AFRICA'S CHANGING PLACE IN THE GLOBAL CRIMINAL ECONOMY

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Africa's growing role in the world's criminal economy

Africa's role in the global criminal economy is shifting. This is a function of several factors, including changes in African and global illicit markets, as well as the kinds of vulnerabilities that have marked the continent's recent history. This shift has happened in a fairly short space of time – notably over the last two decades.

Tracking this change is challenging, however. Data is scarce given that research on how Africa is connected to the global criminal economy is but in its infancy. But if the detrimental effects on Africa caused by global illicit markets and organised crime could be efficiently captured and measured – in terms of lost lives and lost livelihoods, poor governance, conflict, the obliteration of natural resources (such as rare animal species) – then the cumulative damage would no doubt be clearer for all to see. The results would highlight the need for a sustained focus to address the challenge.

But, even with the fragmentary data that we do have, there can be little doubt that organised crime has emerged as a key feature of the African policy debate in recent years. Its impact is widespread and growing, yet it is little understood.

The rising influence of criminal networks is part of a wider realignment of the international system, to which Africa belongs. An array of networks – commercial, social, political and criminal – now stand alongside traditional forms of statehood.[1] Disentangling these interwoven networks and understanding how the criminal economy in particular, shapes governance and distorts development must now be key objectives for analysts of African affairs.

References to criminal influence and 'shadow economies' are now pervasive in much of the recent writing on Africa, but there have been few attempts to consider these phenomena in their own right.[2] Several analysts have observed that, far from isolating Africa

from the global economy, illicit markets are integrating the continent in a significant way – even if only into the perverse underside of globalisation.[3] Criminal markets, for example, have revitalised ancient African trade and pilgrimage routes that connect the continent to the Mediterranean and the Middle East.[4]

In patterns that are both old and new, Africa is becoming more enmeshed in a global web of illicit economic networks. Today, the continent is regularly featured in media reports on worldwide criminal markets and organised crime. Such coverage often focuses on what might be called organised corruption; the so-called 'migrant crisis' enabled by human smuggling from North Africa and the Sahel; or the poaching of animal species, such as rhinos and elephants in Southern Africa; the growth of different types of financial fraud; or the illegal trade in commodities or drugs across the continent. Indeed, one of the marked features of Africa's criminal economy is its diversity.

How do we analyse the recent growth of these illicit markets and the organised-crime networks associated with them in Africa? And how do we understand and measure their impact on indicators such as governance, economic development, poverty reduction, human security and quality of life? What impact do they have on Africa's long-standing (and increasing) conflicts and on violence? And how can we do so in a way that is useful across the plethora of criminal challenges Africa now faces?

These are the challenges that the ENACT project aims to address. The objective of ENACT is to enrich the foundation of the evidence basis on organised crime and its activities across the continent through research, qualitative and quantitative data gathering, multi-sectoral policy engagement, awareness raising and advocacy.

But at the outset of this project, it is clear that the way in which organised crime in Africa has evolved cannot be understood without understanding wider trends in the global criminal economy. That is the focus of this report.

The organised–crime debate and Africa

Until recently, the term 'organised crime' was not a common feature in the discussion on Africa's illicit economies. At least initially, there was considerable scepticism as to whether the concept of organised crime applied to African contexts.[5] African countries, it was argued, did not display the features of mafia-style organised crime associated with Italy or Japan – countries with stronger states and well-known and well-entrenched systems of organised criminality.

Reflecting on this terminological challenge, one prominent African analyst suggested that the term 'violent entrepreneurs' was a more apt description of strongmen who sought to control licit or illicit resources in Africa, agents of instability and conflict in the context of weak governance and poverty.[6] Another study suggested that Africa was experiencing the 'criminalisation of the state', as opposed to organised crime.[7]

But in contemporary studies and policy debates, the term 'organised crime' is now much more widely applied in relation to Africa.[8] Not coincidentally, this has occurred as illicit economies have become more firmly embedded on the continent.

This development also reflects the debates emerging from the United Nations (UN) Convention against Transnational Organised Crime (also known as the Palermo Convention, after the city where it was opened for signature in 2000).

The negotiations around the Convention in the late 1990s took place when the phenomenon of organised crime had not yet been explicitly linked to Africa. The debate about the need for a new UN convention – a significant step away from individual country efforts and towards a multilateral, state-based system to help face a new threat; one that effectively crossed borders between states – was initially driven by developments in Europe. Here, the killing of two prominent Italian investigating judges, Giovanni Falcone and Paolo Borsellino, had shockingly exposed the power of organised crime.

This landmark event was reinforced by the recognition that organised crime was a growing threat to American interests and, critically, to the new states that emerged from the former Soviet Union. With the exception of South Africa, where there was increasing concern over the growth of organised crime in the post-apartheid era, African states played little role in the finalisation of the new Convention, as organised crime was not significantly featured on the African policy agenda.[9]

That was to change fast. Although African delegates to the Palermo negotiations may have regarded the issue to be largely one that affected other places, at the time of the Convention's finalisation, significant shifts were becoming evident. Research that has attempted to construct the historical trajectory of organised crime in Africa places the critical tipping point at the turn of the millennium, just as the Palermo Convention was being finalised. In Africa, this period saw the integration of local and foreign criminal networks and operations.[10]

The Palermo Convention has now been ratified by the majority of African states, with most doing so immediately after the treaty was concluded (see Figure 1).

Figure 1: Africa embraces the Palermo Convention

Ratifying the convention
- 2000–2005
- 2006–2010
- 2011–2015
- Only signed
- Not ratified
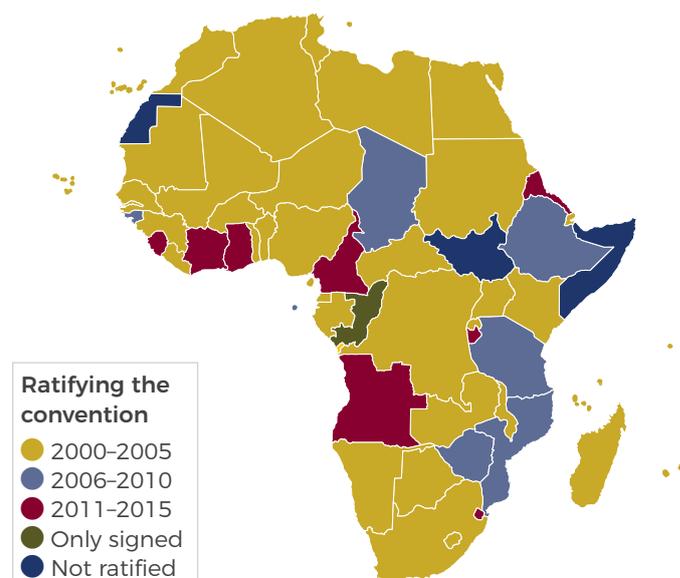
Source: GI based on data supplied by the UN Treaty Collection (https://goo.gl/BoQ7xx)

In several key African countries, including South Africa, Nigeria and Kenya, important changes at the turn of the millennium heralded new challenges posed by criminal networks.[11] In South Africa, for example, several studies of the drug economy indicate major and sudden changes around that time.[12] In Kenya, a comprehensive study of organised crime also detects a critical series of changes at the turn of the millennium,[13] as does an insightful analysis of Nigerian organised crime.[14]

By the beginning of the millennium, Africa was often identified as the new frontier in the fight against organised crime

Such changing realities mirrored a number of bleak predictions at the time the Palermo Convention was signed: that deepening globalisation would also see organised crime expanding into regions where it had previously not been present – including Africa.[15]

By the beginning of the millennium, Africa was often identified as the new frontier in the fight against organised crime.[16] This convergence began to close the gap between African and global discussions on organised crime. Later, certain visible developments, particularly cocaine trafficking through West Africa and the activities of Somali pirates off the Horn, would highlight dramatically the extent of organised crime already under way on the continent back then.

But the diversity of the challenge – from cocaine trafficking to piracy – still raises the old debate as to whether the term 'organised crime' is fit for purpose in Africa, where illicit activities could be said to entail a spectrum of networks and formations, including elements within the state.

Although the UN Convention against Transnational Organized Crime failed to standardise terminology, it enabled agreement to be reached on defining a 'criminal group'. And although consensus on what constitutes organised crime remains elusive, the

Convention has provided a global reference point for identifying organised crime as a key challenge faced by states – including African ones.[17]

Today, the consensus is increasingly to steer clear of some of the definitional debates and accept that the term 'organised crime' is flexible, that it refers to a wide range of activities and circumstances, and that there are many ways in which the label 'organised crime' can be conceptualised, depending on the circumstances.[18]

For the purposes of this discussion, 'organised crime' refers to a number of illegal activities, often within an illicit economy, conducted by organised groups or networks of people over time and for profit. This often involves violence or corrupt practices. What those groups and activities look like, however, will vary greatly depending on the context.[19] But, generally, in Africa organised crime could be said to include the illegal activities of organised street gangs, criminal networks engaged in trafficking, as well as militia-style armed groups who exploit or protect illegal activities. These all fit the broad definition of organised-crime groups, as outlined in the UN Convention against Transnational Organized Crime.[20]

Organised crime and the development agenda

In contrast to other regions, most notably Latin America, the study of organised crime has not been prioritised in Africa. That is now changing, driven by a greater focus on the issue by the development community in particular.

The linkage between development and organised crime in Africa is an important one, and one that makes responses to organised crime on the continent different in a number of ways from how organised crime is tackled elsewhere. Africa – both internally and externally – is often viewed through a development lens, and anecdotal evidence has suggested a powerful connection between diverted, misaligned or delayed development and forms of organised crime.[21]

There have been some important markers in this debate. One of the first was a groundbreaking 2005 report by the UN Office on Drugs and Crime (UNODC), which

linked rising levels of organised crime in Africa to a series of development challenges.[22]

Then there was the World Bank's 2011 *World development report: conflict, security and development*, which highlighted the impact of violence and organised crime on individual, community and societal development.[23] More recently, *States of fragility*, a 2016 report published by the OECD, also placed organised crime firmly on the development agenda.[24] The West Africa Commission on Drugs, the Africa Progress Panel and the High Level Panel on Illicit Financial Flows from Africa, all led by distinguished statesmen from the continent, have also significantly raised the profile of the issue, though often using different nomenclature.[25]

Africa is more connected to global developments than it ever has been in the past

All of these reports and programmes – simultaneously global in perspective and focused on Africa – make the link between organised crime and development, place illicit activities firmly in the purview of the UN sustainable-development agenda and have important implications for Africa.

Yet, although the relationship between organised crime and development is now a key driver of discussions, there is too little recognition in Africa itself of the dangers that organised crime poses in numerous spheres. Examples are the healthcare sector, in the form of counterfeit medicines, the environment, through the dumping of waste, and urban security, in the shape of gang violence. To understand these linkages, however, one needs to take a closer look at how the global illicit economy has intersected with the continent. This happened during a period of significant economic development in Africa.

Sub-Saharan African economies grew at an average rate of more than 6% between 2003 and 2008.[26]

This surge of economic development transformed many African cities: imposing new buildings mushroomed next to informal trading markets, visual symbols of the continent's growing economic activity. During this period, Africa was identified as holding the potential for long-term growth and dramatic economic development, often driven by seemingly insatiable Chinese demand for the continent's commodities.

Africa's growing connection to the global economy is a feature of its changing trade relationships, the geography of the continent, the process of globalisation and technological shifts, which have brought enormous benefits to African citizens and led to a growing middle class in some countries. Optimistic assessments about Africa's economic prospects a decade after the start of the millennium strongly coloured the discussion.[27]

The enthusiasm for African economic prospects has cooled somewhat since then. Chinese demand for commodities has weakened, and political and security issues have bedevilled sustained economic growth in several countries. The benefits of greater economic growth are also often seen as limited to a small middle and upper class, with too little wealth trickling down to the poor who are often deprived of improvements in crucial areas, such as education.[28]

Nonetheless, most indicators suggest that Africa's links to the global economy will continue to expand. Whatever the impact for ordinary people, it is clear that the growth in the continent's economic links with the world since the 1990s has changed its economies significantly. These links can be measured in the growth of container trade, the rise of mobile phone use and accessibility to the Internet. On all of these measures, Africa is more connected to global developments than it has ever been in the past.

World Bank data on container-port traffic – a useful indicator of trade flows – shows an upward trend, in some cases dramatically so. Although such data for most African countries is available only from 2007, there have been sizable increases in container-port activity since then – up by 72% in Kenya (to 2014), by 56% in Mozambique and with a massive increase of 255% in war-torn Libya. South Africa grew in the order of 29%

and Nigeria by an astonishing 1 365%, albeit off a low base.[29]

This growth trend is likely to continue. For example, with current growth rates, by 2020 there will be more than 700 million smartphone connections in Africa – more than twice the projected number for North America and at levels similar to those in Europe. Mobile-data traffic is predicted to increase some 15 fold by 2020.[30]

These trends will shape the continent in ways that we can barely now conceive of, changing patterns of social interaction, political organisation and commerce.

Connecting the global to the local

This impressive growth in commerce and communication technology in Africa provided a platform for both licit and illicit opportunity. The period of economic growth and global integration outlined above, which facilitated legal trade, also therefore served as a major turning point for illegal trade in Africa. As a flagship report of the Africa Progress Panel observed, 'The integration of Africa into global trading activities [has been] characterised by illegal and unethical practices.' The same document goes on to observe that 'much of the illegality is centred on the enrichment of national elites and their interaction with multinational companies'.[31]

Hence, the growth of the criminal economies in Africa paralleled the growing pace of globalisation, a phenomenon that a path-breaking analysis has termed 'deviant globalization'.[32] Put another way, economic development brought perverse incentives and consequences for illegal, or 'deviant', markets in Africa. For example, a detailed study of the impact of trade in the countries surrounding the Sahel shows how increased legal trade in coastal ports in North and West Africa disrupted trans-Sahelian trade in legal commodities, which, in turn, incentivised actors in that region to turn instead to illicit trade.[33]

One example of 'deviant globalization' was a sudden and noticeable change in the drug economy in several parts of Africa. In one of the country's biggest drug markets, South Africa, an influx of drugs was noted.[34] Although narcotics were primarily in transit to markets in Europe and North America, distribution tactics meant that they also built up significant local markets.

Notably, such developments in the illicit drug markets were eerily matched by external demand for illegal environmental products, whose destination markets were in Asia. The recorded number of poached rhinos, for example, began increasing exponentially from 2000, and accelerated dramatically from 2008 to the present (see Figure 3).[35]

The growth of the criminal economies in Africa paralleled the growing pace of globalisation

Similarly, in Guinea-Bissau, diminishing flows of external aid provided strong incentives for the politico-military elite to seek out alternatives in the emerging cocaine economy.[36]

Although more research is needed on the impacts around Africa of such illegal economies, these examples do make it clear that illicit and licit trade are interlinked, often in quite complex ways and sometimes with unpredictable consequences.

It is harder to discern without more granular analyses how illicit trade has an impact on local political economies. Research on illicit flows has generally concluded that even though illicit flows of whatever form are global in nature – in that they entail a commodity or service that is transported or supplied across borders – in certain places their control is often highly localised.[37]

Such localised control may entail payment for protection or the levying of a 'tax' by criminal, armed or government groups that have the capacity for violence – and, therefore, by implication the ability to provide criminal protection.[38] Through these and other means, money accrued from illicit trade strengthens the

influence of some groups or networks, while weakening those excluded from the illicit financial opportunities they provide.

The intersection between such flows and local capacities and skills – including the capacity for violence – varies in the criminal markets. Broadly, however, three general typologies can be identified for how illicit markets function on the African continent, as shown in Figure 2:

1. Externally supplied but locally engaged: where illicit goods are externally sourced – that is, from outside of Africa – their distribution requires local movement and control. A good example is illicit narcotics, which need to be distributed to or marketed in particular places. In most places, the movement and sale of such illicit commodities requires paying for local protection.

2. Internally supplied but globally networked: this typology involves illegal commodities sourced locally – such as banned environmental products or illicit minerals, as well as locally produced illicit drugs – that are destined for a global market. Such markets require a degree of local control in the source areas and, at the same time, connections with global criminal networks to facilitate market supply.

3. Local aspirations through illicit access: across Africa, there are local criminal markets that meet local demand. While these markets may be externally focused or connected, the cost of engaging in them locally is generally far lower than outside of Africa, where enforcement may be much higher. This typology includes certain activities that are driven by aspirations for self-advancement by locals, and they are likely not to be perceived as criminal. The presence of locally based smugglers to facilitate migration is one of the best examples as is the sourcing and purchase of counterfeit goods.

These three typologies provide a useful framework for analysing incentives and conditions that shape the nature of Africa's engagement with global criminal markets. In each case, the degree to which the local component of criminal markets engages with wider global networks is strongly shaped by local conditions and how the transactions between global and local are concluded.

But the contexts in which these transactions occur in Africa are crucial to shaping the nature and impact of the continent's criminal markets. For example, conflict, weak governance or the prevalence of corruption all provide conditions that exacerbate the impact of illicit markets. We might term these local factors 'amplifiers', in the sense that they accentuate the impact of organised crime, providing both openings and motivations for criminal organisation. They also weaken state and community responses. How this occurs may vary from place to place. Figure 2 provides a schematic representation of these relationships.

Figure 2: The interlocking nature of Africa's connections to the global criminal economy
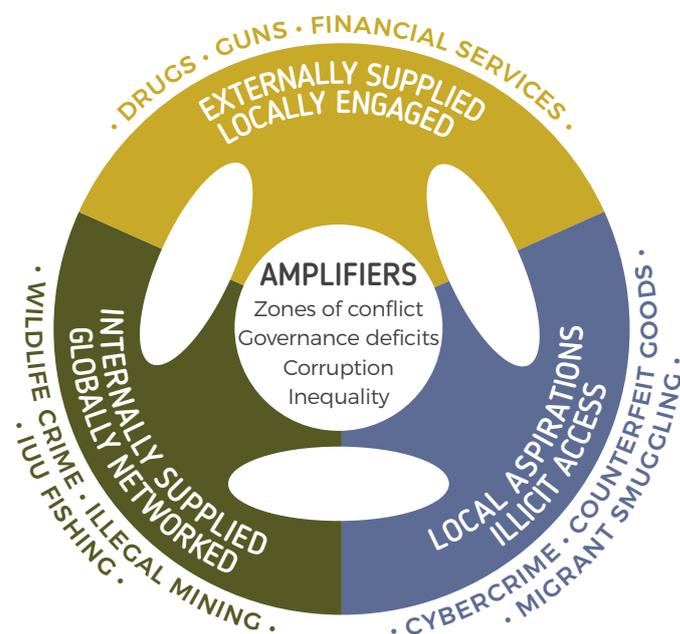
Source: Author

The ensuing main sections of this report analyse each of the three criminal market typologies shown in Figure 2 taking into account the amplifiers and their relationship with criminal organisations.

Externally supplied and locally engaged markets

Several kinds of illicit commodities and services that are sourced or supplied from outside of the continent have been critical in shaping the African criminal economy.

Illicit narcotics that reach African shores pose the greatest challenge of the externally supplied illegal commodities. This is in large part due to their profitability and the levels of violence that seem to be inherently drawn to protecting their supply chain.

Drug trafficking

Drug markets in Africa form two distinct regional sub-economies: one in the west and the other in the east of the continent. A third and more dispersed drug economy – the production and distribution of methamphetamines – is also growing rapidly and in ways that are hard to predict.

Evidence from across the continent indicates that the late 1990s and early part of the 2000s were a critical period of change in Africa's drug economy. That does not mean that drug trafficking had not been a challenge before then. Studies suggest that heroin, for example, was trafficked through West Africa in the early 1970s.[39] However, the scale of the phenomenon increased substantially in that period.

There is evidence from interviews with participants in the global drug-trafficking economy that one of the drivers behind Africa's increasing involvement in the drug economy was reinforced law-enforcement efforts along certain traditional supply routes, causing distribution patterns to shift elsewhere. The West African drug economy – based largely on cocaine sourced in Latin America – came about as a result of tougher law enforcement imposed in the Caribbean region, an important transit hub for drug shipments to Europe.[40] But it also reflected a bulge in coca production, particularly in Colombia, between 1998 and 2001.[41] The growing West African drug economy also coincided with a period in which heroin production in Afghanistan increased.

A glut of illicit narcotics, combined with pressures to find new trafficking routes, prompted traffickers to seek new opportunities and partners in Africa. In the newly consolidating post-conflict states and the more established democracies in West Africa, they found willing partners among the commercial and political elite,[42] and by the first decade of the 2000s, the transportation of cocaine on planes and ships via West Africa had attracted global attention.[43]

Illicit narcotics that reach African shores pose the greatest challenge of the externally supplied illegal commodities

The situation was most dramatic in the small West African country of Guinea-Bissau, which became labelled a 'narco-state' after significant evidence emerged of collusion between military and political actors in protecting and facilitating the trade. There was also strong evidence that several other recently conflict-ridden states on the West African coast had been drawn into the drug economy. Seizures in Sierra Leone and evidence of drug trafficking in Liberia, for example, indicated the wider scale of the problem.[44] These two countries, with the assistance of the UN and other external partners, however, were able to respond surprisingly effectively to the challenge.

An important question to ask is, why did Guinea-Bissau become such a significant problem when Sierra Leone and Liberia in the final analysis did not? The answer is that these two countries had a sizable international presence at the time in the form of UN peacekeeping missions. This allowed a more effective response in a context where state capacity was weak. Indeed, the work in these peacekeeping missions has been formative in putting the issue of organised crime on the peacekeeping and peacebuilding agenda elsewhere.[45]

Cocaine smuggling routes through West Africa – and their systems of protection – became part of a wider

nexus of instability. This was evident in the complex context of the Sahel and North Africa, with points of linkage developing between the transit states of the West African coast and the large zone of instability that has developed across the Sahara, including southern Libya. [46]

The West African drug economy shifted as the smaller states of the region became less vulnerable. Much of the regional drug trafficking now occurs in the bigger and more economically active states – Nigeria, Ghana and Senegal in particular – with their growing container ports.[47] This poses a new set of challenges, including the flows of illicit drug money into party-political coffers and the degree to which the drug economy has increased the potential for corruption among the region's law-enforcement agencies.[48]

The extent of cocaine trafficking in West Africa is difficult to gauge, given that there have been few major seizures of cocaine in the last few years. The consensus is that trafficking continues but with re-containerisation taking place at the major ports and with smaller quantities transported over land.[49] Up-to-date research on cocaine flows and their impacts along the Sahelian route following the French military intervention in Mali in 2013 are hard to come by, but evidence does suggest that highly organised criminal groups continue to move drugs from south to north towards European and wider markets.

As the West African drug trafficking trade developed, on the east coast of Africa, a similar set of challenges began to emerge in the late 1990s (although this phenomenon is less well covered in the literature). The growth of the drug trade in East Africa was linked to an increase in opium poppy cultivation in Afghanistan and several surrounding states, which spiked in the late 1990s and early part of the 2000s.[50] Heroin was trafficked to Africa via Pakistan, across the Gulf and down the east African coast to the Indian Ocean islands – often termed the 'southern route'.

Heroin seizures in Pakistan increased significantly from 2000, and although a series of cyclical fluctuations occurred in the following years, the overall trajectory of seizures in Pakistan was upward.[51] In 2004, in what

was described at the time as 'a turning point in Africa's drug trade' a seizure of 1.1 tonnes of heroin was made from a vessel docking at Mombasa.[52] A decade later, the UNODC's *World drug report* noted that the southern route had 'expanded', and that East Africa had become a major transit hub for onward movement to the consumer markets of the US and Europe.[53] Several more recent seizures have been made in the region, and it is rumoured in Nairobi that the growth of the East African drug trade is linked to Italian and Russian organised crime.[54]

However, the East African drug economy has never been comprehensively analysed beyond a limited focus on Kenya. Nevertheless, there is a strong argument for seeing this regional drug economy as part of a system that stretches from the Horn to Cape Town, encompassing the entire eastern littoral of the African continent.[55]

In a remarkably similar fashion to the situation in West Africa, the drug trade in East Africa exploited particular conduits where state controls were weak. Mombasa, Zanzibar and Pemba (a port town in northern Mozambique) have all developed sizable drug-trafficking economies as a result.

In Zanzibar, for one, the impact has been dramatic. Since 2000, the island has experienced a distinct uptick in drug trafficking and, by 2015, the island's drug commission coordinator estimated that 7% to 10% of Zanzibar's population of one million was 'involved' in the drug economy in some way.[56] Zanzibar now also has one of the highest drug-use rates in the world, with heroin made available cheaply by traffickers using the island as a transit point for moving narcotics elsewhere.[57]

But Mozambique, with its long coastline, is perhaps more vulnerable than any other East African country. A widely respected and long-time analyst of the country, Joseph Hanlon, noted in 2001 that drug trafficking had become Mozambique's 'biggest business'. According to Hanlon, drug trafficking was reported to have increased dramatically since the 1990s in Mozambique, as traffickers sought to find alternative routes to South Africa and further on to the European markets.[58]

Meth: the new challenge

Methamphetamine ('meth') emerged in South Africa in the early part of the 2000s. Fifteen years later, Cape Town had the highest methamphetamine prevalence in the world, with an estimated 2% of the adult population consuming the drug. Increases in consumption appear to have been rapid.[60]

For those involved in the drug economy, methamphetamine has certain advantages over plant-based drugs. Production costs are low and it can be produced anywhere, as it requires no advanced technology.[61]

South Africa has become a regional hub for the production and trafficking of methamphetamine. Most laboratories, where it is manufactured, are small-scale operations, often undetectable and located in residential areas. Although seizures of methamphetamines have increased, meth labs are escaping detection and there has also been a decline in the amounts of precursors imported into South Africa that are used in its manufacture.

Since 2008, large numbers of methamphetamine couriers have been arrested on flights between West Africa and Asia. The drug has been found on couriers flying from Benin, Cameroon, Côte d'Ivoire, Ghana, Guinea, Nigeria and Senegal. It is unclear which of these countries might host production, although West Africa generally seems to have emerged as a key source of methamphetamine. Evidence of meth manufacture was found in Guinea in 2009, in Liberia in 2010, and the first seizure of an active meth lab took place in Nigeria in July 2011, followed subsequently by others in February 2012 and January 2013.[62]

West Africa, with its under-regulated pharmaceutical industry, appears to be a convenient region for producing the drug, as there is ready access to the precursor chemicals (primarily ephedrine) that are needed to produce the drug in commercial quantities. Because these precursors can be transported among the countries that belong to the Economic Community of West African States (ECOWAS), it is difficult to determine the production sites. Ephedrine is imported from East and South Asia, while the finished product is exported mainly from West Africa to Asia.[63]

This dynamic is different in some ways from West Africa, where small and weak states were initially particular vulnerable. Along the east coast, the danger lies in activities around a series of weakly regulated secondary ports. The impact in the east is more diffuse and less visible to outsiders, but no less pernicious.[59]

Inshore and offshore

Shifts in global drug routes, and their incorporation into parts of Africa, took place at the same time as a wave of democratisation and post-conflict rebuilding was occurring in many places on the continent. Ironically, this provided openings for drug traffickers to enter political processes to a degree that had not been possible before. Politicians under pressure in several places were eager for resources to fund political campaigns and associated systems of patronage. But it also meant that law-enforcement officials, often poorly paid and unmotivated, were corruptible.

The impact of drug money on politics in both West and East Africa, while often hidden from public view, is significant. The West Africa Commission on Drugs was blunt in its appraisal of the effect of drug profits on political processes in the region. Its report concludes that drug trafficking 'has made deep inroads into West African states' and 'sometimes at the highest levels' – with the spoils of drug trafficking being used to corrupt elected and other officials. This has had the effect of 'reshaping the relations between and among political and security actors and the business community'. Drug money was also seen to create new pressures and conflicts within fragile political systems by resourcing actors who protected the trade.[64]

Several investigations of drug trafficking in Guinea-Bissau have shown the direct link between drug money and the funding of political and military interests. In that country, senior military officers were directly implicated. In one incident in July 2008, troops cordoned off

half a tonne of cocaine shipped on a private plane from Venezuela that had landed at the country's main airport.[65] Conflict among the country's elite has been ascribed to competition over the control of the narcotics trade.[66]

The impact of drug money on politics in both West and East Africa, while often hidden from public view, is significant

Similarly, a detailed study in Kenya likened the impact of drug money to the work of termites eating away at state institutions.[67] It concludes that 'allegations that politicians, police officers and other government officials in positions of trust are involved in drug trafficking, without any of them being successfully investigated or prosecuted, have contributed to the alarmingly low levels of public trust in politicians and government institutions'.[68] A recent study on Mozambique also concludes that the impact of drug trafficking is one of the least understood but most serious crises facing the country.[69]

In all of these cases, interviews suggest that significant quantities of cash generated from the drug trade remain in Africa, parcelled out in the form of patronage and protection payments.[70] Research on the distribution and impact of these funds is hard to conduct given that few participants are willing to disclose the source or destination of illicit funds. In one case, however, where the details did become public, a politician who had amassed a considerable sum of money appeared to use almost all of it to secure political support in his constituency, rather than moving the proceeds offshore.[71]

Nevertheless, even if drug money has seeped into the sinews of local politics and patronage, the growth of the drug trade in Africa coincided with opportunities for moving money offshore. The growth in opportunities for moving and placing money abroad has made

an important difference to Africans – as well as multinational companies and others – who wish to invest their money overseas. In parallel, illicit financial flows from Africa appear to have increased markedly since the mid- 2000s.[72] Although the profits from drug trafficking and other 'pure' criminal activities are probably but a small proportion of the total amount of illicit funds transferred offshore, there is nevertheless an opportunity for those with criminal money to place it outside the continent.[73]

Weaponised markets

The movement of small arms and light weapons into Africa is another case of an externally supplied but locally engaged criminal market. Relationships between arms suppliers and African states are often formed during periods of conflict, or where regimes are under arms embargoes. Since the turn of the millennium, more than 15 instances of embargoes have been applied against African states and/or rebel groups.[74] This control regime has created a symbiosis between the arms trade, political interests and the illicit economy in parts of the continent, whereby mining concessions or access to natural resources are bartered in exchange for arms – an exchange that is used to disguise payment. Arms imports into Africa grew by 45% between 2005 and 2009, a period that saw increases in drug trafficking and illicit external flows of money.[75]

A similarity between the drugs trade and the weapons market is the degree to which both are driven by pressures on the supply side. As was the case in West and East Africa, oversupply of drugs places pressures on traffickers to find new markets – which is at least one reason why Africa is not only a drug transit zone but also has a growing number of drug users.[76]

The business of arms manufacturing has a similar economic logic: manufacturing countries want to maintain their production capacities but their own local markets are too small, so they are compelled to find export markets.[77] Africa is a major destination for small arms and light weapons. It is reported that there are about 100 million small arms in circulation, stockpiled or in private possession on the continent.[78]

The market for weapons is however more complex than the drugs market, as the end market is in Africa, with little evidence of onward transfer. The market contains ageing stocks of weapons from past conflicts, which circulate for considerable periods of time and often end up in the hands of criminal groups or bandits. Several African states produce arms, with South Africa and Sudan being the largest producers, and local gunsmiths manufacture artisanal firearms in the informal sector. Ghana, for example, is reported to produce over 200 000 weapons in this way annually.[79] However, most arms circulating in the illegal economy are sourced externally.[80]

Relationships between arms suppliers and African states are often formed during periods of conflict

The link between arms trafficking and organised crime in Africa should be viewed on three levels:

1. The first relates to the import of firearms from foreign sources where there is evidence of criminal activity. For example, arms may be imported using false end-user certificates or they may be transferred to secondary or tertiary destinations.[81] Using such methods, weapons brokers have been blamed for subverting sanctions and supplying weapons to protagonists in some of Africa's bloodiest conflicts. For example, the UN-mandated Somalia and Eritrea Monitoring Group has noted that many of the weapons bound for Somalia are purchased by people in Yemen and then smuggled across the Gulf of Aden to Somalia.[82]

2. The second is when arms leak out of state supplies during conflict. The most prominent recent case entailed large flows of arms southwards into the Sahel after the fall of the Gaddafi regime in Libya. Similarly, weapons sold on the open market in Somalia include government supplies.[83] In South

Africa, in what is now a major criminal case, thousands of weapons seized or collected by the state were sold to criminal gangs in the Western Cape by a senior police officer responsible for the police armoury.[84]

3. The third is the purchase of weapons by criminal groups and networks directly from suppliers or local sellers. Some of these purchases are completed under the guise of legal transactions, but the weapons are subsequently used in criminal activities. For example, weapons purchased in this way have been used in criminal and political assassinations and in taxi-industry conflicts in South Africa.[85] There is also growing evidence that the Internet is used as a platform for the sale of weapons: in Libya small arms and light weapons manufactured in 26 states have been traded on the illicit online market.[86]

Accessing arms greatly strengthens local actors in the societies into which they flow. This provides opportunities outside of armed conflict or war (a context that a recent analysis of Chad has neatly termed 'the inter-war' – a period outside of formally declared conflict but where violence is prevalent[87]), where the presence of arms in fragile environments allows violent (sometimes political) entrepreneurs to leverage change and access resources. In such complex systems of governance, political, government, business and criminal networks merge – making them susceptible to those with the potential for violence. The market for assassinations in these cases blurs the influence of organised crime and distorts economic, political and social engagement.[88]

In such contexts, violent entrepreneurs – groups who might be termed 'mafia' elsewhere – often strengthen their position by protecting externally sourced illicit flows. The ability of militias in Libya, for example, to access weapons enabled them to enter numerous illegal markets, displacing groups who had less reliable supplies of arms.[89] The same applies to organised-crime groups engaged in robbery and freight hijacking in Southern Africa: those that are better armed have greater potential for growth.[90]

Internally supplied – globally networked

Africa's rich natural heritage and extensive mineral resources were exploited and controlled in the colonial period. Today, criminal networks, and their intersection with companies engaged in licit trade, are actors in a more recent period of exploitation.

African wildlife and natural resources make the continent vulnerable to organised crime. In contrast to commodities such as drugs, which are being imported into or through Africa because of overproduction elsewhere, markets for illegal environmental commodities are driven by scarcity. Declining volumes of such commodities drive up prices and create a perception of value. This is complicated by the presence of legal markets alongside illegal ones (allowing illegal produce to be laundered into legal markets) and the presence of registered companies and overlapping criminal syndicates.

Wildlife resources are protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). There have been contentious debates about whether allowing legal trade promotes the expansion of illegal markets. In contrast to the drug debate, where civil-society groups have argued that legalising the illicit trade will have benefits, in the environmental sector, civil society has been a vocal proponent of banning trade. Beyond encouragement, however, CITES provides little enforcement muscle.

The last few decades have seen enormous changes in illegal environmental markets. At the same time as powerful global drugs markets began to open up in the continent in the early part of the 2000s, there was also a marked upswing in demand for illegal commodities sourced in Africa. In the case of wildlife, the data is fragmentary but this appears to have occurred in two phases – the first from the late 1980s to around 2000, when transactions for commodities largely occurred offshore or were controlled by African criminal networks, then a later phase from 2000, which saw significant growth in the latter half of that decade, coinciding

with what appears to be a growing Asian criminal presence in Africa. That led to a quicker identification of opportunities, the development of more sophisticated systems of corruption and the escalation of poaching and external transfers.

Rhinos: fail, try again, fail better

Perhaps more than any other illicit commodity, rhino horn, sourced from poaching the species in protected areas of Southern Africa, has symbolised how the continent has served as a reservoir of supply for criminal networks. It is also one crime where the statistics available are reasonably accurate and demonstrate the scale of the increase: in South Africa these show a rapid increase in rhino poaching in a very short period of time.

Figure 3: Numbers of rhinos poached in South Africa, 2000–2016
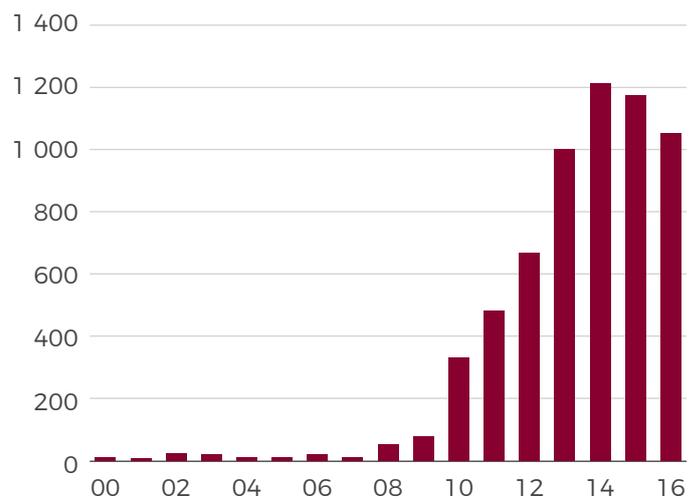
Source: TRAFFIC[91]

According to data from TRAFFIC, 13 rhinos were poached in 2007; the figure rocketed to 1 215 recorded as having being killed for their horn in 2014. There have been slight declines after this peak following a period of concerted action, particularly in the Kruger National Park, but the numbers are hardly encouraging: 1 175 animals were killed in 2015 and 1 054 in 2016.[92] Rhino horn is now more valuable than gold, cocaine and heroin, and has attracted the attention of local criminal entrepreneurs with links to Asian criminal operators, many of whom are located in Africa.[93]

The high levels of poaching that have taken place in recent years in South Africa are a second phase of a concerted and organised campaign against Southern Africa's rhinos. Back in the late 1980s, rhino populations were targeted in Zimbabwe, Swaziland, Zambia and Mozambique.[94] When these populations were depleted, poachers and their associated criminal networks turned to the better protected – and larger – animal populations in South Africa.

Policy efforts to address the problem have met with only limited success. The degree to which poachers are embedded in local communities and debates as to who the system of national parks benefits (white South Africans, foreign tourists or local communities) have contributed to a fragmented and often divisive debate around solutions.[95] The debate also has a political element: accusations have been made that rhinos receive more attention than the plight of poor and marginalised people.[96] An article written by two experts from Botswana arguing for a shoot-to-kill policy as a strategy to curb poaching, which was seen as a success in that country, was met with outrage in South Africa.[97]

To some extent, the failure of front-end protection and prevention approaches places greater focus on responding more effectively to organised crime along the supply chains. Law-enforcement responses have been weak, and often poorly resourced and poorly coordinated, given the scale of the challenge. There is growing consensus that trafficking kingpins and their corrupt assistants in the state must be targeted. This includes recognising that trafficking networks should be dealt with as criminal organisations and a stance should be taken against pervasive corruption, which ensures state protection for these criminal organisations and which continues to fuel the trade.[98]

A tipping point for the ivory trade?

The demand for ivory has fuelled extensive criminal systems that sustain poaching and illegal trade in Eastern and Southern Africa. Again, the period that saw the rise in elephant poaching coincides with the overall growth in illicit trade in Africa. Poaching began to rise markedly in the early 2000s, increasing rapidly in the latter half of that decade. The scale of slaughter was unprecedented: one study showed that 100 000 elephants were killed between 2010 and 2012; another concluded that the forest elephant population in Central Africa declined by 60% between 2002 and 2011.[99]

Illegal networks engaged in the ivory trade appear to have changed over this period. Traditional and long-established South Asian or Swahili/Shirazi groups were displaced by Chinese groups, whose presence in Africa had risen with China's increasing economic engagement in Africa. As a recent study concludes: 'Chinese businesses have the cover of legitimate commerce to disguise smuggling, and smugglers have developed networks of mutual benefit and protection with government officials and politicians.'[100]

The most significant positive development may be the total ban by China of the ivory trade, announced in March 2017. The country's ivory factories have been shut down and retail outlets are to be closed by the end of the year. A visible impact of these measures was seen in illicit ivory markets: the price of ivory dropped dramatically, from US$2 100 per kilogram in early 2014, to US$730 by April 2017.[101]

It is unclear what the overall impact will be on the sustainability of elephant populations and the criminal networks that prey on them. Numbers of poached elephants have not yet reduced – in Zimbabwe, for example, a number of cases of elephants being poisoned with cyanide were revealed after the ban went into effect.[102] There is also evidence of stockpiling of ivory as the trafficking networks hope that continued demand despite the ban will result in underground markets and scarcity driving up the price again.

For now, although the future of the elephant may prove to be more secure, there is little doubt that ivory-trafficking syndicates have the resources and the entrepreneurialism to continue the trade illegally or to switch to poaching other species if the opportunities allow.

Scarcity and new markets

As illegal environmental markets are driven by scarcity, as well as by changing fashions and social mores, there are strong incentives for traders to promote new markets and sustain older ones. A good recent example is that of lion bones. This market appears to have expanded exponentially in recent years. Lion bones have been found inside containers transporting ivory and rhino horn, suggesting the same networks are involved.[103] The trade in lion bones is now said to be growing to epidemic proportions. The African lion population has declined by 42% in two decades (matching the growth of the illicit wildlife trade in other species) and lions have all but disappeared from West Africa.[104] Lion bones are also passed off for tiger bones given the declining availability of that species.[105]

Environmental criminal markets on the continent are not restricted to megafauna, such as rhinos, elephants or lions, with which these markets tend to be associated. They extend to many other vulnerable species, including birds, reptiles, plants and trees, such as cycads and rosewood. There is growing evidence of active markets on the 'dark web' for several commodities.[106] The African grey parrot, a pet-shop and web-sale favourite, and one of the 'most illegally trafficked birds in the world', was recently declared a protected species by CITES.[107]

Another case is the pangolin, now considered to be the most trafficked wild mammal in the world, and whose trade was banned by CITES in 2016. A recent assessment of pangolin numbers in Central Africa shows dramatic increases in their exploitation, at a rate that is 'unsustainable', with just under half of all catches being recorded as not having reached adulthood (a strong indicator of rapid population decline).[108]

Crossovers between the wildlife trade and other criminal markets are hard to establish. Illegal abalone exploitation in South Africa has long been linked to a barter trade for drugs or precursors from Asia, reducing the need for cash to change hands.[109] However, the trafficking of illegal wildlife commodities to fund conflict and terrorism remains anecdotal and has been debunked on at least one occasion: allegations that al-Shabaab were profiting in Somalia from the illegal ivory trade have been made and widely covered in the press, but this has not been verified in any systematic way.[110]

Trafficking of illegal wildlife commodities to fund conflict and terrorism remains anecdotal and has been debunked

It is possible that the illegal trade in wildlife is entering a new phase, as greater regulation forces the trade further underground. Criminal networks that have strengthened their capacities and accumulated resources and expertise are unlikely to simply withdraw from the market but will seek new ways to maintain sales. Understanding these changes will be crucial to developing effective responses to criminal groups and networks, as well as those who protect them within state institutions.

Declining forest and fish stocks

The association between the trafficking of wildlife products and organised-criminal enterprise is less marked in the case of certain other illegally marketed environmental commodities, such as timber and fish. One of the reasons is the crossover that exists in these markets between legal and illegal commercial outfits. That, however, should not mask the fact that organised-criminal activity is present in these markets, but it does mean that debates around them often take on different terminologies and policy discussions.

African forests, which are home to some of the most diverse and valuable timber species, are being denuded by illegal logging. Across the continent, similar issues bedevil this trade. These include inconsistent laws and regulations, collusion between state officials and companies engaged in deforestation, including corruption in the permit systems, ineffective record keeping for licensing and trade, and the failure to mount

effective law-enforcement operations. As a result, Africa is estimated to lose US$17 billion through illegal logging every year.[111]

In Madagascar, for example, rosewood and ebony have become much sought-after for the manufacture of musical instruments in Europe and North America and for furniture in Asia. According to one assessment, 'hundreds of thousands of [these] trees [have been] cut down in protected areas despite their protected status'.[112] A report on the Democratic Republic of the Congo (DRC) notes that 'reliable official data on permits, production and export are not published, and there is reason to believe much of these data simply do not exist'.

Africa is estimated to lose US$17 billion through illegal logging every year

Logging companies often appear to operate with impunity, continuing to trade even when illegal timber has been seized by authorities.[113] In Mozambique research by the Environmental Investigation Agency found a marked decline in registered logging and a dramatic increase in illegal logging.[114] Analysis of the data by Mozambique's University of Eduardo Mondlane found that, on average, just under 70% of all timber was traded unlicensed and that half of all exports to China of wood from Mozambique was smuggled.[115]

Like timber, fishing stocks in Africa now face unprecedented commercial exploitation, and this is a crime that affects every region of Africa. The continent accounts for about 30% of the global overfishing problem.[116] West Africa alone is estimated to lose some US$2.3 billion annually from illegal fishing.[117] Similar conditions apply to those found in forestry crime: corruption in the licensing process and poor enforcement are widespread. Illegal trawlers use various strategies to avoid law enforcement. These include turning off their automatic identification

systems and the movement of the catch from one ship to another at sea, ensuring that ships do not need to return to ports for inspection and that fish caught in one place can be passed off as a catch from somewhere else.[118] This is often referred to as IUU fishing: 'illegal, unregulated and unreported'.

Several reports on the challenge of illegal fishing, in West Africa in particular, suggest two surges of activity – the first in the early 1990s and the second from 2000, followed by increases in recent years. The growth of illegal and unregulated fishing matches the growing size of the Chinese distant-water fishing fleet, which has grown from negligible numbers of vessels in the mid-1980s to over 1 600 in 2013.[119] Sub-Saharan Africa is estimated to lose around US$1 billion a year from illegal fishing.[120]

In the context of these large-scale criminal operations, a combination of institutionalised corruption and weak capacity for regulation, and the presence of foreign criminal agents and predatory businesses are denuding the continent's natural resources to levels that are irreversible. The consequences for human development are severe. Unlike in the extractives sector, where wealth and employment are concentrated among the few, fisheries are large employers and crucial to local economies and livelihoods. In West Africa, for example, about a quarter of all jobs are linked to the fisheries sector, and two-thirds of animal protein consumed by people in coastal West African states is in the form of fish.[121]

Oil bunkering and its politics

The theft of oil – often referred to as bunkering – in the Niger Delta by criminal cartels with international connections poses an enormous challenge. Oil is siphoned from pipelines and sold abroad or added (for payment) to legitimate cargoes. The profile of the criminalised market around oil theft in the delta follows a similar evolution to several other markets considered here.

A recent review noted that the process began as the work of a small number of individuals in the late 1980s using rudimentary techniques to extract oil

from pipelines.[122] However, since its early beginnings bunkering has evolved into a sophisticated criminal operation using advanced technologies to tap into pipelines, including a flotilla of oil-carrying craft fitted with navigation equipment. The late 1990s and early part of the 2000s are said to have been critical turning points as criminal networks began using more sophisticated techniques. It is known that criminal operations can now tap oil directly from wellheads.[123] Estimates suggest that between 300 000 and 400 000 barrels of oil are now stolen in Nigeria every day – approximately 15% of total production. (Contrast that with Mexico, which has a large oil industry but where an estimated 5 000 to 10 000 barrels are stolen every day).[124]

Bunkering has evolved into a sophisticated criminal operation using advanced technologies

Roughly a quarter of the stolen crude oil is sold locally for refining into petrol, kerosene and diesel. Just over half this crude oil is wasted in this process and then dumped into the environment. The destruction of illegal refineries also causes significant damage, with oil often being drained into rivers and creeks in the delta region, one of the world's largest natural wetlands. Oil bunkering has therefore caused extensive environmental damage in the region. A 2011 UN study found that oil pollution had devastated sensitive mangrove swamps, contaminated soil and groundwater, destroyed habitats for fish and animals, and posed a serious danger to public health.[125]

Oil theft in the Niger Delta has taken place against the backdrop of grievances over the distribution of wealth from the delta's oil economy. An insurgency between 2003 and 2010 saw hundreds of attacks launched against oil facilities. For many young men, bunkering became a 'counter culture', as local groups negotiated with offshore cartels for supply in exchange for cash, guns, boats and cars in a virtual parallel economy driven by exclusion.[126]

Conflict and contested forms of governance have also shaped the oil-smuggling economy in Libya. Fuel has been a heavily subsidised commodity there and the smuggling of fuel across Libya's land borders, especially with Tunisia, Niger, Chad and Egypt, has been a mainstay of Libya's wider illicit economy for decades.

The break-up of the coastguards and the navy after the fall of Gaddafi ushered in a new trade in large-scale sea-bound fuel smuggling on board tankers bound for Europe (mainly Italy, Malta, Spain, Crete and Turkey). The epicentre of this activity lies in the stretch of coast between Zawiya (45 km west of Tripoli), and home to the region's largest refinery and storage facility, and Zuwara, the key embarkation point for sea-bound fuel.[127]

Despite being an oil-producing country, Libya imports its fuel requirements at market rates, a portion of which then gets smuggled at subsidised rates. Based on monitoring and anecdotal evidence from law-enforcement sources as well as fuel smugglers and brokers, the smuggling of fuel has increased substantially since the revolution. There are no reliable estimates on the size of this criminal industry. However, sources from the National Oil Corporation say the agency estimates that about 35 000 tonnes of fuel are lost each month, costing Libya approximately US$200 million dollars a year. This figure is likely to be very conservative. Over recent years, there have also been attempts to smuggle crude oil but, by and large, these have so far been frustrated.[128]

All that glitters... organised illicit mining

The trade in illegally marketed mineral resources has the potential to deliver profits, mainly to criminal middlemen, at a level at least equivalent to those of the illegal drugs markets. Given the immense size of the continent and the key role the regulated mineral sector plays in many local economies, illicit activity involving minerals is an evolving, multifaceted and complex challenge. Illicit mining provides work opportunities for those seeking to survive (albeit very dangerous work), while bolstering a network of increasingly powerful kingpins. And, in some places, such as South Africa, illicit mining is characterised by extremely high levels of violence.

In the African context, the most notorious historic example is conflict diamonds. The role of diamonds in fuelling several conflicts across Africa, notably in Liberia, Sierra Leone and Angola, earned the gemstone the moniker 'diamonds are king'.[129] Although diamonds are not as closely linked to financing conflict as they once were, their illegal mining and smuggling continues to take place. Conflict diamonds from Côte d'Ivoire have been smuggled into legitimate markets, while violence and human-rights abuses are linked to the Zimbabwean diamond sector.[130] In the Central African Republic 400 000 artisanal miners – most operating illegally – are responsible for 80% of the country's diamond production, though much of that value is captured by traders and exporters rather than by miners.[131]

Another cross-cutting theme is the link between mineral resources, crime and conflict. The end of the Cold War in the 1990s had profound effects on the funding structures of insurgents and governments in Africa. Without proxy support from the superpowers, new sources of financing had to be found.[132] The exploitation of mineral resources has played a pivotal role in filling this gap. The fact that sources of minerals are often in remote places enables armed groups to easily control mining sites, making mineral-resource exploitation an appealing economic activity for armed groups seeking to finance conflict. However, these commodities often need to cross borders to reach their end markets. Consequently, cross-border criminal networks are pivotal in enabling armed groups to profit from minerals, and they have quickly acted to take advantage of this.[133] Connections between armed groups and organised crime in the minerals sector have consolidated since the 1990s.[134]

Since the turn of the millennium, gold has arguably become the foremost mineral illegally mined and smuggled in Africa. The rise in illegal gold-mining can be linked to the gold price, which peaked in 2012 when it reached a level some six times higher than its price in the early 1990s (it has since fallen but remains significantly higher than the price during the 1990s).[135] In 2013, one estimate suggested there were around eight million artisanal miners, many involved in gold-mining, who supported some 45 million dependants.[136] As an illustration, in Ghana, one of the continent's leading gold producers and exporters, artisanal and small-scale mining rose from 5.2% of national gold production in 1999 to 35% in 2012. In 2010, it was estimated that over a million Ghanaians were directly dependent on artisanal and small-scale mining for their livelihood.[137]

The rise of illegal gold-mining in South Africa is associated with the decommissioning of large-scale mines in the Witwatersrand Basin. Illegal miners in South Africa are known as *zama zama* (meaning to take a chance) and *zama zama* gangs are typically differentiated along ethnic lines and headed by a kingpin. Gang activity tends to occur to a much greater degree in South Africa than in other mining

The expanding illegal gemstone business

Other criminal activity in the mining sector includes the illegal mining of coloured precious gemstones.[142] The fragmented and complex supply chain of gemstones provides major opportunities for exploitation by organised-crime groups. The lack of a universal price for gemstones allows subjective pricing, and under- or overvaluation on invoices and export papers. Hence, their trade might be linked to mis-invoicing and tax fraud. Like gold, precious gemstones may be exploited to move illegal funds, as well as to launder proceeds of crime given their high value, limited volume and ease of transport.[143]

The discovery of rubies in Mozambique in 2009, which now produces nearly 40% of rubies sold on the world market, has led to an exponential increase in illegal activity and violence. A 'ruby rush' gave rise to an influx of impoverished artisanal miners, unlicensed buyers, smugglers, shady middlemen and gangs of thieves. The rubies attract miners from Mozambique, Tanzania, Nigeria and other nations operating illegally. Gangs known locally as the Nacatanas are known to carry machetes and terrorise artisanal miners.[144]

regions across Africa.[138] Pitched battles between rival groups have occurred underground and a virtual industry has sprung up around illicit mining. Criminal assassination in the industry is now commonplace as different groups struggle to control decommissioned mine shafts. Illegal gold-mining can take a number of forms, from artisanal alluvial gold-mining, small-scale open-pit mining and working abandoned mine shafts.

Links between illegal gold-mining and conflict can be seen in the well-documented activity in the eastern DRC.[139] Other examples are Côte d'Ivoire, where senior military officer Lieutenant-Colonel Issiaka Ouattara generated enough revenue from illegal gold mines to commandeer 500 armed elements, representing a parallel force to the official military, threatening the nation's stability and security.[140] According to UN investigators, some 15 800 informal miners were active at the Gamina mine site Ouattara controlled, which produced about 2.5 tonnes of gold annually, and from where gold was sold in at a fraction of its value.[141]

Illegal mining: from Africa to the world

Illegal mining and the smuggling of minerals involve a supply chain that relies on a complex network of traders. Foreign nationals are involved in the illegal purchase and export of minerals. For example, Lebanese and Indian traders have been linked to gold smuggling and the diamond trade. There are documented links between Hezbollah and minerals excavated in West and Central Africa.[145] In South Africa foreign traders conduct their business with *zama zamas* on the margins of the illegal mining zones.

Illegal activity in the African minerals sector is therefore enabled and driven by foreign agents and their destination markets. Market demand for African mineral commodities has risen sharply.[146] Specifically in relation to gold, Chinese and Indian demand has significantly increased, at times outstripping production. Since the establishment of the Dubai Minerals and Commodities Commission in 2012, the United Arab Emirates has played a pivotal role in the smuggling of gold. Relaxed import controls and the emergence of Dubai as a dominant international gold hub have led to the establishment of illegal supply chains linking Dubai to gold-producing nations and export hubs across the continent, in particular in West Africa and Central Africa.[147]

Gold has a number of inherent characteristics that make it especially appealing for criminal exploitation. Gold offers anonymity; it is easily smuggled; its value is predictable; the weight and quality of gold can be assured; and its inherent value makes it a global currency. Moreover, when compared with other financial instruments, gold is weakly regulated. These factors make gold highly attractive to criminal syndicates wishing not only to maximise profits, but also to hide, move or invest their illicit proceeds.[148] There are numerous examples of gold being sold above the legal market rate (the London Spot Price), indicating that gold may have more value in the criminal economy than the legal sector, especially as a vehicle to conceal or launder funds.[149]

Foreign groups, most notably Chinese, are now engaging in illegal mining themselves. This has had a great number of negative consequences, including an increase in environmental degradation, greater economic losses to African governments, human-rights abuses and significantly less economic benefit trickling down to local mining communities. It is important to note that the illegal activities of non-African nationals are very different from those of Africans who migrate within the region, as the former have much greater economic capital, can access international smuggling networks and hold a different societal position.

Complicating the development of effective policy responses is the instrumental role mining often plays in alleviating poverty in local economies. Mining frequently straddles the line between informal and illegal economic activity, and policy efforts are hampered by criminals – often acting as mine managers, buyers and exporters – who exploit miners. Miners often have little power to negotiate with traders or groups controlling the mines they work in, especially in conflict zones. Coercion and the control of mines by armed groups pose a threat to the security of artisanal miners, while creating a highly exploitative environment.[150]

CHAPTER 5

Local aspirations – illicit access

There is a final cluster of illicit markets shaped by a set of powerful, albeit more intangible, forces: the aspiration to achieve a better life or to seek status and economic success. Markets driven by such aspirations are seldom seen as 'criminal' by their participants and often the authorities too: they are more likely to be seen as a means to achieve a better life or greater recognition, even if these come at great personal cost, including personal harm. No activity defines this more clearly in the context of Africa than the illegal facilitation of the movement of migrants in search of security or economic opportunity.

For our purposes here, the linkages between organised-crime networks and the movement and/or exploitation of people in Africa can be seen in three overlapping categories:

- Migrant smugglers who provide, for payment, services that allow people to move to seek a better life elsewhere.

- Human traffickers who hold people against their will and force them to move for various purposes, such as sexual or labour exploitation. This category includes criminal operators who effectively imprison and/or exploit people, most perversely children, for labour.

- Criminal networks who trade in human body parts to supply the foreign transplant or local witchcraft markets.

The willing and the unwilling

What makes the debate in Africa particularly complex is how these three categories overlap and how the motivations of both perpetrators and victims may shift or change.

Migrant smugglers provide a key service across the continent, as migrants are compelled to seek their help to cross zones of conflict and violence, or to travel through challenging terrain, such as deserts. In many regions, border crossings are difficult, and those seeking to pass through them are subjected to informal taxes, discrimination, exploitation and even arbitrary detention. Many countries that host large populations of refugees or economic migrants are experiencing rising levels of intolerance towards foreigners, and it is common for people to equate migrants with criminals. Migrant smugglers help navigate these challenges, providing essential information, services and transport.

For the last decade, the majority of Africans who migrate abroad do so legally at the outset but subsequently overstay their visas in the host country.[151] The ability to access legitimate opportunities elsewhere is the main motivating factor for prospective migrants, who pay large sums of money in their countries of origin to smugglers to arrange the necessary intermediary services. At a cost several thousand dollars per person, smugglers provide air tickets, visas (falsely procured, forged or stolen) and sometimes the promise of employment or support in the destination country.[152]

For their services, smugglers are often respected, even revered, members of their community, and traditionally, smuggling is rarely stigmatised. The migrant-smuggling business in the African context is structured along several main routes: from the Horn of Africa to Europe, from West Africa across the Sahel to Europe, and a less well-commoditised route to South Africa. The smuggling market continues to grow. For example, instability in post-conflict Libya has provided new opportunities for migration, and at the same time the development of more sophisticated and criminalised smuggling operations from Egypt.[153] It is evident that relationships of trust are essential to this business model; smugglers who are known as abusive or unsuccessful are likely to attract fewer clients.[154]

Although the nature of the smuggling industry is relatively benign, there are many reasons to be vigilant of its growing professionalisation. As states seek to reduce irregular migration flows, responses to migration and human smuggling will rely more heavily on traditional tools of border enforcement and security. That, in turn, will result in increasing the criminality, corruption and violence of those involved in the trade, with detrimental impacts on the safety of migrants,

the rule of law and stability in countries along the migrant trails.

Moreover, the continual images we see in the media of migrants set adrift in the Mediterranean have been an important shaper of debates on how migration is linked to a criminal smuggling or trafficking economy.

The reality, however, is that the policymaking focus has long blurred the debate, mixing the authorities' desire to stem the flow of migrants, refugees and victims of trafficking with the need to protect them. Terminology that seeks to draw a distinction between the trafficking of human beings and the smuggling of migrants, or collates them under the overused phrase of 'human slavery' fails to capture the complexity of the situation, but is also used to deny protection where it is warranted. It also unnecessarily criminalises what is essentially a human-resilience strategy and an opportunity for many Africans to seek a better life elsewhere.

Nevertheless, there is a blurring here between the willing and the unwilling. People with different experiences and motives often end up travelling together along the same routes. Although some migrate non-consensually, most are aware that they will face bribes, threats, violence and abuse along the way.[155] Others enter into agreements with their smugglers whereby they voluntarily submit themselves to forced and bonded labour.

The route from the populous countries of West Africa crosses the Sahel, with migrants often gathering in numbers in Libya before onward travel by boat to Europe. This route is distinct from the earlier trans-Mediterranean route commonly used in the first decade of the 2000s, which was used to transport migrants to the Spanish Canary Islands or to Spanish enclaves in North Africa, which has now been more or less shut down. The sheer numbers of people, the levels of violence and abuse they suffer, and the loss of life makes the Libyan migration route stand out as an extreme example of human smuggling.[156]

It is worth emphasising that the expansion of the smuggling economy in North Africa that occurred after the fall of Gaddafi in late 2011, and which grew rapidly from 2013, was not in fact driven by people of

African origin. It largely came about as a result of the enormous numbers of people fleeing war-torn Syria, many of whom could afford to pay considerable sums to smugglers. That ensured a cash injection into the regional smuggling economy, consolidating smuggling networks in Egypt and Libya in particular.[157]

Large numbers of people have also migrated south to seek opportunities in South Africa. Here the criminal market for migration is less organised, partly because border crossings are quite porous, although there is strong evidence of criminal networks that facilitate the provision of documentation on arrival.[158]

Criminal exploitation

Among the large flows of people moving northwards, an increasingly organised system has developed in the market for sexual exploitation. Here African and European organised-crime groups intersect.

Perhaps the largest and most sophisticated criminal trafficking networks for sexual exploitation in Africa are those involving Nigerian women

Perhaps the largest and most sophisticated criminal trafficking networks for sexual exploitation in Africa are those involving Nigerian women, often recruited in Nigeria's Benin City. These women are trafficked primarily to Italy to supply the requirements of the sex industry there. What is perhaps most significant here is the degree to which certain Nigerian criminal groups (in the case of Italy, for example, there is an organisation known as the Black Axe) and the Italian Cosa Nostra have forged agreements aimed at reducing competition and violence.[159] These little-understood intersections and agreements between European and African criminal groups will in the longer term prove to be decisive in shaping organised crime on both continents.[160]

Despite such cross-continental linkages, in sub-Saharan Africa 90% of trafficking flows involve short-distance journeys, meaning that by far the majority of victims of human trade are moved within borders or between neighbouring countries.[161]

In 2016 the Southern African Development Community (SADC) undertook a subregional study to understand the scale and scope of trafficking in persons in each member country.[162] The findings uncovered forced labour, commercial sexual exploitation, forced begging and forced marriage. The report was largely based on secondary sources and anecdotal evidence, revealing a dearth of reliable and recent data. Most countries in the region do not collect data on human trafficking, and conflation of sex work with trafficking, and smuggling with trafficking was evident from the report.[163]

There is a growing consensus among policymakers, particularly in South Africa, that the focus on trafficking for purposes of sexual exploitation has masked a larger and more serious challenge related to labour exploitation.[164] Greater attention has subsequently fallen on a set of commercial labour brokers who recruit workers and then contract them out to mines, farms and other industries at a significantly cheaper cost. These labour brokers often skirt a fine line between facilitating labour supply and human trafficking. The most comprehensive recent analysis of human trafficking in South Africa concludes that 'labour trafficking in the mining, agricultural and service industries is currently the most important expression of exploitation and human trade in contemporary South Africa'.[165]

The exploitation of children for labour and for sex is of particular concern. In West Africa children are disproportionately vulnerable to human trafficking. The region hosts one of the world's highest proportions of working children,[166] some of whom experience the worst forms of child labour in agriculture, mining, commercial sexual exploitation, quarrying and fishing; they are also used as drug traffickers.[167] Children continue to be forcibly recruited and used as child soldiers by armed groups in Mali, and by Boko Haram in Nigeria and Niger, where girls have been abducted for domestic servitude and forced to marry militants.[168]

In Central Africa's conflict zones, trafficking and exploitation of children have been recorded in Burundi, Cameroon, Central African Republic, Chad, DRC and Rwanda. Children as young as eight have served as combatants, guards, human shields, porters, messengers, spies, cooks, suicide bombers and for sexual purposes.[169] There is evidence in the region of forced labour and debt bondage of men, women and children in agriculture, fishing, construction, mining, street vending and begging.

The illegal organ trade: A vulnerability for Africa

The global demand for organs for transplant, particularly kidneys, has grown rapidly over the last decade.[171] The illegal trade in human organs has been shaped by the collusion of medical facilities and networks of buyers who purchase kidneys from poor people, mostly in China, the Philippines, India and Pakistan, although several cases in Egypt have also been recorded.[172] In a well-documented case in South Africa, a private hospital carried out kidney transplants between 2001 and 2003 on more than 200 people using traded organs.[173] It has also been reported that Nigerian, Brazilian, Moldovan and Romanian donors have travelled to South Africa and are kept in safe houses before and after the medical procedure.[174]

Nevertheless, there is no conclusive evidence that Africa as a whole has been drawn in any extensive way into this market. Yet the continent remains particularly vulnerable as the demand for organs increases in the developed world and efforts are made to curb the trade elsewhere. Large groups of displaced people on the move in Africa highlight this vulnerability. For example, evidence of organ removal from Sudanese refugees in Egypt has been documented.[175] Trafficking of organs from 'donors' in Ethiopia, Somalia and Eritrea to Egypt has also been recorded.[176]

There also appears to be an active trade within Africa of body parts, most notably of albino people, to supply the requirements of the traditional medicine, witchcraft or voodoo markets.[177]

In North Africa, many children work in agriculture, artisanal gold-mining, water collecting, construction and mechanics. Some reports suggest organised gangs force street children to serve as thieves, beggars and drug mules in Algeria and Tunisia, while Sudanese and Egyptian children have been trafficked to Saudi Arabia and Italy for forced begging.[170]

Diverging narratives

Despite the fact all but two African countries have ratified the human-trafficking protocol to the UN Convention against Transnational Organized Crime (the Protocol to Prevent, Suppress and Punish Trafficking in Persons),[178] the issue of human trafficking rarely makes it high on the African agenda. It was not until 2009/10 that the African Union launched a programme dedicated to human trafficking and tabled a high-level agenda item that was specific to human trafficking and, in both cases, this was an initiative heavily sponsored by the European Union.

For most African nations, the national legislation around human trafficking is still very new and convictions are still low.[179] The UNODC's findings show there is 'a close correlation between length of time the trafficking laws have been on the statute books and the conviction rate'.[180] By November 2008, 11 of the sub-Saharan countries had introduced full trafficking offences into their legal systems. Between December 2008 and August 2012, a further 13 countries introduced full offences, and from September 2012 to August 2016 an additional seven countries introduced full offences. As of September 2016, 12 sub-Saharan countries still had only partial offences or no offences at all.[181]

To understand Africa's response to human trafficking, it is important to note that Africa did not play a very active role in the negotiations surrounding the human-trafficking protocol.[182] For example, the SADC region provided poor representation, with sometimes only three of the 14 countries present.[183] Such indifference is in stark contrast to the wider global outcry against the issue. For example, in March 2017 the UN Security Council noted that 'at a time of division in so many areas, this [the fight against human trafficking] should be an issue that can unite us'.[184] In Africa, for a number of reasons, the issue is considerably more ambiguous, and it is rare to see African leaders using rhetoric similar to that of their Western counterparts.

However, with rising rates of migration into Europe, new life has been breathed into regional initiatives on managed migration, in the form of the Khartoum Process in East Africa and the Rabat Process for ECOWAS in the west.[185] And it is increasingly in these processes that anti-human trafficking initiatives are couched.

It is without question that migrants and refugees are extremely vulnerable to exploitation and abuse, and that the smuggling of migrants can often lead to situations of trafficking and forced labour. Yet large-scale movements of people, and the contexts in which these occur, are often far removed from the neat distinctions made between migration and trafficking in the protocols to the UN Convention against Transnational Organized Crime. This is because the ability to migrate is a positive economic and development proposition for Africans, their families, their communities and their nations. Securing employment outside of the continent is arguably the most effective way for Africans to lift themselves out of poverty. The risks and abuses of the journey are a small price to pay for the returns. When viewed from the perspective of African states and their peoples, often what the West deems as human smuggling or trafficking may not be seen as criminal, but as a necessary evil in the quest for a better life and new opportunities.[186]

Criminal brands

The power of consumer brands and the high level of status that they are seen to confer means that the market for counterfeits is often closely tied to people's aspirations – the desire to own the right product at a cheaper price. However, the sale of some counterfeit goods, notably fake medicines, also has a strong demand in countries where health systems are weak or failing. In the African context, a relatively sophisticated criminal network provides these products cheaply to a ready market – and in the case of some products, like counterfeit or fraudulent medicines, causing great harm

in the process. Counterfeit markets should be seen as an important part of Africa's connection to the wider global criminal economy.

Counterfeit markets should be seen as an important part of Africa's connection to the wider global criminal economy

According to the 2010 UNODC threat assessment report on transnational organised crime, when a product is purported to be something that it is not, it is considered counterfeit. Goods counterfeiting, which is an act of fraud, should be differentiated from copyright violation, such as unauthorised sharing of movies and music. Because of the large-scale nature and for-profit purpose of manufacturing fake goods, most product counterfeiting is considered organised crime under the UN Convention against Transnational Organized Crime.[187]

Counterfeit and pirated products originate from all over the world. However, East Asia, and especially China and Hong Kong, seem to be among the largest sources of counterfeit and pirated products. Such products are exported directly to West Africa (Benin, Senegal and Nigeria) and North Africa (Morocco and Algeria). Ethiopia and Kenya have also been identified as producers of fake food products for export to Saudi Arabia and Yemen.[188]

Counterfeit and pirated products are commonly transported along complex routes, with various intermediary points in between, which serve, firstly, to camouflage the original points of departure; secondly, to establish distribution hubs; and, thirdly, to repackage or relabel goods.

In addition, many transit points are in countries with very weak governance and a strong presence of organised crime or even terrorist networks (e.g. Afghanistan or Syria). In Africa, Egypt and Morocco are the main transit points for redistributing counterfeit goods to the European Union; Saudi Arabia and Yemen are the main regional intermediary points for shipping fake products into Africa.

The trade in counterfeit goods in Africa affects all levels of society and involves various parties – the private sector (manufacturers and exporters in the case of locally produced infringing goods, and importers and retailers/wholesalers for exported counterfeit products); government officials (local police and custom officers); consumers (both unsuspecting or consciously aware); local or regional gangs and other criminal groups; and extremist terrorist groups, as in the case of cigarette trafficking in the Sahel.[189]

Counterfeit products range from luxury goods (e.g. watches, perfume and leather goods) to machines, chemicals, pharmaceuticals and foodstuffs. In principle, every IP-protected product can be counterfeited, while certain counterfeit products, such as pharmaceuticals and electronics or toys, can be of low quality and therefore create a potential health and safety risk.[190] The 2017 OECD report Mapping the real routes of trade in fake goods selected 10 product categories, which, together, constitute 63% of the global trade value of counterfeit and pirated goods. The following four product groups account for 10% of global counterfeit imports: articles of leather/handbags; clothing and textile fabrics; footwear; and toys and games.[191]

As this suggests, counterfeit markets are diverse. But one type of counterfeit product in particular causes significant harm in Africa: fake medicines.

China and India appear to be the largest producers of counterfeit pharmaceuticals, and their exports are focused on African countries.[192] Several studies have found a large number of counterfeit pharmaceuticals throughout Africa that contain little or none of the active ingredient claimed.[193] Although reliable data is hard to come by, one UN estimate suggests that the market for trafficked counterfeit anti-malarials in West Africa alone is worth more than US$400 million.[194] These are a major health threat, as they may resemble real medicines, but do not contain what the packaging indicates.

Many of the counterfeit pharmaceuticals circulating in African countries are imported, particularly from South and East Asia, but some come from the local pharmaceutical industry, which is under-regulated. Hence, good profits can be made with minimal risk of criminal prosecution in the supplier

Cigarette governance

Recent estimates indicate that 'illicit' cigarettes account for 15% of all of the cigarettes consumed in Africa, with an especially high demand in North Africa.[195] One of the reasons for the demand and supply of illicit cigarettes seems to be the high levels of taxation. The production costs of cigarettes are fairly low – it is the marketing costs and tax that ratchet up the retail price, so getting around these costs makes illicit cigarettes a lucrative industry.

Counterfeit cigarettes are widely produced in China and Vietnam, as well as in eastern and southern Europe. Those countries and regions are believed to be important sources for illicit cigarettes in West and North Africa, though they are generally not imported directly from there: most of the illicit cigarettes entering West Africa are sourced from free trade zones, such as Dubai.

The major entry points for illicit cigarettes to West and North Africa are the ports of Lomé, Cotonou and Tema, and Guinea and Mauritania. From there, they are smuggled across the Sahara to North Africa, where smugglers rely heavily on local guides. Most of the illicit cigarette trade seems to be carried out by a small group of local businessmen, who are often at the same time legitimate cigarette importers and distributors.

To date, there has been no detailed study of counterfeit and trafficked cigarettes. However, it is clear that in at least the Sahelian region there have been direct connections between the illicit trade in cigarettes and the funding of extremist groups.[196] In South Africa there are allegations that the cigarette-smuggling business is linked to state actors, including some in the intelligence services.[197]

as well as recipient countries. The UNODC concludes that organised-crime groups have shifted their attention from smuggling narcotics and weapons to counterfeit medicines.

Known unknowns: the threat of cybercrime

Although it may seem odd to categorise cybercrime as an aspirational crime, in the African context there is some justification for doing so. Cyber-related crimes, most particularly the notorious scams that originated in West Africa, have often been conducted by young men seeking to make their fortune.[198] The activity therefore is often seen as a business opportunity, as opposed to a crime. The desire to achieve something, even at the expense of others, defines much of the motivation behind cybercrime in Africa. 'It is about being clever, not about being criminal', to paraphrase one interviewee in a research study.[199] Although technology has undoubtedly improved the lives of Africans and enabled more efficient operations in the private and public sectors, challenges have emerged as a consequence that undermine progress and expose users – who often lack the knowledge and experience to protect themselves – to illicit activities online.

In this digital age, the public sector, corporations and individuals have steadily increased their online presence, driven by the need to communicate across social platforms. Smart-phone and social-media usage has risen sharply, and a 2016 report by the Global Forum on Cyber Expertise estimates that Africa's e-commerce industry will be worth US$75 billion by 2025.[200] But with opportunity there is also risk: in tandem with the increase in Internet-enabled activity, Africa has become more vulnerable to online security risk, intellectual property infringement and theft of personal data.

Although cybercrime is a global phenomenon[201] – several reports contend that it now surpasses drug trafficking as a criminal money generator[202] – its impact is particularly pervasive in Africa. According to a 2014 report, cybercrimes are increasing at a more rapid rate in Africa than anywhere else in the world.[203] The continent's weak IT infrastructure has made organisations and society vulnerable to a proliferation of threats from ransom ware, social-media scams and new

What is cybercrime?

Although the term 'cybercrime' lacks a universal definition, it serves as an umbrella term that covers a number of manifestations, including theft of personal data, copyright infringement, fraud, child pornography, extortion and espionage.[206] Cybercrime has generally been divided into two main categories of Internet-related crime. A 2012 publication titled *Fighting cybercrime in Africa* distinguishes between types of cybercrime according to whether a computer (or other device) is used as a tool to commit a crime, or whether it is the intended target of a crime. In cases where intended victims are individuals, cybercriminals use computers (or other devices) as tools to expand their pool of victims and anonymously carry out their illicit activities.[207]

This victim-based distinction has been reinforced by the international community, academia and the private sector in describing cybercrime activities. For example, Interpol has followed similar principles and categorised illicit online activities as either advanced cybercrime or cyber-enabled crime. The former entails sophisticated attacks against computer hardware and software, while the latter includes many 'traditional' crimes that have taken 'a new turn with the advent of the internet'. These crimes include crimes against children, financial crimes and terrorism.[208]

The African Union adopted the Convention on Cyber Security and Data Protection in July 2014. Although the convention fails to define cybercrime, it does provide a definition for online child sexual exploitation, as well as several other cyber terminologies. Intended to serve as a guide for countries to enact personal-protection laws, the Convention requires governments to uphold the African Charter on Human and People's Rights, along with other basic rights, such as freedom of expression, the right to privacy and the right to a fair hearing. Nevertheless, since its adoption, the Convention has been met with criticism and controversy, particularly regarding lack of transparency in the drafting process, limited involvement of non-government stakeholders, and because it is seen as an instrument that my restrict freedom of expression and privacy.[209]

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malware.[204] In South Africa alone, for example, 73% of adults have reportedly experienced cybercrime, which is estimated to have cost the South African economy US$337 million.[205]

For various reasons, literature on cybercrime on the continent is limited – because the online market is a recent phenomenon, because there is general disregard for this 'invisible' threat and because there is unwillingness on the part of victims to reveal the extent of their losses from cyber attacks. Much of the information about the online illicit market comes from reports published by private security firms and, as yet, there is no comprehensive assessment of the threat in Africa.

Mass communications: progress and vulnerability

Africa hosted a mere 4.5 million Internet users before 2000. The liberalisation of telecommunications markets and the increasing availability of affordable mobile technologies mean that, today, there are approximately 300 million users online in the continent.[210]

Mobile technology in particular has transformed African societies as the major form of connectivity. The continent now leads the world in money transfers using mobile platforms. Mobile devices are used for an array of services, from mobile banking to e-government initiatives. A recent study by technology giant Ericsson found that Internet use on mobile phones in sub-Saharan Africa is expected to increase 20-fold between the end of 2013 and the end of 2019. This is double the rate of growth seen in the rest of the world. Ericsson estimates that by the end of 2019, the number of mobile subscriptions in sub-Saharan Africa will reach about 930 million.[211] [**]

But the picture is not all about progress. When it comes to cybercrime, the continent is both a source and a target of online illicit activities. A comprehensive 2016 report identified 1.1 billion spam events originating

from Africa, representing 3.5% of the global total. This, the analysis suggested, was the primary challenge to be countered. Bot activity ranked second, with 14 million distinct IP addresses originating on the continent, accounting for 11.4% of the global total; malware activity ranked third, with 8.5 million incidents, or 1.5% of the global total.[212]

When it comes to cybercrime, the continent is both a source and a target of illicit activities

As a target, Africa is extremely vulnerable to cyber attacks. According to one report, in 2012 the number of targeted cyber attacks in Africa increased by 42% from previous years. Another study estimates that more than 49 million cyber attacks took place on the African continent within the first quarter of 2014 alone.[213] Another ranks the most vulnerable sectors on the continent (in order) as banking, government, telecommunications, mobile money services, e-commerce and online markets, utilities, manufacturing and other financial services. The combination of a growing Internet user base and weak networks and information security has made Africa particularly vulnerable to cyber attacks.[214] Indeed, cyber-security experts estimate that 80% of personal computers on the continent are infected with viruses and other malicious software.[215]

These vulnerabilities have led to costly consequences.[216] The cost of cybercrime is twofold, as it results in economic loss and at the same indicates a risky investment environment and the potential loss of future investors. According to the 2016 *Africa cyber security report*, the (modestly) estimated cost of cybercrime across Africa was put at US$895 million.[217] In Kenya alone, the report states that the country loses approximately US$175 million each year to cybercrime – a figure that is growing.[218]

Because of its high connectivity rate and comparative wealth, South Africa has been identified as the top target for cybercrime in the continent. Experts estimate that about 70% of South Africans have fallen victim to cybercrime, compared to 50% globally.[219] According to the South African Banking Risk Information Centre, cybercrime accounts for R1 billion (about US$76 million) in losses for the country every year, almost half of this through debit-card fraud. According to a Norton cybercrime report, South Africa has the third highest number of cybercrime victims in the world; Russia and China top the list.[220]

In the west of the continent, Nigeria has been cited as simultaneously the largest target and source of malicious Internet activities.[221]

In major African cities, the rate of cyber-connected crime, such as fraudulent financial transactions and child kidnappings, facilitated through Internet communications, has doubled in the past three years. The use of information and communication technology (ICT) in support of terrorism across Africa is adding another dimension to the cyber-security issue. One publication reported on evidence from investigations into the 2013 attack at the Westgate Mall in Kenya, the activities of Boko Haram in Nigeria and al-Qaeda in the Islamic Maghreb in northern Africa, highlighting the use of ICT in the planning, coordination, implementation and promotion of various attacks.[222]

Cybercrime is also becoming more advanced and bolder in the targets and sums of money sought. The so-called advance-fee fraud, or '419'[223] email scams involving fake lotteries, inheritances and African 'royalty' asking for bank details, are now well known among the general public. But cybercrime is evolving and the tactics used are becoming increasingly sophisticated, making it difficult for cyber-security measures to keep apace.[224] For example, according to one report, a particular case in 2016 involved a complex cyber attack targeting 10 organisations in banking, insurance, utilities and government across three countries in Africa. These happened for over a year, leading to millions of dollars in losses. Unlike in the case of traditional scams, cyber criminals can now access valuable information without users' approval. Cyber criminals on the continent have embraced more sophisticated ways to use technology,

such as malware (particularly in relation to mobile devices) and botnets.

And the structure of criminal online networks has also evolved from individuals or small groups to complex cyber-criminal networks bringing criminals together from all over the world to commit crimes online on an unprecedented scale.

West Africa, for example, has witnessed two types of cyber criminals, identified as the Yahoo Boys and Next-Level Cybercriminals, distinguished by their structures and the types of scams they commit. The Yahoo Boys specialise in 'traditional' advance-fee scams; the Next Level Cybercriminals, meanwhile, engage in more complex attacks against corporations and tax scams, using sophisticated tactics, and often maintaining connections overseas.[225] As cybercriminals target people inside and outside their national boundaries, African countries have struggled to build the technical and financial capacity needed to target, monitor and thwart illicit online activities.[226]

As online technology has developed rapidly in Africa, the continent is simultaneously facing a number of vulnerabilities, including weak cyber-security infrastructure, lack of awareness of cybercrime and lack of appropriate security measures to combat it. There are insufficiently trained professionals and a lack of political will to address the issue, and consequently a lack of regulation and legislation. These have left most African countries alarmingly vulnerable to significant security risks to the economy and to national sovereignty.

There is also a lack of knowledge of cyber law-enforcement mechanisms, with result that victims of cybercrime are either unaware of or unwilling to report incidents to the appropriate bodies. This creates a low threat of prosecution, incentivising criminals and increasing the challenge of addressing cybercrime.[227]

The growing financial impact of cyber attacks, however, has fuelled an acknowledgment that there is a need for effective responses to be put in place. Nevertheless, there appears to be a consensus in the literature that the continent's attempts to tackle the cyber threat remain, for now, inadequate.

A stolen birthright

The shape of organised crime in any context is generally the result of an interaction between global criminal markets and local conditions.[228] The African context is no different.

The purpose of this paper has been to place Africa more firmly in a wider discussion about the global criminal economy – even though the nature of that economy is still far from well understood. There is a growing consensus that Africa now plays an important role in the global criminal economy. But what are the drivers – both inside Africa and outside of it – that shape how the continent meshes with the global underworld? These questions have been central to the analysis here.

This report has provided a broad overview of Africa's multiple and changing connections to global criminal markets. Its purpose has been not only to briefly sketch these connections, past and present, but also to make an argument for how the continent (and its external partners) must strengthen its defences and reduce its vulnerabilities to organised crime.

In that sense, the nature of organised crime in Africa is an outcome of the complex process in which local forms of criminal, social and political control interact with illicit flows of goods and services –those arriving in, departing from – or just passing through – the continent.

Africa is connected as never before to the global criminal economy. How the continent is integrated with this economy involves a complex overlay of different markets. It involves a combination of external flows that target or transit Africa; the development of external criminal markets for African products, notably in the wildlife and natural-resource sectors; and market forces driven by local aspirations and desire for products and opportunities.

These criminal flows have shaped the nature of African criminal networks and organisations. And the process has evolved over time, and continues to evolve. Three externally-driven market clusters have had a profound impact on Africa's criminal political economy; they have

largely evolved separately, although they are connected by the overall onward trajectory of globalisation.

What clearly emerges from this overview is how these separate criminal markets have all tended to coincide. Although there is limited available data to compare the different criminal markets, there is a remarkable clustering and then acceleration of events within a specific period of time. Therefore, perhaps the most striking conclusions of this review of African criminal economies is that they emerged and developed around the same time – in a span from the late 1990s to the middle of the first decade of the new millennium. Figure 4 summarises this general conclusion, illustrating just some data and key events across the emerging African criminal economy – itself an illustration of the requirement for accurate numbers over time.

This raises the question as to why the growth of the criminal economies in Africa coincided. A review of each illicit market strongly suggests a combination of:

• The globalisation of communication and trade, creating the sinews for Africa's closer integration into the global economy

• The growth of several major global illicit markets over the last two decades, most prominently illicit narcotics

• Strong Asian demand for illicit products together with a shift in the nature of criminal networks, including growth of Asian and other foreign criminal operators active in Africa

• Growing corruption and systems of protection in many African governments and institutions

Figure 4: The possible timing and trajectory of illicit markets in Africa
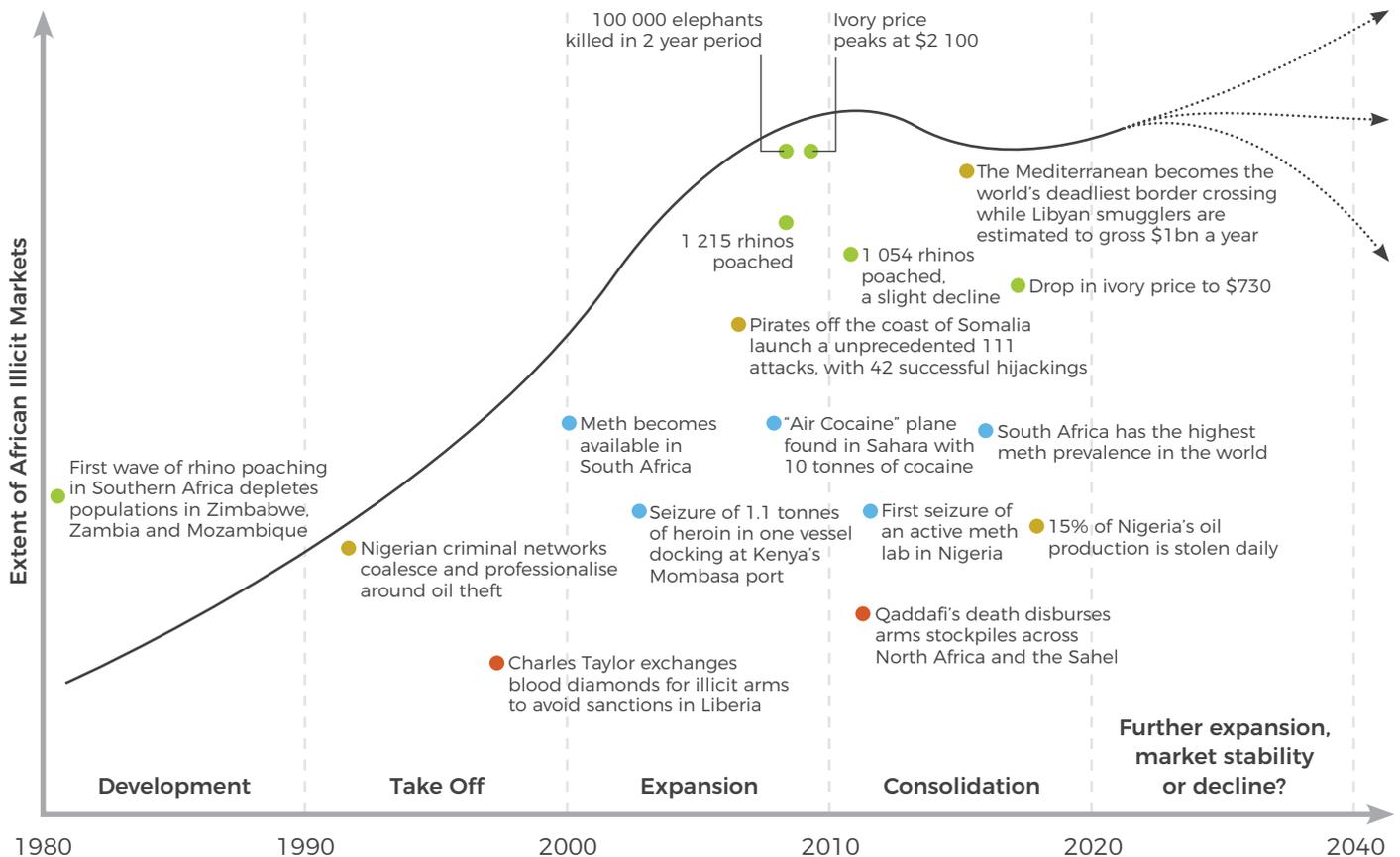
Source: Author

In contrast to other regions, development agencies and research funds have not made the study of illicit markets in Africa a priority. Even now, support for such studies is focused on illicit commodities – drugs and the movement of people, and to a lesser extent the trade in environmental commodities – that are of concern to Western governments. And, mostly, such studies are commissioned and conducted by non-Africans. Nevertheless, it has meant that a body of work has emerged on organised crime in Africa, including academic studies and several high-profile policy reports.[229]

Expanding on this work to highlight the issue and deepen policy debate around it is the key objective of the ENACT project. The way forward is to improve our knowledge of Africa's illicit economies, generate data and analysis to not only understand the trends underlying illicit African markets, but also to look at how they have developed, the actors involved, and the impact they have on governance, development and security.

There is an urgent need to raise the profile of the issue. Already much damage is being done: African governments are being shaped and corrupted by illicit markets; the presence of foreign criminal networks has expanded and become embedded in many places in the continent; Africa's environmental and other natural resources are being devastated; and African people, both the living and future generations, are having their birthright stolen.

Notes

1   Anne-Marie Slaughter, *The chess-board & the web: Strategies of connection in a networked world*, New Haven: Yale University Press, 2017.

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3   See, for example, Stephen Ellis, *Season of rains: Africa in the world*, Johannesburg: Jacana, 2011, 132.

4   Morten Bøås, Castles in the sand: Informal networks and power brokers in the northern Mali periphery, in Mats Utas (ed.), *African conflicts and informal power: Big men and networks*, London: Zed Books, 2012, 119.

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7   Jean-François Bayart, Stephen Ellis and Béatrice Hibou, *The criminalization of the state in Africa*, London: James Currey, 1999.

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9   A review of previously unpublished summaries of the sessions, for example, shows only minimal participation from African states. See Kim Thomas, Connecting the global to the local? The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons and the SA Prevention and Combatting of Trafficking Act 7 of 2013, MPhil thesis, University of Cape Town, 2016.

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11 Ibid.

12 Mark Shaw, *Hitmen for hire: South Africa's underworld exposed*, Cape Town: Jonathan Ball, 2017.

13 Peter Gastrow, *Termites at work: A Report on transnational organised crime and state erosion in Kenya*, New York: International Peace Institute, 2011.

14 Stephen Ellis, *This present darkness: A history of Nigerian organised crime*, London: Hurst, 2016.

15   See, for example, Phil Williams, Getting rich and getting even: Transnational threats in the twenty-first century, in Stanley Einstein and Menachem Amir (eds), *Organised crime: Uncertainties and dilemmas*, Office of International Criminal Justice, University of Chicago, 1999, 19–63.

16   UN Office on Drugs and Crime (UNODC), *Crime and development in Africa*, New York: United Nations, June 2005; see also Mark Shaw and Gail Wannenburg, Organised crime in Africa, in Philip Reichel (ed.), *Handbook of transnational crime and justice*, London: Sage, 2005.

17   Neil Boister, The cooperation provisions of the UN Convention against Transnational Organized Crime: A 'toolbox' rarely used?, *International Criminal Law Review*, 16, 2016, 39–70.

18   A good discussion of this can be found in Klaus von Lampe, *Organised crime: Analyzing illegal activities, criminal structures, and extra-legal governance*, Los Angeles: Sage, 2016, 15–35.

19   Ibid.

20   That definition is very broad. Article 2(a) of the convention defines an 'organized crime group' as a 'structured group of three or more persons, existing for a period 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'.

21   Global Initiative against Transnational Organized Crime, *Development responses to organised crime: An analysis and programme framework*, Geneva: GITOC, April 2016.

22   UNODC, *Crime and development in Africa*, New York: United Nations, June 2005.

23   World Bank, *World development report: Conflict, security and development*, Washington DC: World Bank, 2011. This report served as a spur for the formation of the Global Initiative against Transnational Organized Crime.

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26   Ibid., 75.

27   For a useful and articulate case, see Jean-Michael Severino and Olivier Ray, *Africa's moment*, Cambridge: Polity, 2011.

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29   See the data presented on the following site: World Bank, Container port traffic, http://data.worldbank.org/indicator/IS.SHP.GOOD.TU?end=2014&locations=MZ-SN-ZA-KE-LY-NG&name_desc=true&start=2000&view=chart.

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34   Mark Shaw and Simone Haysom, Organised crime in late apartheid and the transition to a new criminal order: The rise and fall of the Johannesburg 'bouncer mafia', *Journal of Southern African Studies*, 42:4, 2016, 577–594.

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36   Mark Shaw, 'Drug trafficking in Guinea-Bissau, 1998-2014: the evolution of an elite protection network', *Journal of Modern African Studies*, Vol 53, No 3, 2015, pp. 339-364.

37   See Jan van Dijk and Toine Spapens, Transnational organized crime networks across the world, in Jay Albanese and Philip Reichel (eds), *Transnational Organized Crime: An Overview of Six Continents*, Los Angeles: Sage, 2014, pp. 7-27.

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competitiveness as a result of intellectual-property compromise; costs in response to cybercrime, such as compensation payments to victims and fines paid to regulatory bodies; and indirect costs, such as reputational damage to corporations, loss of confidence in cyber transactions by individuals and businesses, reduced public-sector revenues and the growth of the underground economy. See Serianu, Africa cyber security report, 2016, http://serianu.com/downloads/AfricaCyberSecurityReport2016.pdf.

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About ENACT

ENACT (www.enact.africa) builds knowledge and skills to enhance Africa's response to transnational organised crime. ENACT analyses how organised crime affects stability, governance, the rule of law and development in Africa, and works to mitigate its impact.

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