation and impact. A number of factors should be considered when deciding sentences – the type of drug(s) involved, the scale of the illicit activity, as well as the motivations and the socio-economic background of the offender.¹⁵ Mitigating factors (such as a person’s motivation for involvement in the drug trade) must be given more prominence in sentencing decisions – particularly when involvement in the illicit drug market is driven by coercion, incapacity, vulnerability or basic subsistence needs.

Ultimately, the overarching objective of these modernised strategies should be the reduction of the levels of violence and harms associated with the drug trade, not the amount of drugs seized or the number of people arrested.

The dangers of vigilantism and militarisation

In some parts of the world, the ineffectiveness or unwillingness of the police to tackle drug trafficking may also lead to the emergence of self-defence groups and paramilitary groups taking the matter into their own hands. This challenge has not emerged in West Africa to any significant scale, but it may do in the future given the increased attention on drug markets there. In Mexico, vigilante members of unofficial self-defence groups have emerged^{16,17} – following on from the Sombra Negra (Black Shadow) death squads in El Salvador, Peru’s Rondas Campesinas (peasant patrols in the 1990s), paramilitary groups in Colombia, and justicieros in Brazil who publicise their punishments of petty criminals on social media.

Another major risk in the “war on drugs” is the use of the military to tackle drug trafficking organisations. Evidence shows that this approach can contribute to more violence in the short-term, the emergence of more drug trafficking organisations competing for market shares and territory, and violations of basic human rights on all sides. In Mexico, the military crackdown carried out under President Felipe Calderón has contributed to almost tripling the country’s homicide rate. Between 2006 and 2012, more than 60,000 people died in drug-related killings and more than 26,000 more people disappeared. Between 2007 and 2010, kidnapping increased by 188%, extortion by 100%, and aggravated robbery by 42%.¹⁸ While changes in the balance of powers between the six main drug cartels and other trafficking organisations in Mexico constituted another key factor in the increased violence in the country, the military response undoubtedly aggravated the situation on the ground. Military gains against one drug cartel only led to the emergence of a range of new, disorganised and highly violent groups competing for territory and power.¹⁹ More than 50,000 people were killed as a result of the war on drug cartels, launched in 2006 by former Mexican President Calderon.

This should serve as a useful lesson for West Africa. Guinea-Bissau is a good example of how the military having too much power can be counter-productive –

and how foreign assistance should first address the structural issues of corruption and underdevelopment. The country has the highest troop-to-population ratio of the whole region (twice as high as the region's average), and military personnel are heavily concentrated in the capital. The military is "old, top heavy, over-sized, and suffers from institutional sclerosis", and has "detained, brutally beaten, exiled or killed under mysterious circumstances" activists, business leaders, political candidates and journalists.²⁰

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Handout: Corruption case studies

Below are just some examples of the involvement of people in power in cases of drug trafficking and drug-related crime throughout West Africa in recent years.

Guinea Bissau: In 2009, João Bernardo “Nino” Vieira (the President of Guinea-Bissau) was murdered – hours after the assassination of the head of the country’s armed forces. There had been strong allegations that Vieira’s re-election campaign had been financed by Colombian drug traffickers and – while the two men were bitter political rivals – many argue that there was a direct link between the murders and the drug trade. In 2010, the USA placed Guinea-Bissau’s former Navy Chief and the Air Force Chief of Staff on their drug kingpin list – bringing the former to the USA for trial.

Mali: The infamous Boeing 727 dubbed “Air Cocaine” crashed in the northern part of the country in 2009, with between 7 and 11 tonnes of cocaine on board – most likely from Colombia. Although several Northern mayors were arrested due to allegations of linkages with Air Cocaine, the investigation of the case by the relevant authorities had reportedly been obstructed by the highest levels of authority in the country, and efforts by the prosecution gradually fell apart in a manner that indicates the extent of criminal collusion with the state. This has fuelled tensions and resentment in Mali: in 2013, a crowd of protesters nearly lynched two officials suspected of an active role in the case.

Sierra Leone: Mohamed Bashil Sesay (cousin of the former Minister of Transport and Aviation, Kemoh Sesay), was sent to two years in prison (although he eventually served his sentence in a hospital due to “health complications”) for his involvement in a cocaine trafficking scheme uncovered when a small aircraft carrying over 600 kilograms of cocaine landed without authorization at Sierra Leone’s international airport of Lungi. Others arrested included serving members of the national police force and airport authority. In 2011, Mohamed Bashil Sesay was released – three years before the end of his sentence – in exchange for a fine of approximately \$70,000. The judge in the case accused the government of obstruction of justice for preventing the investigation of Kemoh Sesay’s alleged involvement.

Ghana: In 2007, Eric Amoateng, the Member of Parliament for Nkuranza South, was convicted in a New York court on charges of conspiracy to distribute heroin in the USA. The case prompted an investigation by Ghanaian law enforcement officials into a former Minister of Energy on the grounds of his possible complicity via a charity foundation in the MP’s heroin trafficking venture. In June 2013, the head of airport security, Solomon Adelaquaye, was charged for conspiring to smuggle Afghan heroin into the USA – following a covert operation by Ghana’s Narcotics Control Board and the US Drug Enforcement Agency.

Nigeria: In 2013, the Nigerian Drug Law Enforcement Agency announced the arrest of a local politician who had swallowed more than 1 kilogram of cocaine at the Murtala Mohammed International Airport in Lagos – supposedly planning to smuggle the drugs into Europe and use the proceeds to fund his election campaign.

The Gambia: In 2013, a Special Criminal Court sentenced the former Inspector General of Police, and two former chiefs of the Gambia Armed Forces, to a 10-year jail term for a series of charges including drug trafficking (cocaine), corruption and theft.

Guinea: In 2009, Ousmane Conte, the son of President Lansana Conte, was arrested on drug trafficking charges – two months after the military took control of the country following his father's death. He spent 16 months in jail before being released, and was placed on the USA's drug kingpin list in 2010. His arrest coincided with the arrest of several other high-ranking officials from the country.

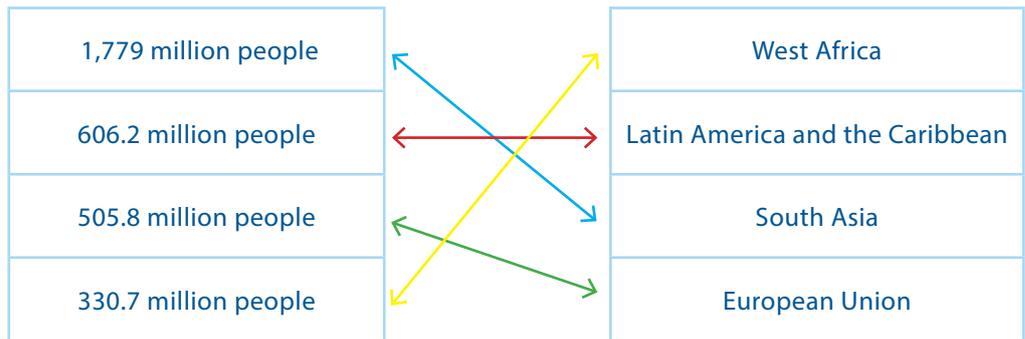


MODULE 5

Handout: Drug-related data: putting West Africa in context

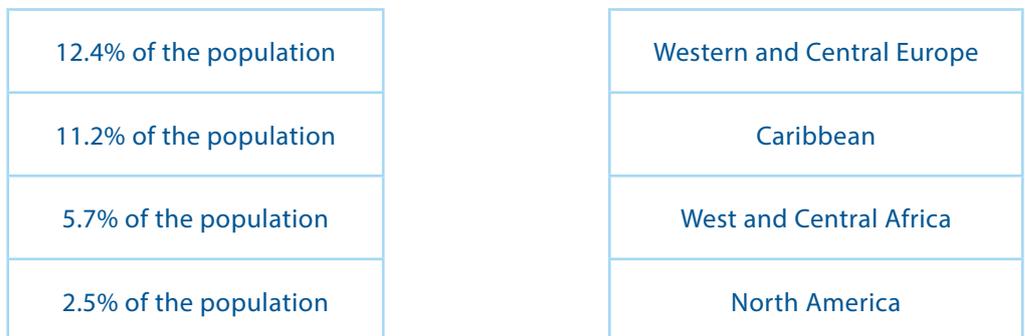
For each of these sets of data below, try and match the statistics on the left to the regions on the right. The facilitator will then let you know the right answers – did you get them right? If not, why do you think this is: is the situation in West Africa over- or under-reported compared to other regions?

Example: Total Population (2013):



Source: Population Reference Bureau (2013) World Population Data Sheet

Annual prevalence of cannabis use (UNODC “best estimates”):



Source: UNODC (2014) World Drug Report 2014.

Cocaine seizures (2011-2012):

71.10% of the global seizures of cocaine
10.26% of the global seizures of cocaine
0.47% of the global seizures of cocaine
0.21% of the global seizures of cocaine

Western and Central Europe
Africa
Latin America and the Caribbean
Asia

Source: UNODC (2014) World Drug Report 2014

Homicide rate (2012 or latest year):

30 homicides per 100,000 population
22 homicides per 100,000 population
14 homicides per 100,000 population
6 homicides per 100,000 population

Southern Africa
West Africa
Caribbean
Western Europe

Source: UNODC (2014) Global Study on Homicide 2013.

Number of prisoners (2013 or latest year):

376 prisoners per 100,000 population
205 homicides per 100,000 population
98 homicides per 100,000 population
46 homicides per 100,000 population

Southern Africa
West Africa
Caribbean
Western Europe

Source: International Centre for Prison Studies (2013) World Prison Population List (tenth edition)

Corruption Perceptions Index – average scores per region (2014):

33 out of 100
38 out of 100
43 out of 100
66 out of 100

Asia Pacific
Middle East & North Africa
Sub-Saharan Africa
Western Europe

Source: Transparency International (2014) Regional Result Infographics, available from: <http://www.transparency.org/cpi2014/infographic>



MODULE 5

Handout: Key resources/ Further reading

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