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## Nexus between Narcotic Drugs Trafficking Syndication and other Associated Crimes

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### **Abstract:**

*Is there a nexus among drug trafficking, human trafficking, arms trafficking and money laundering? Over the years, and especially since the end of the cold war and the dawn of the new millennium, the concerns for security globally have a major paradigm shift. The current nature of security includes such contemporary issues as illicit trade in small arms and light weapons, trafficking in narcotic drugs and persons, money laundering and its other economic implications, among others. This study attempts to establish a relationship among these variables.*

*The study is qualitative, and concludes that trafficking in the recent past has become an organized crime. Trafficking in arms and narcotics, including money laundering are a multifaceted, multi-dimensional, and multidirectional cooperation. Hence, it concludes that more dynamic international, regional and national efforts be made to curtail this challenge; support for law enforcement agencies, improved and dynamic police operations, regular training and sensitization opportunities, among other.*

**Keywords:** Drug Trafficking, Arms, Narcotic, Money Laundering

### **1. Introduction**

In recent years and in many parts of the world, there has been a notable escalation of illegal trafficking of narcotics and weapons and other related crime. These constitute a source of concern and increase the need for pragmatic action by national and international organizations/government to curtail the extent of proliferation by implementing more stringent laws that will eventually nib the situation.

The growing demand for hard drugs such as heroin and cocaine influences mass movement of people either through voluntary migration or trafficking and has increasingly made difficult security at transnational borders; encouraging corruptions and illegal possession and use of firearms. There is a web of interconnectivity in international crime making it difficult for both national and international agencies to effectively curb the situations as desired. This is a syndicate crime because both narcotics and arms sales are driven by demand for it. It was noted that the movement of these commodities are often connected and overlapping. The pattern may differ greatly depending on the needs and structures of the criminal groups. However, it is important to note that people who are involved in drugs are often the same people who deal with other crimes.<sup>1</sup>

Amado Philip, commenting on the scourge of the crime in Africa, states that criminals are now using West Africa as a hub for their illicit trade. Countries like Guinea Bissau are off most people's radar screens. He emphasised that most African countries affected by poverty are easily prone to drug trafficking as the drug money becomes a major source of income in an atmosphere of fragile

<sup>1</sup> Phil Williams "Drug and Guns", Bulletin of the Atomic Scientists, 55, no, 1 (January – February 1999). <http://www.bullatomsci.org>.

economies and abject poverty. Traffickers are infiltrating state structures and operating with impunity.<sup>2</sup> The structure of arms and narcotics transaction is increasingly varied, flexible, and multinational, as are the relations between terrorist and transnational crime groups.

Infact, no countries in the world can be said to be totally immune from the scourge of these complex relationships, although records and levels of participation differ, none is out-rightly ignorant or unconnected. Some of the hot spots in the drug trade are Mexico, Cambodia, and Thailand etc. While the United Arab Emirates is arguably said to be the financial centre for money laundering because of her booming economy and location.

Therefore, with the world becoming a global village through the advancement in technology coupled with incessant occurrence of conflicts all around the world, there is the need for drastic actions to reduce, to the barest minimum, the proliferation of both light arms and other ammunitions from getting into the hands of belligerent and other non-state actors to prevent mindless crisis that can emanate from trafficking of illegal arms, drugs and other crimes.

## 2. Historical Overview

The drug revolution dates back to the 16<sup>th</sup> century when Great Britain begun exploring new territories in Asia in their quest for much needed raw materials that could be used to sustain the Industrial Revolution. It was during this time that Opium poppy and Indian hemp, which were largely used for medical and religious purposes in China, were discovered. However, the sedative and addictive effects of the crop led the British army to encourage their soldiers to use the crops during their wars against other European colonial powers.

Though the Chinese outlawed the use of the crops because of the adverse effect on its population, the British pressurized them to make the crop a major commodity of export. The Chinese continuous refusal to increase the production of the crop for export purposes led to the "Opium Wars". With the defeat of China in the "Opium War" the British repealed the Anti-Opium Law, increased the production of the commodities; and pressurized Macau and Indo-China to export the commodity to France and Portugal until it dawned on them that the commodities were harmful to their population.

The quest of the Europeans to bring the trade to an end led to the passing of laws to regulate the use and sales of the crops until it was finally declared illegal. This can, to a large extent, be described as the origin of the use and trade in drugs.

## 3. Theoretical Framework

For the purpose of clarity and lucid explanation of facts and issues in this paper, the Lee's<sup>3</sup> push/pull theory of migration will be adopted and adapted within the context of this discourse, since the concept of trafficking is predicated on transnational and international movements/transfer of drugs, money, narcotic and human beings.

The thesis holds that as long as the West demands opium, cocaine, marijuana and other narcotics, the grower countries will continue to produce it; as long as there is a mutual benefits for the players (the producers and the consumers), the challenge will not go away.

## 4. Narcotics and Illegal Arms Trafficking and Other Related Crimes Including Money Laundering.

The distribution of illegal drugs or the trafficking in drugs in its initial years consisted of traffickers who could be described as "small time". This group passed along small amounts of drugs for financial gains. However, in recent years, trafficking has become highly organized. This is true especially if we examine the trade from the wholesale and the intermediary levels. Added to this development is the fact that trafficking in drugs is becoming more and more facilitated by highly sophisticated organisations with effective distribution techniques. For example, there has been a significant change in the nature of cocaine trafficking in the last fifteen years. These sophisticated methods that have been adopted by traffickers and the increasing demand by the consumer nations had led to increase in sales of illegal drugs on the world market. The 2005 report of the United Nations Office of drugs and crime estimated that the value of illicit drug at the production level in 2003 was \$13bn; \$94bn at the whole sale level and \$322bn at the retail level. The report concludes that the market for illicit drugs is substantial and that the values of retail sales are higher than the GDP of 88% of the countries (163 out of 184) in the world; it is about three quarters of the total GDP of Sub-Saharan Africa. In addition, it measured the equivalent of 12% of global export of chemicals (\$794 bn); 14% of global agricultural exports and exceeded global exports of ores and other minerals (\$674bn). Again, the sales are higher than the combined total agricultural exports from Latin America (\$75bn) and Middle East (US \$10bn). The report also showed that the largest drug in the market is cannabis herb (% 113 bn in retail sales); cocaine (US \$71bn); Opiates (US \$65bn); Cannabis resin (US \$29 bn) and an estimated US \$44bn for methamphetamine, amphetamine and ecstasy<sup>4</sup>.

Since monies derived from drug trafficking are illegitimate, traffickers are compelled to engage in the act of money laundering. Levi (2002:182) defines money laundering as the concealing of the proceeds of drugs trafficking or other serious crimes beyond putting the loot visibly on the bed or in one's domestic safe. To do this the process of laundering have to be good enough to outsmart the changing capacity of financial investigation skills and the burden of proof in any of the jurisdictions along it economies path.

<sup>2</sup> Amado Philip De Andres (2008) Frilde: Organized Crime, Drug, Trafficking, Terrorism – The New Achilles Heel of West Africa.

<sup>3</sup> Lee S.E A theory of Migration. [http://en.wikipedia.org/wiki/human\\_migration](http://en.wikipedia.org/wiki/human_migration)

<sup>4</sup> Glen E. Curtis and Tara Karacan 2002, The Nexus among Terrorist Narcotics Traffickers, Weapon Proliferations, and Organized Crime Network in Western Europe.

## 5. Mode of Operation

Traffickers have continued to use intermodal means of transport, frequently concealing larger shipments in commercial maritime containerized or bulk cargo. Fishing vessels is another method used to transfer multimetric-tons of their illicit dealings.

Traffickers frequently attempt to circumvent inspection by altering shipping documents of intermediate transshipment points, and by using counterfeit customs seals. They also use a variety of concealment methods to ship cocaine. The most common storage location for cocaine is in hidden compartments within fuel or ballast tanks. Most of the time, they modify the structure of the vessels which makes access to hidden compartments impossible without literally tearing the vessels apart.

They also look for local blending; recreational traffic areas, or use of the same types of boats as the local population. They operate in the night to avoid detection. The advancement of technology helps in transporting their business. They make use of Global Positioning System (GPS), which pin point drop zones and meeting spots in the middle of the ocean. Cellular telephone are used to minimize their exposure to interdiction assets and ensure smooth transfer of their cocaine, arms etc.<sup>5</sup>

## 6. Impact on Security

According to Curtis and Karacan (2002), trafficking in narcotic and other related crimes are overlapping activities which had increased in recent years. This is partly attributed to the fact that the formal sponsorship of terrorism by state began to decline at the end of the cold war, forcing terrorist groups to find alternative sources of financial support. Trafficking in arms, narcotic and money laundering is a cooperation that involves different groups. It is

Multifaceted, multi-dimensional, and multidirectional in nature. It is a syndicated crime that involves members of the upper echelon of society as well as those on the lower echelon; the rich and poor, individuals, governmental agencies, multi-national agencies among others.

It is believed that the variety of buyers, sellers and middlemen exists among arms and narcotics smuggling operations. As Michael Chandler an expert in transnational crime pointed out:

the people who are involved in the moving of drugs are often the same people who will use the same infrastructure to move human beings as illegal migrants, traffic in weapon, and smuggle any other high-values items. It's like being a good trucker. You don't want to travel the return leg with an empty truck.<sup>6</sup>

Commenting on the analogy Robert McMahon believed that there is a relationship between all the crimes when he stated that "you have drug coming out one way and that produces money and that buys the weapons and then the weapons go back in"<sup>7</sup>. It is an interrelated circle of unending chains. This analogy provides an explanation to the nexus of trafficking in narcotic drugs, illegal arms, illegal migration, human trafficking, money laundering and other related crimes. For example, in 2001, authorities in Columbia established that there was a link between the narcotic trafficking group, the Revolutionary Armed Forces of Colombia (FARC) and the Irish Republican Army (IRA); in fact British intelligence suggests that FARC, whose annual income from narcotics is placed at an estimated \$1bn, paid an estimated \$2m to the Irish Republican Army (IRA) for the purpose of training in arms, explosive techniques or urban warfare. These monies were paid using offshore bank accounts. Further link between narcotic and international crime could be seen in the 2001 report of the Guardian of London which stated that, "Thirty years of terrorism have left a *web* of networks in which organized crime can thrive and a climate of fear and secrecy that makes fighting such crime very difficult."<sup>8</sup>

Again, the Police Service of Northern Ireland reported in 2001 that more than two-thirds of members of the 78 criminal gangs identified in Northern Ireland are actively involved in the trafficking of narcotics; while 55 percent is engaged in forgery and counterfeiting; and fifty percent in money laundering. In addition, there is evidence that newer loyalist groups like the Loyalist Volunteer Force are deeply involved in narcotic trafficking because the sales in narcotics provide quick cash.<sup>9</sup>

The marriage of convenience between these groups expand the possibilities of the group, whether by profit or by ideology. This connection of commonalities has blurred the line of distinction between terrorist and criminal groups. Alison Jamieson gave an example of the blurring distinction by identifying that if narcotic trafficking proves lucrative beyond the immediate goal of paying for arms, the "pure" ideology of a terrorist group may be diluted and some parts of the organization may "wander" into conventional criminal activity.<sup>10</sup>

<sup>5</sup>Lt. Col J. Brooke Taylor Caribbean Drug Trafficking and the Western Hemisphere. Colegio InterAmericano De Defensa. Washington D.C

<sup>6</sup> Micheal Chandler (2002) The Nexus among terrorists, narcotic traffickers, weapons proliferation, and organized crime networks in Western Europe. A Study prepared by the Federal Research Division Library of Congress, Washington D.C. 20540-4840. <http://www.loc.gov/r/r/frd/>

<sup>7</sup> Robert McMahon "Afghanistan: UN Official Describers Efforts to Track Al-Qaeda" Radio Free Europe/Radio Liberty, 28 January 2002. <http://www.rferl.org>

<sup>8</sup> U.S. Congress, House, International Relations Committee, "Investigative findings on the Activities of the Irish Republican Army (IRA) in Colombia," 24, April 2002. <http://www.neoliberalismo.com/ira-farc>

<sup>9</sup> Rosie Cowan, "The 78 Criminal Gangs Waging War on Ulster", *The Guardian*(London) 23 March 2001

<sup>10</sup> Alison Jamieson, "Transnational Organized Crime: A European Perspective," *Studies in Conflict and Terrorism*, 24, no. 5, (September-October 2001), 394

It is also interesting to note that former African colonial countries have been caught in the web. They are deeply involved in arms trafficking and other crimes. Countries like Portugal, Angola and Mozambique have been identified. The old networks which attempted to put a brake on decolonization built up groups of mercenaries and traffickers. And it is the same people who are involved in the trafficking of arms that are connected to diamond trade. Diamond have been identified as the exchange currency in shipment to Middle Eastern Terrorist Hezbollah<sup>11</sup>

Apart from organizations, individuals have also been identified as nexus, connecting, abating and collaborating in the illicit trade. In 1998, General Manuel Antonio Noriega, was alleged, charged and found guilty of acting as a double agent for both the United States Central Intelligence; cocaine, trafficking racketeering and money laundering organisation and group.

Globalization has enhances the connectivity between buyers and sellers. Globalization of financial, commercial, transportation and communication networks helps perpetrators to locate each other, identify points of common interest and establish terms of cooperation<sup>12</sup>. This also offers a very favourable range of conditions for smugglers and narcotics traffickers to accomplish their tasks: A very highly developed and integrated transportation and communications infrastructure provides more sophisticated commercial operations. The age of interconnectivity makes security more cumbersome and complex. Globalization also enables criminal groups to take greater advantage of variation among nation in standard and effectiveness of law enforcement.<sup>13</sup>

Another effect of increasing exchange of business of this nature is continuous crisis in most conflict zones of Africa and Asia

The experience of 9/11 is a result of arms proliferation and the activities of non-state actors' e.g. terrorist groups. The Al Qaeda group are being suspected to be connected to drug trafficking apart from their terrorist activities. This has increase the state of insecurity among nations and constant harassment to lives and properties. Khenonog, noted that drug problems pose a major threat to societies all over the world. About 4 per cent of the world's population abuse drugs on regular basis and that persistent of opium production in some countries proved that highlanders has not been offered alternative to traditional crops and cultivation practices<sup>14</sup>. Hence, the development of various protocols and conventions to eradication and bring to book the perpetrators.

### **7. Strategies/Efforts at Combating the Narcotic, drug trafficking and illegal arms.**

The fight against illicit drug trafficking and other crimes required a complex and multifaceted approach, like the nature of the problem, therefore both supply and demand must be addressed. Gharti calls for concerted and determined effort of international community while commenting on the problems of organised crimes, drug abuse and trafficking. He noted that these crimes posed serious threat to modern society since they have become transnational organised crimes. An International Convention on Drug Abuse and illicit trafficking met in Vienna from June 17 to 26, 1987 with the mandate to generate universal action to combat the drug problem at the national, regional and international level. A follow up of this convention was the 1990 UN resolution to launch an onslaught on drug trafficking with global action plan of which 1991-2000 were designated to UN Decade Against Drug Abuse. The result of this effort is the Colombia drug which was geared towards eradicating Coca plants that are used to make cocaine, and poppies, flowers that are use to make opium. It also saw the apprehension and eventual killing of Escobar a leading drug dealer in 1993.

Another UN Conference on illegal drug was held in 1998 and it was resolved that by 2008 there must have been significant reduction in drug use and cultivation. UN members' states also resolved to strengthen antidrug laws crack down on the laundering of money obtained from the sales and improve international law enforcement efforts. Also as part of the strategies to combat drug trafficking, the UN resolves to help farmers with financial aid, to plant traditional crops.<sup>15</sup>

Another concerted effort at ending the problem was the International Convention on illegal items, UNIS/GA/SHC/302, on October 5, 2000. Participating countries agreed that:

- Stringent measures should be taken in order to bring manufacturers, suppliers and traffickers to justice
- Military operations against smugglers using sophisticated equipment were not enough, therefore, international cooperation should target major drug traffickers by combating money laundering, terrorism, arms trafficking and corruption;
- Major consuming countries should stand by their international responsibilities and lower their domestic demand;
- The Broaden of international law to counter illicit drugs and assist in alternative crop cultivation.
- Venezuela contribution suggest that prevention is not enough, there is the need for both education and research.<sup>16</sup>

Other initiatives that predate all the convention mentioned above are:

<sup>11</sup> "UN Investigation Links of Belgian Diamond Dealers with Afghan Terrorism" Le Soir (Brussels), 14 March 2002, reported by Norwegian Initiative on Small Arms Trafficking. <http://www.nisat.org>

<sup>12</sup> Phil Williams, "Organizing Transnational Crime: Networks, Markets and Hierarchies," in Phil William and Dimitri Vlassits, ed., *Combating Transnational Crime, Concepts, Activities and Response*, London: Frank Cass, 2001, 58

<sup>13</sup> Williams, "Combating Transnational Crime," 58

<sup>14</sup> Links between Terrorism, Drug trafficking, illegal Arms Trade stress – international convention on illegal items.

<sup>15</sup> Bergguist, Charles and Robinson, David J. "Colombia". Microsoft Encarta 2009 Redmond, WA: Microsoft Corporation 2008.

<sup>16</sup> General Assembly Humanitarian and Social Committee- Links between terrorism, drug trafficking, illegal arms trade stress... October 2000.

The 1961 Single Convention on Narcotic Drug and 1971 Convention of Psychotropic Substances enjoin all members to institutionalize the establishment of an international Narcotic Control Board (NCB) and measure to control advanced proliferation of drug.

### 8. Regional Initiatives

Between 1912 -1972, not less than 12 multilateral conventions were adopted with regard to the regulation of drug and other crimes. From 1980s, the 1988 UN convention against illicit traffic in Narcotic and Psychotropic substance<sup>17</sup>, the council of Europe convention on laundering declare seizure and confiscation of the proceeds from crime<sup>18</sup> and other countries followed suit. Thus Belgian law of confiscation was changed in 1990<sup>19</sup>, Dutch law in 1992<sup>20</sup> and Luxembourg. The Swiss legislation was amended in respect of confiscation in 1994<sup>21</sup>.

Southern Asian region, being the hot-spot for such illegal activities, introduced regional bodies to address the threat and enforces anti smuggling and money laundering laws, e.g. ASEAN Chief of National Police ASEAN Senior Police Officials on Drug matters etc.

In Africa, the Economic Community of West Africa States (ECOWAS) established the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), anti-money laundering agency in Dakar and also establishes branches all over the region to curtail money laundering activities of the perpetrators.

### 9. National Initiatives

Every member state signatory to UN conventions came up with strategies for dealing with the menace of drug, arms, money laundering and trafficking. In 1970, United State created Racketeer Influenced and Corrupt Organization (Rico) Act, for imposition of tough measures against organized crime. In 1989, the G 7 created financial Action Task force, a temporary working group, to develop measures to implement anti-laundering policies.

Nigerian, with the ascendancy of Obasanjo, as the nation's President, established the Economic and Financial Crimes Commission (EFCC), to fight illegal money acquisition and money laundering. The EFCC, no doubt has positively impacted anti-trafficking policies, in the face of obvious challenges within and outside of the institution. Nigeria has not only succeeded in this area, the establishment of anti-trafficking unit, a governmental agencies; National Agency for the prohibition of Trafficking in Person (NAPTIP) was also establish in 1999 to nip trafficking of human being in the bud.

We cannot conclude that there are no policies against syndication but it often seems that the weapon carried by these groups are far more sophisticated than those in the possession of the law enforcement officers. At other times, the collaboration of several agencies in the fight against such syndication makes it a herculean task and a failed project. I strongly believe that if countries have harmonised laws on drug trafficking and abuse in which consumers and producers are subjected to same laws regardless of the scene where the offence was committed this will enhance cooperation among nations and reduce the incidence of transborder crime. In additions nations should also ensure that they acquire more sophisticated weapon to within the syndicate.

Education and sensitization are also of very high importance; national government in particular, should create more institutions that would serve to educate the populace on the negative effects of drug and arms trafficking, including money laundering. Such effects could be on both the individual and the state itself. Also, regular trainings (at various levels) are needed on how to identify such drug, arms, money and human traffickers. The citizenry must be made to understand that fight against such crime syndicates is a collective responsibility, and there is a need to cooperation with the government in minimizing the challenge of such criminal syndicates. Procedures should also be provided on how to report suspected members of such syndicates to the appropriate authorities.

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<sup>17</sup> Vienna, 20 December 1988, ILM (1989), 494

<sup>18</sup> Strasbourg, 8 November 1990, ETS No 141

<sup>19</sup> Act of 17 July 1990, amending Articles 42, 43 and 505 of the Belgian Criminal Code. See G. Stessens, *De nationale en internationale bestrijding van het witwassen van geld, onderzoek naar een meer effectieve bestrijding van de profitgerichte criminaliteit* (Antwerpen: Intersentia, 1997) p.5

<sup>20</sup> Act of 10 December 1992, amending article 36e of the Dutch criminal code p. 83

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