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Drug Trafficking

And

Its Impact on Governance in West Africa

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Drug Trafficking and its Impact on Governance in West Africa

1 Introduction

In recent years, West Africa has come into the spotlight as an increasingly important site and destination in the global drug trafficking system. Evidence of the growing role of the sub-region in the global strategy and operations of international drug cartels is broad and varied, comprising a complex admixture of both direct, traceable facts from official and non-official sources, and more indirect information of an indicative, associative and anecdotal nature.² Estimates suggest that as of 2008, the volume of cocaine transiting through West Africa was about 50 tons a year and the annual worth of the substance that was trafficked stood at about USD2 billion; as of 2013, the value of the quantity that was trafficked was estimated at USD1.25 billion.³ Initially targeted as a re-distribution centre and transit point for the trafficking of drugs to end-use destinations around the world, most notably Europe and North America, the sub-region has gradually become a market destination in its own right for global drug cartels mainly, though not exclusively, originating from Latin America.⁴ Evidence also points to the emergence of West Africa as an increasingly significant production site for some types of drugs, including amphetamine-type stimulants.⁵ From serving at the beginning as low-level commission agents in the global drugs distribution trade, over the years West African dealers have gradually claimed a bigger share and status in the distribution and re-distribution business as evidenced by their transition from small-sized operations carried out by human couriers during the 1980s and 1990s, to the much bigger shipments that began to take place from 2004 onwards.⁶

The strategic choice made by global drug networks to re-route their trade to and through West Africa may have had a lot to do with the favourable/strategic geographical positioning of the sub-region within the relative proximity of Europe and the Americas.⁷ However, it was also informed and facilitated by the multiple and multi-layered governance deficits in the sub-region that made it relatively susceptible to external penetration and capture by powerful, well-endowed and tightly-organized drug cartels which control combined resources that exceed the gross domestic products of several West African countries.⁸ The various governance challenges that made West Africa vulnerable to infiltration by global drug traffickers speak to some of the different historic and contemporary frictions, fractures and fragilities in the sub-region's political economy and social fabric. These dislocations, discontents, and failings, serving as they do as auspicious initial conditions and fertile ground, have, in turn, generally been reinforced by the impact which the presence of the global drug networks have had on the short, medium, and long-term administration of public affairs and the commonwealth in the sub-region. They also present a picture of a sub-region that is wracked by a set of recurring and seemingly insurmountable governance difficulties that appear to be beyond the capacity – and, it would seem, the will - of a succession of leaders to master fully and tackle frontally. It is the governance challenges posed by drug trafficking that constitute the primary focus of this background paper.

² Amado Phillips de Andres (2008a, 2008b); UNODC (2008); Abdullahi Shehu (2009); Marina Reyskens (2012); Kofi Annan Foundation (2012); *West Africa Insight* (2012); UNODC (2013).

³ UNODC (2008); UNODC (2013).

⁴ Global Post (2011a, 2011b); UNODC (2013).

⁵ WHO (2010); UNODC (2012a, 2012b); Rose Skelton (2013); UNODC (2013). Prior to the onset of the local production in West Africa of amphetamine-type substances, the main drug which was already in production in the region was cannabis, popularly known as Indian hemp.

⁶ Abdullahi Shehu (2009); Stephen Ellis (2009); Peter McGuire (2010); UNODC (2012a, 2012b); Rose Skelton (2013); Alex Holmgren (2013); UNODC (2013).

⁷ Juliet Ibekaku (2008).

⁸ Peter McGuire (2010).

The analysis presented in this paper points to the history and context of the governance challenges faced by West African countries, and the ways in which drug trafficking cartels have both taken advantage of them and, simultaneously, contributed to the exacerbation of the problems. Although West African countries cannot change their geographical location, they are, however, in a position to do something about their record of governance as part of the broader approach they must take to tackling the drug trafficking and broader organized crime threats they are confronted with. In doing so, they need to keep in mind that the threats and risks posed by drug trafficking are becoming increasingly domesticated over time as the levels of local drug consumption and drug dependency grow, and drug-related interests embed themselves into domestic structures of power and broader social relations. In responding to the governance challenges posed by or associated with drug trafficking, it is suggested that West African countries, working together with one another and in concert with civic groups/movements and the private sector, will need a much more coherent and coordinated approach, anchored in the idea of the ultimate indivisibility of governance in the sub-region. Only then will a significant and speedy dent begin to be made in the fight to contain and roll back the adverse impact and consequences of trafficking on politics, the economy, and society in the sub-region. Such an approach must also be underpinned and accompanied by a commitment to redress structural imbalances and conjunctural problems in all the countries of the sub-region. The latter has resulted in large-scale exclusion and marginalization among the citizenry, rendering governance across West Africa a much more daunting task than it ought to be, and laying the area bare to easy penetration and hijacking by global, regional and national drug cartels and gangs, and their armies of traffickers, fixers and enablers.

2 Historical Context and Factors of Governance in the West African Sub-Region

The history of institution-building, state-making, and national-territorial administration in West Africa is a long but chequered one. An understanding of that history is necessary for a rounded appreciation of some of the roots of the contemporary challenges of governance the sub-region faces. Indeed, a grasp of that history is a prerequisite for a proper appreciation of the long-term crises of governability in West Africa and the forging of meaningful responses to them. In this connection, at one level, the sub-region's history reveals an impressive record in state formation and associated public institutions, the elaboration of rules of governance, and the mobilization of citizenship by consent that commenced long before the onset of imperialism and the advent of colonialism⁹. Human civilization in West Africa has deep and ancient roots. At another level however, a continuous process involving the dissolution of existing political systems and their reconstitution within adjusted boundaries has also been witnessed in the sub-region, underpinned by a history of intermittent deteriorations in state-society relations, an accompanying decay of public institutions, and the routine mobilization by power elites of a variety of identities with a view to gaining advantage over one another, especially during periods of political contestation and succession.¹⁰ A triple dynamic of the making and consolidation of states and institutions, their decay and dissolution, and their reconstitution and recomposition was, therefore, at play in the lead up to the onset of European colonial rule.¹¹ Accompanying this dynamic was a constant movement and mixture of populations, the reshuffling of intra- and inter-state boundaries and territories, and contestations over borders, the control of trade routes, and the collection of revenues.

⁹ There is a rich historical literature on this theme, with J. F. Ade-Ajayi and Michael Crowder (1971, 1974) being perhaps among the most popular and informative.

¹⁰ See Adu Boahen (1996) for accounts of the rise and fall of some of the prominent state systems in old West Africa.

¹¹ Adu Boahen (1966); J.F. Ade Ajayi and Michael Crowder (1971); G.T. Stride and C. Ifeka, (1971); Derek Wilson (1976); Michael Crowder (1977); F.K. Buah (1986); Basil Davidson (1998).

The latter combined to produce a dynamic sub-region region on the African continent characterized by constant political mutation and change.

Colonial rule, launched on the back of the 1884-85 Berlin Conference, involved a redrawing of the map of West Africa - as indeed the rest of the continent – not on the basis of the internal dynamics that were at play regarding political formations in the sub-region, but rather on the basis of the competing territorial claims tabled by the leading European powers, and the compromises they needed to forge among themselves. On the ground, the carving up of territory at Berlin translated into a partitioning of Africa without due regard to history, culture, and patterns of population movement and settlement. The consequence of this arbitrariness was reflected in the separation of kith and kin and their distribution into several new political territories ruled by different, if not competing, colonial interests. Scholars have debated the implications of the partition for governance in Africa over the years. The debates are rich but their details need not be recounted here. Suffice to note for the purposes of this paper that the partition posed challenges of identity formation and belonging, nation and state-building, autochthony and citizenship, and authority and legitimacy. These challenges endured throughout the colonial period, contributing to its eventual demise in the face of a rising tide of nationalism, and surviving into the post-colonial period. They remained the core political issues requiring management in order to assure stability, inclusion, participation, cohesion, unity, and progress.¹²

The dominant challenge of the immediate post-colonial period in West Africa was a direct one: building nation-states and constructing citizenship out of the arbitrariness that Berlin represented and which colonialism consolidated. It was not a task made easy by the multi-ethnic character of most of the post-colonial states and the legacy of colonial divide and rule that planted seeds of mutual antagonism and suspicion in many a polity across West Africa.¹³ Fairly quickly, the inherited divisions both in their own right and on account of the fractious, dysfunctional consequences they produced translated into domestic political violence and instability that paved the way for the dissolution of the post-independence multi-party system, the onset of military rule, the introduction of single party regimes in most of West Africa, and the erosion of the post-colonial social contract.¹⁴ Since the early 1960s, beginning in Togo in the first half of that decade and culminating in the military intervention in Cote d'Ivoire in the second half of the 1990s, military rule of varying durations and intensity was to become a feature of all but one of the countries of the sub-region, with some of them experiencing repeated episodes of military intervention, Mali being the latest. Indeed, Senegal is the only West African country to have avoided any form of military rule of to date. In several countries, governance was anchored in the single party regimes that were imposed in what became, effectively, a civilian-military diarchy that soldiers largely dominated and guaranteed. Military rule was also accompanied by equally varying types of politico-military factionalism, instability and violence which, in some cases, combined with other factors to produce episodes of intra-state wars and violent conflicts.¹⁵

In time, a significant swathe of West Africa virtually became a veritable theatre for a toxic cocktail of war and the trafficking of weapons, people, and drugs. This situation was under-written by a combination of local and global interests, with illicit drugs often fuelling conflicts whose origins lay in a combination of structural and subjective factors.¹⁶ Interestingly enough, post-colonial governance in the sub-region was conducted in a fragmented manner. It was guided by the principles of non-interference and strict territorial and juridical sovereignty, thus reinforcing the logic of the colonial partition whilst obstructing

¹² Anthony Asiwaju (1985); Paul Nugent and Anthony Asiwaju (1996); Paul Nugent (2004).

¹³ Richard Morrock (1973).

¹⁴ Adebayo Olukoshi (2001); Godfrey Mwakikagile (2001); Issaka K. Souare (2006).

¹⁵ Issaka K. Souare (2006).

¹⁶ Adebayo Olukoshi (1998, 2001); *West Africa Insight* (2012); Kofi Annan Foundation (2012).

the pursuit of cross-border coordinated governance approaches by the governments of the newly-independent countries. Each country sought to address its domestic governance challenges independent of its neighbours and regardless of the inter-locking nature of the problems they were faced with, and the shared historical-cultural context that linked West Africa's political formations to one another. This fragmented approach to governing West Africa, a sub-region of inter-locking and overlapping histories, concerns, and population distribution patterns persisted in spite of the decision in 1975 to begin to pursue sub-regional cooperation through the creation of the Economic Community of West African States (ECOWAS). ECOWAS was a project whose main foundational accent was on economic matters. It was literally dragged into the terrain of security governance by the outbreak of the Liberian war and the subsequent conflicts that emerged in Sierra Leone and Guinea Bissau.¹⁷ Even then, the terrain of the political in which core governance challenges are embedded continues to be treated as one to be either avoided or kept at the most minimal possible.

The governance implications of repeated and prolonged military rule, accompanied by single party or diarchic systems in many countries in West Africa were many and have been documented extensively if not on a sub-regional scale, then at least for each of the countries concerned. Needless to say, the militarization of politics and society created various dislocations and dysfunctionalities that continue to impact on the governance of the countries of the sub-region. Not least among these consequences were the over-centralization and concentration of power; the erosion of state-society relations; a mismanagement of ethno-regional diversity and pluralism; a disregard for the rule of law and the enthronement of a system of rule by decree; and the narrowing of the public space and, with it, the weakening of the media. Other consequences included the degradation of the non-executive institutions of the state, including the legislature and the judiciary; the subordination, if not outright proscription, of independent social movements; and the suspension of constitutions, to cite but a few key examples. These problems of governance comprised part of the legacy which military rule bequeathed to the elected governments that began to emerge as part of the process to restore electoral pluralism in West Africa from the early 1990s onwards. They are problems with which most of the new democracies of the sub-region continue to grapple, with varying degrees of success, as they strive to establish a new equilibrium in domestic governance.¹⁸

3 The Emergence of the West African Sub-Region in Global Drug Trafficking

Against the backdrop of the broad history of the evolution of the governance context that characterizes and defines West Africa, it is possible to begin to understand the structural basis that has facilitated the penetration of the sub-region by global drug cartels and networks. The latter are constantly under pressure to develop diversified approaches and outlets to protect and advance their interests in the face of effective law enforcement efforts in other regions of the world, especially the Americas. These structural factors were accompanied by a range of economic problems that have carried their own social and political consequences. The onset of economic crises across West Africa from the early 1980s onwards, and the immediate imposition by governments of home-grown austerity, followed by the universal embrace across the sub-region of the deflationary stabilization and structural adjustment programmes of the IMF and the World Bank, took a huge toll on individual and household livelihoods and welfare, providing fertile social ground for all manner of vulnerabilities, including the entry of drug

¹⁷ See Adekeye Adebajo (2002).

¹⁸ Adebayo Olukoshi (1998, 2001); Issaka K. Souare (2006).

and other criminal networks.¹⁹ The range of stabilization and adjustment policies and measures²⁰ implemented by the governments translated into the narrowing of socio-economic opportunities as unemployment exploded. They also led to the erosion of the basis for investment in productive activities such as agriculture and industry, the further impoverishment of vulnerable households, and an expansion of poverty and inequalities.²¹

Public sector officials wielded considerable state authority and influence but were also severely under-remunerated as they witnessed the gradual erosion of their real incomes. They had to preside over economies under severe and prolonged stress, and societies in which poverty and inequality grew as the 'traditional' public sector-based middle class shrank in size and the social expenditure of the state was retrenched. The consequences of this state of affairs were many, not least a weakening of public institutions. The latter situation was exacerbated by a loss of human capital (brain drain) from the public sector and the wider society at large. Public institutions and those entrusted with managing them became vulnerable to all manner of external capture, while widespread social deprivation made individuals ever more susceptible to desperation.²² It was this atmosphere that combined with existing structural conditions to provide a fertile ground for the entry of drug cartels on a big scale into West Africa, doing so through the recruitment of facilitators in government, especially in the security services, and foot soldiers in society, with young school leavers particularly targeted. A ready army of unemployed and under-employed people, including the youth, was available to be lured by the promise of quick and fantastic returns into becoming mules for global and regional drug trafficking networks and groups. Some already powerful interests in government and society also forged alliances with the trafficking barons in order to consolidate their own positions.²³

Indeed, the socio-economic conjuncture of the 1980s and 1990s dovetailed with existing structural and other objective conditions to lay the countries open to penetration by well-oiled and practiced global drug cartels with cumulative experience from other regions of the world on how to capture institutions and systems to serve their specific ends.²⁴ In many ways, West Africa made for relatively easy pickings. For one, the story of post-colonial development in the sub-region was generally one of growing inequality underpinned by a mass of the working poor who co-existed with a rich minority with world class purchasing power and consumption habits.²⁵ For another, the narrowing of opportunity for rapid and upward social mobility resulted in the emergence of a situation of mass stagnation in career prospects for a growing number of people, particularly of the younger generation. Most employment outside of rural smallholder agriculture existed in the public sector which even before the onset of crisis in the early 1980s, had reached saturation point across much of West Africa. The private sector, such as it existed, was much too small in most countries to provide mass employment opportunity and the space for upward social mobility.

Furthermore, post-colonial socio-economic development was accompanied by a process of rural-urban migration. However, this migratory process was not underpinned by an industrial development that

¹⁹ Adebayo Olukoshi, F. Aribisala and R.O. Olaniyan (1994).

²⁰ For example, the imposition of wage and employment freezes, the mass retrenchment of public sector employees in the face of deep and chronic budget and payments deficits, the repeated devaluation of currencies and the inflationary consequences that followed each episode, the liberalization of prices, interest rates, and exchange rates, the removal of subsidies and the imposition of cost recovery and cost sharing measures, etc.

²¹ Adebayo Olukoshi, F. Aribisala, and R.O. Olaniyan (1994); Adebayo Olukoshi (1998); *West Africa Insight* (2011).

²² Adebayo Olukoshi (1998).

²³ Abdullahi Shehu (2009); UNODC (2009); Aning (2010).

²⁴ O'Reagan (2010); Ibekaku (2008).

²⁵ For example, a review of the human development report and index of the annual UNDP publication will show that West African countries are among those that populate the bottom quartile on all indications of socio-economic performance.

could absorb the mass of new migrants settling in urban milieus in gainful employment. In time, West African urbanization assumed a haphazard dimension that produced informal slum settlements that also became sites of organized criminal activity of various kinds and dimensions. These activities eventually incorporated the recruitment of agents for the local and international trafficking of drugs.²⁶ Informal urbanization fed into a generalized process of informalization of the economy but was later to find ramifications in politics and governance, as it became grafted onto complex patterns of networking among leading power brokers.²⁷

Economic informalization in West Africa may have important contemporary dimensions but its roots go back far in time, tapping into routes, networks, and commercial acumen associated with the historic trans-Saharan trade, to cite the best known example, that linked the sub-region to the Maghreb and onward to Europe. Its contemporary expression is to be found in the domestic economies of West African countries and its army of urban and peri-urban petty traders and artisans. It is also found in the expanding body of cross-border traders who operate across boundaries within West Africa and between the sub-region and key destinations in Europe, the Americas, the Middle East, and Asia in search of commercial opportunities. Underpinning this pattern of cross-border trade is the porosity of boundaries, the dexterity of informal traders and 'smugglers' to negotiate them, and a chain of trans-frontier network of actors that dot every key phase and entrepot of commercial routes.²⁸

Economic informalization and the informal trade in particular build on networks of various kinds to function effectively. They are also shaped by rules of entry which determine who is able to trade or transact business successfully in what field, and in which geographical domain. Furthermore, the most successful of them are undergirded by elaborate but informal and relatively flexible organizational structures that display different hierarchical orders. In negotiating their relationships with formal state institutions, they are able to deploy a host of incentives that have played an important role in their survival and resilience. Their transactions have been critical to the growth of the cash economy and the parallel currency market both within and across national boundaries, conditions which are central to the operations of legitimate informal sector operatives but which, in time, also came to serve the drug trade well.²⁹

The growth of corruption in the public sector, partly exacerbated by poor and deteriorating public sector wages, accelerated a process of the informalization of institutions that, in turn, laid them bare for penetration and capture by interests that were willing to bid high. The security forces, especially those exercising various policing, inspectorate, and enforcement powers, were in the frontline of the public officials who were exposed to the sustained pressures of organized informalization. Such pressures made it difficult for the integrity of rules, institutions, and procedures to be upheld on a consistent and sustained basis; compromises made by officials to informal actors seeking short cuts begot even more compromises that ultimately meant that institutions and policies were informed by and functioned, according to an informal logic.³⁰

The boundaries that were inherited by West African countries may have served, at the formal-legal level, to partition and divide the peoples of the sub-region, including many with a long and shared

²⁶ UNOWA (2007); Robert Muggah and Alvazzi del Frate (2007).

²⁷ Olukoshi (1998; 2001); UNOWA (2007).

²⁸ Nugent (2004); Olukoshi (2001).

²⁹ For an insightful discussion of the making and workings of informal trade networks in West Africa, see Kate Meagher (2010).

³⁰ How best to characterize this situation has been the object of a long-standing debate, with some opting to understand it in terms of a controversial and contested '(neo-)patrimonialist' logic that is allegedly embedded in West Africa politics and economy and which has allegedly culminated in the emergence of 'failed' states, etc.

history that bound them into the same ethno-cultural and religious universes. It is, in part, precisely because of this history and the ethno-cultural affinities underpinning it that the physical boundaries that demarcate the countries of West Africa from one another have proved difficult to police and monitor, qualifying them to be seen as little more than artificial barriers for which borderland communities have equally little regard in the conduct of their day-to-day activities. This porosity of borders has not been helped, of course, by the limited capacity and reach of the policing authorities and the fact of generalized under-policing that governments have wrestled with over the years since independence. This is especially so with regard to air and maritime borders which more often than not are under-monitored for want of resources - and the requisite capacity and capabilities. In consequence, various networks, both illegal and illicit³¹, are able to organize and operate across the borders of the countries of the sub-region with relative ease, moving resources – commodities and finance -, trafficking people, and trading illicit commodities whilst being able to evade controls outright or buy the silence or acquiescence of officials. Cross-border ‘smuggling’ has, historically, been one of the biggest challenges facing policy makers in West Africa; it is a challenge that has endured in spite of repeated promises to contain and eradicate it.³²

4 Drug Trafficking and Governance

Since the 1980s when drug trafficking began gradually to occupy the attention of policy makers and the wider public, debates have raged on its effects on politics, the economy, and society in West Africa. Early public evidence of the significance of the trafficking problem was revealed by the acceleration in the number of West Africans arrested within the sub-region and overseas for drug offences, and the growing quantity of drug seizures connected to the traffickers originating from the sub-region. No part of the world was exempt in this regard as West African nationals trafficking as mules for barons at home and abroad were caught in growing numbers in Asia, Europe, North America, the Middle East, and Latin America itself.³³ Subsequent evidence was to point to a growing domestic market in West Africa itself for drugs. Today, every indication suggests that the sub-region is a source of production of drugs, a site for their global re-distribution, and an emerging market for their consumption. The relative ease and speed with which drug cartels were able to establish a foothold in West Africa is connected to the aforementioned governance and socio-economic conditions and chronic political instability, factors which served the cartels well. Once established in the sub-region, the presence and activities of the drug cartels were also to carry far-reaching governance implications.³⁴

Unpacking the governance implications of drug trafficking in West Africa, as elsewhere in the world, is fraught with methodological challenges. These challenges centre on the type and quality of the evidence that is available as to permit a meaningful quantification and measurement of the problem and its impact. Precisely because of the illegal nature of the drug business and the secrecy that surrounds it, most of the evidence that has been marshalled can only be partial, frequently comprising an admixture of publicly available/published information, security intelligence material – which is not readily available in the public domain – and the best guesses and extrapolations that the circumstances permit. Also, questions of causation emerge: it is not always possible to separate and pinpoint the particular share of drug trafficking in West African governance challenges considering the other factors that are

³¹ While the illegal networks are those that are clearly engaged in the breaking of laws in one form or the other, their illicit counterparts may not necessarily be engaged in outright breaking of the letters of the law but their operations are, nevertheless, sources of discomfort and concern, especially where they exploit legal loopholes.

³² Anthony Asiwaju (1985); Paul Nugent and Anthony Asiwaju (1996); Paul Nugent (2004).

³³ It was also in this period that high-level officials involved in or suspected of involvement in drug trafficking began to number among those arrested or detained.

³⁴ Kwesi Aning (2007); Shehu Abdullahi (2009); Peter McGuire (2010); David E. Brown (2013).

concurrently at play and which impact on the administration of public affairs in the sub-region, and which do so in interaction with one another. Keeping this point in mind, attempts have been made in the literature to extrapolate the consequences of international drug trafficking on economy, politics, and society in West Africa mostly through the exploration of associations that exist or which can be reasonably expected.

Based on the evidence that exists on drug trafficking, the broad patterns of seizures and arrests that have been made, the intelligence which has been gathered on the volumes that are shipped, and the knowledge which has been constructed around it, it would be fair to suggest that the governance problems that have emerged into prominence almost always begin in an enclave manner within targeted public and societal institutions that are critical to the success or failure of any trafficking effort. These governance challenges can rapidly expand and spread to envelope the entire state system, taking it over and submitting it to the logic of the drug trade and the competing claims of the drug cartels. In time, society itself becomes overwhelmed by the logic of the drug business. The point of this is to underscore the fact that the governance consequences of drug trafficking often evolve in a continuum, beginning in small doses mainly affecting pockets of the public administration system such as the police, customs, and immigration services in discreet ways that may not initially even be obvious to all but the most specialist of observers. Left unchecked, however, they can spread, cancer-like, into the entire body politic often reaching the very summit of the state and its security apparatus. In some cases, the latter has accounted for the rise and fall of governments, or individual politicians and security officials, or the involvement of society through various vectors.³⁵

The robustness of institutions, the proper functioning of structures of accountability and reciprocal checks and balances within the state system; the effectiveness of intelligence gathering; the presence, reach, and professionalism of the policing authorities; the capacity, efficiency, and integrity of the justice system; the availability of technical skills and the technological wherewithal to enable governments to at least keep pace with the drug cartels; the effectiveness of the regulatory system in the financial sector; and the abundance of political will to keep the traffickers and their barons in check are but some of the pre-requisites for any degree of success in containing, rolling back, and/or eliminating the presence and influence of trafficking on governance. These prerequisites have tended to be absent in varying degrees, at different points, and for different durations in West Africa over the last three decades. As the core institutions and processes of governance have deteriorated, drug trafficking networks and groups have been successful in deepening their roots and expanding their reach to the point where, as in the case of Guinea Bissau, a country which has known prolonged conflict, instability, and militarization, they have built alliances with the local politico-military elite to capture the heart of the state, transforming the country into a key *entrepot* for the global distribution of narcotics.³⁶

The permanent state of unevenness of policies aimed at countering production, trafficking, and consumption in West African countries at any given point in time has produced the 'balloon' effect by which the cartels shift operations from one jurisdiction to another according to the pressures they face and the opportunities and lapses they find. Whereas the cartels are able, by the nature and logic of their business, to maintain and operationalize a pan-West African view of and approach to the sub-region the better to tap opportunities and exploit loopholes in a flexible, speedy, and agile manner, governments have generally adopted a narrow national-territorial approach to the design and implementation of policies. The latter have focused predominantly on domestic jurisdictions, with scant attention to cross-border collaboration and more strategic perspectives. From a governance point of view, matters have

³⁵ Shehu Abdullahi (2009); Kwesi Aning (2010); Peter McGuire (2010); Kofi Annan Foundation (2012).

³⁶ James Cockayne and Phil Williams (2009); Peter McGuire (2010); Vanda Felbab-Brown (2010); Kofi Annan Foundation (2012).

also not been helped by the fact that many governments in the sub-region initially adopted anti-trafficking policies and legislation only in the face of external pressure and conditionality. As the number of West African traffickers who were arrested soared and threats of the de-certification of their national airlines grew, especially from the United States, governments felt compelled to act but their actions did not necessarily produce an accompanying local ownership of the policy and legislation emanating from external pressure. Thus it was that while on paper, legislative and institutional arrangements were put in place to combat trafficking, and official rhetoric seemed to be supportive of the effort, a deficit of committed action was in evidence and a broader societal mobilization against drugs was either absent or subdued.

Guinea Bissau may be an extreme example of the virtual wholesale capture of a state by the global drug cartels. However, its experience with regard to the disastrous effects of trafficking on governance is not completely exceptional insofar as these consequences are to be found to one degree or another in most of West Africa. These governance impacts include the:

- a) Distortion of public institutions and the weakening of state structures through their penetration and subversion from within either wholesale or through the collaboration of a network of key players who exercise strategic functions in or over those institutions and structures. Through this effect, drug trafficking can be seen as a harbinger of new or enhanced forms of state and institutional fragmentation and fragility. While Guinea Bissau stands out in this regard, examples can also be found in the experience of Mali where a mixture of drugs, religious extremism, and politics contributed to the systemic breakdown that was witnessed in 2012 and which is continuing. Before Mali, cases of an admixture of drugs, politics, and rebellion were to be seen in the crises that enveloped Sierra Leone and Liberia.³⁷
- b) Corruption and cooptation of government officials and public office holders by outrightly buying their services for a handsome fee or offering them shareholder stakes in the proceeds of the criminal trade in drugs, thereby making the abuse of office and power a systematized, integral part of the mode of functioning of government. In this way, drug trafficking and high-level corruption become two sides of the same coin. Examples abound in daily news reports of law and security officials being bribed at different stages of the drugs trade in order to buy their silence, acquiescence, and/or complicity.³⁸ In Nigeria, for example, in 2005, Mr. Bello Lafiaji, the head of the country's drug law enforcement agency was dismissed by the then President, Olusegun Obasanjo, along with one of his closest aides on account of allegations of corruption and abuse of office.³⁹ Also in Nigeria, a cartel of drug law enforcement officials reportedly facilitated the release of some 197 drug convicts from prison between 2005 and 2006.⁴⁰ Similar reports of corruption among drug law enforcement officials have been made in several other countries including Ghana, Guinea (Conakry), and Sierra Leone, with the Gambia being the most recent.⁴¹
- c) Hijacking of the (entire) policy and political processes of governments and states, and the institutionalization of criminality in the conduct of public affairs which plays itself out in terms of the way in which the cartels, as a powerful, well-financed and highly organized special interest group, takeover policy-making through their proxies, and sponsor political advocates and

³⁷ Africa Confidential (2013); Beatriz Mesa (2013); Afua Hirsch (2013); Adam Nositer (2013); Alex Holmgren (2013); Travis Lupick (2013).

³⁸ U.S. Department of State (2012); Juliet Ibekaku (2008).

³⁹ Vanguard Newspaper, Lagos, Nigeria, 17 July, 2010.

⁴⁰ Sun Newspaper, Lagos, Nigeria, 3 June, 2009.

⁴¹ See Kibaró News (Online), 26 May, 2013; Freedom Newspaper (Online), 14 March, 2013.

protectors whose day-to-day dealings effectively put criminal interests ahead and above all other interests. The most evident expression of this hijacking of policy and politics by drug cartels is their successful penetration of political parties and security institutions. Guinea Bissau stands out again in West Africa but references have also been made to examples of institutional infiltration, if not outright hijack, in Mali and Ghana.⁴²

- d) Perversion of justice systems through the corruption of the administration of justice from investigation through to prosecution, trial, sentencing, and imprisonment. It is not uncommon for the drug trafficking interests to undermine police investigation by making case files and key witnesses “disappear”; induce justice officials to mishandle cases or arbitrarily declare *nolle prosequi*; engage the best legal minds who represent them to systematically abuse court procedures in order to frustrate the possibility of (successful) prosecution; procure sentences that are completely disproportionate to the gravity of crimes committed; and co-opt prison warders to facilitate jailbreaks for convicted drug offenders. These perversions of the justice system in turn undermine the confidence of the public in the police, the judiciary, the legal profession, and the prison system.⁴³ Concrete examples of instances of the perversion of justice in drug-related trials have been frequently cited in Nigerian newspapers, but such cases also exist in other parts of West Africa.⁴⁴
- e) Weakening of state-society relations and the erosion of citizenship in the sense that state officials shift the essence and focus of administration from serving the public purpose and the common good to protecting and advancing the interests of a narrow network of embedded interests with the consequence that the reciprocal relationship between the government and the governed that ought to underpin a functioning political system is undermined. For this reason, drug trafficking is inimical to the successful institutionalization of democratic governance and accountability. It has not been uncommon in countries like Ghana and Nigeria for drug barons to employ the proceeds of their illegal trade to buy recognition from society in the form of traditional titles and chieftaincy awards.⁴⁵
- f) Generation and fuelling of violence, insecurity, rebellions and conflicts through the factionalisation of domestic elites and the building of alliances with different factions, especially in situations of the breakdown of law and order; providing financing to various factions for the procurement of weapons or even supplying those arms to them along with drugs; encouraging rebel groups to act as suppliers of drugs in order to secure the financing they require to prosecute their causes; and promoting a culture of violence in society that manifests itself through organized murders and assassinations. Violence and instability have been handmaidens of drug trafficking. This has been seen in all the theatres of conflict which West Africa has known over the last twenty-five years, from Liberia and Sierra Leone to Guinea Bissau, Cote d’Ivoire, and Mali.⁴⁶
- g) Disruption of effective economic governance encompassing the adverse effects of money laundering on the integrity of banking systems and governmental macro-economic policy; the

⁴² The Chronicle Newspaper, Accra, Ghana, 21 May, 2013; www.Ghanaweb.com, 16 April, 2013; Kwesi Aning (2007; 2010); Gernot Klantsching and Obi N.I. Ebbe, 1999.

⁴³ U.S. Department of State (2012); Mark Shaw (2012); Kwesi Aning (2010); UNODC (2009); *The Street Journal Magazine* (2008) at www.Nigeriabusinesscommunities.com.

⁴⁴ *The Street Journal Magazine* (2008).

⁴⁵ Kwesi Aning (2007; 2010).

⁴⁶ Mark Shaw (2012); Kwesi Aning (2007; 2010).

inflation of asset prices (especially of real estate); the hijacking of key financial intermediaries such as bureaux de change, insurance houses, and money transfer institutions; the ploughing of funds into stock markets and government bonds; and massive participation in short-term portfolio investments, including the acquisition of financial institutions. The policy of financial sector liberalization which governments in West Africa undertook in the 1980s and 1990s under the aegis of the IMF and the World Bank contributed inadvertently to the ease with which the drug cartels were able to infiltrate the banking and financial intermediation system to launder money; it took a while for central banks to wake up to the problem.⁴⁷ From Cape Verde to Ghana, Nigeria to Togo, eventual awareness of the scale of the laundering problem was to result in the adoption of anti-laundering measures.

- h) Distortion of the terrain of electoral politics in some countries of West Africa through the capture of political parties, the financing of political actors, and the deployment of monetary and other material resources in ways that subvert the popular will. In the context of the return to elected government in the sub-region from the 1990s onwards, accusations and counter-accusations have been traded by leading political actors about the use of drug money to illicitly finance campaigns and party structures. Local drug barons have also sought to assure the protection of their interests by assuming the role of political 'god fathers' sponsoring candidates with full financing into elected office and exacting the loyalty of their political 'god sons' through a variety of control mechanisms. Drug barons have also deployed their resources to recruit and retain armed thugs and militias who play important roles during elections in intimating voters and after elections to keep their political clients in check. According to anecdotal information available in the public domain on the interface of drugs and politics in the country, these experiences would seem to have been especially rife in Nigeria.⁴⁸ Allegations have also been traded by politicians in other countries across West Africa such as Ghana, Sierra Leone and Liberia on the role of drugs and drug barons, particularly during elections.⁴⁹
- i) Exacerbation of the crisis of legitimacy facing many a West African political elite and the governance systems over which they preside as citizens disconnect from a political process which they feel serves the narrow interests of the powerful, does not offer them genuine opportunities to choose by ensuring their votes count and their voices matter, and is bereft of genuine accountability, commitment to public service, and the advancement of the progress of the people. Mass political alienation and a growing politics of anti-politics are clearly key by-products of the adverse governance consequences of international drug trafficking.⁵⁰ Although considered until recently as a 'success story' of democratisation, the implosion which Mali suffered in 2012 is clearly indicative of the challenges of legitimacy faced by West African governments across the board and the adverse governance consequences flowing from drug trafficking have only served to exacerbate the problem.
- j) Reinforcement of the process of 'wastage' of an entire generation of young West Africans, including the child-soldier, especially in the worst conflict zones, through the supply of drugs, liquor, and light weapons to those of them that join or are conscripted into various armed factions to contest the authority and record of the central state. Within the ranks of a younger

⁴⁷ Kwesi Aning (2010); Stephen Ellis (2009); IRIN News (2008).

⁴⁸ See such dedicated websites as www.naijapoint.com, www.nigerianbestforum.com, www.nairland.com, and occasional news reports in www.allafrica.com for reports they have published and discussions they have hosted on drugs, money, politics, and power in Nigeria.

⁴⁹ Kwesi Aning (2007; 2010); www.Ghanaweb.com, 16 April, 2013.

⁵⁰ Mark Shaw (2012); Kwesi Aning (2007; 2010).

generation of West Africans, substance use and dependency have become integral to the impact and consequences of drug trafficking in the sub-region. The wastage of that generation of young people also feeds into the worsening inter-generational inequalities that were at the heart of some of the radical military *coups d'état* in West Africa during the late 1970s into the 1980s, and the onset of civil war in several countries. Countries such as Liberia, Sierra Leone, Cote d'Ivoire, Guinea Bissau, and Guinea (Conakry) which have known prolonged conflicts in recent times have suffered the worst experiences of the 'wastage' of a younger generation of citizens, including many who have been unable to recover from drug addiction and who serve as roving armed fighters operating in different theatres of violent conflict and insecurity in West Africa.⁵¹

The various adverse consequences which drug trafficking has had on governance in West Africa pose serious challenges to the prospects for addressing some of the key questions that the people of the sub-region and their rulers need to face if they are to secure a much better and brighter future for themselves. In this regard, the task of the renewal and reinforcement of the state and public institutions as key drivers of socio-economic and political progress has been rendered more difficult, with most governments having to grapple on an almost permanent basis with a multiplicity of energy-sapping and attention-diverting fragilities which constantly threaten the very possibility of the centre holding. Also, the imperative of strengthening the foundations of electoral pluralism by imbuing it with socio-economic benefits and new civic and governance cultures founded on equity and justice remains a live one. Yet, few governments are making significant progress towards a deepening of democratic governance, evidenced by the fact that despite the robust economic growth experienced across many West African countries over consecutive years since 2005, governments have been unable to deliver the dividends of democracy which the populace yearns for, particularly jobs and robust social policies. Furthermore, the outstanding and pressing business of improving the overall governability of the countries of West Africa has been made even more elusive by the impact and effects of drug trafficking, not least because of the environment of instability and insecurity to which they contribute, and their consequence on the national and sub-regional quest for development and structural transformation.

5 Governmental Responses to the Challenges of Drug Trafficking

For all the adverse consequences of drug trafficking on governance in West Africa and without prejudice to growing and worrying seriousness of the problem, it is important to stress that not all the countries or governments of the sub-region have been overrun wholesale by the traffickers. Indeed, beyond the initial problems of policy and political ownership that have been experienced, attempts have been made and are on-going by governments and other interested parties in the sub-region to take remedial actions which, in their own way, if the rhetoric of officials is to be taken on face value, are also meant to contribute to efforts at rebuilding public policy and institutions in most countries. These efforts have been prompted as much by external forces as by domestic ones, even if the motivations for the pressures on West African governments do differ. They have gradually translated into more systematised efforts and fewer knee-jerk reactions from governments in the fight against trafficking. Attempts have also been made to ensure that old practices that included the abridgement of the rights of suspects through, for example, summary trials and executions with little or no rights of appeal, are discarded in favour of due process that is compatible with on-going democratization projects.⁵²

Among the recent responses which governments have developed are the:

⁵¹ Finlay Young (2012); Amadu Sesay (2003).

⁵² Kwesi Aning (2008); James Cockayne and Phil Williams (2009).

- a) Introduction of new legislation and/or the review of existing laws against drug trafficking and consumption designed to close legal and administrative loopholes, better empower judicial authorities, and provide for clear and more severe sanctions that include asset forfeiture and long prison terms. This has been the case in practically every West African country over the period from the since the 1990s.⁵³
- b) Establishment of drug law enforcement agencies/narcotics control boards with appropriate intelligence-gathering, policing and security powers that could enable them take a frontline role in the battle against trafficking and consumption. The Nigerian Drug Law Enforcement Agency is a good example of this but so too are the agencies and boards of such countries as The Gambia, Sierra Leone, Liberia, and Ghana. Across Francophone West Africa, ministerial departments with security functions have also strengthened specialized anti-narcotics units to lead the fight against trafficking.
- c) Enhancement of the capacity of drug law enforcement agents through a range of specialized training designed to significantly upgrade their skills in detecting, monitoring, arresting and prosecuting drug traffickers and other drug law offenders. Practically every country in the sub-region has benefitted at one time or the other in recent years from capacity development and training programmes either sponsored by the governments or by various partners, or through a combination of efforts by donors and governments.
- d) Improvements in the conditions of service, benefits, security of tenure, autonomy, and personal protection for judges and magistrates in order to reduce their vulnerability to corrupt inducement. Nigeria and Ghana are two countries where such reforms have taken place.
- e) Improvements in the technology for the screening of travellers at border posts in order to increase the prospects for apprehending traffickers irrespective of the changes in their strategy for smuggling drugs in the hope of evading detection. Countries such as Nigeria, Ghana, Senegal, Cote d'Ivoire, and Cape Verde are known to have benefited from such improvements in recent times, sometimes in the form of technical assistance from the United States and other key partners.
- f) Strengthening of multi-site intelligence gathering and under-cover tracking operations as an additional and effective tool in the fight against trafficking. This approach was one of those undertaken Nigeria in the reform of its drug law enforcement laws. It has been emulated by other countries such as Ghana, Sierra Leone, and the Gambia.
- g) Adherence to international conventions and statutes – such as those adopted in 1961, 1971, and 1988 under the auspices of the United Nations - designed to strengthen global anti-narcotics efforts; and the domestication of the conventions into local laws. All West African states have adhered to the main international, regional and sub-regional conventions and statutes on drug trafficking.
- h) The development of continental African and sub-regional West African frameworks to address drug trafficking challenges, including the establishment by ECOWAS of GIABA.

⁵³ Kwesi Aning (2008); Juliet Ibekaku (2008).

- i) Strengthening of economic governance through the adoption by the banking system and other financial intermediaries of stringent rules and procedures for the operation of personal and corporate accounts, the acquisition of stocks, the operation of cash-based transactions, and the transfer of funds, including the amounts and volumes that must be reported to central banking authorities and other regulators.
- j) Introduction of tools in the banking system for detecting unusual movements of financial resources, the extension by central banking authorities of training to commercial banking personnel on the detection and reporting of illicit transactions, and, in places like Nigeria and Ghana, the promotion of so-called 'cashless' economies to discourage transactions involving huge volumes of cash which do not make for easy tracking of transactions. This approach has been adopted as an element of the campaigns against money laundering in countries such as Nigeria, Ghana, Cape Verde, Sierra Leone and the francophone member-states of the UEMOA.⁵⁴
- k) Empowerment of anti-corruption agencies to work with drug law enforcement institutions in monitoring and determining the sources of wealth of individuals, Nigeria being one of the countries that has taken steps in this direction.
- l) Improvement of cross-border collaboration among governments in the fight against traffickers and money launderers mainly through intelligence-sharing, some of this effort being undertaken within the framework of INTERPOL, one-stop border management initiatives, and ECOWAS.⁵⁵

The legislative and institutional reforms which governments have introduced in the face of the growing problem of trafficking certainly do carry a potentiality for containing, if not reversing some of the adverse effects which the activities of the drugs cartels have had on governance structures, processes, and outcomes in West Africa IF they are implemented to the letter. Particularly useful is the enabling and empowerment of drug law enforcement agencies, the strengthening of banking rules, the improvement of the terms and security of tenure of judges, the enhancement of intelligence-gathering, and the upgrading of border zone surveillance and screening technologies. Evidence of the potentiality of the reforms can be seen from the more frequent reports that are presented in daily news reports on the busting of drug rings, the disruption of their supply and distribution chains, the spate of seizures and arrests, and the successes registered in asset forfeiture. Laundering through the banking system and other financial institutions may still be an important issue but it is certainly no longer completely *tabula rasa* for traffickers who previously operated without the most elementary checks and controls.⁵⁶

The extent of the possible effectiveness of the intervention measures introduced has also depended on the collective will of the members of government, including the security agencies, to make the combat against trafficking a prime priority, doing so by taking measures that are both specific to the trafficking sector and broader steps that are aimed at redressing some of the structural and conjunctural conditions that provide fertile ground for trafficking to be considered by many to be a risk worth taking in spite of the hefty penalties that apply. It is precisely with regard to the exercise of will that many governments have faltered and failed as the drug cartels have also launched countervailing measures of their own, including penetrating elite intelligence-gathering and enforcement institutions with

⁵⁴ Juliet Ibekaku (2008).

⁵⁵ Juliet Ibekaku (2008).

⁵⁶ Juliet Ibekaku (2008). The UNODC (2013) in its threat assessment report on the situation in West Africa published in February 2013 suggests that the volume of cocaine trafficked through West Africa had declined to about 18 tons from a peak of 47 tons in 2007.

inducements of various magnitudes. Matters are not helped by the fact that while governments have continued to focus their strategy and actions within the confines of their national-territorial boundaries, the drug cartels function with a global strategy and, in West Africa, keep a sub-regional perspective that enables them on a continuing basis to know and avoid places where their capacity to operate has become much more difficult and those where weaknesses exist, persist, or have re-emerged to allow for ease of carrying on business.

It would seem clear that the success of governments in the fight against drugs at the national level is intertwined with their capacity to forge closer sub-regional and international collaboration. Within West Africa, where the free mobility of people has been in operation since the 1970s, it has become imperative to accompany this with an intensification of the harmonization of laws and judicial standards, the coordination of cross-border policing, and the deepening of intelligence gathering on a sub-regional scale, including the establishment of data centres. If not generally, then at least as it pertains to drug trafficking, governance in West Africa will be most effective where and when it is approached as indivisible.

6 Concluding Reflections

The challenges posed to West African countries by drug trafficking and the organized criminal networks that underpin it call for multi-pronged investments and action which will speak to the seriousness of the problem and acknowledge the multi-sectoral and multi-actor nature of the interventions which are required to deal with drugs cartels. In the first instance, evidence gathering through systematised and focused research will need to be promoted and sustained. This should be accompanied by a greater and more deliberate harmonization of the results of research and the policy actions that are developed. Governments would also need to go beyond the treatment of the drug problem as the exclusive domain of the state and, instead, build alliances with civil society and the private sector for a multi-pronged approach. The mobilization of civic groups and associations in the campaign against drug trafficking is certain an option that must be closely pursued in order to ensure that solid, autonomous, and campaigning constituencies exist at the societal level to help prosecute the fight against trafficking and generate awareness about the problem. Here, the partnership model which has been forged by governments, social movements, civil society, and the private sector in building awareness about the HIV/AIDS pandemic could serve as a salutary one, if only to underscore that such partnerships are indeed possible and workable.

Furthermore, much greater attention would have to be paid to the forging of cross-border harmonization and coordination of policy and action in order to match the drug cartels in a key area of strategic advantage which they still enjoy over the state, namely, the capacity to plan, deploy, and act on a pan-West African scale. In the end, a greater awareness about the indivisibility of democratic governance in a sub-region that has known chronic poverty, prolonged violence, and widespread instability, and which is now compelled to manage the challenges posed by drug trafficking and highly politicized religious extremism, will require nothing less than the advancement of the frontiers and content of public policy and administration on a pan-West African scale too. It is clear that such a pan-West African policy design and implementation approach would also require attention to the structural deficits and dislocations in economy and society that serve as entry points for the drug cartels. Particular attention would need to be paid in the present period to the scourge of massive youth unemployment that has been a source of prolonged disquiet across West Africa. Similarly, governments will need to pay closer attention to social policy in order to redress the growing problems of inequality and exclusion in the sub-region. Fortunately, most of the countries of the sub-region are enjoying a growth cycle which, if

properly managed, could become the harbinger of a structural transformation that will enable them to redress some of the long-standing discontents of governance and development in West Africa.

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