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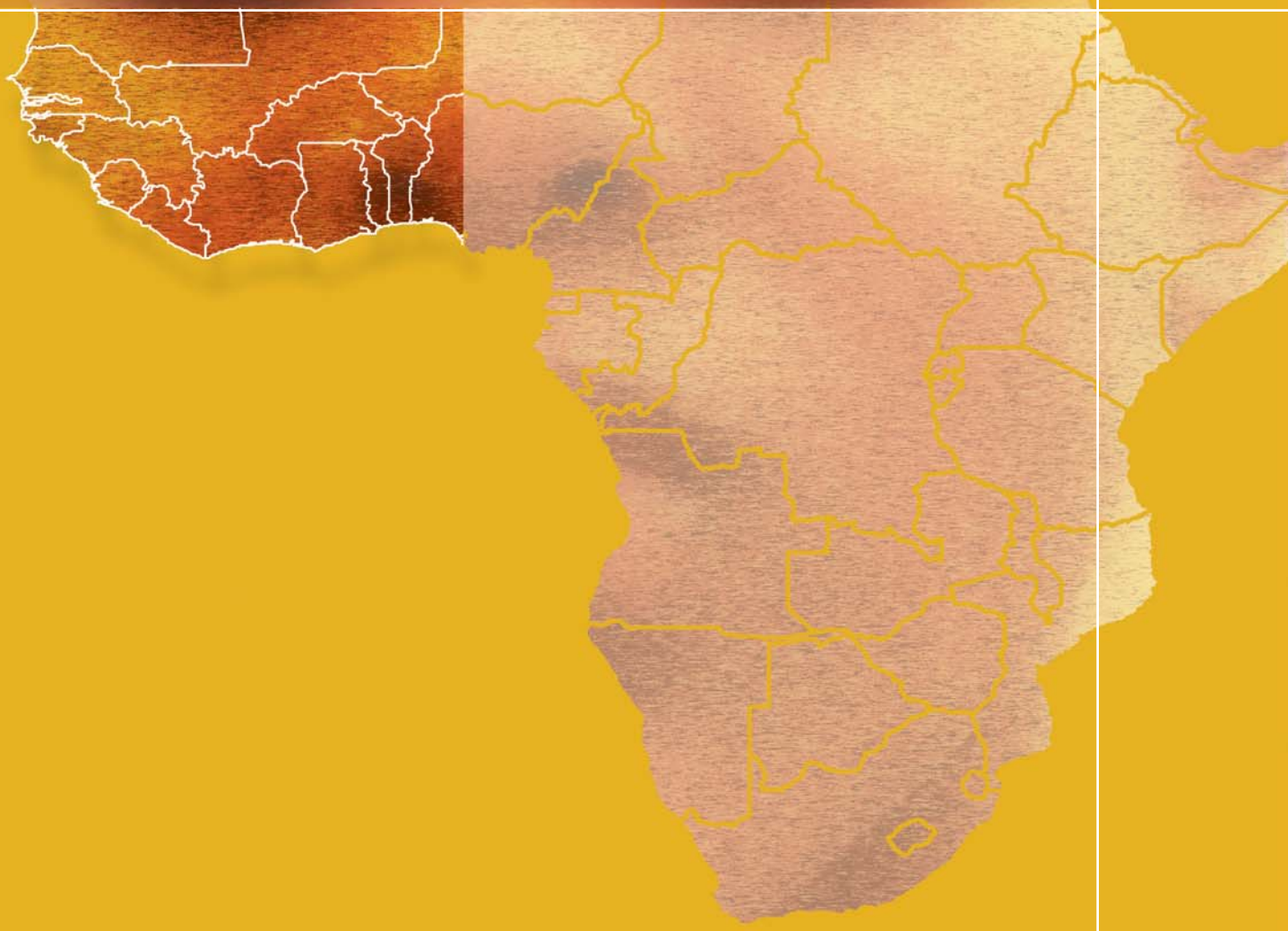
Office on Drugs and Crime

TRANSNATIONAL ORGANIZED CRIME IN THE WEST AFRICAN REGION



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Executive Summary

Transnational organized crime in the West African region must be regarded as an issue of growing concern. In order to highlight the problem, an overview of the development of the phenomenon in five countries of the region—Côte d'Ivoire, Ghana, Nigeria, Senegal and Sierra Leone—is provided, tracing both its extent as well as the range of illicit activities that are engaged in. These are diverse and include: drug trafficking, advanced fee and Internet fraud, human trafficking, diamond smuggling, forgery, cigarette smuggling, illegal manufacture of firearms, trafficking in firearms, armed robbery and the theft and smuggling of oil.

A number of challenges present themselves in providing an accurate picture of transnational organized crime in West Africa, including the difficulty of gathering reliable information on essentially hidden practices. Having regard to these, the project used consultants in each of the five countries to collect information based on detailed guidelines, including the collection of data on three criminal groups engaged in transnational activities. This, combined with a review of the available secondary literature as well as other inputs, forms the basis for the information presented.

Any analysis of organized crime in the region must take into account the specific historical context and socio-economic conditions that have given rise to it. The report traces the historical development of organized crime, examining the broad socio-economic and political context that has made the region particularly vulnerable. These include: the difficult economic circumstances characteristic of the last decades, civil war, state weakness, as well as specific conditions conducive to corrupt practices. The degree to which some forms of organized criminal activity are simply accepted as normal "business" activities by their perpetrators is underscored.

The report provides an explanation for the specific modes of operation of West African criminal groups, highlighting in particular their very loose and networked structures. Such structures resemble those for small legal business operations in the region, built as they are on close family and community ties. Although press reports sometimes refer to "drug barons" or "mafias" in the region there is no evidence of West African drug cartels in the sense of hierarchical, permanent and corporate-like structures.

A detailed review of the various types of activities in which criminal groups are involved is provided, with drug trafficking and fraud being given particular prominence. The region is now a critical transit point for drugs to North America and West Europe and is vulnerable to developing a more significant drug abuse problem of its own. Advanced fee fraud in particular is now strongly associated with West Africa. The links between organized criminal activities and the financing of terror is also briefly explored, with the vulnerability of the region emphasised.

The report concludes that the impact of organized crime on the region's citizens is profound—not only does it undercut state institutions but greatly increases the challenges for honest travelers and business operators who often feel targeted by Western customs and law enforcement agencies. Police reform, more effective forms of regional and international cooperation, greater political will and attempts to curb corrupt practices are essential to effectively combating the problem.

Contents

Glossary

ASECNA	Agence pour la Sécurité de la Navigation Aérienne en Afrique et à Madagascar
BCCI	Bank of Credit and Commerce International
CFA	Communauté Financière Africaine
DEA	Drug Enforcement Administration (United States)
ECOWAS	Economic Community of West African States
EU	European Union
IFCC	Internet Fraud Complaint Center (United States)
IMF	International Monetary Fund
ICPO—INTERPOL	International Criminal Police Organization
LURD	Liberians United for Reconciliation and Democracy
NDLEA	Nigerian Drug Law Enforcement Agency
PDP	Popular Democratic Party (Nigeria)
RUF	Revolutionary United Front (Sierra Leone)
UNMIL	United Nations Mission in Liberia
UNODC	United Nations Office on Drugs and Crime

I. Introduction

In recent years, transnational organized crime in West Africa, or perpetrated by West Africans elsewhere in the world, has become a matter of major international concern. This has been perhaps most noticeable in regard to drug-trafficking, people-trafficking and fraud. The activities of West African criminals in other parts of the world are increasingly perceived by police forces in the European Union, North America and elsewhere as a serious threat. Drug trafficking in Moscow, benefits fraud in the United Kingdom, trafficking of women to Italy for prostitution, and advance-fee fraud in the United States and Australia are just a few manifestations of what has become a major global problem. Criminals from West Africa have developed a presence where there are criminal opportunities to be exploited. West African criminals operate in global illicit markets, sometimes making working arrangements with other international criminals. Although West African organized crime is less violent than, for example, Russian organized crime, its scale and scope are astonishing.[1]

The present report is intended to provide an overview of what is known about transnational organized crime in West Africa. It is based on case-studies of five countries—Côte d'Ivoire, Ghana, Nigeria, Senegal, and Sierra Leone[2]—prepared by local consultants, plus analyses of some key sectors, including diamond-trafficking, drug-trafficking, the trade in illicit weapons and the global impact of West African organized crime that were prepared by researchers with special expertise in each of these fields.[3] Extensive literature searches have failed to locate any comprehensive study of organized crime in West Africa that has been published to date, although there are certainly many useful articles and other published sources, as will be described at more length shortly.[4]

The report begins by looking at the political background of crime in West Africa and the recent history of the region, both of which are essential for understanding how the problem of organized crime there has arisen so rapidly, and noting how it might be related to other factors, such as war and corruption. It then proceeds to look at some problems of methodology and sources, before going on to identify key modes of operation of West African criminals, showing how they rarely constitute well-structured corporations or mafias, but tend to be highly flexible and individualistic in their methods. The study then sketches developments in some major fields of criminal activity, such as in regard to drugs and fraud, before drawing some conclusions in a number of specific areas.

One of the key challenges of any study of organized crime is to define the concept. While there is no internationally accepted definition of "organized crime" per se, the United Nations Convention against Transnational Organized Crime provides a definition of an "organized crime group".[5] This is as follows: an organized criminal group is "a structured group of three or more persons existing for a period

[1] Phil Williams, "The global implications of West African organized crime", Input paper: West Africa Assessment Project, May 2004, p. 1.

[2] Although reference is also made to Liberia in the report, the country, due to the ongoing conflict, did not participate in the project. However, a representative of the United Nations Mission to Liberia (UNMIL) subsequently participated in the meeting where the various country reports were presented and discussed.

[3] The project is indebted to the five country consultants who completed extensive and high quality reports in a short space of time. The country consultants were as follows: Morie Lengo (Sierra Leone); Etannibi E.O. Alemika (Nigeria); Alain Sissoko (Côte d'Ivoire); Kwesi Aning (Ghana); and, Miassa Niang (Senegal). Input papers were also produced on specialized areas by: Alex Vines (firearms trafficking); Christian Dietrich (diamond trafficking); and Phil Williams (the global impact of West African transnational organized crime). Stephen Ellis from the African Studies Centre, University of Leiden, integrated the above studies and papers into a single report and served as the overall consultant for the project. Flemming Quist, law enforcement advisor at United Nations Office on Drug and Crime's Dakar field office, provided valuable data and advice. Michael Agboola, Chief of Crime Investigation for UNMIL, provided useful details in respect of Liberia. UNODC wishes to acknowledge the efforts of all those involved in the project.

[4] The detailed literature review was conducted by Stephen Ellis.

[5] Article 2 (a) of the Convention.

of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit". This is a rather wide definition, which does not consider organized crime solely in term of mafia-style organizations with a strict hierarchical structure; street gangs or vigilante groups could also fall within the definition of organized crime as it is set out here. In the case of West Africa, it is particularly misleading to think of organized crime groups as being solid structures resembling major corporations of crime. As will be discussed in due course, West African criminal networks are generally characterized by their great fluidity and flexibility, qualities that actually can be turned to great advantage in modern, globalized markets, including illegal ones.

II. Historical and regional context

Although West Africa is a vast region, with great differences of language and culture, the recent history of all the countries in the area shows a certain number of similarities. All except Liberia were formally colonized by European powers (Great Britain and France most notably) towards the end of the nineteenth century. Liberia was unusual in being settled by immigrants arriving from the United States, who succeeded in securing international recognition for their own republic in 1847. Every other West African State gained independence from colonial rule only in the second half of the twentieth century, beginning with Ghana in 1957. The styles and traditions of rival colonial powers continue to have an influence, not only in the sense that French, English and Portuguese remain as official national languages, but also for example in the fact that most of the francophone countries of the region have as their currency the Communauté Financière Africaine (CFA) franc, formerly linked to the French franc and nowadays connected to the euro. The former British colonies, meanwhile, all maintain their own currencies, which in all cases are considerably weaker than the "hard" CFA franc. This has had a notable economic effect, particularly since the oil crises of the 1970s and the extravagant movements of commodity prices that followed, as the currency differentials within the region have been widely exploited for profit by people doing business, including criminals and smugglers.

The conventional wisdom of the early years of independence was that each individual country should try to develop by adopting strong national policies intended to encourage economic growth and, in many cases, to stimulate a diversification of economies that were dominated by the production of cash crops. The two most powerful countries of the subregion, Côte d'Ivoire and Nigeria, which emerged after independence as the pre-eminent powers in the francophone and anglophone zones respectively, succeeded better than others in developing a local manufacturing base. Nigeria underwent a civil war in 1967-1970, after one region of the country had broken away to claim independence.

Notwithstanding the Biafra episode, for most countries of the region the first decade or so of independence appeared, in retrospect, to be something of a golden age. Independence was associated with strong feelings of national pride and achievement and extraordinary hope for the future. The transfer of official positions from expatriates to West Africans brought a massive increase in local employment prospects, further strengthened by the rapid expansion of state services in conformity with then orthodox views of the leading role of the state in encouraging economic development and ensuring social welfare services. The first decade of independence occurred at the height of the long economic boom—the longest and most widespread in history—that was transforming the world in the third quarter of the twentieth century.

However, several West African countries also showed signs of political instability. Ghana, which had great prestige as the first sub-Saharan country to gain independence from colonial rule, experienced a military coup in 1966, the first of many. Nigeria, Niger, Mali, Sierra Leone, Togo, Benin (formerly known as Dahomey) and others all

underwent military coups within 10 years of independence. The majority of countries soon became one-party states, where rulers justified their monopoly of power on the grounds that rule by a single party was the best means to ensure political stability and social harmony, to build the nation, and to provide the planning and coordination deemed necessary for economic development.

Looking back, it is clear that the 1970s marked a watershed in many ways. The oil price rises of 1973 and 1979 brought an extraordinary windfall to Nigeria, the only oil producer in the region at that time, and encouraged both Nigerian governments and their citizens to think of their country as a natural leader of the region and of Africa as a whole. Virtually every other country experienced the oil price rises as a major problem, since more expensive oil increased their import bills at a stroke. Less immediately obvious were some of the other changes that were to become apparent after the early 1970s in a greatly changed international trading climate, in which the former system of fixed monetary exchange rates was abandoned, and a vast trade in dollars from the West to oil-producing countries produced the phenomenon of petro-dollars, international inflation, and a spate of loans offered to developing countries on highly advantageous terms.

Sooner or later, every country in the region, beginning with Senegal, was obliged to go to the International Monetary Fund (IMF) and the World Bank in search of loans to help them out of their difficulties. This inaugurated the era of structural adjustment, the name given to the policies favoured by the international financial institutions and imposed by them, sooner or later, on all of West Africa. Structural adjustment required a radical realignment of the region's economies in an attempt to make them internationally competitive in those fields where they were thought to have productive capacity, chiefly in agriculture. It meant a rapid dismantling of pretensions to industrialization, huge currency devaluations, and a decline in state employment and state spending, including on welfare services, education and health. Even Côte d'Ivoire and Nigeria, the two economic giants of West Africa, had to succumb to structural adjustment in course of time. Until this point, West Africans who went to Europe or North America for higher education generally aimed to go home after qualification, and many did so. After the 1970s, increasing numbers of people aimed to go abroad in search of work and to stay there, at least until things had improved at home. In many cases, the wait proved indefinite, and they stayed away.

Like every other part of the world, West Africa was also profoundly affected by the Cold War competition between superpowers. It emerged relatively unscathed in the sense that the alignment of neighbouring countries with one or other outside power never resulted in wars fought by the Soviet bloc and the West by proxy, as was to occur in the Horn of Africa and Southern Africa, for example. Rather, West Africa's descent into war occurred shortly after the fall of the Berlin wall, as Liberia, previously the main strategic base for the United States in the region, was invaded by a small force of exiles seeking to overthrow its government at the end of 1989. At the time, no one foresaw that the Liberian emergency would degenerate into a hideous conflict, part civil war, part freebooting, that was to last for the best part of 15 years. A similar, related war broke out in Sierra Leone in 1991. Other countries, such as Senegal, Mali and Guinea, all underwent wars or low-intensity conflicts, while political violence in Nigeria increased steadily without ever being considered by the international community as tantamount to a civil war. Above all, after its first military coup, in 1999, Côte d'Ivoire also lapsed into war in September 2002. Consultants from Côte d'Ivoire, Senegal, and Sierra Leone have all noted that the existence of armed conflict has encouraged certain forms of organized crime to flourish under guise of political struggle. In Côte d'Ivoire, for example, a series of bank raids in September and October 2003 enabled a rebel group to obtain financing for their struggle. One such raid is said to have netted some 50 billion CFA francs, or US$83 million.[6] It has also been alleged that some members of an Economic Community of West African States (ECOWAS) peacekeeping force sent to Sierra Leone in the mid-1990s became involved in the trafficking of drugs and diamonds in Sierra Leone,[7] illustrating the variety of ways in which war and organized crime may be connected.

The spread of violence in West Africa occurred simultaneously with the growth of democracy. Although countries like Ghana and Nigeria had previously experienced

[6] Phil Williams, "The Global Implications of West African Organized Crime", Input paper: West African Assessment Project, May 2004, p. 4.

[7] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

substantial periods of multi-party democracy, and this had become the norm in Senegal after a period of single-party government, most of the region witnessed a sea-change from late 1989 onwards. Single-party constitutions were changed to multi-party dispensations, although this did not prevent some of the longest-serving heads of state in the region, such as Togo's President Gnassingbé Eyadèma, from managing to remain in power. Nor did it prevent some newcomers who had taken power by dubious methods from consolidating their rule in a civilian and democratic guise.

Today, in 2005, it would be difficult to sum up the situation in West Africa in one paragraph, but it could fairly be said that democracy co-exists with a high degree of political violence in several countries of the region. Large United Nations missions with robust mandates exist in Sierra Leone, Liberia and Côte d'Ivoire, putting at least a temporary end to some of the worst wars, although few observers are confident that war could not break out elsewhere, or that those three troubled countries have put war behind them definitively. Unemployment and poverty are widespread, as are a range of other social and economic problems. Many young people profess little hope in the future of their own country, and aspire to go abroad to find work. But international migration to North America, the European Union and Australia has become more difficult than ever before for West Africans, while other once-favoured destinations, such as the oil-producing countries of the Middle East, have also become less easily accessible.

It is important to note that the widespread decline of state services in West Africa has had a demonstrable effect on the police and other law enforcement agencies and on judicial systems. These are all considered to be largely inadequate in every West African country, and in some cases most commentators would certainly consider them to have declined in recent years as a result of insufficient funding, a change in the general political climate, and perhaps a general problem of morale. If so, this clearly has implications for the ease with which criminals may ply their trade relatively unhindered by the police.

III. The origins of organized crime in West Africa

Organized crime in West Africa in its contemporary form is generally perceived to have emerged in the 1970s, contemporaneous with the oil price rises of that decade, the delinking of the dollar from gold, high inflation, and the rapid spread of debt in the developing world. Nevertheless, it would be wrong to be too insistent about this chronology, as the Nigerian country consultant identifies the roots of the new patterns of crime as existing slightly earlier.[8] Various antecedents could no doubt be traced back for decades earlier, such as in the ancient traditions of long-distance commerce that are characteristic of the region, or indeed in the activities of European criminal gangs who pioneered inter-continental crime from bases in West Africa in colonial times. In Côte d'Ivoire, even before independence in 1960, there were Corsican gangs specializing in cigarette-smuggling as well as the recruitment of women for prostitution in France.[9]

It was not only the general economic climate of the 1970s that caused some people to turn to crime as a means of livelihood on a scale previously unseen, but also some of the institutional arrangements that were introduced to stimulate trade. A Sierra Leonean police official, for example, connects the rise of organized crime in his country to the creation of ECOWAS in 1975, which facilitated movement between member States. While there had always been movements of people from place to place, the circumstances of the late 1970s stimulated

[8] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 9.

[9] Stephen Ellis interviews with law enforcement officers in Abidjan, 1997.

some very large population movements, in the case of Sierra Leone an influx of Fulas (Peul) from Guinea and Marakas from Gambia, both of them being groups with a strong commercial tradition. After the end of the oil boom in Nigeria, in the early 1980s, Nigerians were also impelled to spread throughout the region and further afield in search of economic opportunity, and to seek out a livelihood, if necessary by any means. "It is now firmly held that organized crime was first introduced in Sierra Leone by Nigerians", the same Sierra Leonean police source notes.[10] Whereas before the early 1980s booming Nigeria had been a magnet for immigrants from other parts of the region, most notably Ghanaians, the downturn in the oil economy caused many such migrants to move on in search of new opportunities. In 1983, Nigeria officially expelled millions of Ghanaian migrants in a bid to rid itself of officially unwanted guests. Most returned to Ghana, but a fair proportion of these promptly migrated once again to wherever they believed they might find work. This too was a major stimulus to the development of networks of people with experience of international migration, some of whom were induced to undertake criminal activities.

In the French-speaking countries, Côte d'Ivoire offered a similar allure to Nigeria's in the Anglophone world. Organized crime is regarded as having started in Côte d'Ivoire too in the 1970s, when the country attracted large numbers of immigrants in search of work. A problem of armed robbery emerged, as bands composed of immigrants were formed, later joined by Ivorians.[11] Some politically controversial attempts to regulate immigration in the 1990s have become inextricably connected to the violence that has now emerged in the country, creating a mix of crime, politics, violence and debates on identity and migration.

Moreover, wars in Liberia and Sierra Leone have facilitated the import of firearms by armed groups, including armed robbers, to Côte d'Ivoire.[12] A roughly similar development appears to have occurred in Senegal, where armed robbery, marijuana-trading and weapons-trafficking have been connected to the emergence of a low-intensity armed conflict in the Casamance region since the early 1980s. Indeed, it sometimes appears that the conflict in Casamance has lost almost any ideological or political content it may once have had, and has become a pretext for various forms of crime.[13] Even the Senegalese armed forces may have become implicated, such as by abusing official procurement procedures to buy and sell weapons illegally. In 2003, for example, Spanish authorities seized 380 weapons on a ship in Barcelona that had been loaded in the Republic of Korea and was destined for Dakar. It emerged that the weapons had been purchased by the Senegalese military without providing full information to civilian officials within the defence ministry.[14]

In Nigeria itself, at least one expert considers that elements of organized crime may be identified before 1975 in the form of organized groups involved in falsifying imports in order to transfer funds outside the country, normally in contravention of currency regulations. This process involved over-invoicing, or importing sub-standard goods for delivery to government departments, in return for kickbacks paid to government officials. This practice was alluded to by the executors of the country's first coup in 1966. This is an interesting observation in that, as will be analysed in a subsequent section, it may be regarded as a pioneering form of the widespread frauds that were to become a trademark of West African criminal networks in later years. The same expert agrees with many other sources, however, that in general, the 1980s was the decade that first witnessed the flourishing of organized crime in Nigeria. This he attributes to the general corruption of the civilian government of 1979-1983; the introduction of a structural adjustment programme in 1986, resulting in greater poverty and unemployment and a consequent increase in emigration; the rapid and ill-prepared liberalization of the financial sector, including the establishment of poorly regulated finance houses and banks, providing new opportunities for money-laundering and fraud; and illegal foreign exchange transactions. The first cases of heroin trafficking were recorded in Nigeria in the early 1980s.[15] From the late 1980s,

[10] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

[11] Alain Sissoko, "Formulaire d'évaluation des Nations Unies sur la criminalité transnationale organisée: Côte d'Ivoire", April 2004.

[12] Ibid., p. 11.

[13] See Martin Evans, *Ni paix ni guerre: the Political Economy of Low-level Conflict in the Casamance*, Humanitarian Policy Group, Background Paper, Overseas Development Institute, February 2003.

[14] Alex Vines, "Light Weapons Proliferation in West Africa", Input paper: West African Assessment Project, April 2004.

[15] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 9.

transnational advance-fee fraud became a public issue in Nigeria for the first time, apparently developing from the prior existence of corrupt dealings in foreign exchange and the transfer of stolen funds through foreign businesses and entrepreneurs. The growth of emigration during the same period also led to the creation of a transnational prostitution business overseas.[16]

In Ghana, organized crime appears also to have emerged in the 1980s, connected to the problems and the opportunities offered by international migration. Ghanaians were among the first West Africans in modern times to migrate widely, particularly with the onset of major economic problems in the 1970s, benefiting from the country's generally high standard of education, the large number of people speaking good English, enabling them to compete in international labour markets, and a tradition of migration by young men especially in search of economic and social advancement. When very large numbers of Ghanaians were forcibly expelled from Nigeria in 1982, and as other foreign job markets became more difficult, some appear to have been attracted to illicit forms of enrichment.

IV. Crime, society and corruption

Such a historical sketch, although brief, does suggest some salient points to be considered if transnational crime in West Africa is to be situated within an appropriate context. A first point to be noted is that all West Africa's current sovereign States, with the exception of Liberia, became independent only within the last 50 years. One of the features of colonial government, as also of the rule of Americo-Liberian settlers in Liberia, was the criminalization by the state of a variety of activities that may not have been considered in precisely the same terms by many West Africans, or may even have been considered as forms of quasi-political resistance to alien rule. Examples include certain religious practices regarded in West Africa as traditional but considered by colonial States and their postcolonial successors as criminal, or the condemnation of certain types of long-distance trade as smuggling. Conversely, modern bureaucratic government and modern forms of commerce have also introduced new possibilities of monetary gain that hardly existed a couple of generations ago, or to which Africans had little or no access during colonial times, some of which are officially classified as illegal.

This background continues to affect perceptions of criminal activity to this day. It suggests that a full analysis of organized crime would also consider its connection to cultural patterns or ideas that have real historical roots. This is a delicate subject, as it may be used by apologists to argue that certain forms of crime are not "really" illegal, in the sense that the laws that define these activities are not truly African laws. Hence, in considering the West African role in the drug trade, it is quite common for West Africans to argue that it is not they who consider certain narcotics as illegal, but only those Western countries that once colonized them and are now the main consumers of these said narcotics. This, it may be said in passing, is a specious argument for two reasons: first, there is actually a growing problem of drug consumption in Africa itself, as seems inevitable with any country that develops a role in the drug trade. This is acknowledged by some senior officials in Ghana who point out that the country may well change from a major transit point for narcotics to a major consumer if measures to deal with the drug trade are not implemented immediately. There is also evidence of a growing drug abuse problem in Nigeria.[17] Second, laws enacted by a sovereign State cannot be regarded as alien unless the State itself is regarded as wholly illegitimate, whereas arguments on the inapplicability of the drug laws, for example, are often embedded in a nationalist discourse that emphasizes the importance of national sovereignty.

[16] Ibid., p. 10.

[17] Axel Klein, "Trapped in the traffick: growing problems of drug consumption in Lagos", *Journal of Modern African Studies*, 32, 4 (1994).

In different hands, an argument connecting crime to culture can be used to suggest that certain ethnic or national groups are "naturally" predisposed to certain types of crime, which is a crude and clearly unacceptable argument. However, the fact that such dangers exist should not deflect us from considering the importance of cultural factors in the analysis of crime, as will briefly be attempted.

Certainly, it is not impoverishment alone that is the cause of a growth of organized crime in West Africa. The frequency of military coups in the region, and the spread of war since the late 1980s, have created general uncertainty surrounding wealth and the manner of its acquisition.[18] A febrile political atmosphere discourages investment in economically productive activities—desperately needed to create employment and to generate wealth—and at the same time it encourages people to want to get rich as quickly as possible, and not necessarily to see wealth as the reward for sustained effort over the long term. More specifically, coups and war have caused a distinct blurring of the relationship between politics and crime. Clearly, unlawful killing on a large scale, such as has occurred in Liberia, Sierra Leone and elsewhere, has to be considered as a major infraction of the laws in force. At the same time, it may be argued that infractions of the law committed in the course of movements with deep political or social roots cannot be considered merely as delinquency or "ordinary" crime, because they may have wider social legitimacy, and they cannot be analysed in all their complexity by the conventional techniques of law and criminology alone. They also require extensive political or social analysis.

This is a key problem in analysing crime in West Africa, which also requires some consideration of the controversial subject of corruption. The latter is generally considered to be the illegitimate use of public resources for private gain. It no doubt exists in some shape or form in all countries.

All organized crime is facilitated if criminals are able to enlist the complicity, active or passive, of state officials, and there is no doubt that this sometimes occurs in West Africa. For example, the January 2004 arrest of an international smuggling gang in Ghana that had imported no less than 675 kilograms of cocaine, with a street value estimated at US$140 million, led to the suspects being released on bail of just US$200,000, causing a great outcry in the press. Both the Minister of the Interior, Hackman Owusu Agyeman, and the Attorney-General, Paapa Owusu Ankomah, objected, demanding the incarceration of the suspects. A leading Ghanaian researcher reports that "even those who work for the Narcotics Control Board ... are scared to confront the levels of corruption in the criminal justice system."[19] There are other examples from Ghana suggesting that criminals are able to bribe judges, while in Côte d'Ivoire a minister of justice has hinted at a very similar state of affairs, referring to the country's justice system as "sinistré" ("wrecked").[20] The anti-corruption organization Transparency International publishes an annual Corruption Perceptions Index. In its 2003 Index, Ghana ranks at number 50, Senegal 66, Côte d'Ivoire 71 (the same as the Russian Federation and India), while Nigeria was ranked at 101, reckoned the second-most corrupt country in the world.[21]

Also in Ghana, a former head of the Narcotics Control Board has indicated that certain politicians are influenced by drug dealers.[22] But perhaps the most blatant case of political involvement in organized crime in the region concerns the late Maurice Ibekwe, a member of Nigeria's Federal House of Representatives arrested for financial fraud, forgery and conspiracy. He had served as Chairman of the House Sub-Committee on Police Affairs.[23]

In Nigeria, politics is, as a Nigerian consultant put it, "highly corrupted by monetary inducement".[24] Many wealthy patrons in politics exhibit enormous wealth that has no obvious origin. However, only in a small number of cases can it be shown beyond reasonable doubt that senior political figures like Maurice Ibekwe have been directly implicated in organized criminal activities. More common is perhaps an ambivalence attributed to some politicians in Ghana by an investigator, who noted that

[18] Achille Mbembe, "An essay on the political imagination in wartime", *Codesria bulletin*, 2-4 (2000), pp. 6-21.

[19] Kwesi Aning, "Transnational Organized Crime: the Ghana Case Study", paper presented at UNODC seminar, Dakar, 2 April 2004.

[20] Alain Sissoko, oral presentation at UNODC seminar, Dakar, 2 April 2004.

[21] Quoted in Phil Williams, "The global implications of West African organized crime", Input paper, West African Assessment Project, May 2004, p. 4.

[22] Kwesi Aning, "Transnational Organized Crime: the Ghana Case Study", paper presented at UNODC seminar, Dakar, 2 April 2004.

[23] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 29.

[24] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004.

many of them are tempted to turn a blind eye to crime, believing that it is preferable to the type of war that has disfigured some other countries of the region. This could be taken to suggest that criminal interests have become so powerful in some countries that they pose a potential political threat. More prosaically, it indicates that some powerful people consider crime less as a menace to be combated than as a form of activity that at least generates income, and therefore may help to alleviate the misery that helps stoke the fires of civil war. Similar attitudes may well prevail throughout the region.

Overall, then, there is little evidence—with some alarming exceptions—to suggest that politicians may be directly implicated in organized crime, but much evidence that they may be complicit in various ways ranging from an unwillingness to contemplate the subject of organized crime at all, to a complicity that is hard to distinguish from corruption. There may be some major cases of direct political involvement in organized crime that are covered up due to their political sensitivity. For example, in Nigeria the illegal export of oil, known locally as "bunkering", is said by observers to be facilitated by political authorities at a very high level. Such oil bunkering, moreover, implies more than simply the illegal export of oil: in the Niger delta region of Nigeria, armed gangs compete for what is known as "bunkering turf", territorial control of which is necessary for such transactions.[25]

In countries where a full-scale war develops, such as Sierra Leone and Liberia, it becomes difficult to distinguish between organized crime and political violence. There are now disturbing signs that a similar evolution may be taking place in Côte d'Ivoire. The robbery of a bank in Bouake, a town under control of the rebel *Forces nouvelles* movement, reportedly organized by one of the leaders of the rebellion, and a major bank hold-up in Abidjan in 2002 that is also believed to have been organized by a future leader of the insurrection, make clear not only the close connection between political violence and crime, but also suggest the formation of a nexus of political disorder that provides a suitable environment for organized crime, creating a triangular logic of disorder, violence and crime in which each becomes a corollary of the other.

A similar phenomenon, we have mentioned, has been noted in Senegal, where the gendarmerie reports the export of marijuana from the Casamance region, favoured by conditions of low-intensity conflict, towards other parts of the region.[26] Not only does the organization of armed struggle require financing, which increasingly may come from criminal activity,[27] but in extreme cases the State itself may come under the control of professional criminals. Some observers would consider this to have been the case of Liberia under the presidency of Charles Taylor, from 1997 to 2003. The rebellion of the Revolutionary United Front (RUF) in Sierra Leone has often been presented in such a manner. A Sierra Leonean police officer notes the significance in this regard of the RUF's having obliged the legitimate government of the country to share power, allowing the RUF's leader, Foday Sankoh, to occupy a position equivalent to that of a vice president and gaining control of the precious minerals department of the government.[28] The Sierra Leonean president, Ahmed Tejan Kabbah, has represented the war in his country as a criminal enterprise on a national scale.[29] Indeed, the Sierra Leone police reports that members of the Armed Forces Ruling Council, the junta that had power in 1997-1998, themselves pioneered the use of Sierra Leone as a transit point in the international drug trade.[30] In such cases, distinctions between crime and legitimate activity become difficult, since the authorities responsible for enforcing the law of the land may themselves be organizers of criminal activity.

[25] Oral communication by Etannibi E.O. Alemika, Dakar, 2 April 2004.

[26] Reported by Col. Miassa Niang, Dakar, 2 April 2004.

[27] Loretta Napoleoni, *Modern Jihad: Tracing the Dollars behind the Terror Networks* (Pluto Press, London, 2003).

[28] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

[29] Quoted by Morie Lengor, UNODC seminar, Dakar, 2 April 2004.

[30] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

V. Methodology: crime and corruption

The interface between crime and politics, or crime and legitimate business, straddles the grey area of corruption. Although there is a considerable literature on corruption, only a small part of the research that has been done seems useful for addressing this issue as it actually arises in West Africa. The most common approach to studying corruption is as a systemic or structural issue, as it is commonly considered by political scientists.[31] There are also now the beginnings of an anthropological literature concerning West Africa that aims to analyse corruption as something that has become part of particular ways of life and a seeming necessity for many people in a variety of everyday circumstances.[32]

Considering major acts of violence and corruption as political and social phenomena, as political scientists and anthropologists tend to do, clearly carries with it a variety of problems and risks. In the first instance, it is questionable to what extent it is permissible to posit the existence of recognizable systems, in the sense of regular patterns of behaviour, on the basis of often sparse data. Corruption is often hidden, or at least is not openly admitted by its perpetrators and is rarely proven to a legal standard in a court of law. This makes it possible for sceptics to argue that some works that attempt to analyse corruption as a mode of government draw unacceptably broad conclusions from what are, after all, rather scarce data. When an attempt is made to historicize the phenomenon—in other words, to consider how such a system of government by corruption (dubbed "kleptocracy" as long ago as the 1960s[33]) has come about—it risks being misinterpreted as an assertion that certain types of corruption are endemic in certain societies, analogous to a culturalist argument that we have earlier described as crude and unacceptable.

In some case-studies of West Africa,[34] modern systems of corruption have been shown to have historical roots in the forms of administration introduced in colonial times. This is a historically accurate observation in regard to many West African countries inasmuch as every single African State has inherited systems of governance that were introduced in colonial times and were often forcibly imposed: they are regarded as the templates for post-colonial governments. However, it is also increasingly accepted by historians that colonial systems of government, while being manned at the upper levels by European expatriates, and reflecting in their formal aspect European ideas of proper governance and public administration, were also formed to a considerable extent by the actions and ideas of the Africans who fulfilled key functions at other levels of the hierarchy, most particularly in systems of indirect rule.[35] Hence, if the historical roots of modern systems of political corruption and of political violence can be traced back to colonial times, this has to be studied not only in terms of the formal arrangements made by European colonial officials, which generally entailed draconian powers of taxation and coercion, but also the formal and informal practices of African agents of the system. This becomes a sensitive issue inasmuch as it may be considered to be not merely a technical inquiry into the historical roots of modern corruption, but one with inevitable moral overtones. Bluntly speaking, it may be read as an argument as to whose "fault" corruption in West Africa is: that of the former colonizers or the former colonized, closely identified with their descendants today. The most passionate arguments about corruption almost invariably stem from some variation of this debate.

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[31] See for example such classics as Arnold J. Heidenheimer (ed.), *Political Corruption: Readings in Comparative Analysis* (Transaction Publishers, New Brunswick, NJ, 1970); Arnold J. Heidenheimer, Michael Johnston, and Victor T. LeVine (eds.), *Political Corruption: A Handbook* (Transaction Publishers, New Brunswick and Oxford, 1987).

[32] Giorgio Blundo and Jean-Pierre Olivier de Sardan, "La corruption quotidienne en Afrique de l'Ouest", *Politique Africaine*, 83 (2001), special issue on corruption, pp. 8-37.

[33] Stanislav Andreski, *The African Predicament: A Study in the Pathology of Modernisation* (Joseph, London, 1968).

[34] For example, William Reno, *Corruption and State Politics in Sierra Leone* (Cambridge University Press, Cambridge, 1995).

[35] Argued in a key book on African politics, Jean-François Bayart, *The State in Africa: the Politics of the Belly* (Heinemann, London, 1993; French edition, 1989).

It should be said that differences of opinion on this matter do not always pit Africans on one side against non-Africans on the other. It has become commonplace for African authors to attribute a high degree of responsibility for modern-day corruption to the elites that have governed their countries since independence.[36] This has the virtue of facing square-on the excesses of some of the more notorious post-colonial governments. Moreover, it is in keeping with the perception of a growing imbrication of politics and crime in the world in general—not only in West Africa—in the late twentieth century.[37]

However, a suggestion that corruption in modern West Africa is caused by the fact that ruling elites have inherited authoritarian colonial systems of governance, judged to be inherently prone to lack of accountability, fails to consider the degree to which corruption may be a product of patron-client systems of politics, implicating people at all levels of society and having roots deep in the history of Africa, and not only in the apparatus of colonial control. Interestingly, this aspect of modern corruption has, over a long period, been noted far more by West African novelists than by social scientists. Writers of the stature of the Ghanaian Ayi Kwei Armah (*The Beautyful Ones are Not Yet Born,* 1968), the Ivorian Ahmadou Kourouma (*Les soleils des indépendances,* 1970), and the Nigerian Chinua Achebe (in a series of works including the remarkable pamphlet *The Trouble With Nigeria*, 1983) have produced many of the most subtle analyses of corruption in the region.

The initial sections of the present report have attempted to provide some overall context to the complexity of the problem of organized crime in West Africa and its possible link to politics and corrupt practices. It provides a necessary introduction to the more concrete discussion of the nature and extent of organized crime in the region that follows.

VI. Methodology: sources

A growing body of literature points to the methodological difficulties associated with studying illicit and often therefore hidden activities, including those related to organized crime. These include the requirement to collect data from multiple sources, the difficulties of doing so, and the challenge of drawing conclusions based on fragmentary data.[38] In regard to actual studies of organized criminal activity itself, there is a rather small (although growing) specialist literature in the academic fields of sociology and criminology, but few such works can be considered to engage fully with the central problems of crime in West Africa.[39] Nevertheless, a good deal of relevant information is scattered throughout various primary sources, such as the West African and international press, both of which show a keen interest in crime, and a variety of unofficial Internet sites.[40] A search of such sources produces information that is fragmentary but which is of value to anyone attempting a study of organized crime in West Africa.

Information gleaned from these sources may be compared with official statistics on crime, although the latter are highly deficient. In many West African countries, crime statistics are very sparse. Even basic government publications, such as government gazettes and annual reports, are published irregularly and are difficult to

[36] A trend-setter in this regard is the expatriate Ghanaian author George B.N. Ayittey, *Africa Betrayed* (St Martin's Press, New York, 1992). More sophisticated analyses by African scholars include the corpus of work by Claude Ake. See for example his *Democracy and Development in Africa* (Brookings Institution, Washington DC, 1996).

[37] Stanley Cohen, "Crime and politics: spot the difference", *British Journal of Sociology*, 47, 1 (1996), pp. 1-21.

[38] For two examples see: Patricia Rawlinson, "Mafia, Methodology and 'Alien' Culture", in R.D. Kind and E. Wincup (eds), *Doing Research on Crime and Justice* (Oxford University Press, 1999) and Simon Winlow, Dick Hobbs, Stuart Lister and Philip Hadfield, "Get ready to duck: Bouncers and the realities of ethnographic research on violent groups", *British Journal of Criminology*, 41 (2001).

[39] As argued in more detail in the bibliographical essay submitted by Stephen Ellis to UNODC in 2003.

[40] See, for example, on the advance-free frauds for which Nigeria has become notorious (the so-called "419" scams), "Nigeria—the 419 Coalition Website", http://home.rica.net/alphae/419coal/scamstat.htm

obtain even on the spot.[41] Other official sources of data on crime, such as law reports and court records, are also extremely difficult to access. In these circumstances, the local press can play an important role as a source of information regarding both crime and criminal trials. All the countries of the region have a range of media, some of which are available on Internet, and while there are few newspapers that can be considered unimpeachable journals of record, many are certainly worthy of scrutiny.

In regard to certain types of serious crime, there are also non-African sources of statistics. This is probably most obvious in regard to drugs trafficking. This is a crime to which governments in Europe and the United States devote very considerable attention, and in which West African groups are reported to play an important role. For example, in the United States the Drug Enforcement Administration (DEA) finds that: "Trafficking groups composed of West African criminals ... smuggle [South-East Asian] heroin to the United States. Nigerian criminals have been most active in US cities and areas with well-established Nigerian populations, such as Atlanta, Baltimore, Houston, Dallas, New York City, Newark, Chicago, and Washington, D.C. Over the past several years, Chicago has become a hub for heroin trafficking controlled by Nigerian criminals who primarily deal in [Asian] heroin."[42] Various United States government agencies publish both analyses and statistics concerning West African participation in the global drug trade. The Federation of American Scientists for example reports a British study that 65 per cent of the heroin seizures of 50 grams or more in British airports in the mid-1990s came from Nigeria.[43] Particularly useful for analytical purposes are documents published by the DEA, many of them available on its website, and by the State Department, notably in the annual reports published by its Bureau for International Narcotics and Law Enforcement Affairs.

The present study makes use of all of the above sources. Above all, however, it depends on the country-studies and sectoral studies compiled by consultants engaged by UNODC and were presented at a seminar held in Dakar, Senegal, on 2-3 April 2004. The five country-studies consisted of a standard questionnaire which consultants were required to answer, accompanied by country-specific memoranda written on each country. In addition, experts presented papers on diamond-smuggling, drug-smuggling and arms-trafficking. These documents and other information presented during the seminar, have provided a large part of the empirical data that are used for the main part of the present study.

The questionnaires that were completed by country-specialists from the five "case-study countries", Côte d'Ivoire, Ghana, Nigeria, Senegal and Sierra Leone, were identical in each case. The respondents were asked to respond to a series of questions in six fields. These were: the relationship between organized crime and society; the general nature of organized criminal groups; the relation of organized crime and law enforcement; an assessment of violence used by organized criminal groups; and an overview of the role of organized crime in the legitimate economy. In addition, respondents were asked a series of general concluding questions, and were asked to provide an analytical narrative, in effect providing them with an opportunity to air their own ideas outside the rather restrictive confines of a standard questionnaire. Consultants were also requested to provide details of three criminal groups with transnational connections active in the country for which they were responsible. The questionnaire to which the consultants responded is available on UNODC's website.[44]

It is relevant to note at this point the growing opinion among criminologists and other academic specialists that organized crime is a less clear-cut object of inquiry than once seemed to be the case.[45] In part, this is a reflection of the growing sophistication with which researchers have viewed the subject, suggesting that the closer one examines organized crime, the less organized it actually appears. But it is also a reflection of changes that have taken place over time, especially as a consequence of the globalization of economies and communication since the 1970s and the freedom of capital movement since the collapse of the Soviet Union. Even some of the classical

[41] However, regular official publications include for example the *Nigeria Police Magazine* and the *Annual Report of the Nigeria Police Force*.

[42] http://www.usdoj.gov/dea/concern/drug_trafficking.html

[43] http://www.fas.org/irp/world/nigeria/ndlea.htm

[44] http://www.unodc.org/unodc/crime_cicp_publications.html

[45] See for example Phil Williams, "Transnational Criminal Networks", in a collection published by the Rand Corporation, pp. 61-97; http://www.rand.org/ publications/MR/MR1382/MR1382.ch3.pdf.

"mafias", such as the Italian-American organized crime families, seem to have become more flexible and network-like in their operations, both in response to changing economic conditions and as a means of evading detection. Finally, it should be emphasized again that the study of organized crime has always posed considerable problems for the obvious reason that data are hard to come by and are often obtained from police sources that are themselves less than fully adequate, and that criminals by nature do not easily cooperate in academic research.

VII. The size and scope of the problem of organized crime

Research for the present study did not reveal any statistical estimates concerning the overall value of organized crime in West Africa. Even if such figures were to be compiled, they would have to be treated with great caution. Crime figures are extremely hazardous in all countries, if only because so much crime goes undetected, and can only be estimated on the basis of arrests and interceptions, supplemented by intelligence estimates: the magnitude of the phenomenon is then extrapolated on the basis of these data.

In the case of West Africa, statistics are more than usually hard to come by. As mentioned above, no police force in West Africa publishes comprehensive figures on crime seizures or arrests. Tellingly, during a seminar held in Dakar on 2-3 April 2004, two of the country consultants retained by UNODC mentioned specifically the difficulties they had encountered in gleaning even the most basic data from their national police forces, despite the standing of the two experts in their own countries as leading analysts of crime and associated matters. In both cases, the consultants resorted to using personal contacts at senior levels of the police force to acquire information concerning patterns of arrests and other data, and even then they were able to obtain only rather limited information. In a third case, a researcher noted that "the various law enforcement agencies do not collaborate with researchers to investigate the sources, patterns, trends and organization of criminal activities in the country", and that the same law enforcement agencies do not maintain reliable statistics.[46]

This speaks eloquently of the lack of communication by West African police forces even with allied researchers within their own countries. To be sure, figures are generated by other sources concerning crimes that come to international attention, such as major drug seizures. For example, a UNODC officer presented at the 2-3 April seminar figures for drug seizures relating to a range of West African countries, indicating 15 seizures of smuggled cocaine in 2003 in which there was a connection with Cape Verde. Several such seizures were made at Fortaleza airport in Brazil of cargoes of cocaine destined for Cape Verde, each in the range of 2 to 6 kilograms. Most strikingly, he also reported the seizure by Spanish authorities of no less than 7.5 tons of cocaine on 11 October 2003 in a ship in international waters 128 kilometres off the coast of Portugal, en route to Spain. This is the second-largest drug seizure ever made in Spain. The drug was concealed in a Spanish fishing vessel, *South Sea*, and had probably been loaded in international waters after the ship had anchored in Cape Verde. The *South Sea* had also spent some time anchored off the port of Dakar. The crew of the ship was arrested and further arrests were made in both Spain and Cape Verde.[47]

Some tentative observations can nevertheless be made on the basis of the rather scarce statistics of drug seizures made in West Africa or of cargoes that have transited via the region. First, authorities in different countries appear to have varying levels of commitment and efficiency in combatting the international drugs trade, meaning that statistics of seizures in one country cannot be compared

[46] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented to UNODC seminar, Dakar, 2-3 April 2004, p. 2.

[47] Communication by Flemming Quist, UNODC seminar, Dakar, 2-3 April 2004.

straightforwardly with the numbers for a neighbouring country so as to create a reliable index of overall activity by drug traders. Second, it appears that West African police forces generally have very poor or non-existent crime intelligence capacities, meaning that they have no systematic ability to extrapolate from available knowledge to estimate the size of criminal activity as a whole.

One of the few lessons, however, that can be drawn from seizures of drugs within West Africa or transported via West Africa is that the region *does* play a significant role in the international transport of drugs. It is striking that, with the exception of marijuana, a relatively low-value commodity, and some psychotropic substances that are manufactured locally, illegal drugs that pass through West Africa are not produced in the region and nor are their prime markets there. In other words, West Africa has come to play a significant role as a point of transshipment for cargoes of heroin and cocaine that are produced in South Asia and South America respectively, and that are destined for markets in Europe and North America. Côte d'Ivoire appears to be a major transit-point for heroin en route to Europe, and Ghana for cocaine headed for the same destination, although why there should be such specialization between these two countries is unclear.[48] While the organizers of these narcotics trades are of diverse nationalities, a considerable number are themselves West Africans. Much of the cocaine passing through Ghana and other countries of the region appears previously to have transited via Nigeria.

A similar lack of precision concerns most other major branches of activity by organized criminal groups. For example, in the mid-1990s, the United States authorities estimated that 58 per cent of fraudulent insurance claims in their country were made by Nigerians, and that Nigerian fraudsters were responsible for some US$20-26 billion worth of fraud each year in the United States alone.[49] The notorious Nigerian advance-fee frauds known as "419" after the relevant article of the Nigerian criminal code are estimated to be worth several hundred million dollars a year.[50] British police in 1997 received from members of the public 68,000 reports of "419" letters sent by Nigerian gangs, with very many more being circulated but never made known to the police.[51] Since then, the spread of e-mail has led to a massive increase.[52] Occasional figures like these suggest little more than that fraud of various types is apparently carried out by West African gangs internationally and on a substantial scale. Some individual cases can certainly involve huge amounts of money, as indicated by the prosecution of Emmanuel Nwude and others, described below, involving a fraud of no less than US$240-245 million.[53]

While drug smuggling and advance-fee frauds implicating West Africans are among the types of activity that generate the most concern internationally, sketchy evidence suggests that certain other major fields of criminal activity recorded in the region receive relatively little attention despite (or perhaps because of) their clear political importance. In regard to "oil bunkering" in Nigeria, for example, the smuggling of crude oil is estimated to account for as much as 35 per cent of the country's oil exports,[54] although estimates vary widely. Senior Nigerian government sources have themselves stated that as many as 300,000 barrels of oil may be exported from the country illegally every day, although this figure is regarded by some analysts as rather low.[55] In any event, it implies illegal oil exports amounting to over a billion dollars per year and perhaps three or four times that figure. Similarly massive illegal transactions take place in the field of foreign exchange fraud, often involving international companies that may collude in false accounting, thus allowing well-connected Nigerians to move large amounts of money to bank accounts abroad. This became a major activity during the 1970s, when it was practised by Lebanese, Asian and European companies such as Johnson Matthey Bank.[56] The scale of this activity may be appreciated by

[48] Flemming Quist, "Drug trafficking in West Africa 2000-2004: an international perspective," paper presented to UNODC seminar, Dakar, 3 April 2004.

[49] Observatoire géopolitique des drogues, *Les Drogues en Afrique subsaharienne*, Karthala, Paris, 1998, p. 243.

[50] Nigeria—the 419 Coalition Website", http://home.rica.net/alphae/419coal/scamstat.htm. One of the few books on the subject is Charles Tive, *419 Scam: Exploits of the Nigerian con man* (Chicha Favours, Lagos, 2001).

[51] Christopher Elliott, "Nigerian scam cheats Britain out of billions", *Guardian Weekly*, 15 February 1998.

[52] Sam Olukoya, "Nigeria grapples with e-mail scams", BBC news, 23 April 2002: http://news.bbc.co.uk/hi/english/world/africa/newsid_1944000/1944801.stm

[53] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004.

[54] This was the figure quoted by Etannibi E.O. Alemika, Dakar, 2 April 2004.

[55] Etannibi E.O. Alemika, Dakar, 2 April 2004.

[56] See the reports on governors and senior public servants investigated in 1975 and politicians investigated in 1984-1985: reported in the questionnaire compiled by Etannibi E.O. Alemika, Dakar, 2 April 2004.

reference to the billions of dollars known to have been stolen by very senior officials,[57] including a former head of state, General Sani Abacha, much of which ended up in Western banks.

Transnational crime by definition involves people in more than one country maintaining a system of operation and communication that is effective enough to perform criminal transactions, sometimes repeatedly. In the case of West Africa, this may involve persons of West African origin colluding with others from outside the region—for example, the Russian and other foreign nationals arrested in Nigeria in connection with oil bunkering—or it may involve West Africans based in their home region maintaining relations with expatriates living in the diaspora. In general, it is difficult to separate the regional dimension of transnational crime from its global dimension. For example, a Nigerian-dominated internet fraud group such as the Kakudu group (see box below) works out of Sierra Leone, and has links to Guinea, Gambia and Côte d'Ivoire as well as Nigeria, but identifies many of its potential victims outside Africa. Heroin imported from Asia and cocaine from South America may be moved from one country to another within the region with a view to evading law enforcement agencies, but the ultimate destination is almost invariably in a country outside Africa.

[57] Agwuncha Arthur Nwankwo, Nigeria, *The Stolen Billions* (Fourth Dimension, Enugu, 1999).

THE KAKUDU GROUP

A Nigerian, Raphael Ajukwara, alias James Kakudu, lived in Sierra Leone and worked as a dealer in car spares. He owned a personal computer and had a good knowledge of information technology having completed at least one college course in computer studies.

Ajukwara/Kakudu was also a business associate of three other Nigerians, Uche Okafor, Richard Ekechukwu, and another known only as Alex, plus a Ghanaian, Charles Doe. Also connected with the gang was Ajukwara's Sierra Leonean girlfriend, Isatu Bah. All of the group were well educated, enabling them to operate a series of typical "419" frauds—although Isatu Bah was only a schoolgirl at the time of her arrest. In a number of cases they successfully defrauded substantial sums of money from their victims. With the profits they were able to invest in legitimate merchandise imported from Nigeria, which they sold in Freetown.

Their technique was to target potential victims, many of them overseas, trying to entice them into deals involving non-existent gold and diamonds. Their downfall came when they contacted a European businessman based in the Dominican Republic. His complaint eventually came to the attention of the Sierra Leone police, who took action.

Ajukwara was the computer expert, while other members of the gang acted the parts of various officials in order to fool victims into believing that they were dealing with state officials or other prominent people. The Ghanaian, Doe, pretended to be the son of a former finance minister of Ghana.

Members of the group were aware of the inadequacy of legislation in Sierra Leone dealing with computer crimes and of the lack of expertise of the Sierra Leone police in this field. They therefore felt no need to attempt to acquire political protection from Sierra Leonean politicians, policemen or judges. They appeared uninterested in Sierra Leonean politics. They never used violence.

During an investigation of their crimes, materials retrieved from their computer indicated that they had links with operatives in Ghana, Gambia, Côte d'Ivoire and Nigeria.

Source: Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

Plotted on a map, movements of drugs and other transnational trades produce very complex sets of arrows indicating cross-border movement (see figure on page 20). It is certainly not possible to capture accurately all the cross-border movements of illicit goods within the region, but a number of points may tentatively be made. First, the classic smuggling trades are in goods that have a high international value relative to their bulk, with drugs and diamonds being obvious examples. They are rather easy to transport in quantities that can be carried by a single person and even hidden on the body, and yet can realize very significant sums on delivery to a trader based in Europe, North America or elsewhere. Second, in order to facilitate transport of such goods, smugglers may well move them within the West African region. Nigeria is so well established as a source of drugs that Nigerian smugglers clearly prefer to use other countries as staging-posts. This may also apply to diamonds, illegal migrants, or other cargoes. Although such trade can be considered as internal to the West African region, it is also linked to other parts of the globe. The main exception to these remarks concerns goods that have a low international value relative to their bulk, and that therefore are not traded outside the West African region. Examples include cattle, which are smuggled across Senegal's borders into Guinea-Bissau, but not further afield, and locally-manufactured firearms, which are made in Ghana and smuggled to neighbouring countries, but rarely further than Nigeria. Trafficking in these various illegal commodities is explored more fully later in the report.

VIII. Modes of operation

Some accounts of organized crime in North America[58] have suggested the existence of large, hierarchical organizations that in many ways resemble a conventional business firm. This is probably the picture of organized crime that many people carry in their minds, based on the exploits of such historic United States crime barons and godfathers as Lucky Luciano and Meyer Lansky, who flourished in the middle years of the last century. Probably the fullest expression of such a view is the 1967 report on organized crime by the President's Commission on Law Enforcement and Administration of Justice in the United States.[59] However, even in the United States, many old-style criminal hierarchies are nowadays reorganizing themselves into transnational networks that are better adapted to take advantage of opportunities in a globalized economy, and better able to withstand attack from law enforcement agencies.[60]

Certainly in the case of West Africa, studies suggest that the hierarchical, corporation-like model is hardly known. Far more widespread is a form of organization that is project-based. In this sense, criminal enterprises in West Africa use similar techniques to legitimate traders and business people typical of lineage-based societies. The standard procedure is for an individual entrepreneur who succeeds in making money in a particular field, as the volume of business grows, to invite one or more junior relatives or other dependents to join himself or herself in the business. These newcomers effectively become apprentices to the original entrepreneur. If further manpower is required, other personnel may be recruited (also via personal acquaintances or relatives) for a specific task, but not otherwise retained in permanent employment.[61] One of the consequences of this mode of operation is that it tends to create very strong associations between specific families, lineages, or ethnic groups and particular trades, in regard to both legitimate and illicit types of business.

In short, as one investigator put it, it appears that:

"... the organizational structure [of criminal groups in West Africa] may be similar to [that] employed by legitimate

[58] For example, Martin Short, *Crime Inc.: the Story of Organised Crime* (Thames Methuen, London, 1984).

[59] Phil Williams, "Transnational Criminal Networks", pp. 61-2: http://www.rand.org/publications/MR/MR1382/MR1382.ch3.pdf

[60] Phil Williams, "Transnational Criminal Networks", pp. 61-2.

[61] See for example Tom Forrest, *The Advance of African Capital: The Growth of Nigerian Private Enterprise* (University Press of Virginia, Charlottesville, 1994).

small scale enterprises found [among] ethno-cultural groups disproportionately arrested for drug trafficking. First the enterprises usually involve masters (entrepreneurs) and apprentices (those training to become traders or suppliers in particular goods and services). Second, there is cooperation among the enterprises/entrepreneurs, such that if goods are not available in a given shop it is collected and supplied from another entrepreneur. Third, many of the entrepreneurs have relations or acquaintances abroad that facilitate payment for the imported goods, usually for a commission."[62]

In other words, major drug traffickers, for example, may employ others on a one-off basis to perform particular tasks, such as making a delivery, driving a car to a given point or, most obviously, physically carrying drugs from country to country as a "mule" or courier. It should be noted that this casual and ad hoc approach to organization makes detection extremely difficult. Police services from various parts of the world report that the interrogation of an intercepted drug courier from West Africa often reveals frustratingly little about the principals who have employed the courier, often for a wage of no more than a few thousand dollars, to carry drugs across international borders. In many cases it is apparent that the couriers genuinely know almost nothing about the people employing them, as this is not done on the basis of an enduring relationship. They are often hired by a person using a pseudonym, and given instructions to deliver a package to a certain address, or to await a call, with no further information.

Also contributing to the difficulty of persuading intercepted couriers or other criminals to divulge information is the common practice of criminals obliging their junior associates to swear an oath of secrecy on a traditional oracle. Such an oath may imply the death of the individual who breaks it, causing great fear. More prosaically, the administrator of an oath, or the persons who cause the administration, may punish the family in West Africa of a criminal associate who betrays a secret to the police. In any event, the practice of oath-taking means that upon arrest, criminals are also less likely than otherwise to divulge information concerning other actors.

This typically ad hoc or project-based form of organization among criminal gangs has been described by consultants from various West African countries, including Nigeria and Côte d'Ivoire.[63] A specific example concerns a case reported by the Sierra Leonean police on 23 December 2002. This arose from a series of "419"-type advance-fee frauds perpetrated via internet by a group of three Nigerians and one Sierra Leonean, the latter being the girl-friend of the gang's ring-leader.[64] A similar technique is described in a novel, although based on actual cases, written by a Nigerian author, detailing the organization of human trafficking for purposes of prostitution between Nigeria and Italy.[65] One Nigerian expert agrees that most crime gangs have a core membership of no more than three to five persons, corresponding to the notion of a master and a few apprentices.

Two aspects of this mode of organization are particularly worth noting for present purposes. First, we have said, the practice whereby a successful entrepreneur recruits personnel for specific projects only, rather than hiring them on a permanent basis, poses considerable difficulties to law enforcement officers. For example, drug couriers who are found in possession of relatively small quantities of drugs—normally not more than 1 or 2 kilograms—may be genuinely unable to describe the network of people who had provided them with the drug or to whom it was to be delivered on arrival at its destination: the criminal entrepreneur who has conceived and organized the transaction may typically have worked through intermediaries who recruited a "one-time" courier, who otherwise has no knowledge of the organization. This makes it difficult for law enforcement officers to build up accurate information on the major figures in such a business. Second, the practice of recruiting through networks of kinship, typically based on a village or other region of origin, means that the organization of a smuggling or other criminal network may be facilitated by cultural codes known to the perpetrators, but more or less impenetrable to outsiders, including law enforcement officers. Relevant examples of this include the practice of administering oaths sworn by reference to religious oracles, and the use of local languages or dialects that make infiltration by outsiders extremely difficult. Western

[62] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004.

[63] Presentations at UNODC seminar, Dakar, 2-3 April 2004.

[64] "Progress Report on Internet Fraud C.I.D. CR.NO.1306/2002", Acting Director of Crime Management to Inspector General of Police, Freetown, 23 December 2002.

[65] Ifeoma Chinwuba, *Merchants of Flesh* (Spectrum Books, Ibadan, 2003), pp. 221-225.

police officers often point out that it is virtually impossible for them to infiltrate a West African criminal network personally, for rather obvious reasons, and that it is almost as difficult to find translators who can decipher taped phone conversations: in effect, in some parts of West Africa, including south-eastern Nigeria, noted for the entrepreneurial talents of its people, local dialects differ greatly within even small areas.

The effect of recruitment through personal networks is also to create an association between certain trades and specific places. Nigerian networks of prostitution, for example, are frequently associated with Edo State and with Benin City because those individuals who pioneered the trade have kept it in the hands of networks of kin and associates, thus excluding outsiders. As we have noted, this creates an impression to outsiders that certain branches of commerce, whether legitimate or illicit, are dominated by particular ethnic groups. For example, a Nigerian law enforcement officer noted that drug-trafficking networks appear to be dominated by Igbo-speaking people from south-east Nigeria and Yoruba from the south-west, and by southern minority groups. Such may also be deduced from the names of people arrested and tried in both Nigeria and abroad, from records of the Nigerian Drug Law Enforcement Agency (NDLEA) and from newspaper articles.[66] An officer of the Sierra Leone police remarks that the drug trade in his country is dominated by Igbos and Yoruba from Nigeria.[67] He attributes this partly to the emigration of considerable numbers of Igbos during the Biafra war of the 1960s, as well as to an older tradition of Yoruba emigration. The establishment of a diaspora from these groups has facilitated their creation of international networks in more recent times.[68]

This project-based mode of organization, often associated with patterns of recruitment based on kinship, has proved itself highly adaptable to international commerce in lucrative illicit markets. For example, a gang was broken up in January 2004 after the Sierra Leone police had arrested a Nigerian at Lungi International Airport in possession of 4.2 kilograms of cocaine. The culprit was one of a network of Nigerians, one of whom lived in Freetown and ran a shop selling spare parts for cars. His role was to receive couriers arriving at Lungi airport, arrange accommodation for them, and dispatch couriers bound for Europe with drugs collected in Freetown. Drug cargoes were brought to Sierra Leone by a Nigerian woman living in Lagos.[69]

Relationships of this sort enable successful drug-smuggling gangs to become "vertically integrated", having associates at every stage of the trading chain from buying at source (for example, heroin purchased in bulk in Pakistan) to the point of retail sale (typically, at street-level in North America or Europe), with every stage in between being handled by members of the same network. This both ensures maximum profitability and also enables Nigerian drug-networks to co-exist with the more hierarchical, mafia-style operations who may dominate particular aspects of the trade, such as the more powerful Colombian criminal groups that may deal in very large quantities of cocaine. While Nigerian networks are likely to deal generally in smaller quantities, thus not posing a major commercial threat to rival "mafias", they can also be useful to major criminal operatives in certain situations. Heroin trafficking routes to West Africa are clearly linked to the routes of commercial passenger flights, notably Ethiopian Airlines flights from Bangkok, Mumbai and Karachi, transitting via Addis Ababa, Beirut and Dubai en route to West Africa; Kenya Airways, which flies from South Asian airports via Nairobi and Dubai; Emirates; Air Gabon, which runs a service from Dubai to Cotonou; and Middle East Airlines, which runs services from several Middle Eastern locations to West Africa. The most important entry points of heroin to West Africa are Benin, Côte d'Ivoire, Ghana, Nigeria and Togo. Virtually all the heroin trafficked to West Africa seems to originate from Pakistan and India, with just one seizure reported of heroin from Thailand in the period 2000-2004.[70]

Specialists in different aspects of organized crime in West Africa have made the observation that long-term specialization in a particular field or commodity is rather rare. An entrepreneur who has been successful in one field of operation may move into another field if the opportunity

[66] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 15. For a list of Nigerians held in foreign jails, see *The News*, 8 September 2003.

[67] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

[68] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 16.

[69] Questionnaire on Sierra Leone presented by Morie Lengor, Dakar, 2 April 2004.

[70] Flemming Quist, "Drug trafficking in West Africa 2000-2004 in an international perspective", Dakar, 3 April 2004.

presents itself, including into legitimate commerce. For example, an entrepreneur who has been successful in the drug trade may invest his or her profits in a legitimate business, not purely as a form of camouflage, but simply in pursuit of a commercial logic. By the same token, an entrepreneur who has become established in a field such as the import of cars or spare parts may use the capital, the infrastructure and the commercial contacts thus acquired to move into some branch of illicit commerce. In Côte d'Ivoire too, the police find that individuals may be members of several crime networks simultaneously. In the 1980s and 1990s, such groups were involved in armed robbery and drug trafficking, according to Ivorian sources.[71]

Computer crime—typically, the use of internet and e-mail for various types of fraud—generates its own forms of organization. Most obviously, this activity requires a relatively high standard of education in the sense that perpetrators need to be adept at working with computers, and do not necessarily need accomplices to pursue their activities successfully. A Ghanaian analyst notes two modes of operation that are typical of computer fraud. In the more hierarchical of the two, an experienced operator provides the initial resources to a small number of apprentices, notably including access to the Internet. In the second mode, an individual operator sends out his or her own "419" messages to potential victims. If the operative succeeds in attracting a response, he then engages other partners for this particular scheme, taking the lead role for the duration. Thereafter, he may revert to solitary work.

A significant exception to this tendency would be certain criminal activities that are connected to types of production that require long training and are rooted in complex forms of social organization. An example is the Ghanaian blacksmiths that produce firearms using the artisanal tools and materials at their disposal. Research indicates that the manufacture of firearms is organized by guilds whose basic structure is of some 10-15 members, and sometimes as many as 50 members in cases where the production of firearms has been expanded to include other goods. As in any major production process, there are internal hierarchical distinctions, based on leadership, experience, levels of training and trust. Hence, many individuals involved may be aware of only one part of the process, which may involve such aspects as where to purchase raw materials, marketing, and contacts within law enforcement agencies. Normally, such specialized skills are handed down from father to son within families, although particularly in the Volta Region operatives may be recruited from outside family networks.

In short, in a variety of fields where organized crime groups are at work, there are rather few examples of hierarchical groups with long-standing associations. Perhaps the key field where the latter, more corporatist, model obtains is in oil bunkering, although very little is known about this major field of crime. Far more common are "project-based" operations, in which a criminal entrepreneur and two or three apprentices hire others for specific purposes, and for short duration, using a traditional method of organizing business enterprise. Recruitment often takes place through channels of kinship or other association. There is also a high degree of activity by individuals, such as people who try their chance at drug smuggling, typically carrying up to a kilogram of drugs on their own person. In this sense, West African criminal networks are at the forefront of international developments, as academic criminologists and law enforcement officials nowadays tend to emphasise the importance of networks rather than strict mafia-style organizations.[72] West Africa's traditional business structures turn out to be well adapted to a global age, including in the field of crime.

[71] Alain Sissoko, "Formulaire d'évaluation des Nations Unies sur la criminalité transnationale organisée", UNODC, Dakar, 2 April 2004, p. 11.

[72] See http://www.rand.org/publications/MR/MR1382/MR1382.ch3.pdf

IX. Types of organized crime

There are clear deficiencies in the approach of the police and other law enforcement agencies towards organized crime throughout West Africa. In Nigeria for example, which is the most populous country in Africa and one of its dominant economic players, and where there are significant problems of organized crime, the police and other agencies appear to have only limited capacity to analyse the structures of organized crime, tending to regard all those whom they apprehend as individuals. Even allowing for the dearth of such work, however, there seem to be some clear similarities in the patterns of organized crime throughout the region. One striking feature that has been mentioned already is the connection between armed conflict and organized crime. A second is the growth of West Africa in general as a transit point for a number of major international criminal trades, such as in drugs.

Regarding the first of these two remarks, the wars that have taken place in Sierra Leone, Liberia and elsewhere involve highly irregular forces that live largely by plunder, making it difficult to determine the degree to which such wars are best considered in political terms or as a form of crime. Moreover, it is not only irregular combatant groups that may become involved in aspects of organized crime, but also governments or state agencies. Thus, during Sierra Leone's civil war (1991-2002), members of the ECOWAS peacekeeping force allegedly imported drugs illegally to sell to their ostensible enemies, members of the rebel RUF. It is also reported that members of the military junta that controlled Sierra Leone in 1997-1998, realizing the potential for money-making that was offered by the conflict, "started to use the country as a transit point".[73]

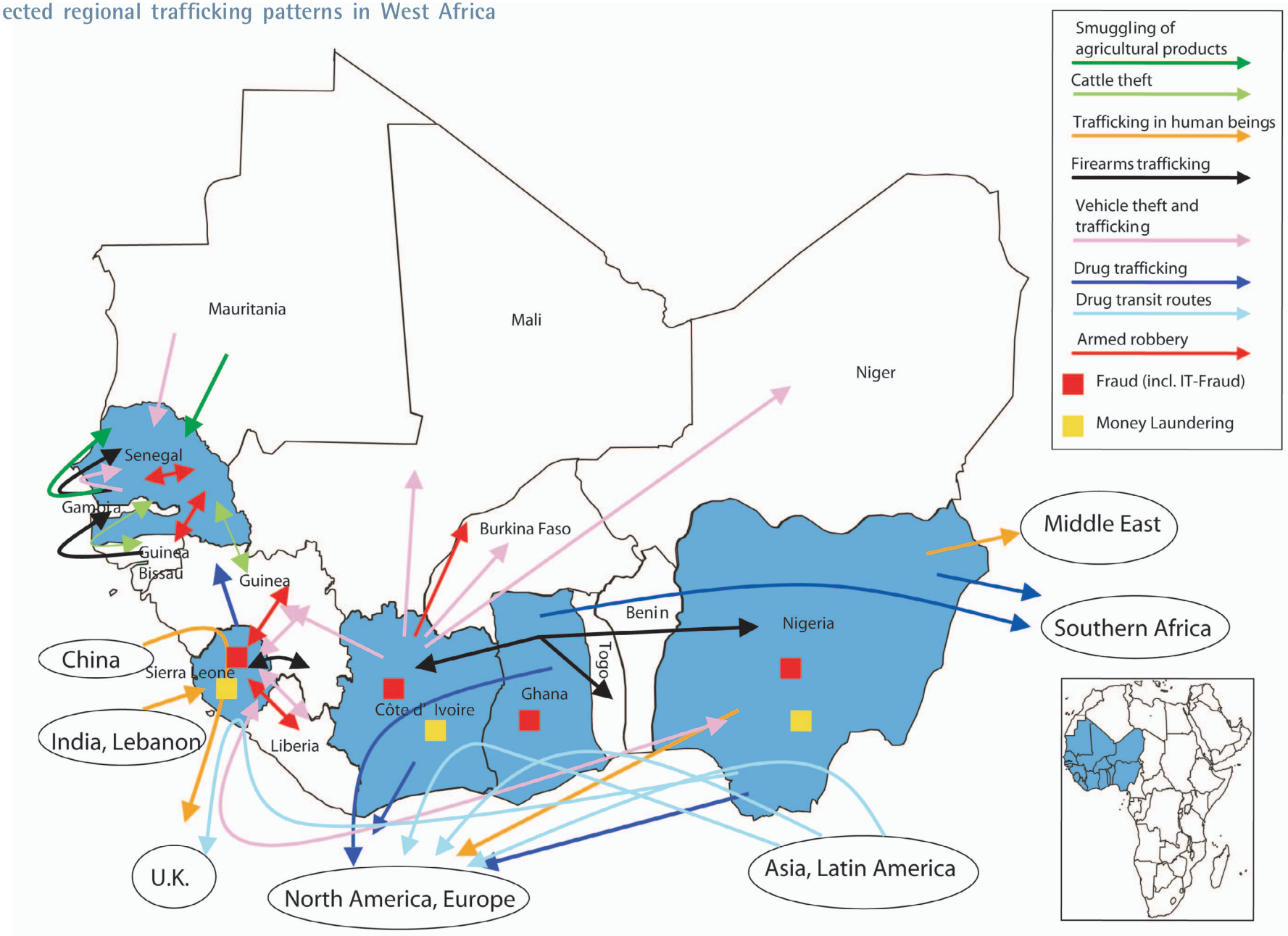
Even when a war ends, demobilized fighters may continue to pose a problem of crime, by turning to armed robbery as a livelihood. For this reason, countries emerging from armed conflict are especially vulnerable to this form of crime, and indeed there may be people who seek to prolong armed conflicts for purely financial reasons. However, although fighters are known to pass from one conflict to another, becoming in effect mercenaries or international freebooters, armed robbery as such does not appear to be a transnational phenomenon to any great extent in West Africa—unless, that is, all war is considered as crime, a point of view that some commentators do hold, but that for present purposes appears to stretch the definition of organized crime too far.

In relation to transnational organized crime in a narrower sense, of people pursuing sources of profit in ways that can hardly be regarded as political in any sense, a striking tendency in West Africa is the region's emerging role as a zone of transit. Criminal entrepreneurs have proved themselves adept at entering into global trades in illicit goods, such as drugs, and have developed expertise in certain types of fraud favoured by globalization, such as via Internet. It is notable that the type of organization frequently adopted by West African criminal networks, as will shortly be described, is well-adapted to such global trades. Non-Africans also use West Africa as a transit point for illicit cargoes: in this respect, the spread of war and the inability of some West African States to offer efficient or effective police services make them attractive as operating bases for criminals from other parts of the world.

The figure below provides an indication of the nature, extent and diversity of the activities of organized criminal groups in West Africa. This provides some indication as to the complexity of illegal activity in the region. To illustrate this further a short explanation is provided below as to the role of organized crime in a number of specific areas identified by UNODC as the most important. They are not listed in order of priority, although probably the trafficking of drugs and serious fraud are the two activities carried out by West Africans, either in their region of origin or outside, that create the most concern internationally.

[73] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004, p. 17.

Selected regional trafficking patterns in West Africa



Drug trafficking

Although cases of drug trafficking exist in West African police and court records from as long ago as the 1930s, the region's emerging role as a transit point for global movements of narcotics can be said to have become a serious problem only in the early 1980s. According to almost all accounts, it was pioneered in this region by Nigerians, soon joined by others, and police forces in Ghana and Sierra Leone both allege that drug trafficking was introduced to their countries largely by Nigerian criminals seeking new operating locations. But although international narcotics trading in West Africa appears to have been pioneered by Nigerians, and by all accounts Nigerian entrepreneurs now play a major role in the international drug trade, every country in West Africa has the capacity to become a transit zone used by criminals of any nationality. The Cape Verde islands are West Africa's main entry point for cocaine, although Ghana, Nigeria and Togo also play important roles. Most of the cocaine brought into West Africa is re-exported to other destinations, especially Spain, Portugal and the United Kingdom. In seizure reports gathered by UNODC over the period 2000-2004, more than 1.4 tons of cocaine had been seized en route to West Africa or from West Africa to Europe, not including two unusually large seizures of 2.29 and 7.5 tons.[74] There is also an important import and re-export trade in heroin, notably from South Asia. The key entry points are Ethiopia and Kenya, with Egypt to a lesser extent. Cargoes are then trafficked from East to West Africa, almost entirely by air courier, with Côte d'Ivoire forming the hub of the trade in West Africa. However, since the outbreak of war in Côte d'Ivoire in 2002, there may have been a decline in heroin trafficking through that country, with a corresponding rise in neighbouring countries.

It is sometimes pointed out that Nigeria is by far the most populous country in West Africa, and indeed in the whole of Africa, and that it is therefore to be expected that the country will produce greater numbers of criminals than its neighbours. Some people also suggest that criminals of other nationalities may sometimes find it convenient to pass themselves off as Nigerian. This appears unlikely, given the poor reputation that is attached to possession of a Nigerian passport, and given also the fact that customs officers tend to work by "profiling": making checks on people who conform to certain categories that they consider statistically most likely to be carrying illicit goods. Any proficient Nigerian criminal would probably make acquisition of another passport a top priority. Even if one were to to make allowance for doubts over the true nationality of some couriers bearing Nigerian passports, there is overwhelming evidence to support the view that the drug trade remains one of the specialities of Nigerian criminal groups. Of couriers intercepted with drugs transitting through West Africa, according to statistics compiled since 2000, 92 per cent were West Africans and no less than 56 per cent were Nigerians.[75] Moreover, a few of the remaining 8 per cent were West Africans who had acquired a second nationality through naturalization. One experiment at Amsterdam's Schiphol airport involved screening passengers arriving from Aruba and the Dutch Antilles—a favourite drug-smuggling route used by some of the 1,200 couriers arrested at Schiphol in 2001. When Dutch customs officers noticed the increasing numbers of Nigerians using the route, they experimented by checking every single Nigerian arriving at Schiphol from Aruba or the Dutch Antilles for a period of 10 days, rather than operating the usual spot-checks only. They found that of 83 Nigerian passengers using the route over those 10 days, no fewer than 63 were carrying drugs.[76]

Law enforcement agencies in a wide variety of countries, including the Netherlands, South Africa, the United Kingdom and the United States, all report the regular interception of Nigerian drug couriers, and their police intelligence services believe that some Nigerian networks have developed a very considerable share in the global narcotics market. United States law enforcement officers have described[77] how Nigerian networks may collaborate with significant Colombian, Mexican and Italian groups, in effect receiving subcontracts from these major operators who have tended traditionally to operate in more hierarchical structures than the Nigerians. It appears that, whereas the old-established "mafias" may have the ability to transport very large quantities of narcotics to the

[74] Flemming Quist, "Drug trafficking in West Africa 2000-2004 in an international perspective", Dakar, 3 April 2004.

[75] Communication by Flemming Quist, UNODC Dakar, 3 April 2004.

[76] Flemming Quist, "Drug trafficking trends in West Africa ...".

[77] In interviews with Stephen Ellis.

United States, even tons at a time, the most successful Nigerian syndicates import smaller quantities but enjoy an exceptional range of contacts and an impressive flexibility of organization that enable them to exploit market niches that the major mafias cannot always reach. It is by these means that Nigerian drug traders have managed to gain a major stake in what is, literally, the world's most cut-throat market, yet without themselves using violence.

To put these observations in perspective, it may be noted that 10 per cent of the cocaine seized in Africa in 2002 was intercepted in central and West Africa and no less than 81 per cent in Southern Africa.[78] However, it must be taken into account that among seizures in South Africa was one cargo of 350 kilograms destined for Togo. If these 350 kilograms are subtracted from total seizures in Southern Africa and added to the totals for West and Central Africa, the latter regions would account for 78 per cent of continental cocaine seizures and Southern Africa for only 13 per cent. Behind these figures lie some questions that are difficult to answer with precision, such as the extent to which the high seizure rate in Southern Africa may reflect more efficient policing than in West Africa, and the extent to which cocaine imported to Southern Africa is actually handled by West African gangs working offshore.[79] In regard to Nigeria, the place of origin of many drug entrepreneurs and smugglers, no comprehensive figures for drug-related arrests are available, but the NDLEA reported the following numbers of arrests for the period 1994-2003: cannabis, 18,775; cocaine, 559; heroin, 598; pharmaceutical psychotropic drugs, 799.[80] The drug transport business appears to be dominated by men, although women sometimes work as couriers. Most offenders appear to be between the ages of 18 and 35.

With all the caveats considered above concerning the lack of statistics or other hard evidence, it appears to be reasonably well established that:

- Several West African countries are used as a base by organized networks of drug traffickers with international connections. Very large shipments via West Africa, to judge from the evidence of a handful of major seizures, tend to be controlled by non-Africans having one or more local accomplices. In addition, there are significant numbers of West Africans who may attempt to smuggle narcotics from Latin America or South Asia to Europe or North America in smaller quantities, not more than a few kilograms, either directly or through West Africa. Most are the so-called "stuffers and swallowers", who secrete narcotics in their bodily orifices or swallow them wrapped in condoms, for later retrieval. Typical cases would include for example the 26-year-old Nigerian woman who had acquired 815 grams of heroin in Pakistan, and flew from Karachi via Dubai and Libreville before being arrested at Cotonou airport in Benin on 30 December 2003 as she left an Air Gabon flight. Another case was the 28-year old Nigerian man arrested on 25 July 2003 at Addis Ababa airport, Ethiopia, en route from Karachi to Abidjan, having swallowed no less than 1.266 kilograms of heroin.[81] It is not unknown for major drug traders to use the so-called "shotgun method", whereby they hire several individuals to carry drugs on their behalf on the same flight, with four or more couriers in the same plane being unknown to each other. If a customs search on arrival at an airport finds one of the couriers, the others are likely to proceed unsearched as the attention of customs officers is concentrated on the one target they have located.

- Côte d'Ivoire has established itself as a major transit-point for heroin, although it may be in decline since the outbreak of war in 2002. Figures compiled by UNODC since January 2000 indicate 22 cases of couriers bound for Abidjan being intercepted in four years, with some cases involving multiple couriers. In at least 14 of these cases, one or more of those arrested was Nigerian. Most were carrying heroin obtained in Pakistan, although one interception made at Abidjan airport on 9 July 2002 was of a Guinean and a Nigerian male travelling together, who had transported 3.149 kilograms of cocaine from Curaçao via Amsterdam, some of it in their luggage, and some swallowed.[82] Couriers using this method will sometimes swallow as many as 80 or 90 packages of narcotics wrapped in condoms.

[78] Presentation by Flemming Quist, Dakar, 3 April 2004.

[79] Mark Shaw, West African criminal networks in South and Southern Africa", *African Affairs*, 101, 404 (July 2002).

[80] Quoted in Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria" April 2004, p. 15.

[81] Cases presented by Flemming Quist, Dakar, 3 April 2004.

[82] Ibid.

- There are certain consistencies in the routes taken by intercepted couriers or transporters of narcotics. Thus, many Nigerian individuals and networks seem to be working through Casablanca, using it as a staging-post for cargoes of cocaine from South America. There appear to be two ways in which couriers can use a north-south detour to minimize the risk of detection. The first way is for a courier to travel from South America, transit for example via London, and disembark in Casablanca, Bamako or Accra. The law enforcement capacities for a thorough check at one of these latter airports are a lot weaker than in London, and therefore the risk of detection is less. A second method is for a courier to travel from South America via a relatively low-risk country, such as Senegal, en route to Amsterdam. On arrival, there is much less attention paid to passengers disembarking from Senegal in comparison to those coming from the Dutch Antilles, for example. Ethiopian Airlines is an airline favoured by heroin couriers, probably since it has convenient routes from Asia to West Africa.

- There is evidence that drug trafficking networks in the region have the capacity to corrupt government officials and influence the outcome of criminal justice processes (see box below).

THE DRUG TRADE AND CORRUPTION

On 7 January 2004, the police raided a private residence in the port city of Tema, Ghana and arrested six people in connection with the import of over 675 kilograms of cocaine from Venezuela, with an estimated value of US$140 million. The goods had been imported into the country through the port of Tema. The six—four British, one German and a Ghanaian—were granted bail of just US$200,000, provoking a national outcry in Ghana. Subsequently, a higher court overturned the ruling and rejected bail. The uproar was such that the judge who had sat in the original case was later transferred from Accra to the Northern Region, some 850 kilometres away.

Other known methods for importing drugs include overland, via border crossings with Côte d'Ivoire in the west and Togo in the east, or by air, where it is often brought by carriers on their person or in their personal luggage.

Most security personnel in Ghana reject any suggestion that drug dealers may influence certain politicians, although some do make such allegations. There are cases where people in authority try to stop the trial of people accused of selling drugs. K.B. Quantson, former National Security Coordinator and former head of the Narcotics Control Board, recounts that in one case, in between the arrest and trial of the suspects "tremendous pressure was exerted on me from all over to drop the case". He also accused the Attorney General's Office of dragging its feet in confiscating the property of the same drug dealer after he had been found guilty and imprisoned, as stipulated by the law at that time.

Some members of the law enforcement agencies indicate their frustration at the failure to prosecute drug traffickers. One answered a question in regard to this by saying "I cannot answer this question. In fact I just cannot. I dare not. But how come that a particular judge keeps releasing suspects under very strange conditions. Why?"

One drug dealer is known to have offered to bribe the officer arresting him with US$70,000 which he had to hand.

Source: Kwesi Aning, "Transnational Organised Crime: the Ghana Case Study", p. 5; K.B. Quantson, *National Security: the Dilemma* (Napasvil Ventures, Accra, 2003), p. 212; report by Ghanaian authorities to Flemming Quist.

Although the press often refers to "drug barons" and "drug mafias", there is actually no evidence for the existence of West African drug cartels in the sense of hierarchical, rather permanent, corporation-like structures. Evidence suggests that participants start on a small scale, for example as individuals who try their luck as couriers, or as traders in legitimate goods who diversify into the illegal sector. In the early 1980s, for example, it was reported that Nigerian students in the United States often doubled as small-scale couriers, perhaps because of difficulties in receiving their scholarship allowances at that time.[83] Those that succeed may then recruit couriers, usually on a one-off basis, and join the league of larger operators.

Advance-fee and Internet fraud

Advanced-fee fraud, including through the Internet, appears to be a field in which Nigerian entrepreneurs were pioneers, and remain prominent. According to one of Nigeria's leading financial regulators, at an Interpol meeting in 2003, 122 out of 138 countries represented complained about Nigerian involvement in financial fraud in their countries.[84] Although fraud can take many forms, including for example false insurance claims, undoubtedly the most notorious type is the advance-fee fraud known as "419", named after the section of the Nigerian Criminal Code prohibiting the practice. Indeed, in Nigerian popular speech, anyone untrustworthy can be referred to as a "419". While advance fee fraud or "419s" can take a variety of forms, they are by definition attempts to obtain pre-payment for goods or services that do not actually exist or which the proposer does not actually intend to deliver. One of the key features of typical "419" frauds of this type is that the instigator proposes a service that is clearly illegal, such as the laundering of illicitly acquired funds through the target's bank account. Anyone who responds positively to such a proposition is knowingly participating in an illegal activity. For this reason, Western police forces have traditionally had little sympathy for victims of "419" scams and have therefore acquired rather little information enabling them to identify the perpetrators. However, in recent years some police forces have begun to take such crimes more seriously, not only on account of their apparent scale, but also because of the realization that perpetrators of advance-fee frauds may also be involved in other forms of crime, such as drug-smuggling, that police forces do indeed take seriously.[85]

Some analysts situate the origins of "419"-type frauds in Nigeria in the abuses of the administrative requirements for importing goods there in the 1970s and early 1980s. This was the period of the Nigerian oil boom, which created massive financial opportunities for Nigerians with access to government contracts and their foreign partners who were able to provide the goods and services required. There were many cases of one or other party using the system dishonestly—or, more damningly, of both colluding. One researcher notes:

"The common element in these was that through collusion between government officials and foreign businesses, imported goods were over-invoiced, resulting in the transfer of huge resources from the country without the supply of goods and services. The West became used to money being stolen into foreign countries with the collusion of foreigners. This was the precursor to the current financial scam and the reasons why western conspirators actually believed the financial scam perpetrators....The process of liberalization also reduced the foreign exchange controls and led to the deregulation of financial and banking services, which may have contributed to the crime."[86]

The import scams of the 1970s and 1980s were generally possible only for those with good contacts in government, or who were already running an established business. Some essential aspects of the technique have since been acquired by others without any such assets. In effect, little start-up capital is required for someone to operate a "419" scam. All that is required are the names and addresses of prospective victims, and access to electronic communications such as a telephone, a fax, or e-mail and internet facilities. Today, these are easily acquired in public internet cafes or business services bureaux. One person can pose as the relative of a known

[83] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004, p. 5.

[84] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 23.

[85] Stephen Ellis interviews with Dutch police officers, June 2003.

[86] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004, p. 7.

figure, such as a former head of state or minister, claiming that their late husband or parent has left behind a fabulous sum of money that requires laundering in collaboration with a foreign partner, in return for a percentage of the sum. Frauds of this type have increased in Côte d'Ivoire since 2000, said to be organized by Nigerians.[87] In one such case, a Nigerian fraud gang working in Côte d'Ivoire succeeded in cheating an Iranian businessman of some CFA 40 million (approximately US$80,000).[88] In the United States the Internet Fraud Complaint Center (IFCC), which receives information on Internet crime, calculates in its 2001 Internet Fraud Report that Nigerian letter fraud cases amount to some 15.5 per cent of all complaints. The consultant who reports this statistic notes that "while the median loss in all manner of Internet fraud was US$435, in the Nigerian scams it was US$5,575".[89] In its report for 2002, the same organization noted that of some 16,000 complaints regarding Nigerian fraud communications, 74 people had lost between them some US$1.6 million.[90]

The very impermanence of e-mail communications makes it hard for police forces to apprehend "419"-fraudsters, but there is some information about them that is fairly well-established. Most obviously, "419" operators have to be well enough educated to perform e-mail transactions in such a way as to be untraceable, and to have sufficient knowledge of international government and business practices as to trap the greedy and the gullible. Internet fraudsters are known to work with lawyers, accountants and even members of the security agencies whom they may pay for their services. Known cases of advance-fee gangs suggests they commonly operate in groups of two to five. One of the most notorious cases (see box page 26), which netted US$240-245 million, involved several people. The initial contact with the victim was made by a Dr Ukeh, who had connections with others whom he brought into the scheme. These included one Emmanuel Nwude, an aspiring politician and owner of properties in Lagos, Enugu and London, who emerged as the main organizer of the subsequent fraud; a couple, Ikechukwu and Amaka Anajemba, and a politician, Maurice Ibekwe. Another notorious fraudster, Fred Ajudua, was a lawyer who usually worked with just one accomplice. Certain fraud projects may require extra personnel, such as if it involves a visit by the target to Nigeria, in which case people may be required to act the role of a government official, a banker, an official driver, etc.[91] All of these may be engaged for a particular task without being informed of the larger scheme in which they are participating.

Human trafficking

Human trafficking in the region takes place in a variety of ways. One form is that of agricultural slavery. In Côte d'Ivoire, it is reported that some of the immigrants from Burkina Faso who work on cocoa plantations in the west of the country are in effect slaves.[92] Cases of imported slave labour are also reported from Sierra Leone, notably of Indians, imported by Lebanese or Indian businessmen.[93] The traditional system in West Africa, whereby an adult may place a child or other young dependent in a distant part of an extended family as a ward or apprentice is abused for purposes of monetary gain.

West Africa is also the site of another form of human trafficking, as a transit point for people seeking to avoid international controls on migration. In 2003, a Nigerian citizen was arrested in Sierra Leone in the company of six Chinese nationals whom he was helping to travel to the United Kingdom. The organizer was working in partnership with a Chinese entrepreneur based in Nigeria.[94] Both Nigerian and other international groups are said to use Sierra Leone as a place of transit for labour migrants under the guise of refugees.[95]

[87] Alain Sissoko, "Formulaire d'évaluation des Nations Unies sur la criminalité transnationale organisée: Côte d'Ivoire", April 2004, p. 12.

[88] Ibid., p. 28.

[89] Phil Williams, "The global implications of West African organized crime", Input paper: West African Assessment Project, May 2004, p. 21.

[90] Ibid.

[91] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004, p. 7.

[92] Communication by Alain Sissoko, Dakar, 2 April 2004.

[93] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004, p. 20.

[94] Ibid., p. 64.

[95] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

A US$240 MILLION SCAM

It is possible to cheat someone out of a quarter of a billion dollars by simple false promises. This, at least, is one conclusion that can be drawn from a "419" case that came before the Economic and Financial Crimes Commission in Nigeria in early 2004. It is one of the biggest "419s" on record. It has led to criminal investigations in Switzerland, the UK, the United States and Brazil.

This particular case is remarkable for the social eminence of those involved. The suspected ringleader of the gang involved, Emmanuel Nwude, is an ex-member of the board of Union Bank (the former Barclays), one of the biggest financial establishments in Nigeria, and he remains a major share-holder in the bank. He is also a leading shareholder in a leading construction company, G. Cappa. At the time of his arrest Nwude owned houses in London, Lagos and Enugu, as well as literally dozens of luxury cars.

Nwude and his accomplices are alleged to have persuaded a Brazilian banker, the head of international finance at Banco Nordeste in São Paolo, to send them money for what they said was the construction of a new airport at Abuja. The Brazilian had first met the men while he was on a visit to Nigeria in 1994. By mid-2001, he had transferred over US$240 million to fund construction of the non-existent airport. He in fact took the funds illegally from his own bank, in several transfers. The Nigerian fraudsters persuaded him he was dealing with leading officials of the Nigerian state. At various times, one of the gang pretended to be the governor of the Nigerian Central Bank in dealing with the hapless Brazilian. Another posed as his deputy.

The case also suggests a strong connection to Nigerian politics. Several of the principals were connected with the country's ruling Popular Democratic Party (PDP). Emmanuel Nwude was a prominent supporter, and one of his key accomplices, Dr Ukeh, was a PDP candidate for the position of governor of one of the country's states. It was Dr Ukeh who had first made contact with the Brazilian bank manager who was to be their victim. Also involved in the scheme was Maurice Ibekwe, a member of the Federal House of Representatives—Nigeria's lower house of parliament—from 1999 until his arrest. Ibekwe even served as chairman of the House's Subcommittee on Police Affairs, and had been re-elected in the 2003 parliamentary elections as a candidate of the PDP, the ruling party. He died in detention on 21 March 2004 after spending eleven months in prison.

Sources: Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 50, and "Organised Crime: Nigeria", Dakar, April 2002; dispatch by Festus Eriye in the *Sunday Times* (South Africa), 8 February 2004.

A third form of trafficking is for purposes of prostitution or sex slavery. In Sierra Leone, it is reported that members of the country's influential Lebanese community have taken local girls to Lebanon, mostly under 18 years of age, ostensibly to work as maids. In fact, they are allegedly put into the prostitution business in Lebanon. The traffickers pay money to the girls' families "so as to divert their attention from their children".[96] There was a noticeable increase of human trafficking of various types in Sierra Leone during the war of 1991-2002, as young people went abroad to Libya, Burkina Faso and Côte d'Ivoire for training as fighters, often lured with false promises of education or employment. Others were obliged to work for armed movements as forced labourers or sex slaves.

[96] Ibid., p. 20.

A particularly flourishing trade in prostitutes exists from Nigeria. Many of the girls or young women involved are from Edo state, and the main destinations are Europe—especially Italy—and the Middle East.[97] Nigeria's international trade in prostitutes is believed by analysts to have grown in the 1990s as prospects for employment in Nigeria deteriorated. The organizers of the trade are often women, sometimes former prostitutes themselves, who have succeeded in making money and graduating to the status of madams, although they depend on men for forging travel documents and escorting the girls to their destination. The networks through which girls and young women are recruited are reported to be well organized and to be relatively solid and durable, rather than merely ad hoc. Many girls initiated into prostitution are obliged to undergo quasi-traditional religious rituals that bind them to secrecy, before being provided with forged papers and sent abroad, often via other West African countries. It is also reported that girls may be initiated into their new trade through rape and other violence.

A successful madam must attend to all aspects of her business. She must organize the recruitment of prostitutes in West Africa, often on the pretext that they will find jobs in agriculture or the hotel business in Europe, but must also procure false or forged travel documents for the girls. She will need to bribe immigration officials, both in Nigeria and in transit countries; she will need to have a network of operators of hotels or hostels; she will need to have guides, referred to as "trolleys"; she will need to be in touch with fetish priests, who administer an oath of secrecy on prospective prostitutes, and with lawyers who can draft agreements binding a prostitute to a madam. Typically, a madam may claim to have invested US$40-50,000 for the costs of travel to Europe, that the prostitute is required to repay. The large numbers of people deported from Italy and other EU countries in recent years suggests that this is a flourishing field. Press reports indicate 1,116 people deported for trafficking in prostitutes in 2001 alone, the majority from Italy, with others from Netherlands, Spain, Germany and Belgium.[98]

Diamond smuggling

The smuggling of diamonds has become something of a speciality in parts of West Africa, due largely to the occurrence of high-quality alluvial diamonds in Sierra Leone especially, that can be mined with no more equipment than a spade and a sieve, and deficiencies in government that permit smuggling and other evasion of official regulations on a massive scale. The most profitable part of the diamond trade is not the extraction of the stones, but their export to wholesale and cutting centres overseas, most notably in Belgium. This export business is dominated by foreigners, especially Lebanese and Syrians, many of them established in West Africa for generations, and, to a lesser extent, Israelis.

The mining and export of diamonds overlaps with organized crime in at least three respects. First, rebel groups use diamonds to finance their war effort. While the most notorious example is the RUF in Sierra Leone, the same has been done by LURD (Liberians United for Reconciliation and Democracy) in Liberia and by elements in Côte d'Ivoire. It has been reported that there is a connection between Al-Qaeda and the illicit diamond trade in West Africa. Agents of Al-Qaeda allegedly systematically bought diamonds from Sierra Leone as a way of laundering money,[99] and there is substantial evidence that diamonds may be used for financing a variety of political or guerrilla movements in the Middle East. In the 1980s, the leading diamond-dealer in Sierra Leone, Jamil Said Mohammed, who was himself half-Lebanese, developed considerable influence in Lebanon—at that time in a state of civil war—and, through his Lebanese connections, in the Islamic Republic of Iran. Sierra Leonean diamonds were a significant source of financing in the Lebanese civil war.[100]

Second, diamonds are smuggled even from areas that are not prone to conflict. Statistics covering the diamond trade are full of discrepancies suggesting that, particularly during the war of the 1990s, diamonds mined in Sierra Leone could be smuggled to neighbouring countries before being sent on to Belgium, so that Belgian import figures often bear little relation to the export statistics of other

[97] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, pp. 36-37.

[98] Etannibi E.O. Alemika, "Organized Crime: Nigeria", paper presented at UNODC seminar, Dakar, 2 April 2004, p. 10.

[99] The issue was first reported by Douglas Farah in *The Washington Post*, 2 November 2001. See also Douglas Farah, *Blood from Stones: the Secret Financial Network of Terror* (Broadway, New York, 2004).

[100] Stephen Ellis, "Les prolongements du conflit israélo-arabe: le cas du Sierra Leone", *Politique Africaine*, 30 (1988), pp. 69-75.

countries. The illegal trade is by no means new, with one study completed in the 1950s judging the smuggling of diamonds from Sierra Leone to be "the greatest smuggling operation in the world".[101] In short, the existence of a huge, barely-regulated diamond sector in Sierra Leone implicates many countries and networks in the region in illegality. It is also exceptionally deeply-rooted, having existed for over half a century.

Third, organized crime groups may engage in the licit diamond trade partly to cover illicit activities elsewhere, in other words as a form of money-laundering. Most observers of the diamond business believe that this takes place to some extent, although there appears to be little hard evidence available to suggest exactly how such networks may function. When Sierra Leone's economy declined in the 1980s, a shortage of foreign exchange through formal sources—banks—meant that Lebanese diamond traders were able to provide foreign exchange which they had procured through diamond sales. Some also acquired import businesses so as to complete an import-export cycle. Some experts believe that some diamond companies in West Africa continue to import legitimate goods to West Africa and use diamonds to settle their accounts in a form of hawala so as to minimize the necessity to use banks or other conventional financial mechanisms that would expose them to tax obligations. Some diamond merchants who are prominent in West Africa also have diamond interests elsewhere, notably in Central Africa, suggesting the existence of very complex movements of goods and diamonds covering several different countries.[102]

Forgery

Forgery may be a lucrative business in itself, such as the recorded case of West African officials of the civil aviation association, Agence pour la Sécurité de la Navigation Aérienne en Afrique et à Madagascar (ASECNA), who forged 255 passports for sale at a price of one million CFA each, or some two thousand dollars. But much of the most sophisticated forgery is required for other criminal purposes, such as drug traders or people traffickers who may require documents in order to follow their trade.

Cigarette smuggling

The smuggling of cigarettes is recorded in several countries of the region, including Sierra Leone, where the existence of a higher rate of excise duty on cigarettes than in the neighbouring republic of Guinea provides an incentive to smuggle cigarettes from one country to the other. Although the trade is not inherently violent, it flourished in conditions of the 1990s civil war. Cigarette smuggling is also recorded between Côte d'Ivoire and Ghana.

An example of a cigarette smuggling group is the Wansa group, operating from Sierra Leone. The head is a Fula businessman known as "Guinea Wansa". Regarded as the head of the syndicate, he operates from Sierra Leone but has close links with an official trader in Guinea, who imports cigarettes from abroad. Having been brought into Guinea by legal means, the cigarettes are exported under cover of darkness in local boats known as pampas, avoiding customs controls. In Sierra Leone, Wansa has a team of four major distributors strategically located in Freetown, Bo and Kenema. The cigarettes are moved between these locations by truck, generally covered by legitimate merchandise to disguise them. Membership of the organization is secretive and is dependent on kinship and ethnic bonds. It is notable that members of this group in many ways do not display some of the characteristics commonly associated with professional criminals. They are pious and otherwise law-abiding Muslims, who respect the authority of Islamic religious authorities, such that any dispute between them is generally settled by established social authorities rather than by the resort to violence.[103] Many Fulas who straddle Guinea and Sierra Leone are specialized traders. Those most highly specialized in cigarette smuggling are believed to have begun as traders in legitimate goods but to have branched into the cigarette business as a means of investing capital earned elsewhere. Many other Fulas smuggle far smaller quantities, often not more than 20 cartons at a time.[104] One of the consequences is, as a Sierra Leonean police officer notes, that "money gained from the illegal smuggling of cigarettes is protected and covered by the genuine general merchandise business they operate

[101] Ian Fleming, *The Diamond Smugglers* (1957; Pan edition, London, 1960), p. 126.

[102] Presentation by Christian Dietrich, Dakar, 3 April 2004.

[103] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004, p. 85.

[104] Ibid.

between Guinea and Sierra Leone",[105] making it difficult to distinguish between legitimate and illegitimate profits in their overall turnover.

Money-laundering

The laundering of the proceeds of crime in West Africa appears to occur through a wide variety of methods. As noted, there are indications that some of the wealthiest individuals, including those who have gained wealth through massive corruption, such as the late Sani Abacha, may enjoy the complicity of major international companies to move their wealth to bank accounts outside Africa. Some of the world's largest banks are known to have been complicit in such schemes, including the notorious Bank of Credit and Commerce International (BCCI),[106] which had more branches in Africa than in any other continent, as well as some private banking operations.[107] Seasoned observers of Nigeria consider that money-laundering was greatly facilitated, at a time when the drug trade in particular was in rapid expansion, by the growth of unlicensed finance houses, especially in the period 1988-1991. Other businesses regarded as particularly suitable for money-laundering include second-hand car dealing and fashionable clothes' boutiques, the latter favoured particularly by female entrepreneurs.[108]

Throughout West Africa, almost all car purchases are of second-hand vehicles, often with few or no documents attached. This clearly offers possibilities for money-laundering through the motor trade. The diamond trade is also widely regarded as a particularly suitable medium for money-laundering. A report issued in March 2004 by the United States State Department's Bureau for International Narcotics and Law Enforcement Affairs lists several countries as "vulnerable" to money-laundering via the diamond trade, including Liberia and Sierra Leone.[109]

Arms manufacture

Several countries in the region, but especially Ghana, have a flourishing artisanal industry of arms manufacture. Such artisanal manufacture in Ghana is increasingly transnational, as arms are smuggled outside Ghana for use in violent crime.

Iron-working technology has been known in West Africa for many centuries, but the manufacture of guns was made a criminal offence in colonial times. However, local smiths have not lost the skill of making guns, and recent research indicates that local processes of gunmaking have gained greatly in sophistication. In one seizure of illegal weapons in Nigeria in April 2004, the goods confiscated included not only foreign-made guns and ammunition, but also a locally assembled AK-47 assault rifle as well as 13 locally-made revolvers, four double-barrelled shotguns, one single-barrelled shotgun, and other pieces as well. Police arrested 19 illegal manufacturers.[110] In Ghana there are also smiths who are able to produce pistols, shotguns, revolvers and even, in one case, an AK-47.[111]

Ghana, in fact, appears to have the region's most sophisticated capacity for manufacturing firearms. According to pioneering research carried out by a leading Ghanaian academic, all 10 regions of the country have a manufacturing capacity, concentrated in small workshops that are able to produce 200 or more guns per year. Middlemen export these to other parts of West Africa, including notably Côte d'Ivoire, Togo and Nigeria.[112] Within Ghana, guns are sometimes sought in cases of land and chieftaincy disputes. A study of 5 of Ghana's 10 regions identified no less than 70 towns in which a manufacturing capacity existed, with some 2,500 manufacturers in Brong-Ahafo region alone, suggesting a total production of 40-60,000 guns annually.[113] A recent arrest suggests the route taken by many of these guns: on 1 April 2004,

[105] Ibid., p. 31.

[106] On BCCI in Africa, see *The BCCI Affair. A report to the Committee on Foreign Relations, United States Senate,* by *Senator John Kerry and Senator Hank Brown* (Washington DC, December 1992).

[107] *Private Banking and Money Laundering: a Case Study of Opportunities and Vulnerabilities. Hearings before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, United States Senate* (Washington, 9 and 10 November 1999).

[108] Presentation by Etannibi E.O. Alemika, Dakar, 2 April 2004.

[109] Quoted in *Other Facets*, 13 (March 2004), published by Partnership Africa Canada.

[110] P.M.News, Lagos, 8 April 2004.

[111] Kwesi Aning, "Transnational Organised Crime: the Ghana Case Study", Dakar, 2 April 2004.

[112] Kwesi Aning, "United Nations Transnational Organized Crime Assessment Form: Ghana", April 2004, p. 40.

[113] Communication by Kwesi Aning, 2 April 2004.

Nigerian police arrested a man coming from Benin with 16 firearms purchased in Accra, Ghana. His intention had been to sell them in the market at Onitsha, the largest market in West Africa. The police considered they were definitely destined to be used by criminals in Nigeria.[114] Moreover, similar reports of artisanal weapons manufacture have been received from Senegal, Guinea, Benin, Togo, Mali[115] and Nigeria, although in none of these cases is the subject to have been so extensively researched as in regard to Ghana.

Arms trafficking[116]

It is common cause that West Africa contains large quantities of illicit small arms, although the estimates given—the figure of seven million is sometimes encountered—appear often to be exaggerated. ECOWAS adopted a moratorium on imports in October 1998, with a provision that Member States wishing to import weapons should notify ECOWAS of their intention to secure exemption from the moratorium. In fact, the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa has not worked well, as Côte d'Ivoire, Liberia, Burkina Faso and Guinea have all violated it by supplying non-State actors with freshly imported weapons and ammunition. In so doing, they have also violated United Nations arms embargoes on Sierra Leone and Liberia. In 2002 and 2003, for example, Côte d'Ivoire allegedly received several deliveries of military equipment by air that went unreported to ECOWAS. For Liberia, the figures for the same two years were 49 and 25 deliveries respectively. One international broker based in West Africa, who has organized several deliveries of weapons by air and sea, told a UNODC consultant that he had never heard of the ECOWAS Moratorium.[117]

In addition to the import and distribution of light weapons by Governments, notwithstanding their signature of the ECOWAS Moratorium, there is an unregulated non-State trade. Virtually every country in the region has a problem in this regard, with Côte d'Ivoire and Nigeria probably being the largest importers at present. Nigeria causes particular concern, most particularly in connection with fierce armed conflicts in the Niger Delta region—which is already in the "high intensity conflict" category with over 1,000 fatalities per year. The availability of weapons interacts with illegal oil bunkering, endemic corruption, high youth unemployment and social disintegration to produce a highly dangerous mix.

In Senegal too, the existence of a low-level armed conflict in the Casamance region has contributed to the illicit circulation of light weapons. Insurgent forces in Casamance are known to have imported weapons from Guinea and Guinea-Bissau. Light weapons are traded illegally and with only ineffective attempts at regulation by the police in the town of Touba, regarded as a holy city by members of the Mouride Islamic brotherhood. There are some other locations in Senegal too that are known as centres of the illegal weapons trade.[118]

Armed robbery

It has already been noted that there is a clear relationship between the existence of war and the incidence of armed robbery. In Côte d'Ivoire, a serious problem of armed robbery grew in the 1980s, and, since the troubles of the last few years, consists in armed robbers identifying offices with cash, and holding employees hostage. The war since 2002 has favourized armed robbery of various types. Some criminal gangs in northern Nigeria have included demobilized ex-combatants from neighbouring countries.[119] In Sierra Leone too, demobilized fighters are recorded as forming armed gangs such as the West Side Boys. Some such groups may receive arms from the regular armed forces. They may sell stolen goods in neighbouring countries, and are also reported to have developed connections as far away as Gambia, Mali and Côte d'Ivoire.[120] Armed robbers are also reported to have joined the LURD group.[121] The Senegalese gendarmerie reports

[114] "Police Recover 16 Firearms from 24-yr-old Suspect at Seme Border", *Vanguard* (Lagos), 6 April 2004.

[115] Communication by Alex Vines, 3 April 2004.

[116] The following is based largely on Alex Vines, "Light Weapons Proliferation in West Africa", paper presented at UNODC seminar, Dakar, 3 April 2004.

[117] Alex Vines, "Light Weapons Proliferation in West Africa", paper presented at UNODC seminar, Dakar, 3 April 2004.

[118] Ibid.

[119] Ibid.

[120] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004, p. 31.

[121] Ibid., p. 72.

groups of up to 15, armed with automatic weapons, including Guinea-Bissauans, Liberians and Sierra Leoneans, involved in trans-border crime. This is so in Casamance but also close to the northern borders with Mali and Mauritania. They are involved in cattle-rustling, smuggling and armed robbery. In 2000-2003, the Senegalese authorities prosecuted 2,400 members of crime groups, 1,500 charged with armed robbery, 600 with cattle-rustling, and 300 for smuggling. Armed robbers do use violence.[122] In Benin, one Hamani Tidjani led a multinational armed gang that specialized in car-jacking and car theft in several West African countries and even in France. The gang's activities were so notorious that the Nigerian government closed its border with Benin to underline its demands for action by the Beninese authorities. Tidjani, however, escaped to Mali, using bribery to ease his way. He was subsequently arrested, extradited to Benin and finally Nigeria. As a result, the President of Benin fired 13 senior security officials, including from the Presidency, the Defence Ministry and the Ministry of the Interior.[123]

Oil bunkering

"Oil bunkering" is a speciality of Nigeria, for long the region's only oil-producer.[124] "Bunkering" is the process of filling a ship with oil, which is increasingly done illegally. According to the Federal government, some 300,000 barrels are illegally exported per day. Although oil bunkering on this scale requires sophisticated organization, and the complicity of state officials up to a very high level, it also flourishes amid the poverty and a sense of injustice in the Delta area. People in many communities feel that they derive no benefit from the oil trade, and may therefore collaborate with criminal networks in the illegal export of oil. "The Delta", Alex Vines writes,[125]

"... provides these illicit networks with an environment which has a pool of unemployed youth and armed ethnic militias who know the terrain well. They also face a corrupt or ineffective law enforcement effort, coupled [with] a weak judicial process. These networks also enjoy patronage from senior government officials and politicians, who use bunkering as a source for political campaigning."

The oil bunkering syndicates are highly international, including not only other West Africans, but also Moroccans, Venezuelans, Lebanese, French and Russians, for example. By these means, oil bunkering links to wider patterns of organized crime, with cash, drugs and weapons all being traded in exchange for illegal oil. A typical oil-bunkering case was reported in a Nigerian newspaper on 22 April 2004, reporting the arrest by the Nigerian navy of a ship loaded with 8,000 metric tons of crude oil without valid papers. Its crew of eight foreigners was also arrested. Such cases illustrate the possible extent of the problem. Nevertheless, relatively little is known as to the overall nature and extent of the problem. Given the extent of the wealth involved, and the degree to which such activities have international connections, the issue deserves further attention.

[122]Meissa Niang, "Formulaire d'évaluation des Nations unies sur la criminalité organisée transnationale organisée: Sénégal", April 2004, p. 20.

[123]Phil Williams, "The global implications of West African organized crime", Input paper: West Africa Assessment Project, May 2004, p. 9.

[124]The following is based largely on Alex Vines, "Light Weapons Proliferation in West Africa", paper presented at UNODC seminar, Dakar, 3 April 2004.

[125]Alex Vines, "Light Weapons Proliferation in West Africa", paper presented at UNODC seminar, Dakar, 3 April 2004.

X. Social aspects of organized crime

None of the country specialists retained by UNODC believes that there is a cultural acceptance of organized crime in any part of West Africa. A Nigerian expert comments that "there is no overt public support for organized crime in the country although there is ambivalence towards ... sudden wealth, which ... often [proceeds] from organized crime. The wealth is cherished but not the organized criminal activity".[126] Regarding computer crime, one analyst, describing how potential operators may be recruited, notes that "trust and reciprocity are the key internal codes of conduct".[127] Members of a gang are able to cooperate among themselves, and resolve disputes by negotiation, thus minimizing the chance of police intervention. Both of these observations, from Nigeria and Ghana respectively, suggest an ambiguity concerning organized crime: typically, individualistic and cynical criminals may also depend on high degrees of trust with their partners-in-crime.

Organized crime in West Africa may reflect social attitudes in various contexts. In Sierra Leone, it was noted that the trade in cigarettes legally imported into Guinea, and then illegally re-exported to Sierra Leone to evade customs duties, is dominated by Fula traders, described as "highly engaged in commerce", who in other respects are generally law-abiding. "They believe in smuggling", comments a Sierra Leonean police official.[128] They have also been able to develop strong contacts in the law enforcement agencies.[129] There is no suggestion of violence attached to this trade, as Fula cigarette-smugglers are reported to "believe in bribing their way out".[130] One has the impression that this is not an activity of people who consider themselves to be professional criminals, but of traders who profit from differential tariffs across national borders, in regard to goods that are not themselves illegal. In similar vein, the manufacture of guns in Ghana makes use of traditional organizations, in which members are bound to secrecy by swearing an oath. Indeed, researchers have also noted in regard to both Ghana and Nigeria that criminal groups may supply welfare services that are currently neglected by the state, a development that also suggests a certain degree of ambivalence regarding the activities of certain categories of law-breaker.

It is hardly surprising that at a time when welfare services are neglected by states, in an era of state retrenchment and structural adjustment, non-state groups that propose to perform such services are likely to grow in prestige. The psychological climate of the times stimulates crime in other ways too, and notably through the get-rich-quick mentality that has become characteristic of a region in which medium-term investment and employment prospects have become risky in the extreme. Ivorians speak of acquiring *"argent en vitesse"* ("money in a hurry")—which is a slogan of one of the country's leading lotteries. Hence, also, prostitutes are prepared to engage in sex without condoms, in full knowledge of the risk of AIDS, in return for a fee that may be ten times that charged for protected sex: the quest for instant money tends to counteract every consideration of longer-term health and prosperity.[131]

It appears that not only is the economic environment such that it may encourage people to resort to crime to make money, but so too are some aspects of the general political and social environment. In some cases, such as that of cigarette-smugglers in Sierra Leone, otherwise respectable and honest people may engage in illegal activities without appearing to consider this as posing a moral problem. Some activities that are technically illegal may involve vast numbers of people who surely do not all consider themselves professional criminals. An extreme example would be that of diamond-mining, one of the mainstays of the Sierra Leonean economy. Tens or even hundreds of thousands of people work in the country's diamond-fields, almost all of them illegally. Almost the entire diamond trade is built on a social base that is illicit.

[126] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004, p. 17.

[127] Kwesi Aning, "Transnational Organised Crime: The Ghana Case Study", paper presented at UNODC seminar, Dakar, 2 April 2004, p. 1.

[128] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004, p. 45.

[129] Ibid., pp. 86-87.

[130] Morie Lengor, "United Nations Transnational Organized Crime Assessment Form: Sierra Leone", April 2004.

[131] Communication by Alain Sissoko, Dakar, 2 April 2004.

XI. The need for policing reform

Nor is it only the welfare functions of the state that have eroded throughout West Africa. Across the region, law enforcement agencies themselves are in such a state of disarray that they may offer little deterrent to a group intent on committing crimes. Liberia's police force became entirely politicized under the government of President Charles Taylor (1997-2003) and is in need of complete reorganization. It lacked even the most basic equipment until the process of reorganization under United Nations authority began in late 2003, with 70 per cent of police having no training whatever, including even key technical staff. At the time of the UNODC seminar in April 2004 it was reported that the Liberian police had just three vehicles.[132] Even in Côte d'Ivoire, one of the richest countries in the region, the police are reported to have massively insufficient resources. It is also the case that governments regularly disregard their responsibilities, even those that they have explicitly and voluntarily recognized, such as by failing to seek exemption from the moratorium on arms purchases.[133] A Nigerian consultant commented that the Nigerian police and other law enforcement agencies are constrained by lack of resources and have little capacity for intelligence-gathering and analysis, planning, and statistical management.[134]

West African police forces typically lack resources and are also technically ill-equipped to analyse the problem of organized crime. They generally regard criminals as individuals, investigating individuals suspected of criminal acts without considering themselves as dealing with organized crime. Still less do they consider what we may call the political aspects of organized crime, namely the possibility that criminals in many countries are said to be able to bribe judges or other officials concerned with law enforcement or prosecution, or that certain types of crime may even require the complicity of senior state officials. Hence, the need for fundamental reforms of policing services is evident. The most obvious need is for more resources, but there is also an urgent requirement for the police to develop an intelligence capacity that will enable them to form a more accurate picture of the organized crime groups at work. Many police forces are seriously under-strength, such as in Ghana, which has some 30,000 police officers in place of the 50,000 that are regarded as the full complement. The allocation of resources to the police requires political will. The same is necessary if the problem of organized crime in general is to be tackled: it requires political leaders first to acknowledge the existence of organized crime.

There are some indications that the entire concept of policing needs to be reconsidered. West African police forces, like so much of the architecture of the state, are the direct descendants of institutions first established in colonial times, in circumstances very different from those of today.[135] Colonial governments generally relied very heavily on African authorities—junior officials or traditional leaders—to deal with the most common forms of crime within African societies. The colonial police, outside the cities where Europeans mostly lived, operated as a semi-military, mobile force that could be deployed to help local officials if they were unable to deal with crime unaided.[136] Today's police forces still recognizably operate within this tradition.[137] At the same time, there are many parts of West Africa where people organize their own vigilante groups, or support radical experiments such as the introduction of Shari'a into the criminal code in northern Nigeria, largely out of frustration at the lack of effective policing of crime.[138] Further research is required into the possibilities of organizing a more decentralized policing of everyday forms of crime at the same time as more specialized units are created to deal with transnational organized crime.

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[132] Communication by Michael Agboola, Chief of Crime Investigation, UNMIL, Dakar, 3 April 2004.

[133] Communication by Alex Vines, Dakar, 3 April 2004.

[134] Etannibi E.O. Alemika, "United Nations Transnational Organized Crime Assessment Form: Nigeria", April 2004.

[135] See Alice Hills, *Policing Africa: Internal Security and the Limits of Liberalisation* (Lynne Reinner, Boulder CO and London, 2000).

[136] See for example David Killingray, "The maintenance of order in British colonial Africa", *African Affairs*, 85, 340 (1986).

[137] Mark Shaw, *Democracy's Disorder? Crime, Police and Citizen Responses in Transitional Societies* (South African Institute of International Affairs, Johannesburg, 2002), pp. 30-35.

[138] See for example Charles Gore and David Pratten, "The politics of plunder: The rhetoric of order and disorder in Southern Nigeria", *African Affairs*, 102, 407 (2003).

XII. The threat of terrorism

There was a clear association between organized crime in West Africa and guerrilla war in the context of the Lebanese civil war of the 1980s, when Lebanese traders based in West Africa used money earned from diamonds and other business to fund militias in their home country.[139] More recently, West African diamonds have reportedly been used to finance Al-Qaeda.[140] In other cases, as this report has suggested, there are indications that politicians may turn a blind eye to certain types of crime, or that they may encourage arms purchases or sponsor vigilante groups during election campaigns.

With the exception of the Middle Eastern connection, there is no suggestion of any clear association between organized crime and international terrorism in West Africa. At this point, however, a note of warning may be in order. This report has pointed out the degree of ambiguity that exists between social or cultural codes regarded as acceptable, and certain forms of crime. Politics and violence are also ingredients in this particular mix. In the most extreme cases, the blurring of crime and politics and the views that ordinary people have of them becomes starkly evident when considerable sectors of the population may be induced to take part in wars that, at least at times, are regarded as morally and politically justified; such wars may also be considered in some respects as mass crimes. Those commentators who insist that wars in Sierra Leone and Liberia are neither more nor less than mass crimes have touched upon an important point, even if they have done so with a lack of subtlety that deprives their argument of much of its explanatory power.

The point to retain in this short discussion on war, crime, politics and morality is the possibility that the relative lack of any association between organized crime and international terrorism in West Africa could change very rapidly under certain circumstances. In Côte d'Ivoire, for example, one of the richest countries in the region, there are certainly supporters of President Laurent Gbagbo who believe that the coup attempt of September 2002, and the subsequent establishment of armed forces having no official status at the time, the *Forces nouvelles*, represents a vast crime. Among opposition supporters, there are those who would regard President Gbagbo's highly contested election to the presidency in 2000 of having been a similarly monstrous political crime, thus depriving his government of legitimacy. Such arguments are perhaps inevitable in any situation of contested legitimacy mixed with armed conflict. The point to be retained for present purposes is the risk that patterns of organized crime, such as the role of Abidjan as a hub of the international heroin trade, could become connected with the emerging patterns of political dispute and armed conflict. Bluntly, in such a civil war, violence may provide a cover for professional organized crime groups to ply their trade, not only Africans but also foreigners. This is precisely what happened in Sierra Leone, where major Russian criminal gangs allegedly used the country for their own purposes since the 1980s,[141] or in Liberia. When such a fusion takes place, political and military actors who may at one moment be perceived as acting for a political cause, whether justifiable or not, may increasingly be motivated by financial considerations linked to organized crime. Hence, a political struggle may become criminalized, just as a government or even an entire state may also be subject to a process of creeping criminalization.

This danger is probably most acute in the case of Nigeria, the richest and most populous country in West Africa, and also the one where, it would appear, criminal entrepreneurs have been most successful in penetrating international markets in drugs and fraud. Although few observers doubt that money from a wide variety of illicit sources goes into funding Nigerian election campaigns, there is no evidence at present to suggest that any major politicians are acting as a front for organized criminal groups, or that the profits from organized crime are being systematically invested in politics. However, information on such matters is very difficult to find, and it would be unwise to draw any firm conclusions on the subject.

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[139] Stephen Ellis, "Les prolongements du conflit israélo-arabe : le cas du Sierra Leone", *Politique Africaine*, 30 (1988), pp. 69-75.

[140] See Douglas Farah, *Blood from Stones.*

[141] See Robert I. Friedman, *Red Mafia: how the Russian mob has invaded America* (Little, Brown & Co., Boston, New York, London, 2000).

What can be said with more confidence is that Nigeria has become a very violent country, with more than 1,000 conflict-related deaths in the Niger Delta alone. There is a clear nexus in Nigeria between massive corruption, violence and politics, in which organized crime may not for long retain an outside role. Moreover, Nigeria is prey to ideological conflicts, particularly in the form of religion. In short it, like Côte d'Ivoire—respectively the leading powers in anglophone and francophone West Africa—could all too easily evolve in a direction where violent political action and crime become far more closely connected than is the case at present. If that takes on a religious ideological hue (Muslim versus Christian), West Africa could find that it has developed a problem of crime and terrorism that it is not perceived as having at present.

In a nutshell, organized crime in West Africa exists, is growing, and is a problem both locally and internationally. It cannot generally be said to be clearly connected to politics, and certainly not to terrorism. Such a pattern could change with great speed, however. Most particularly if it is not anticipated and if countervailing measures are not taken.[142]

XIII. Building international and regional cooperation

It is clear from the explanation provided above as to the activities of organized crime groups in the West African region that an essential element to counter these is higher levels of both regional and international cooperation. Organized criminal groups operating from West Africa have little respect for borders, either within the region itself or more widely. The extent of what one author calls "criminal cross-fertilization across jurisdictions" is illustrated in reports that in May 1998, 320 Liberians were languishing in 17 Ivorian jails, 217 of them accused of such serious offences as drug trafficking, murder, armed robbery and rape.[143] Measures are required to ensure that the countries of West Africa build more effective systems of both regional and international cooperation to counter the problem. It should be noted too that the Security Council mission to West Africa conducted in June 2004 highlighted a series of concerns related to illicit trafficking (most particularly of human beings), weak border controls, justice and the rule of law.[144] The issue of regional governance in West Africa is now of increasing concern, not least because of the potential links to terrorism as outlined above. Regional and international cooperation is therefore of paramount importance.

In recent years, ECOWAS has taken important steps to build more effective systems for enhancing regional cooperation. Article 57 (1) of the Treaty of ECOWAS states that "the Member States undertake to cooperate in judicial and legal matters". In respect of organized crime, the ECOWAS Convention on Mutual Assistance in Criminal Matters of 29 July 1992 and the ECOWAS Convention on Extradition are of particular importance. These multilateral instruments are complemented by a series of bilateral agreements between various countries in the region, including the five selected to take part in this study. The majority of such bilateral instruments concern extradition although some also provide for mutual legal assistance in criminal matters.

In respect of the critical regional issue of trafficking in firearms it has already been pointed out that an attempt has been made to curb this practice through the adoption of the Moratorium on Importation, Exportation and Manufacture of Light Weapons of 31 October 1998, as well as its corresponding Code of Conduct adopted in December 1999. In terms of the Code, which is binding on ECOWAS member States, any import, export or manufacture of light weapons is prohibited, unless a member

[142] For a more comprehensive argument on the vulnerabilities of West Africa in this regard, see Princeton N. Lyman and J. Stephen Morrison, "The Terrorist Threat in Africa", *Foreign Affairs*, 84, 1 (January-February 2004).

[143] Phil Williams, "The global implications of West African organized crime", p. 8.

[144] United Nations, *Report of the Security Council Mission to West Africa*, 20-29 June 2004, S/2004/525.

State receives an exemption for such activities. In the specific field of trafficking in human beings, ECOWAS member States have agreed upon an Action Plan. While not legally binding, the Plan is designed to raise the political profile of the issue of human trafficking, sending out a strong political message that the practice will not be tolerated within or from the region.

With regard to international legal instruments, the most important is the United Nations Convention against Transnational Organized Crime. The Convention provides a comprehensive blueprint for the fight against organized crime and has provisions requiring, amongst others, that membership of a criminal group be criminalized as should the obstruction of justice, laundering of the proceeds of crime, and corruption. The Convention also has detailed provisions on mutual legal assistance and extradition. Three Protocols to the Convention deal with specific areas where organized crime groups are involved: trafficking in human beings, smuggling of migrants and trafficking of firearms. The Convention, as well as the two Protocols on trafficking in human beings and smuggling of migrants, entered into force in 2003. The Firearms Protocol will enter into force when the required number of States (40) have ratified the instrument.

Of the five countries participating in the project, Nigeria and Senegal have ratified and Côte d'Ivoire and Sierra Leone have signed the Convention against Transnational Organized Crime. The Protocol against trafficking in human beings was ratified by Nigeria and Senegal and signed by Sierra Leone. None of the participating countries has ratified the Protocol against trafficking in firearms, although it has been signed by Nigeria, Senegal and Sierra Leone. The Protocol against smuggling of migrants was ratified by Nigeria and Senegal and signed by Sierra Leone.

The United Nations Convention against Corruption that opened for signature in December 2003 provides for the prevention and criminalization of corruption. A range of provisions, including those on asset recovery and international cooperation make the Convention a landmark instrument in the fight against corrupt practices. The Convention will enter into force when it has been ratified by 30 countries with, to date, over one hundred countries having signed it. Côte d'Ivoire, Nigeria, Senegal and Sierra Leone have signed the Convention, although none of the countries has yet ratified it.

Regional and international legal instruments such as those outlined above provide a critical legal and cooperative framework on which to build more effective forms of cooperation. It is important that the countries of the region continue their efforts to enhance regional cooperation at the same time as ensuring that they are party to the relevant international Conventions. It is worth noting, however, that while such Conventions and agreements provide an important legal structure through which cooperation can take place, essential to their success is concrete activities by law enforcement authorities on the ground, and strong political support for their interventions no matter who is under investigation.

Several important steps have been taken in recent years to enhance cooperation amongst law enforcement officials working in the region. The work done in this regard under the framework of ECOWAS must be acknowledged. Nevertheless, it is clear that stronger forms of regional law enforcement can be developed. While this aspect was not the primary concern of the assessment, which in any event only examined five of the region's States, it is an issue that requires emphasis in any national approaches to combating organized crime. Ironically, in at least one country, it was reported that the establishment of international legal standards had negatively affected some forms of policing cooperation. Thus, while in the past suspects were handed over from police agency to police agency with little paperwork, this now required extradition procedures. Rather than view such developments negatively, it must be recognized by regional police agencies that such procedures enhance the rule of law, provide protection to both suspects and the police themselves in the conduct of their work. More attention is therefore required on ensuring the effective implementation of extradition agreements.

While the country reports of the consultants retained in the present project did not entail a comprehensive study of legal instruments, their implementation, or legislation pertaining to criminal law and procedure in the participating countries, both in their response to the questionnaire and in their reports the consultants pointed out various loopholes in the existing legal framework and deplored the ineffectiveness of international cooperation in legal matters. It has already been noted that the ECOWAS moratorium on light weapons appears to have been ignored by several countries in the region by importing weapons without applying for the necessary

exemption, despite their apparent agreement to its terms. For example, in one case the consultant outlined the frustration of the policing authorities in Sierra Leone, where despite the fact that extradition agreements are in place with several neighbouring countries, not a single extradition request has been granted. Other participating countries reported similar difficulties. For example, the consultant from Côte d'Ivoire highlighted that there are virtually no mechanisms to repatriate stolen vehicles back to the country if they have been trafficked and then recovered in neighbouring States. In several cases, however, it was indicated that one exception to the often poor level of cooperation between the States of the region was that facilitated through INTERPOL.

XIV. Concluding remarks

This assessment of the nature and extent of organized crime in the region constitutes a sobering account of the seriousness of the problem. It is recognized that the analysis, based on inputs from only some countries and with limited resources, cannot hope to provide a full account of organized criminal activity across West Africa. Nevertheless, the survey does show the wide variety of activities in which organized crime groups engage, as well as the their ability to work across State frontiers, not only in the region but further afield. The report suggests that over the last decade West Africa has taken its place as a key export zone for organized crime, represented most clearly by its use as a transit point for drug trafficking and as a source for fraudulent activity. Such activities are not specifically confined to one country (although they are more clearly developed in some than others) and in any event the region is tarnished externally by the common reference to "West African organized crime" rather than to specific countries of origin. The future development of the region is threatened by high levels of organized crime, which erode trust in government and encourage corruption. This report suggests some worrying indicators of the role of governmental officials in the region in corrupt practices. While evidence as to the extent of this problem is difficult to acquire, the link between corrupt practices and the growth of organized crime is clear and must constitute a critical area for intervention.

An important conclusion of the assessment relates to the structure of West African crime groups considered in each of the countries. It is significant in itself that the report cannot claim to identify one or two large "mafia" groups that dominate illicit trafficking activities across the region. In part this is a reflection of the fact that while the activities of organized criminal groups have grown significantly across the globe in the last decade, the nature of their organizational structures is much more complex and dynamic than was perhaps the case in the past.[145] But, more importantly, it also reflects the particular context in which organized crime in West Africa has developed. In total, data were collected on 15 groups. It is notable that in each case the criminal group was loosely structured, relatively dynamic and in the opinion of many of the consultants resembled more closely networks of associates than structured organizations. This finding, well known among law enforcement practitioners dealing with West African crime groups, is nevertheless of some significance from a regional perspective. Such networks are difficult to target by police operations and can easily replace members who are removed. Some of the more powerful networks clearly also span the region and in a number of cases the globe. The degree to which these networks are based on close ethnic or community connections highlights the challenge of collecting adequate data on their operations with the possibility of successfully infiltrating their activities being relatively remote.

"The opportunities associated with involvement in organized crime in West Africa", one consultant observes, "are not matched by the risks".[146] Indeed, the growth and spe-

[145] One of the clearest examples of the fragmentation of organized crime is the break-up of the cartels involved in the trafficking of illicit narcotics from Colombia. They have been replaced by a large number of smaller and more loosely organized trafficking groups. See, for example, INTERPOL, Criminal Organizations and Drugs Sub-Directorate, *Global Situation Report on Criminal Organizations and Illicit Drug Trafficking*, 2003-2004, June 2004, p. 18.

[146] Phil Williams, "The global implications of West African organized crime", p. 8.

cific nature of organized crime in the region reflects, in part, severe problems with state capacity. In some countries, in particular, this is the result of ongoing or recent periods of conflict, such as in Sierra Leone and Liberia. Here institutions of governance have been critically weakened or have broken down altogether. In the context of civil war state officials may also not have access to all parts of the territory. In addition, ongoing conflict and instability provide the opportunity for the growth of illegal trafficking activities, including through the supply of war material to combatants. A critical step for the countries of the region is to ratify and implement the provisions of the United Nations Convention against Transnational Organized Crime and at the same time work to enhance mechanisms for regional cooperation and information-sharing. These issues all illustrate the challenge of responding to organized crime in the region. Any response to the problem must be a holistic one, which relies not only on strengthening police capacity but also on greater levels of political commitment to counter the problem.

Organized crime is giving respectable people from West Africa a bad name, making it hard for millions of honest citizens to acquire visas for travel abroad. Although most countries in the world no doubt experience a problem of organized crime to greater or lesser extent, the evidence available does suggest that West African criminal entrepreneurs have, in the last decade, grown to become global players. Unless this problem is effectively countered it will have long-term and lasting consequences on the ability of the region to achieve levels of sustainable development that are of benefit to all its citizens.

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