

RETHINKING DRUG  
POLICY FROM A  
PEACEBUILDING  
PERSPECTIVE

Studies from  
Afghanistan,  
Colombia–Peru  
and Nigeria

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# RETHINKING DRUG POLICY FROM A PEACEBUILDING PERSPECTIVE

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Colombia–Peru and Nigeria

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## Abbreviations

<b>AIHRC</b>	Afghanistan Independent Human Rights Commission
<b>BACRIM</b>	<i>bandas criminales</i> (criminal gangs)
<b>CARD-F</b>	Comprehensive Agriculture and Rural Development Facility
<b>ECOWAS</b>	Economic Community of West African States
<b>ELN</b>	<i>Ejército de Liberación Nacional</i> (National Liberation Army)
<b>FARC</b>	<i>Fuerzas Armadas Revolucionarias de Colombia</i> (Revolutionary Armed Forces of Colombia)
<b>FGD</b>	Focus group discussion
<b>ISAF</b>	International Security Assistance Force
<b>KII</b>	Key informant interview
<b>MAIL</b>	Ministry of Agriculture, Irrigation and Livestock
<b>MCN</b>	Ministry of Counter Narcotics
<b>MRRD</b>	Ministry of Rural Rehabilitation and Development
<b>NDCS</b>	National Drug Control Strategy
<b>NDLEA</b>	National Drug and Law Enforcement Agency
<b>UNODC</b>	United Nations Office of Drugs and Crime
<b>VRAEM</b>	<i>Valle de los Ríos Apurímac, Ene y Mantaro</i> (Valley of the Apurímac, Ene and Mantaro Rivers)
<b>WACD</b>	West Africa Commission on Drugs

## Executive summary

With support from the Global Drug Policy Program of the Foundation for an Open Society, which aims at shifting the paradigm away from a punitive approach to international drug policy to one that is rooted in public health, development and human rights, International Alert carried out research to unpack the nexus between conflict, drugs, crime and violence in three crucial contexts: Afghanistan, the border between Colombia and Peru, and Nigeria. Building on the political momentum in each country, this research aimed at clarifying the role that drug production and trafficking play in the political economy of the three contexts and at understanding whether a peacebuilding approach could bring new avenues and ideas to the conversation.

The research explored the various expressions of drug trafficking in the aforementioned contexts, and highlighted how all four countries share similar political, social and economic grievances that are – to various degrees – associated with drug trafficking, both in terms of what determines the reasons for entering the production and becoming associated with the trade, and how this impacts on individuals, governance and security.

An important distinction can be drawn between producing and transiting countries in terms of the economic opportunities that the drug trade offers. In producing countries (Afghanistan and Colombia/Peru), the livelihood of communities continues to depend heavily on the illicit crops, which are part of a much larger chain of local ‘fixers’ and national and international traffickers, many of which are linked to criminal or illegal armed groups. Conversely, in countries such as Nigeria, which is mostly a transit country (even though the production of methamphetamine is on the rise), the narcotics trade strengthens the economic position of already powerful individuals, reinforcing their influence over the state.

In terms of similarities, in all three contexts the trade tends not to employ violence, unless the trade itself is in danger, as violence is not conducive to the business and attracts attention, preventing the business from running smoothly. In fact, this research elucidated that communities even strike ‘deals’ with drug traffickers so that ‘peace’ is maintained and violence is exerted elsewhere. This is not to say that drugs and violence are not connected, but rather that the connection between them is more nuanced than one may think. In fact, the drug trade provides the economic incentives required by certain groups – whether non-state armed groups or ‘gangs’ – to exist and exert control and power over portions of the state territory, affecting government provision of security and increasing the risk of violent conflict by preventing the establishment of the rule of law.

Moreover, corruption was found to be one of the main factors sustaining drug trafficking and allowing it to thrive. In all three countries, illicit profits continue to be instrumental in fostering corruption at central and local levels, and permeating electoral systems, with distressing effects on government performance, transparency and accountability, which can consequently fuel social tensions and conflicts, both nationally and locally.

Finally, the three contexts share a history of ineffective law enforcement measures that have failed to take action against the rich and influential individuals behind the trade who can afford to acquire protection, concentrating disproportionately on the ‘small fishes’ like small-scale farmers, dealers and users. This has contributed to further marginalise already vulnerable groups, leaving the networks intact and business able to flourish.

The findings of this research point in the direction of a shift towards community-based and locally owned solutions, as well as towards more holistic approaches that fully understand the connections between poor government performance, corruption and drug trafficking, and the impact that existing policies have on those more vulnerable. In this context, it is therefore essential that all actors, national and international, place this subject at the heart of political agendas in order to maximise the potential influence that improved drug policy reforms could exert on the construction of lasting peace in all three contexts, and possibly beyond.

# 1. Introduction

Beyond its violent manifestations, the deeper pernicious effects of narco-trafficking on governance and fragility are receiving more and more attention from policy-makers and researchers, as solutions are being sought that promote long-term peace and stability locally and globally. Global policy leaders agree that more strategic and coordinated efforts are required to complement and broaden mainstream law-enforcement initiatives in order to tackle the nexus between organised crime, conflict and fragility comprehensively. Different analyses highlight characteristics of fragile states that render them susceptible to takeover, partnership or exploitation by organised crime groups, such as high levels of unemployment and inequality, ineffective service delivery, human rights abuses, weak security forces, corruption and social fragmentation.

The mainstream response to the nexus between drugs, crime and violence to date can be characterised as hard security responses at one extreme, and small-scale, community-based responses at the other. Despite such efforts, drug trafficking has managed to adapt and survive by what the Andean-U.S. Dialogue Forum has referred to as “a growing symbiosis between the state and organized crime [that] spreads insecurity and weakens democratic institutions”,<sup>1</sup> feeding off some of the structural causes of conflicts and underdevelopment in the region such as weak governance and weak state presence. This analysis is not unique to Colombia and the Andean region – in places equally affected by drug trafficking such as Afghanistan and to a lesser extent Nigeria, criminal drug trafficking networks have permeated political institutions and governance structures, enabling the problem to persist, and posing considerable threats to the peace and stability of the respective countries and regions.

Grassroots, community-based interventions have emerged across affected contexts, but they are often concerned with mitigating immediate effects or seeking to provide alternative livelihoods to at-risk groups on a small scale. They are often not linked to more structural and transformative – or ‘upstream’ – objectives designed to support longer-term peace and stability. To bridge this gap, in 2014, International Alert produced a major policy report, *Crime and conflict: The new challenge for peacebuilding*,<sup>2</sup> offering new approaches to address this disjuncture between local and large-scale interventions. The analysis, which draws on the organisation’s long history of working on the political economy of violence and shadow economies, recommends an approach through which conflict analysis, dialogue, civic activism and empowerment lie at the core of a more transformative policy towards the organised drug trade.

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1 S. Ramírez and C. Youngers, *Drug policy in the Andes: Seeking humane and effective alternatives*, Lima and Atlanta: International Institute for Democracy and Electoral Assistance and Carter Center, 2011, p.13, <https://www.cartercenter.org/resources/pdfs/peace/americas/dialogue-forum/book-drug-policy-in-the-andes.pdf>

2 J. Banfield, *Crime and conflict: The new challenge for peacebuilding*, London: International Alert, 2014, [http://www.international-alert.org/sites/default/files/CVI\\_CrimeConflict\\_EN\\_2014\\_0.pdf](http://www.international-alert.org/sites/default/files/CVI_CrimeConflict_EN_2014_0.pdf)

## 2. Methodology

To ensure coherence throughout the report, the research methodology was defined in London with inputs from the three contexts. Underlying each of the country chapters is a conflict analysis to better understand the root causes of the drug trafficking problem, as well as the impacts of the policies put in place to counter it. Such an analysis brought to light the different grievances from those negatively impacted at the local level and proposes ways forward through which a different approach could take shape.

The research was qualitative in nature and evidence was gathered through key informant interviews (KIIs). Research in each context targeted a range of different stakeholders, from national and local government authorities to civil society, including ethnic groups and individual citizens.

Researchers carried out 23 interviews in Afghanistan (Helmand and Kabul), 15 in Colombia (Leticia and Puerto Nariño), 38 in Peru (Caballococha, Bellavista, Santa Rosa, Cuchillo Cocha, Chimbote and Iquitos), and 23 in Nigeria (Abuja, Lagos, and Bayelsa and Delta states).

Due to the sensitive nature of the research, the methodology had to strike a balance between the needs of the research and the safety of the researchers, imposing some caution in interpreting the results. The objectivity of the information presented is inevitably nuanced and filtered by the interpretations of the editors, who took great care not to exaggerate the scope of the statements made and avoid undue generalisation. The findings thus represent the best approximation based on the data available and the highest standards of research ethics. Moreover, as different consultants carried out the research in the three contexts and in three different languages, the style of the report will inevitably differ from section to section.

## 3. Afghanistan

### 3.1 Introduction

Opium production plays an important, multifunctional role in rural livelihoods, with specific consequences for any given geographic area and socio-economic group in Afghanistan.

With some exceptions, ill-sequenced and poorly targeted counter-narcotic policies in Afghanistan since the 2000s have mostly had counterproductive effects on development, counter-insurgency and stabilisation, and rule-of-law efforts. Most of these efforts aimed at combating cultivation and trafficking through eradication and interdiction, while providing farmers with alternative livelihoods. These efforts have mostly had severe consequences for rural populations in cases where there was no state-controlled support for alternative economic opportunities. In some cases, the programmes ended up providing additional incentives for production while altering market prices/concentration and providing opportunities for further Taliban mobilisation.

International actors over the years have failed to understand this issue as part and consequence of the wider development, security and governance processes. Until 2003, US counter-narcotics policy in Afghanistan was essentially *laissez-faire* because the US military understood that it would not be able to obtain intelligence on the Taliban and al-Qaeda if it tried to eradicate poppy cultivation. Under a concept of ‘lead nations’ for the international assistance mission in Afghanistan, with a specific country being responsible for reconstruction in a specific sector, the United Kingdom was tasked in 2002 with counter-narcotics.

Sensitive to the political problems associated with eliminating the rural population’s livelihoods, the UK at first deployed a compensated eradication programme. However, from the outset, the policy was plagued by numerous problems, including corruption and moral hazard, and thus it was aborted in less than a year. By 2004, increased interdiction was undertaken instead with the goal of targeting large traffickers and processing laboratories. These efforts were very quickly manipulated by local Afghan strongmen to eliminate drug competition and ethnic, tribal and other political rivals. Instead of targeting the top echelons of the drug economy, many of whom had considerable political clout, interdiction operations were largely conducted against small vulnerable traders who could neither sufficiently bribe nor adequately intimidate the interdiction teams and their supervisors within the Afghanistan government. The result was a significant vertical integration of the drug industry in the country.

The other – again undesirable – effect of how interdiction was carried out was that it allowed the Taliban to reintegrate itself into the Afghan drug trade. Having regrouped in Pakistan, the Taliban was once again needed to provide protection to traffickers targeted by interdiction. Between 2004 and 2005, a physical eradication policy was taken up by the US through central Afghan units trained by DynCorp,<sup>3</sup> as well as by regional governors and their forces. However, alternative livelihoods programmes never materialised for many, and alienated farmers joined or sought support from the Taliban. In addition, farmers who moved to Pakistan as refugees also ended up joining the Taliban.

The Nangarhar local governor’s counter-narcotic efforts between 2008 and 2013 have been praised for eliminating opium cultivation and maintaining a ‘poppy-free’ status every year. However, the success was limited to only the areas close to provincial capitals where alternative

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3 A US private military contractor

livelihood options were available. Districts away from the provincial capital suffered immense economic deprivation and became highly unstable.<sup>4</sup>

Recognising the counterproductive effects of eradication, the Obama administration defunded the centrally led eradication programmes in 2009. The focus of the policy then was primarily interdiction of Taliban-linked drug traffickers. However, it did not prove very successful and the operationalisation of the strategy was largely misguided.<sup>5</sup> Not only did the focus on interdiction on Taliban-linked traffickers make the Taliban's operations in southern Afghanistan more difficult, it also had impacts on the economic wellbeing of households that were targeted during the interdiction and raids. The counterproductive effects on stability and the counter-insurgency campaign thus mimicked those of eradication: intense alienation of the affected population from the government and the International Security Assistance Force (ISAF), and susceptibility to Taliban mobilisation. Meanwhile, the opium poppy economy frequently shifted to areas that were less intensely patrolled by the ISAF and the government.

Economic development efforts by the international community in Afghanistan, including alternative livelihoods efforts, have been plagued by a vacillation between two competing understandings of the purpose of economic development projects: to buy off the population and wean it off from the insurgents versus producing long-term sustainable development. The programmes did not address the structural deficiencies of the rural economy in Afghanistan, including the drivers of poppy cultivation. Furthermore, because of the complexity and opacity of Afghanistan's political, economic and contracting scene, many of these international programmes flowed to problematic, discriminatory and corrupt powerbrokers, generating further resentment among the population and intensifying Afghanistan's rampant corruption and lack of accountability. At other times, they have spurred new tribal rivalries and community tensions. Any demand-reduction policies in Afghanistan have also been unsuccessful in the wake of an inadequate and poorly capacitated health system.

This chapter aims to apply a peacebuilding perspective to support the crafting of responses to the issue of drug cultivation and trafficking that are sensitive to the conflict and the socio-economic dynamics of the country.

### 3.2 Governmental efforts to combat the drug trade

With support from the international community, Afghanistan's Ministry of Interior has established the Counter Narcotics Police of Afghanistan, with a focus on investigation, intelligence and interdiction. Afghanistan's own National Drug Action Plan for 2015–2019 is specifically targeting three key areas:<sup>6</sup>

1. *Decrease the cultivation of opium poppy* by strengthening and diversifying licit alternatives to poppy cultivation for farmers, labourers and rural communities, and by increasing targeted eradication to levels that – when combined with law enforcement efforts – will significantly deter future poppy cultivation.
2. *Decrease the production and trafficking of opiates* by improving the government's capacity to disrupt and dismantle drug production and trafficking organisations; improve enforcement of anti-money laundering laws and increase the seizure and forfeiture of proceeds and

4 V. Felbab-Brown, *Counternarcotics policy in Afghanistan: A good strategy poorly implemented*, Afghanistan trip report VI, Brookings, 10 May 2012, <https://www.brookings.edu/opinions/afghanistan-trip-report-vi-counternarcotics-policy-in-afghanistan-a-good-strategy-poorly-implemented/>

5 *Ibid.*

6 Islamic Republic of Afghanistan Ministry of Counter Narcotics, *Afghan national drug action plan 2015–2019*, Kabul: Republic of Afghanistan, <http://polis.osce.org/library/t/4838/4326/GOV-AFG-RPT-4838-EN-4326.pdf>

instrumentalities related to the drug trade; and increase regional and international cooperation on counter-narcotics, particularly in the areas of law enforcement and criminal justice.

3. *Reduce the demand for illicit drugs in Afghanistan and increase the provision of treatment for users* by expanding the reach and increasing the sustainability of a nationwide continuum of care for the treatment of drug use; increase drug use prevention programmes across a range of institutions, including schools, mosques, the workplace and media; and increase communication campaigns to reduce drug use and warn of the negative consequences of planting opium poppy.

### 3.3 Opium poppy cultivation for livelihood

Both our research and previous reports show that opium poppy cultivation is not caused by but is rather one of the results, as well as a contributory cause, of state failure.<sup>7</sup> Not surprisingly, our research showed that there are mainly economic reasons behind the cultivation of opium poppy. Over the years, one of the strategies introduced by the international community has been to tackle the problem by introducing alternative livelihoods. A number of initiatives introduced over the years in this regard have had varying degrees of success.

One example is the Comprehensive Agriculture and Rural Development Facility (CARD-F), a joint entity established under the auspices of the agriculture and rural development cluster ministries in 2009. The facility aims at increasing employment, income and business opportunities primarily targeting rural masses through the design, facilitation and implementation of commercially viable value chains supplemented with rural infrastructure projects in the target provinces of Afghanistan. The key objective is to provide needs-based services and support to create and sustain licit businesses in rural communities by providing alternative livelihood opportunities and reducing poppy cultivation.<sup>8</sup> As part of this initiative, provinces that become poppy-free are granted US\$1 million under the Good Performance Initiative.<sup>9</sup> With this fund, the governor or his local districts could suggest the implementation of either a development or an agricultural project.<sup>10</sup> Stakeholders suggest that CARD-F has been particularly successful in promoting the cultivation of fruit and vegetables such as cucumbers, tomatoes and grapes, as well as saffron and cotton.<sup>11</sup> For example, the cultivation of saffron in the western province of Herat has yielded successful results and the province is now poppy-free. In the eastern provinces of Nangarhar and Kunar, the cultivation of roses has also been positive. Similarly in the northern parts of the country, irrigation projects have boosted production of alternative crops.

While having the potential to decrease poppy cultivation by around 20%, some policies yielded only partial success because of the limited income-generating capacity of the alternative livelihood options in comparison to poppy cultivation.<sup>12</sup> Poppy can be cultivated three times a year, while alternatives such as wheat only once.<sup>13</sup> Because of varying soil and climatic conditions, the same alternative cannot be applied to all regions or provinces. For example, growing mint has yielded successful results for farmers in Nangarhar but not in Kunduz. In addition, as some types of

7 W.A. Byrd and D. Mansfield, Licensing Afghan opium for medicinal use: Why it won't work, Peace Brief 179, United States Institute of Peace, September 2014, <http://www.usip.org/publications/licensing-afghan-opium-medicinal-use/>

8 Introduction to CARD-F, CARD-F, <http://www.cardf.gov.af/>, accessed June 2016

9 The Good Performance Initiative is an International Narcotics and Law Enforcement Affairs-funded programme, implemented by the Ministry of Counter Narcotics (MCN) in Afghanistan. The programme, which was initiated in 2007 by President's Order No. 99, seeks to incentivise provincial governors' counter-narcotic and supply-reduction activities, and support sustainable, community-led development projects in the provinces that have reduced or eliminated poppy cultivation. See Good Performance Initiative, Ministry of Counter Narcotics, Islamic Republic of Afghanistan, <http://mcn.gov.af/en/page/5138/6260>, accessed June 2016

10 KII with an MCN director, Kabul, 2016

11 KII with a representative from the Ministry of Rural Rehabilitation and Development (MRRD), Kabul, 2016

12 KII with a representative from the United Nations Office of Drugs and Crime (UNODC), Kabul, 2016

13 KIIs with a community leader and farmer, Helmand, 2016

alternative livelihoods do work in the long run but require perseverance,<sup>14</sup> these crops have not had much traction with farmers and have proven to be poorer alternatives. Thus, equating alternative livelihoods with crop substitution should be avoided.<sup>15</sup>

Moreover, the budget allocated to alternative livelihood measures to date has been relatively scanty. As per some estimates, annual income from drugs is approximately US\$70 billion.<sup>16</sup> However, only US\$8 billion has been spent on alternative livelihoods in recent years and most of this money never reached the farmers.<sup>17</sup> As an emergency measure in Nangarhar and Helmand, cash was distributed to farmers in return for refraining from cultivation. However, this opened the door to corruption, as surveyors were easily bribed and coerced by the warlords to report that plots of land were three to four times larger than their actual size.

### 3.4 The case of eradication

There are two categories of farmers involved in opium poppy cultivation in Afghanistan. The first category includes farmers who own small holdings or no land; farmers who have no land, rent it or work for wages during harvesting to provide for their families' basic needs; and farmers who own small to medium-sized parcels to cultivate both halal (lawful) and haram (unlawful) plants.<sup>18</sup> For example, in Helmand, wheat, cotton, corn, vegetables, sesame and basil flowers are considered as halal crops and are exported to India.<sup>19</sup> The farmers cultivating both types of crops state that they cultivate opium or haram crops because they are able to earn a higher income, which helps fulfil their basic needs. The choice/option for cultivating haram and halal is also dependent on the type of soil. Opium poppy is sensitive and delicate and therefore needs to be cultivated on fertile land, while halal crops are likely to be cultivated on land of lower quality.

During the Taliban regime from 2001 to 2002, a ban was enacted on opium production, declaring its cultivation as un-Islamic. However, the Taliban has now adopted a softer policy towards opium and allows farmers to cultivate it and to receive *zakat* (obligatory charity) from its sale, as they argue that opium is only used by foreigners and not by Afghans.<sup>20</sup>

The second category of farmers comprises those who have taken control of large pieces of land and cultivate opium for profit purposes. In Helmand, approximately 70% of the land that is used for opium poppy cultivation has been usurped.<sup>21</sup> The land is usually owned by government and exploited by local drug mafias thought to have links with both international networks and the Taliban. In return for the Taliban's support and to operate in Taliban-controlled areas, the drug mafias provide it with vehicles and financial resources.<sup>22</sup>

It has been suggested that past and current policies do not make any distinction between the different categories of farmers when cultivation is eradicated. As elucidated during our research, the two categories of farmers have very different responses towards these interventions. Those who cultivate poppies to fulfil their basic needs will respond by using religion and morals, while the second category will resort to violence to defend their cultivation. During the research, experts also speculated that it is more likely for the first category of farmers to respond favourably to

14 KII with a representative from the MRRD, Kabul, 2016

15 KII with a representative from the Ministry of Agriculture, Irrigation and Livestock (MAIL), Kabul, 2016

16 KII with an MCN director, Kabul, 2016

17 Ibid.

18 "'Haram' is an Arabic term that defines anything that is prohibited according to the Islamic law. Every deed or act that violates Allah's rules is a sin." In contrast, "'halal' means permitted or lawful in Islam, it describes anything that is permitted to use or engage in". See: Halalgoogling Blog, <http://blog.halalgoogling.com/what-is-haram-and-halal/>, accessed June 2016

19 KII with a community leader and farmer, Helmand, 2016

20 Ibid.

21 KII with community leader and farmer, Helmand, 2016

22 Ibid.

alternative livelihood and eradication measures. In contrast, the second category is unlikely to be convinced to change their practices because of the high profits and interests at stake.

Discussions with stakeholders show that criminal networks, insurgents and the drug economy are feeding into each other and have clear links with the Taliban insurgency.<sup>23</sup> As the Taliban expands its geographical control, it further provides safe routes for the traffickers to operate on. Furthermore, the Taliban also gets *oshar* of every crop including opium poppies in its areas of influence.<sup>24</sup> However, it remains unclear whether links exist only between the Taliban and local drug traffickers or if the Taliban also directly engages with the international network.

As part of its eradication efforts, the Afghanistan government's National Security Council has been engaging with provincial authorities, with limited success. The provincial authorities tend to target small and marginalised farmers, while failing to take action against the rich and influential who have political ties and are able to bribe them.<sup>25</sup> Realising that they can also avoid action against their cultivations through bribes, poor farmers collectively raise funds and pay off eradication campaigners.<sup>26</sup>

To date, there have been only three cases of poppy-free provinces and only once could this have been claimed for the whole country. The first case was during the Taliban regime in 2000 when a ban on opium cultivation reduced its rate by 97% in the entire country. As a consequence, many families who lost their earnings migrated to Pakistan.<sup>27</sup> The second case was in Nangarhar in 2003–2004, when the cultivation of opium poppy dropped by 96% in the entire province.<sup>28</sup> Because people had to resort to their savings and gradually incurred debt, this prompted the return to cultivation in the following season. Furthermore, locals turned towards insurgents for protection and support, with some even joining the insurgents groups. The third case was in Balkh where poppy cultivation was almost completely eradicated in 2006–2007.<sup>29</sup>

Recently, Herat has been declared an opium-poppy-free province,<sup>30</sup> as the cultivation reduced significantly due to the existence of intensive economic development programmes. This case may prove that it is possible to substitute crops if alternatives provide adequate livelihood and subsistence.

The methods of eradication have also been a source of concern to people. Manual eradication<sup>31</sup> or the use of tractors and blades<sup>32</sup> were close to being substituted by the use of chemical eradication. Locals showed opposition as they felt this measure could kill livestock and be harmful to them.<sup>33</sup> This scenario could have provided the Taliban with an opportunity to harness support from local communities and for this reason it was never attempted. Confronted with eradication, farmers are left with limited opportunities: to resort to cultivation of low-value crops that would hardly sustain their lives; to cultivate high-value crops; and emigration, which for most farmers is not affordable. As the last and potentially most attractive option remains to join the insurgency, the Taliban has actually been strengthened by an increase in recruitment among poor farmers.<sup>34</sup>

23 Ibid.

24 *Oshar* means giving away the 10th part of the crop to the poor, which is obligatory for Muslims.

25 KII with an MCN director, Kabul, 2016

26 KII with a community leader and farmer, Helmand, 2016

27 W.A. Byrd and D. Mansfield, 2014, Op. cit.

28 KII with a community leader and farmer, Helmand, 2016

29 Ibid.

30 KII with a representative from the UNODC, Kabul, 2016

31 KII with a representative from the Ministry of Interior, Kabul, 2016

32 KII with an expert from the MAIL, Kabul, 2016

33 W.A. Byrd and D. Mansfield, 2014, Op. cit.

34 KII with a representative from the MCN, Kabul, 2016

The Counter Narcotics Trust Fund, set up in 2005, aimed at mobilising additional resources and channelling these through governmental institutions to support the efforts of the government in fighting illicit drug production. The programme was to ring-fence donor assistance and support individual projects related to the pillars of the National Drug Control Strategy (NDCS) and the 2005 Counter Narcotics Implementation Plan. The fund was to support counter-narcotics-related projects and activities outlined in the eight pillars of the NDCS, which included: (1) alternative livelihoods, (2) building institutions, (3) information campaigns, (4) drug law enforcement, (5) criminal justice, (6) eradication, (7) drug demand reduction and treatment of drug addicts, and (8) regional cooperation. One of the focuses of the fund was to speed up the legal process against drug traffickers, which proved to be a vast and difficult endeavour considering the large amount of people involved. Moreover, drug trafficking is controlled by international mafia, which works across Afghanistan to Pakistan, Iran, Turkey, Europe, Central Asian countries and Russia. In the country, the contractors of these international networks comprise a wide range of stakeholders from Taliban members to corrupt governmental officials, and currently enjoy the support of local religious leaders (who have in the past labelled the trade as un-Islamic) as they now receive *zakat* money from the trade.

### 3.5 Corruption in opium poppy cultivation

Poor state–citizen relations and trust deficit seem to be at the heart of the failure of eradication policies. The widespread perception is that those who are enforcing them are themselves involved in the cultivation, and those who have links with the government can offer bribes and are unlikely to be affected.<sup>35</sup> Reports of rampant corruption among government officials further weaken the government’s legitimacy to implement any eradication programme. For example, as reported by respondents, in one of the districts of Farah, the farmers have been shown official documents where government officials allowed cultivation to continue in exchange for benefits or other advantages.<sup>36</sup> Finally, an increase in support for insurgency appears to be established during the harvesting seasons, as insurgents are seen as providing protection against eradication interventions of the government.

### 3.6 Conflict, peace and drugs

While the illicit drug economy in the country exacerbates corruption, undermines public institutions (in particular the security and justice sectors) and contributes to drug use, it is also a vital source of economic security for local populations. The Taliban and other military entrepreneurs have been successful in generating political capital and revenue by ensuring protection and taxation of poppy farmers and traffickers, as well as by providing security from government authorities and eradication efforts. As a result, the local populations have been alienated from local/national government, providing a stronger support base for the Taliban.

The consolidation and expansion of the drug economy followed the Taliban takeover of Afghanistan in the late 1990s, which gained a lot of support in an environment of high levels of corruption, lawlessness and criminality. The opium ban enforced by the Taliban in 2000–2001 had profound impacts on opium supply, but also resulted in severe humanitarian consequences for local farmers. Competing accounts exist as to the reasons behind the ban: that it was an attempt to gain international recognition, a way to increase prices or finally simply for religious convictions. While the Taliban was reconstituting itself in Pakistan after the US-led invasion of Afghanistan in 2001, the network kept profiting from the illicit economy and benefited from the economic refugees that entered Pakistan, creating new opportunities for Taliban mobilisation.

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<sup>35</sup> W.A. Byrd and D. Mansfield, 2014, *Op. cit.*

<sup>36</sup> KII with a peace training and research organisation, Kabul, 2016

The competition by regional warlords and Taliban factions over resources, drug trafficking routes and supporters particularly in the north has frequently led to armed clashes. The poppy economy generates local criminality and intensifies conflicts among criminal groups and powerbrokers. The withdrawal of NATO-led international security assistance forces has further opened up space for expansion of the illicit drug trade. As a result, there have been greater contests between local politico-military actors that appear to be using the drug trade for their own gain or as weapons against political opponents.

The opium economy, through its sheer size, over the years has infiltrated the Afghan economy, state, society and politics with severe consequences for security and the stability of the state. Furthermore, government officials at national and local levels are known to reach agreements with local armed groups to allow them to extract rent from the drug trade in return for not challenging the state. While drug trafficking networks seek to distract/disrupt the Afghanistan government, a total collapse of the regime from a large-scale conflict would hinder cultivation, processing and transportation of poppies and opiates.

Experts believe that opium poppy cultivation is more prevalent in areas that are unstable and suggest that international organised networks<sup>37</sup> have chosen Afghanistan as their safe haven because of this instability, which allows the cultivation, processing and traffic of opium.<sup>38</sup>

During the interviews, it was suggested that the level of insurgency appears to be increasing coincidentally with ban attempts.<sup>39</sup> For example, in Nangarhar when bans were implemented in 2008 and 2013, the remote district of the province experienced a resurgence of instability as farmers lost their sources of income. Similarly, Helmand, which produces 60% of the opium in Afghanistan, experienced high levels of insurgency.<sup>40</sup> The relationship between ban and instability is said to lie in the fact that ban interventions do not distinguish between cultivation for subsistence and one that benefits international networks.<sup>41</sup> In addition, ban policies are perceived as being against the economic and social rights and interests of the local communities and peace. This research confirms that the only available alternative in the remote areas of the country is joining the insurgent groups.

### 3.7 Treatment of users and addicts

While it is estimated that there are 3.5 million drug users in Afghanistan,<sup>42</sup> only 108 detoxification and rehabilitation centres exist across the 34 provinces of the country, with poor limited capacity to assist and prevent relapse. In addition, users suffer from profound social stigma.<sup>43</sup> With even hospital staff labelling users as threats to society and their families, it is easy to understand where the push for criminalising potential relapse comes from. Some observers have recommended the model adopted in Singapore, where the government funds the treatment of addicts the first time, with families funding the addict's treatment the second time. However, Singapore enforces the death penalty for a person who relapses a third time.<sup>44</sup>

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37 International mafia includes both internal and external entities. The internal entities include corrupt government officials, traffickers, contractors and members of the Taliban, who allow the gum of opium poppies to be trafficked or who give security to the traffickers. External elements include foreign accomplices, customers and traders. One can track the international mafia's opium poppy cultivation, processing and trafficking through the silk road (KII with a representative from the MCN, Kabul, 2016).

38 KII with a representative from the MCN, Kabul, 2016

39 KII with a representative from the Afghanistan Independent Human Rights Commission (AIHRC), Kabul, 2016

40 KII with representatives from the UNODC, Kabul, 2016

41 KII with representatives from the MCN, Kabul, 2014

42 KII with a representative from the Ministry of Public Health, Kabul, 2016

43 KIIs with hospital staff, Kabul, 2016

44 KII with a director from a local hospital, June 2016

The Afghanistan Independent Human Rights Commission (AIHRC) reports that users and addicts are systematically discriminated against and their basic rights recurrently violated.<sup>45</sup> Corruption in treatment centres has also been reported as common, with doctors being accused of providing and selling drugs to patients. Officials of the Ministry of Public Health, however, rejected these allegations in their interview and instead blame private hospitals for these practices.<sup>46</sup>

### 3.8 Conclusions

The illicit drug economy in Afghanistan is unprecedented in its scale and has been deeply entrenched in the complex socio-economic and political processes of the country since the 1980s. Decades of conflict have created new economic patterns and actors, with local strongmen/elites/militia leaders thriving from the production and trafficking of illicit crops. Institutional weakness, lack of enforcement of regulations, chronic insecurity, poor infrastructure and rural poverty has strengthened Afghanistan's comparative advantages in the illicit drug trade.

Poppy cultivation is a vital source of economic security and – ironically – stability for Afghans and, in the absence of thought-through and contextually viable alternative livelihoods programmes, counterproductive policies and reports of rampant corruption among government officials only further weaken the government's legitimacy and provide opportunities for further Taliban mobilisation. The alternative livelihood options offered to date have mostly failed because of their low income-generating capacity in comparison to poppy cultivation, simplistically equating alternative livelihoods to crop substitution, inadequate infrastructure to support rural–urban connection, and lack of investment in developing capacities and skills of farmers involved in poppy cultivation. Failure to address poppy cultivation has also been due to the strong nexus between criminal networks, insurgents and the drug economy, which means that those involved have and use every means to protect their interests.

### 3.9 Recommendations

#### To the Afghanistan government:

- Apply a multidimensional approach to discourage the cultivation of poppy and include access to alternative forms of livelihoods and employment opportunities; provision of seeds for alternative crops; law enforcement measures; awareness-raising campaigns and market assessment.
- Design approaches in consultation with local communities, based on specific needs and contexts.
- Do not equate alternative livelihoods with crop substitution. Increase farmers' access to information about available options and strengthen farmers' capacity to participate in decision-making processes.
- Develop an institutional land governance framework that addresses the complex and fragmented nature of land tenure in Afghanistan. It should: acknowledge and integrate the existence of informal land markets and of customary legal frameworks; provide clarity about the relationship between formal and informal land tenure systems; provide knowledge and support for improving farming methods; and improve conflict-adjudication mechanisms.

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<sup>45</sup> KII with a representative from the AIHRC, Kabul, 2016

<sup>46</sup> KII with a representative from the Ministry of Public Health, Kabul, 2016

- Apply human rights-based approaches and conflict-sensitivity to the design of counter-narcotics polices to ‘do no harm’.
- Engage local media to raise awareness about the risks of poppy cultivation on long-term conflict and instability in the country and on development and humanitarian programme delivery.
- Consider legalising opium production and linking its supply to pharmaceutical industries globally.

**To the donor community and civil society in Afghanistan:**

- Increase regional and international cooperation to tackle poppy cultivation and trafficking and kick-start conversations about curbing demands for drug products outside of Afghanistan.

## 4. Colombia–Peru

### 4.1 Introduction

Colombia and Peru have a long history of drugs, crime and violence. Drug trafficking has permeated all spheres of public and private life in both countries. On the one hand, the conflict in Colombia was deepened by the use of drug trafficking as a source of financing for the war beginning in the 1980s, which brought to light – among other things – the links between presidential campaigns and drug cartels, leading to what many in the mid-1990s called a ‘narco-state’. Today, the Colombian state continues to fight the armed groups and the so-called criminal gangs (*bandas criminales*, or BACRIM, in Spanish) – criminal groups that basically engage in illicit economies, among them drug trafficking – on the one hand, while negotiating peace with guerrilla groups such as *Fuerzas Armadas Revolucionarias de Colombia* (FARC, Revolutionary Armed Forces of Colombia) and *Ejército de Liberación Nacional* (ELN, National Liberation Army) on the other. With regards to the peace process, up until now agreements have been reached on land, justice, illegal crops, a ceasefire and the handover of weapons. As for ELN, although the public phase of the peace talks with the government was declared open, to date no major progress has been made.

Peru too has had a history of unrest due to the internal armed conflict in the 1980s and 1990s involving two terrorist groups (Shining Path and the Túpac Amaru Revolutionary Movement). According to the Peruvian Truth and Reconciliation Commission, the relation between the internal armed conflict and drug trafficking has existed mainly in two coca-growing basins: the Upper Huallaga Valley and the *Valle de los Ríos Apurímac, Ene y Mantaro* (VRAEM, Valley of the Apurímac, Ene and Mantaro Rivers), where relations between terrorists and criminals were characterised by confrontation in some cases and cooperation in others. It should be mentioned that the internal armed conflict especially affected the central and southern regions of the country and did not spread to the shared border with Colombia and Brazil, with the exception of the renowned case involving the presidential adviser Vladimiro Montesinos.<sup>47</sup>

At present, Peru is moving towards a new presidential administration, although not without some obstacles. The campaign in which the new president, Pedro Pablo Kuczynski, was elected was marred by accusations against various candidates due to their alleged links with organised crime and drug trafficking. In terms of public policy, it seems likely that the fight against drug trafficking will continue, as became evident in the border area where this research was carried out.

The border between Colombia and Peru is approximately 1,626 kilometres long and encompasses the departments of Putumayo and Amazonas in Colombia, and Loreto in Peru. On the Colombian side, the study focused on the department of Amazonas and its municipalities of Leticia (the department capital city) and Puerto Nariño. The majority of the population is concentrated in these municipalities, with a large presence of indigenous people and settlers. On the Peruvian side, the study focused on the district of Mariscal Ramón Castilla, in the province of the same name, whose capital, Caballococha, is the main urban centre in the region. The region is primarily rural and communities are scattered along the banks of the Amazon River. The indigenous communities of Bellavista, Caharú and Cuchillo Cocha are also located in this area, as well as the towns of Santa Rosa and Chimbote, which serve as control points for river transport along the Amazon.

<sup>47</sup> G. Castro Caycedo, *Cuando Montesinos hizo llover armas para las FARC [When Montesinos showered FARC with arms]*, *El Tiempo*, 25 January 2004, <http://www.eltiempo.com/archivo/documento/MAM-1541567>

This chapter will describe the process of drug trafficking in the border area and present the main policy responses to date, with a particular focus on what has been developed specifically for this area. It will also present the main findings of the analysis, which further provides evidence from the border region and supports the call for a need to rethink the drug policy. The chapter concludes with recommendations on some of the ways that a peacebuilding lens can be integrated into the drug policy debate.

## 4.2 Drug trafficking along the Colombia–Peru border

Drug trafficking on the border constitutes a value chain composed of three links – production, commerce and consumption<sup>48</sup> – in which each country plays a role associated with each of these. While this study focused on the Colombia–Peru border area, the field research made clear that the role that Brazil plays in this area cannot be ignored, and the analysis needed to reflect this. Colombia organises and controls operations between local drug traffickers and networks established in regions such as Central America and Mexico. Peru is the site of production and where the majority of the cocaine-producing laboratories are located. Finally, Brazil is not only a transit zone and corridor towards Africa, Europe and Asia, but also an internal-consumption area, particularly for the increasing use of crack and cocaine in the main cities, which doubtlessly stimulates production and trade.<sup>49</sup> Today, Brazil is considered the largest cocaine-consuming country in South America,<sup>50</sup> driving the majority of the demand for cocaine in Latin America.

Historically, the Andean region shares the issue of drug trafficking, which has spread through the so-called ‘balloon effect’. The increase in coca cultivation seen in Colombia in the 1990s was the consequence of the decisive actions being carried out at that time against the Bolivian and Peruvian cartels.<sup>51</sup> In those years, and after the implementation of Plan Colombia, the coca-leaf crops spread towards the departments of Amazonas, Nariño, Antioquia and Cauca.<sup>52</sup> The area planted with coca reached 163,000 hectares in the year 2000.<sup>53</sup> In Peru, the adaptation of the international drug control system<sup>54</sup> coming into force led to an important transformation in legal coca production towards the beginning of the 21st century. Thus, several of the valleys of the Peruvian Amazon region (particularly the Upper Huallaga, located in the northeast of the country) witnessed a boom in coca-leaf production, reaching close to 200,000 hectares towards the end of the 1990s.<sup>55</sup>

48 C. Allen, *An industrial geography of cocaine*, New York: Routledge, 2005; M. Kenney, *The architecture of drug trafficking: Network forms of organisation in the Colombian cocaine trade*, *Global Crime*, 8(3), 2007, pp.233–259; J. Mujica and N. Zevallos, *Consideraciones para una política antidrogas desde un enfoque de Seguridad Humana [Considerations for drug policy from a human security approach]*, in J. Mujica and N. Zevallos, *Herramientas y métodos sobre el tráfico de cocaína [Tools and methods for cocaine trafficking]*, Lima: Comisión Nacional para el Desarrollo y Vida sin Drogas – Devida, Escuela de Gobierno y Políticas Públicas PUCP [National Commission for Development and Life without Drugs – Life, School of Government and Public Policy], Laboratorio de Criminología y Estudios sobre la Violencia PUCP [Laboratory of Criminology and Studies on Violence], 2015

49 UNODC, *World drug report 2015*, Vienna: UNODC, May 2015, p.54

50 *Ibid.*

51 P. Arenas, *Tráfico de drogas y construcción de paz [Drug trafficking and peacebuilding]*, Presentation given for the “Embrace the Dialogue” working group, June 2016

52 UNODC, *Análisis multitemporal de cultivos de coca periodo 2001–2012 [Multi-temporal analysis of the coca cultivation period from 2001–2012]*, Bogotá: UNODC, August 2014, p.8, [http://www.biesimci.org/Documentos/Documentos\\_files/Analisis\\_Multitemporal\\_2001\\_2012\\_PUBLICAR.pdf](http://www.biesimci.org/Documentos/Documentos_files/Analisis_Multitemporal_2001_2012_PUBLICAR.pdf)

53 *Ibid.*

54 This system is made up of three international agreements that regulate drug oversight, established by the UN as follows: the UN Single Convention on Narcotic Drugs of 1961, with its 1972 amendment, the objective of which is to “combat substance abuse through coordinated international action”, and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. See UNODC, *A century of international drug control*, Vienna: UNODC, 2008, [https://www.unodc.org/documents/data-and-analysis/Studies/100\\_Years\\_of\\_Drug\\_Control.pdf](https://www.unodc.org/documents/data-and-analysis/Studies/100_Years_of_Drug_Control.pdf)

55 UNODC, 2014, *Op. cit.*

No data exist regarding the extent to which the coca crops and cocaine production along the border are representative of national production in each of the two countries. The Institute for Public Policy of the Catholic University of Peru estimates that the percentage could oscillate between 5% and 6% in the case of Peru,<sup>56</sup> but, as for Colombia, the figures are not known. This could be due to the fact that coca-leaf cultivation on the Colombian side is constantly changing: crops increased from 2001 to 2002, decreased from 2002 to 2003, increased again from 2003 to 2005, decreased from 2005 to 2007, increased in 2008, and then decreased again from 2008 to 2012.<sup>57</sup>

In terms of the actors present in the region, according to the current research, there is no evidence of either FARC or ELN presence on the border between Colombia and Peru, although on the Colombian side there is the criminal gang *Los Caqueteños*, notoriously in charge of cocaine production and trade. Conflicts have erupted with some other groups seeking to take charge of trafficking and routes on the three-country border, some of which have their own laboratories on the Peruvian side and have made alliances with Brazilian drug traffickers. Although this situation has caused violent episodes, the area remains largely under the control of *Los Caqueteños*. There are also some other minor criminal groups present such as *El Malecón*, which thrives on small-scale trafficking on the Colombian side.

On the Peruvian side, the criminal organisations involved in illicit drug trafficking are more diffused. There appears to be an established presence of Colombian buyers who come into contact with farmers in order to buy coca leaves from them. Although some cases of murder for hire and disappearances have occurred in the area, the illicit activities appear to take place in relative calm. After the first crop eradications in 2015, local residents reported a migration of Colombian citizens who used to live there, contributing to a perception of greater security in the area.

### 4.3 The public policy response to drug trafficking on the Colombia–Peru border area

Traditionally both countries have had similar norms and public policy approaches regarding drug trafficking. On the one hand, both are parties to international agreements that regard the coca leaf and its derivatives as narcotics, such as the UN's Single Convention on Narcotic Drugs of 1961. On the other – although with some nuances – the institutional and normative framework is similar and encompasses: legislation aimed at prohibition, such as the Colombian National Statute on Drugs and Narcotics, and Peru's Law on Repression of Illicit Drug Trafficking;<sup>58</sup> a listing of state agencies devoted to the application of these norms that involve the productive, health and, primarily, security sectors; and a relatively stable inventory of measures for the control of the supply and demand of narcotics derived from coca. This last point refers to similar control measures: control of illicit coca crops,<sup>59</sup> prohibition to reduce the supply of cocaine and its derivatives, and a public health approach for dealing with their consumption.

It is important to recognise that the implementation of these measures does have some specificities. In Colombia, they have materialised in the framework of Plan Colombia, which had the following objectives: combatting illegal drug trafficking, strengthening the rule of law, protecting human rights, spreading economic development, institutionalising judicial reform and promoting peace. It cost approximately \$141 billion (\$10 billion invested by the US and \$131

56 The border is not the main coca-production area. The Lower Amazon basin is the fourth largest coca-producing area of Peru, with production levels that are much lower than that in the VRAEM, Lares district and Inambari Tambopata.

57 UNODC, Colombia, Monitoreo de cultivos de coca 2014 [Monitoring coca cultivation in Colombia, 2014], Bogotá: UNODC, July 2015, p.240, [https://www.unodc.org/documents/crop-monitoring/Colombia/Colombia\\_Monitoreo\\_de\\_Cultivos\\_de\\_Coca\\_2014\\_web.pdf](https://www.unodc.org/documents/crop-monitoring/Colombia/Colombia_Monitoreo_de_Cultivos_de_Coca_2014_web.pdf)

58 It is worth mentioning the Peruvian legislation does envisage modalities of legal cultivation authorised by the state.

59 A distinction is made between licit and illicit crops due to the possibility of controlled cultivation and consumption as a practice in Peru's culture.

billion by Colombia)<sup>60</sup> and focused particularly on strengthening the state forces and on actions geared towards alternative development. In fact, Colombia went from 23,000 troops in 1998 to 88,000 in 2014; the security forces upgraded their weaponry and strengthened communication, intelligence, planning, logistics and technology.<sup>61</sup>

Although Plan Colombia had positive effects, such as a greater presence of state security forces and the professionalization of the armed forces, the adverse effects were reflected in the atomisation of the criminal structures that went from great cartels to small groups with private armies and low-profile leaders who control key drug trafficking spots. At the same time, by prioritising the strengthening of the state military apparatus, investment in sectors such as health, education and road infrastructure was sacrificed, and these sectors continue to be greatly underserved. The policy of crop destruction with glyphosate, one of the touchstones of Plan Colombia, not only did not reduce coca cultivation – leading to its relocation to other countries – but also affected the close-by subsistence crops, affecting health, the environment and food security of the surrounding communities (not to mention episodes of high political tension with neighbouring governments like Ecuador, due to the displacement of chemicals to their territory).

For its part, Peru has taken up two important approaches with regard to anti-drug policies. First, the government has given a greater boost to alternative development programmes in areas of cultivation; and, second, it directly took on the financing of eradication activities, once almost entirely funded by US cooperation. In Peru, the state forces component has not been as significant as it has in Colombia. In the case of the low-lying Amazon basin, the armed forces do not play a formal role in drug control. Their role is to provide support to some of the localities when the police require it. The Anti-Drugs Executive Direction (DIREJANDRO) of the National Police of Peru leads the interdiction activities. Although there are military bases in the area, military commanders mentioned that such tasks are not within their competence. Rather, their strategy of outreach to the population has been to disassociate themselves from anti-drugs activities and prioritise social actions such as humanitarian assistance and support in cases of natural disasters.

The research confirmed that these strategies are being employed in the border area. On the Peruvian side, three types of measures aimed at controlling illicit drug trafficking were identified: eradication, alternative development programmes and interdiction operations.

The most recent eradication occurred in the region at the end of 2015, mainly in the communities of Cuchillo Cocha and Bellavista Callarú. The *Proyecto Especial de Control y Reducción de Cultivos Ilegales en el Alto Huallaga* (CORAH, Project for the Reduction and Control of Illegal Crops in Upper Huallaga) deployed almost 2,000 troops to eradicate almost 5,000 hectares of coca-cultivated land. The impact of this measure was immediately felt among the local population, who considered that their source of livelihood had been taken away from them. The traders and Caballococha's residents argued that eradication brought a long period of economic paralysis. For the coca growers, it meant going without an immediate income for subsistence, while for indigenous growers, several of whom were single crop producers, it meant a direct impairment of their food security. As was gathered from testimonies during the fieldwork, requests for food donations from the communities where eradication took place increased.<sup>62</sup>

Demand for goods and services dropped with the migration of people. Those in the communities who were building houses were forced to give up construction, and in communities such as Bellavista or Cuchillo Cocha several houses remain empty because their owners have left.

60 Construyendo un nuevo país [Building a new country], 15 años Plan Colombia [15 years of Plan Colombia], Presidencia de la República [Presidency of the Republic], <http://especiales.presidencia.gov.co/Documents/20160204-plan-colombia/plan-colombia.html#que-es>, accessed July 2016

61 Departamento Nacional de Planeación [National Planning Department], Plan Colombia: Balance de los 15 años [Plan Colombia: Balance of 15 years], February 2016, [https://colaboracion.dnp.gov.co/CDT/Sinergia/Documentos/PLAN\\_COLOMBIA\\_Boletin\\_180216.pdf](https://colaboracion.dnp.gov.co/CDT/Sinergia/Documentos/PLAN_COLOMBIA_Boletin_180216.pdf)

62 KII with community leaders, Caballococha, April 2016

Colombians involved in coca-leaf processing returned to their country. The departure of foreigners that had established relationships with local women, especially from indigenous communities, caused an increase in the number of vulnerable single mothers who no longer had a source of income for taking care of their children.

In the economic sphere, the trade flows on the border also slowed down. Local residents mentioned the closing of shops and businesses, leading some local business people worried about the drop in economic movement, to gather at Caballococha's Chamber of Commerce to make their case as members of an association of retailers.<sup>63</sup>

Following eradication came alternative development programmes promoted by the *Programa Presupuestal de Desarrollo Alternativo Integral y Sostenible* (PIRDAIS, Alternative and Sustainable Development Programme), which initially benefited three communities (since then extending to eight). The projects were geared towards the production of subsistence crops, such as *farina* (cassava flour) and corn, and raising chickens. At present, work is progressing on 60 hectares of cacao at the border, which has been well received by communities. Although others have requested that the programme be expanded and the number of beneficiaries increased, the local residents still have doubts about the alternatives they are being offered. On the one hand, they complain about the limited coverage of the programmes, and on the other, they have doubts about the profitability, the waiting periods and the level of effort involved in growing legal crops. This last aspect makes it especially difficult to motivate young people to change crops, and several of them are waiting for the opportunity to plant coca again. Additionally, those who did not join an alternative development programme have trouble finding alternatives for subsistence.<sup>64</sup>

Concerns about profitability relate mostly to access to markets, since on the Peruvian side there is only air and river transport available, and supply to the domestic market is non-existent. For example, Peruvians prefer to sell plantains in Colombia, even though this requires crossing the border and negotiating with Colombian buyers, who often do not want to pay the price they ask. Another product that Peruvians trade is *farina*, especially on the Brazilian market, but the difficulty there has to do with the scale of production (they do not have the capacity to produce in large quantities), and scarce – and costly – transport reduces the viability of this product. Another issue that arises with alternative development programmes is the fact that coca production does not require much time dedication. Cocoa production, in contrast, requires an eight-hour work shift and the majority of the producers desist as farmers are accustomed to a four-hour working day, beginning very early and ending around lunchtime when the temperature is at its peak.

Finally, interdiction on laboratories, chemical inputs and drugs are carried out infrequently and more as a deterrence strategy against drug traffickers. The Peruvian state security forces point out that – given the limitations in terms of personnel and logistics – they must prioritise those interventions that have been proven to be successful.<sup>65</sup> Once a year (between August and November), three-country operations are carried out, in which Colombian, Peruvian and Brazilian resources are deployed for the fight against drugs. These are the only large-scale operations that can have a certain effect on the dynamics of illicit drug trafficking, but they are, in some ways, predictable for the illegal actors because they are few and far between.

According to interviews and field research, eradication efforts in Colombia are considerably less important. Known eradication has targeted only approximately 40 hectares in the past few years, according to the UNODC.<sup>66</sup> With regard to trafficking, the authorities have been making efforts to seize loads on the Amazon River, according to one interviewee.<sup>67</sup> The absence of a more

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<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> KII with police authorities, Caballococha, April 2016

<sup>66</sup> UNODC, July 2015, Op. cit.

<sup>67</sup> KII with a community member, Leticia, April 2016

decisive implementation of measures could be attributed to several factors, among them the fact that the laboratories and crops are largely on the Peruvian side, and those on the Colombian side are rarely larger than one hectare. In this context, there are no crop eradication efforts or actions against production. This is also due to the fact that there are other border regions involved, such as that with Venezuela or with the Pacific Ocean, where the problem is much greater. It thus seems that the efforts on the Colombian side are geared more towards fighting the mafias and dismantling trafficking – activities that historically have been delegated to the state security forces. Lack of access to official information made it impossible to get a clearer picture of the situation.

## 4.4 Findings

The main findings of the investigation are presented in this section from a conflict analysis and identification of opportunities approach. They will serve as inputs on the recommendations below.

### 1. The network of drug cultivation, production and trafficking on the three-country border and the migration phenomenon on the Colombia–Peru border

The border is a transit zone, but above all a migration area. The population on both sides of the border includes indigenous people who have lived on this territory from ancestral times, as well as Colombians and Peruvians from different parts of their respective countries. People from the region confirm that the arrival of immigrants from other parts is due to the search for economic opportunities, both legal (tourism, restaurants and bars, or to benefit from trade among the three countries) and illegal (such as the coca growers that come from other regions with local cultivation). This last issue is not irrelevant. The phenomenon arises as a consequence of the implementation of state measures in other parts of Peru and Colombia, which gives rise to migration towards the border to grow coca. Thus, the three-country border is an area of great importance, not only because of the facilities it provides for the transit of cocaine derivatives through Colombian, Peruvian and Brazilian territories, but also because of its productive capacity.

The second issue is the use of this territory as a location for drug trafficking by a three-party network. In this area, activities related to the links of production (illicit coca-leaf growing, diversion of chemical inputs, production of cocaine paste in cylinders and refining in laboratories); trade (mainly by river transport); and consumption (micro-trafficking or hooking up with operators involved in production and trade) are prevalent.

Plan Colombia caused Colombian coca cultivation to move to the Peruvian jungles, where there are also laboratories for the processing of the alkaloid that is later transported down the Amazon River and on footpaths in the middle of the jungle towards Brazil, specifically to Manaus and Belém do Pará. Thus, this investigation found that the supply chain on the Colombia–Peru border works, more or less, as follows.

In Peru, it is an individual or family undertaking. The financier or the connection, generally Colombian, provides the money to cover the initial investment for the crop (seeds, fertiliser, agrochemical products, etc.). When harvest comes, people gather the product and take it to transformation labs. The role of the connection is key, since that person is the link with the larger-scale buyers and is constantly present in the community.

The production of cocaine derivatives is mainly carried out on Peruvian territory. Cultivation takes place in the different border communities, primarily of Israeli descent and indigenous, on the Amazon River. The latter say that funding for these activities comes from the Colombians, who are also the main buyers of the coca. In the case of the Israelis, it is said that the capital comes from the community itself, and that they control the trade circuits up to the Colombian border.

There are processing laboratories in this region and interviewees indicated that there are fewer and fewer maceration tanks, since the paste is now processed in water tanks (cylinders), which allows for greater production. Some commented that this technique allowed the laboratories to move away from the fields, relocating them within the communities in order to avoid being destroyed.<sup>68</sup> The actors involved in processing are Colombian and Peruvian ‘chemists’.

Once the leaves are turned into paste, this is taken to the Peruvian side. Interviewees from the Peruvian police mentioned that this is carried out through some riverside communities that serve as points of collection in order to build up greater quantities of drugs to be shipped later on. The police pointed out, however, that this practice was being abandoned because those communities were the most vulnerable to interdiction.<sup>69</sup> Thus, it became much easier to get small quantities through to the other side of the border continuously than to make large shipments.

Drug transport is carried out by waterway in small and medium-sized cargo and passenger boats. The transporters are mainly Peruvian, members of the local communities, and even underage youths. When the water level of the river rises, the routes multiply and it is far easier to evade police controls crossing through areas with dense vegetation or at night. The destination of the drug is either Colombia or Brazil. Research showed that, on the Colombian side, trafficking involves not only the production that comes in from Peru but also that from the interior of the country arriving on the Putumayo and Caquetá rivers of the upper Amazon region.<sup>70</sup> This traffic seems to have Brazil as its final destination, where it connects with the world market. The river interconnection with Manaus, and the nearness of the Brazilian border, has turned this border region into a place of interest for the country’s criminal organisations, as shown by the testimonies gathered in the area.<sup>71</sup>

## **2. A weak rule of law and state presence as determining factors for the continuity and the entrenchment of drug trafficking on the border**

The border offers the drug trafficking business a series of ‘strategic advantages’ that guarantee its continuity, its adaptation and even its growth. Among them, we can mention: high levels of institutional corruption, a precarious state presence and geopolitical importance of the triple border. Growers and traffickers perceive this border as a grey zone, in which the phenomenon can develop with greater freedom. The following section delves into each of these factors in more detail.

### **The corruption problem**

Corruption on the border ranges from passing on information from members of the police to criminal groups; to omitting control activities not only for purposes of interdiction but also for the control of licit activities that end up benefiting illicit ones (such as the transport and trade of chemical inputs); to favouring criminals in the investigations against them. Other cases of omission mentioned include the absence of control of river and night-time transport, the absence of legal proceedings against individuals well known in the region as connections, and the lack of systematic control of merchandise and people.

Although the local Peruvian authorities are aware of the presence of drug trafficking on the border, they fear opposing it openly due to possible threats and because they would risk being rejected by a population that depends on that activity for its livelihood.

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68 KII with community members, Cabalococha, April 2016

69 KII with representatives of the Peruvian police, Cabalococha, April 2016

70 KII with community members, Puerto Nariño, April 2016

71 KIIs with community members, Leticia and Cabalococha, April 2016

### Co-optation of local authorities and detriment to local democracy

On the Colombian side, the problem of co-optation of political elites by drug traffickers is more pronounced. An interviewee said that “there has been no direct democracy for the past 30 years; the drug traffickers support and impose their candidates to elected office”.<sup>72</sup> The Transparency Index developed by *Transparencia por Colombia* placed the mayor’s office and comptroller’s office of Leticia at the level of ‘very high risk of corruption’.<sup>73</sup> In addition, legal proceedings exist against various public servants, such as the governor,<sup>74</sup> indicted for bribery, embezzlement and misrepresentation of facts in a public instrument, and against a former deputy from Amazonas captured for being part of a local criminal gang.<sup>75</sup>

On the Peruvian side, given the permeability between the legal and illegal economies, the local authorities are at the same time proprietors and coca growers, or own businesses linked to that activity (for example, gasoline).

As a result, existing policies are imposed at the national level and, in the Colombian case, there is no evidence of the existence of plans, programmes or projects from the mayor’s office aimed at addressing the problem of illegal drug trafficking or the prevention of use. In reality, measures seem more isolated and do not take into account the specificities of the region at the border, which makes them ineffective and impossible to monitor, both by the authorities and the citizenry.

### Lack of political will to implement existing accords

There are multiple mechanisms to promote cooperation and joint action among the three countries. On the one hand, there is the ‘Reciprocal Cooperation Agreement between the Colombian Government, the Federal Republic of Brazil, and the Republic of Peru for the Prevention and Control of Illicit Drug Trafficking’, dated 2008. However, no evidence of operations or activities in this framework was found. Furthermore, a three-party security commission exists but has not met for the past two years, and, according to a Colombian civil servant, no minutes could be found of its past meetings.<sup>76</sup> Furthermore, an agreement exists between the governments of Colombia and Peru to control drug trafficking, illegal gold mining and illegal logging along the Colombian-Peruvian border, announced in 2014 by Colombia’s president Santos and Peru’s former president Humala;<sup>77</sup> however, it was not mentioned or referenced during the interviews or field observations for this study.

### 3. Drug trafficking in the economy of the Colombian-Peruvian border and its coexistence with other illegal economies, mainly illegal logging and trafficking of young women and girls

Illegal drug trafficking is the main economic activity of the border region. The illegal cocaine market converges with other illegal activities, mainly illegal timber trade from the Amazon. The illegal loggers (mainly Brazilians) also participate in activities such as coca-leaf cultivation for the Brazilian market. Likewise, the boats used to transport coca by-products are also used for the illegal distribution of other products, such as wildlife trafficking and fuel smuggling. At the same time, observers also reported that drug trafficking and other illicit activities, such as sexual exploitation of boys, girls and adolescents, seem to converge in the same locations.<sup>78</sup>

72 KII with a civil servant, Leticia, April 2016

73 Ranking alcaldías municipales [Ranking of municipal mayors], *Transparencia por Colombia* [Transparency by Colombia], <http://indicedetransparencia.org.co/ITM/Alcaldias>, accessed August 2016

74 Ordenan captura del gobernador de Amazonas [Warrant for arrest of the Amazonas governor], *Caracol Radio*, 3 April 2016, [http://caracol.com.co/radio/2016/04/03/judicial/1459685494\\_275893.html](http://caracol.com.co/radio/2016/04/03/judicial/1459685494_275893.html)

75 El cambio de imagen de uno de los narcos más buscados [The image change of one of the most wanted drug lords], *El Tiempo*, 20 May 2014, <http://www.eltiempo.com/politica/justicia/exdiputado-del-amazonas-enredado-por-nexos-con-banda-criminal/14010364>

76 KII with a civil servant, Leticia, April 2016

77 D. Valero, Colombia y Perú acuerdan ‘limpiar’ el Putumayo [Colombia and Peru agree to ‘clean up’ the Putumayo department], *El Tiempo*, 30 September 2014, <http://www.eltiempo.com/politica/gobierno/lucha-contra-narcotrafico-y-mineria-ilegal-principales-enemigos-de-colombia-y-peru/14615838>

78 KIIs with community members, Cabalcocha and Leticia, April 2016

In contrast to other Peruvian coca-growing regions, prostitution is limited in Caballococha. Interviewees pointed out that the business declined after the eradication campaign of 2015.<sup>79</sup> In other coca-growing communities, strict moral codes related to the presence of evangelical churches strongly forbid bars and brothels within community territories.

An issue raised on the Colombian and, to a lesser extent, on the Peruvian side was illegal mining. Local Colombians, both individuals and authorities, claimed that the phenomenon exists and is linked to armed conflict. Illegal mining is present in some areas of the Colombian Amazon region, such as in the departments of Guainía and Lower Putumayo, although it was not detected in the area covered by the present study.

The impact of drug trafficking on local economies is a commonly raised topic, as it appears that drug trafficking substantially drives local growth. Some coca-growing communities mentioned that they were able to generate income that allowed them to improve their homes and economic status. In some sectors, it was claimed that “basically, drug money fuels trade, hotel infrastructure, the contractors for state public works and institutional corruption”.<sup>80</sup>

In the same sense, economic dynamics have attracted legal activities such as transport and agrochemical commerce, as well as businessmen from other areas of Peru. The sectors that have grown most are hospitality (especially in Santa Rosa), fuel trade (both formal and informal), and retail such as hardware and grocery stores.

#### **4. The impact of drug trafficking on the population along the Colombia–Peru border: A look at the social fabric, population groups and individuals**

The localities on both sides of the border are difficult to reach due to precarious transportation systems and the isolation of urban centres. Although services and infrastructure are generally better in Colombian than in Peruvian towns, both areas have unstable state presence. In Peru, it was revealed that the health and education infrastructure is not always equipped with the personnel and necessary resources for the provision of basic services. On the Colombian side, there are difficulties in the delivery of social services and protection of the environment, which is coupled with low-quality education, unemployment and underemployment, and scarce access to technology.

#### **Impact on the social fabric and the communities**

Paradoxically, the coexistence of certain communities and drug traffickers seems stable. Some community leaders were empathetic, saying that one of the tacit rules of coexistence of various actors is based on limiting the use of violence, or exercising it in distant places outside of the communities – what they call local ‘tranquillity’ will not be disturbed.<sup>81</sup>

#### **Drug traffic and indigenous communities**

On the Colombian side, the indigenous communities think that the criminal power behind the entire chain of illegal drug trafficking is an offence against ancestral culture and that it represents a misuse of the coca plant, while Huitoto indigenous authorities think that the Westerners have distorted their nature. “The coca plant is sacred for the indigenous peoples. It is green, not white. Western man, in his ambition for power and wealth, has transformed the plant and its medicinal power.”<sup>82</sup> They also associate criminal power with loss of identity of its young people when the mafias recruit them to work gathering coca leaves (*raspachines*). The indigenous authorities ask the Colombian government to respect their autonomy and cultural practices involving the use of

79 KII with community members, Caballococha, April 2016

80 Ibid.

81 KII with a community member, Leticia, April 2016

82 KII with a representative of the indigenous civil authority, Leticia, April 2016

coca as a sacred plant, without being prosecuted. In that context, a *curaca* (representative of the indigenous civil authority) told us that:

*“There is a manifesto by the indigenous peoples of the Putumayo and Amazonia that calls for the right to grow their medicinal and traditional plants such as coca, marihuana and poppy. In the case of coca, it is used in the ‘mambeo’ – an indigenous ritual for sharing the word and in search of traditional knowledge.”*<sup>83</sup>

In Peru, coca cultivation is not forbidden but regulated by law. However, it is not a tradition specific to this area of the border. In fact, in other coca-growing basins such as VRAEM, the Asháninka indigenous people have opposed the growing of coca as part of their defence of the territory.

With regards to coca-leaf cultivation, no major differences were found between indigenous and non-indigenous growers. The main differences lie in the ownership of the land (whether community or private ownership). In both cases, small and medium-sized proprietors sell their product to buyers for processing. The coca leaf is grown on high land, since many border areas are prone to flooding. In many cases, it is grown on plots that are not individually but community-owned, or where the owner is unknown.

The indigenous community leaders interviewed made reference to the lack of attention from the state, the scarce opportunities for development and the delays in granting property titles. In the face of this, it is understandable that drug trafficking becomes an option and this is perceived by them as one of the main threats to indigenous tradition. They also mentioned that drug trafficking is progressively undermining community structures as, for instance, the *apus* (the elderly) are no longer seen as the most respected people in the community, and many members refuse to participate in community life or to carry out communal days of work.<sup>84</sup>

### Presence and impact of the Israelite community

One of the biggest Israelite groups in the Peruvian Amazon is concentrated in Cabalococho. In 2010, it was believed to amount to close to 1,000 persons and, including the communities in the Yavarí River, over 2,500. The migration of Israelites to that area is known as the ‘colonisation of living borders’, a project with an evangelising and political content. It was allegedly established in 1993 by Ezequiel Ataucusi Gamonal, the founder of the Israeli Church of the New Universal Pact. Currently, it has a strong presence in countries such as Colombia, Ecuador, Brazil, Chile and the US, and reaches indigenous people, *campesinos* (peasant farmers) and Afro-Colombians in the Andean area.

Like the indigenous population, this group subsists on the cultivation of the coca leaf, and it does so with its own capital. Beyond this information, it was not possible to make contact with members of the community or to delve into the topic more deeply. On the Colombian side, the Israelite presence is well known in the area, but it was ascertained that the majority live on the Peruvian side and a minority in Colombia.<sup>85</sup> Thus, it is not easy to establish firsthand the impact of this phenomenon on the community; however, it does not seem any different from the other groups in the region, as they all participate in the dynamics of the illegal local resources and economy.

The Colombian-Peruvian border is an area where different nationalities, cultures and faiths converge, and they all coexist and subsist from drug trafficking, which affects their cultures, erodes traditional knowledge, moves from a collective to an individualistic way of life, produces new conflicts, and distorts the social and cultural fabric.

<sup>83</sup> Ibid.

<sup>84</sup> KII with indigenous leaders, Leticia and Cabalococho, April 2016

<sup>85</sup> KII with community members, Puerto Nariño, April 2016

### Impact on individuals

The young population involved in the activities of the productive chain is particularly vulnerable. The young people are mainly employed to be *raspachines*, provide security for illegal crops, and transport the coca leaf's by-products on river and land. This has led to an increase in criminality and health issues as a result of drug consumption. On the Colombian side, it was found that the young people involved in the business were paid with drugs, which thus introduces them to drug use. In other cases, sexual workers were offered drugs in exchange for sex.

In Peru, it was revealed that it was common practice to pair off girls and young women with Colombian traffickers, which led, after eradication, to single mothers being abandoned. Some of the interviewees also raised concerns about potential conflicts arising when there were family links between gang members and police, which contributes to fractured families, restrictions on the security forces' capacity to act, revenge and violence.<sup>86</sup>

Finally, on the Peruvian side, community members raised another concern. Presently, the Peruvian army has one base in the region and two under construction. While enquiring about the operation of those bases, we were told that local young people would be recruited.<sup>87</sup> Communities are very worried, as some of the young men who will be recruited have been involved in coca cultivation and drug processing, which places them at a high level of risk of being pressured to provide information. The struggle for information and for the control of some aspects of market operations, including routes, could place these persons at risk of being threatened or assassinated.

### 5. Drug trafficking and the destruction of the Amazon

The importance of the Amazon for humanity is immeasurable. Coca cultivation and production on the Colombian-Peruvian border is contributing to its destruction. Testimonies from Colombians<sup>88</sup> confirmed the existence of a socio-environmental crisis as a consequence of the coca trade, which has been accompanied by environmental pollution and the deterioration of the ecosystem as a result of logging in secondary forests in order to grow illicit crops. Illegal logging, especially in the Brazilian Amazon region, is one of the greatest environmental tragedies, and it continues to be underreported.

The main environmental effects identified through interviews with community members on both sides of the border include:

- destruction and burning of the Amazon forest and disruption of the biological cycles;
- discharge of chemicals into water sources;
- dumping of plastic residues into the rivers;
- change in soil use, making way for the rise of illicit monoculture, yielding three crops per year;
- reduction of the fish supply; and
- use of insecticides, herbicides and fertilisers manufactured to maintain monoculture.

The above does not take into account the adverse effects on human life, as no studies on the physiological composition or the state of the water exist to understand the links between water pollution and health.

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<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> KII's with community members, Puerto Nariño and Leticia, April 2016

The environmental impact related to drug trafficking is a dimension that has received little attention in terms of public policy. Doubtless, the lack of acknowledgement and greater visibility of this phenomenon compromises not only animal and plant life, but also the quality of life and the fundamental right of the populations that depend on the river and the forest for survival.

## 4.5 Conclusions

Drug trafficking on the border moves between coca crops and cocaine production in Peru, the control of criminal groups from the Colombian side, and Brazil's role as main consumer in the region and transit point to Africa and Europe. This set-up further subsumes the triple border in a vicious circle of weak governance, illicit economies and unequal power relations mediated by corruption and/or violence.

At the heart of drug trafficking – and most of the other illicit economies thriving in the area – lies corruption of local authorities and public security, and an intricate web of relationships and settlements between traffickers and community members, traffickers and producers, authorities and traffickers, among many more, that allow the business to take place in relative peace. While there are episodes of violence associated with vendettas between individuals belonging to different groups, the area is relatively stable. This is also due to the fact that armed groups are not in the area and that control seems to be exerted by one criminal organisation on the Colombian side.

In terms of policy response, breaking this vicious circle requires that political spaces opening up in each country are capitalised on in order to promote a more inclusive debate at national and regional levels. Each country is currently undergoing critical political moments that can offer opportunities to address the drug policy debate and its connection to other crimes such as corruption. For instance, in Peru the recently elected President Kuczynski, who won an election stained by accusations of drug trafficking money in campaigns, has vowed to “clean up Peru” of the multiple problems it faces, mainly drug trafficking, insecurity and corruption.<sup>89</sup> On the other hand, the impeachment process faced by President Rousseff in Brazil, as well as the numerous investigations, sentences and citizen protests against corruption, have opened key spaces to hold difficult yet necessary discussions for the peace and stability of the country.

As for Colombia, the peace process provides significant opportunities to have a different discussion around the ‘war on drugs’. On the one hand, it allows President Santos to restructure the debate he has been leading internationally to rethink drug policy on the national level. It also allows more involvement of regional and municipal authorities in the design and implementation of measures to prevent and counter drug trafficking, as well as more participation of communities and civil society in the monitoring of those measures and programmes. Additionally, it allows the government to be more assertive in the disarticulation of criminal structures such as BACRIM and the so-called ‘neo-paramilitaries’, which is one of the priority issues that FARC has demanded from the government, as it is key to its security in the post-conflict era. And last but not least, it will allow the Colombian government to navigate more assertively any tension that could arise with the US government and its drug policy, considering that Santos's priority is to guarantee the sustainability of the peace agreements.

Undoubtedly, the peace process will have an impact on the border and the broader region. There is therefore a need for policy-makers to anticipate the risks and opportunities associated with the peace process in Colombia. An initial analysis can point to a number of risks, which can include an increase in the migration of people to border areas as a result of eradication efforts in areas

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89 Kuczynski promete luchar contra la corrupción, inseguridad y desigualdad [Kuczynski promises to tackle corruption, insecurity and inequality], *El Universal*, 28 July 2016, [http://www.eluniversal.com/noticias/internacional/kuczynski-promete-luchar-contra-corrupcion-inseguridad-desigualdad\\_420991](http://www.eluniversal.com/noticias/internacional/kuczynski-promete-luchar-contra-corrupcion-inseguridad-desigualdad_420991)

of FARC presence given the border's geographic and institutional characteristics. It can also lead to a strengthening of the criminal structures that control the trafficking in the area, or to the arrival or creation of new structures to fight for the territory. This could very likely lead to a scenario of violence between small cartels or *bandas*, where the 'law of silence' and indiscriminate intimidation can often lead to human rights abuses among the local populations.

On the other hand, the peace process also opens up opportunities for the border, such as considering including the border region in the plans for the implementation of the peace agreement for 'solving the problem of illicit drugs', even if just in the medium term. Indeed, a few of the recommendations in that particular point can, if implemented successfully, have a positive chain reaction on the border. These include tackling and disarticulating organised crime involved in the production and trafficking of illicit drugs, conducting a national campaign that addresses public perceptions around money laundering and promotes citizen oversight to counter corruption, and dialogue at the international level to move forward in reaching consensus on the most appropriate drug policy response.

At the same time, questions remain about whether these opportunities are seized or if we continue to see more of the same. With so many other priorities in each country (sustaining the peace agreement in Colombia, ensuring a smooth government transition in Peru and deciding the fate of Brazil's president, just to mention a few), the border region faces the additional pitfall of 'becoming invisible' among the numerous political agendas.

## 4.6 Recommendations

### To the Colombian and Peruvian governments:

- Strengthen the cooperation between governments and reactivate existing initiatives, including the triple-border agreement and the Colombia–Peru agreement on drug trafficking and illegal mining. Due to changes in the political landscape of each country, the reactivation of such spaces needs to be underpinned by an updated analysis that pays special attention to the most vulnerable and how they are impacted by current policies.
- Recognise the different links of the chain and design responses accordingly, so that prevention and mitigation are targeted at the weaker and more vulnerable links with a more punitive response towards organisations with direct connections to criminal and violent activities.
- Address the negative economic and livelihood impacts of eradication efforts. The aftermath of the eradication in Peru showed how much local economies depend on drugs. While alternative development programmes focus on providing technical assistance to specific products, attention should focus on addressing the barriers that farmers face when producing and commercialising their products (such as lack of infrastructure).
- Address drug trafficking at the border as a serious environmental problem threatening the Amazon. This understanding needs to guide the debates and policies (for instance, it should be a key element of the triple-border agreement) and open spaces for greater collaboration between governments (such as technical assistance on the management and destruction of chemicals and laboratories, considering the experience of the Colombian army).
- Promote a diversified economy in the border area, where different sectors can prosper with the appropriate access to capital, technology and infrastructure. Tourism is, for example, a promising sector, provided that it is developed with respect to all populations living in the area, in particular the security and cultural norms of indigenous communities.

## 5. Nigeria

### 5.1 Introduction

In recent years, Nigeria has developed a reputation for being a key hub in the international drug trade.<sup>90</sup> Experts say that Nigerian criminal groups are deeply involved in the trafficking of illicit narcotics across the world, a phenomenon that can be traced back as far as the 1950s when Lebanese traders used the country as a waypoint for heroin shipments to avoid the scrutiny of law enforcement in Europe.<sup>91</sup> On first glance, the outsized role that Nigerians play in facilitating the transit of drugs to Europe, the US and increasingly Asia is puzzling. Nigeria is not a major producer of narcotics and it is not home to the type of high-profile organised criminal hierarchies associated with the drug trade in countries such as Mexico, Colombia and Italy.

Proportionally, the amount of narcotics seized in West Africa represents only a small percentage of global seizures overall.<sup>92</sup> But experts indicate that countries across the region play an important role in transcontinental drug trafficking, and that Nigerians frequently direct the networks that facilitate, enable and control the trade in those countries.<sup>93</sup>

In Nigeria itself, the use of narcotics is perceived to be increasing. The findings of this research suggest that the most commonly abused drugs tend to be over-the-counter pharmaceutical opiates and marijuana, but that cocaine, heroin and now methamphetamine are also present and easily available on the street in most areas.<sup>94</sup> Experts say that a full accounting of the severity of Nigeria's drug abuse problem is challenged by a lack of up-to-date, comprehensive data.<sup>95</sup>

But while there are markets for narcotics such as cocaine and heroin in Nigeria, the involvement of Nigerian criminal groups in the international drug trade is almost exclusively oriented towards the shipment of drugs to more lucrative markets. According to the United Nations Office of Drugs and Crime (UNODC), these groups rely on diaspora networks, contacts in governments and often de facto political immunity in Nigeria to facilitate the distribution of drugs to consumers abroad. Drug shipments purchased by affiliates in producer nations or other transit points may be trafficked directly to other West African states with weak governance and surveillance capabilities, and then carried onwards to their final destination.<sup>96</sup> In other cases, shipments of narcotics such as cocaine and heroin that arrive in Nigeria are 'broken down' and carried abroad by couriers, who employ a variety of methods to evade detection by customs.<sup>97</sup>

Nigerian criminal groups have proven to be far less violent than other groups, as high-level traffickers – or 'drug barons' as they are known by Nigerians – are said to often have separate careers as successful businessmen or politicians, and do not generally engage in open conflict with one another over trafficking routes and territory.<sup>98</sup> Ethnicity or kin often links these drug barons and their networks, and experts say they are adept at resolving disputes among

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90 US Department of State, Country report: Nigeria, in International narcotics control strategy report, Washington DC: US Department of State, March 2015, pp.251–4

91 S. Ellis, *This present darkness: A history of Nigerian organised crime*, London: Hurst Publishers, 2016, p.92

92 UNODC, Annex 1, in World drug report 2015, Vienna: UNODC, May 2015

93 KII with the UNODC, London, UK, May 2016

94 Focus group discussions (FGDs) and KIIs conducted within the context of a separate research on drug use, Kano, Rivers, Borno, Plateau and Kaduna states, Nigeria, April 2016

95 KII with the UNODC, Lagos, Nigeria, May 2016

96 KII with the UNODC, London, May 2016

97 KII with an official from the National Drug and Law Enforcement Agency (NDLEA), Lagos, May 2016

98 Ibid.

one another.<sup>99</sup> In addition, those networks are malleable and are frequently connected through ties that generally overlap with specific ethnic and religious identity groups. For example, law enforcement officials interviewed for this report cited Igbos from Nigeria's southeast Delta region as being disproportionately involved in international drug trafficking relative to members of other Nigerian ethnic groups.<sup>100</sup> As is the case with drug law enforcement elsewhere, the close-knit ties between drug traffickers who also share a separate group identity makes penetration of their networks challenging. In Nigeria, this is compounded by the fact that enforcement agencies are hampered by limited funding and capacity, and that trafficking networks may have powerful elite allies in government or the business community – or even be directed by someone who is a member of those groups.<sup>101</sup> This adds a structural dimension to the challenges Nigeria faces in addressing drug trafficking, as it is intimately connected to illegitimate and ineffective institutional performance and the influential role that powerful elites play in Nigerian society.

This chapter investigates the issue of drug trafficking in Nigeria from a peacebuilding perspective. As this structural backdrop to drug trafficking in Nigeria is part of larger concerns over long-term peace and stability, there is a need to craft transformative responses to drug trafficking that are conflict-sensitive and which place law enforcement within a broader context of institution strengthening, accountability and respect for human rights.

## 5.2 Historical background and current context

Nigeria is Africa's most populous country with over 400 ethnic groups as well as dozens of religious groups. Despite the country's considerable oil wealth, there is extreme inequality, with 46% of Nigerians living in poverty.<sup>102</sup> Social, political and economic disparities tend to fall along geographic fault lines – north and south – also correlating to the religious and ethnic geography of the country. Nigeria's post-independence development objectives have not been achieved due to a number of factors, including poor governance with systemic inequalities related to structural and cultural violence, unequal representation among decision-makers and violent resolution of disputes due to poor conflict-management mechanisms.<sup>103</sup> Both individual and group grievances are presented to a system of governance with institutions dictated by a system of patronage politics and corruption.

According to Ellis,<sup>104</sup> Nigerian involvement in global drug trafficking began during the early 1980s, when a steep decline in oil prices caused a downturn in the national economy. Economic pressures in Nigeria accelerated the exodus of educated college graduates to countries across the world, where émigrés established expatriate communities that maintained strong ties to their communities back home. Many of these were from southeast Nigeria, home to the majority of the Igbo ethnic group. Those involved in drug interdiction efforts in Nigeria, such as Nigeria's National Drug and Law Enforcement Agency (NDLEA) and the UNODC claim that there is a connection between the Igbo origin of many Nigerian émigrés in third countries and drug trafficking networks due to correlations between Igbos arrested and detained in drug-related charges.<sup>105</sup> Ellis argues that the involvement of Igbos in facilitating the drug trade points to prejudice inside Nigeria's military government after the Biafran conflict, which incentivised Igbos to seek private sector financial opportunities that did not require access to state power, some of which were illegal.<sup>106</sup>

99 KII with the UNODC, London, May 2016

100 KII with the NDLEA, Lagos, May 2016; KII with the UNODC, Lagos, May 2016

101 KII with the UNODC, London, May 2016; S. Ellis, 2016, *Op. cit.*, p.124

102 Poverty headcount ratio at national poverty lines (% of population), The World Bank, 2009, <http://data.worldbank.org/indicator/SI.POV.NAHC>, date accessed July 2016

103 See J. Galtung's works on structural and cultural violence

104 S. Ellis, 2016, *Op. cit.*

105 KII with the NDLEA, Lagos, May 2016; KII with the UNODC, Lagos, May 2016

106 S. Ellis, 2016, *Op. cit.*, p.133

In fact, the issue of legality is itself not entirely straightforward when it comes to acquiring wealth in Nigeria. Scholars have pointed out that Nigeria’s legal regime was at its origin a colonial enterprise, imposed by Great Britain often at the expense of traditional justice mechanisms.<sup>107</sup> After independence, intense competition over control of state structures gave rise to politics that were deeply rooted in identity, often primarily concerned with access to wealth, and which required the disbursal of patronage.<sup>108</sup> These inequalities in access to economic opportunities and wealth as well as dysfunctional judicial and security sectors have been enabling factors in the development of the drug trade in Nigeria.

Through successive governments, both civilian and military, corruption has weaved its way into the very fabric of the Nigerian state. In such an environment, questions over the legality of a given method of gaining access to wealth become murky, as organs of the state itself often necessitate lawbreaking in the form of corruption in order to function.<sup>109</sup> Thus, drug trafficking – particularly into foreign markets – is seen by many as smart business, and historically high-profile Nigerian politicians have themselves been periodically involved in the drug trade.<sup>110</sup>

### 5.3 Governmental efforts to combat the drug trade

At the national level, the Inter-Ministerial Committee on Drug Control released in 2015 a National Drug Control Master Plan, which calls for a strategy that balances enforcement and interdiction efforts with drug demand reduction in a manner that respects human rights and gender equality. The law enforcement pillar of the plan acknowledges that the targeting of low-level drug dealers and users tends to be ineffective and emphasises investigations that target “mid- to high-level suppliers and producers of drugs”.<sup>111</sup> The plan also calls for an alignment of national laws and policies with international standards, including proportional sentencing based on the severity of the crime and the quantity of drugs seized. In addition, it promises to strengthen the NDLEA’s ability to investigate money laundering as well as conduct long-term intelligence-based criminal investigations of high-level dealers.<sup>112</sup>

At the regional level, the Economic Community of West African States (ECOWAS) adopted the ‘Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crimes in Nigeria’ in December 2008. Known as the ‘Abuja Declaration’, signatories committed themselves to passing anti-drug laws that provide an effective deterrent, establish specialised drug enforcement agencies such as the NDLEA, and enhance regional cooperation, investigation and extradition policies to promote an integrated approach to the drug trade in West Africa. ECOWAS’s Regional Action Plan promises that member states will strengthen efforts to tackle corruption inside of law enforcement agencies, share information with one another about drug trafficking operations and carry out multi-country investigations, among other policies.<sup>113</sup>

The West Africa Commission on Drugs (WACD) recently released a report entitled *Not just in transit: Drugs, the state and society in West Africa*. The report is not specifically about Nigeria, but it summarises many of the key problems that drug trafficking poses to the country, including the corrosive effect of drug money on electoral politics, overemphasis on arresting low-level street dealers and smugglers, and the link between institutional weakness and corruption in strengthening

107 I.K.E. Oraegbunam, The principles and practice of justice in traditional Igbo jurisprudence, *OGIRISI: A New Journal of African Studies*, 6, 2009; S. Ellis, 2016, *Op. cit.*

108 S. Ellis, 2016, *Op. cit.*, pp.23–117

109 O.B. Ijewereme, *Anatomy of corruption in the Nigerian public sector*, Sage Publications, 4 June 2015; S. Ellis, 2016, *Op. cit.*

110 S. Ellis, 2016, *Op. cit.*, p.123

111 National Coordinating Unit for the Inter-Ministerial Committee on Drug Control, *National drug control master plan, 2015–2019*, Lagos: NDLEA, June 2015, p.26

112 *Ibid.*, p.27

113 ECOWAS, *Regional action plan to address the growing problem of illicit drug trafficking, organized crimes, and drug abuse in West Africa*, Abuja: ECOWAS, 2008

trafficking networks.<sup>114</sup> Members of the commission have called on West African states to avoid repeating mistakes made elsewhere by militarising their response to the problem and implementing punitive measures aimed primarily at low-ranking members of criminal networks.

In Nigeria, the NDLEA is the primary state security agency responsible for addressing drug trafficking through and inside Nigeria. Set up with the assistance of the US in the 1990s, the NDLEA is headquartered in Lagos but has field offices across the country as well as operational posts inside international airports.<sup>115</sup> The NDLEA approach to interdiction originally focused heavily on making ‘one-off’ busts rather than carrying out lengthy investigations into the individuals who control the networks.<sup>116</sup>

As is the case with law enforcement officials across West Africa, the presence of low salaries in the NDLEA provides fertile ground for drug traffickers to incentivise NDLEA officers to turn a blind eye to the drug trade or even share information with drug organisations. In addition, the reputation that some NDLEA officers are connected to drug traffickers hampers interdiction efforts, as community members are reluctant to provide information on local sellers and foreign law enforcement holds back on sharing intelligence due to fears that it will be leaked.<sup>117</sup>

In 2010, Alhaji Lafaji, then the chairman of the NDLEA, was convicted for corruption after taking payments from drug traffickers.<sup>118</sup> While in 2016, a high-ranking member of the NDLEA alleged that corruption continued to be widespread under the new leadership, whom he said had misappropriated funds while maintaining connections to drug barons.<sup>119</sup>

A prevailing assumption on the streets is that various security personnel, from NDLEA<sup>120</sup> as well as other law enforcement agencies, are involved in drug trafficking, occasionally as key players. In the late 1990s, a director of the NDLEA stated his belief that military officers were involved in the drug trade, describing how his forces had been prevented from searching barracks even when confronted with evidence that drugs were being stored there.<sup>121</sup> Today, drugs are often openly sold in markets that are adjacent to barracks and which are off-limits to traditional police.<sup>122</sup>

Of serious concern is the treatment of offenders and suspects once arrested by the NDLEA. The numerous street-level drug traders interviewed told an extremely consistent story of severe physical abuse while in NDLEA custody. In the area around Port Harcourt, dealers said they were often hung on a fan hook, beaten with electrical wires, given little to no food and were released only when they were able to negotiate fair bribes with the arresting officers.<sup>123</sup> While these tactics may not be employed by all or even the majority of NDLEA officers, they are unlikely to provide reliable intelligence and have the corollary effect of corroding the reputation of the NDLEA.

Other observers are more sympathetic to the NDLEA, saying that corruption in the organisation’s ranks is far less widespread than in the national police. UNODC officials who are intimately familiar with the performance of the NDLEA point to logistical challenges, poor funding and limited capacity to carry out complex investigations as much greater obstacles for the NDLEA than corruption.<sup>124</sup>

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114 WACD, *Not just in transit: Drugs, the state and society in West Africa*, Geneva: WACD, 2014

115 KII with the NDLEA, Lagos, May 2016

116 *Ibid.*

117 FGDs and KIIs, Kano, Rivers, Borno, Plateau and Kaduna, April 2016; KII with the UNODC, London, May 2016

118 How Lafaji, former NDLEA boss, walked himself into jail, Sahara Reporters, 24 June 2010, <http://saharareporters.com/2010/06/24/how-lafaji-former-ndlea-boss-walked-himself-jail>

119 Former NDLEA chairman turned agency into ‘breeding ground for illicit drugs,’ petition to Buhari says, Sahara Reporters, 6 January 2016, <http://saharareporters.com/2016/01/06/former-ndlea-chairman-turned-agency-%E2%80%98breeding-ground-illicit-drugs%E2%80%99-petition-buhari-says>

120 KIIs with drug sellers, Rivers, Bayelsa and Delta, April 2016

121 S. Ellis, 2016, *Op. cit.*, p.173

122 KIIs with drug sellers, Rivers, Bayelsa and Delta, April 2016

123 *Ibid.*

124 KII with the UNODC, Lagos, May 2016

## 5.4 Drug trafficker strategies and operations

Shipping and travel routes from West Africa to the US and Europe became attractive for producers in Asia and South America during the 1980s and into the 1990s. As Nigerians proved their value to drug producers for their ability to arrange storage of product in West Africa and its transportation onwards to consumer markets, Nigerian criminal groups enriched themselves financially and established their own distribution networks.<sup>125</sup> The extremely high profits of drug trafficking further enabled Nigerian groups to purchase influence at home and in other African countries, which have served as proxy transit points since travellers from Nigeria began being profiled by law enforcement.<sup>126</sup> Today, Nigerian criminal networks maintain a global presence and are able to facilitate the transport of large quantities of illicit drugs from producer countries to consumers in the world's wealthier locales.

Most seizures of drugs intended for foreign consumption occur at the Murtala Muhammed International Airport in Lagos, the country's most populated city and by all indications the home of its most powerful drug barons.<sup>127</sup> Officers from the NDLEA report discovering drugs in hidden compartments inside passenger luggage as well as in pellet form inside the stomach of 'mules'.<sup>128</sup> It is believed that this form of trafficking was pioneered by Nigerians, wherein a smuggler will carefully wrap small packages of drugs inside a condom and then swallow as many as dozens at a time, which are expelled and repackaged once across customs in the destination country.

However, experts say that Nigerian traffickers are also involved in moving much larger shipments into Europe and Asia, typically hidden inside of consumer goods or in small airplanes and boats.<sup>129</sup> Nigerian criminal organisations appear to have graduated from their initial role as logistical facilitators for alternative supply chains into one where they act as key players, purchasing drugs from producers outright and then arranging for their shipment and distribution.

Law enforcement officials with experience investigating West African drug trafficking speak respectfully about Nigerian drug networks.<sup>130</sup> They are said to be professional, adept at resolving disputes and influential across Africa, operating in a very different manner from drug organisations in other parts of the world. Whereas cocaine cartels of South America are centrally managed and feature distinct hierarchies and an organisational structure, Nigerian organisations are generally more informal. While there is typically an established leader in the form of a drug baron, the transnational shipping process may feature partnerships between groups that are not formally organised and which are linked primarily by kin, prior business experience or introduction by a trusted asset.<sup>131</sup>

Although there is evidence that Nigerian organisations have handled large sea- or airborne shipments, much of the drug traffic from Nigeria relies on couriers who transit to other countries in Africa before embarking towards their final destination.<sup>132</sup> One study describes a layered system, where the 'barons' work with their 'strikers', who recruit couriers and shepherd them through the process of hiding the drugs and make arrangements for them to be met once they successfully clear customs. Couriers may be from within the social network of the strikers or they may be recruited. When couriers are arrested – as many inevitably are – they often do not know the real names of the strikers, let alone the identity of the baron who employs them.<sup>133</sup>

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125 KII with the UNODC, London, May 2016

126 *Ibid.*; KII with the NDLEA, Lagos, May 2016

127 *Ibid.*

128 *Ibid.*

129 *Ibid.*

130 KII with the UNODC, London, May 2016

131 *Ibid.*

132 KII with the NDLEA, Lagos, May 2016

133 S. Ellis, 2016, *Op. cit.*, p.176

In response to being profiled in consumer countries, key informants suggested that Nigerian drug traffickers have taken to using nationals of other African countries as their couriers.<sup>134</sup> Drugs that are transported into Nigeria are frequently brought to countries such as South Africa or Mozambique before being sent on to consumer markets, in the hope that customs agents will not profile couriers upon arrival. In much the same way, officials in Nigeria say that even larger consignments will rarely be sent directly from Nigeria to wealthy countries and are generally brought to a waypoint country first.<sup>135</sup>

The most commonly trafficked drugs that are transited either through Nigeria or under the auspices of Nigerian groups are cocaine and heroin, and are typically but not exclusively sent to Europe for consumption.<sup>136</sup> In recent years, East Africa has emerged as a significant waypoint for heroin trafficking from Central Asia, but Nigerians have been arrested with heroin in countries such as Kenya, suggesting that they are involved in the management of that route.<sup>137</sup> Law enforcement officers describe the presence of Nigerian trafficking cells across Africa that enter into financial arrangements with local government officials who assist with transit and storage in exchange for payment.<sup>138</sup> The multinational structure of Nigerian trafficking groups provides opportunities for drugs to be shipped directly to countries such as Liberia rather than Nigeria, although it is the Nigerian groups that ultimately control the supply chain and garner most of the profits.<sup>139</sup>

One of the more surprising developments in recent years is the emergence of Nigeria as a budding producer of methamphetamine (meth). Since 2010, the NDLEA has discovered and dismantled at least 10 facilities set up to produce large quantities of the drug, destined for markets in East Asia where an exorbitant mark-up means a high-profit margin for successful smugglers.<sup>140</sup> ‘Precursor’ chemicals used to manufacture methamphetamine are imported from India and then either stolen or illicitly sold to criminal groups who have acquired the technical knowledge of production from South Americans familiar with the process.<sup>141</sup>

In March, officials raided a meth lab north of Port Harcourt that boasted the capacity to produce up to four tons of the drug per week, arresting four Mexican nationals along with their Nigerian counterparts operating what was described as an “industrial-scale” production facility.<sup>142</sup> While speculation emerged that Mexican drug cartels may have been outsourcing a portion of their production to Nigeria, a UNODC investigator said that it was far likelier that a Nigerian drug organisation hired the Mexican counterparts as de facto consultants, and that production and distribution of Nigerian meth is largely under the complete control of Nigerian organisations themselves.<sup>143</sup> While the market for meth is smaller internationally than that of heroin or cocaine, it is lucrative, and the emergence of Nigeria as a manufacturer is of significant concern to authorities.<sup>144</sup> It is also a sign of the growing sophistication and independence of Nigerian drug traffickers, in the sense that they are no longer acting simply as enablers of the trade, but have entered an era where they are capable of being producers.

While there have been suggestions of a link between drug trafficking organisations in Nigeria and terrorism, there is little to no direct evidence of such a connection, according to the same UNODC

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134 KII with the NDLEA, Lagos, May 2016; KII with the UNODC, Lagos, May 2016

135 Ibid.

136 Ibid.

137 C. Ombati, Nigerian, Ghanaian arrested at JKIA with heroin worth Sh17.6 million, Standard (Kenya), 3 March, 2016, <http://www.standardmedia.co.ke/article/2000193701/nigerian-ghanaian-arrested-at-jkia-with-heroin-worth-sh17-6-million>

138 KII with the UNODC, London, May 2016

139 Ibid.

140 Ibid; D. Lewis, Special report: West Africa’s alarming growth industry – meth, Reuters, 24 July 2015, <http://www.reuters.com/article/us-africa-drugs-meth-special-report-idUSKCN0PY0WS20150724>

141 KII with the NDLEA, Lagos, May 2016

142 A. Hernández, Nigeria has dismantled a crystal meth superlab built with Mexican expertise, VICE News, 15 March 2016, <https://news.vice.com/article/nigeria-dismantles-a-crystal-meth-lab-built-with-mexican-expertise>

143 KII with the UNODC, London, May 2016

144 KII with the NDLEA, Lagos, May 2016

investigator. He suggested that rumours of ties between *Jama'atu Ahlis Sunna Lidda'awati Wal Jihad*<sup>145</sup> and drug profits have been overemphasised by some international donors and interested partners for the purpose of increasing funding for interdiction in the region – and that such allegations are based on a misunderstanding of Nigeria and its drug organisations.<sup>146</sup> The WACD has made a similar point cautioning against drawing such links without clear evidence.<sup>147</sup>

## 5.5 Understanding the domestic drug trade in Nigeria: 'Cult' gangs of the Niger Delta as a case study

Most of the high-volume narco-trafficking that takes place in Nigeria is hidden from sight. Diaspora networks are employed by drug barons who supervise the purchase of narcotics from their source, arrange for shipment into Nigeria or a waypoint country somewhere in Africa, package the drugs, ship them into consumer markets via couriers or hidden inside consignments of goods and then sell them to distributors. In this model, the drugs never enter the Nigerian market, except in small quantities that may have been doled out as payment to members of the conspiracy who see the profitability of selling them locally. Both law enforcement officers and drug dealers describe the market for drugs such as cocaine, heroin and meth as limited in Nigeria due to their expense.<sup>148</sup>

Still, there is a vibrant culture of street dealing in Nigeria, both of the commonly used marijuana – known as 'Indian hemp' – and harder drugs such as heroin and 'world cup', as cocaine is sometimes called.<sup>149</sup> Typically, dealers will establish a designated area for dealing that will include small shacks where addicts congregate to smoke, snort and inject the drugs, and which may include some measure of acknowledgement by local law enforcement officials who are paid to look the other way.<sup>150</sup> Researchers visited one of these areas in Lagos, where both heroin and cocaine were openly on display for sale. Drug abusers spoke of habits that could cost as much as 10,000 Nigerian Naira per day – the equivalent of over £20 or US\$31 – an extremely large sum for average Nigerians.<sup>151</sup> Dealers say that many of their clients are well off, but many others become trapped in a cycle of addiction and turn to criminal acts to feed their habit.<sup>152</sup>

Generally, drug traders do not engage in open confrontation over where they will sell their product, as much of the trade is controlled by barons who are adept at cooperating and avoiding violence. However, there are exceptions, most notably in the case of Nigeria's 'cult' gangs, predominantly active in the southern and central parts of the country. Described as 'cults' due to the religious nature of initiation rituals such as blood oaths members are required to take, the gangs are rooted in early 1970s campus organisations.<sup>153</sup> Over time, as politicians began to see the value of the groups in mobilising votes and attacking rivals, the organisations left campuses and morphed into organised street gangs, many of which have a history of extreme violence.<sup>154</sup>

Cult gangs have become hybrid social organisations that operate as a political force and are involved in street-level drug trafficking, often engaging in open warfare and murder to protect their territory from rival gangs. As part of this research, individuals involved in the drug trade as either dealers or cult gang members in the country's Niger Delta region were interviewed.<sup>155</sup> Many

145 Commonly known as Boko Haram

146 KII with the UNODC, London, May 2016

147 WACD, 2014, Op. cit., p.23

148 Ibid.; FGDs and KIIs, Rivers, April 2016

149 Ibid.

150 KII with the Center for the Right to Health, Lagos, May 2016

151 FGD with drug abusers, Lagos, May 2016

152 KIIs with drug sellers, Rivers, Bayelsa and Delta, April 2016

153 Cults of violence: How student fraternities turned into powerful and well-armed gangs, *The Economist*, 31 July 2008

154 S. Ellis, 2016, Op. cit., p.109

155 KIIs with drug sellers, Rivers, Bayelsa and Delta, April 2016

spoke of engaging in violent acts such as shootings and stabbings of rival gangs over control of specific neighbourhoods, with control of the drug trade being one factor in those conflicts.

Nearly all of the cult gang members and street dealers interviewed said that they had entered the drug business due to economic pressures.<sup>156</sup> Rivalries between cult gangs are fierce and most enjoy some level of support from politicians who use them to bring voters to the ballot box during elections and other enforcement activities.<sup>157</sup> Law enforcement officers describe drug abuse as a key factor that drives election violence as well as confrontation between cult gangs.<sup>158</sup> While cult gangs were not created as drug trafficking organisations and would fight over territory even in the absence of drug profits, it is certain that narcotics exacerbate the violence by creating financial incentives to establish control over markets. Street dealers who are not members of a cult gang in the Niger Delta generally have to pay tribute to a gang in order to operate in its territory.<sup>159</sup>

While the Niger Delta has recently emerged as a location for methamphetamine production, nearly all the dealers who were interviewed said that their drug barons resided in Lagos and that shipments of drugs tended to come from there into Port Harcourt.<sup>160</sup> This anecdotally speaks to the role of Lagos as the main destination for foreign narcotics imports, rather than the nearby Port Harcourt. None of the dealers was willing to name their drug barons, but they universally described them as extremely rich, reliable and business-like in their dealings. Even those who were subjected to intense beatings by the NDLEA while in custody refused to name their suppliers, highlighting the ineffectiveness of torture in acquiring information valuable to an investigation.<sup>161</sup>

As is the case with most conflict systems, the economic grievances cited by most respondents suggest that, if more opportunities were provided for formal, well-paid employment, they would leave the drug business immediately, describing themselves primarily as businessmen rather than criminals.<sup>162</sup> Community members in the Delta region frequently expressed a belief that politicians were often at the heart of the drug trade and described how during elections they distribute drugs to cult gang members as fuel to disrupt their opponents' 'get-out-the-vote' operations.<sup>163</sup>

## 5.6 Conclusions

By all accounts, the Nigerian drug trade is a sophisticated, professional and extremely well-capitalised industry. While there is no formal structure as per the Italian mafia or Mexican cartels, there is nonetheless a high degree of specialisation among those who participate in the trade, drug organisations are flexible and willing to cooperate with one another when necessary, and in recent years they have taken on an international character and are capable of handling extremely large volumes.<sup>164</sup>

The findings of this report also suggest that the Nigerian drug trafficking system is not – or, at any rate, not yet – associated with large-scale violence. This may be due to the fact that Nigeria still serves as a transit country rather than a producing country or it may be linked to the specific nature and culture of Nigerian organised crime networks. But it is important to note that the absence of widespread violence connected to this system does not indicate that it could not lead to larger conflict in the future. In addition, cult as well as more traditional gangs fight over control of territory that includes drug markets, although competition among these groups may be complex

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156 Ibid.

157 KII, Rivers, April 2016

158 Ibid.

159 KII with drug sellers, Rivers, Bayelsa and Delta, April 2016

160 Ibid.

161 Ibid.

162 Ibid.

163 FGDs and KIIs conducted within the context of a separate research on drug use, Rivers, April 2016

164 KII with the UNODC, London, May 2016; S. Ellis, 2016, *Op. cit.*, p.170

and not primarily centred around the drug trade, but rather over political influence, reputation and pride. The drug barons who control narco-trafficking in Nigeria and elsewhere have an interest in remaining hidden, and violent confrontation would be bad for business. However, the Nigerian drug trade presents myriad risks to the country, and, despite not featuring the conflict dynamics of producer countries such as Afghanistan and Colombia, it does present a challenge to peace and security in Nigeria.

Further, the poor institutional performance that enables it poses a challenge to the rule of law and responsive governance in Nigeria. As access to cash is a critical element of electoral success in Nigeria to mobilise votes and acquire allies, drug traffickers who wish to become politicians will immediately have an advantage as their business activities will have given them access to a deep financial war chest as well as connections to street gangs. Others who may wish to remain hidden can easily finance the campaigns of politicians, in effect purchasing a degree of immunity. While not all Nigerian politicians are corrupt, there is ample evidence that many are willing to use street gangs as enforcers, and numerous interviewees expressed their belief that there are links between some politicians and drug money.<sup>165</sup>

The country's former president Olusegun Obasanjo famously declared that drug barons have entered politics at the highest level. Perceptions like this erode the reputation of government in Nigeria, which encourages other forms of lawbreaking in the pursuit of financial rewards. It also fuels the belief that there are double standards in Nigerian society, with powerful elites escaping accountability for activities that can get the relatively poor street dealers killed or tortured. Corrupted governance systems also skew public decision-making away from what is best for the population in favour of what is best for those with most influence, and thus fail to deal with the many conflict issues faced by a country as diverse and hard to govern as Nigeria. This creates a risk that governance systems and institutions fail in what is arguably their primary function: the anticipation and resolution of conflicts among the people.

The Nigerian government has acknowledged that cracking down on users and street dealers is unlikely to be a successful strategy, and has decided to shift its attention to 'kingpins' and 'barons'.<sup>166</sup> The coming years will be indicative of the appetite at high levels of government for serious investigations and prosecution of individuals who are likely to be politically well connected. If so, the relative peace among drug traffickers in Nigeria may be tested, and, given the entrenched influence of some of these traffickers, it is likely that increased interdiction efforts will be met with intense opposition.

The 'hard approach' of Nigerian drug counter-trafficking policies and poorly equipped law enforcement agencies such as the NDLEA further complicate the above challenges. UNODC officials say that providing NDLEA officers with adequate salaries and allowing them space to put resources into long-term investigations of high-level drug traffickers is a necessary first step in addressing the Nigerian drug trade.<sup>167</sup> This will require support from senior government officials and a willingness to back officers who carry out the dangerous work of investigating and arresting drug barons. However, it will also require NDLEA managers to crack down on corruption and lawbreaking in their ranks, including violent treatment of suspects and other improper use of force. The NDLEA is already viewed as a stronger force than average police departments, and, with sustained training, financing and attention, it can help to end the impunity with which senior drug traffickers presently operate.

The entry of Nigerian drug organisations into the manufacture of methamphetamine is also worrisome. While the drug is intended for destinations abroad, Nigeria's budding status as a

<sup>165</sup> FGDs and KII conducted within the context of a separate research on drug use, Kaduna, Kano, Borno, Rivers and Plateau, April 2016; KIIs with drug sellers, Rivers, Bayelsa and Delta, April 2016

<sup>166</sup> KII with the NDLEA, Lagos, May 2016

<sup>167</sup> KII with the UNODC, London, May 2016

producer nation makes it increasingly likely that some amount of spillover will enter the Nigerian streets. Indeed, law enforcement officers in Rivers state report that seizures of small, user-friendly amounts of the drug have increased in recent years.<sup>168</sup> Methamphetamine is extremely addictive and, if dealers decide to reduce street prices in Nigeria to turn a quick profit, it could lead to serious problems.

There is also a need to recognise that Nigerian drug organisations often operate without regard for regional boundaries, and that members of a trafficking network may have ‘cells’ inside countries across the continent. Effectively combating these organisations will require an international approach that harnesses the experience and intelligence of local law enforcement agencies with those in Europe, the US and Asia, so that their operations can be mapped and exposed. Proving that drug barons are directly connected to drug trafficking will be difficult, but successful prosecutions will send a signal to Nigerians that involvement in the narcotics trade will not be tolerated at any level, and will buttress efforts to reduce trafficking in the lower ranks as well. Whether senior members of the Nigerian government have the appetite for such a challenge remains to be seen.

## 5.7 Recommendations

### To the Nigerian government:

- Adopt a ‘zero-tolerance’ approach to politicians, public officials or business owners who are found to have involvement with drug traffickers. Law enforcement agencies should make attempts to target individuals suspected of involvement in the drug trade who also play a role in the nation’s politics.
- Foster greater cooperation between various arms of government including the Ministry of Employment and Labour, Ministry of Health, Ministry of Education, Ministry of Defence, etc. to create holistic approaches to the drug trafficking dynamics.
- Enable the NDLEA and other law enforcement agencies that play a role in drug interdiction to gain additional capacity and know-how in carrying out complex investigations.
- Hold accountable any NDLEA officers who violate standards of integrity or who are involved in violating the human rights of suspects in their custody.
- Help to establish dialogue-based conflict-resolution mechanisms for street gangs involved in the drug trade in order to reduce incidences of violence.
- Promote drug treatment programmes in Nigeria in order to prevent a further increase of addiction and other forms of abuse.

### To the donor community and local civil society organisations in Nigeria:

- Continue to facilitate local- and national-level dialogue with various national stakeholders to discuss how to curb corruption and the implication of influential people in facilitating the drug trade.
- Continue to fund training programmes for NDLEA officers, which can build their capacity and enable them to execute complex investigations of senior drug traffickers.

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<sup>168</sup> Kills with law enforcement officials, Rivers, April 2016

## 6. Final conclusions and recommendations

The findings of this research highlight how drug trafficking and the illicit or informal economies associated with it have lasting effects beyond the trade itself, permeating all aspects of the political economy of the countries where it occurs.

In all three contexts, the organised production, shipment or onward sale of illegal drugs has become an inherent part of the local, national and regional political economy, as well as linking to the political economy of other countries in the value chain. This means it is structurally embedded and is furthering the interests of many of those in positions of power and authority, as well as many individuals, families and local communities. All are tied into a complex knot which is difficult – and potentially dangerous – to untangle.

While not necessarily being particularly violent themselves (at least in some cases), those engaged in drug trafficking are corrupting the institutions of society and state whose role is to anticipate and manage conflicts and prevent violence while providing services to the population. Hence, the drug trade is not only taking advantage of poor governance, but making it worse – and reinforcing a lack of mutual trust between the state and its citizens. In Afghanistan, violence is more clearly linked to the trade, as the opium sector interacts with civil war and civil war actors, and thus does engender violence directly. While the same can be said for many other regions in Colombia, this was not the case for the border area.

The impacts on people and communities include an erosion of social cohesion, corruption, poor services, the risk of criminalisation and of state (and non-state) violence, and the risk that personal drug use will lead to health, economic and social problems for users.

Nevertheless, paradoxically, by providing livelihood opportunities, the drug economy is creating a measure of stability and economic wellbeing, at least in the short term, which eradication efforts in all three contexts seem to undermine.

Therefore, what the three contexts have in common is that, for them to wean off their dependence on and involvement in this sector, they must take a long-term, wide-ranging and sustained approach that links fair, honest and effective law enforcement and justice, with long-term social, economic and governance measures. Without a concerted effort to improve good governance, the rule of law and peace, the organised drug trade will, at best, be displaced but will surely not be eliminated.

The following recommendations are directed to policy-makers, and their national and international partners to guide possible action in addressing the links between the drug trade, conflict and fragility.

- Carry out conflict and peace analyses, including political economy analyses to understand local and regional dynamics underpinning drug trafficking and crime. Apply conflict-sensitivity to programme delivery to ensure that even the best-intentioned efforts do not end up causing harm to the more vulnerable.
- Encourage greater local research capacity as the basis for policy formation on drug trafficking issues. This to ensure greater connection between analysis and practice, and so that interventions which are designed to tackle drugs and insecurity themselves ‘do no harm’ and thereby unintentionally reinforce negative conflict dynamics.

- Encourage continuous dialogue on the challenges that drug trafficking poses to the implementation of peace agreements in Colombia and beyond, among national and local authorities, international donors and implementing partners, to identify risks without undermining the short-term stability.
- Reinforce transparency in political campaigns and electoral funding, and ensure that trafficking profits are not invested in building political support and do not undermine free and fair elections.
- Reinforce transparency, regulatory frameworks, accountability in the management and recruitment of security forces (local police, gendarmerie, customs), and promote zero tolerance of corruption and criminal activities by its members.
- Improve security, governance, infrastructure and other incentives to boost alternative livelihoods and employment opportunities while attracting investment.
- Increase accountability and reduce culture of impunity for high-level drug traffickers through improving investigative capacities of law enforcement and overall justice delivery.
- Refrain from militarising the response to drug trafficking to avoid increase in violence. This is particularly true in regards to low-level dealers and smugglers.
- Work with international law enforcement agencies to establish a clear picture of drug networks in the four countries and map links across borders and networks to understand the global reach.
- Understand drug trafficking as a development and human rights problem that requires a different response: for the most vulnerable, it is about prevention and mitigation, while for others, it will be about law enforcement and punitive measures.
- In many cases, drug trafficking feeds off and coexists with other illicit economies, which requires a deeper understanding of such links and finding efficiencies in the different efforts to address each one.







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