

**Institute for Security Studies**

# POLICY BRIEF

## RECOMMENDATIONS

Governments in the region and engaged international actors should:

- Recognise that organised crime, illicit resource flows, and criminal networks are active and adversely affect stability and governance in the region and beyond.
- Make development aid, capacity building support and military assistance contingent on political commitments from governments and other stakeholders to combat criminal activity.
- Underpin conflict mediation and peacebuilding efforts with an accurate political economy analysis that maps the key players, routes and illicit flows in order to better understand the motivating factors of these key players.
- Utilise organised crime threat assessments; include a strong rule of law component; and deploy organised crime and criminal justice experts in the immediate phases of transition planning to create a clear baseline for future operations.
- Ensure that capacity building in the judicial and security sectors, which is the focus of external support to Mali, is accompanied by measures to ensure the integrity of these sectors and prevent impunity for criminal acts.
- Balance the need for short-term stability established through military action with a long-term investment in civilian policing structures that will counterbalance the damaging role played by private militias, build confidence in the state's capacity to provide security at the community level, and thus promote an overall rule of law framework.
- Establish civil society and private sector capacity to promote public debate; provide service delivery; build community resilience; and serve as an advocate for state transparency, accountability and integrity.
- Urgently redress the absence of state influence in northern Mali; re-establish state service delivery and production linkages; and provide for sustainable, legitimate livelihoods for the northern populations.
- Recognise the need for intraregional analysis and response, given the political and economic connections linking West Africa, the Maghreb and the Sahel.

## Check your blind spot Confronting criminal spoilers in the Sahel

Tuesday Reitano and Mark Shaw<sup>1</sup>

### SUMMARY

Western governments focus heavily on the presence of Islamist extremists in the Sahel and have provided technical assistance in an attempt to strengthen the capacity of the security sectors and justice systems in the countries of the region to hold them back. But the preoccupation with West Africa's war on terror has meant that the destabilising impact of organised crime has been consistently underestimated, if not ignored altogether. As rebuilding begins in Mali, all signs point to the same oversight happening again. Organised crime is not the primary driver of the current conflict in Mali, but any effort to stabilise or resolve this conflict should explicitly take the presence of organised crime, illicit resource flows and criminal networks into account.

### CLOSING THE STABLE DOOR: RECOGNISING THE CRIMINAL ECONOMY CHAIN

In an area where there are few alternative activities that produce similar profits, low-level transnational organised crime and illicit trafficking have long thrived in the Sahel and Maghreb. A number of nomadic, pastoralist tribes – the Tuaregs in northern Mali are one, but not the only, example – are the traditional traders of the Sahara whose camel trains have trekked across the desert for centuries, trading both licit and illicit goods. Long marginalised by the states in the region, these cross-border communities have created webs of dependency with their kin in neighbouring countries, and use arbitrage and migration as a resilience strategy in periods of instability. Arms, goods and people flow freely, thanks to closely connected ethnic groups and organised criminal networks that span the area between the Atlantic and the Mediterranean.

Until the advent of cocaine trafficking in West Africa, the scale of these flows and their impact in the region and beyond were never significant enough to attract focused attention from international actors. However, under the radar, individuals and networks involved in these activities converted their wealth into political influence and military power. This has had a three-fold effect: firstly, it created an institutional basis for the development of higher profit activities, predominantly cocaine trafficking; secondly, the corruption and protectionism that smooth the path for the transit of illicit goods hollowed out the state, undermining institutions and eroding its legitimacy at the community level; and finally, it funded conflicts and localised violence, and opened the door for the jihadists who followed in the path of the illicit networks.

When drugs entered the equation, the scale of illicit activity was far in excess of anything seen before – it is conservatively estimated that 13 per cent of cocaine trafficked to Europe is transited via Guinea-Bissau,<sup>2</sup> with a minimum market value of \$4,29 billion.<sup>3</sup> As a point of comparison, the highly publicised practice of kidnapping for ransom is estimated to have generated only \$120 million in the last ten years. Drug money has overwhelmed existing balance of power arrangements and has irreversibly changed the game.

In Mali specifically, this resulted in an increasingly volatile and fragile political process. The highly complex and ever-shifting network of alliances and rivalries among Tuareg nationalist groups; Islamist groups run by Malians, Algerians, Mauritians and others; and numerous militia groups in the north and south, has created generations of ethnic tension and inter-communal violence in Mali. The Malian leadership has long exploited ethnic tensions to try to keep the north under control, facilitating access to certain criminal markets as a reward for militia support. Thus, increasingly the political system in Mali became reliant on criminal proceeds, creating an impenetrable barrier to entry for legitimate democratic processes. But with the inflow of cocaine trafficking from Guinea-Bissau and other coastal West African states, the exponential growth in profits meant that the capacity to control smuggling routes quickly spiralled out of the government's control. Armed groups and militias formed along clan lines became better armed, more violent and more professional. Figures associated with drug smuggling lobbied the government for administrative control over specific ethnic groupings: the Lamhar in the Gao region and the Berabiche in Timbuktu. Clashes related to cocaine smuggling played out throughout 2007–2008, sometimes with the direct intervention of state officials. For example, in August 2007 a Lieutenant Colonel Lamana Oult Bou, a Malian army officer with close ties to the then-head of state security, allegedly arranged the return of a sizeable drug shipment in exchange for a large payment.<sup>4</sup>

By 2009 northern Mali had become a significant player in the global cocaine trade. The notorious case of 'Air Cocaine', a Boeing 727 that was found burned out near Gao in November 2009 with a large assignment of cocaine on board, led to investigations that revealed that many tons of cocaine were being flown directly from the West African coast to private airfields across the interior of West Africa and the Sahel.

At the same time the 'professionalisation' of traditional smuggling routes by criminal groups focused on drug profits has reduced the livelihood resilience strategy of Sahel communities who were trading at a lower level. This occurred at the same time as the political unrest in the Maghreb closed off another longstanding resilience strategy – migration northwards. In fact, during the conflict in Libya many of the Tabu and Tuareg populations living in that country took refuge with their own kin further south, returning to the Sahel countries at a time when severe drought was already undermining community coping

mechanisms and opening up a vulnerability to extremist ideologies and criminality.

Al-Qaeda in the Islamic Maghreb (AQIM) is reported to be charging a fee for giving permission and providing protection for goods transiting its territory. With the profits, it buys itself more troops for the ongoing conflict. The United Nations (UN) Office of the High Commissioner for Human Rights reported that Islamists were paying families in the north of Mali a once-off fee of about \$600 and a monthly stipend to recruit their children – some as young as nine years old – into the jihadist army.<sup>5</sup> Pressure from the north, combined with the illicit drug resources from the coast, thus created a tinderbox of ethnic tension, community vulnerability, extremism and criminalisation.

The impact of cocaine trafficking in West Africa has been well documented. However, the 'open door' that is Guinea-Bissau has had considerable implications well beyond the state's tiny borders. A major route for drugs from Guinea-Bissau is northwards through Mali and then on to a series of states in the Maghreb – Tunisia, Libya and Egypt – that are seeing periods of profound political transition. While the effects of drug trafficking will be corrosive to governance and stability in all the countries in the Maghreb, they are most obvious in Libya, in part because they come at a time when control of criminal markets is already in a state of flux.

Under the Qaddafi regime Libya's criminal markets were largely under the control of the state. In the post-Qaddafi transition period, while the state continues to make progress in consolidating its influence, the revolution has engendered a plethora of militia groups, many of whom retain their arms and control local areas, making them ideal partners for the protection of drug-trafficking routes, should they not be drawn into the fragile compact with the new government in Tripoli. And there is growing evidence that this is the case: militia violence has been on the rise, with a number of shoot-outs over control of criminal routes. At the end of January 2013 a cleric in Misrata who had been vocal on combating drugs in the community was murdered in a street shooting that was attributed to drug gangs. Very recently there have been a number of seizures of cocaine within Libya's borders or at the country's ports. The majority of the foreign population of Libya's prisons are West African migrants held on drug-trafficking charges.<sup>6</sup>

The conflict that has evolved in Mali in 2012–2013 is, at least in part, a direct result of the failure to recognise and control the deleterious effects of cocaine trafficking in West Africa. As warning flares are sent up that the criminal economy of drug movement in the south is threatening the fragile state-building and democratisation progress under way in the Maghreb, the time to act is now, before the effort to close the stable door comes after the horse has already bolted.

## ORGANISED CRIME: THE BLIND SPOT OF PEACEBUILDING

Following the success of the French military campaign in early 2013, talk has turned to rebuilding state institutions and holding democratic elections in Mali. But there is little

evidence that this discourse includes effective acknowledgement of the role of organised criminal groups in the process or tangible strategies for delinking them from nascent governance processes in the future. While a growing body of analysis has recognised that organised crime and criminal networks can prove a fundamental spoiler to sustainable democratic governance and the rule of law, inevitably, in most peacebuilding or state-building exercises it frequently fails to move beyond rhetoric into tangible efforts to analyse and address the issue in a national or regional context.

While at the strategic level the African Union (AU) is cognisant of the destabilising effect that transnational organised crime has in Mali and beyond and proposes interventions that address it,<sup>7</sup> this does not seem to have permeated through to the responses of the international community. UN Security Council statements mention terrorist groups, but not criminal actors. The draft terms of reference for the proposed UN office in Mali, with a mandate to support the transition and through which all international interventions will be coordinated, do not mention organised crime, criminal groups or their linkages to the noted 'widespread corruption, nepotism and abuse of power'.<sup>9</sup> Neither do they include sufficient capacity to allow the monitoring and analysis of and response to such threats to the peacebuilding process, as proposed by the AU.

Locking Mali into a 'war on terror' framework may become a self-fulfilling prophecy as local insurgent groups with legitimate grievances about the national government and democratic process find themselves shut out of the state-building process and with nowhere else to turn. Mali is not 'Africanistan', as many analysts have recently announced. If a comparison is required, the Sahel shares more characteristics with Central America and/or Mexico as a classic victim of transit trade that has empowered key players at the expense of the broader population. While there is some trickle-down in terms of associated industries – protection and transit, for example – it does not have the same broad ownership and engagement at the community level as with poppy cultivation in Afghanistan.

Furthermore, most Sahel experts and analysts do not see an explicit ideological link to or ownership of extremism and the national insurgency in Mali. The groups that have formed are transnational: the leaderships of AQIM and the Movement for Unity and Jihad in West Africa (MUJAO) are drawn from a cross-section of Saharan countries with linkages to the main al-Qaeda group and Boko Haram, with recruits from Pakistan and Arab countries, and a few from Europe. As quickly and potently as they have impacted the Mali unrest, as the French have discovered, the international extremists are as fast to disperse – but this is not to say defeated. Islamic extremism of an international character, like organised crime, is opportunistic, flexible and quick to make alliances, with borders being no object. While there may be a transactional relationship between Islamic extremists and the criminal groups in the region, there is no ideological

alliance. 'Their common interest is the lack of a state,' a former senior Malian intelligence official was quoted as saying. 'Fundamentally that is what links these people.'<sup>10</sup> Should government control be secured sustainably in Mali, the Islamic extremists who have headlined in the recent conflict will be quick to put down roots in neighbouring Niger and Mauritania, whose vulnerabilities are already well established. Mali will be left with the same chasm between north and south, but now with entrenched criminality, deeper divides and renewed grievances.

If this is not to become yet another iteration of the cycle of instability in Mali, and if the spread of fragility and criminality is not to be displaced to neighbouring countries in the Sahel and beyond, then approaches need to change. Before still more millions are poured into the country in development aid, capacity building support, and military assistance, a clear and explicit agreement needs to be reached around combating criminal activity. Experience from addressing organised crime in other theatres suggests that there is an advantage to be gained by acting early.<sup>11</sup> Organised crime threat assessments, the inclusion of a strong rule of law component, and deploying organised crime and criminal justice experts in the immediate phase of transition planning can create a clear baseline for future operations. Conflict mediation and peacebuilding efforts should be predicated on an accurate political economy analysis of the situation that maps the key players, routes and illicit flows in order to better understand the motivating factors of such key players.

A clear and explicit agreement needs to be reached that there is political backing from governments for combating criminal activity. Organised criminal activity escalated in northern Mali during a period when the country was a major recipient of foreign assistance from the US, the European Union (EU) and individual EU member states. This should not be permitted to happen again and the continuation of assistance should be made contingent on government remaining vigilant to criminal spoilers. While there is certainly a need to tread carefully, because a zero-tolerance policy may upset vested interests and provoke renewed instability in the region, nonetheless donors could encourage and support a strategy that makes the political accommodation of influential players in the country's north contingent on their disengagement from the illicit economy and corruption, and their commitment to containing drug and weapons smuggling.

Concentrating on capacity building in the judicial and security sector, which is the focus of both the UN mission and the bulk of the funding that was pledged to support the AU strategy that underpinned the donor appeal held in January, will be the right approach only if the same caveat of integrity and preventing impunity for criminal acts is emphasised. The need to provide short-term stability through military action should not come at the cost of civilian policing structures. In the long-term this will counterbalance the damaging role played by private militias and build confidence in the state's capacity to provide security at the community level, thus promoting an overall rule of law framework.

There is an urgent need to redress the absence of state influence in the north; to re-establish state service delivery and production linkages; and to provide for sustainable, legitimate livelihoods for the northern populations. An inclusive process is required. Not all Tuaregs are criminals and they should not only be seen as part of the problem. 'We [Tuaregs] can help fight Islamists. We are part of the solution,' Mohammed Ag Ossade, director of the Tuareg cultural centre in Bamako, was reported as saying recently to the UN.<sup>12</sup> Ultimately, any long-term solution to reducing the influence of transnational organised crime in any context is through the provision of viable economic alternatives within an overall framework of the rule of law. Ignoring the dire economic and human development situation of the northern region and across the Sahel more broadly will ensure that fragility and vulnerability persist.

While state institutions remain too weak or corrupt to serve their populations effectively, investment can be made in building civil society and private sector capacity to provide service delivery, build community resilience, and serve as a watchdog of transparency and integrity. Initiatives to promote public debate and the dissemination of information on criminal activity through media outlets could also help to undermine the political backing criminal networks receive from the state or community.

Finally, in the future, the perspective of both analysis and response must be intraregional. How trafficking routes reconfigure themselves after the French military intervention will impact the political economy of the entire region.<sup>13</sup> A focus on the drug and weapons trade in Mali will affect Niger and Mauritania, given that most flows transiting Mali also pass through these two neighbouring countries. Recognising the existence of the criminal economy chain that encompasses West Africa, the Sahel and the Maghreb will require recognition of the interlinkages across these regions. Space for interregional strategy development and coordination is rarely found, but in this context is imperative and must happen at multiple levels. Donors could support the establishment of regional data-gathering hubs to continuously monitor not only organised criminal activities, but also their impact on politics, the economy and the community.

## NOTES

- <sup>1</sup> Tuesday Reitano and Mark Shaw are senior research associates at the Institute for Security Studies (ISS) and work for STATT Consulting, Hong Kong (<http://www.statt.net>). They are collaborating with the ISS on a programme funded by the National Endowment for Democracy on drug trafficking and democratic governance in West Africa.
- <sup>2</sup> UNODC (United Nations Office on Drugs and Crime), *The transatlantic cocaine market: a research paper*, Vienna: UNODC, April 2011, 2.
- <sup>3</sup> UNODC (United Nations Office on Drugs and Crime), *World drug report 2010*, Vienna: UNODC, 242.
- <sup>4</sup> W Lacher, *Organized crime and conflict in the Sahel-Sahara region*, Washington, DC: Carnegie Endowment for International Peace, September 2012, 12.
- <sup>5</sup> D Lewis and A Diara, Reuters special report: in the land of gangster-jihadists, *Reuters*, 25 October 2012, <http://www.reuters.com/article/2012/10/25/us-mali-crisis-crime-idUSBRE89O07Y20121025> (accessed February 2013).
- <sup>6</sup> Based on a comprehensive assessment of the Libyan prison system by author Mark Shaw in November 2012.
- <sup>7</sup> AU (African Union), *Strategic concept for the resolution of the crises in Mali*, Addis Ababa: AU, 24 October 2012.
- <sup>8</sup> United Nations Office in Mali, draft terms of reference, as of January 2013.
- <sup>9</sup> This is described at greater length in M Boas, Castles in the sand: informal networks and power brokers in the northern Mali periphery, in M Utas (ed), *African conflicts and informal power: big men and networks*, London and New York: Zed Books, 2012.
- <sup>10</sup> Lewis and Diara, Reuters special report.
- <sup>11</sup> W Kemp, M Shaw and A Boutellis, *The elephant in the room: how can peace operations deal with organized crime?*, International Peace Institute, publication forthcoming.
- <sup>12</sup> <http://www.unhcr.org/refworld/topic,463af2212,469f2e792,510bc0ac2,0,,,html> (accessed February 2013).
- <sup>13</sup> The February 2013 kidnapping of a French family in Cameroon demonstrates the extent to which organised criminal activities can displace to the wider region.

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### ISS Pretoria

Block C, Brooklyn Court,  
361 Veale Street  
New Muckleneuk, Pretoria  
South Africa  
Tel: +27 12 346 9500  
Fax: +27 12 460 0998  
Email: [pretoria@issafrica.org](mailto:pretoria@issafrica.org)

### ISS Addis Ababa

5th Floor, Get House Building  
Africa Avenue, Addis Ababa  
Ethiopia  
Tel: +251 11 515 6320  
Fax: +251 11 515 6449  
Email: [addisababa@issafrica.org](mailto:addisababa@issafrica.org)

### ISS Dakar

4th Floor, Immeuble Atryum  
Route de Ouakam, Dakar,  
Senegal  
Tel: +221 33 860 3304/42  
Fax: +221 33 860 3343  
Email: [dakar@issafrica.org](mailto:dakar@issafrica.org)

### ISS Nairobi

Braeside Gardens,  
off Muthangari Road  
Lavington, Nairobi, Kenya  
Tel: +254 20 266 7208  
Fax: +254 20 266 7198  
Email: [nairobi@issafrica.org](mailto:nairobi@issafrica.org)