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**Responding to Drug Trafficking: A Question of Motives**

In contrast to the history of the drug wars in Latin America, the response to organised crime in West Africa has been much less militaristic. In part, this is because organised crime in the region has been less violent. Furthermore, as organised crime has only recently been recognised as a threat in the region (although many note its existence since the 1950s[[1]](#endnote-1)) the response has been informed by the failures of the ‘war on drugs’ in Latin America.

Despite this, the response has still been coercive. Cockayne argues that such a strategy arises when organised crime is understood as ‘a political actor… to be contained through reactive bargaining and coercion’ rather than a structural factor that requires transformation.[[2]](#endnote-2) Many chapters in this volume have urged for a law enforcement response, as it represents a shift away from hard security approaches. But as Erickson displayed, there is a danger that this extends to militarism. This chapter engages with the risks of a law enforcement approach as a common security strategy to respond to organised crime in West Africa.

Although military strategies continue to be employed, particularly in Latin America and the Caribbean, there has broadly been a shift towards law enforcement in response to drug trafficking. In the destination countries in Europe, drugs are a law enforcement concern – whether it is local level street dealers or the shipment of large quantities into the country. Different agencies tend to be involved at different stages. In the UK, local level drug dealing falls to local police forces, as does the involvement of local gangs. The movement of larger quantities between cities and significant problem areas, or emerging trends fall to Regional Organised Crime Units, while shipments coming into the UK fall to national bodies such as Border Force and the National Crime Agency (NCA). The NCA also has a network of liaison officers posted overseas to collect intelligence on a wide range of criminal threats, including but not limited to drug trafficking, in order to develop an understanding of the drug trafficking routes drugs and the networks involved.

In order to take the pressure off borders in destination countries, numerous law enforcement agencies, together with many donors, have focused on upstream initiatives in source and transit countries. As a transit hub for cocaine traffickers, West Africa has become a significant focus for the EU and member states, including the UK. For example, UK Border Force instituted Westbridge, now known as Euroguard, where Border Force teams worked in partnership with their counterparts in airports throughout West Africa to build capacity to interdict drugs before they reach Europe. This is in line with the approach taken by the EU Police Mission in Bosnia-Herzegovina discussed in the introduction, where international forces work in collaboration with local partners. Border Force has adopted such a partnership model: it deploys a team of UK officers to work alongside airport interdiction teams in airports in West Africa for 6 weeks, after which the West African teams travel to the UK to continue working alongside the same officers. This is supported by ongoing mentorship and the provision of necessary equipment afterwards.

The programme has been widely recognised as a success by international development actors and the Directorate for Development Cooperation (DG DEVCO) at the European Commission has adopted a similar approach. In 2009, the Cocaine Route Programme was launched to address drug trafficking from source countries in Latin America, to transit countries in the Caribbean and West Africa, to destination countries in Europe. Since it commenced, nine projects have been implemented to build the capacity of law enforcement in source and transit countries. Five of these projects have been active in West Africa. In parallel to Euroguard, the Airport Communication Project (AIRCOP) created Joint Airport Interdiction Taskforces (JAITFs) in twelve West African countries that bring together all agencies that play a role in trafficking prevention and detection, from customs to police to immigration, providing access to World Customs Organisation databases. The Seaport Cooperation Project (SEACOP) plays a similar role, creating Maritime Intelligence Units and Joint Maritime Coordination Units in ports. The West Africa Police Information System (WAPIS) has systematised the collection and recording of electronic police force data to be shared across the region via Interpol. Anti-Money Laundering –West Africa (AML-WA) conducted training and provided servers to financial intelligence units in the region to facilitate investigation and data sharing. CRIMJUST, which commenced in 2016 seeks to build the capacity of the judiciary and ensure adequate legislation is in place to respond to drug trafficking.

By engaging with countries along the entirety of the cocaine route, the Cocaine Route Programme seeks to address fragmented law enforcement responses that enable the balloon effect, limiting the ability of drug traffickers to find weak spots between source and destination through which to ship their product. Euroguard and the Cocaine Route Programme are just two of many programmes that aim to build capacity amongst law enforcement agencies working along known drug trafficking routes. For law enforcement agencies like UK Border Force this is resource and strategy efficient as they are a law enforcement agency seeking to address drug trafficking further upstream. But the adoption of this approach by DG DEVCO highlights how capacity building of law enforcement has become the habitual mechanism to address drug trafficking.

In comparison to the heavily militarised responses to the drugs trade outlined by McDermott and Horsfield, this represents a significant step forward. This is equally true in responses to other forms of organised crime - Sellar has highlighted just how important law enforcement can be in the context of wildlife crime. However, as with other responses, capacity building of law enforcement is not a silver bullet. In isolation, it also has its drawbacks, which are outlined in this chapter.

**Driven by Self-Interest**

Capacity building strategies focus on working with local law enforcement to address organised crime in their own countries. In many West African countries organised crime has not flourished in the same way as Colombia or Mexico for example. With the exception of a few countries, including Nigeria, Ghana, Guinea-Bissau and Mali, effective law enforcement can be a preventative strategy which deters organised crime groups from becoming active. However, it is a strategy based on the self-interest of donors or destination countries. In this regard, it is not too far removed from the US-led ‘war on drugs’, which sought to prevent drugs from entering the US.

Effectively, such an approach exports the border upstream in an attempt to stop drug trafficking before drugs reach their intended destination. For EU countries, this stems from arguments surrounding human security which posit that enhanced security in third countries will enhance security in Europe.[[3]](#endnote-3) The widespread adoption of the security-development nexus also stands behind this approach.[[4]](#endnote-4) Both of these elements – human security and the security-development nexus – underpin the EU’s Instrument contributing to Stability and Peace (IcSP), which funds the projects discussed above. The IcSP focusses on addressing urgent security and development challenges in third countries in a comprehensive way. However, the emphasis on organised crime upstream derives from the EU Security Strategy (ESS), which considers Europe a prime target for organised crime, listing it as one of the 5 key threats to the EU. The prioritisation of organised crime within the ESS suggests that engagement beyond the EU focused on organised crime is designed to directly contribute to European security.

Self-interest has become even more explicit in the UK’s aid strategy, released in 2015, which positions aid as a tool for achieving national security. The first strategic priority is ‘strengthening global peace, security and governance’. In order to do this, ‘the government will invest more to tackle the causes of instability, insecurity and conflict, and to tackle crime and corruption. This is fundamental to poverty reduction overseas, and will also strengthen our own national security at home’.[[5]](#endnote-5) This approach tangibly emphasises donor security interests over local security interests.

This risks ignoring local domestic problems arising from drug trafficking. The West African Commission on Drugs highlighted in 2014 that drugs were not just in transit, domestic use had also increased.[[6]](#endnote-6) The report was broadly supportive of law enforcement capacity building, but it argued that the emphasis should be on pursuing high level traffickers rather than local users or sellers. International assistance on law enforcement ignores local drug use problems, primarily focusing on drugs destined to Europe. The Mano River region has a significant problem with the cultivation and regional trafficking of cannabis. While the skills and equipment brought by international organisations to respond to cocaine trafficking in this region could also be used to eradicate cannabis, such organisations have worked to ensure cocaine is a priority. The lack of government funding to support institutions like Transnational Organised Crime Units creates a reliance on international funding, undermining the government’s power to set its own priorities. As Ayangafac and Cilliers (2011: 124) have acknowledged ‘rather than focusing on improved security for the population, subsequent assistance provided is focused on bolstering measures and systems geared towards countering threats to Western interests/countries and the international system’.

The focus on donor priorities can also mean that funding and support may be discontinued once the threat ceases to be a priority, or if a different challenge becomes more pressing. In Mali, for instance, responses to cocaine trafficking are centred on Bamako airport. Despite rumours that large quantities are still transiting the North of the country, very little is being done. In part, this is because access to the North is difficult. However, this may also be due to the uneasy peace existing between different conflict actors who share the benefits of drug flows.[[7]](#endnote-7) This suggests that the focus is on containment, a defensive approach that does not seek to overcome problems, but rather aims to ensure problems in fragile and conflict-affected states do not affect donor countries, or international security. In Mali, controlling drug flows has become less of a priority, and the focus is on containing the conflict, which is thought to be more dangerous for international security, particularly given the links to violent extremist groups. The result is an approach that addresses the symptoms rather than the causes of problems in fragile and conflict-affected states. As a result, they will never be resolved, merely managed. Cockayne argues that the focus of these initiatives ‘are not, as a rule, to transform local interdiction capacity, but rather to contain the impacts of criminal activity in that country on the interests of the home jurisdiction’.[[8]](#endnote-8)

Exporting the border to West Africa assumes that the same strategies can be employed there as in European ports of entry. While this may be the case for air and sea ports, there are large stretches of unmonitored coasts and many unsupported airstrips throughout the region. Furthermore, the radar capacity of most airports is limited and does not extend far beyond the immediate surroundings. As a result, the impact of upstream initiatives is necessarily limited. Nevertheless, police involvement in pursuing users and street dealers in many European countries has been deprioritised, as upstream engagement is seen as a more effective investment.

**Not Context Specific**

Capacity building has become a key element of development practice, based on a deep contextual understanding of a community’s needs and existing capacities. Development actors deploy this in varying ways. Despite emerging as a form of people-centred, participatory development, capacity building has also been employed as a top-down process with a one-way transfer of knowledge, where development actors focus on retaining power, described by Eade as a ‘neo-liberal “pull-yourself-up-by-your-bootstraps” kind of economic and political agenda’.[[9]](#endnote-9)

This latter category is applicable to the law enforcement sector, which typically employs capacity building as a top-down, instrumental approach, often to ensure local forces are equipped to respond and address organised crime before it spills over into donor countries. Capacity building then becomes a technical tool to achieve the goals of donors. Local context and knowledge are subordinated to international priorities. As a result, it is stripped of the qualities that underpin it when employed as part of a people-centred approach to development.[[10]](#endnote-10)

Within this framework, many capacity building programmes that focus on organised crime are not context specific. Rather they take a blueprint approach and attempt to replicate strategies in multiple locations. The AIRCOP project mentioned above is just one example – it has established 22 JAITFs across West Africa, Latin America and the Caribbean, where training and mentoring actions support the taskforces. Although, it provides regional specialised training, which engage with the regional context, they fail to engage with the specifics of each country context.

The establishment of taskforces and trainings does provide a base level of capacity that can be used in response to all forms of organised crime. This is evident in the results of the JAITFs. Although created as part of the EU’s Cocaine Route Programme, the JAITF’s seizures have included a far wider range of contraband than just cocaine. Between 2011-2015, the JAITFs seized 1,150kg of cocaine, 781kg of cannabis, 129kg of heroin, 773kg of methamphetamines, 9kg of phenacetine, 579kg of ephedrine, 508kg of khat, 41kg of tramadol, 461kg of ivory, 1,397kg of counterfeit medicines, over 3 million US dollars in cash, and 240,000 counterfeit US dollars. However, JAITFs have not been established across all key entry points. For example, in Nigeria, a JAITF was established at Murtala Muhammed International Airport (MMIA) in Lagos, but not at the airports in Abuja or Kano, which could result in a shift in criminal activity. In part the decision to focus on MMIA in Lagos was in response to other donor activity in Abuja. However, this still leaves a gap in Kano.

In addition to a lack of context specificity, a problem with blueprint strategies is that they don’t necessarily engage with the way organised crime manifests. As noted earlier, many projects in Mali are based in Bamako, even though much criminal activity continues in the North of the country. In these instances, it is unlikely that projects will have the desired effect of disrupting organised crime in a comprehensive way. This indicates that the shift towards law enforcement capacity building, while a step away from hard security responses, remains driven by donor interests and employs the minimum resources required to limit spill over into donor countries. While not as damaging as hard security responses, these strategies continue to have negative side effects.

**Consequences**

*Balloon Effect*

The ‘balloon effect’, where successful law enforcement activity pushes criminal groups into different regions, has been well documented. Indeed, it was the balloon effect that resulted in West Africa growing into a significant transit hub for cocaine trafficking. The West African route for cocaine was attractive for many reasons – its proximity to South America, weak governance and limited capacity to patrol borders and territorial waters. Effective strategies to deal with the flows from South America into North America further contributed to the rising prevalence of this route. Recent reports highlight that this shift has come ‘full circle’, as the route through the Caribbean into North America and Europe has regained its popularity with drug gangs after significant resources have been invested in building the capacity of law enforcement in West Africa.

Rather than shifting into new regions, or transporting their commodities along different routes, criminal groups are now diversifying into other commodities. This is not new. Early narco-traffickers in South America were initially engaged in the trade of numerous illicit goods. The specialisation in cocaine arose because the profits outstripped those of other commodities. A number of recent cases have highlighted the involvement of key organised criminals in several lucrative trades. For example, Feisal Ali Mohamed was arrested by Interpol in Dar es Salaam for dealing and possessing elephant ivory. However, he is also reportedly linked to the Akasha family, well known drug traffickers in the region. This case contributes further to the growing recognition of the overlap between the illegal wildlife trade and the drugs trade across Africa. Organised crime groups are diversifying their interests to minimise risk.

The business like nature of organised crime has long been recognised. For instance, the US bootlegging trade involved a complex business structure to create the product and bring it to market. In 1963, Thorsten Sellin was writing about organised crime as a business enterprise. As business has evolved, becoming more agile and dynamic, so too have organised crime groups. In most cases they have needed to become even more agile and dynamic than legal businesses in order to stay ahead of law enforcement, leading some commentators to ask ‘what business can learn from organised crime’.[[11]](#endnote-11)

As part of this continual shift, organised crime groups are shifting into new commodities and new tactics, away from traditional high risk activities to new areas, which may even encompass legal trades. Organised crime is frequently associated with high value commodities. Drug trafficking, human trafficking, the illegal trade in firearms and the illegal wildlife trade dominate in terms of value. Although estimates vary, UNODC values the drugs trade at $320 billion, human trafficking profits at $32 billion, the firearms trade between $170-320 million and the wildlife trade at $75 million.[[12]](#endnote-12) However, these trades rely on high volume transfers, such as multi-tonne shipments of drugs, which are easier to detect.

Increasingly, organised crime networks are shifting to low volume, high frequency activity. As Edwards and Jeffray point out in their report on the illicit trade in tobacco, alcohol and pharmaceuticals in the UK, ‘organised crime groups have begun to realise that law enforcement agencies find it much more difficult to respond to illicit trade when goods are broken down and transported in smaller consignments’. These strategies have made the illicit trade in tobacco, alcohol and pharmaceuticals particularly lucrative because there is a ‘lower risk of detection, and sanctions for offences are typically less severe’.[[13]](#endnote-13) As a result, involvement in such low volume trades has become a key strategy for minimising the risk associated with criminality.

An important feature in the illicit trade in tobacco, alcohol and pharmaceuticals is the difficulty in distinguishing it from legitimate commodities. In many instances, organised crime networks are merely engaging in tax evasion but with genuine legal products. This does not signify the damage is not serious – between 1994 and 2002 the Montenegrin economy was kept afloat through cigarette smuggling. Once they reach the end market, these goods cannot be separated from those imported officially. Illegal fishing takes a similar approach. Estimated to bring in between $10-23.5 billion from West Africa alone, fish are harvested without appropriate permits, by boats flying flags from states with inadequate regulation, and to fish markets with accreditation acquired by bribing enforcement officers. Once the fish reach market however, they cannot be separated from legally caught fish.

This shift towards licit commodities has raised concerns that organised crime networks will ‘attempt to infiltrate industries depending on natural resources to act as brokers or agents in the trade’.[[14]](#endnote-14) Water is one such resource that is increasingly scarce which organised crime networks are likely to steal or siphon. This is already beginning to occur in developing countries where water scarcity is a reality. In Kenyan slums, criminals have been behind the disconnection of water pipes to collect and sell water. In one of the largest slums there are approximately 75 incidents of water theft reported each day.[[15]](#endnote-15) Although this is currently opportunistic, it is likely to become increasingly organised and controlled. In 2008, rebel factions in Sudan stole drilling equipment that had been provided to the State Water Corporation by UNICEF.[[16]](#endnote-16) This equipment, which was smuggled into Chad, provided criminal networks with the means to siphon water to sell on for a high price.

All of these commodities point to a shift away from traditional high value commodities towards those that are less detectable. As they are not recognised criminal commodities, they also tend to have less severe penalties for those caught. As such, they represent a strategy to minimise the risk that criminal groups are exposed to – a different manifestation of the balloon effect.

When high value commodities are too lucrative for organised crime networks to ignore, the groups seek to distance themselves from the actual transaction. Once again, this is not new. For decades, the higher levels of drug trafficking organisations have been far removed from the ground level production and distribution of drugs, making them difficult to target in law enforcement operations. Mules are employed to move drugs, but if they are arrested, there is no direct link between them and the organised crime network that employed them.

Organised crime remains two steps ahead of responses. Criminals need to constantly adapt or risk being caught or overtaken by other groups. Innovation can be seen particularly clearly in the area of drug trafficking. Routes have shifted, with West Africa becoming a key transit region for cocaine in the early 2000s because of the increased attention of law enforcement in the Caribbean. Now routes have shifted again, extending across to East Africa and up to the Balkans. Similarly, heroin routes have also shifted into East Africa and across the Sahel rather than through the Balkans.

Methods of trafficking have also changed. Initially light aircraft and yachts were used to move cocaine across the Atlantic. This has also shifted to the low volume, high frequency model discussed above. Organised crime networks are increasingly using mules to move drugs via air, and strategies such as rip on/ rip off to facilitate maritime transportation. Both of these methods rely on a much larger network. To ensure trafficking remains profitable, enough mules have to be on each plane to offset the number that will be caught and arrested, ensuring that many still get past customs. Rip-on/ rip-off refers to the process where drugs are inserted into containers once they have passed customs, and removed at destination or in transit before they are checked. These strategies allow drug trafficking organisations to displace risk to the lower levels of the network. These practices indicate that rather than eradicating organised crime, law enforcement activity merely pushes it in different directions – whether into new commodities or new trafficking methods.

*Avoids Structural Transformation*

Displacement arises because law enforcement responses do not seek to achieve structural transformation of criminality, or the conditions that foster it. This particularly relevant in West Africa, where organised crime is often defined as merely another form of business activity. The routes across the Sahel, for example, are longstanding trading routes. Those that ply the routes see nothing new in their current use for transporting cigarettes, drugs, arms and people.

Some commodities are viewed disapprovingly. For example, in Mali drug trafficking is considered haram (forbidden), but many now consider it necessary for survival. Anderson points out that the distinction between acceptable and unacceptable trading in Mali is more a function of the manner in which it is effected – ‘smuggling can be haram or halal depending on the way it is carried out – the degree to which it is connected to the communities through which it passes is more important in judging its morality than the goods themselves’.[[17]](#endnote-17) When drug traffickers invest profits into communities, its immorality fades. Similarly, when Ghanaian MP Eric Amoateng was returned to Accra in 2014 after being arrested in the US for heroin importation, he was welcomed by family, friends and political supporters, as drug money is seen to bring many benefits to communities.

In numerous West African littoral states, commodities that exploit local resources, such as timber, diamonds and other minerals, are viewed negatively. In contrast, cocaine, which is primarily transiting the region, is viewed as a lucrative business opportunity. When organised crime offers a survival strategy, or economic opportunities that are not available elsewhere, a reactive response that engages with criminality *post facto* through arrests and seizures does little to deter criminal groups.

As Shortland noted in relation to Somalian piracy, more focus is required on the structural factors that make a country or region conducive to organised crime. Similarly, Felbab-Brown calls for a multifaceted approach that addresses ‘all the complex reasons that populations turn to illegality, including law enforcement deficiencies and physical insecurity, poor rule of law, suppression of human rights, economic poverty and social marginalisation’.[[18]](#endnote-18) A security response, even one that prioritises law enforcement capacity building, cannot be effective in isolation.

*Ignores Corruption*

Perhaps the most dangerous consequence of a law enforcement response is the inadequate attention it gives to the role of corruption. Many West Africa states that are host to drug trafficking are weak, with inadequate oversight mechanisms. This makes them a target for drug trafficking. However, it creates additional challenges for donors investing in capacity building. In Ghana, for instance, many donors are funding capacity building, including the EU, UK, US and others. However, law enforcement in Ghana is quite effective. The Narcotics Control Board (NACOB) in particular is well-trained, with skilled officers that take pride in their work. However, the efficacy of their efforts is squandered by corruption higher up the chain. In late 2015, a two year undercover investigation into judicial corruption was completed by a journalist, culminating in the release of a film that recorded many judges taking bribes. Despite an injunction to prevent screening of the film, an investigation into the allegations resulted in the suspension of 12 High Court and 22 lower court judges.[[19]](#endnote-19) While this is a step in the right direction, it highlights the endemic nature of corruption in the country and the barriers to effective law enforcement activity.

Corruption is not limited to the elite level. At the airport in Accra, Ghana, the JAITF must monitor airport employees. In one case, 140,000 US dollars were discovered in a floor cleaner carried through the airport by the cleaning staff.[[20]](#endnote-20) Within the context of Ghana it is assumed that law enforcement themselves are not corrupt, but are working within a corrupt system. There are many examples where law enforcement is part of the problem, which further undermines capacity building. A DfID programme in Jamaica trained police and provided vehicles and other equipment. It was later discovered that police were accountable to criminal groups and used the skills and equipment to further these aims.[[21]](#endnote-21) In these instances, developing the skills of police, gendarmerie, customs and other agencies merely creates better criminals.

**Conclusion**

As outlined in the introduction to this volume, responses to organised crime can be viewed along a spectrum. Now that many actors have become involved in combatting organised crime, responses range from hard-edged military focused initiatives, to softer, development-focused activities. Law enforcement approaches fit somewhere in the middle. In some instances, such as those outlined by Erickson, law enforcement becomes a paramilitary force very similar to military approaches. In other instances, particularly when implemented by development actors, law enforcement initiatives take on a different aura. They include civil oversight bodies, there is a focus on partnerships, local ownership and building capacity to ensure local forces can set their own agenda.

Yet these strategies are still closely aligned with military strategies that seek to pursue criminals through direct operations and then withdraw. The focus of law enforcement strategies is rarely on creating useful institutions that meet local needs – although in some cases this may be a valuable side effect. Instead the focus remains on implementing the minimum resources required to stop crime spilling over to donor countries. Donors rarely engage with the local context, implementing blueprint strategies in beneficiary countries. However, as soon as organised crime is no longer a priority, or other concerns supersede it, activities will stop. Given the challenges posed by recent terrorist attacks in Belgium and France in 2015 and 2016, many Francophone police trainers were recalled from West Africa to their home countries. For strategies implemented by the US such a retreats can be even more dangerous. In many countries, US authorities have created vetted units that receive a salary uplift. When this is discontinued, there is a risk that officers will engage in corrupt practices in order to maintain their salary.

Clearly the blame cannot be said to lie entirely with donors. Many beneficiary governments refuse to invest in structures created to address organised crime, such as inter-agency units, where there are only local concerns such as illegal, unregulated and unreported fishing or the cannabis trade, regardless of how destructive this may be to the local population and infrastructure. This affects the sustainability of these institutions as much, if not more so, than donor fatigue, as capacities are developed and then lost. However, recognising the risk that this may happen only highlights the importance of transformational strategies that engage with the factors that make a country conducive to organised crime.

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7. Interview (2016), Bamako. [↑](#endnote-ref-7)
8. J. Cockayne (2011), ‘State Fragility, Organised Crime and Peacebuilding: Towards a More Strategic Approach’, *NOREF*. [↑](#endnote-ref-8)
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