

# Drugs and Illicit Practices: Assessing their impact on development and governance

**Christian Aid Occasional Paper**

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October 2015



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## **Acknowledgements:**

With many thanks to those who made this project and reports possible. Country case studies were written by Christina Anderson, Filippo de Danieli, Jacobo Grajales, David Mansfield and Paul Fishstein. Christian Aid staff Paul Valentin, Andrew Hogg, Alison Kelly, and Christine Allen set the direction. Thomas Mortensen, Yacouba Kone, Katharine Teague, Kevin O'Dell, Karol Balfe and Sorley McCaughey provided key commentaries. Jonathan Goodhand and Patrick Meehan of SOAS provided expert advice. Texts were seen by Phil Mason, Aislin Baker and Alice Burt of DfID; Thomas Pietschmann of UNODC; Markus Schultze-Kraft of the Institute of Development Studies; Joanne Csete of OSF; Caroline Hart of Joliba Trust; Duncan Green of Oxfam; Danny Kushlick and team at the Transform Drug Policy Foundation; Martin Drewry and team at Health Poverty Action; Jonathan Glennie of ODI and Alex Cobham formerly of the Center for Global Development. Auriane Frahi provided research support. Last but not least, Andrew Jacques who put the reports into shape.

We allocated funding from the Financial Transparency Coalition for this project, which started as research into the upstream sources of illicit money flows. For more information on the FTC, see [financialtransparency.org/about/](http://financialtransparency.org/about/) The Global Drug Policy Program of the Open Society Foundations provided a further grant to support the project, and a partnership was started. Case studies were commissioned to pursue a context-based analysis of the impact of illicit drugs on development. For more information on the OSF, see [opensocietyfoundations.org/about/programs/global-drug-policy-program](http://opensocietyfoundations.org/about/programs/global-drug-policy-program)

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# Introduction: Shining a light on the impact of illicit drugs

In a new, much-needed investigation, Christian Aid has begun to expose a major blind spot in development thinking, an area that has so far been hidden from view: the impact of the illicit economy on poverty eradication.

In-depth case studies from four of the countries at the heart of the illicit drugs trade – Afghanistan, Colombia, Mali and Tajikistan – show how the illicit drugs trade is shaping the economies, governance, and social fabric of entire nations.

This synthesis report explains the urgent need for this analysis, sets out the case studies' main findings, raises the questions we need to start grappling with, and begins the search for solutions.

## **The illicit economy: Its sheer scale and complexity**

This investigation is long overdue. The tremendous global expansion and sheer scale of the illicit economy – of which the production, trafficking and consumption of illicit drugs is a huge part – now demands our urgent attention.

The International Monetary Fund (IMF) and the United Nations Office on Drugs and Crime (UNODC), among others, have tracked the global illicit economy and its growth.<sup>1</sup> When monitoring started in 1997, the global turnover of the sales of illegal drugs was estimated at \$300bn a year. By October 2011, the UNODC said that 'the largest income for transnational organised crime comes from illicit drugs, which account for some...0.6% to 0.9% of global GDP'. Using the World Bank's GDP ranking table for 2014, this translates into \$449bn and \$674bn a year, or up to five times more than the global aid budget.

When estimating the total proceeds of all crime (including human trafficking, smuggling, etc), the figures grow to between 2.3% to 5.5% of global GDP.<sup>2</sup> The midpoint in this range is 3.6%, or \$2.8 trillion in 2014, a figure that is roughly equivalent to the entire combined output of the 49 economies of the African continent.<sup>3</sup>

It goes without saying that economic activity of this magnitude will leave almost no aspect of development untouched. It shapes the creation of jobs, determines access to land and markets, sways trends in banking, drives cross-border financial flows, affects public services, and influences political decision making. For many people, the illicit economy has become their sole means of survival and their only way of finding some form of protection from violence.

It is not just that the illicit economy has grown. As our case studies show, the licit and illicit economies are no longer two separate entities: they are often one and the same thing. Mafias provide much-needed jobs, investment and stability; drug lords are elected into government office; criminals are given sanctuary by the poor people they are supposed to prey on; criminal syndicates serve as shadow sub-contractors of state security. The list goes on.

## **Counternarcotics: A one-dimensional response**

But rather than recognise the fact that the illicit drugs trade is woven into the very fabric of many societies, the prevailing counternarcotics narrative and the core analysis of the UN law enforcement system treats it as a separable problem – something akin to a malignant tumour that can be isolated and surgically removed from a healthy body. Law enforcement is seen as the cure and its success is measured in metrics such as raids conducted, kilograms seized, hectares eradicated, individuals arrested, prosecutions filed, convictions won, and so on.

But as our case studies show it is not even remotely that simple: this is a 'tumour' that cannot be easily removed. It has spread to become an almost necessary part of the whole body, making conventional treatment ineffective. Removal could cause certain organs to fail.

This is perhaps why, even on its own terms, the current cure is not working: more than 50 years after the Single Convention on Narcotic Drugs of 1961 was signed, and despite the hundreds of billions of dollars spent on eradication, the illicit drugs industry is bigger than ever.

It is time for new cures to be discovered.

## **Development agencies: Heads in the sand**

While law-enforcement agencies and the UN have set out on a one-dimensional quest to tackle the illicit drugs trade, development agencies have tended to ignore the problem altogether.

Reluctant to engage in the 'war on drugs',<sup>4</sup> there has been a tendency to view the illicit economy as something entirely separate from the work of development. That is no longer possible. Like it or not, the drugs trade and other illicit

activities are now part of the lives of millions of the people we aim to support.

As the world buckles down to agreeing post-2015 sustainable development goals, the aim of this report is to lift the veil and start a conversation among development agencies on how they can collectively understand the illicit economy and engage with it in their programmes and advocacy work.

If development agencies want poor communities to lift themselves out of poverty, then the causes and consequences of the continuing expansion and resilience of the illicit economy, as well as the intended and unintended consequences of programmes associated with the war on drugs, need to be fully understood.

And if new cures are needed, development agencies need to be fully involved in finding them.

### **Case studies: A more complete picture**

These case studies are a first and necessary step in the search for new cures. They have not uncovered a silver bullet – but they have clearly established that the conventional solutions are not working.

They mark a departure from the conventional analysis exemplified by the reports produced by the UNODC, such as the World Drug Reports and the Illicit Crop Monitoring Surveys, and the documentation of the sessions of the UN Commission on Narcotic Drugs.<sup>5</sup> The case studies here are more qualitative, and approach the matter from a development perspective. Using mainly tools of political-economy analysis, they focus in-depth on a small number of cases, digging deeper to explore the context in greater detail and uncover the story behind the stories.

The case studies try to understand the wider picture. They seek insights into the role that illicit economies play in bolstering or undermining the state, in fuelling or reducing violence and inequality, or in limiting or expanding wealth.

They are not meant to challenge or replace the UN drug-control analysis. It is less the dominance of law-enforcement analysis that needs to be addressed, than the dearth of development analysis, and its lack of influence on drug policy and law enforcement. The UN reports may be criticised for being too narrow, or for crunching the scope and richness of social phenomenon into cold, detached figures. But that is their job. The UN reports should not be expected to describe

the context or tell the whole story. They are about casting the net as wide as possible to capture broad patterns. The information they present is a radical simplification for purposes of abstraction and data manipulation, and should be treated as such.

Rather than challenge the UN reports, the case studies in this report complement them. They fill the gaps left by context-free and stripped-down quantitative reporting. They seek to initiate a dialogue between law enforcer and development worker when looking at the same phenomenon. The intention is not about taking sides in the ongoing prohibition versus legalisation debate – there are, after all, law enforcers and development agencies on both sides of the argument.<sup>6</sup>

The case studies are designed to uncover the blind spots of the conventional analysis, reveal new knowledge, raise challenging questions, and provide some explanations.

They break new ground in development thinking and introduce what may be more appropriate tools for analysis. Hopefully, these case studies could contribute to smarter solutions and meaningful changes in both development and drugs policy.

The case studies and their writers are:

- *Inadvertent Impact: Heroin and stability in Tajikistan* by Filippo de Danieli, who received his PhD at SOAS, University of London, for his research on the political economy of drug trafficking in Tajikistan.
- *The Power of Drug Money in Mali* by Christina Anderson, development consultant and policy analyst for the Mali-focused advocacy organisation Joliba Trust
- *Eyes (Still) Wide Shut: Counternarcotics in transition in Afghanistan* by David Mansfield and Paul Fishstein, modified and updated with permission from the Afghanistan Research and Evaluation Unit
- *Legalising the Illegal in Colombia: Criminals as political actors* by Jacobo Grajales, Associate Professor at the University of Lille (France), in the Center for European Research on Administration, Politics and Society.

# The difficult questions raised

The case studies in this report reveal stories that are often untold because they involve dilemmas and trade-offs that many policy makers, including development agencies, seem as yet unprepared to deal with. They delve into the kind of murky and messy contexts and politics that are often conveniently swept under the carpet. They highlight problems to which the best solutions may involve embarrassing compromises and detail how well-intended actions can have unexpected negative consequences.

In short, these case studies raise some of the most challenging questions facing development agencies today:

**In a messy and complex context, how do we help people move out of the illicit economy without inadvertently making things worse?**

**How can we best respond to the fact that poor people need protection from violence and the only way many can currently get it is by being complicit in the drugs trade?**

**Do poor people get involved in the drugs trade motivated by issues other than survival, ie, that they participate from greed, not need? If so, should we help them?**

**What can we learn when a democratically elected government loses its legitimacy and fails its people, while elsewhere illicit actors provide security and stability?**

**What if the illicit actors become legitimate and, in some cases, are good for the economy and stability?**

Clearly, there are no easy answers to such dilemmas. How does one predetermine the outcome of a £290m, three-year opium poppy-eradication programme? How does one justify getting into bed with criminals? It may even be that there are no answers at all to such questions. But it is only by confronting them that we hope to find new and useful ways of understanding the impact of the illicit drugs trade on development, and learn from the mistakes of the past.

One thing is certain. We can no longer afford to ignore these questions in our efforts to eradicate poverty. As will be shown below – from Helmand Province in Afghanistan to Magdalena Province in Colombia; from the valleys of

Tajikistan to the deserts of northern Mali – the development of many poor communities in the grip of violence will be shaped to a large degree by the commerce in illicit drugs.

**In a messy and complex context, how do we help people move out of the illicit economy without inadvertently making things worse?**

In the incredibly complex context of southern Afghanistan, well-meaning actions have had unintended consequences.

## The Food Zone

David Mansfield and Paul Fishstein explain how Helmand's well-intentioned Food Zone initiative – where farmers are weaned away from opium poppy and subsidised to grow alternative crops in well-irrigated fields – triggered the migration of land-poor households to the desert. There, in the area north of the Boghra Canal, they opened up more fields for opium poppy cultivation.

Without land, these families were less likely to receive the government support available as part of the initiative, and found fewer and fewer opportunities to sharecrop or rent land inside the Food Zone as a result of the opium ban. So most moved north, beyond the reach of opium-eradication campaigns, to where they could buy desert land from local commanders. Some arrived as sharecroppers or tenants, cultivating opium poppy for others in the hope of saving enough money to buy their own land in the future.

Aided by generous loans from opium traders, they levelled the land, sunk deep wells and installed diesel or solar-powered pumps. As a result, the case writers report, agricultural land in the former desert areas increased by an astounding 46-fold, from 752 hectares in 2002 to 34,270 in 2012. Nearly all of it is devoted to the opium poppy crop which produces the low-weight, easy-to-transport, non-perishable and high-value gum which is opium.

## British intervention in Helmand

Another useful, if painful, illustration of such unintended consequences can be found in the British military's experience in the Helmand Valley, southern Afghanistan – the global epicentre of opium production.

When British forces prepared to take control of Helmand in 2006, they sought to create incentives to wean Afghan farmers away from opium poppy cultivation, and foster more sustainable development. But the experience with incentives – such as providing cash in return for farmers voluntarily eradicating their opium crop – had been problematic. In 2002, the British government offered groups of farmers compensation payments, but according to one report, this only prompted more farmers to plant opium in the following year so they could claim compensation.

The scheme not only backfired, it was also seen as almost impossible to implement. In 2006, there were angry Helmand farmers still demanding compensation for crops they had destroyed four years earlier. The British Government claimed that they had handed over £21 million in compensation payments to the transitional authority, but it is assumed that local warlords paid to carry out the eradication simply pocketed the money. (See reports on pages 52-53 cited in Sue Pryce, *Fixing Drugs*, 2012)

In their efforts to tackle Helmand's illicit drug trade, British forces also inadvertently made it a more violent place. As a precondition of their involvement, they demanded the removal of the provincial governor Sher Mohammed Akhundzada, accused of corruption and being linked to the opium trade but admittedly an effective tribal leader.

Again, the move backfired. Removed from his sources of patronage, Akhundzada created mischief, including handing over thousands of troops – whose 'salaries' he could no longer pay – to the Taliban.<sup>7</sup> Helmand became engulfed in bloodier conflict. An exasperated President Hamid Karzai was reported to have complained to a US State Department official: 'Do you want a bad guy on your side, or working for the Taliban?'<sup>8</sup>

Whether or not working with a 'bad guy' like Akhundzada is a desirable option, the dangers of intervening without a full understanding of the context and possible consequences of that intervention are clear. By studying the context, our Afghanistan case study arguably reduces the risk of unintended consequences.

### **How can we best respond to the fact that poor people need protection from violence and the only way many can currently get it is by being complicit in the drugs trade?**

Desperately poor households may become deliberately complicit with warlords, criminals, rebels and other powerful

groups or individuals because it is the only way for them to get some form of protection. Poor households typically live outside any form of protection from violence and coercion. At any given time, more powerful individuals could take their property, not pay them wages for work done, or worse, do them harm, and there is no way that they can get justice even if it nominally exists.

When any form of recourse is beyond reach, it makes sense to 'play ball' with what could be the lesser of two evils. As explained by the economist Mancur Olson: 'Any given group of victims will prefer the stationary bandit who successfully monopolises theft, to the uncoordinated competitive theft of roving bandits.'<sup>9</sup>

In other words, when the criminal, warlord, or local politician like Akhundzada becomes the 'bandit that everyone knows' and achieves a monopoly of theft and violence which makes it more predictable, the victims will collude and be complicit. It is a more rational choice than exposing themselves to the greater uncertainties of uncoordinated, competitive theft and violence from the roving 'bandits they do not know'. Colluding with bandits turns a household, no matter how poor, into a source of money, food, lodgings, cover or information for that bandit. In return the bandit will find it necessary to provide the household with some form of protection – at least from other bandits – or else lose those valuable resources. It is not an arrangement without drawbacks for the household, but it certainly has benefits. Resisting the bandits, on the other hand, can only result in pain.

So how can development agencies respond to this less than ideal reality? Aid agencies still have a largely undefined role in protecting poor communities from violence. They may provide medicine and doctors to treat disease; seeds, fertilisers and knowledge to grow food; or books, classrooms and teachers to deliver education – but they do not provide protection. That task, according to conventional thinking, belongs to law enforcers. Encroaching on their turf involves the kind of overtly political 'mission creep' development agencies are keen to avoid. And yet without protection from violence, the painstaking development work of poor communities can be quickly laid to waste. Why would girls go to newly built schools if there is a significant chance they could be raped on the way? Why raise goats or cattle to be sold in distant markets if that means having to use dangerous roads and pass through checkpoints manned by armed militia? Why use new primary healthcare services, when the biggest killer to guard against is violent crime?

In contrast, growing opium poppy and coca bush could potentially bring vulnerable households into interdependent relationships with private, if illicit, providers of protection and security – who are keen to safeguard their ‘investments’. So where the state does not have a monopoly on the use of force, and where conventional development projects do not necessarily entail security, it is easy to see why farmers are complicit with illicit actors who have become the superior and more consistent force on the ground.

But why can’t development agencies provide security? One only needs to look at human rights organisations that have developed highly specialised methods of providing vulnerable groups with ‘unarmed civilian protection’ from powerful aggressors to know that it is entirely possible.<sup>10</sup> It is not the capability development agencies lack, it is the willingness to become embroiled in politically damaging partnerships. For example, should British NGOs consider making the likes of Akhundzada a partner in their programmes? If so, how could they justify it to the UK parliament and the British public, on whose donations they depend?

The fact remains, though, that the ability to provide security, or at least play a role in its provision, can make or unmake development efforts. If poor communities are making difficult but rational choices to survive conditions of constant insecurity, development agencies who want to support them also need to confront their own dilemmas and make their choices too.

### **Do poor people get involved in the drugs trade motivated by issues other than survival, ie, that they participate from greed, not need? If so, should we help them?**

One dilemma that runs through the case studies is the so-called ‘greed or need’ debate – is it greed or need that motivates poor farmers to grow illicit drug crops such as the opium poppy or the coca bush? The answer, to the case writers, is quite clear: farmers cultivate illicit crops in order to survive.

But what if illicit cultivation or drugs trafficking in places like Afghanistan or Mali is less a lifeline, and more a case of real, direct and actual complicity by poor people in what they themselves admit to be criminal activity? There is, of course, the not insignificant matter of the huge profits to be made from collusion. And poor farmers are rational actors too, who can make informed choices and strike favourable deals. In the Mali case study, for example, Christina Anderson provides an indication of the temptations of complicity in the

drugs trade. A Bedouin with a camel transporting untaxed cigarettes overland across the desert could earn about \$200 for each trip. Transporting cocaine, on the other hand, would pay up to \$2,000, and involve the same effort and roughly the same risk. The choice seems a no-brainer.

For poor farmers, opium traders provide credit, guarantee the prices at which they will buy the crop, and collect it themselves right from the doorsteps of its cultivators. They take many of the risks and logistical problems associated with growing, marketing and transporting produce away from poor farmers. As we have already shown, in wishing to protect their ‘investments’ they offer the farmers some measure of security.

But this takes no account of the incredible levels of coercion poor farmers face, or the complex and messy politics that they have to endure. In our case studies, poor farmers have to first strike deals and arrangements with the military, the rebels, the police and religious authorities, before they can start ploughing the land for themselves and their families. The ability to cling to a lifeline – in this case opium poppy cultivation – depends on bargains and agreements struck with the more powerful local actors advancing their own agendas.

The irony is evident – opium provides a lifeline that poor households cling to for survival; but at the same time, it also reinforces their structural impoverishment by equally sustaining the predatory actors who live off the poor.

Surely in this context, development agencies still have a key role to play.

### **What can we learn when a democratically elected government loses its legitimacy and fails its people, while elsewhere illicit actors provide security and stability?**

In Mali, in the span of a few weeks over March and April 2012, an apparently stable and democratically elected government, respected throughout Africa and beyond, collapsed in ruins.

The fall of the Malian state could be attributed to an apparent loss in legitimacy. Hardly any of the country’s 15-million strong population stirred when the government they elected was deposed in a coup by disgruntled military officers, who were humiliated by illicit actors in the north. The ‘democracy’ that was set up in Mali did not deliver on its promise. The consensus system of leadership under President Amadou

Tomani Touré, originally intended as a way to be more inclusive, ended up fuelling the corruption that helped bring about the collapse of the state. 'What emerged was the entrenchment of a narrow elite that based its power more on patronage and less on popular support, in a bid to control the government and the economy, both licit and illicit.'<sup>11</sup>

However, the alliance of insurgents that took over in the north and caught almost everyone off-guard, unravelled just as quickly. It was torn apart along ethnic and clan, national and regional, religious, criminal and extremist lines. It may have been the same lack of legitimacy that prevented the consolidation of the newly declared breakaway northern republic. Apparently, its various factions – including the criminal and terrorist groups that have established themselves in the absence of real state presence – ignored the local institutions upon which more enduring authority could evolve.<sup>12</sup>

Contrast Mali with Tajikistan right after the 1997 peace agreement. The civil war had left state-building incomplete and the government without the resources to impose and maintain order. Government actors, as Tajikistan case study author Filippo de Danieli explains, had every incentive to seek compromises with criminal groups that exercised effective control of certain parts of the country. They would allow criminal organisations to keep making money from drug trafficking, but only if they were given a cut. As *modi vivendi* emerged and consolidated, many criminal groups became *de facto* subcontractors of security.

Over time, the symbiotic relationships that emerged from the compromises led to the centralisation and consolidation of the state's coercive apparatus. In other words, instead of being a sign of state weakness, de Danieli effectively argues, opium and heroin trafficking in Tajikistan have contributed, paradoxically, to stability.<sup>13</sup>

The case study's conclusion may seem to be counterintuitive, but is true nevertheless – if political and criminal actors find common ground, illicit revenues can sustain post-conflict economic reconstruction and political stability.

That said, the case study points out that this kind of stability is short-term and may come at the expense of building more legitimate and accountable governance institutions in the long-term. Of course, actually making that longer-term state-building a reality is the bigger challenge. But that task cannot be started nor the appropriate policies devised if

there is continuous denial of how the short-term stability was achieved.

If anything, both the Mali and Tajikistan case studies reaffirm the need for accountable governance – a standard cure to the problem. But what is new is the suggestion that those who create the problem can be part of the solution.

### **What if the illicit actors become legitimate and, in some cases, are good for the economy and stability?**

The case studies examine how people engaged in illicit and illegal practices acquire a certain degree of formal legitimacy over time (see box on p13 for the distinction between illicit and illegal). For example, in Colombia, cocaine 'godfather' Pablo Escobar ran and won a seat in Congress despite his notoriety. His political party was essentially the criminal network that he built and funded.<sup>14</sup>

That illicit actors enjoy some form of legitimacy is not difficult to validate. What is difficult, though, is for the state to officially admit it. Not only would such an admission put law-enforcement agencies in a quandary, it could also throw official policy into disarray.

Where criminals operate their enterprise like a family business, or build networks based on patronage and loyalty, or forge alliances with those in public office, or create Robin Hood-type reputations – local communities will have little difficulty in perceiving them more as actors that could be tolerated than invaders to be despised. Though engaged in illicit enterprise and violence, they are likely to be people that local people know, who speak just like they do, who grew up down the street, who know the community and how it works. In other words, criminals (who rarely venture out of their comfort zones) are part of the local social fabric.

Contrary to their common image as 'outlaws' operating outside the state and formal economy, the case studies explain how illicit actors – especially successful ones – may operate very like politicians and businessmen who invest time and effort in building the legitimacy that enables them to survive and thrive.

Success in the drugs trade, or any criminal enterprise for that matter, can provide illicit actors with the resources they need to reinvent themselves as local pillars of society. A good example is Lo Hsing Han, one of Myanmar's richest men,



and once the rival of another famous drug lord, Khun Sa. When he died of old age in July 2013, the *Economist* found it fitting to publish for its international audience an obituary that called Lo a 'heroin king', but at the same time, also a 'respected businessman' and a 'pillar of the economy'. The *Economist* pointed out that in 1998, Lo's exports of heroin equalled all of Myanmar's legitimate exports put together. His flagship company was Asia World, the country's largest conglomerate.<sup>15</sup> It is quite evident that Lo's huge illicit enterprise has become part and parcel of Myanmar's, and perhaps even the region's, formal economy.

The case study on Colombia also helps to refute the assumption that those engaged in illicit activities operate outside the state and the formal economy. Jacobo Grajales shows that criminal actors, far from being outlaws, 'actually participate in the regular functioning of public institutions'. At the same time, criminals are not always underground – they are also entrepreneurs in the legal economy who use bank accounts, company registrations, and normal procurement from supply chains. 'Their objective is not to manoeuvre outside the state, as the qualification "warlord" or "drug lord" may suggest,' emphasises Grajales. 'Instead, they intend to participate in intra-state conflicts and engage in normal economic transactions in order to obtain material and political profits out of this participation.' There is no clear divide between what is licit and illicit, as commonly assumed. And they use acts of violence as 'manoeuvres for mobility within the system, not opposition to the system'.

Surprising parallels can be drawn between licit and illicit enterprises. They both create jobs, provide incomes and are significant sources of capital in cash-starved national economies. While many legitimate firms engage in corporate social responsibility, illicit enterprises donate to charity.

The Mali case study leaves a lasting image of the impact of the illicit economy on development. At the edge of the ancient town of Gao is Cocainebouguou. Prior to the 2012 conflict it was visible for miles across the desert because of its 'garish mansions of four- to five-storey high-rises with fake marble pillars, ornate metal gates, or ornamental fences', some of which housed 'businessmen' who were in reality upwardly-mobile drug traffickers. They used satellite phones, travelled in expensive 4x4 vehicles and were surrounded by platoons of bodyguards. They were also known for their generous contributions to the repair of mosques and madrasahs. Despite the desert's extreme isolation, its lack of agriculture and products to trade, and its chronic instability, its local economy appears to be increasingly linked to the global economy by the flows of illicit wealth. Desert outposts had become rural entrepôts,

supplying illicit high-value products and services – such as arms looted from Libya, smuggled cigarettes and consumer goods, stolen fuel and armed protection services.

The case study on Mali also offers a preliminary explanation on how a criminal enterprise embeds itself in communities. The case study paints a vivid picture of how drug trafficking and other illicit activity survive in the desert. Many engaged in illicit activities – from criminals to insurgent groups and 'terrorists' – are difficult to track down and can evade the forces of law enforcement because they have access to free lodgings, information, transportation, sources of credit and money-changing services. They are better connected than law enforcers to forms of community solidarity that enable them to crisscross and create dense, interdependent networks between the 'islands' and 'shores' of the desert.<sup>16</sup> Following French intervention in early 2013 which largely ended the conflict, the new government named six alleged 'narco-traffickers'. At the time of writing this report (July 2015), it seemed no action had been taken against anyone on that list. Indeed, it is widely believed that they have been effectively cleared in the interests of the peace process.

Of course, the illicit activities of criminal groups can be extremely damaging to development too. Grajales documents how Colombian paramilitaries, keen to acquire more land to cash in on the expanding global demand for cocaine, have been obtaining title deeds through violence, making land claims through fraud, or directly evicting poor peasants from their land. These dispossessions, while patently illegal, are often followed by the legalisation of ownership by a front man or company. This legalisation is made possible by the paramilitaries' mutually beneficial alliances with state institutions and the licit economy. These alliances give paramilitaries access to the bureaucratic and political resources they need to legalise their stolen assets, and makes them, effectively, regular participants in the functioning of state institutions.

In conclusion, criminal enterprise – more than conventional growth and development – is visibly and radically changing these far-flung rural economies in ways that governments, development agencies and law enforcers are only just beginning to understand. In the short-term, illicit actors may prove themselves more able wealth creators in the eyes of local communities. This is a challenge to development agencies that cannot be dodged. The murky and messy politics involved needs to be unpacked, understood and then properly engaged. The case studies provide a detailed understanding of how political relationships and economic structures facilitate the persistence of the illicit.

# Conclusion

The commerce in illicit drugs has often been conceived as a separable problem – something like a malignant tumour that could be isolated and surgically removed. But as the case studies and the questions they raise show, the drugs trade cannot be reduced to a clear greed-or-need dichotomy; complicity is a perfectly rational choice; the illicit is often inseparable from the licit. If the ‘drugs problem’ is indeed a tumour, then its infection has spread. It has already become an almost necessary part of whole body, making conventional treatment ineffective. New cures need to be discovered.

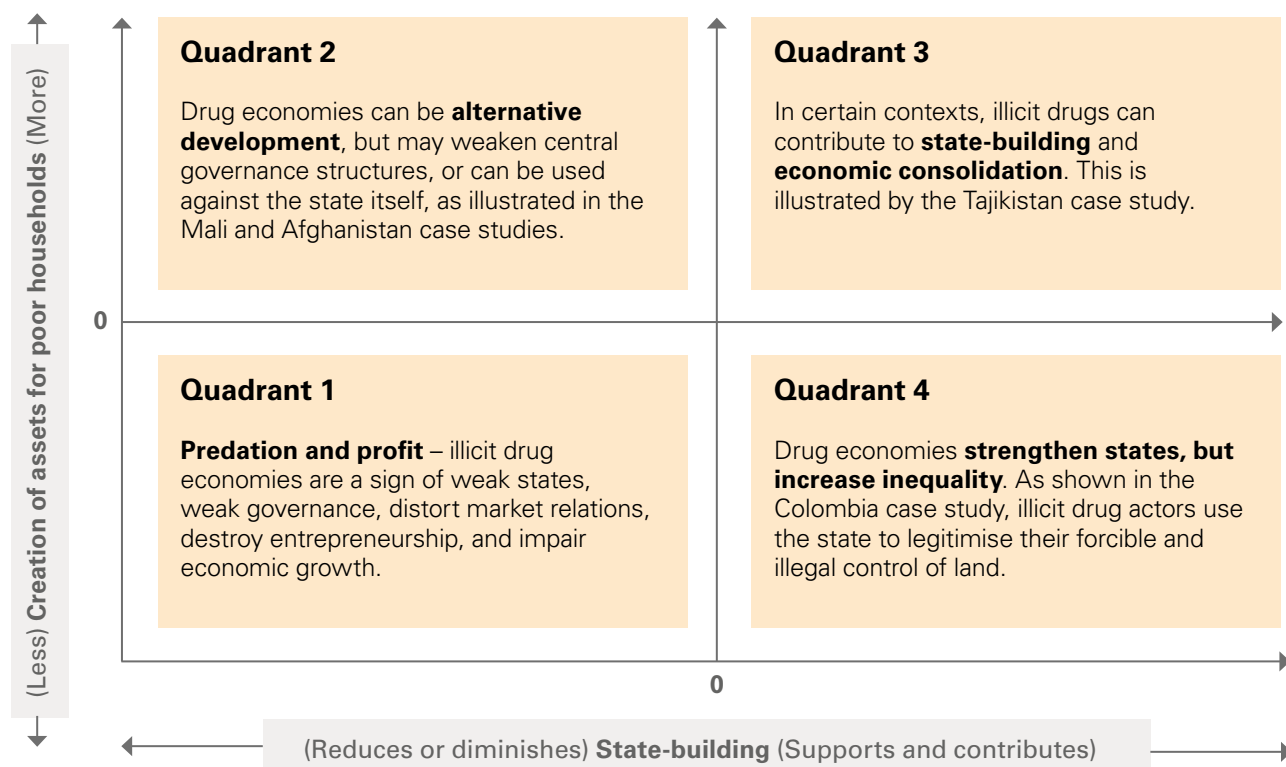
## A framework for analysis

What emerges from the case studies is a preliminary typology of drug economies that might provide insights into new cures, or at least new ways of understanding the challenges.

Figure 1 presents four quadrants. Each represents a type of drug economy in terms of whether it contributes to state-building (x-axis) or to the creation of assets for poor households (y-axis). Quadrant 1 represents the type of drug economy that undermines the state and makes poor people even poorer; the opposite is quadrant 3, which shows commerce in illicit drugs contributing to both asset generation and state-building. Quadrant 2 represents the type of drug economy that builds assets and diminishes state-building, while quadrant 4 is its reverse.

Each of our case studies, subject to a range of caveats and depending on the timeframe, can be located in an appropriate quadrant. They provide more nuanced perspectives: drug economies are not simply of a single type as explained by the conventional predation-and-profit framework adopted by most law-enforcement analysis.

Figure 1: Draft typology of drug economies



The law-enforcement framework understands the illicit drug trade as anti-state and anti-economic growth. As a result, the only policy response so far has been to make drugs illegal, and mobilise all resources necessary for the eradication of the trade. But this analysis and its consequent policy response are now being seriously called into question by different groups, including the Global Commission on Drug Policy. It points out that over the course of more than 50 years since its inception, international drugs control policy has not stemmed the growth of the illicit drugs trade, either on the demand or supply side.<sup>17</sup> In fact, the global drugs industry is growing.

With most of the world's focus on quadrant 1, the three other quadrants, and what could be appropriate policy responses for each, have been largely ignored. Illicit drugs – like any other lucrative cash crop or natural resource for export – can actually be useful, in a perverse way, for both state-building and economic consolidation, as the case of Tajikistan demonstrates. Drugs production and trafficking can bring 'alternative development', even as it weakens governance structures, as shown in the Mali and Afghanistan case studies. Finally, the Colombia case study illustrates that, like any other profit-making enterprise, the illicit drugs trade can concentrate the benefits of growth in the hands of a few and thus increase inequality and perpetuate poverty.

This typology is still a work in progress – it will change and improve. Nonetheless, it is a useful starting point for an extended examination of the impact of illicit drugs on development. It has, so far, given Christian Aid a greater understanding of the illicit economy and a lens through which to reappraise the war on drugs. Its key conclusions are:

- The ability of poor households to cling to a lifeline for survival – such as illicit drug crop cultivation – seems to depend on agreements made with more powerful local actors advancing their own agendas.
- It is land-poor households who end up opening up more land for cultivating illicit drug crops.
- In places affected by conflict, clear distinctions need to be made between shadow, combat and coping economies.
- The collusion and complicity of poor households in illicit activity needs to be understood in the context of constant insecurity and the sheer lack of protection.

- Those engaged in illicit activity – from corrupt public officials to warlords and drug lords – may be despised as criminals and bad guys, but they can still win the vote and promote security and stability.
- Even the most notorious can still enjoy some form of legitimacy. But legitimacy can be quickly lost too. In the end, legitimacy is ultimately shaped by rival institutions – clan, ethnic, national, or political and other group agendas.
- Illicit activity and actors, often thought of as operating outside the state and the formal economy, are often inseparable from it. They are not necessarily anti-state and anti-development, and can be involved as well in wealth creation.

It is quite clear that debate is not simply about prohibition versus legalisation – in between these two positions is a wide range of thinking that does not necessarily support either. Instead, many of these views take a position that prohibition has failed or is failing, and that local contexts should be driving much of the policy. Hence, new approaches are being developed and tried:

- Bolivia champions a 'coca yes, cocaine no' position, which seeks to change the treatment of coca while continuing to support the prohibition of cocaine. In its new 2009 Constitution, Bolivia has stated: 'in its natural state, coca is not a narcotic' (Article 384).<sup>18</sup>
- In 2001, Portugal launched what is now considered a successful experiment, whereby the possession of controlled drugs for personal use in quantities of up to 10 days' supply is not treated as a criminal felony any more, but rather as an administrative offence. The drugs themselves remain illegal, and drug dealing remains a criminal offence.<sup>19</sup>
- The Czech Republic has turned away from a repressive drug prohibition policy, and defined drug use as a multi-sectoral problem, not an issue for policing alone. Hence, a wider range of state actors are involved, not just police forces.<sup>20</sup>

Legalisation efforts have scored recent victories – limited so far to marijuana. In December 2013, Uruguay became the first country in the world to create a legal, government-controlled marijuana market. In the US, four states – Colorado, Washington, Alaska and Oregon – have now legalised recreational marijuana.<sup>21</sup>

With these changes, international drug control policy is bound to evolve in the next few years, and development agencies need to be involved.

## Next steps

These findings and the questions they raise should prompt development agencies to look at ways of protecting poor households from the impact of illicit enterprises and the blunt instruments of the war on drugs.

**Protection** More than anything else, the case studies have confirmed the urgent need to push the provision of protection higher up the development and governance agenda.

Development agencies need to start thinking about poverty not just in terms of hunger, disease, lack of education, inequality and gender discrimination, but also in terms of insecurity – because without protection from violence, years of development work can be swept away. We believe development agencies can and should help poor communities vulnerable to violence and the inevitable predations of the illicit economy to protect themselves.

Such protection is probably best delivered by a wider group of organisations working together.

**Challenging ‘alternative development’** The concept of ‘alternative development’ championed by the UNODC and other agencies needs to be reset. At the moment, this concept is basically drug control through crop substitution: providing poor farmers with incentives to cultivate substitute food (eg, groundnuts, coffee) and non-food (eg, cotton, rubber) crops to wean them away from illicit drug crops.

Christian Aid’s case studies show the need to consider a wider set of policies – including rural development, land redistribution, market access and the provision of protection. As already explained, the main beneficiaries of Afghanistan’s Food Zone initiative – a prime example of ‘alternative development’ – were not the landless poor. Most of its winners were the relatively better-off farmers,

the middlemen in the supply chains, and local authorities. Further research could be comparative – to explain similarities and differences between the Afghan Food Zone initiative, the Chinese-funded crop-substitution programmes in Myanmar, similar initiatives in coca-growing regions in the Andes, and the Thai experience. This would help probe deeper into what works and what does not.

**Drug legalisation** The potential impact of legalising drugs cultivation on poor drug-crops-growing communities could also be researched. The Afghanistan case study has provided an important insight, demonstrating that legalisation may have harmful impacts on the poor. For example, if multinational corporations began legalised opium poppy or coca bush cultivation in estate plantations, it could squeeze poor households out of the drugs market. Further investigations appear necessary.

**Land grabs** The case studies exposed the links between the commerce in illicit drugs and the poor’s lack of access to agricultural land, highlighting the need for further investigation. Licit businesses – multinational agricultural companies, including biofuel producers – are not responsible for all land grabs or large-scale land acquisitions. Land grabs by those engaged in illicit activity – who create new enclosures and limit or expand access to agricultural assets – need to be examined too. Christian Aid plans to undertake further research on this issue.

**Gender goals** The impact on women of the illicit economy has not been revealed by this report or its case studies. A most basic task – to make women more visible in the contexts explored – has been neglected. This is a serious oversight, given that gendered ideologies and practices – such as violent masculinities, or femininities that assume certain roles for women – play an important role in sustaining illicit activities and violent conflict.

So further work is needed to answer the question: how could strategic (challenging prevailing forms of gender subordination) and practical (improving women’s access to resources and services) gender goals be considered in the policy mix to be developed?

# Sensitive information

Christian Aid is mindful that the case studies may be opening a can of worms. In the course of this research, we realised that full transparency may not be possible when examining illicit drugs and those involved in the drugs trade. The research uncovered:

- evidence that may be used for prosecuting cases
- information that may compel organisations to reconsider their participation in development projects that pose potential risks to their reputation
- political ‘ammunition’ that may be used by one side against another in ongoing political contests
- stories that may endanger individual reputations and careers.

This report has taken pains to keep sensitive information to a bare minimum. It has been carefully studied and edited, so that the findings and the analysis will maximise learning

and minimise controversy. Names and specific events are mentioned only when these are already widely available elsewhere in the public domain. The case studies have also diligently provided the sources to allow readers to track and evaluate them on their own.

Eventually, Christian Aid is intending to present the findings of this research directly to relevant policy makers – such as the UNODC, the Commission on Narcotic Drugs, DFID, Irish Aid, Geneva Declaration on Armed Violence and relevant regional bodies. Christian Aid will also be presenting these reports to its own allies and colleagues – other development NGOs and ACT Alliance.

Christian Aid is seeking to promote a mix of collaborative and complementary interventions that can provide the development community with a better handle on how to deal with the development and governance impact of drugs and illicit practices.

## Illicit v illegal

Throughout this report, the term ‘illicit’ has been intentionally used more than ‘illegal’. As Alex Cobham, previously at the Center for Global Development emphasises, not all illicit activity is necessarily illegal. This distinction is critical. If only the illegal is pursued and prosecuted – as is currently the case – then the illicit will not be held to account. Christian Aid argues that the illicit currently constitutes a greater problem than the illegal.

The case of HSBC, the biggest bank in Europe, provides a good illustration. HSBC was investigated in 2011-12 by the US Senate for laundering hundreds

of millions of dollars in cash for Mexico’s Sinaloa drug cartel. The bank’s defence was that technically it wasn’t breaking any laws, because its customers were Mexican currency-exchange firms, not the drug lords that did business with those firms. HSBC may not have done anything illegal, but it was arguably engaged in a very profitable illicit activity. It may have helped one of the world’s largest and most violent drugs-trafficking operations enjoy profits from the illicit economy.<sup>22</sup>

Clearly, more needs to be done to compel a change in behaviour among those engaged in illicit, but not necessarily, illegal, activity.

# Summaries of the case studies

## Inadvertent Impact: Heroin and stability in Tajikistan

by Filippo de Danieli

This case study investigates a paradox. A thriving illicit drugs trade is usually regarded as a sign of state weakness, a source of conflict and violence, and a cause of corruption and bad governance. Tajikistan's illicit drugs trade is, no doubt, all of these things. But what is curious and often obscured from view is that Tajikistan's commerce in drugs has arguably become a source of stability as well. It is time this blind spot was uncovered and addressed.

In his case study, Filippo de Danieli explains how opium and heroin trafficking in Tajikistan – a strategic transit hub in the flow of opiates from Afghanistan to markets in Russia and Western Europe – supported the centralisation and consolidation of the Tajik state's coercive apparatus.

After the 1997 peace agreement, when state institutions were too weak to impose and maintain order, government actors sought compromises with organised criminal organisations – groups that were in effective control of certain areas of the country and parts of the economy. Deals were made in the 'shadow bargaining' of the peace talks – mostly informal agreements giving warlords financial incentives to disarm their units and become legitimate actors in the post-conflict political system. The lucrative illicit drugs trade – which funded different sides during the civil war – was 'allowed' to continue as long as local drug traffickers were prepared to pledge their political loyalty. Collusion, in return for a share of the business, became widespread. But more importantly, drug mafias helped preserve order – either by eliminating potential threats, who were often smaller competitors, or actively settling disputes in the most unruly areas.

This led to the creation of an oligopoly of about 20 to 30 groups in the drugs trade, and to more stable local political economies. Poor local communities found a steady source of income by working with drug traffickers. Criminal organisations also became *de facto* subcontractors of security, providing much-needed protection of livelihoods and private property. In doing so, they effectively relieved the government of the burden of having to govern the most remote and unruly areas of the country. Furthermore, cash-rich criminals – who wanted more efficient and predictable supply chains – became the only effective source of investment in a cash-starved, infrastructure-poor and unstable economy. At the same time, aid designed to

combat drugs-related insecurity was used to expand the coercive capacity of the central government.

Over time, symbiotic relationships consolidated. In 2007, 10 years after the peace agreement was signed, a group of leading scholars concluded that 'it is unlikely that opiates trafficking adds less than 30% to the recorded gross domestic product' of Tajikistan. They reported that: 'The leaders of the most powerful trafficking groups occupy high-ranking government positions and misuse state structures for their own illicit businesses.'<sup>23</sup> Drug trafficking has become an industry on which Tajikistan has come to depend, because it brings with it, among other things, a certain level of stability.

This case study argues, however, that it is not the commodity itself – opiates – that is the source of stability. Rather, as de Danieli emphasises, it is the social and political relationships that have evolved around illicit drugs that matter. Illicit drugs can easily generate disorder and violence – in the same way that resources such as oil and gas, alluvial diamonds and gold, or even productive agricultural land have triggered conflict in many other countries. When there is competition without agreement on who gets to control and enjoy the wealth a commodity brings, disorder often follows. But it is possible, too, for different groups to arrive at some kind of settlement or *modus vivendi* on how the profits the commodity generates are shared and distributed. This is seen most clearly in the case of opium and its most profitable derivative, heroin, in Tajikistan.

Thus, when systems for managing the commodity and its profits evolve, even illicit drugs can provide the basis for stability. As Jonathan Goodhand concluded in his examination of power relationships and 'institutions of extraction': 'Joint extraction regimes involving rulers and private actors have tended to bring political order, whereas private extraction regimes have led to decentralised violence and political breakdown.'<sup>24</sup>

After the 1997 peace agreement the Tajik government badly wanted to restore order and realised it was much easier to obtain it through local strongmen rather than against them. Mafias, de Danieli emphasises, fulfil the role of social glue in such a fractured and fragmented society. Hence, a political settlement emerged that brought relative stability to the country.

But de Danieli questions the quality of this stability. It may well have come at the expense of building more legitimate and accountable governance institutions in the longer-term.

And if conditions change, he says, the influence of mafias on politics and economics 'can easily turn into a destabilising force'.

The case study explores how these large-scale and long-term governance challenges can be understood and confronted. Far from being simply a hard security threat, drugs trafficking is also a mechanism for wealth creation and political consolidation. It will therefore remain useful and necessary to various groups – from poor villagers deprived of any realistic economic opportunities, to criminal organisations maximising the shadow economy, to political players hoping to control or cream off the wealth created. In Tajikistan, there are often no clear boundaries between what is licit or illicit, what is legal or illegal.

De Danieli has effectively sketched the profile of an important actor often missed in development or peacebuilding analysis – the warlord or criminal turned statesman. They operate in the 'grey area' of crime and business, often as legitimate entrepreneurs enjoying protection from authorities. But their main interest is the control of illegal markets, and they can resort to violence to settle disputes in what is a risky business. This 'special entrepreneur' appears in other guises in other parts of the world, as will be shown in the other case studies in this volume.

So stand-alone attempts to destroy drugs trafficking without properly considering the context and how the various players are involved may cause unintended consequences. As shown in this case study, counternarcotic assistance to Tajikistan has done little to affect the symbiotic relationships that emerged between government and criminal actors. Instead, it strengthened an authoritarian state's coercive apparatus, and the drug-control 'results' delivered were largely the elimination of smaller competitors in illicit enterprise.

This case study offers this essential piece of advice for those seeking to address the longer-term governance challenges of Tajikistan: the blind spots of drugs trafficking and those involved in illicit activities need to be removed from peace building and development analysis.

## **The Power of Drug Money in Mali**

by Christina Anderson

In the 18th century, according to historian Thomas Gallant, there were pirate lairs and enclaves in different parts of the world that grew to become regional market centres and entrepôts in their own right.<sup>25</sup> From towns and settlements in the Indian Ocean to pirate territories in the Caribbean, these centres became established as suppliers of various illicit products and gains – from stolen gold, silver and porcelain, to tobacco, alcohol, opium and arms, to slaves and associated criminal services. In time, pirates from the Caribbean became a 'major economic force supplying urban markets in North America'. In the Indian Ocean, so vital were pirates to trade that their commerce was recognised as 'armed trading' – enterprise that moved goods, built demand, and created wealth, largely through the barrel of their cannons. So although they were outlaws hunted by law enforcers, pirates played key roles – whether for good or ill – in the global economy. Their activity connected their enclaves in rural villages or remote coastal lairs to outside markets.

This case study reveals similar patterns, but instead of pirates on the high seas, it examines the contemporary camel-riding or 4x4-driving outlaws of the Sahara. Like their pirate forebears, they have turned otherwise isolated settlements and mobile trading caravans in the desert into bazaars for smuggled goods – from sugar, fuel and staples to cigarettes, mobile phones or Viagra. The bazaars are often bases, too, for hiding and forwarding illicit merchandise, like weapons, ammunition and narcotic drugs – mainly cocaine and cannabis resin. They are increasingly adept at converting stolen or smuggled goods into other forms of wealth that add real value to the local economy.

So vital are these modern-day 'pirates' to trade in the desert, that their commerce can also be called 'armed trading'. And the treasures they bring are not particularly hidden any more – until the 2012 conflict they were embodied and symbolised by the luxury mansions in districts such as Cocainebougou, which sprouted in the desert. Much still needs to be known about these modern-day brigands. As Anderson admits, her case study is merely an introduction to their emergence and the context in which they operate. However, it also helps to explain the relationships of competition, collaboration or corruption between smugglers and the state, smugglers and local communities, and smugglers and the assortment of armed groups in the desert. The complexity of these relationships is evident in northern Mali: one can find not

only agents of the state behaving like criminals, but also criminals behaving like the state. There are not only criminals assuming the guise of militants and fundamentalists in an attempt to be 'political', but also political terrorists engaging in illicit enterprise and trying to be criminal, often with great success.

What then can development agencies do, if anything, about this deep-rooted and apparently dysfunctional political context? A first step is to acknowledge it exists. Intelligent questions can then be asked about how best to intervene. For example, how is the highly lucrative cocaine economy reshaping social and political relationships in the country? What informal or hidden structures and relationships of power need to be taken into account? Does the usual conflict-sensitive programming for fragile situations apply to a context of organised criminality and corruption? How does one engage with unfamiliar institutions that are probably built on foundations of illegal activity? What could be done about criminal markets elsewhere in the world that create demand for the services of smugglers in the Sahara?

This case study does not provide comprehensive answers to these questions, not only because they are difficult, but also because they may only be answered by the development agencies collectively, as they seek to eradicate poverty in the Sahel.

Although organised criminality has emerged as a principal governance challenge in Mali today, it is not cast in stone. It is constantly contested and renegotiated, and adapts continually to changing conditions. That has been the story of the past two years in northern Mali. Development agencies can intervene intelligently and effectively in such situations – there is an increasingly urgent need for them to do so. This case study challenges development agencies to start taking the first steps.

## **Eyes (Still) Wide Shut: Counternarcotics in transition in Afghanistan**

by David Mansfield and Paul Fishstein

The wider effort to stabilise Afghanistan now that the NATO-led International Security Assistance Force has left is likely to be undermined by the expansion of the illicit drugs trade and by the consequent contests between a myriad of local politico-military actors. They will either move to control the opium supply and turn it into a source of strength; use counternarcotics policy as a weapon against political opponents; or both.

Despite this, Western donors – in an act of almost wilful short-sightedness – continue to confine the drugs issue to the policy periphery. Part 1 (The Elephant in the Room) shows how policy makers are keeping their eyes wide shut, allowing the drugs issue to drop completely off the agenda. In Western capitals, the 'wicked problem' is being avoided entirely.

But there are solutions from within Afghanistan itself. There is evidence to suggest that enduring reductions in opium cultivation are most likely in areas where communities can realise broader development goals, and where there is increased collaboration among various institutions that complement rather than compete with each other, as opposed to stand-alone interventions delivered by a single ministry or agency.

As documented in Part 2 (Transition: Let a Hundred Flowers Bloom), banning opium cultivation in some areas can result in an improvement in the standard of living of local households. But in most areas, a ban causes extreme financial hardship, provoking rural resistance, stoking rebellion and undermining the state. The risks faced by these households could be managed and mitigated by diversifying their incomes, and by improving the provision of public goods – eg, roads, electricity, health services, education – in a way that strengthens their social compact with the state. Experience also suggests that opium cultivation will simply shift, adapt and persist unless viable alternatives are in place.

Part 3 (Turning Deserts into Flowers) investigates why and how opium has now expanded into previously uncultivated areas of desert land – a worrying development that shows how new roads and new technologies, such as deep wells, herbicides and solar power, are aiding the expansion of opium cultivation.

It is necessary to move beyond the usual narratives of prohibition or legalisation and analyse the processes, relationships and outcomes at work in the drugs trade within their real context. There is no choice but to investigate complexity, and to dig deep into the 'messy politics' of areas where illicit drug crops are actually grown, as shown in Part 4 (A Truly Cross-Cutting Issue).

This case study argues that effective counternarcotics policy requires mandatory assessments of how national and bilateral programmes will affect not only security, governance and development, but also the drivers of the opium economy and opium poppy cultivation. It will require greater investment in understanding the multiple realities that exist in rural Afghanistan, and assessing the impacts of



different interventions on people's livelihoods. A number of conclusions are drawn in Section 5 (Which Way Forward?).

Most important of all, there is a need to situate all future analysis and planning in Afghanistan within the context of its expanding drugs economy. Failure to address this emerging reality is likely to undermine both the plans for the transition and the country's long-term development. Keeping eyes wide shut on illicit drugs would be an act of gross negligence.

## **Legalising the Illegal in Colombia: Criminals as political actors**

by Jacobo Grajales

This case study discusses the details of how criminals become political actors on one hand, and how political actors become criminals on the other. It shows that wherever there is an accumulation of power and capital, opportunities emerge that both criminal and political actors can exploit to their mutual advantage. The discussion contributes to a theory for understanding the resilience and expansion of the drugs trade by showing how criminal actors, far from being outlaws operating outside the state, actually participate in the regular functioning of public institutions and at the same time are also actors in the legal economy – something often missed despite its prevalence, thus creating huge blind spots in analysis.

Using cases of land-grabbing in the El Encanto and El Prado haciendas in northern Colombia, the study shows that the objective of paramilitaries is not to manoeuvre outside the state, as the qualification 'warlord' or 'drug lord' may suggest. Instead, they intend to participate in intra-state conflicts and to obtain material and political profits out of this participation. The paramilitaries use violence as manoeuvres for mobility within the system, not opposition to the system.

But most importantly, the study focuses attention on the emergence of the paramilitary 'franchise' sold by the Autodefensas Unidas de Colombia (United Self-Defence Forces of Colombia or AUC), the national federation of counter-guerrilla paramilitary groups. As in business enterprise, an AUC 'franchise' gave the buyer the right to use the AUC name, logo and letterhead. It also bestowed the buyer and his men an official rank and military titles within the federation. With a franchise, an enterprising criminal could build a private army and obtain troops,

advisers, and trainers ostensibly for guerrilla warfare, but in reality more for expanding his criminal enterprise and securing his supply chains.

The franchise proved particularly valuable, especially to drug traffickers, who can use their purchased status as 'armed political actors involved in counterinsurgency' to launder their illicit wealth and other assets like land more effectively. The franchise also offers flight from justice – it can be used to avoid being charged in court for common crimes, or even to escape extradition requests from United States drug enforcement authorities. Criminals could claim that their drug-trafficking was a form of fund-raising for a political cause. In other words, the franchise turned common mobsters, for a fee, into armed political actors who may even be able to demand seats on the peace negotiation table. The mass selling of the AUC franchise to criminals in the drug trade helped to significantly expand not only the AUC, but also criminal networks across the country.

The case study extends as well to the role of criminals in the legal economy. Effectively, criminal actors created new enclosures, or even new laws that regulate/control access to land, the principal asset in agrarian economies, turning it into a means for illicit capital accumulation. They also routinely used the mechanisms of licit business – eg, opening bank accounts, acquiring titles to real estate, legal ownership of other assets, setting up front companies, even bidding for government projects, etc – for continuing their enterprise. Thus, criminal profits are routinely converted into legal capital, and in the process systematically distorted or blurred the boundaries between legal and illegal, legitimate and illegitimate.

Over time, the criminals/paramilitaries performed more overtly political roles. They built alliances with local politicians and civil servants, and became effective brokers between political parties and candidates on one hand and local voters on the other. The secured access to voters in the territories they controlled. They influenced or vetoed appointments into key government positions. They shaped the legislative debates through their allies in government. They regulated the sharing of patronage benefits. Their private appropriation of public institutions was a form of systematic corruption: they took commissions from or created fictitious public contracts; they outsourced public services to business 'friends' or to companies controlled by front men. Gradually, the paramilitary groups became institutions in themselves, a fundamental part of Colombian politics.

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A critical observation that emerges from the study is that the criminals/paramilitaries did not intend to use their brokerage and influence to replace elites or public institutions – in contraposition to what Colombia's left-wing guerrillas intend to do. Rather, the 'criminals with a political façade' participated in the bargaining, compromises and competition between elites.

Any analysis of peacebuilding and development, this case study asserts, needs to examine and investigate the transformation of criminals into political actors, and vice versa. This is a necessary step for removing the blind spots in the analysis of the impact of illicit economies on development and poverty reduction.

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1. The evolution of these global estimates is discussed in UNODC, *Estimating Illicit Financial Flows Resulting From Drug Trafficking And Other Transnational Organized Crimes*, UNODC, 2011, pp30-31, [www.unodc.org/documents/data-and-analysis/Studies/Illicit\\_financial\\_flows\\_2011\\_web.pdf](http://www.unodc.org/documents/data-and-analysis/Studies/Illicit_financial_flows_2011_web.pdf)
2. *Ibid*, p7.
3. According to the World Bank's GDP ranking table (<http://data.worldbank.org/data-catalog/GDP-ranking-table>), the total GDP of 49 economies on the African continent – from Egypt and Tunisia in the north to South Africa and Madagascar in the south – is \$2.297tn, updated as of September 2014. Excluding the five north African economies, the GDP of 44 economies of sub-Saharan Africa is \$1.587tn. Hence, it can be argued that the illicit economy of transnational organised crime is larger than the combined economies of sub-Saharan Africa.
4. The so-called 'war on drugs' is often confused with the international regime for drug control led by the UN. The term 'war on drugs' originated in the US during a pronouncement by former President Richard Nixon. It refers to a set of policies and programmes mostly led by the US that rely principally on the use of force and the criminal justice system to tackle drug production, trafficking and consumption. The international regime for drug control, on the other hand, is based on the three international drug control treaties. In interviews for this report, the UNODC distanced itself from the 'war on drugs', saying that the various UN bodies have never called for any war to be declared, and that their programmes and policies are driven by legally mandated instruments and statutes.
5. The Commission on Narcotic Drugs (CND) was established in 1946 to supervise and monitor the implementation of international drug-control treaties. In 1991, after revisions and additions to these treaties, the UN General Assembly expanded the CND's mandate to be the governing body for the UNODC, and to approve the budget of the fund of the UN International Drugs Control Programme (\$243m in 2012-13). A total of 53 member states are selected to make up the CND, which meets regularly each year, mostly in Vienna. See [www.unodc.org/unodc/commissions/CND/](http://www.unodc.org/unodc/commissions/CND/)
6. For example, in the UK in July 2012, two chief police constables debated the issue in front of the House Home Affairs Select Committee. Chief Constable Tim Hollis, the Association of Chief Police Officers' Lead on Drugs, argued for prohibition. Former Cambridgeshire Chief Constable Tom Lloyd argued for legalisation ([www.parliament.uk/pa/cm201213/cmselect/cmhaff/184/120710.htm](http://www.parliament.uk/pa/cm201213/cmselect/cmhaff/184/120710.htm)). Equally, in the Vienna meetings of the CND, there are civil society organisations on different sides of the debate.
7. In a November 2009 interview, Akhundzada confirmed that after his ousting, he encouraged 3,000 of his armed followers to work for the Taliban. Subsequent fierce clashes between British troops and Akhundzada's men under Taliban leadership were confirmed by Brigadier Ed Butler, commander of the Helmand Task Force in 2006. See Damien McElroy, 'Afghan governor turned 3,000 men over to Taliban', the *Telegraph*, 20 November 2009, [www.telegraph.co.uk/news/worldnews/asia/afghanistan/6615329/Afghan-governor-turned-3000-men-over-to-Taliban.html](http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/6615329/Afghan-governor-turned-3000-men-over-to-Taliban.html)
8. That the British compensation scheme for opium eradication backfired is a view widely held at the UN offices in Vienna, according to interviews with UNODC officials for this research. *Washington Post* Associate Editor Rajiv Chandrasekaran provides an extensive discussion on whether the sacking of Akhundzada was a disaster in his book *Little America*, Bloomsbury, 2012.
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21. Since 2011, the *Economist* has taken a consistent position of legalisation of the illicit drugs trade, and in 2015 produced the 15-minute documentary, *What happened when Portugal decriminalised drugs?* The film includes clips on how a marijuana market normalises in the US. <https://www.youtube.com/watch?v=Y7LkflXVtZE>
22. Instead of prosecuting HSBC to get a conviction, the state prosecutors at the US Department of Justice agreed to a settlement which involved the bank paying a record fine of \$1.9bn. None of it went to compensate the relatives of the over 10,000 murder victims of Mexico's vicious drug wars. For details, see the US Senate investigation and report on HSBC, [www.hsgac.senate.gov/subcommittees/investigations/hearings/us-vulnerabilities-to-money-laundering-drugs-and-terrorist-financing-hsbc-case-history](http://www.hsgac.senate.gov/subcommittees/investigations/hearings/us-vulnerabilities-to-money-laundering-drugs-and-terrorist-financing-hsbc-case-history)
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# Inadvertent Impact: Heroin and stability in Tajikistan

**Christian Aid Occasional Paper**

Filippo de Danieli

October 2015

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## **Acknowledgements:**

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# Introduction

This case study sheds light on the intricate relationship between drugs, development and state-building in post-conflict environments. The issue of drug trafficking has recently gained renewed attention. Global changes such as the tremendous rise in drug-related violence in Mexico, the transformation of West Africa into a key hub for cocaine shipments bound for Europe, and the criminalisation of state power in many parts of the world, are posing a new set of questions and challenges for policy makers, analysts and development practitioners.

For a long time in academic as well as policy circles, drug trafficking has been seen as a hard security threat, requiring primarily police and military responses. This case study seeks to go beyond this normative approach. It challenges all the assumptions that underpin mainstream analyses on drug trafficking, such as that drugs are by themselves anti-developmental and anti-state, or that a clear boundary exists between what is legal and illegal, formal and informal, or licit and illicit. It will look at drug trafficking and criminal networks as structural components of broader political-economic processes and examine the actual impact of drugs on political order.

This case study examines heroin trafficking in Tajikistan. Global and local factors combined to inscribe Tajikistan in the geography of the international drugs trade. It shares a poorly protected 1,300km-long border with Afghanistan – the world's largest producer of opium and heroin. Since 1985, the areas under poppy cultivation have increased fivefold in Afghanistan and it has gradually replaced Southeast Asia as the world's main source of opiates.<sup>1</sup> At the other end of the value chain, in Russia, heroin use has been rising sharply for the past two decades, and is now reaching alarming levels. According to the UNODC *2010 World Drug Report*, there were an estimated 1.5 million heroin users in Russia in that year, almost as many as in all other European countries combined, around 1.6 million.<sup>2</sup>

As well as these global trends, local dynamics – endemic corruption, weak border control and pre-existing transnational linkages – favoured the establishment of drug routes through Tajikistan. Post-Soviet Tajikistan is in many respects a fragile state. The central government does not have firm control over the country's most remote regions. The internal border system inherited from the Soviet Union is a mosaic of enclaves, disputed territories and ethnically mixed villages. The country's citizens see state institutions as corrupt; law enforcement officers are underpaid, and thus easy to bribe.

To a certain extent these kinds of state fragility are common to other former Soviet republics, but in Tajikistan they were exacerbated by a long and bloody civil war. After 1991, state institutions suddenly collapsed, and positions of security and authority were filled by field commanders and local strongmen. It was at this point that drug trafficking networks were established – local commanders and strongmen using the drugs trade as a source of quick money for arming themselves and sustaining their private armies.

In 1997, a peace agreement was reached between the two main warring factions – one is a coalition led by the President Emomali Rahmonov; and the other a coalition of eastern-based ethnic groups and Islamic parties represented by Saidullo Nuri. There were 'hidden' chapters in this peace agreement that settled questions such as who would get to control the country's lucrative drug routes. Most of the field commanders had been involved, directly or indirectly, in the drug trade during the conflict. The informal deals negotiated in the mid-1990s 'allowed' them to continue dealing in drugs, in exchange for their loyalty to Tajikistan's central government.

Since the peace agreement, symbiotic relationships have developed between the state and criminal organisations in Tajikistan. State actors protect, or collude with, drug mafias in exchange for a share of the business. But state-crime relations go beyond drug trafficking and encompass broader political-economic issues. Tajikistan's drug mafias have actively contributed to preserving the established order, either by eliminating potential threats to the regime, or by settling disputes in the country's most remote and unruly regions, such as Gharm or Badakshan. This case study will argue that this political-criminal nexus in many respects benefited post-Soviet Tajikistan, helping the state to consolidate and promoting economic development.

This study starts with a historical overview of Tajikistan's formation under Soviet rule and of the civil war that followed the country's independence, and an analysis of how the drug routes were established. The connections between drugs and conflict are highlighted and the author describes how, paradoxically, the peace agreement contributed to the expansion of the drug trade. The relationship between drugs, development and state-building is explored.

# Part 1: Post-Soviet Tajikistan: A newly born country

Tajikistan is the poorest and most land-locked of the 15 former Soviet republics. Its territory covers 143,100km<sup>2</sup>, approximately the size of Nicaragua or Greece, and consists mainly of dry, rocky mountains and sun-burned valleys. Only about 6% of the land is arable. The majority of Tajikistan's over 7 million people live in the southwest and northern provinces. Badakhshan, the eastern region covered by the rugged Pamir mountain range, makes up 45% of the country's territory, but contains only 3% of its population.

The Tajik nation-state is a Soviet construct. In the late 1920s, the Bolsheviks divided Central Asia into five republics, on the basis of ethno-nationalist criteria. The partition divided the eastern Persian or Tajiki-speaking people – as Bukhara and Samarkand, the two major centres of Persian culture and civilisation in Central Asia, were assigned to Uzbekistan. Tajikistan's territory, in contrast consisted mainly of remote borderlands on the frontier with China and Afghanistan.<sup>3</sup>

The 70 years of Soviet occupation marked a period of enormous change for Tajikistan and its people. Roads were built. Modern agricultural techniques were introduced. Education and schooling became available to the entire population. However, the country remained in many respects a poor and heavily subsidised periphery, isolated from the rest of the region and dependent on Uzbekistan for energy and transport.

## The civil war in Tajikistan (1992-1997)

The contradictions that characterised Tajikistan under Soviet rule became evident when the country gained independence in September 1991. Like in other republics, *perestroika* saw the emergence of nationalist, democratic and religious movements.

Massive demonstrations were held in Dushanbe, the country's capital, in autumn 1991 and spring 1992.<sup>4</sup> Tajikistan's communist leadership failed to address popular demands for change and, in May 1992, peaceful demonstrations turned into violent clashes between supporters of two regionally based coalitions.<sup>5</sup> The fragile political system of Tajikistan broke down into an armed confrontation that lasted until 1997. This was the harshest war in the whole former Soviet Union, resulting in the deaths of an estimated 100,000 people.<sup>6</sup>

The Tajik civil war was a long and bloody conflict. Its course was not linear. Both warring factions were loose coalitions, which lacked a strong central command. The complex system of institutions established during the Soviet era

had suddenly collapsed. Power at the local level during the conflict, especially between 1992 and 1994, was in the hands of warlords and strongmen.<sup>7,8</sup> In the absence of the state, field commanders took on the key functions of providing security, settling disputes and administering resources.<sup>9</sup>

## The establishment of drug networks

Drug-trafficking networks were established in the early days of the conflict, as both coalitions resorted to this shadow economic activity to fund their war.<sup>10</sup> When there is a vacuum in central authority, drug trafficking tends to flourish.<sup>11</sup> Thus, the 'incubation phase' of Tajik drug mafias was started during this period of political instability and the emergence of alternative modes of governance. Warlords needed to purchase guns, ammunition, vehicles, fuel, food and medicines. Smuggling opium from Afghanistan soon became the easiest way to raise the much-needed capital.<sup>12</sup> Field commanders openly admitted that drug revenues were being used to finance the armed struggle, and drug trafficking became a legitimate pursuit in the eyes of the population: at a time of emergency, any means were justified in order to protect the community.<sup>13</sup>

Several different groups were involved in drug trafficking during the civil war, to differing degrees and with varying motivations. The methodology proposed by Goodhand can help capture this variety.<sup>14</sup> It allows us to understand 'illicit' economic activities, such as the drug trade, as components of the broader war-economy. Goodhand distinguishes between 'shadow', 'combat' and 'coping' economies: criminal groups control the wide spectrum of shadow economic activities; combatants do business with criminal networks so that they can wage war; the population participates in economic activities, whether licit or illicit, in order to cope with an adverse, volatile and insecure situation.

In Tajikistan, criminal networks formed between representatives of the Soviet criminal underworld (the *vor y zakoni* fraternities) and corrupt administrative, law enforcement, security and army officers. Warlords either got directly involved in these illegal business ventures, or turned to criminal syndicates to purchase guns and ammunition.<sup>15,16</sup>

Russian military personnel also played an important role. After 1991, a huge Russian army deployment remained in Tajikistan to patrol the border with Afghanistan. At the time, the military hierarchy in Moscow was very weak. Generals who commanded operations in the field could act quite independently.<sup>17</sup> Members of the Russian army and security

services became a crucial component of Tajikistan's drug trade, facilitating the most complicated logistical operations, such as the transportation of narcotics out of the country.<sup>18</sup>

Finally, many individual Tajiks took part in drug trafficking out of necessity (smuggling in opium from Afghanistan, and transporting it to Dushanbe, Kyrgyzstan and Uzbekistan, for example). Their profits were much smaller than those of criminal syndicates, but for many it was the only way of earning a few hundred dollars.<sup>19</sup>

So drug trafficking was a key component of combat, shadow and coping economies during the civil conflict in Tajikistan. There was a wide range of individuals and groups involved in drug-related activities: field commanders that needed to raise money to sustain their war effort collaborated with criminal syndicates; criminal syndicates, in turn, pursued accumulated capital by controlling shadow economic activities; individual Tajiks took part in drug trafficking to earn the money they needed to feed their families.

## The peace agreement and shadow bargaining

The last phase of the civil war saw the two warring factions consolidate around strong leaderships. On the pro-government side, Emomali Rahmonov – chosen as the

'political guide' in 1992 and elected as president in 1994 – had gradually managed to gain ascendancy over the field commanders. The opposition recognised Saidullo Nuri, the leader of the Islamic Renaissance Party, a moderate confessional movement, as their legitimate representative.

Rahmonov and Nuri are both pragmatists. Having realised that the war had reached a stalemate, they opened up negotiations to reach a comprehensive agreement to end the conflict. Regional and global powers, along with international organisations, actively supported the peace process.<sup>20</sup> In late spring 1997 an agreement was reached and there was a formal cessation of hostilities.

The peace treaty, signed on 26 June 1997, articulated four separate protocols that:

1. stipulated the inclusion of opposition members in the government on the basis of a 30% quota and the formation the Commission of National Reconciliation, which had to introduce changes to the national constitution
2. introduced disarmament, demobilisation and reintegration mechanisms for former combatants
3. dealt with the return of Tajiks who had fled to Afghanistan or other Commonwealth of Independent States countries

## Crime, war and politics: The life (and death) of Sangak Safarov

The case of Sangak Safarov – one of the main protagonists of the Tajik civil war – illustrates the role of criminal networks in the conflict, and provides clues on how they evolved to be political players.

In 1992, Safarov was a 65-year-old bartender with a long criminal history, who had spent 23 years in Soviet jails. But he was also a respected community leader in his native region. When the popular protests got out of control in Dushanbe in May 1992, the then-President Rahmon Nabiev entrusted Safarov with organising a private militia to defend the status quo. He and his followers were given about 1,700 firearms.<sup>21</sup>

In the months that followed, as the political establishment's authority collapsed, Safarov quickly ascended to become leader of the pro-government

front. He was not just the military commander of the Popular Front of Tajikistan (PFT), he toured the country giving speeches on national unity, the return of order and restoring the authority of the state.<sup>22</sup> At the peak of his influence, during the last session of the Supreme Soviet of the Tajik, Safarov played a key role in appointing future president Emomali Rahmonov as chairman of the PFT.

But as rapid as his ascent to power had been, his end came even quicker. At a meeting on 29 March 1993, where he was trying to convince Faizali Saidov, a fellow PFT commander, to stop violence against civilians, a gunfight erupted and both Saidov and Safarov were killed, apparently by their bodyguards.

4. gave both factions, under the Act of Mutual Forgiveness, amnesty from the crimes they had committed.<sup>23</sup>

However, crucially, alongside the official agreement, a number of informal deals on the control of economic resources were also struck between the government and the field commanders of both coalitions. Resources and businesses such as cotton plantations, an aluminium processing factory, petroleum imports, construction materials and food supplies were the objects of 'shadow bargaining'. The aim was to give former warlords economic incentives to disarm their units and take up a legitimate role in the post-conflict political system.<sup>24,25</sup>

Hence in Tajikistan, the peace process followed a dual path: the official negotiations between the leaderships of the two fronts, conducted under the auspices of the international community, ended up in an agreement that included the creation of an inclusive political-institutional system; in parallel, a set of secret power-sharing deals between political elites and former warlords paved the way for the emergence of an exclusionary resource-extraction regime.

### The political settlement: Co-opting warlords and the tolerance of drug trafficking

Negotiations on the control of drug routes were one of the main 'hidden' chapters in the shadow bargaining of the peace agreement. Most of the field commanders had been involved, directly or indirectly, in the drug trade during the conflict. The informal deals of the mid-1990s, 'allowed' them to continue dealing in drugs, in exchange for their loyalty to the central government.

Compromises between central government and the warlords were based on a convergence of interests. The government wanted the restoration of order and realised that it would be much easier to achieve *through* local strongmen rather than *against* them. A direct confrontation would have been costly, and, more importantly, potentially lead to a resumption of hostilities. Conversely, if former commanders agreed to lay down their arms, they could become the 'legitimate', state-backed, power holders in the country's remote and problematic regions, relieving the central government of the burden of governing these areas.<sup>26,27</sup> For the warlords, this scenario had many advantages: former commanders could

### The conversion of warlords into statesmen

The government's strategy for dealing with former warlords consisted of concessions – such as appointing them to senior positions in the army and law-enforcement agencies, and tolerating their involvement in the drug trade – and repression, such as imprisonment and the seizure of assets. The career of the former Popular Front of Tajikistan (PFT) warlord Gaffur 'the Grey' Mirzoev illustrates this carrot-and-stick approach.

Mirzoev played a key role in President Emomali Rahmonov's ascent to power. During the Soviet period Mirzoev had been the deputy commander of the Ministry of the Interior's 'Special Brigade'. When the civil war broke out, he was one of Sangak Safarov's lieutenants (see box on previous page). In 1995, Mirzoev created his own militia, named the 'Presidential Guard', consisting of at least 1,500 fighters.<sup>28</sup> With the end of the conflict, the Presidential Guard became an 'official' law-enforcement agency. Thanks to his position, Mirzoev gained control of

various assets: the Olimp Bank, a meat-processing factory, the Jomi Jamshed casino and more than 30 apartments in Dushanbe.<sup>29</sup> Allegedly, he was also one of the main players in the country's narcotics business, having been appointed, but quickly dismissed, as head of the Drugs Control Agency.

In the post-conflict years, Mirzoev and his troops actively helped secure Rahmonov's rule over the country: on at least two occasions the Presidential Guard was sent to the country's remote districts to quash coup attempts. However, by the early 2000s, when the president's hold on power was much stronger, the presence of a former warlord like Mirzoev with hundreds of armed men at his personal disposal turned from being an asset into a potential source of trouble. So Rahmonov decided to get rid of his former close ally. Mirzoev was arrested in 2004, his assets were seized, and the Presidential Guard was disbanded.

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consolidate authority in their constituencies and continue to exploit local resources, while enjoying official recognition for doing so.<sup>30</sup>

Drugs were central in the bargaining between political elites and former warlords. Tajikistan has few natural resources or lucrative forms of employment, so revenues from the drugs trade were many former commanders' most important source of income. By continuing to tolerate drug trafficking, the central government gave warlords a huge incentive to demobilise their militias and support political stability. As a result, the vast majority of field commanders laid down their arms and became 'legitimate'.<sup>31</sup> Apart from a few cases of 'spoiler behaviour' between 1997 and 2001, the Tajik government gradually restored a central monopoly over the use of force.<sup>32</sup>

The conversion of warlords into 'statesmen' created a political and economic system characterised by the

presence of individuals whose core business is illegal, but who are also active in licit sectors of the economy.<sup>33</sup> These entrepreneurs operate in the grey area between crime and business: they carry out illegal economic transactions, but enjoy protection from the authorities. In some cases, former warlords actually represent the state, holding senior army and law-enforcement positions, for example.<sup>34</sup> This grey area is also inhabited by leading national and local politicians, key administrative cadres, members of security agencies and Russian army officers. They have become part of criminal syndicates which use drug revenues as a source of wealth and political power.

So out of the political settlement which emerged with the end of the Tajik civil conflict, former warlords have become legitimate entrepreneurs, but a special type of entrepreneurs. Their main assets are the control of illegal markets and they can resort to violence to settle the kind of disputes likely to arise from such risky business.

# Part 2:

## The growth and transformation of the drug trade in post-conflict Tajikistan

The tolerance of the Tajik ruling elite towards drug trafficking opened up opportunities for its growth. After the conflict, drug-related networks and activities went through a process of transformation, which involved **three major shifts**: the drug trade became an independent business rather than a component of the war economy, as it had been during the conflict; the groups that carried out drug trafficking evolved from disorganised networks into mafia-style syndicates; and processed heroin gradually replaced raw opium as the main narcotic drug smuggled through Tajikistan.

### An independent business

During the civil war, the drug business was closely intertwined with the broader war economy. When the conflict ended, field commanders no longer needed to divert drug revenues to the war effort. They could now reinvest in the drug trade itself – to improve logistics, purchase bigger shipments of opiates or bribe law-enforcement officials, for example. Thus, substantial funds started flowing into the drug economy and fuelled its growth.<sup>35</sup>

### From disorganised networks to mafia-style syndicates

The years that followed the peace agreement saw a reorganisation of drug-trafficking networks. The number of people participating in the trade drastically diminished,<sup>36</sup> largely because of competition among different groups over the control of drug routes and increased law-enforcement efforts. Turf wars, contract killings and armed clashes between the competing drug-trafficking networks characterised the period between the mid-1990s and early 2000s. Dushanbe, the country's other main towns and most of the border areas were far from pacified after the peace agreement. Violence was still very much part of everyday life, much of it related to drugs and other criminal businesses.<sup>37</sup>

The government could not tolerate this renewed spate of violence, and launched several operations against criminal gangs. The biggest of these, called Operation Law and Order, resulted in the confiscation of heavy weapons and vehicles, and the arrests of dozens of suspects in 2000.<sup>38</sup> As a consequence, many small 'fish' were driven out of the narcotics business, and only those groups backed by the government could go on trafficking drugs.<sup>39</sup>

### The shift from opium to heroin

An external factor further helped transform drug trafficking in Tajikistan: the increase in opiates production and heroin processing in Afghanistan. Between 1996 and 2001, the northeast was the only part of Afghanistan controlled by the Northern Alliance. This coalition of ethnic Tajik and Uzbek warlords needed huge financial resources to repel the Taliban's military offensive. As a consequence, in the northeast provinces, especially Badakhshan, poppy cultivation rose dramatically and a number of heroin-processing laboratories were established.<sup>40</sup> Tajikistan was the main channel for the export of opiates from northeast Afghanistan, whose other border regions were under Taliban control. So drug trafficking along this route steadily intensified. The rise in production and the shift from opium to heroin meant a qualitative leap for Tajik drug mafias. Dealing in heroin and smuggling bigger quantities was far more profitable, but at the same time more risky – if a shipment got intercepted, the losses were substantial.<sup>41</sup>

### The consolidation of the drugs trade

These three shifts, which took place over the five-year period that followed the peace agreement, consolidated the drug business in Tajikistan. Power relations and 'territorial jurisdictions' among different groups were defined. Drug-trafficking networks went through internal processes of vertical integration (eg, when suppliers and distributors combined), and specialisation: they developed expertise on smuggling techniques; created networks of external specialists (lawyers, businessmen and bankers) who could support the business; and established solid partnerships with suppliers and buyers.

What was a loosely organised activity to fund the purchase of guns and ammunition became an industry run by well-established and profit-oriented mafia-style groups. It can be argued that during the civil war the drug trade was a market with low entry barriers in which a multitude of different participants were active, afterwards it became a business with high entry barriers and with a very restricted number of players. During the civil war almost anyone could take the risk of smuggling a couple of kilograms of opium across the Afghan border, but later on it became much more difficult because of higher risks and increased competition.

The groups that could most effectively adapt their structures to the new conditions gradually achieved positions of prominence in the drug business and created a shared monopoly of drug trafficking.

# Part 3: Drugs and development in Tajikistan

It has already been noted that Tajikistan is a resource-poor country. In 2010, its gross domestic product (GDP) was \$5.64bn, and per capita GDP around \$820 – the lowest figure among the 15 former Soviet Republics.<sup>42</sup> Aluminium processing and cotton growing are the country's only two major industries, and account, respectively, for 55% and 13% of its exports.<sup>43</sup> The majority of the population live off the remittances sent back home by the more than 1 million Tajiks who have migrated to find work in Moscow and other Russian cities.<sup>44</sup> Given such conditions, the drug trade today represents one of the most important domestic economic activities in Tajikistan.

There are few reliable estimates on the volume of the drug economy. According to the UNODC's 2012 analysis, a quarter of Afghanistan's total heroin production (90 tonnes) was trafficked through Central Asia; approximately 85% (75 tonnes) of which has been smuggled through Tajikistan. For a kilogram of heroin, Tajik drug mafias earn something between \$5,000-\$8,000. This makes their yearly net profit

an estimated \$600m, which would represent about 8% of the country's GDP.<sup>45</sup>

If 75 tonnes or 75,000kg of heroin is trafficked through Tajikistan in one year, it can be estimated that around 200kg (worth around €10m in Europe) is smuggled in and out of the country every single day.

There are three main smuggling routes (see map). At the moment most of the trafficking (around 60-70%) is through the Kuliab route by local criminal groups closely associated with the ruling elite. The other two routes run through the former opposition strongholds of Gharm and Badakhshan, where drug mafias are less hindered by the central state.

The huge revenues generated by the drugs trade have had a number of effects on socio-economic processes in post-conflict Tajikistan. Money-laundering schemes have seen drug revenues pour into legal sectors of the Tajik economy, in particular the real estate, retail trade and catering

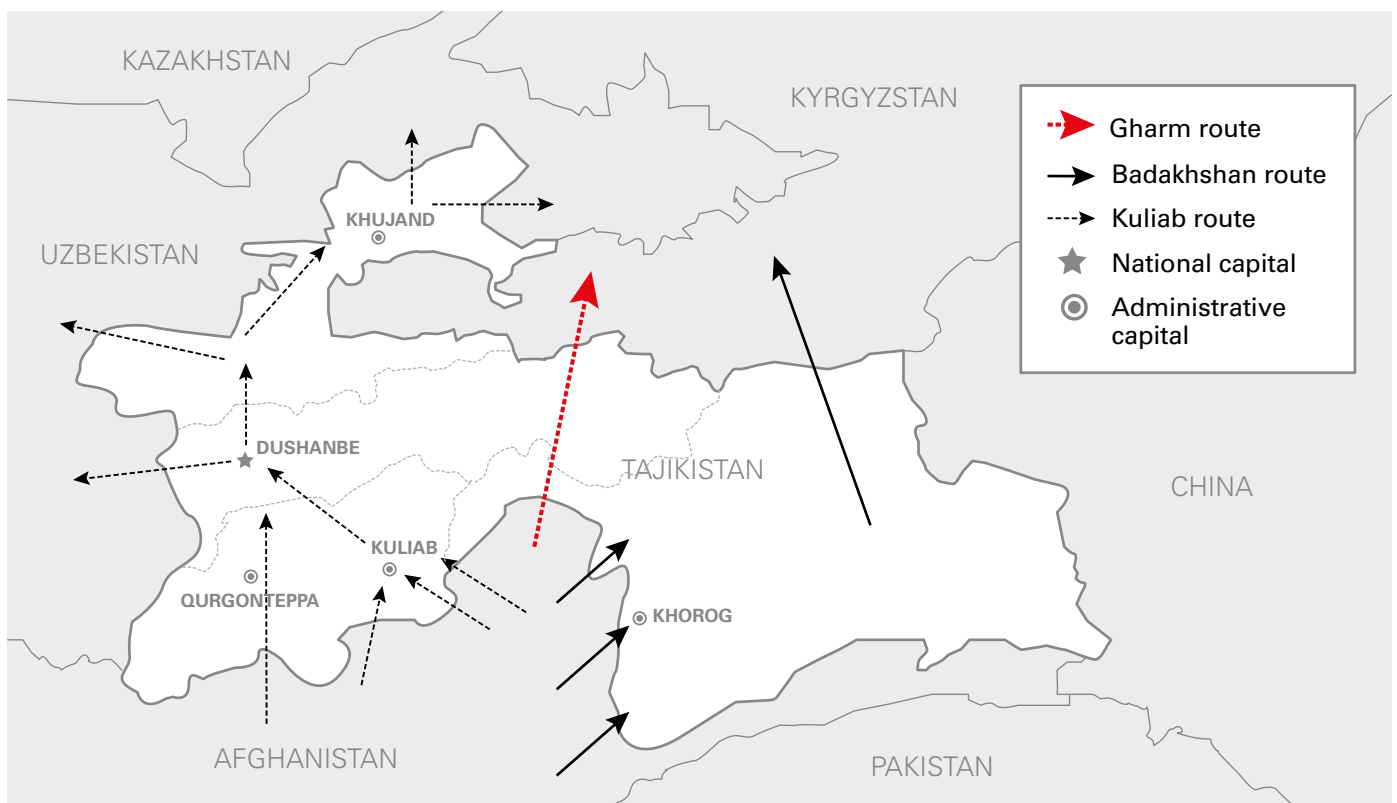


Figure 1: Drug routes through Tajikistan

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industries. This has helped change the face of Dushanbe and the country's other main towns over the past 15 years. In the capital, multi-storey residential buildings and Western-style hotels, bars and restaurants have drastically altered the urban landscape of a city that had remained essentially unchanged since its construction in the late 1920s. In the countryside, modern commercial centres are replacing traditional open-air markets; lavish villas surrounded by high walls stand out from the layout of Soviet-style villages.<sup>46</sup> The Tajik economy has been growing in recent years, but not at a rate that can explain such a transformation.<sup>47</sup> We can assume that this rapid development of the legal economy has been fuelled mainly by criminal networks laundering their revenues from narcotics trafficking.

Not all drug-trafficking profits are re-invested in real economic activities – and not all of the effects have been positive. A portion of drug revenues is stashed in offshore tax havens or invested in highly lucrative markets, such as those of the Gulf Arab states.<sup>48</sup> The expansion of country's banking system has probably been fuelled by illicit financial flows. A series of financial scandals have shaken Tajikistan's banking sector in recent years, and exposed the lack of transparency and accountability at the National Bank of Tajikistan and among the private banks. In 2008 the International Monetary Fund (IMF), having detected

warning signs of financial misreporting, ordered an audit of the National Bank and the major companies in the country. The audit, carried out by Ernst and Young, revealed systematic diversion of funds by the managers of banks and private companies. For example, about \$220m, which was supposedly intended to support the cotton sector, had somehow disappeared.<sup>49</sup> The huge influx of black money has also fostered speculative investment and generated inflation spirals. The sharp rise in housing prices in Dushanbe is a case in point.<sup>50</sup>

Drug revenues are also redistributed at community level, either in the form of payments to rank-and-file affiliates and individuals that are not part of criminal groups, or as donations for public events and social initiatives. These community-level payments and donations allow drug mafias to create a network of social support that goes beyond the boundaries of the organisation, buying acquiescence and collusion from sections of the population.<sup>51</sup>

So drug trafficking, with the huge profits it generates, has been a key force for economic development in post-conflict Tajikistan. Drug revenues enter the country's legal economy in a number of ways, and generate both positive and negative effects in the process.



# Part 4:

## The impact of drugs on state-building

This case study has shown how drug trafficking and drug mafias have been at the centre of political, economic and social life of Tajikistan since it gained independence in 1991. This section analyses what impact this has had on state-building.

The mainstream discourse assumes that drug mafias are anti-state groups and that drug trafficking is a hard security threat which requires a military and police response. But the case of Tajikistan shows how, under certain circumstances, the drug trade can create stability in post-conflict settings. Ironic as it may seem, it can be argued that drug trafficking has, in many respects, actually contributed to peace- and state-building in Tajikistan.

The impact of drugs on state-building depends on the specific dynamics that shape development and state-building in a particular country. An in-depth understanding of such dynamics is required to develop both international and domestic policy responses. A solely military approach to counternarcotics is likely to be ineffective in countries such as Tajikistan, where the criminal-political nexus is strong. Instead, a counternarcotics strategy should address a variety of aspects related to good governance, rule of law and accountability of state institutions.

### Drugs and peacebuilding

Conflict and political disruption made Tajikistan's transition to a stable post-conflict state particularly problematic. In the mid-1990s, the prospects for the emergence of a strong and sovereign government looked gloomy. There were dire predictions, but contrary to expectations they have not materialised. After the 1997 peace treaty, President Rahmonov was able to gain authority and gradually re-establish the state's monopoly over the use of force. Despite few cases of localised conflict, peace has held.

For a long time, donors, international NGOs and academics attributed this success to the 'Tajik model' of peace-building. This model was characterised by, and praised for, its participatory approach, its focus on strengthening civil society and the introduction of a multi-party political system.<sup>52</sup> In relevant reports and literature, no mention is usually made of the peace agreement's 'hidden chapter' – the shadow bargaining between political elites, former warlords and criminal networks for control of resources.

Now that more than 15 years have passed since the end of the conflict, it is possible to analyse the peace agreement through a historical lens. If there was an official as well as

a shadow peace settlement, it is the latter that appears to have shaped much of what Tajikistan is today. None of the institutional and legislative reforms advocated in the official peace treaty have been implemented. It soon appeared that the government was not eager to support the work of the Commission of National Reconciliation, which consequently turned out to be a very weak and ineffective body.<sup>53</sup> No real multi-party system exists, as opposition movements are regularly harassed and intimidated.<sup>54</sup> In contrast, many of the 'provisions' of the informal or shadow peace settlement are in place: many of the conflict's protagonists obtained positions in the national government, regional governments, law-enforcement agencies and the army; many have become the main players in the country's most profitable economic activities.<sup>55,56</sup>

So we can assume that peace was mainly achieved through informal deals struck between the emerging political elite and former field commanders. Drug revenues, as we have seen, were central in this shadow bargaining between government and warlords. The opportunity to continue trafficking narcotics represented a key incentive for warlords, allowing politicians to co-opt them into the establishment and consequently restore the state's monopoly over force.<sup>57,58</sup> It can be argued, then, that the illicit drugs trade has contributed to peace, order and stability in post-conflict Tajikistan.

### Drugs, violence and a symbiotic state-crime relationship

The stabilising effects of drug trafficking on the Tajik state become even clearer when analysing the relationship between drugs and violence. During the civil war, contract killings, rapes and other atrocities were perpetrated on an almost daily basis by criminal gangs and warlords' militias. Violence continued in the period that followed the peace agreement, when turf wars and gang conflict marked the process of redefining power relations among those involved in the drugs trade.<sup>59</sup>

Once the disputes over drug routes were finally settled and when a few well-established networks gained a position of prominence in the narcotics business, the violence started to decrease. Mafia syndicates now operate more professionally. Common rules have been established between different groups. They have solid business partnerships with suppliers in Afghanistan and buyers in Russia. Violence is mainly confined to border areas, where clashes take place between the army and traffickers, and where local drug-related conflicts sometimes erupt.<sup>60,61</sup>

The role of drug mafias in consolidating the state and reducing drug-related violence point to one conclusion: cooperative and symbiotic relationships exist between political and criminal groups in Tajikistan. Since the end of the civil war a regime has emerged in which the ruling elite and former warlords control the country's most lucrative economic activities. The narcotics trade is a central element of the post-conflict political-economic system. Complex interdependencies have emerged between criminal networks, entrepreneurial elites, representatives of central and local government, and law-enforcement and senior army officers as they seek to exploit drug revenues.

Today, the drug trade is in the hands of about 20 to 30 well-established groups, most of which have direct or indirect links with the government. Some high-level scandals in the past few years have demonstrated how drugs and power are closely related in Tajikistan. In May 2008, central authorities targeted a major drug trafficking operation in the southern city of Kuliab. After a gun battle that left four people dead, the brother of a top field commander in the pro-Rahmonov Popular Front and the son of top militia leader Sangak Safarov (see box on p4), were arrested, and subsequently charged and convicted. Despite arrest warrants, they had previously moved freely about Kuliab, evidently unconcerned about the possibility of arrest.<sup>62</sup> In January 2012, the brother of the deputy head of the national security agency was jailed on suspicion of being part of a drug-trafficking channel.<sup>63</sup> As the Director of Tajikistan's Agency for State Financial Control and Combating Corruption, Fattoh Saidov, observed: 'Not a single drug trafficking group is able to operate without support from high-ranked officials.'<sup>64</sup>

This peculiar configuration of crime-state relationship mainly depends on two elements: the government's tolerant attitude towards drug trafficking and the transformation of loosely organised criminal networks into structured, mafia-style organisations. Government tolerance, which at the time of the peace agreement had been instrumental in disbanding warlords' militias and gaining de facto state control over the country's unruly regions, is now a key requisite for keeping down levels of drug-related violence. If the state were to embark on a domestic 'war on drugs', criminal networks would fight back and a spiral of violence would very likely destabilise the country.

Collusive state-crime relationships could develop precisely because in post-conflict Tajikistan mafia-style criminal organisations have emerged. Mafias differ from other

types of criminal organisations, such as gangs or bandits, in that they are deeply embedded in the political-economic environment and seek compromises with politicians. Mafias are primarily profit-oriented and much prefer to avoid a direct confrontation with the state, because of the inherent risks for their businesses.<sup>65</sup>

A strong political-criminal nexus is a distinctive characteristic of contemporary Tajikistan. The state and criminal groups have a common interest in maintaining the status-quo, under which they can keep profiting from licit and illicit economic activities.

## Drugs and (dis)order

The case of Tajikistan shows how the drug trade in itself does not create instability. Here, state consolidation and the expansion of criminal activities occurred in parallel, and the two processes have been mutually beneficial. But we cannot complete this analysis of the effects of drugs on state-building without stressing that the state that mafias and the drugs trade helped to consolidate is one based on weak institutions and strong patron-client relationships.

Rahmonov's rule resembles the characteristics of a patrimonial regime: Tajikistan's society is vertically organised, ie, households are more dependent on their authorities and rulers, with no horizontal links between different groups, so that it is easier for the ruling elite to control territory and resources through a 'carrot and stick' approach.<sup>66</sup> Mafias become the glue that holds such a fractured and fragmented society together. So drugs have contributed to stability in the short term, but have prevented the development of legitimate and accountable state institutions in the medium to long term.

## International counternarcotics efforts

Western donors have been providing counternarcotic assistance to Tajikistan's army and law-enforcement agencies for more than 15 years. International attention on the region increased after 9/11 and the subsequent US-led military operation in Afghanistan, when drug trafficking was identified as a major security threat for most of the countries in southern and central Asia. The West's 'war on terror' narrative has deeply shaped its approach to counternarcotics assistance in Tajikistan. Priority is given to military or policing

efforts to combat drug trafficking – such as border control, strengthening law-enforcement agencies and reforming the security sector. Support is provided for a few other types of intervention, such as projects to reduce the demand for drugs, or press for legislative reform.<sup>67</sup>

The European Union and US Government are the two main counternarcotics donors. Since 2003 the European Commission has implemented two major regional projects: the Border Management in Central Asia (BOMCA) programme, and the Central Asia Drug Addiction Programme (CADAP). By 2007, these projects had cost around €43m.<sup>68</sup> The US government, meanwhile, allocated more than \$20m for security and law enforcement projects in Tajikistan in 2007 alone.<sup>69</sup>

International donors provided special equipment, such as GPS and satellite radios, to Tajikistan's law-enforcement agencies, and helped train them in measures to counter trafficking. Army border outposts were renovated. An ad hoc body, the Drug Control Agency, which carries out both intelligence analysis and operations in the field, was established. But this international assistance has had little impact. It has not resolved the structural problem of army and law enforcement in Tajikistan: only professionally trained and well-equipped units can operate properly in the harsh and rugged terrain, but the country's law enforcement institutions remain severely under-funded and the army consists mainly of conscripts. As a consequence, it is relatively easy for criminal networks to smuggle narcotics shipments in and out of the country.<sup>70</sup>

The limited achievements of counternarcotics assistance are also due to the ambivalent attitude of Tajikistan's government. On one hand, president Rahmonov never misses an opportunity to show his commitment to the fight against the drug trade when Western diplomats pay a visit or when he participates in international events. On the other

hand, his government agencies do not really collaborate with the UNODC or UNDP when they attempt to implement counternarcotics projects. Government commitment, then, seems to be more intended to attract donor funding than to obtain support for actually reforming the security sector.<sup>71</sup>

## Inadvertent effects

International assistance has also had unintended consequences. Firstly, counternarcotics policies have strengthened 'power ministries', such as the Ministry of Internal Affairs and the National Security Committee, both directly and indirectly. Directly, because international funding goes mainly to them, with little possibility for donors to monitor how the funds are spent.<sup>72</sup> Indirectly, because international assistance has allowed the government to delegate to donors the duty of managing borders and containing external security threats, so that it could concentrate on domestic security.<sup>73</sup>

A second unintended consequence of the international attention on drugs in Central Asia was that it helped promote the emergence of a strong political-criminal nexus in Tajikistan. International pressure obliged the Tajik government to increase its counternarcotics efforts, which forced criminal networks to improve their organisation and logistics. Well-established groups had to seek the protection of politicians, while small players were driven out of the business.<sup>74</sup> In other words, it can be argued that in Tajikistan counternarcotics assistance has helped to paradoxically consolidate, and legitimise, the drug traffickers and an authoritarian and corrupt regime.

Western donors' efforts to tackle drug trafficking in Tajikistan have so far failed. However, through a number of inadvertent effects, such assistance has contributed to the consolidation of President Rahmonov's rule over the country.

# Conclusion

The case of Tajikistan shows that when analysing peace processes and post-conflict reconstruction it is necessary to go beyond the normative framework of internationally sponsored peace agreements, and look at the actual political-economic dynamics behind the restoration of order. In Tajikistan peace was achieved mainly through informal deals on the exploitation of resources struck between political elites and warlords. Drugs were a central component of this 'shadow bargaining', and the tolerant attitude of the government towards illicit drug trafficking represented a key incentive for warlords to support the peace- and state-building efforts.

So, as Tajikistan proves, the emergence of a strong political-criminal nexus is a possible outcome of post-conflict normalisation. Contrary to mainstream belief, the formation of a thriving drugs economy is not by itself a destabilising factor. If political and criminal groups find common ground, drug revenues can fuel post-conflict economic growth and promote political stability. But other favourable conditions such as optimal levels of demand and supply in the economy, advantageous geographical characteristics and a supportive socio-economic environment are also necessary if drug revenues are to be a driver of development and state-building. Under these circumstances, alliances are more likely to be formed between political actors, economic elites, and senior representatives of law-enforcement, military and security services who are seeking to exploit drug revenues.

In other words, this case study calls for a new and different way of looking at the drug trafficking problem. To reiterate, illicit drugs, by themselves, are not the cause of instability. Rather, it is the transactions, connections, and relationships of the different actors around it that ultimately shape the outcome. Where these relationships are non-existent or tenuous, or characterised more by competition rather than cooperation or compromise, the different actors will tend to be engaged in bloody conflict. But where common ground is found, especially between the political elite and criminal groups, illicit drugs can, like any other resource and source of wealth, supply order and stability.<sup>75</sup>

For a long time in academic as well as policy circles, drug trafficking has been seen as a hard security threat, requiring primarily police and military responses. This dominant approach now needs to be moderated, as has been shown in this case study. The assumptions that underpin mainstream analyses on drug trafficking – such as that drugs are by themselves anti-developmental and anti-state, or that a clear boundary exists between what is legal and illegal, formal and informal, or licit and illicit – now needs to be substantially reconsidered. Instead, the focus should be

on the structural components of broader political-economic processes and the impact of drugs on political order.

Depending on the context, political-criminal alliances can last for short periods of time or for many years. The history of mafias shows that partnerships between criminal and political groups or individuals are of a precarious, rather than a stable, nature. As long as it is convenient for mafias to collaborate with institutional actors, such partnerships are likely to endure. But if the terms of exchange become unfavourable, mafias usually resort to violence to express their dissatisfaction with the new conditions.

In the case of Tajikistan, alliances between political elites and drug mafias have lasted almost 20 years. However, these alliances are not necessarily secure. Factors such as a sudden interruption in the supply of drugs from Afghanistan, or intensified competition for control of the key drug routes may lead to an escalation of mafia violence. This would probably undermine the power-sharing arrangements between different regional groups, which were so instrumental in consolidating the Rahmonov regime after the end of the conflict.

In conclusion, Tajikistan offers interesting insights into the relationship between the drugs trade and political (dis)order. Drugs and mafias have actually helped promote development and state-building in post-war Tajikistan. A conducive set of circumstances meant that mafia expansion and state consolidation took place in parallel, and that these two processes were mutually beneficial. But if conditions change, the influence of mafias on politics could easily become a destabilising force.

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19. Most of those the author interviewed in Badakhshan, eastern Tajikistan, remembered how frustration drove people to risk crossing the river to get opium in Afghanistan. The state had stopped paying salaries. Villages were overcrowded because of the influx of internal refugees. The road to Dushanbe was blocked. Travel was possible using the Pamir Highway to Osh, Kyrgyzstan, a mountain road open only few months a year. People from Badakhshan would cross the border to barter their belongings (carpets, doors, windows, shoes, clothes) in exchange for opium. They would resell the drug to the 'big guys' in Khorog, who had already set up a smuggling network to Osh and further up to Moscow.
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  75. To further illustrate, it would be useful to look at examples other than illicit drugs. Oil, for example, can be a source of instability as demonstrated by the conflicts in Nigeria's oil-producing states. In the US state of Texas, however, oil is a basis for stability. The so-called 'blood diamonds' funded different armed groups in the Sierra Leone civil war. But prior to that civil war, the country had over 20 years of stability after independence, in which the government drew a significant amount of its resources from the mining and trade in diamonds. As Danieli shows, Tajikistan did not become another Mexico, where drug cartels kill each other. Hence, whether it is oil, diamonds, or drugs, the key point to look at is that 'common ground' that creates the conditions in which actors, including criminals, find a way to collaborate and develop symbiotic relationships.



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# The power of drug money in Mali

**Christian Aid Occasional Paper**

Christina Anderson

October 2015

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## **Acknowledgements:**

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This case study was independently commissioned by the Joliba Trust as a policy and advocacy paper for its own use, but subsequently contributed to Christian Aid's research.

Joliba Trust supports grassroots development work with farming and cattle-raising communities in central Mali. Its focus is on projects to help women and environmental work to sustain rural livelihoods in marginal areas affected by desertification.

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# Preface

In the 18th century, according to historian Thomas Gallant, there were pirate lairs and enclaves in different parts of the world that grew to become regional market centres and entrepôts in their own right.<sup>1</sup> From towns and settlements in the Indian Ocean to pirate territories in the Caribbean, these centres became established as suppliers of various illicit products and gains – from stolen gold, silver and porcelain; to tobacco, alcohol, opium and arms; to slaves and associated criminal services. In time, pirates from the Caribbean became a ‘major economic force supplying urban markets in North America’.

In the Indian Ocean, continues Gallant, so vital were pirates to trade that their commerce in the region was called ‘armed trading’, at par or comparable to regular trade on the seas. Their activity helped connect their enclaves in rural villages or remote coastal hide-outs with outside markets. This means, for example, that they created direct and indirect employment opportunities for far-flung communities that would otherwise have nothing to rely on. They became niche suppliers of products and services that normal, legitimate businesses won’t touch, but which were in demand from powerful customers located in major capitals. They created business for bankers who took their gold, shipbuilders who built and repaired their corsairs, and merchants who sold them cannons, gunpowder or information. Thus, Gallant concludes, although they were outlaws hunted by law enforcers, pirates played a key role – whether for good or bad – in the global economy.

This case study reveals similar patterns, but instead of pirates on the high seas, it examines the camel-riding or 4x4-driving inhabitants of the Sahara. These contemporary groups have turned otherwise isolated settlements and mobile trading caravans in the desert into bazaars for smuggled goods – from ‘soft goods’ such as sugar, fuel and staples, to ‘harder’ commodities such as cigarettes, mobile phones and Viagra. But the bazaars are often also bases for hiding and forwarding illicit merchandise – such as weapons, ammunition and narcotic drugs, mainly cocaine and cannabis resin.

So vital are these modern-day ‘pirates’ to trade in the desert, that their commerce can also be called ‘armed trading’. And the treasures they bring are no longer that hidden – until the 2012 insurgency in northern Mali they were embodied and symbolised in luxury-mansion districts such as ‘Cocainebougou’, or Cocaine Town, which have sprouted in the desert. In recent years they had become increasingly adept at converting stolen or smuggled goods into other forms of wealth, which add real value to the local economy.

Much still needs to be learned about these modern-day brigands. This report merely provides one explanation for their emergence and an introduction to the contexts in which they operate. It also helps to explain the relationships of competition, collaboration or corruption between smugglers and the state, smugglers and local communities, and smugglers and the assortment of armed groups in the desert. In northern Mali one can find evidence of these complex relationships: not only agents of the state behaving like criminals, but also criminals behaving like the state. There are not only criminals taking up the mantle of militancy and fundamentalism and trying to be ‘political’, but also political terrorists engaging in illicit enterprise and trying to be criminal, often with great success.

What, then, can development agencies do about such underlying politics? How can they ‘straighten the crooked’, so to speak? A first step is to acknowledge the existence of a peculiar form of politics and set of relationships, which drove much of the conflict in northern Mali. Useful questions could then be asked when designing governance interventions. For example, how is the highly lucrative cocaine economy reshaping social and political relationships in the country? What informal or hidden structures and relationships of power need to be examined? Do the usual conflict analyses and conflict-sensitive programming apply as much for situations with a high incidence of organised criminality and corruption? How does one engage with institutions that are probably built on foundations of illegal activity and illicit behaviour? What could be done about criminal markets elsewhere in the world that create the demand for the services of smugglers in the Sahara?

This case study does not provide full answers, not only because these questions are difficult, but also because they ought to be answered by the development agencies that seek to eradicate poverty in the Sahel. Hopefully in this case study, a contribution by the Joliba Trust and Christian Aid to the discussions, doors will be opened to those answers.

Although organised criminality has emerged to be today’s principal governance challenge, it is not cast in stone. It is constantly contested and renegotiated, and adapts continually to changing conditions, as the story in northern Mali over the past two years shows.

Development agencies have an increasingly urgent role to play in contexts like northern Mali. This case study challenges them to take the first steps.

# Introduction: Cocainebougou and its castles in the sand

Until all-out conflict erupted in early 2012, tourism had been a mainstay of northern Mali's economy, creating jobs and generating significant income.<sup>2</sup> A popular stop on the tourist trail was the ancient town of Gao, known not just for the famous Askia tombs and the Pink Dune, but for a district on the edge of the town nicknamed 'Cocainebougou', or Cocaine Town, after the source of its wealth. Here, four-storey mansions, surrounded by ornamental fences, and graced with fake marble pillars and huge bronze friezes, stood in marked contrast to the desert that surrounds them.<sup>3</sup>

Cocainebougou is not unique. Timbuktu, another ancient town about 320km east from Gao, had a similar district, where ostentatious displays of wealth, widely assumed to have been earned from drugs trafficking, were common. Before the conflict, a smuggler told journalist Afua Hirsch that the presence of drug chiefs in Timbuktu 'is an open secret', and that they were the ones who provided visiting senior officials of the previous government with 36 brand new 4x4 vehicles.<sup>4</sup> And 2,000km along the truck trade route north from Gao, in the Algerian border town of Tamanrasset, is the district of Sersou Ferraille. Five or six years ago, the owners of the large houses there, which sit behind heavy metal gates, had nothing. They were able to acquire gleaming mansions, with walls covered in imported tiles, columns and marble flooring, crystal chandeliers, and the latest air conditioning and furniture from Europe.<sup>5</sup> It is widely

acknowledged that many houses in these districts were built on the proceeds of trafficking in narcotics. Along with kidnapping-for-ransom, it was considered the most lucrative business in the region and reportedly still is.

The fortunes of drug smugglers in the deserts of northern Mali are often associated with instability – that it is instability which allows them to engage in their profitable trade. But instability could be bad for the smugglers too. For example, when the tide turned against the insurgents in northern Mali shortly before French and Chadian troops retook Gao in late January 2013, Arab businessmen and drug traffickers associated with the insurgents fled in fear for their lives and their mansions were ransacked and looted. The mansions of Cocainebougou were, literally and figuratively, castles in the sand that could easily be swept away. Yet their owners remained far more resilient. Just two weeks after the French arrived, Gao's mayor, Sadou Diallo, according to a widely quoted report, allowed two alleged drug smugglers to stay in his home.<sup>6</sup>

Outsiders, and development agencies in particular, are still largely ignorant of the unprecedented expansion of drugs trafficking in West Africa. So far, it is mainly security specialists and academics who are analysing it. Examining the emergence of luxury mansion districts, such as Cocainebougou and its counterparts in Timbuktu and

## Armed groups in northern Mali and the Sahara

**AQIM** – Al-Qaida in the Islamic Maghreb and its offshoots are considered the primary transnational terror threats in North and West Africa. It traces its origins to the guerrilla Islamist movement in Algeria in the 1990s which splintered but regrouped in the early 2000s and aligned itself with al-Qaida.

**MUJAO** – French acronym for 'Movement for Unity and Jihad in West Africa', an offshoot of AQIM. Its leadership is mostly black Africans, in contrast to the largely northern Arab leadership of AQIM. MUJAO members are known to be directly engaged in smuggling and illicit activities.

**Ansar Eddine** – or 'Defenders of the Faith', is another AQIM offshoot, founded in 2011 by the Malian Tuareg Iyad Ag Ghali. The group was set up as a home-grown jihadist organisation in northern Mali.

**Al Murabitun** – or 'The Sentinels', the name adopted by the 2013 merger of Gao-based groups MUJAO and the Signed in Blood Battalion associated with Mokhtar Belmokhtar.

**MNLA** – French acronym for 'National Movement for the Liberation of Azawad'. MNLA is the main group espousing secession from Mali and establishing the new nation-state of Azawad, and is dominated by Tuaregs.

**Front Islamique Arabe de l'Azawad** – a group that emerged in the 1990s espousing a secessionist agenda and is drawn mainly from the Hassani Arab minority.

Tamanrasset, is a useful first step to decode and interpret what is going on.

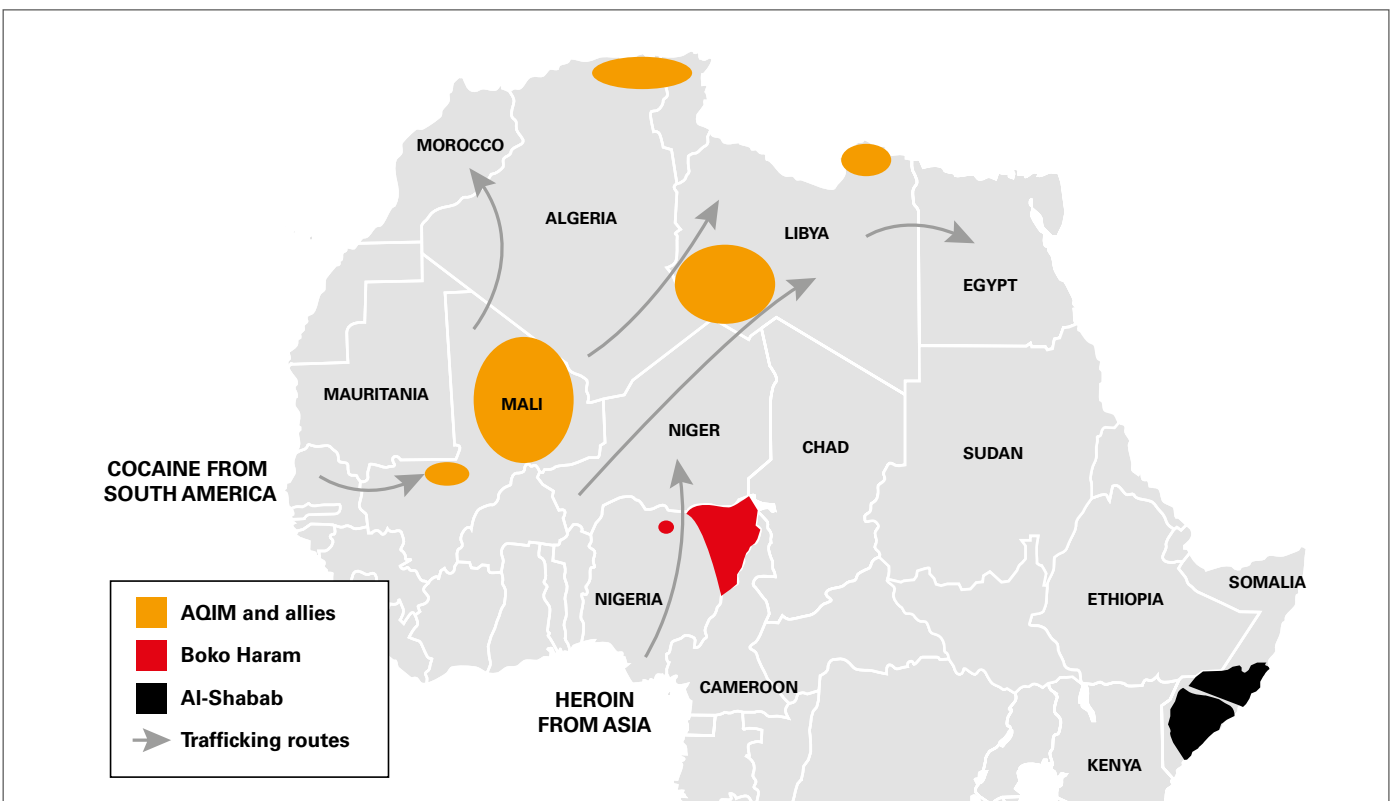
These 'castles in the sand' are symbolic of many things. In the eyes of many locals they loom as proof that big and quick money, even if risky, can be made outside traditional employment and 'slow-growth development'. The drugs trade and its profits may be *harām* or forbidden, but over time they can become their own justification, especially when they develop to be the major source of income and employment in impoverished communities. It also demonstrates how illicit money can link otherwise isolated local communities in the desert to the global economy: paying for goods ranging from traditional staples for survival such as pasta, semolina, powdered milk and petrol, to the more 'globalised' products such as mobile phones, satellite TV and 4x4 vehicles. Perhaps most importantly, Cocainebouyou shows the power of drug money – how governance is bent to accommodate the interests of traffickers and how corruption grows in the distribution of the spoils.

The reasons behind the growth of drug trafficking may be the key to understanding poverty and governance challenges in the Sahel region. Here are three possible reasons – an economic, a social and a political reason – for the growth of drugs trafficking in Mali and West Africa, which development agencies need to consider.

**1. The benefits of illicit trading, though risky and often morally frowned upon, have become widely perceived as far outweighing the benefits of slow-change traditional development or income-generating activities.**

The benefits of illicit trade are not just the obvious and conspicuous face-value gains, such as the castles in the sand of Cocainebouyou. They also include unprecedented social mobility, higher standing within social hierarchies, and long-term security for the individuals and communities both directly and indirectly involved.

**Islamist militant groups and their areas of influence in Africa**



## 2. Common public conceptions of right and wrong, especially concerning drug smuggling, have become blurred.

Drug smuggling may be considered by local communities as *harām* (illicit or sinful) and inherently destructive both to society and the traders who engage in it. But when even notorious drug smugglers invest their gains in widely recognised symbols of legitimacy, such as marriage with ‘good families’, or in gardens and livestock, or in legitimate enterprises that create employment, then *harām* activities begin to be justified as a necessary means to live a moral life and gain higher social standing.<sup>7</sup> There appears to be tacit acceptance, too, that the dire economic situation in Mali means *al-frūd al-harām* (illicit smuggling) is the only way to get the funds needed to live a truly moral lifestyle. So while the drugs trade is regarded as sinful, the fruit that it brings is not; drugs money may be illegal, but not everything that is illegal is always seen as wrong.<sup>8</sup>

## 3. State and public authorities have begun participating in the drugs trade.

Whatever benefits are gained and whatever justifications are made, smuggling would still not be possible without the collusion of, or at least the toleration by state and political authorities. And the suspicions go all the way to the top. A report by commentator Cheikh Ba, published by the website Maliactu, claimed that former President Amadou Toumani Touré had personally intervened for the release of drug barons. One of the alleged drugs traffickers who had been arrested for what is now known as the Air Cocaine incident (discussed later), was said to have been freed because the president was relying on him to raise militias to contain the advance of secessionist rebels in the north. The alleged drugs trafficker, however, was reported to have joined the MUJAO Islamists instead, who are known to be directly involved in drug smuggling.<sup>9</sup>

The Cocainebougous of Mali and the Sahel signify how patterns of development and economic growth are being shaped by an illicit enterprise. They also represent changing norms about what is acceptable or not in terms of making money in an extremely resource-poor and chronically unstable region. But perhaps most importantly, such castles in the sand symbolise growing corruption and how forms of governance and state-building are changing.

They need to be analysed in terms of the trading and social networks in which they are nestled, as well as their inter-connectedness with the outside world. That, however, is a

larger research agenda, which is beyond the scope of this present case study. The goal here is mainly an introduction – to provide some evidence that these patterns are indeed happening and worth investigating. It is an attempt to open the doors for development agencies to get involved in the discussions.

The research for this case study started in early 2013 – one year after the outbreak of the conflict in Mali. It centred on the question: ‘What are the causal links between the cocaine trade and instability in Mali?’ It attempted to throw light on how terrorist insurgents, drug traffickers, and elected and appointed officials are linked to and affect each other. In answering these questions, this case study looks at how drugs money ends up being spent locally, and the significance of this spending.

The trafficking in narcotics is conventionally treated as a criminal problem, for which the sole solution is often tough law enforcement. This case study argues that the ‘drug problem’ in places like Mali is rooted in economic and political realities, and therefore requires economic and political – or developmental – solutions. Simply attempting, for example, to disrupt the illicit drugs market, without any understanding of the underlying social and political relationships that enable it to thrive, may well be too blunt an instrument, that leads to unintended and counter-productive consequences.

So in this case study:

**Part 1** will describe the West African drugs context and Mali’s role in it: who does the smuggling and what and how they smuggle?

**Part 2** will explore how narcotics smuggling is linked with instability in Mali, and in particular how it is connected with groups including jihadist organisations such as AQIM, MUJAO and Ansar Eddine; as well as with the government.

**Part 3** looks at the broader issues of governance, particularly misappropriation of aid, to strengthen the argument that reforms are needed to tackle the problem of drugs and address, by extension, the challenges of insecurity.

**Part 4**, by way of conclusion, is designed merely to provide a starting point for participative stakeholder workshops on the issue.

# Part 1: Smuggling in West Africa and Mali

For centuries, nomadic and semi-nomadic people have used the trade routes that crisscross the Sahel-Sahara belt. These declined at the end of the 19th century, but were reinvigorated after decolonisation in 1960 and the establishment of present-day national borders. Tradesmen who traversed the desert to smuggle consumer goods, such as foodstuffs and fuel from Libya and Algeria to West Africa, made the ancient trading routes fully operational again by the 1960s and 1970s. Transnational networks became more significant: smuggling counterfeit and black-market cigarettes in the 1980s; small arms in the 1990s; and drugs from around the year 2000.<sup>10</sup>

The black market across North Africa is currently experiencing something of a boom. As reported in the *Economist*, everything from fuel, eggs and powdered milk, to Viagra and counterfeit prescription drugs, to cocaine, hashish, cigarettes and arms stocks from Libya are smuggled and sold.<sup>11</sup> Illicit drugs – notably cocaine, but also cannabis resin for the North African market – are the most profitable of the high-value commodities being trafficked.

## **Halāl and harām smuggling**

To put drugs trafficking in Mali's desert areas into context, it is necessary to first clarify the difference between *halāl* (allowed) and *harām* (forbidden or socially unacceptable) forms of smuggling – distinctions that are normally invisible to outsiders.

Both licit and illicit goods are smuggled by networks of people who traditionally exchanged and traded to make a living. This trade is seen as noble: not only as a way to survive in a harsh environment, but also an affirmation of independence and autonomy. The family and kinship networks involved in this smuggling date from precolonial times and are often extended and cemented by marriage.<sup>12</sup> They facilitate the transit of goods across borders by providing labour, transport, accommodation, food, water, credit and information. These social networks provide security and reciprocity in a space that is usually ungoverned by formal politics or official controls. This is *halāl* smuggling.

Smuggling is usually *halāl* when it involves big lorries, often moving in convoys, which act as travelling markets, delivering and selling goods from town to town. The lorries also double up as buses, postal or medical couriers, or remittance agents, thereby providing further services to communities. The drivers and their assistants rely on the hospitality of towns and villages along the way.

*Halāl* smuggling relies on the networks of kinship for their labour needs.

In contrast, however, much of the drugs smuggling in West Africa is organised by large-scale and more centralised organisations, often with corporation-style structures. This form of smuggling is *al-frūd al harām*. It involves 4x4s travelling at speed through the region, barely stopping at towns or communities they pass en route to their destination, and refuelling with diesel at hidden pre-stocked points in the desert. It is typically conducted by mafias that recruit smugglers on an ad hoc, individual basis, without considering family or tribe origins, and bypassing elders or traditional gatekeepers in the local communities.

Herein lies the moral distinction. In simplistic terms, smuggling can be *harām* or *halāl*, depending on the way it is carried out – the degree to which it is connected to the communities through which it passes is more important in judging its morality than the goods smuggled themselves.

So there is 'smuggling' that is a traditional means of surviving and making a living in the desert. And there is 'smuggling' that is considered sinful and socially unacceptable. How these are understood, used or respected by illicit actors could spell the difference between who succeeds or fails, who is exposed to greater risks than others, or how a smuggler becomes better connected than competitors.

## **Drugs smuggling in West Africa**

Since around 2003, West Africa has been steadily transforming into a major hub for smuggling Latin American cocaine into Europe.<sup>13</sup> It has also become a centre for logistics, command and control for Latin American drug cartels.<sup>14</sup> According to the UK's National Crime Agency (formally the Serious Organised Crime Agency), the region received and redistributed some of the 25-30 metric tons of cocaine imported into the UK each year, with an estimated value for wholesale dealers of over £200m.<sup>15</sup> Despite the dispersal of jihadist, secessionist, and criminal groups following the French intervention in 2013, both UN and French forces, reports the International Crisis Group (ICG), struggled to consolidate security gains. Continuing insecurity has prevented the restoration of state authority, or the delivery of humanitarian aid. A June 2015 ICG report states that the Central Sahel is turning into a 'perfect storm' of actual and potential instability, characterised by 'growing numbers of jihadi extremists and illicit activities, including

arms, drugs and human trafficking, estimated to generate \$3.8 billion annually'.<sup>16</sup>

Within West Africa, there have been three identifiable hubs for drugs trafficking that have emerged: northern (Guinea-Bissau, Guinea, the Gambia and Senegal), southern (Nigeria, Benin, Togo and Ghana), and eastern (Mali and parts of Mauritania, where shipments arrive by air). Once the bulk deliveries arrive, they are transported onwards to Europe via a number of methods and routes: overland across the Sahara, by sea and by air.<sup>17</sup> According to the UNODC, the methods for moving cocaine consignments onwards are numerous, often low-key, and evolve and adapt constantly in response to drug law-enforcement efforts. The amounts involved are relatively small, usually no more than 100-200kg.<sup>18</sup> These factors combine to make smuggling difficult for the authorities to detect.

In a 2011 report, the International Institute for Strategic Studies identified the methods of transport: lorry, bus, car, motorcycle and even bike. Galician fishermen frequently transport consignments from North Africa into Europe. Drugs are often concealed in human mules, and have been found in African crafts, cosmetics and even pineapples.<sup>19</sup>

Shipments also enter Europe in small propeller-driven aircraft via airports in the Sahel. There is even evidence of drug smugglers using Boeing 727s, which shows their sophistication and boldness. In what the media called the 'Air Cocaine' incident, for example, the charred fuselage of a Boeing 727 from Venezuela was found near Tarkint, northern Mali. Experts believe that the plane was delivering a cargo of up to 10 tons of cocaine. But after unloading, the plane failed to take off when one of its wheels got stuck in the sand and it was set alight to destroy the evidence. The cargo, with an estimated street value of more than \$300m, was never recovered by Interpol or the national authorities who investigated the incident.

According to the UNODC report, 18 tons of pure cocaine was transported across West Africa in 2010 – a fall from a peak of 47 tons in 2007.<sup>20</sup> As the overall cocaine supply to Europe has remained about the same, this drop could reflect a number of things:

- the inherent nimbleness of traffickers
- the creation of new routes to avoid detection<sup>21</sup>
- a return to more traditional routes by Latin American growers

- and/or a severing of relations between Latin American growers and corrupt officials in West Africa after large-scale seizures of drugs subsequently disappeared.<sup>22</sup>

## Drugs smuggling in Mali

Before and during the colonial period, Mali and surrounding Saharan territories were subject to endemic violence. As Malian professor Dalla Konaté explained in a lecture in 2009: 'In periods of absence of strong central powers, social violence was composed essentially of raids (*razzias*) that Tuareg tribes conducted on civilian populations and against trading caravans.'<sup>23</sup> Konaté said that the short First Régime in Mali (1960-68) could not pacify the north because of resistance by traditional leaders. As a result, the area returned to a culture of violence and sporadic banditry, providing foreign traffickers and Islamic extremists with fertile ground to establish bases.

Mali became increasingly prominent as a transit point for drugs on their way from West Africa to Europe in the mid-2000s, when couriers began to use regular commercial flights. In October 2007, 22 human mules were arrested on arrival in Amsterdam on a flight from Mali's capital Bamako. Malian customs officers also seized 116kg and 35kg of pure cocaine (about £2.32m and £0.7m at wholesale street value, respectively) at Kouremale, near the Guinea border, in two separate incidents in 2007.<sup>24</sup> Between 2006 and 2008, 254kg of cocaine were seized in Europe from flights coming from Mali.<sup>25</sup>

Since 2009 there has been a marked reduction in the use of cocaine couriers on flights from West Africa.<sup>26</sup> There is enough reason to suggest that Mali, until the events of 2012, remained a key stopping-off point on the route to Europe. Prior to the 2012 uprising, the most serious incidents of note included the Air Cocaine crash in 2009; the 2010 conviction of a police commissioner for collaborating in the construction of a concealed landing strip in the desert; and the January 2010 landing near the Mauritanian border of a Beechcraft BE300 from Venezuela, where its consignment was loaded onto 4x4s before disappearing off the authorities' radar.<sup>27</sup> In any case, the 2012 conflict would have only served to reconfigure the drug trafficking routes. Drug trafficking in the desert is known to be highly flexible and extremely adaptable. Because the area is huge and sparsely populated, with porous borders, and where government reach is extremely limited, routes can be quickly redirected to avoid trouble spots or concentrations of government or UN forces. Drug traffickers are known to maintain hidden fuel and supplies depots in the desert that are located using hand-



held satellite navigation devices, making redirection of routes by a few hundred miles only a matter of inconvenience.

Today drug use in cities such as Bamako and Kidal is increasing, which indicates that drugs are still being transported through Mali.<sup>28</sup> In December 2013, a Bolivian travelling via Brazil, Togo and Burkina Faso was caught with 5kg of cocaine hidden in his suitcase lining while in Bamako.<sup>29</sup> A few days earlier, a smaller consignment of cocaine and amphetamines was seized at Bamako airport in a package that followed the same route. Journalists have been told there are few such arrests because officials do not receive financial incentives. There is also only one official laboratory authorised to identify narcotics for the whole country.

## New trafficking routes

When conflict erupted in 2012 it disrupted the northern trafficking routes. Analysis is only just starting to emerge on how they have reconfigured. Trafficking routes are flexible and adapt to law-enforcement efforts and the changing political environment. A number of unprecedented drugs seizures in previously unused routes and transit points indicated old routes were being avoided and new routes opened up. In April 2013, a huge seizure was made in Mauritania, indicating that perhaps because of the uncertainty caused by the conflicts in Mali, traffickers were moving operations to the neighbouring country.<sup>30</sup> In 2012, Algeria seized 73 tons of cannabis (almost twice as much as in 2008) and then 50 tons in the first half of 2013.<sup>31</sup> The Niger towns of Agadez and Arlit on the N25 road north towards Algeria, as well as the northern Passe de Salvador near the border with Libya and Algeria, are also apparently becoming more important as drug-trafficking routes.<sup>32</sup>

According to French criminologist Xavier Raufer: 'Since the first rumours of battle in Mali, drug logisticians have been thinking about new routes, and have modified their journeys through the north of the country. New routes are already opening up in Angola, DRC [the Democratic Republic of Congo], the Great Lakes and Libya. The profits linked to cocaine trafficking are so big that longer routes and higher transport prices are not a problem.'<sup>33</sup>

## Key players and beneficiaries in the drug trade

There are many beneficiaries in the West African drug-smuggling 'food chain'.

**Mafia drug barons** are at the top, and located in the capital cities of West Africa, Brazil and Colombia. They work with local drug bosses, who manage the business on the ground. In Mali, many of these bosses are well-known local businessmen from Kidal, where smuggling is dominated by mountain-based Ifoghas Tuareg; Gao, where smuggling is dominated by Tilemsi Arabs; and Timbuktu, where smuggling is dominated by Berabiche Arabs.<sup>34</sup> These groups dominate different elements of the trade, but have competed regularly and violently with each other over 'turf'.

**Young people** can be easily attracted by the promise of quick money and adventure. They are involved in the drugs trade, both as key players in the transport of narcotics across Africa to Europe, and as end users. Young men are employed as drivers, moving drugs consignments in 4x4s across the desert to specific locations. The work is dangerous, and many end up killed or maimed in accidents or confrontations with border officials or bandits.

Many of these young people ultimately want to give up driving drugs consignments through the desert. Just like their bosses, they want to invest their profits into a life that is *al-halāl*, either using their fleet of vehicles to set up a smuggling interest in licit goods, or start a legitimate business away from the smuggling scene altogether.

The drugs trade and the high profits it can generate make it difficult for development programmes in northern Mali to promote traditional types of employment for young people. Mohamed, a young Tuareg from Timbuktu used to smuggle subsidised fuel from Algeria, before he switched to cocaine. He claims that drug consignments were dropped in the desert, and he would be paid \$3,000 to ferry them to a given location. After several successful trips, he was given the vehicle. 'With this money I was able to organise three wedding ceremonies – how could I have done this with the other job?'<sup>35</sup>

A similar story was reported by Ashua Hirsh in May 2013 in the *Guardian*. 'When we transported cigarettes, I would be paid around 100,000 CFA francs [about \$200] for each trip. With cocaine, I earned 1 million [\$2,000],' Mohamed explained. 'We would drive through the desert in convoys, and each car would earn roughly 18m CFA [\$36,000] – the driver, security man and I would all be paid a fee, and my boss would keep the rest.'<sup>36</sup>

**Regional criminal-terrorist organisations** are heavily enmeshed in the drugs trade. They include MUJAO, which has now merged with the Signed in Blood Battalion to form Al-Murabitun; AQIM; and Ansar Eddine. Reports reveal that while members of MUJAO are involved directly in

smuggling, AQIM plays a different role, primarily charging 'transit taxes' or providing protection.

**Elected and civil officials** are also deeply involved in drug trafficking. In Mali, one of the more pernicious repercussions of having political elites with a vested interest in the drugs trade is the creation of a complex web of alliances between government, criminal and terrorist groups. These alliances contributed to the rapid takeover of northern Mali by a *de facto* coalition of criminal, terrorist and secessionist rebels in early 2012. The rebels, with a mostly Tuareg leadership, belonged mainly to the MNLA. They proceeded to declare the short-lived Republic of Azawad.<sup>37</sup>

**Communities** through which drugs money passes or from which members of criminal networks hail are also stakeholders in the drugs trade. Not only do they receive windfall injections of cash, they also receive forms of protection that increase their security and social standing.<sup>38</sup> Some communities give the drugs trade their tacit approval, but those that do not – particularly those based along regional frontiers – have increasingly little choice in the matter. Such communities have become more dependent on drugs revenue as legitimate businesses and investment stay away.<sup>39</sup>

### The money: Who spends it and what on?

What primarily draws all of these groups to the drugs trade is significant profits. In 2010 it is estimated that 18 tons of cocaine was trafficked through West Africa. Typically, 1kg of cocaine at wholesale purity of around 65% costs about \$53,000, which means that 18 tons is worth \$1.25bn at street or retail value.<sup>40</sup> This is not net profit, and no one knows the actual amount that ends up in the pockets of

West African criminals or the war chests of terrorist insurgents. That said, the UNODC calculated that in 2012, around \$500m from the cocaine trade was either laundered or spent in West Africa.<sup>40</sup> This gives at least an idea of the sort of figures (and, critically, the purchasing power) that law enforcers are dealing with.

But the key question is not about gross sums, but rather what can be done with the money that is acquired. Crucially, could the cocaine money thought to be spent in the region be enough to potentially cause destabilisation? A comparison between the illicit drug revenues estimated by the UNODC on one hand, and military expenditure in the region on the other, might provide a clue. According to the Stockholm International Peace Research Institute, the \$500m of cocaine money laundered or spent in West Africa in 2012 was more than the total military expenditure of many of the West African states through which drugs transit (see table below). In addition, it is more than the \$455.5m promised by donors for the African-led International Support Mission in Mali (AFISMA).<sup>42</sup> Inferences could therefore be drawn that because drug money is at such a degree comparable to the size of military spending, it must be fuelling instability in the region. The involvement of the insurgent groups and terrorist networks in northern Mali in drugs trafficking already demonstrates that drug money is already making that impact.

It will be easy for drugs traffickers awash with cash to build up their arsenals. In the Middle East and Africa a Kalashnikov sells for an average price of \$267, but can be available for as little as \$12 (World Bank supplied average figures).<sup>43</sup> Conflicts in West Africa and the Sahel-Sahara region have led to a type of arms trafficking akin to recycling.<sup>44</sup> Most recently, large amounts of small arms were reportedly brought into Mali from Libya. In an unexpected consequence of the Arab Spring, AQIM and the Tuaregs gained access to

Country	Total military expenditure (2012)	Share of GDP
Mali	\$149m	1.6%
Burkina Faso	\$146m	1.5%
Mauritania	\$120m (2009)	3.8% (2009)
Niger	\$69.8m	1.0%
Guinea Bissau	\$16.6m	2.0%
Côte d'Ivoire	\$407m (estimated)	1.8%

former Libyan leader Colonel Muammar Gaddafi's arsenals.<sup>46</sup> Failure to secure these weapons was an oversight by the West, which, in the words of the presidents of Chad and Niger, Idriss Déby and Mahamadou Issoufou, did not offer the 'after sales service' needed to contain the impact on West Africa.<sup>47</sup>

Research in 2007 indicates that there were at least 81,000 Kalashnikovs circulating in the Sahel region.<sup>48</sup> The number today is likely to be far higher. In Mali, significant arsenals comprising weapons of all calibres, ammunition, explosive devices and detonating systems were found by Operation Serval forces.<sup>49</sup> These arms caches were not just uncovered in AQIM's mountainous stronghold in the north, but were also in urban areas, including a cemetery in Timbuktu.<sup>50</sup>

It is no surprise that after the collapse of Gaddafi's regime, there were reports of AQIM buying up the vast stockpiles of weaponry.<sup>51</sup> Though it is impossible to say how much the weaponry cost, basic economics will say that a supply glut will force down prices, leading to a greater quantity being purchased. The easy availability of small arms is a key reason that turns criminal enterprise into a governance and security threat.

The impact of the illicit drugs trade is obviously not just from how its profits can fuel instability. Another significant consequence is the rising levels of drug use in the region. Drug abuse among young people in West Africa is on the rise, and with it the associated problems of addiction. In 2008, a Situation Analysis of Malian Youth and HIV/AIDS (unpublished because it is still under government embargo) worked with groups of young researchers in four regions of Mali. They reported specific locations where drugs were available – for example, at the regional hospital in Gao. The study was presented to stakeholders, including police and military officials, for validation. Its details were not challenged, but because it implicated security and government services, it was put under an indefinite embargo.<sup>52</sup>

The UNODC reported in 2012 that there were perhaps 2.3 million cocaine users in West and Central Africa. It raised concerns that the region's role – particularly in processing cocaine – 'may be growing as evidenced by seizures of processing equipment for cocaine, ecstasy and methamphetamine'.<sup>53</sup> There are no figures on drug use in Mali, but anecdotal evidence suggests that more young people are becoming users, as well as getting involved in trafficking, and this can pose a serious public health problem

in the future.<sup>54</sup> As former UN Secretary-General Kofi Annan said: 'West Africa initially was seen as a transit point, but no country remains a transit point for long. The population begins to use it.'<sup>55</sup>

Deeper analysis on the impact of the drugs trade on young people is required, but is outside the scope of this report.

## Conclusion

Any effort to tackle smuggling in illicit goods has to take into account that smuggling (*al-frūd*) has been part of the economic landscape of the Sahel-Sahara belt for centuries. It provides communities with a means for survival. Deeper analysis of how different groups gain from the trade and the 'push' factors for their engagement will also be necessary, as will engagement of private firms and businesses that play roles in facilitating the drugs trade, even if they are not directly involved in the illicit enterprise themselves.

The impact on young people needs to be examined in greater depth, too, with a view to developing better strategies to protect them. This could include improving their access to public health services or strengthening community organisations in areas where young people are vulnerable both to drug use and being recruited to transport drugs.

Most importantly, significant investment is needed in the north of the country to provide a viable alternative to involvement in drugs trafficking. The newly formed government needs to come up with a credible plan in collaboration with community groups based in the north. If investment focuses on Bamako and the south, and the marginalisation of the north is not addressed, the security situation will remain precarious.

# Part 2: Criminals, terrorists and the corrosion of democracy

'For West African states, one of the most serious challenges to state survival is the influx of narcotics and their impact on public, private sector, and community institutions. The emerging culture of quick and easy acquisition of money threatens democracy – drug cartels have bought friends in high places in West Africa. The scale of the problem is so massive that the United Nations Office for Drugs and Crime (UNODC) states: "This is more than a drugs problem. It is a serious security threat".'<sup>56</sup>

**Kwesi Aning, 2009**

A growing number of experts fear that huge parts of West Africa could become a serious security threat – ie, a haven for terrorists, criminals and rebels – as a result of the remarkable expansion of the narcotics trade. Mali itself is the best illustration.

Before the events of 2012, Mali enjoyed a reputation for relative stability and good governance. It preceded the Arab Spring countries by more than 20 years, when, in 1991, its popular protests saw the overthrow of a dictator. Relatively democratic elections with a smooth handover of power followed soon after. From 1995 to 2005, the country posted an impressive economic growth rate of 5.8%, far outpacing most other African countries. Yet within the span of a few short weeks in 2012, state control crumbled in the north; restive soldiers staged a coup in the capital; the central government collapsed; and an odd assortment of separatist rebels, terrorist groups and criminals engineered a breakaway republic in the north.<sup>57</sup>

Christian Aid's country director for Mali, Yacouba Kone, asked how state control could break down so quickly, when decentralisation should have already been working in the northern regions. 'How can apparently stable institutions – particularly a democratically elected government respected throughout Africa and beyond, and which was in any case due to step down in April 2012 – collapse and come to ruin so quickly?' Even more importantly, Kone asks: 'Why did the majority of Malians not bother to take a stand and defend their democratic institutions?'<sup>58</sup>

## **Why did Mali's government crumble so quickly?**

Here is one quick answer to Kone's questions: the illicit drugs trade, without many people noticing, had seriously corroded Mali's institutions and sapped the civic spirit. Kwesi Aning, a security researcher at the Kofi Annan International Peacekeeping Training Centre, believes drug cartels have bought friends in high places, and this is particularly evident in Mali. In what could be a straightforward case of greed or weakness in the face of vast sums of easy money, officials within government and the security sector have sought personal gain and political alliances from active involvement in the drugs trade. As Chatham House fellow Paul Melly observed in the article 'The sad decline of Mali': 'Drugs money, corruption and jihadists have pushed one of Africa's most admired democracies into crisis'.<sup>59</sup>

Here are a few examples that illustrate how and why governance institutions had become so brittle and thus crumbled so quickly in northern Mali:

- A 31 August 2007 confidential cable, apparently written by US Ambassador Terrence McCulley and published by Wikileaks,<sup>60</sup> identified the late Commandant (Major) Ould Bou Lamana as having brokered the return of a seized cocaine shipment to a Tuareg drug smuggler, in exchange for \$450,000. This was also an 'advance tax for future trips'. Lamana was an ethnic Berabiche Arab and ranking intelligence officer in the Malian Director-General for State Security (DGSE). He was also a former member of the Front Islamique Arabe de l'Azawad, an Arab rebel movement in northern Mali. The cable said: 'Lamana has fed information to criminal and terrorist organisations in

the past, and his exact role within state security remains a mystery.' It also claimed that a member of President Touré's staff was overheard complaining about Lamana's involvement in a phone call to DGSE Director-General Colonel Mamy Coulibaly.

- A senior local government official in north Mali, who President Toure once called *Mon Bandite*, and is suspected of having close ties with terrorists, was accused of being involved in the 2009 Air Cocaine incident. In 2008, he negotiated the release of Canadian UN diplomats kidnapped by the 'one-eyed bandit' Mokhtar Belmokhtar.<sup>61</sup> On 24 March 2011, Reuters reported that four people had been arrested in connection with the Air Cocaine investigation.<sup>62</sup> However, the government later released them without charge<sup>63</sup> and reportedly on the orders of the president himself.
- Prior to the 2012 insurgency, there were reports of other cocaine flights. Algeria Watch, a human rights agency, reported that on 6 February 2010 a plane carrying four tons of cocaine landed in the town of Kayes in western Mali. The report stated that the plane was welcomed by a group of local notables. Soldiers from the Nampula barracks in the Segou region were also reportedly involved, marking the ground to help the plane land.<sup>64</sup> The same report mentions that three days later, the same notables received another plane that landed in Ain In Esseri, southeast of Tinzaouatin near the Niger border.
- In September 2011, a judge at the Ouargla Magistrates' Court in Algeria asked the National Assembly of Mali to lift the parliamentary immunity for a Member of Parliament from northern Mali, so he could be investigated on suspicion of being part of a drugs trafficking network involved in the acquisition and sale of 500kg of cannabis in Algeria, Mali and Niger.<sup>63</sup>
- A 20 March 2013 report authored by Cheikh Ba and published by Maliactu claimed that former President Amadou Toumani Touré had intervened himself for the release of alleged drug barons. One, arrested for the Air Cocaine incident, was said to have been freed because the president was relying on him to raise militias to contain the advance of MNLA rebels in the north. However he was reported to have joined MUJAO Islamists instead, who are known to be directly involved in drug smuggling.<sup>66</sup>
- After French intervention in early 2013 which largely ended the conflict, a new Mali government issued a list of six alleged 'narco-traffickers' – all of them figures of note in northern Mali. However, at the time of writing this report, no action appeared to have been taken against any of them. In Mali, it is widely believed that they have been effectively cleared in the interests of the peace process.<sup>67</sup>
- In a February 2013 interview with *Times* correspondent Jerome Starkey, Gao mayor Sadou Diallo admitted hosting two of the men on the government's narco-trafficker list, just two weeks after the French routed rebels from the north of the country. They reportedly left Gao two days before warrants for their arrests were issued. Diallo claimed he is 'just a little African mayor and a self-made man. I don't even know the colour of cocaine.' He revealed himself to be the owner of 30 houses, nine hotels and three night clubs, saying that he made most of his income by leasing rooms to American special forces who were training the Malian army before the 2012 coup. He also said he had purchased his four pick-up trucks, a Hummer, three Land Cruisers and two Jeeps from drug mules who were given these vehicles by drugs traffickers as payment. Diallo added: 'I can tell you that the world is built with the money of trafficking. We are fighting against terrorism, but even the most powerful army cannot fight against drugs.'<sup>68</sup>
- A March 2013 report by the Institute of Security Studies cited how the Malian leadership had long exploited ethnic tensions to try to keep the north under control. It gave ethnic militia access to certain illegal markets as a reward for their support. Thus, the report said, 'increasingly the political system in Mali became reliant on criminal proceeds.' However, the exponential growth in profits meant increased violent competition over the lucrative smuggling routes. Armed groups and militias formed along clan lines and 'became better armed, more violent and more professional'. Drug bosses were soon lobbying the government for administrative control over specific ethnic groupings, such as the Lamhar in the Gao region, and the Berabiche in Timbuktu. 'Clashes related to cocaine smuggling played out throughout 2007-2008, sometimes with the direct intervention of state officials.'<sup>69</sup>

## Government toleration of drug smuggling

According to historian Stephen Ellis of the African Studies Centre, West Africa has a political and social environment suitable for the drug trade because 'smuggling is widely tolerated, law enforcement is fitful and inefficient, and politicians are easily bribed or even involved in the drug trade themselves. A pliable sovereign state is the ideal cover for the drug trafficker.'<sup>70</sup>

Some international law experts, like the UK-based International Institute of Security Studies, fear the region will become 'another Mexico' if the problem of organised crime is not dealt with effectively. While gang culture in Mexico is based more on life-long commitments in a context of social and family ties, and alliances between smuggling groups in West Africa tend to be temporary and opportunistic, there are some similarities.<sup>71</sup> For example, both have territories where the central government has little or no control; both have government officials involved in the drugs trade and vulnerable to corruption; both have judicial systems that have been corrupted.

Many political commentators have suggested that the north of Mali is the country's main corridor for the transit of drugs. Since the outbreak of the conflict in 2012 and the subsequent French military intervention, however, evidence has emerged that the narcotics trade is being rerouted through the Kayes region, which is close to Mauritania and has been firmly under government control. This suggests the trade is being moved to where government or military officials could more easily protect it. The renaming of some districts in Bamako after known drug traffickers is another indication that narcotics smuggling is not a preserve of the north. Drug use in Bamako is also on the increase.<sup>72</sup>

It is hard to imagine drug smuggling happening without government acquiescence. As the UNODC report says, 'Smuggling is often accomplished not by stealth, but by corruption. The profits gained in some trafficking flows are sufficient to buy cooperation from high levels of government [...] thus undermining governance.'<sup>73</sup>

## Religion-inspired militants, criminals, or both?

But it is not just public officials and institutions that are involved in the illicit drugs trade. Even Islamic extremists – who follow and impose their strict interpretation of religious doctrines and consider narcotics as evil – appear more

pragmatic when it comes to the profits to be made from the drugs trade.

Several press and special reports illustrate this point:

- The *Sunday Mirror* in the UK reported that AQIM earned £168m from cocaine trafficking and flooding Britain with drugs.<sup>74</sup>
- The Norwegian Peacebuilding Resource Centre reported that during the 2012 rebel occupation of Tessalit in the Kidal region, at least three small aircraft landed, allegedly carrying cocaine. Jihadist occupiers supervised the operation.<sup>75</sup>
- A Malian newspaper and website reported that in mid-April 2012, a cargo plane carrying arms and drugs landed in Gao, in an incident similar to Air Cocaine. The cargo was unloaded onto more than a dozen pick-up trucks, and collected by the men of Iyad ag Ghaly, a former Malian diplomat in Saudi Arabia, and the emir of the jihadist group Ansar Eddine.<sup>76</sup>
- A document reportedly circulating among diplomats in early 2013 claimed drugs smuggler Amhada Ag Mama, alias Abdou Karim Targui, had joined forces with Ansar Eddine.<sup>77</sup> In May 2015 it was reported that Ag Mama had been killed by French special forces. He was suspected of the kidnapping and murder of two French journalists in 2013, and also said to be involved in the death of an aid worker and the abduction of four French nationals in Niger, both in 2010.
- In 2009, there was widespread coverage in the US press about 'narcoterrorism' and Mali. It followed a sting operation by US drugs enforcement agents posing as Colombian guerrillas, which led to charges being filed against three West Africans arrested in Ghana. During the operation, Malians boasted about how they could arrange protection from AQIM for a drugs consignment to cross the Sahara.<sup>78</sup>
- According to Colonel Didier Dacko, a military commander in northern Mali: 'They [the jihadists] get some money from kidnapping Westerners, but nothing like what they get from the drugs... it's their lifeblood.'<sup>79</sup>

It is important to note that the reports above could not be independently verified. Also, the opinion of a Malian army commander must be read in the context of the battle to regain the north. As Wolfram Lacher<sup>80</sup> and Andrew Lebovich<sup>81</sup> have argued, there is a marked absence of

terrorist groups from the reported clashes between drug smugglers in the region, which indicates their involvement is not as great as these reports suggest.

The involvement of terrorist groups in narcotics smuggling takes different forms. Sometimes, individuals within these terrorist networks, rather than the networks themselves, are involved. Their involvement is often indirect: in the same way that the government in Bamako used access to lucrative illicit markets to reward local militias for their cooperation, terrorist networks tolerate the 'income-generating' activities of the local commanders they rely on.

The best example of an individual inside terrorist networks acting on his own is Mokhtar Belmokhtar, a smuggler in the region who allied himself with jihadist causes. Belmokhtar linked up with AQIM and continued making money while fighting for them. But he soon had prolonged disagreements with their leadership, demonstrated by a 'scathing' letter to Belmokhtar from AQIM's Shura Council, found in Timbuktu by the Associated Press after militants were ousted from the town.<sup>82</sup> Belmokhtar broke ties with AQIM and formed the Signed in Blood Battalion in December 2012, which later linked with MUJAO to form the Al-Murabitun (The Sentinels) in August 2013. In January 2013, Belmokhtar is believed to have led the attack on the Amenas gas plant in southern Algeria, where hundreds of local and foreign hostages were held for several days. When the plant was retaken, 38 of the hostages were killed, including six Britons. In June 2015 there were reports Belmokhtar had been killed by a US air strike in Libya, but this was later denied by AQIM.

A top Islamic militant said to have links with drug traffickers was Abou Zeid. He had a reputation as AQIM's most violent commander before he was killed in February 2013.<sup>83</sup> Originally from Algeria, Abou Zeid was known for his links with a group of drug traffickers of Berabiche origin from the Timbuktu area who are called 'the Colombians'.

AQIM's involvement in narcotics trafficking also includes soliciting transit fees from traffickers and offering armed escorts to drug convoys as they crisscross the north.<sup>84</sup> According to some sources, AQIM charges between 10-15% of the value of cocaine (or up to \$4,200 per kg of cocaine).<sup>85</sup> In 2011, hashish traffickers arrested in Mauritania claimed to have paid a \$50,000 levy to pass through AQIM-controlled territory.<sup>86</sup> As UNODC expert Alexandre Schmidt said in 2011: 'The terrorists are facilitating the passage of the traffickers... and they receive a payment, either in cash or kind. But we don't have any proof that the terrorist groups are organising the drug trafficking themselves.'<sup>87</sup>

Sometimes the Islamists' involvement is direct and open. This is true of MUJAO, an AQIM splinter group set up in mid-2011. It aimed to spread jihad to West Africa, and merged with the Signed in Blood Battalion in 2013. According to analyst Lacher, a MUJAO founder, Sultan Ould Badi, and two other Tilemsi Arab businessmen from Gao linked with drug smuggling are consistently named by local sources as financiers of MUJAO.<sup>88</sup> Another wealthy businessman who was on the government list of 'narco-traffickers', reportedly joined MUJAO in 2012 on his release from prison.

Bilal Hicham, one of MUJAO's key black commanders, who led a *katiba* (combat unit) in Gao, quit in November 2012 and returned to his native Niger, complaining to visiting reporters that: 'These madmen from MUJAO are not children of God, they are drug traffickers. They do everything which goes against Islam, and to their minds, blacks are inferior to Arabs or whites. My brigade and I stopped a cargo of drugs but the leaders of MUJAO said we must let it go.'<sup>89</sup>

It is unclear how deep the ideological motivations run in MUJAO, or at least in factions within it. They have been labelled just a front for drug smugglers and money-making ventures, such as when they earned an alleged \$18m for the release of three aid workers they kidnapped in Algeria in October 2011.<sup>90</sup> They have also committed various atrocities in implementing Shari'ah law in Gao.<sup>91</sup>

It is impossible to say with certainty the extent to which AQIM or MUJAO are involved in drug trafficking – are they religion-inspired militants, criminal entrepreneurs, or both? The rerouting of trafficking routes through Libya may well bring AQIM into greater collaborative contact with drugs networks, for example. It is also possible to imagine that AQIM could become more involved in the drugs trade if other sources of income, notably kidnapping-for-ransom, become less viable.

## **How AQIM and MUJAO embed themselves in communities**

AQIM and MUJAO created bases in Northern Mali, which covers almost 70% of the country's territory but home to only 10% of the population, which is also the poorest. Northern Malians have historically been marginalised from the political power and economic development enjoyed by the South. Soil fertility is poor, rainfall is low, water access is limited and the region is prone to drought. Agricultural GDP per capita is the lowest in Africa.<sup>92</sup>

Despite increased investment in the 1990s (some from government, but mostly from private, NGO and religious groups), the north lags behind the south in terms of education, water and sanitation systems, roads and healthcare. Many livelihoods depended on tourism,<sup>93</sup> which has collapsed since the outbreak of conflict. This is where AQIM steps in. With money raised from illicit activities, the group provides some services normally offered by the state, thus portraying itself to the local community as an ally, rather than an invader. AQIM's harsh imposition of Shari'ah law in 2012 may have turned many previously supportive communities against them, but it has still had some success at embedding itself in the area. As well as services, it provided employment and became part of normal economic life, buying goods in the markets and renting properties.<sup>94</sup> As the mayor of a town near Timbuktu said:

**'Here AQIM is not a jackal that is about to devour the nomads' herds. AQIM does not pose a threat to the population and it has become a major force in the region. Its people have means. They get involved on behalf of the population in projects such as building wells and providing health care for nomads in the region. Many nomads think that AQIM and fraud are legal activities.'**<sup>95</sup>

MUJAO's story in the very early days of the conflict is similar. After the MNLA committed atrocities in Gao, it was MUJAO that moved in to oust them, not the Malian army. MUJAO came, offering food, money and teams to clean up the town. Ibrahima Touré, a member of a Gao youth organisation, said in an interview with journalist Serge Daniel: 'Look at this gutter, since it was built 15 years ago, this is the first time it has been cleaned, and it was the Mujahideen who took the initiative. What is the Malian government doing? Are we still Malian? In Bamako they are fighting like cat and dog while we suffer here.' Another young person, Issa Traore, said: 'Our soldiers fled Gao. Today it is the government which has fled its responsibilities and forgotten us completely. It was the Islamists who freed us from the MNLA which was committing atrocities here.'<sup>96</sup>

An 11 October 2012 press briefing by the UN Assistant Secretary-General on Mali revealed how AQIM built relationships with local households as it recruited child soldiers. Mali's average annual per capita GDP is \$1,100 – and it is much lower in the north. AQIM paid families almost \$600 to allow them to enlist a child, some as young as nine, followed by \$400 a month in 'rent' or wages. The

total number of child soldiers is unknown, but believed to be somewhere between a few hundred and a thousand. For these poor households, who may not subscribe to the jihadist cause, complicity with AQIM is a route out of poverty.<sup>97</sup>

There have also been reports of AQIM offering young men employment, for about \$20 a day, to clear rocks and debris, and build trenches in their camps.<sup>98</sup>

It is no surprise that AQIM and its offshoots were able to build bases in the north, given how marginalised the region has been. Though people may be ideologically opposed to the presence of terrorist occupiers, they are caught between a rock and a hard place. Their needs are acute and few other income-generating options are available.

### **Joining the dots: Government, drugs, terrorists and instability**

The indirect role that drugs played in the instability that rocked the country in 2012 is perhaps more significant for its longer-term implications for democracy and erosion of public trust in government.

The government is implicated in the drugs trade through the links of former President Amadou Toumani Touré to powerful Arab and Tuareg businessmen-smugglers in the north. Bamako turned a blind eye to their lucrative illicit activities, in return for the government's use of the businessmen's private militias, which were created to protect smuggling routes and bases. In what the International Crisis Group calls 'remote-control governance through dubious criminal and mafia intermediaries', Touré's government 'borrowed' Arab and Imghad militias to combat separatist Tuareg insurgencies on behalf of or alongside Malian government troops.<sup>99</sup>

Some of these militias took on a life of their own. For example, a Tuareg-Imghad militia based in Kidal was employed by the Malian government to counter a Tuareg rebellion from 2007 to 2009. It was later integrated into the Malian army, and defended the strategic site of Tessalit in 2012. When the tide turned in favour of the rebellion, they feigned defection to MNLA, before withdrawing to Niger to regroup and take part in Operation Serval against MUJAO, Ansar Eddine and AQIM.

Another Arab militia, headed by army Colonel Abderamane Ould Meydou, was formed by three Berabiche Arab businessmen who operated out of Timbuktu: They were also employed by the government to quash the 2007-09 Tuareg



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rebellion, led by Ibrahim Ag Bahanga. Ag Bahanga was wanted as much by the government as by the businessmen on whose drug smuggling turf he was encroaching.<sup>100</sup>

The businessmen, however, could not be totally controlled by the government. They were independent and loyal to nothing but their own interests. They formed alliances with terrorist groups, too, over shared interests in the drugs trade and kidnap-for-ransom.<sup>101</sup> In return, AQIM and MUJAO were able to use these links to operate in an alien political and physical space, which they eventually made their home.

Some Arab militias also pursued their own agendas. Many of them turned their back on their government employers to form the MNLA in Timbuktu, which paved the way for AQIM's occupation.<sup>102</sup> And as already discussed, one of the government named 'narco-traffickers', a businessman indicted for his role in the Air Cocaine incident, was released from jail in 2012 at the express command of Touré, who expected him to mobilise his militias to fight against the MNLA. Instead, he reportedly joined MUJAO.<sup>103</sup>

No wonder, then, that when Touré announced a 'total and relentless war' against rebels and Islamist groups in the North in 2012, many Malians doubted his sincerity. In 2011, the US gave Mali \$138m in military and development aid, with sums earmarked specifically for the war against AQIM,<sup>104</sup> having identified Mali as a priority country for military support.<sup>105</sup> Up to that point, the government had done nothing, claiming the military was too ill-equipped and ill-trained to deal resolutely with AQIM.

Everyone knew government rule in the north had depended on indirect collaboration with the terrorists, and direct collaboration with militia groups – groups that became better armed, more organised and more powerful, and eventually bit the hand that had fed them.

Touré's strategy failed. The country is a shambles. Touré has been ousted and placed under investigation for high treason. (See box on page 19.)

## Conclusion

Deliberate as well as unintended government complicity in narcotics smuggling underscores the need for a political and economic assessment of the drugs crisis in West Africa. A study of the compromises involved should be the starting point for reflection.

Corruption-proofing the new government and trying to unpack the factors that led government officials into unholy alliances with illicit groups must be the focus now. This is obviously easier said than done, given the ties that many elected representatives have to their communities.

AQIM and its offshoots have no compunction about making money from criminal enterprise, such as drugs smuggling and kidnapping-for-ransom.

# Part 3: Tackling the governance challenges

This report has shown that there have been numerous governance failures in Mali, which need to be tackled more systematically. As Yacouba Kone, Christian Aid's Mali country manager, noted in his analysis, Mali may have been a democracy admired in the region and beyond, but it was 'a democracy that did not work for the poor'. What emerged instead 'was the entrenchment of a narrow elite that based its power more on patronage and less on popular support, in a bid to control the central government and the economy – both licit and illicit'.<sup>106</sup>

Former President Touré's 'consensus' style of leadership has been particularly criticised. Originally developed as a way to be more inclusive, to resolve disputes, and to ensure that different factions have a voice in decision making, Touré's approach ended up strengthening the gatekeepers who decide on who gets to be called around the table. In effect, Touré 'strengthened himself and his inner circle, rather than the state that all ethnic groups shared'.<sup>107</sup> This approach 'was not appropriate for undertaking the structural changes needed to address the country's key challenges' because it led to the 'systematic disabling of the opposition in parliament' – most, if not all, were co-opted to join the 'consensus'. Over time, accountability disappeared and impunity increased. As Kone argues, 'consensus' leadership 'was not democracy at all. Rather, it was a system of patronage to co-opt the leadership of the various parties and muzzle any opposition.'

This section focuses on what could be done to tackle the governance challenges.

Quite a few indicators now show a growing disaffection with the government. Popular alienation from the political process appears to be setting in – and this in a country where the people could lay claim to being pioneers of the Arab Spring. Research by the political think-tank Friedrich Ebert Stiftung (FES) in 2013 into low voter turnout indicated that: 'An overwhelming majority of respondents feel that the country's political parties pursue only selfish interests, and more than three-quarters cannot name their parliamentarian (the figure for female respondents is 85%.' When asked why more Malians don't vote, 'the most common response is a lack of trustworthy candidates.' However, there was also a surprising finding: 'Around 60% of respondents actually trust their interim president and prime minister'.<sup>108</sup>

The FES survey correlates with patterns from other sources. From 2003 to 2011, the World Bank's indicators on government effectiveness, rule of law and control of corruption in Mali show a downward trajectory, suggesting

corruption is widespread and endemic at all levels of Malian society.<sup>109</sup> In the 2012 World Economic Forum report, corruption was listed as the second biggest problem for Malians doing business in Mali, behind only the issue of access to financing. During the presidential elections in 2013, called to bring an end to a period of upheaval and uncertainty, participation was unusually high at 48.98%. But this quickly slumped in parliamentary elections only two months later to 37%, with an all-time low in the capital of barely 30%.<sup>110</sup>

Public satisfaction with democracy is falling (59% in 2000 to 31% in 2012), and fewer people believing that Mali is a full democracy (24% in 2000 to 12% in 2012). But an Afrobarometer briefing reports that democracy is still the preferred form of government in Mali (60% in 2000 to 62% in 2012), as are elections as a system to choose leaders (82% in both 2000 and 2012).<sup>111</sup>

## A culture of corruption

Many of the governance challenges have been captured in an interesting online debate in English, via anthropologist Bruce Whitehouse's blog.<sup>112</sup> The problem of corruption, argue some, is more widespread than has so far been acknowledged – it is *not* restricted to the country's political elite; even ordinary people are involved. As one of the comments on the blog said, when doctors' first concern is to treat the better off among the wounded; when nurses try to sell medicines taken from other sick patients; or when electricity workers take a bribe to reconnect someone who has never paid his bills, it is clear that the everyday petty corruption of ordinary people can be equally as destructive as high-level political corruption. One voice in the debate criticised as dishonest comments that attacked only politicians, 'as if they are the only thieves in the country'.

Others maintained, however, that corruption could not be reduced to a simple good guys-bad guys dichotomy. If money could not be made in a lawful way, argued some, then 'people will find other ways to support themselves'. What happens when opportunities to make a decent, honest living are not plentiful? 'People everywhere make projections about how things will work out and act accordingly.' An entrepreneur lamented the absence of informal incentives and formal regulations that would encourage businesses to make profits legally. Therefore, he asks: 'Who is corrupt – ordinary Malians, local and foreign investors, or the state system?'

Whoever is to blame for corruption in Mali, it is a serious problem. A 2010-12 audit, published in December 2013, reported that CFA 49.49bn (about £59m) was lost to corruption in Mali, of which 15% was categorised as fraud and 85% attributed to mismanagement.<sup>113</sup>

## The fight against corruption

There is, though, an increasing determination to fight back. An independent Auditor-General's office was set up in 2004. It is well-regarded by the public and feared by those it targets. However, there still are no clear procedures on how it could prosecute offenders through the administrative or civil courts.<sup>114</sup>

In 2012, in another strong statement of the government's desire to tackle corruption, a reformer, Malick Coulibaly, was appointed as transitional Minister of Justice. There were high hopes that he would tackle corruption head on. Coulibaly drafted a robust new anti-corruption law that Mali was due to adopt before the presidential elections in July 2013.<sup>115</sup> Unfortunately, the law was delayed as the Parliament sat on it. It will be hard to reinvigorate now, especially since Coulibaly was not appointed to the new government. However, Daniel A Tessouge, the official who issued the arrest warrants in 2013 for the arrest of six notables accused by the government of being 'narco-traffickers', has been appointed Attorney-General.

But perhaps most significantly, President Ibrahim Boubacar Keita – former Prime Minister and President of the National Assembly during Touré's first term in office – declared that 2014 would be the 'year of the fight against corruption'.<sup>116</sup>

In this fight, Mali urgently needs to deliver results in two key areas: decentralisation and aid transparency.

## Decentralisation

The country's system of administrative decentralisation to local authorities was devised during the administration of the first elected president, Konaré (1992-2002). This was at the behest of the World Bank and the International Monetary Fund. It did not have the desired effect. Rather than radically improving administrative efficiency, decentralisation instead triggered a redistribution of corruption – from the centre to the local villages. One report detailed how local elites competed with each other for contracts awarded according to a system of patronage by those who held the purse strings.<sup>117</sup> The sale of land – whether fraudulent or

legitimate – and the speed of urbanisation created many opportunities for corruption in the awarding of contracts for buildings, land use and other infrastructure projects.<sup>118</sup> Sometimes, the decentralisation process became a tool to attract contributions or loans from international donors – by couching projects in terms of 'decentralisation' it can be used to pitch for more aid or loans.

## Aid transparency

Aid has been a cornerstone of Mali's economy. In 2011, it received around \$1bn,<sup>119</sup> representing roughly 50% of its public expenditure that year,<sup>120</sup> and about 12% of its gross national income.<sup>121</sup> Aid has provided a significant source of income for corrupt officials.

In 2010, for example, the Global Fund to Fight Aids, Tuberculosis and Malaria suspended two malaria grants (worth \$18.1m) and terminated a third grant for tuberculosis (worth \$4.5m), after it found evidence of misappropriation and unjustified expenditure of approximately \$4m.<sup>122</sup> Then in March 2011, it suspended a \$13.91m HIV/AIDS grant to Mali after further evidence of misuse of funds was uncovered.<sup>123</sup> As has been widely observed, in a country where corruption is deemed rampant but few prosecutions take place, the most unusual element of this fraud was not that it happened, but that 14 people have been charged and actually imprisoned for 'crimes of undermining the public good, embezzling public funds, fraud and using forged documents, favouritism and complicity in favouritism.' The former Minister of Health, Ibrahim Oumar Touré (not related to President Touré), was remanded in custody before a trial that led to his release.

But the Global Fund was not the only pot Touré's administration was dipping into. Under the Poverty Reduction Strategy Paper, the government developed national education and health programmes, which were funded by the World Bank and other donors – funding that depended on making demonstrable progress towards set goals.<sup>124</sup> To keep receiving this aid, the government increased primary school enrolment, but did not commensurately increase spending on infrastructure, equipment or staffing. Only 12% of high-school students passed leaving exams in 2012, the lowest rate ever recorded in the country.<sup>125</sup> The primary education completion rate in 2010 was only 58.1% compared to a sub-Saharan average of about 70%.<sup>126</sup>

Figures in the agriculture sector were fiddled. For example, to keep funds flowing, the government artificially inflated

cereal output numbers, and subsidised fertiliser was most likely pilfered as it failed to reach many of the village farmers for whom it was intended.<sup>127</sup>

The net result of aid mismanagement was less funding for badly needed public services. During the course of Touré's rule, genuine investment in already weak public services deteriorated markedly – for example, Mali is not expected to achieve any of its Millennium Development Goals by the 2015 deadline.<sup>128</sup>

Another important element of this aid mismanagement is that it has arguably actually increased Mali's economic and social north-south divide. Most programmes that were carried out were oriented more towards the populous urban centres of southern Mali.<sup>129</sup> This should provide food for thought for members of the donor community as well – have they inadvertently contributed to the north-south divide too?

Peace activist Ag Youssouf contends that if aid does not have a corresponding governance capacity, it is 'going to be a cursed resource... that is going to be part of the problem rather than the solution'.<sup>130</sup>

The international community has committed some €3.25bn to help rebuild Mali. Of this, €1.35bn will come from the European Union.<sup>131</sup> Building 'the new Mali together' (as the international donors' conference was called) will only happen if the culture of corruption – that is endemic throughout the government and was a major cause of the collapse of the state in 2012 – is exposed and eliminated. Institutions and their leaders must prove that they can act with integrity, transparency and accountability.

## The rise and fall of Touré

Few were sorry to see the back of Amadou Tomani Touré in 2012. It was a sad end to what had been such a promising ascent. Touré had been a well-loved and respected former army colonel. He became a hero of Mali's Arab Spring of 1991, when he famously disobeyed the orders of a dictatorial president to shoot protesting students and instead arrested the dictator himself. Touré presided over the transition from autocracy to democracy, organised a National Conference that drew up a new constitution, and handed power a year later to Alpha Oumar Konare, Mali's first democratically elected president. Touré rejoined politics 10 years later and was elected president in 2002, until being ousted in 2012.

Since 2013, he is reportedly living in exile in Dakar, Senegal. In early 2014, the Mali National Assembly swore in a new High Court of Justice to hear a case of treason against Touré in relation to events leading to the 2012 conflict.

# Part 4: Conclusion: Reason for hope

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Where governance and democracy are weak, criminal and terrorist networks flourish. Mali was the first Sahel-Saharan country to be convulsed by this problem and see its government collapse. Other countries share similar problems – a vast ungovernable territory, corruption and the trafficking of illicit goods. They could follow suit. To avoid simply displacing problems from one country to another, any solutions need to adopt a regional approach. Governments or their representatives, communities and the private sector, must be insulated from involvement in organised criminal activity.

Mali does offer reason for cautious hope. Civil society engagement and debate on corruption and justice is buoyant. Civil society groups are conscious of the need for judicial reform and new anti-corruption laws – Coulibaly and his draft law remain strong anti-corruption references. Newly elected MPs and returning refugees, eager to secure their home areas, are also involved. Such widespread engagement is encouraging. The anti-corruption movement will need to muster all its energy and stamina to construct new legitimate democratic processes and bring an end to the culture of political involvement in organised crime.

# Appendix: Initiatives that deal with the West African drugs trade

## African Union/ECOWAS initiatives

Since the 1990s, there have been many initiatives emerging from Africa to address the problem of the narcotics trade.

In 2013, the **African Union (AU)** developed a Plan of Action on Drug Control (2013-2017), the fourth revised plan of its kind. It seeks to strengthen continental and international cooperation, and further integrate drug control issues into national legal and institutional frameworks.<sup>132</sup>

In 1998, the **Economic Community of West African States (ECOWAS)** Authority of Heads of State and Government Summit issued a declaration: *Community Flame Ceremony – the Fight Against Drugs*. In the same year, it also set up the Regional Fund for Financing of Drug Control Activities in West Africa and the Decisions on the Establishment of the Inter-Governmental Action Group against Money Laundering in West Africa. In 2008, it adopted a follow-up plan: a Regional Action Plan against Drug Abuse, Trafficking and Organized Crime, which aims to address the drug problem in an integrated manner.<sup>133</sup>

In 2008, ECOWAS adopted the **Praia Political Declaration and Regional Plan of Action** to address the security threats posed by drug trafficking in the sub-region. Out of this meeting, the UNODC, with input from bodies such as Interpol and the EU, led the process of creating an ECOWAS Implementation Plan and a Monitoring and Evaluation Mechanism to help ECOWAS states translate the Declaration and Plan of Action into concrete programmes.<sup>134</sup>

Almost all ECOWAS states have adopted **National Integrated Programmes**. Many have amended their drug trafficking and consumption legislation, empowered their judicial authorities, established new drug-enforcement agencies and imposed stiffer penalties for offenders.

In 2009, the **West Africa Coastal Initiative** was launched as an initiative of the UN Office for West Africa, the Department for Peacekeeping Operations, Interpol and the UNODC. It is designed to support the ECOWAS regional action plan on drug trafficking. It aims to mitigate the impact of organised crime along the West Africa coast, through a programme of capacity building, law-enforcement cooperation and the strengthening of the criminal justice system in Ivory Coast, Guinea-Bissau, Liberia and Sierra Leone. It has led to the establishment of transnational crime units in each of these countries.<sup>135</sup>

The **UNODC** has also developed the Airport Communication **Project**, in cooperation with Interpol, and in line with the ECOWAS regional action plan. This aims to promote intelligence sharing at airport and police level between Brazil and seven West African states, namely Nigeria, Togo, Cape Verde, Ghana, Mali, Ivory Coast and Senegal.

There is a lot of reflection about why, overall, the initiatives have failed to deliver significant results on the war on drugs. Reasons cited include:

- lack of political will by member states<sup>136,137</sup>
- lack of involvement by a strong civil society<sup>138</sup>
- complicity of corrupt officials in the drugs trade
- lack of coordination resulting in the 'balloon effect', in which the problem is simply displaced from one country to another.<sup>139</sup>

Perhaps in response to this problem, the Kofi Annan Foundation launched the **West African Commission on Drugs** in 2013. This Commission, chaired by former President of Nigeria Olusegun Obasanjo, brings together experts from the world of politics, civil society, health, security and the judiciary. It aims to 'analyse the problems of trafficking and dependency in order to deliver an authoritative report and comprehensive policy recommendations to tackle the problem holistically, looking not only at law enforcement, but also at governance, development and public health.'<sup>140</sup>

## G8

In May 2011, the G8 launched the **Action Plan on Transatlantic Drugs Trafficking** to slow the transatlantic cocaine trade, with a particular focus on West African routes.

## European Union

The EU is developing a new law-enforcement policy cycle (2014-17). It will define what the main security threats are and establish some clear operational goals and special tasks. Drugs and cigarettes smuggling are among its nine priority areas.

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## UK Government

The Serious Organised Crime Agency (SOCA) aims to prevent the trafficking of drugs into the UK (via West Africa and other regions). Within DFID, the issue of organised crime is allegedly moving from the team working on governance to the team working on conflict/security. This would suggest that DFID is less interested in the issue of drugs trade as a governance issue affecting African governments.

## Research institutes/NGOs

There are many institutes in Africa, Europe and the Americas that are working on the issue of the West African drugs trade and whose research could be used to create the policy backbone of a drugs campaign. Many of these are cited as sources in this document (both research and interviews).

Women in Law and Development and the Groupe de Suivi Bugetaire are two groups that are active on issues of corruption within Mali and would be worth forging links with, if a campaign on drugs were to go ahead.

The only large UK-based international NGO working on the issue of drugs and governance is Christian Aid. In the run up to the UN General Assembly Special Session on Drugs in 2016, it will be providing input, attending strategic workshops and doing advocacy work with the EU/OAS.

There is a large (and growing) body of smaller research institutes and NGOs who are calling for the decriminalisation of cocaine, believing it to be the most effective way to address the problem.

At the EU's Cocaine Route Conference in Rome, May 2013, a Global Initiative on Transnational Organised Crime was launched that brings together civil society, NGOs and researchers with the aim of trying to fill voids in the programmes and strategies of law enforcement. It is too early to evaluate how this is going, but it is worth keeping an eye on.

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# Endnotes

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8. The notion that 'not all that is illegal is wrong' has a long history and is something repeated in many societies. For example, while it is illegal under English law to sleep under bridges, it is not wrong for homeless rough sleepers to sleep under bridges, even if they are arrested for doing it. Laws that define illegality reflect what the powerful prescribe to be right or wrong. There are times when those definitions can be challenged.
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# Eyes (Still) Wide Shut: Counternarcotics in transition in Afghanistan

## **Christian Aid Occasional Paper**

Modified and updated from the original, with permission  
from the Afghanistan Research and Evaluation Unit (AREU)  
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October 2015

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## **Acknowledgements:**

This case study is a modification of the original version published by the Afghanistan Research and Evaluation Unit (AREU) in September 2013. David Mansfield is an independent consultant who has undertaken fieldwork on the role of opium poppies in Afghanistan for 19 consecutive growing seasons. His book *A State Built on Sand: How Opium Undermined Afghanistan* (Hurst, 2015) documents the impact of drug control efforts in Afghanistan over two decades. Paul Fishstein is an independent consultant and a former director of AREU, whose Afghanistan experience goes back to 1977. Christian Aid would like to thank AREU and the authors for permission to revise and reformat this paper for inclusion in its collection of case studies that make in-depth examinations of the impact of drugs on development. AREU retains the copyright of this modified version.

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# Executive summary

The wider effort to stabilise Afghanistan now that the NATO-led International Security Assistance Force has withdrawn, is likely to be undermined by the expansion of the illicit drugs trade and by the consequent contests between a myriad of local politico-military actors. These local actors will either move to control the opium supply and turn it into a source of strength; use counternarcotics policy as a weapon against political opponents; or both.

Despite this, Western donors – in an act of almost wilful short-sightedness – continue to confine the drugs issue to the policy periphery. **Part 1** (The Elephant in the Room) shows how policy makers are keeping their eyes wide shut, allowing the drugs issue to drop off the agenda completely. In Western capitals, the ‘wicked problem’ is being avoided entirely.

But there are solutions from within Afghanistan itself. There is evidence to suggest that enduring reductions in opium cultivation are most likely in areas where communities can realise broader development goals, and where there is increased collaboration among various institutions that complement, rather than compete with, one another, as opposed to standalone interventions delivered by a single ministry or agency.

As documented in **Part 2** (Let a Hundred Flowers Bloom), banning opium cultivation in some areas can result in an improvement in the standard of living of local households. But in many areas, a ban causes extreme financial hardship, provoking rural resistance, stoking rebellion and undermining the state. The risks faced by these households could be managed and mitigated by diversifying their incomes, and by improving the provision of public services in a way that strengthens their social compact with the state. Experience also suggests that opium cultivation will simply shift, adapt and persist unless viable alternatives are in place.

**Part 3** (Turning Deserts into Flowers) investigates why and how opium has now expanded into previously uncultivated areas of desert land – a worrying development that shows how new roads and technologies, such as deep wells, herbicides and solar power, are aiding the expansion of opium cultivation and the settlement of hundreds of thousands in former desert lands.

It is necessary to move beyond the usual narratives of prohibition or legalisation and analyse the processes, relationships and outcomes at work in the drugs trade within their real context. There is no choice but to investigate complexity, and to dig deep into the ‘messy politics’ of areas where illicit drug crops are actually grown, as shown in **Part 4** (A Truly Cross-Cutting Issue).

This case study argues that effective counternarcotics policy requires mandatory assessments of how national and bilateral programmes will affect not only security, governance and development, but also the drivers of the opium economy and opium poppy cultivation. It will require greater investment in understanding the multiple realities that exist in rural Afghanistan, and assessing the impacts of different interventions on people’s livelihoods. A number of conclusions are drawn in **Part 5** (Which Way Forward?).

Most important of all, there is a need to situate all future analysis and planning in Afghanistan within the context of its expanding drugs economy. Failure to address this emerging reality is likely to undermine both the plans for the transition and the country’s long-term development. Keeping eyes wide shut on illicit drugs would be an act of gross negligence.



# Part 1:

## The elephant in the room

Policy makers seem to have lost all appetite for talking about, let alone taking action on, the impact of opium on Afghanistan from 2015 onwards. Donor agencies, for example, make no mention of either the likely increase in drug production, or the impact it will have on the political economy. Even the World Bank – for a long time an active participant in trying to address drugs as a cross-cutting issue in national programmes<sup>1</sup> – devotes little attention to the problem in its published macroeconomic assessments of the country.<sup>2</sup> In its analysis of post-transition Afghanistan, the Bank addressed the drugs issue only in passing.<sup>3</sup> It asserted that opium production may grow temporarily, but did not provide any evidence to explain why this growth will only be temporary and what will reverse it.<sup>4</sup>

The level of opium poppy cultivation has already risen in the past few years. In 2012, the estimated cultivated area increased by 18%; in 2014, the United Nations Office on Drugs and Crime (UNODC) reported that 224,000 hectares were under opium poppy cultivation, an increase of 7% on the previous year. The trend is likely to continue over the next few years for two key reasons. The first has to do with the kind of deals and alliances likely to arise between politico-military actors in response to security responsibility now transferred into the hands of the Afghan National

Security Forces (ANSF), and the consequent reduction of territories under Kabul's effective control. In provinces such as Helmand and Nangarhar, widespread opium poppy cultivation may return in the more accessible and fertile areas as anti-government elements take control, or where security responsibility is delegated to local power brokers. These groups may have little interest in reducing opium cultivation, and may even encourage it.

Second, further increases in cultivation are also likely as farmers go back to relying on opium poppy in some of the provinces previously deemed poppy free, such as Ghor, Laghman, and even Balkh. Even more worrying is the potential for opium's expansion into previously uncultivated areas of desert land in the south. New technologies – such as deep wells, herbicides and solar power – will likely aid cultivation in these areas, reducing the cost of inputs and increasing productivity. Meanwhile, ill-sequenced and poorly targeted counternarcotics and development efforts, coupled with a continuing global demand for opiates, provide additional incentives for production.



Provinces of Afghanistan discussed in this report

## Why are drugs off the agenda?

In light of the growing seriousness of the problem, it is not clear why drugs have dropped off the political agenda so completely. It could be that Western donors have become more concerned with other equally pressing priorities, such as the sustainability and performance of the ANSF, the success of the coalition National Unity Government (NUG) that took power following the elections in 2014, or how aid will now best be delivered under the new coalition government.

But it could also be that the drugs issue has been effectively downgraded because it is seen as too intractable – a genuinely ‘wicked problem’ resulting from an intricate web of evolving and interdependent factors, which responds in new and unforeseen ways to attempts to ‘solve’ it.<sup>5</sup> The tendency of bureaucracies to narrowly define the problem’s causes, to ignore aspects that appear too complex, or to attempt to shift the issue onto another institution’s budget and mandate, will do little to tame it. Bureaucracies, whether Afghan or Western, tend to dislike issues where they do not control all the levers or do not get credit for the results.

Another challenge is that few Western policy makers believe that the NUG will prioritise drug issues. The thinking goes that no new administration, inevitably faced with huge challenges, will want to pursue a counternarcotics policy that might alienate the rural population. Nor will it want to sanction those involved in the drugs trade, particularly when the individuals or groups concerned are close to state power. Instead, national and provincial government officials may reach some kind of accommodation with local armed groups, allowing them to extract rent from the drugs trade in return for acquiescing to the state.

Another explanation for drugs dropping off the agenda is that development organisations on the ground in Afghanistan may have the impression that the counternarcotics ‘community’ – composed of drug control agencies such as the UK’s National Crime Agency, the US Drug Enforcement Administration and the State Department’s International Narcotics and Legal Affairs, or the UNODC – want to go it alone. Development agencies perceive drug controllers as content within their ‘strand’ or ‘lane’, unable or unwilling to see how their interventions impact on other lines of activity, in particular, on longer-term development goals. There is also suspicion that, despite the rhetoric about drugs’ cross-cutting nature, the success of programmes is still ultimately measured only by the amount of crop grown and eradicated each year, regardless of how it was achieved or what has been sacrificed.

## A one-dimensional narrative

Much of the narrative on counternarcotics is dominated by simplistic, one-dimensional measures such as the UNODC’s aggregate production statistics on hectares and metric tonnes, or data from province- and district-wide household surveys, with all the biases that such polling involves.<sup>6</sup> Furthermore, counternarcotics is still seen as a standalone issue, rather than a consequence of wider development, security and governance processes.

The prevailing narrative means it is rare to hear of good news stories when it comes to illicit drugs. The problem is that ‘good news’, such as decreasing production levels, seldom gets the same media attention as ‘bad news’ sensationally predicting ‘floods’ of heroin onto Western streets or massive revenue increases for criminal or insurgent groups.<sup>7</sup> But digging beneath the aggregate statistics and looking at specific geographic areas yields a wealth of positive stories – for example, the improving quality of life in households and communities close to regional hubs and provincial centres that have abandoned opium production. These stories ought to be examined, if only to explain the ‘how’ and ‘why’ of their relative success.

In-depth examination of the variety of contexts in Afghanistan’s different geographic terrains has become essential. Such investigation may be critical for facilitating inter-agency collaboration. For example, a 2012 report from the US Special Inspector General for Afghanistan Reconstruction (SIGAR)<sup>8</sup> shows that of the \$88.76bn the US allocated for Afghanistan that year, \$82.12bn (92.6%) was spent on security, governance and development, and \$6.15bn was allocated for direct counternarcotics activities. What appears necessary is to assess how each of these spending streams complement and support one another. It may be useful to check whether there is a strategy to ensure that projects and activities under each spending stream do not cancel out one another – for example, why pay for the repair of roads and irrigation canals if these will be bombed by subsequent security operations? Why hold counternarcotics agencies accountable for a failure to reduce opium production, when they have little influence over the security and development sector activities that may exacerbate or reduce the ‘drug problem’?

Those who champion intensified counternarcotics operations often do not help. Campaigns of fear, with alarmist talk of ‘bumper crops’ and ‘narco-states’ to mobilise action, often have no clear strategy beyond calls for intensified crop destruction. In some instances, counternarcotics advocates appear motivated mainly by a desire to reduce

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drug consumption in their home countries, mostly Western, despite past experience showing consistently that supply-side reductions have little impact on domestic availability and prices. For example, the UK Prime Minister's Strategy Unit findings in 2003 about efforts to reduce the supply of Afghanistan-sourced heroin included:

- Interventions to reduce production are complex, time-consuming and expensive to achieve. They often result in displacement of production elsewhere.
- Traffickers have adapted effectively to government interventions. They run highly profitable businesses and can withstand temporary shocks to their profitability. Interventions have been short-lived or have had a negligible impact on the retail market.
- Cash is of critical importance for traffickers, but the money-laundering business has become increasingly sophisticated and difficult to disrupt.<sup>9</sup>

Critics have also attacked the development approaches of the main counternarcotics organisations. The UNODC has called for a counternarcotic National Priority Programme (NPP),<sup>10</sup> while the Afghan Ministry of Counter Narcotics (MCN) has focused on agricultural support – primarily in the form of inputs such as wheat seed and fertiliser. To many in the development community, both strategies appear to contradict the idea of drugs as a cross-cutting issue. They ignore the fact that enduring reductions in cultivation cannot be achieved by single-sector interventions delivered by a single ministry or agency that do not take into consideration what other agencies are doing.

A realistic analysis of how the drugs issue is likely to play out in Afghanistan over the coming years has become necessary. In the following section, we present a discussion of the complex socio-economic and political processes already shaping Afghanistan's political economy. We look at the knock-on impact this will have on the policy priorities already established by military, political and development institutions in Kabul and various foreign capitals.

# Part 2:

## Let a hundred flowers bloom

Many have been impressed by the successful concentration of coercive power achieved by Atta Mohammed Noor, the governor of Balkh province in northern Afghanistan. In the struggle for local control in the mid-2000s, he has marginalised his political and military opponents, such as the Uzbek warlord Abdul Rashid Dostum of Jumbish-e Mille Islami Afghanistan (now First Vice President under President Ghani), and the Pashtun commander Juma Khan Hamdard.<sup>11</sup> He is also said to have regained territory from the Taliban themselves, after arming his supporters under the Afghan Local Police (ALP) initiative.

But, most importantly, Atta has developed a reputation as a consistent and successful advocate of drug control measures, demonstrated by developments in the districts of Chimtal and Char Bolak in Balkh province in the last few weeks of 2013. Following the resurgence of poppies in the two districts in the 2012/13 growing season, Atta mobilised his security apparatus to focus on enforcing the opium ban. The provincial deputy security commander and units of the ALP delivered messages in person to farmers in the area telling them not to plant opium poppies, and walked the fields looking for the crop. These resolute actions prompted local farmers to destroy their own crops, choosing to plough them under overnight, so as not to attract attention from the authorities. Furthermore, the presence of multiple and competing agencies – the Afghan National Army (ANA), the Afghan National Police (ANP), the Afghan Local Police (ALP), and the National Directorate of Security – resulted in a campaign where there were ‘more soldiers than poppies’, making it almost impossible to bribe members of the eradication team with so many onlookers. Some farmers even complained that the loss of their opium crop in the spring of 2013 was followed by a further campaign of crop destruction in the summer when their cannabis plants were also destroyed.

For many, it is a mystery why Atta has been so proactive in his desire to maintain a poppy-free province. He has frequently said that the international community has delivered little of the promised development assistance for his counternarcotics efforts.<sup>12</sup> In addition, the political acclaim for his eradication campaigns is often short-lived. And his success in reducing opium is dismissed by critics who claim that those who have abandoned opium as a result of Atta’s campaigns have only replaced it with cannabis.<sup>13</sup> It could be that the real motivation comes from Governor Atta’s desire to consolidate his power, and that banning opium reduces the opportunities for his rivals to extract rent.

Eradication in areas where poppy farmers cannot meet their basic needs runs the risk of provoking rural rebellion.

However, in parts of Char Bolak and Chimtal (the main opium poppy-growing areas of the province) conducive agricultural conditions and access to markets have allowed farmers to diversify their crops and shift out of opium poppy cultivation. Furthermore, there have been other on-farm, off-farm and non-farm income opportunities in Balkh province, including those provided by the construction boom in Mazar-e Sharif – options that are not available in other provinces. So Atta has been able to pursue opium eradication with relatively little risk of provoking rural rebellion, because people can make a living in other ways.

The real question, however, is: what will happen to the local economy if the significant fall in public and private investment, which took place in the province after the 2014 transition, continues? Over the past several years there have been clear signs of reduced opportunities for work in Mazar-e Sharif, the regional centre – part of a general trend caused by an economic downturn in Afghanistan. If the economy continues to contract and security or other factors reduce the demand for Balkh’s agricultural outputs, the pressure to return to opium poppy cultivation would increase significantly. In such a strained economic environment, Governor Atta might reconsider his zero-tolerance position on opium production and deem it too risky to use the coercive power of the state on a rural population with few viable alternatives. UNODC already reports that cultivation has returned in 2015, and Balkh has once again lost its ‘poppy-free status’.<sup>14</sup>

The case of Balkh – one among many – illustrates the complex socio-economic and political processes that shape Afghanistan’s political economy. These processes provide a better explanation than one-dimensional measures – such as hectares under cultivation, kilograms of heroin seized, or answers to survey questions – of the ‘hows’ and ‘whys’ of the expansion or contraction of the drugs economy.

### A growing problem

The reality that both the government and the international community have to face is this: opium production is not only on the rise, but also likely to accelerate significantly in the coming years. The UNODC’s *Afghanistan Opium Surveys* for the past five years show significant increases, summarised in the table on the next page. The record level of 197,000 hectares under opium poppy cultivation in the country, which was recorded in 1997, was surpassed in 2013.

Year	Total number of hectares under opium poppy cultivation (estimated)
2010	123,000
2011	131,000
2012	154,000
2013	209,000
2014	224,000

Source: UNODC annual *Afghanistan Opium Surveys*

With opium poppy cultivation increasing, there is little doubt that in the years to come, illicit drug cultivation and trade will play an increasingly significant role in Afghanistan's political economy. This trend is already putting the models of drug control established in Balkh, Nangarhar and Helmand provinces under strain – or even causing them to fail. Worryingly, there is also growing evidence of backsliding in previously poppy-free provinces, as shown in the next section.

Perhaps of even greater concern for those interested in aggregate statistics is the dramatic increase in the amount of former desert land now producing opium as a result of technological improvements – from 752 hectares in 2002 to 34,270 in 2012 (more details in the next section). As these innovations spread, they are likely to bring even more land under opium poppy cultivation, a trend that could result in Afghanistan producing considerably more opium than it has ever done before. This is especially likely if yields rebound from the extremely low levels experienced in some areas in recent years because of crop disease and other factors.

*Why, then, is opium cultivation continuing to grow in the face of the international efforts to stop it? We now look in-depth at key regions where the conventional methods of tackling the drugs trade simply are not working.*

## Broken models? Nangarhar, Balkh and Helmand

Both the Afghan Government and the international community have praised the governors of Nangarhar and Balkh for their efforts to eliminate opium poppy cultivation. Balkh achieved poppy-free status almost every year since 2007 under Governor Atta, although lost it in 2013 before regaining it in 2014 (see the Table in page 10 on Balkh's poppy-free status from 2006 to 2014). Then there was the Helmand 'Food Zone' – a programme for farmers that combined the provision of agricultural inputs with poppy opium eradication implemented under Governor Gulab Mangal – praised for dramatically reducing the cultivation in the province's canal command area. This has led to calls for similar initiatives in Badakhshan, Nangarhar, Farah, Uruzgan and Kandahar provinces.

A two-year initiative known as the Kandahar Food Zone (KFZ) Programme, funded by USAID and INL began in July 2013. It is anticipated that KFZ will be given a further 12 month extension. As of October 2015, no other 'Food Zones' have been launched or funded.

The sustainability of these 'model' provinces has come under scrutiny, and there are growing signs of fragility. In each province, the reductions in cultivation in areas nearest to the provincial centre are being cancelled out by increases in more remote, peripheral areas. Changes over control of territory – particularly in formerly NATO-held areas – appear to be feeding into increasing levels of cultivation. In fact, aggregate cultivation is already rising in both Nangarhar and Helmand after the withdrawal of the NATO-led International Security Assistance Force.

The counternarcotics models in these provinces claim to treat all farmers equally by banning opium across a wide area or single province. However, this approach inevitably requires far greater coercion in areas where there is no history of state control and where the rural population does not have the resources it needs to stop growing opium without incurring significant losses in welfare. Ultimately,

Year	2010	2011	2012	2013	2014
Number of poppy-free provinces	20	17	17	15	15
Number of poppy-affected provinces	14	17	17	19	19

Source: UNODC annual *Afghanistan Opium Surveys*

attempts to treat all farmers the same have created very different political and economic results. In some areas, they have helped increase development and reduce opium poppy cultivation; in others, where there are no viable alternatives and little history of state control, they have undermined the state and provided new opportunities for anti-government elements to capture territory.

### **Nangarhar: The retreat of the state<sup>15</sup>**

The drug-control model in Nangarhar is collapsing, and annual cultivation has risen along an increasingly steep trajectory. After achieving poppy-free status in 2008, cultivation returned slowly in 2009, when only 294 hectares of opium poppies were grown. By 2014, that had leapt back to more than 18,227 hectares, as shown below.<sup>16</sup>

<b>Year</b>	<b>Hectares in Nangarhar under opium poppy cultivation</b>
2006	4,872
2007	18,739
2008	Poppy free
2009	294
2010	719
2011	2,700
2012	3,151
2013	15,719
2014	18,227

Source: UNODC annual *Afghanistan Opium Surveys*

In 2012, there were some who still viewed Nangarhar as a successful model of drug control, emphasising that the levels of cultivation remained well below the peaks of 15,000-20,000 hectares in the 1990s, and that production was concentrated in the southern districts bordering Pakistan. They were disproven as poppy cultivation returned with a vengeance. Not only did cultivation become firmly entrenched in the upper valleys of the Springhar foothills, it moved further down the valleys and is now located much closer to Jalalabad.

A typical poppy field



Fieldwork in 2012 suggested that opium poppy crops occupied almost all of the land under cultivation in the upper valleys of Khogiani and Achin in the 2012/13 growing season. By contrast, there were only a few fields of clover for animal feed and almost no wheat crop at all. Further down the valley near the district centres of Kahi and Kargha, the proportion of land dedicated to opium poppy cultivation decreased, but still occupied as much as half of the cultivable land in some areas. Even in the lower parts of these districts, it still constituted 20-30% of cultivable land. By 2014, there were even signs of small amounts of cultivation in Fatehabad, bordering Khogiani, and in the area running alongside the Tor Ghar mountains in Surkhrod, as well as in Syachob in Upper Shinwar. Cultivation has also increased significantly in Chapahar, close to the main road running through the district.

Further evidence shows opium re-establishing itself more firmly in all of these areas. Confidence that the crop is here to stay has prompted the return of *salaam*, a system of advance payments on future crops, for the first time since 2007. In Shadal, opium is again being bought and sold openly in the bazaar.<sup>17</sup>

There are few indications that the government has the coercive power necessary to eradicate the crop in the upper districts of Nangarhar. The land allocated to opium poppies in Upper Achin significantly increased in recent years, and the local population does not appear to fear losing its crop to an eradication campaign. In parts of Achin bordering the district of Shinwar, there has been only limited eradication, despite official reports of crop destruction. In other districts such as Kot, official reports of eradication are overstated.

Moreover, there are signs of a negotiated process whereby some farmers 'allow' some of their crops to be destroyed, so that local officials under pressure to enforce drugs control can submit reports back to central authorities of crop being eradicated. In return, fellow villagers compensate these farmers who have sacrificed their crops – a form of informal, collective insurance. As one district official has admitted: 'I am skilled in destroying a little while making it look like a lot.' While there are some reports of outright corruption and payments made to avoid eradication, in most cases local officials appear to be seeking the assistance of rural communities in concealing the state's weakness from the provincial, national and international actors who monitor drug crop cultivation.

In Khogiani District, the state had to perform a delicate balancing act during the 2012-13 growing season. Though committed to eradicating opium poppy, the government was unwilling to risk a recurrence of the kind of violence that eradication attempts had ignited in April 2012, when 45 people were killed and 36 injured. The ANSF was also reluctant to lose the gains it had made in three counterinsurgency operations conducted during the winter of 2012/13. The ANSF commander leading the operations was said to have announced to district elders that their opium crop would not be destroyed in 2013.

Governor Shirzai's weakness became apparent by 2013. No longer able or willing to travel to the district centres to impose a ban as he did in the 2007/08 and 2008/09 growing seasons, he reportedly wrote to district officials asking them to eradicate the crop. It appears the governor had more pressing problems in Jalalabad, where he was facing challenges both to his leadership and business interests from old mujahidin elites and their offspring. In 2013, he resigned from his post as governor to make an unsuccessful bid to be an independent presidential candidate in the 2014 elections.

In 2013, aware of the limits of the government's territorial control and the late stage in the cropping season, the district governor of Khogiani attempted to negotiate an agreed amount of crop destruction for each *manteqa* (geographical area). But the elders and communities rejected his overtures, and the harvest started in the third week of April 2013. Reports from the ground suggest farmers were not even willing to sacrifice their weakest crops 'just for photos for the foreigners', even with offers of compensation from their neighbours. The farmers were reluctant, it seems, because they believed that the provincial authorities had been allocated \$300m for crop destruction by 'the foreigners', but had 'kept [the money] all to themselves'.

Farmers in Nangarhar in 2013 have also resisted attempts to destroy their opium crop because of its excellent quality, with poppy head sizes that occur only a few times in a decade. Plus, rural households in the Spinghar foothills are in urgent need of the income the crop will generate. They have experienced significant increases in the cost of food and agricultural inputs, ongoing reductions in the flow of aid and a slump in Jalalabad's urban economy.<sup>18</sup> The area only has small landholdings, is relatively densely populated and has not cultivated any poppies since 2007.

The farmers there believe that opium is the right crop at the right time – and, more importantly, that it is well worth fighting for. The government knows this all too well, but needs at least to demonstrate a semblance of its commitment to eradication. So it is looking for the best way to give the impression of acting against the crop without provoking widespread dissent.

It is difficult to offer firm predictions on the future of Nangarhar, particularly given the prevailing insecurity there and the divisions within its political elite. But one thing that does seem clear is that unless the crisis in the political leadership of the province is resolved, opium poppy cultivation will continue to rise, potentially returning to levels as high as those of the 1990s. If the political deadlock continues to worsen, there is also a strong possibility that the crop will return to the lower, more accessible parts of the province, including the canal command area where the bulk of agricultural land is located. The sight of opium poppies growing next to the main highway once more would speak volumes to the population about the strength of the Afghan state.

### **Balkh: On the edge?<sup>19</sup>**

As already mentioned, Balkh has displayed some consistency in drug control. However, hairline cracks are appearing on the veneer, underlining the problems of applying province-wide counternarcotics models. Provincial counternarcotics efforts have appeared steadfast since the implementation of an effective ban in 2007. But as a provincial official admitted to researchers in 2012: 'The province will be poppy free, but not as poppy free as it was last year.'

The status of eradication in the province has, at times, been murky. The UNODC's satellite monitoring of the province is limited,<sup>20</sup> and estimates of 640 hectares of opium poppy cultivation in 2013 from the US Government's Crime and

Narcotics Center do not help, as it is not clear how the figure was arrived at. In early May 2012, an eradication campaign was abandoned in its initial stages after an improvised explosive device detonated in a field during ploughing. In 2013, the campaign appeared to be more serious, with three different phases in two months. The last one involved tractors, with the eradication force staying in the field for around 10 days – longer than in 2012. This more robust campaign may be an implicit acknowledgement of expanded cultivation and a renewed determination to suppress it.

Questions remain, however, about the timing of the eradication and whether it was limited to the areas around the road. Opium cultivation in the province continues to be associated with insecurity, and is concentrated largely in the particularly dangerous parts of Chimtal and Char Bolak districts. Security has improved in a number of areas in those districts, which has been attributed mainly to the deployment of the ALP. The areas to the west, however, are still largely no-go zones for the government. Dominated by the Taliban and the Hezb-i Islami, they provide a setting conducive to opium poppy cultivation and resistant to government's eradication efforts. Official records of opium poppy cultivation in Balkh are as follows:

Year	Hectares in Balkh under opium poppy cultivation
2006	7,232
2007	Poppy free
2008	Poppy free
2009	Poppy free
2010	Poppy free
2011	Poppy free
2012	Poppy free
2013	410
2014	Poppy free

Source: UNODC annual *Afghanistan Opium Surveys*

The security situation also appears to have improved in the former growing area of Balkh District. Farmers there report benefiting from new roads and the profusion of the *zaranj* – a three-wheel motorbike that can be fitted with trailers to transport goods and people. This has allowed farmers to transport expanding vegetable production to urban markets in Mazar-i Sharif.

The future of poppy cultivation in the province is also linked to the performance of the wider economy and the availability of other income sources. During spring of 2013, there was reportedly much less construction work available in Mazar-i Sharif, and at lower wages. Such work is critical to the livelihoods of both people from districts around the city and in the province's more rural areas. This reduction in construction work comes at a time of increasing uncertainty when much local capital is being moved offshore and many activities put on hold. There is also a reported decline in labour migration to Iran because of increasing Iranian restrictions on Afghans, as well as the severely reduced value of the rial.<sup>21</sup> These factors have reduced the volume of remittances flowing into many households in the province.

While the ALP is credited with improving security in parts of Chimtal and Char Bolak, questions remain about its longer-term influence. Given the fluid and opportunistic histories of many of the ALP commanders, much of the population has been ambivalent about their role. Concerns have been raised about both their loyalty and their commitment to the counternarcotics agenda.<sup>22</sup> As elsewhere, the ALP has been accused of extorting money from poppy farmers, and even of being directly involved in cultivation. As one observer noted: 'They do security. Poppy eradication is not in their job description.' Security in the province may also be affected by the worsening situation in parts of neighbouring Faryab, Jawzjan and Sar-i Pul provinces.

### **Helmand: As much as it can absorb?<sup>23</sup>**

Poppy cultivation in Helmand has also been on the rise. The UNODC reported a 19% increase in the level of cultivation between 2011 and 2012; US Government estimates were much higher, indicating a 47% rise.<sup>24</sup> There have been increases even within the Food Zone itself – the US Government reported an expansion of 21%, from 26,632 hectares of opium poppies in 2011 to 32,299 hectares in 2012.<sup>25</sup> While the UNODC reported much lower levels of cultivation in the Food Zone in 2012 (at only 20,241 hectares),<sup>26</sup> it projected that cultivation would expand in the 2012/13 growing season because of high prices and in compensation for low yields from the harvest in April/May 2012.<sup>27</sup> Overall, the recorded hectares under opium poppy cultivation in Helmand, as reported by the UNODC, are shown in the table on the following page.



Year	Hectares in Helmand under opium poppy cultivation
2006	69,234
2007	102,770
2008	103,590
2009	69,883
2010	65,045
2011	63,307
2012	75,176
2013	100,693
2014	103,240

Source: UNODC annual *Afghanistan Opium Surveys*

It is difficult to offer a prediction on the future level of cultivation in Helmand. Fieldwork during the planting season in the centre of the province revealed farmers' clear intent to return to cultivation in parts of western Nad-i Ali and Marjah, as well as in research sites around Gereshk in Nahr-i Seraj District. However, fieldwork in April/May 2013 revealed that local security forces in Marjah and Nad-i Ali had subsequently pressed many farmers to destroy their own crops. The ALP played a prominent role in this process, probably because it was afraid it would lose jobs – and the accompanying patronage benefits – if opium poppy was found in its area.

While cultivation persisted and increased in the district of Nahr-i Seraj, particularly in Malgir and Sra Qala near Gereshk, it remained confined to more remote and insecure territory. In the Food Zone districts of Marjah, Nad-i Ali, Lashkar Gah and Nawa Barakai, it only took place within the privacy of farmers' compound walls. There were even lower levels of cultivation reported in the former desert land north of the Boghra Canal, among those farmers with landholdings of 10 *jeribs* (around two hectares) or more. Prompted by fears that 2012's crop failure might happen again, as well as by lower opium prices, these households were reluctant to mono-crop opium in the 2012/13 growing season. Instead, they returned to a mixed farming system, which included some wheat for household consumption, as well as some poppy crops.

Overall, the 2008 opium ban helped trigger a number of socio-economic and political processes that make opium reductions achieved inside the Food Zone increasingly difficult to sustain. These include:

- migration to former desert areas
- reduced access to land and increased homelessness among the land-poor
- emergency sales of livestock
- mono-cropping of opium poppy in the former desert areas.

As in Nangarhar and Balkh, visible signs of progress and economic growth can be seen around the provincial centre in Helmand. The combination of good security, public service provision and improved economic opportunities in the agricultural sector – most importantly in non-farm activities – have helped improve farmers' overall wellbeing. This, in turn, gives them a reason to continue maintaining a dialogue with the state. Moving away from the provincial centre, however, there is little if any evidence of crop and income diversification. Anger towards the government is also growing in areas where a better security situation has brought with it a ban on opium production, but little improvement in economic opportunities.

In the Food Zone, reduced poppy cultivation has left the land-poor especially vulnerable. When opium poppy was grown more widely, these households were typically sharecroppers, receiving between one-third and one-half of the opium crop, depending on their arrangement with the landowner. Sharecroppers also received a house as part of the arrangement and would have access to financial support – albeit at potentially exploitative rates – through loans in cash or in *salaam* payments on their opium crop.

When planning which crops to plant, the priority for many households in the canal command area would be to allocate enough land to wheat to guarantee their own food supply. Those with livestock would then allocate a small amount of land (no more than one *jerib*, or one-fifth of a hectare) to alfalfa, which provides feed when combined with wheat straw. Livestock could be sold or provide meat (particularly the dried lamb meat known as *landi*) and dairy products for household consumption. The rest of the land might then be used for opium poppy crops, which could ultimately account for between 40 and 60% of total household agricultural land during the winter season. In summer, households would switch to cultivating a combination of maize, mung beans, cotton, melons and watermelons.

In the absence of opium poppies, however, the land-poor in the canal area have become significantly poorer, mainly because they now have no land to cultivate. Also, the crops that have typically replaced opium poppies in much of

Table 1: Gross income on 15 *jeribs* of land

	Land area ( <i>jeribs</i> *)	Yield (kg/ <i>jerib</i> )	Price (PKR)	Landowner income (PKR/\$)	Tenant income (PKR/\$) <sup>28</sup>	Sharecropper income (PKR/\$) <sup>29</sup>
Wheat	8	190	150 (\$1.45)	228,000 (\$2,215)	156,000 (\$1,515)	45,600 (\$443)
Alfalfa	1	n/a	n/a	0	0	0
Cotton	6	170	220 (\$2.14)	224,400 (\$2,180)	224,400 (\$2,180)	44,880 (\$435)
Maize	4	180	105 (\$1.02)	75,600 (\$734)	75,600 (\$734)	15,120 (\$147)
Mung bean	4	160	260 (\$2.53)	166,400 (\$1,616)	166,400 (\$1,616)	33,280 (\$323)
<b>Total gross income<sup>30</sup></b>				<b>694,400 (\$6,746)</b>	<b>622,400 (\$6,047)</b>	<b>138,880 (\$1,349)</b>
<b>Total gross income/person/day<sup>31</sup></b>				<b>190.25 (\$1.85)</b>	<b>170.52 (\$1.66)</b>	<b>38.05 (\$0.37)</b>

\*5 *jeribs* = 1 hectare

Marjah and Nad-i Ali and have been significantly less labour intensive, allowing landowners to manage their own land without a need for sharecroppers. Since the imposition of the opium ban, the land-poor have therefore found it much harder to find land and a house in the productive canal command area. Their reduced negotiating power has also meant that those who have been able to find land now receive a lower share of the crops they cultivate. Sharecroppers have been compelled to work larger farms, typically of around 15 *jeribs* (three hectares), to make ends meet. This has, in turn, further reduced the amount of land available for other land-poor households looking for sharecropping arrangements.

Receiving only one-fifth of low-value crops such as cotton, maize and mung bean has led land-poor households to reduce the quality and quantity of food they consume, delay spending money on healthcare even for serious illnesses, and sell off productive long-term assets, including livestock. Selling sheep and cattle has meant losing access to *landi* and dairy products. Meeting the cost of social obligations such as funerals and marriage<sup>34</sup> can only be achieved by incurring considerable debt, which cannot be paid without a return to opium poppy cultivation.

Those who do not own land are the least likely to receive any development assistance, particularly the types of agricultural inputs – seed, fertiliser, polytunnels and water pumps – aimed at helping farmers adjust to the opium ban.

However, the land-poor are not the only group under duress. In many parts of Marjah and Nad-i Ali, farmers

have continued to grow lower-value crops such as wheat, maize, cotton and mung bean despite falling prices. This highlights the absence of markets for higher value produce in these areas. While each of these crops offers low returns, they also represent a low risk and can be used to meet households' own needs. For instance, wheat/wheat straw and maize can be consumed both by the household and by livestock. Each crop can also be stored should prices fall or markets fail. Cotton offers a further advantage in that the woody plant provides household fuel for cooking, a function that opium poppy straw used to play when it was more widely cultivated.

The fall in the farmgate prices of cotton, maize and mung bean crops between 2012 and 2013 have also been felt by households with access to land who have abandoned opium poppies to take up cropping combinations. But it must be pointed out that this drop is itself largely a result of the glut created by the growing numbers of farmers cultivating these crops as a response to the opium ban (see Table 1).<sup>33</sup> Farmers are particularly angry about the dramatic fall in the price of cotton, which was down to PKR190-220 (\$1.85-\$2.14)/*man* in November 2012,<sup>34</sup> compared with PKR350-420 (\$3.40-\$4.08)/*man* in November 2011.<sup>35</sup> They blame the government-run cotton gin in Lashkar Gah, accusing its management of incompetence and corruption.

In summary, the only households weathering the storm in areas of the Food Zone where crop diversification has not taken place are those with some combination of non-farm income, opium stocks, or particularly large landholdings (over three hectares) – even better if they have all three.

# Part 3:

## Turning deserts into flowers

In recent years, the UNODC and the US Government have documented a dramatic expansion of the area under cultivation in the south of Afghanistan, mainly in Helmand and Farah. In fact, the amount of agricultural land in the former desert area north of the Boghra Canal, in Helmand, has increased, astoundingly, 46-fold, from 752 hectares in 2002 to 34,270 in 2012. Nearly all of it is devoted to opium poppy crops. This area is also more than double the estimated 16,036 hectares of opium land in the same areas in 2008, when the Food Zone initiative began.

The largely desert area of Bakwah in Farah has seen a similar increase, from 3,570 hectares in 2009 to 5,822 hectares in 2012. In Delaram in Nimroz,<sup>36</sup> cultivation almost tripled over the same period from 3,011 to 8,899 hectares.<sup>37</sup> New farmlands, most of which was not even under cultivation in 2005, are also appearing across southern Nawzad in Helmand (see Figure 1).

The principal reason for the expansion of cultivation into desert land is the migration of land-poor households into these areas, triggered by the loss of income created by the opium bans imposed in the Food Zone. But this expansion would not have been possible without the improvements in agricultural practice, and access to improved technology. Doubts remain, however, as to how the transformation of desert land can be sustained, especially when Helmand's larger economy begins to suffer from the inevitable reduction in development assistance, and if opium production in former desert land proves less profitable than anticipated. So mostly land-poor migrants might be turning deserts into flowers, but just how long they can do so is open to question.

### Migration and encroaching on desert land

Research in Helmand since May 2008 has documented an increasing number of farmers relocating from the better-irrigated Food Zone to the desert area north of the Boghra Canal. Most of these are land-poor households, mainly sharecroppers, who had been growing poppies in the Food Zone until 2008, when the ban on opium was enforced and the subsequent influx of international military forces followed in the 'surge' in 2010 and 2011. This left them with fewer opportunities to sharecrop or rent land. The landless are often not entitled to – and are the least likely to receive – the agricultural inputs distributed by the government as part of the Food Zone initiative, putting them at a further disadvantage.

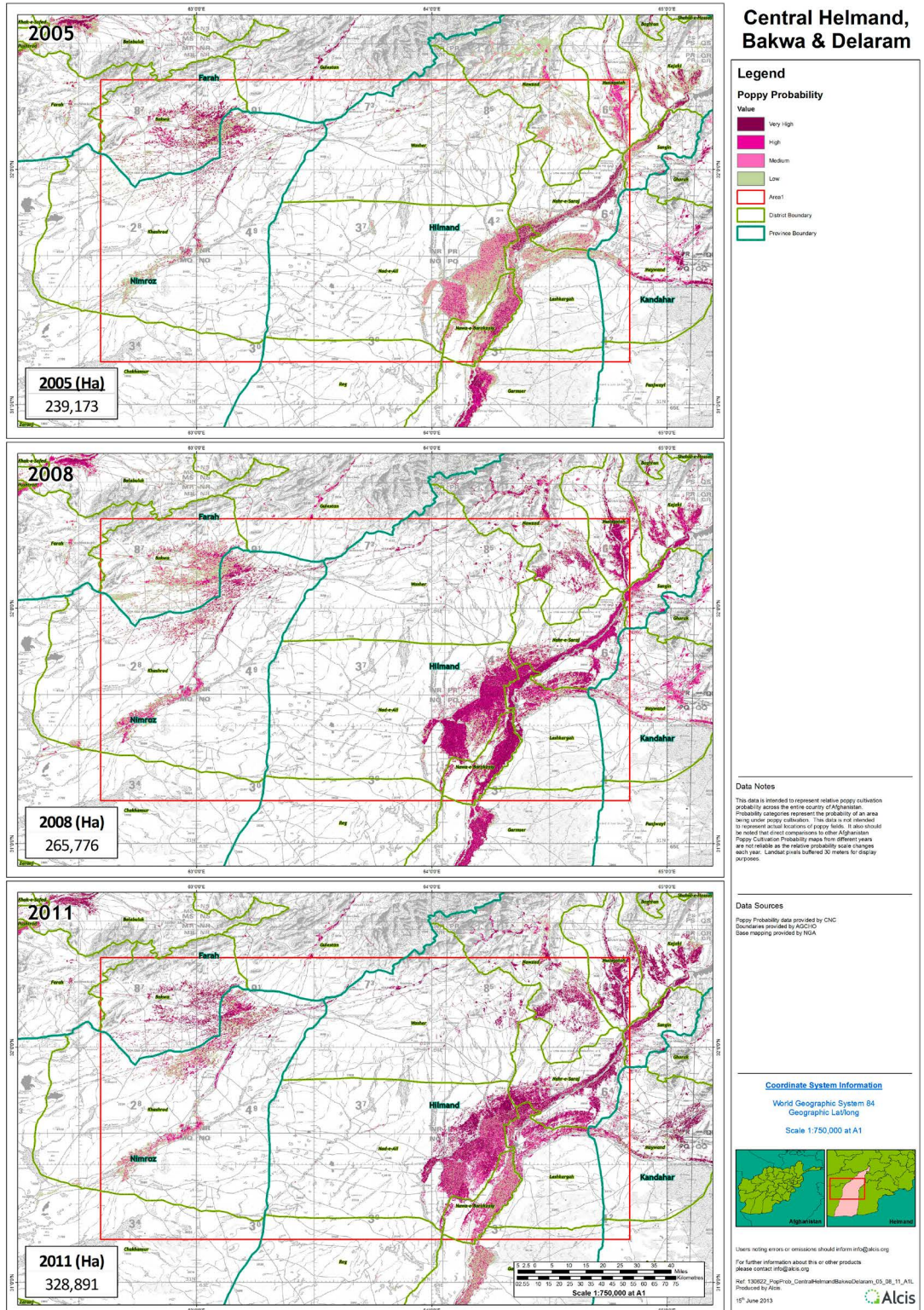
This migration has led to population increases in formerly desert areas, where people become heavily dependent on opium poppy cultivation for their livelihood. On arrival in the desert north, these farmers cleared and levelled the land, sunk deep wells and cultivated opium poppy. Some had purchased the land from provincial political elites, mostly local commanders linked to the administration of Governor Sher Mohammed Akhundzada (2002-2005) who had received desert land as gifts or grabbed them for distribution to their patronage networks.<sup>38</sup> Other farmers relocated from the Food Zone to the desert as sharecroppers or tenants, cultivating opium for others in the hope that they would eventually earn enough to afford their own parcel of land. Initial reports suggest a similar process of land accumulation at work in Farah; local farmers talk of the area north of the Boghra Canal stretching through Delaram to Bakwah as 'all one desert'.<sup>39</sup>

Prior to arriving in the desert, many farmers sharecropped around 10 *jeribs* (two hectares) of land in the canal command area of Helmand. They allocated between four and six *jeribs* (0.8 to 1.2 hectares) of land to opium poppies, depending on security and the terms of trade between wheat and opium. Following relocation, they continue to farm the same area of land, but now devote all 10 *jeribs* to opium. This shift to mono-cropping is of growing concern as cultivation intensifies in the area. It appears to be driven by high opium prices, which allowed local farmers with landholdings of more than 10 *jeribs* to accumulate capital. The high prices also gave poorer farmers a viable livelihood and a reprieve from the loss of land, income and welfare they had experienced in the canal command area.

This pattern of encroachment into desert land is also taking place in Spin Boldak and to the north of Highway 1 in Zahre and Maiwand in Kandahar, as well as in Gulistan in Farah.

Migration and encroachment into desert land are not easy. Firstly, there are high fixed and recurrent costs, such as the installation of diesel-powered tubewells for irrigating the land. Secondly, yields are not guaranteed. In 2013, for the second consecutive year, farmers reported falling opium yields, which they blamed on 'the Americans spraying the crop'. With crop yield apparently as low as half a *man* (2.25kg) per *jerib*, farmers owning or renting land reported that they were barely meeting their production costs.

Figure 1: Expansion in agricultural land and shifting patterns of opium poppy cultivation in Helmand, Nimroz and Farah, 2005, 2008 and 2011



Sharecroppers claimed they were left with as little as 1.25 *man* and a maximum of 2.5 *man* after mono-cropping 10 *jeribs* of land with opium poppies. Those working during the harvest received yields of only one *charak* (1.125kg) of opium – half the expected amount in a normal year. Many claimed they had earned between PKR6,000 (\$61) and PKR15,000 (\$163) for a period of 15-18 days' work, compared to PKR25,000 (\$294) in 2011.<sup>40</sup>

It is inevitable that sharecroppers will find themselves in a particularly difficult position. The most marginalised cannot afford to contribute to the costs of production and are therefore only able to negotiate one quarter of the final yield. The usual signs of economic distress are already evident, with households reducing the quantity and quality of the food they consume because of the fall in their incomes. Their food supply is all the more fragile because most sharecroppers in the area do not cultivate any wheat and depend entirely on the cash income from the sale of opium to feed their families.

Many are already talking of moving. Yet, the question is, where can these people go? With opium poppies banned in the canal command area, there are precious few landowners who need agricultural workers and who can offer the land and houses that the land-poor need. Moreover, even sharecroppers and tenant farmers in the irrigated former desert areas of the Food Zone (such as Dasht-i Basharan, Dasht-i Aynak and Dasht-i Shersherak) are looking for more productive land.

The hardships of migrating from the Food Zone, low yields, and attempts by the ALP to seize and destroy tubewells have made the population north of the Boghra Canal fierce critics of the provincial authorities. This is evident in their profanity-filled descriptions of Governor Mangal, his successor Naeem Baloch, international military forces (who are blamed for the poor harvests), and their combined efforts to curb poppy cultivation in the province.

But as opposed to sharecroppers, most of the formerly land-poor who now own land in the desert show no signs of moving. After all, it is their home, and they seem prepared to ride things out – continuing to grow opium poppies despite the low yields. Where they have more land than they can manage, they hope that either existing sharecroppers will stay, or that new migrants will appear who are willing to take a chance, given the lack of alternatives elsewhere.

## New technology

It would have been impossible to cultivate large areas of desert land without progress in agricultural practice and access to improved technology. For millennia, opium poppies have been grown in a wide range of agro-ecological conditions in various countries across the globe. It remains a labour-intensive crop with yields that vary considerably depending on climate, soil conditions, water availability, and the skills of its farmers. However, opium poppy husbandry has advanced in Afghanistan over the past three decades, drawing on enhanced technology and inputs.

For example, in the heavy soils of the former desert areas of Marjah and Nad-i Ali, tractors helped prepare the land for opium poppies in the 1980s, as they did for wheat in the 1960s. The widespread use of chemical fertilisers has helped increase opium yields, as they did for grains and vegetable crops. In the late 1990s, increasing numbers of shallow wells appeared – largely financed by opium poppy cultivation – as farmers tapped into groundwater in an attempt to save their orchards from one of the worst droughts in recent history.

There have also been improvements in agricultural techniques specific to opium poppy cultivation over the past two decades. In the 1990s, farmers began using better tools to lance their crop. They experimented with different varieties of poppy from neighbouring provinces or other parts of the country. Types such as 'Hindi', the purple flower seen so often in the fields of Badakhshan in the 1980s and 1990s, have all but disappeared in the 21st century. In their place now grows a better-yielding red-and-white flower, known locally as 'Jalalabadi'.

Agricultural techniques for opium production have improved at a rapid rate over the past decade. There are reports of more farmers in Helmand using herbicides to reduce the labour involved in growing their opium crop. The use of products such as Paraquat and Topic has cut the time required for weeding by between a quarter and a third.<sup>41</sup> This can produce quite significant consequences – for example, it can remove the demand for the services of sharecroppers and seasonal migrant labourers for weeding and thinning, and hence cause sizeable economic dislocation. These developments may present significant implications for rural labour markets.

More importantly, shallow wells are increasingly being replaced by deeper ones, as Pakistani and Chinese generators and water pumps have become more affordable. Deeper wells allow farmers to encroach into desert land and bring more of it under cultivation. Opium production has facilitated this process by providing the capital needed to fund the purchase of land, the building of tubewells and the high recurrent costs of production. As costs go down, opium poppy cultivation in the desert becomes logistically easier to achieve, but this may also have consequences for long-term water availability.

However, the real game changer could be the introduction of affordable solar power. Over the past few years, the price of solar panels has dropped dramatically thanks to mass production in China.<sup>42</sup> To date, the high cost of diesel has limited the amount of desert land a farmer can bring under agricultural production. Some landowners in the area north of Boghra Canal, for example, still own large areas of desert land that is left fallow or is only cleared and prepared for sale to new migrants. Landowners who cannot afford to bring this fallow land under cultivation themselves may lease it to tenant farmers at low rates, on the understanding that tenants meet the full costs of production. Low yields during the opium harvest in 2012 have further restricted opportunities for cultivating new land. Crop failure led some farmers to default on payments for diesel purchased on credit during the 2011/12 growing season, making diesel suppliers more reticent about providing fuel during the November/December 2012 planting season.

With a one-off payment for increasingly affordable solar panels, however, a farmer can avoid the high recurrent costs of diesel, removing one of the main barriers to bringing more desert land under cultivation. One farmer in Badurzai in Spin Boldak reported paying PKR1.25m (\$12,200) to install a solar-powered tubewell. Prior to this, he had six *jeribs* (1.2 hectares) of former desert land under cultivation, with recurrent costs of PKR180,000 (\$1,757) per year for maintenance and diesel.<sup>43</sup> But by the 2012/13 growing season, once his new solar-powered tubewell was installed, he was cultivating 15 *jeribs* (three hectares) of land. Although more panels can now be seen in Spin Boldak in Kandahar and north of the Boghra Canal, the high initial outlay means they are still out of the reach of many smaller farmers. However, as the costs continue to fall, only the availability of groundwater will inhibit ever-greater amounts of desert land falling under opium poppy cultivation.

## Other issues in the wider political economy

A number of other factors will bear down on the legal economy of Helmand. Can it absorb a simultaneous reduction in the amount of development assistance and low levels of opium production? Can it sustain the ongoing transformation of desert land?

As in other urban centres in Afghanistan, real wage labour rates in Helmand's provincial capital, Lashkar Gah, are already falling and those looking for work complain that there is a reduction in the number of work days available. The number of households with surplus opium is also dwindling after the successful imposition of a ban on production for four consecutive seasons in some parts of central Helmand. Some people who had capital spent it wisely on developing various off-farm sources of income – some purchased a car, renting it out as a taxi; others bought a tractor and ploughed fields for other farmers during peak periods in the agricultural season; others obtained a shop and traded anything from agricultural inputs and goods to consumables; and others acquired a *zaranji* and moved crops from the farm to market.

But without the multiplier effects of opium, and the development spending by the international community, what will happen to the population's disposable income? For example, in the absence of overseas aid, from where will the stimulus needed to support the expansion of the legitimate economy in the wake of the opium ban come? Who will be able to afford to rent taxis or tractors when there are fewer jobs and less investment in the economy? What sector will replace the construction industry as a source of wage labour opportunities for rural households?<sup>44</sup>

In the face of strong economic pressures to return to poppy, minimising cultivation in the canal command area of Helmand will largely depend on the coercive power of the state, and especially on the actions of its delegated representatives, the ALP. There are already signs of the fragility of the political settlement enforcing the opium ban, particularly in areas where few viable alternatives exist. There are also questions over what kind of aid can now be delivered to increase legitimate economic opportunities for groups who have borne the brunt of the opium ban.

Unless these issues are addressed, a resurgence of opium poppy cultivation in parts of the canal command area of Helmand seems almost inevitable.

# Part 4:

## A truly cross-cutting issue

Counternarcotics is the elephant in the room that no one wants to talk about. Political leadership on the issue has always been a challenge, both for the international community and the Afghan Government. There have been far too many disagreements on how different drug-control measures should be weighted, with particular discord over the amount of emphasis put on eradicating the standing crop. With a new government in place, there is even less consensus, and even fewer conversations about the best way forward. Development, military and political institutions that once squabbled over what to do to reduce drugs production have returned to their respective mandates – now more narrowly defined – and are much less willing to discuss how the drugs issue sits within their plans. They need to open their eyes to the fact that an increase in opium poppy cultivation and a growth in the drugs economy are both virtually inevitable.

At one level, less pressure from national and international actors to achieve short-term reductions in cultivation is helpful. Over the past decade, eradicating opium crops has been seen as the ultimate evidence of state power. It has been viewed as a proxy indicator of strong leadership – not only from provincial and district governors, but also from international civilian and military authorities. As a consequence, there has been a tendency to enforce short-term coercive eradication measures automatically as cultivation levels rise. This means that, in reality, the goal has become less about eliminating the drivers of drugs cultivation and more about a ‘not on my watch’ policy of projecting political strength, regardless of the potential negative consequences.

The pressure to deliver quick reductions in cultivation has led to the extension of eradication into areas of Helmand, including north of the Boghra Canal, where there are no viable alternatives to poppy. This has also led to attempts to enlist development institutions in classic crop-substitution schemes, which have since been heavily criticised.<sup>45</sup>

### Presentational, political and legal issues

Afghanistan faces significant ‘presentational’ challenges: how to make its case in the international media for continued and increased assistance while there is ongoing acrimony over public and private sector corruption; concerns over growing insecurity; disagreements over the imposition of taxes on US assistance; and disputes over the handling of Taliban reconciliation.

Even if these issues are resolved, it will still be difficult for the Afghan Government to secure the level of financial assistance discussed at the summits in Chicago and Tokyo. The production of, and trade in, drugs will continue to rise, attracting criticism from Western electorates and politicians. This is particularly likely in the UK, the former ‘lead nation’ and now ‘partner nation’ on counternarcotics, which led on military efforts in Helmand from 2006 until the withdrawal of British troops in October 2014. Donor countries may even stop giving development aid to the country, particularly in light of their own financial troubles.

If the international community backs away from tackling drugs, Afghan officials may well seek to blame them. A few years ago, some provincial governors were already suggesting that Western donors had not lived up to their side of the bargain – failing to deliver ‘promised’ development assistance in return for tough drug-eradication efforts. The Ministry of Interior warned that without international support, the government will be unable to pursue an effective counternarcotics agenda. Such rhetoric will only further sour relations between Western donors and the Afghan Government. It is also likely to be poorly received by commentators and electorates in donor countries, who may see it fitting with other narratives of betrayal and duplicity, such as those associated with the deaths of Western soldiers at the hands of the ANSF. A rise in heroin-related deaths in Western nations may be blamed, rightly or wrongly, on Afghanistan.

There are also legal hurdles with which to grapple. Under US domestic law, drug-producing and drug-transit countries such as Afghanistan are subject to an annual assessment by the US Government.<sup>46</sup> Countries viewed as having ‘failed demonstrably to make substantial efforts during the past 12 months to adhere to international counter narcotics agreements and to take certain counter narcotics measures set forth in US law’ can be subject to the loss of 50% of their annual bilateral development assistance.<sup>47</sup> US officials are also likely to vote against the provision of loans from multilateral financial institutions, unless a waiver of national interest is issued by the US President and agreed by Congress.<sup>48</sup> And there are legal restrictions on providing foreign assistance to people who have either been involved in trafficking drugs directly or who are a ‘knowing assistor, abettor, conspirator or colluder with others in illicit trafficking’.<sup>49</sup> As it is, the US Congress is already concerned about wasting public money on aid to Afghanistan, and is unlikely to support assistance from the World Bank and other multilateral donor organisations.<sup>50</sup>

Though serious, the problems surrounding aid are probably still manageable to a degree, especially if Western public opinion can be convinced of the need for continued engagement in Afghanistan. But continuing to ignore the drugs issue will create very real development, security and governance challenges in the country. It could result in a lack of understanding of the socio-economic and political environment into which interventions are implemented. There could be serious miscalculation about what the possible outcomes of any action might be. The range of development tools for analysing contexts – eg, logical frameworks, stakeholder analysis, conflict analysis, and requirements for the completion of various technical appraisals – may be rendered useless by the wilful exclusion of illicit drugs from the overall picture.

In a country like Afghanistan – where the trade and production of drugs shapes much of the physical, political and economic landscape – the unwillingness to talk about its impact on the political economy will surely exacerbate the problem.

## Development in a drugs environment

Development organisations rightly argue that they do not have a counternarcotics mandate. However, their actions (or lack of them) can still help rural communities become less dependent on opium to make a living. The Helmand Food Zone offers a salutary example of the price of failing to target interventions at the land-poor. It facilitated a relocation of cultivation north of the Boghra Canal – thus exacerbating the drug problem – and increased the vulnerability of some of the most marginal groups in rural Helmand.

Farmers who remain in the Food Zone as sharecroppers – as well as those working some of the more recently settled desert land – all show the signs of growing destitution. Yet little is apparently being done for them. Farmers north of the Boghra Canal are now firm supporters of the Taliban, are highly dependent on opium poppy cultivation and suffer economic distress when the crop fails. While these political and economic effects were obviously not the intention of the Food Zone initiative they are nevertheless its unintended consequence. Today, whether they remain in the desert or move back to canal command area, these farmers present obvious development, governance and security challenges to a post-transition provincial authority.

There are quite a few challenges, too, for the government's National Priority Programmes. There are plans to bring more land under irrigation, involving large-scale irrigation

projects in the Helmand River Valley planned by the Ministry of Energy and Water,<sup>51</sup> and smaller schemes implemented through the National Solidarity Programme and the National Water and Natural Resources Development Programme. The danger is that if these schemes are implemented in areas with weak markets and insecurity, and without additional attempts to encourage crop and income diversification, they may end up massively irrigating further opium cultivation, and reinforcing the economic and political power of local elites involved in the drugs trade.

Road construction efforts face similar problems, especially where projects are not coordinated with other types of development work. For example, both military and development agencies have built roads into the Spinghar foothills in Nangarhar, based on the assumption that better roads lead to agricultural diversification by improving market access. The road building started at the same time as an attempt to ban opium production, but there was no accompanying investment in expanding income diversification. In the absence of agricultural commodities to transport along these roads, rural communities came to see them not as facilitators of trade, but as enablers of oppression. They reinforced already widely held conspiracy theories about the international presence in general.<sup>52</sup> Some of these roads are now under the territorial control of armed opposition groups, feature Taliban checkpoints and are used to transport opium to be sold at the bazaar in Shadal.

These examples are not meant to suggest that irrigation, road-building and other infrastructure projects should not take place. Rather, they are intended to highlight the need to consider the unintended development and counternarcotics consequences of any new projects. A road constructed in areas where there are few market opportunities and little history of state penetration will produce quite different results to one built in areas where there is already a degree of income diversification and market penetration, and where state-society relations are more established. Put simply, in cases where interventions might lead to an increase in the production and trade of opiates, it is important that mitigating actions are taken.

Development policies must go beyond the basic ethos of 'do no harm' when it comes to drug crop cultivation – ensuring that programmes do not inadvertently encourage illicit drug production, trafficking or use. If planned and implemented correctly, there is significant scope for interventions to make a positive contribution to both counternarcotics and development. This requires an understanding of:



- the multifunctional role opium poppy plays in rural livelihoods within a given geographic area and how this differs by socioeconomic group
- how an intervention might create winners and losers within a given community, and influence the involvement of different groups in opium poppy cultivation.

In short, policies and programmes need to be informed by their potential impact on the illicit drug problem. This could entail more coordinated and complementary interventions at national, provincial and district levels.

## Politics in a drugs environment

Much of the political debate on drugs in Afghanistan focuses on the Taliban's role in encouraging opium poppy cultivation, taxing the crop and supporting its trade – either as a way to achieve political and territorial objectives, or as a source of financial gain. The reality, however, is more complex. It involves multiple actors, both inside and outside the state, all of whom are looking for profits, patronage and political support from their involvement in the drugs trade.

In Afghanistan's 'political marketplace',<sup>53</sup> even temporary loyalty must be paid for; hence drug money will play a key role in electoral contests as power and patronage can be easily purchased with profits from the drugs trade. So it seems almost inevitable that democracy and drugs will become frequent bedfellows in a post-transition Afghanistan, resulting in the corruption of the political system.

State actors will also need to broker political settlements with rural elites to confirm allegiances, secure territory, and get the vote out for elections. In some areas, a return to cultivation is likely to be part of the explicit or implicit political bargains that are made. Those most likely to gain from a return to opium production are local elites and armed actors; it will give them not only the support of the rural population, but also the financial means to challenge state authority further. Reductions in aid flows from Kabul and increasing cultivation in the provinces are likely to exacerbate the centrifugal forces already at work in Afghanistan.

Eradication will probably be less of a priority during elections – of which there are many planned in Afghanistan. Getting the rural population to vote in areas of poppy cultivation will be hard enough given the security situation. Trying to win people's votes while destroying their crops would be like

running a US election campaign under the slogan 'pay much higher taxes'! In the event that the authorities actually try to enforce a ban, anti-government forces will likely be the only winners.

## Security in a drugs environment

The production and trade of drugs also presents significant challenges for the integrity of the ANSF. The most obvious is the risk of corruption – its individual members or units extracting rent from the production and trade of drugs, or even getting directly involved in the business themselves. This would, in turn, damage public perceptions of the state.

There is also the question of how the ANSF will support the state in securing areas where counternarcotics policies threaten the interests of local elites and the rural population, and may lead to violent resistance.

Elements of the ANSF are already engaged in counternarcotics efforts. They will remain deeply embedded in areas where the production of opium and opiates is likely to increase. In areas of Helmand such as Marjah and Nad-i Ali, for example, the ALP has been actively enforcing a ban on opium poppy cultivation. In some cases this has even led to ALP commanders taking on an expeditionary role, moving beyond their designated areas of operation in an attempt to impose a ban in the desert north of the Boghra Canal. This has not always gone well, with ALP personnel often extracting rents in areas where they do not depend on the local population for support. In Zhare and Panjwai districts in Kandahar Province, the ALP has also used counternarcotics efforts to exploit local communities, extracting payments from farmers who persist with cultivation.<sup>54</sup>

By contrast, other elements of the ALP in Helmand have been less willing to implement the provincial administration's counternarcotics efforts. Instead, they have encouraged or at least facilitated a return to opium poppy cultivation in their areas. In Malgir in Nahr-i Seraj, for example, farmers report that both local ALP and ANP commanders have taken a united stand with the local population in supporting opium poppy cultivation during the 2012/13 growing season.<sup>55</sup> There are also reports that these commanders are looking to collect the two *khord* (112.5g) opium tax that the Taliban used to collect on each *jerib* of opium.<sup>56</sup>

According to local speculation, provincial authorities had little interest in acting against a unified Barakzai population

in Malgir, near Gereshk City, fearful that they will lose their support if they pursue a robust eradication campaign in the area. Farmers here reported that the eradication campaign in the 2012/13 growing season was designed for show – it was concentrated within a kilometre of the road running alongside the canal; between the river and the village, the poppies remained untouched. In Sra Qala, also near Gereshk City, there are reports that farmers had to make cash payments to the ALP and the ANP in order to protect their opium crop. And although the Taliban was physically absent from the area, it had made it known through the village elite that it still expected cash payments following the opium harvest.

It is possible that competition over rents on high-value commodities such as opium will become pervasive in some parts of post-transition Afghanistan, perhaps so much so that involvement in the drugs trade may simply become a matter of survival. For example, an ALP commander who does not secure future revenue streams and support from the local population by allowing poppy cultivation in his area could find himself ousted by armed opposition groups, or even a better-resourced rival within the ALP itself.

Even the ANA – generally considered the most trustworthy section of the ANSF – has to consider its priorities when it comes to government efforts to reduce poppy cultivation. Pressing a population to reduce opium cultivation while seeking their support against insurgent groups is a major challenge, especially in areas where few viable alternatives to the crop exist. In fact, the ANA has always been a somewhat reluctant partner in securing areas for crop destruction. As discussed above in the context of Khogiani in Nangarhar, military commanders will very probably try to find some kind of accommodation with the local population on opium production if they want to pursue counterinsurgency efforts in more insecure areas.

The drug issue also challenges the security sector's ability to recruit, retain and maintain the ethnic balance within the ANSF. For instance, it is estimated that more than one-third of all Pashtuns in the ANA come from Nangarhar

Province.<sup>57</sup> In-depth fieldwork also suggests that the vast majority of Nangarharis joining the ANA are from southern districts bordering Pakistan, and that they enlisted because of the economic hardship resulting from bans on opium production.<sup>58</sup> The return of opium poppy in these and other districts may reduce enlistment rates or lead to problems of retention. That said, research in Spinghar revealed some households with members in the ANSF were also cultivating opium poppy on their land.<sup>59</sup>

However, the main security issue is the increasing coalescence of opium poppies and the armed government opposition. In the Spinghar foothills, for example, allegiances are now increasingly fluid. It is not uncommon for members of the ANSF to have relatives in the Taliban and make financial contributions to the insurgency at the local mosque. In the area's upper districts, workers at clinics, schools and government offices all coexist with the presence of armed opposition groups (some are even members) and the widespread cultivation of opium poppies. There is a similar fluidity in allegiances in Balkh, where there are reports in some areas of agreements between the ALP and anti-government groups based on family and tribal connections between individuals on opposing sides.

On the whole, the Taliban has limited its demand for families to withdraw members from the ANSF to certain parts of Nangarhar. Were the Taliban to consolidate its position in these areas, it may become less tolerant of families whose opium crop is protected because some of their members are fighting for the government in the ANA. These families are mainly Pashtun, so this type of Taliban crackdown could have a disproportionate effect on the number of Pashtuns in the ANA, changing the ethnic balance in the force. A return to or increase in cultivation in other parts of the country might also reduce individuals' economic need to be in the ANSF, depressing enlistment and retention rates. This problem is likely to be especially acute in areas such as Badakhshan, where ANSF enlistment has been an important source of employment in a province with limited licit employment opportunities.

# Part 5:

## Which way forward?

For more than a decade now, drugs have been deemed a 'cross-cutting' issue in Afghanistan, included in the communiqués of international conferences, various incarnations of the Afghan National Development Strategy, and numerous policy statements by Western governments. Yet, despite all the rhetoric, there is little evidence that the drugs issue has been factored into the design and implementation of wider development, governance and security interventions. To make things worse, the issue has dropped off the agenda in recent years.

The issue is still largely misunderstood by senior policy makers who remain detached from the complex social, economic and political processes that influence opium production. Policy-level conversations about rural realities are often dismissed as being 'in the weeds'. Unfortunately, a naïve search for a magic bullet that will provide immediate short-term results continues to dominate the debate: 'Why don't we just buy the crop?'; 'Why don't we just legalise?'; 'Why don't we just guarantee to buy the wheat crop at high price?'; and 'Why don't we just destroy the crop?' This use of the word 'just' when discussing any aspect of Afghanistan policy, let alone drugs, seems particularly misplaced.

The fact is there is not 'just' an alternative to opium production. The country will be producing opium for at least another generation unless there is a sharp fall in global opiate demand. Enduring, country-wide reductions in opium production will not emerge from the introduction of a single high-value crop, increased wheat yields or the deployment of biological or chemical agents to destroy the crop. There is no technical fix to opium production in Afghanistan, no matter how tempting it may be to look for one.

Sustained reductions in cultivation tend to be localised. Apart from those areas around the provincial centres where socioeconomic and political conditions are conducive, reductions tend to be slow and hard won. They are an outcome of the interaction of efforts to improve governance, security and economic development in a given area, not just specific drug-control interventions. Reductions in one area are likely to be accompanied by increases elsewhere – the so-called 'balloon effect' – as economic conditions shift and political actors realign.

There is also no predictable downward trajectory of aggregate reductions; both people and markets will respond in different ways to new realities evolving as a consequence of outside interventions and recalibrations of economic, social and political interests. We can see this process at work in provinces where cultivation has been reduced over the past few years – the impact of the bans on opium

production has varied by location, socioeconomic group and over time.

Drugs are going to play a much more significant role in the political economy of Afghanistan in the coming years. So there is little choice but to develop a better understanding of the likely effects of the drugs economy on transition and subsequent 'transformation',<sup>60</sup> and to identify ways to manage better the risks it poses. Such efforts must go beyond simple assessments of levels of cultivation to analyse how drugs will shape the political economy of the countryside as well as the body politic in Kabul. Efforts to integrate an understanding of the drugs economy into future development plans in Afghanistan might be referred to as doing 'development in a drugs environment', 'counternarcotics mainstreaming', 'good development' or perhaps simply doing the job properly. Whatever the case, the issue cannot be ignored.

Past efforts to promote a better understanding of the drugs issue and its wider impacts have failed to gain traction for a number of reasons (see Table 2). Leadership among international institutions and the Afghan government was lacking. There was a preference for standalone counternarcotics interventions – often backed by generous funding – that did little to encourage close cooperation across different themes and sectors. Significant knowledge gaps, political pressure for annual reductions and rapid staff turnover encouraged the pursuit of short-term, simplistic solutions. This made it difficult to learn what worked in the past, and did little to encourage the development of a detailed understanding of local contexts and of how interventions might play out. The downturn in cultivation in 2008 resulted in a general loss of interest as individuals and institutions moved on to the other issues of concern.

There are some windows of opportunity, particularly among development professionals who realise that ignoring the drugs issue risks undermining their future efforts. As shown in this paper, there is evidence to suggest that enduring reductions in opium cultivation are most likely in areas where communities can realise broader development goals, and where there is increased collaboration among institutions that complement, rather than compete with, one another, as opposed to standalone interventions.

There is a need to situate all future analysis and planning in Afghanistan within the context of its expanding drugs economy. Failure to address this emerging reality is likely to undermine both the plans for the transition and the country's long-term development. Keeping eyes wide shut on illicit drugs would be an act of gross negligence.

Table 2: Factors discouraging counternarcotics mainstreaming

Factors that have discouraged counternarcotic mainstreaming in the past	Factors that could encourage counternarcotics mainstreaming in the future
<ul style="list-style-type: none"> <li>• <b>Lack of leadership:</b> Lack of buy-in by senior officials (Afghan and international) who saw the drugs issue in terms of a set of 'standalone' interventions that could attract extra project fundings</li> </ul>	<ul style="list-style-type: none"> <li>• Increased sense that 'business as usual' is not acceptable – growing understanding of how expanding drugs economy will impact on priorities in development, security and governance</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Attribution:</b> A counternarcotics community that advocated a counternarcotics project or programme approach; saw mainstreaming as complex process where reductions in cultivation would be medium to long term and not directly attributable to counternarcotics budget lines</li> </ul>	<ul style="list-style-type: none"> <li>• A counter-narcotics community, including the Ministry of Counter Narcotics (MCN), that looks at integrating the drugs issue into conventional development programmes, and recognises that their intervention could be catalytic of wider changes</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Risk aversion:</b> Lack of ownership of the drugs issue among senior development agencies and officials due to pressure for short-term results and simplistic solutions that often ran contrary to agencies' mandates and best practice</li> </ul>	<ul style="list-style-type: none"> <li>• Growing recognition that expanding drugs economy will undermine delivery of development outcomes and create presentational challenges for continued development assistance</li> <li>• Evolution of development assistance to 'normal' programmes without political deadlines</li> <li>• Consensus within drug control community on the need for a more balanced approach that includes inclusive development; little to no appetite or capacity for comprehensive eradication effort</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Downturn in cultivation:</b> Rising cultivation prompted calls for engagement of the development community between 2004-2007, but momentum was lost when cultivation fell from 2008 onward</li> </ul>	<ul style="list-style-type: none"> <li>• Cultivation rising once more – threat of serious increases requires response; recognition that something other than coercive responses is necessary</li> <li>• Coercion may no longer be a real option in a changed security framework and with the departure of international troops</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Sustainability:</b> Driven by technical staff from key Western donors with little support from 'drug control community'; momentum was lost when staff rotated out</li> </ul>	<ul style="list-style-type: none"> <li>• Body of work on mainstreaming, including guidelines and reports, completed with support from UK Department for International Development and World Bank</li> <li>• Counternarcotics community in support of counternarcotics mainstreaming approach; attempts to institutionalise within MCN</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Capacity:</b> knowledge gaps, particularly in counternarcotics community, on how different interventions might impact the different groups involved in opium poppy cultivation; this meant that policy of mainstreaming could not be turned into practice</li> </ul>	<ul style="list-style-type: none"> <li>• Accumulated experience and growing body of published empirical data to guide assessments and operational practice</li> <li>• Greater emphasis on monitoring and evaluation of development programmes that can facilitate improved learning on how different primary stakeholders respond to interventions</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Compartmentalised:</b> Institutional mandates encouraged compartmentalising and 'staying in lane' – everyone focused on own mandates and project-specific indicators</li> </ul>	<ul style="list-style-type: none"> <li>• Accumulated evidence of unintended consequences of other development interventions undercuts idea that interventions are disconnected or 'stand alone'</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Too much money:</b> Plentiful project funding, especially from 2009 onwards during 'civilian surge'.</li> </ul>	<ul style="list-style-type: none"> <li>• Less money will be available, so more need for coordination and collaboration but less money to make a difference.</li> </ul>

Table 3: Example of counternarcotics mainstreaming in a sample of national priority programmes

<b>NATIONAL RURAL ACCESS PROGRAMME</b>			
<b>Change model</b>	<b>Current level of counternarcotics mainstreaming</b>	<b>Risk of increased opium production if counternarcotics not adequately mainstreamed</b>	<b>Risk mitigation</b>
<p>Improve ANSF access to opium poppy growing areas</p> <p>Increase provision of public and private sector services</p> <p>Improve population's access to agricultural and labour markets</p>	<p>Low – mentioned only in passing</p>	<p>Risk – high if not coordinated and sequenced with investments in income generation</p> <p>Roads seen by local communities as vehicle for subjugation by ANSF, resulting in resentment and subsequent resistance to government</p> <p>Easier to transport opium and its derivatives</p>	<p>Adopt area-based planning with coordinated implementation among other relevant National Priority Programmes (NPPs) to build necessary synergies for delivering both development and counternarcotics outcomes</p> <p>Avoid implementing in isolation in areas where viable alternatives are not in place or where other income generation programmes are not in operation</p> <p>Appropriate law-enforcement checks on roads from opium producing areas</p>
<b>NATIONAL RURAL ACCESS PROGRAMME</b>			
<b>Design</b>	<b>Implementation</b>	<b>Monitoring and evaluation</b>	
<p>Include counternarcotics impact assessments along with those for other cross-cutting issues (gender and environment) as part of design, monitoring and evaluation</p> <p>Include counternarcotics impacts among criteria for prioritising roads under national plan</p> <p>Include counternarcotics-relevant indicators such as crop and income diversification in proximity to roads and levels of opium poppy cultivation</p>	<p>Prioritise opium poppy growing areas where implementation can be integrated with income generating NPPs</p> <p>Where appropriate, focus on labour-intensive methods of road construction, implemented during periods of peak labour demand for opium poppy, thereby raising opportunity costs of labour the crop</p>	<p>Include counternarcotics impact as part of evaluation of overall programme</p> <p>Conduct area-based evaluation to examine development outcomes and impact on poppy cultivation</p>	

Table 3: Example of counternarcotics mainstreaming in a sample of national priority programmes (Continued)

**NATIONAL WATER AND NATURAL RESOURCES DEVELOPMENT PROGRAMME**

<b>Change model</b>	<b>Current level of counternarcotics mainstreaming</b>	<b>Risk of increased opium production if counternarcotics not adequately mainstreamed</b>	<b>Risk mitigation</b>
<p>Opium poppies offer relatively high returns on irrigated land, are less vulnerable to crop failure when subject to water shortage than many high-value horticultural crops and is one of few crops that can meet recurrent costs of deep well irrigation</p> <p>The National Water and Natural Resources Development Programme improves access to irrigation supporting production of high value horticulture</p>	<p>Low – referred to in context of deep wells</p> <p>Looks to include conditionality (make development assistance contingent on reductions in poppy crops) on Water User Associations; includes section on drugs as cross-cutting issue but not discussed in context or adequately mainstreamed in main body of document or design</p>	<p>Risk – high</p> <p>Target of 154,000ha increase in irrigated area; potential for significant increases in land under opium poppies if implemented in areas where conditions are not conducive to diversification into licit crops and expansion in non-farm income</p>	<p>Adopt area-based planning with coordinated implementation among other relevant NPPs to build necessary synergies for delivering both development and counternarcotics outcomes</p> <p>Avoid implementing in isolation in areas where viable alternatives are not in place or where other income generation programmes are not in operation</p>

**NATIONAL WATER AND NATURAL RESOURCES DEVELOPMENT PROGRAMME**

<b>Design</b>	<b>Implementation</b>	<b>Monitoring and evaluation</b>
<p>Include mandatory counternarcotics impact assessments as part of appraisal of irrigation schemes, especially major irrigation works in areas with history of opium poppy cultivation</p> <p>Include counternarcotics-relevant indicators such as crop and income diversification in proximity to roads and levels of opium poppy cultivation</p> <p>Avoid conditionality which has a bad record in Afghanistan.<sup>61</sup></p>	<p>Include developing better understanding of counternarcotics impact.</p>	<p>Assess against counternarcotics-relevant indicators</p> <p>Conduct area-based evaluation to examine development outcomes and impact on poppy cultivation</p>

# Endnotes

1. Between 2004 and 2008, the World Bank commissioned a number of pieces of work integrating the drugs issue into both its analysis and programming. This included efforts to 'mainstream' drugs into a number of National Priority Programmes. Its work on integrating drugs into development analysis and planning in Afghanistan culminated in a report it published with the UK's Department for International Development. See C Ward et al, *Afghanistan: Economic Incentives and Development Initiatives to Reduce Opium Production*, World Bank/DFID, 2008.
2. This may reflect, in part, the declining share of opium in Afghanistan's GDP in recent years, which has fallen from an estimate of 13% in 2007 to 4% in 2012 due to the growth in the Afghan economy and a rapid expansion in external assistance over this period. See UNODC, *Afghanistan Opium Survey 2007*, UNODC, 2007, p7; UNODC, *Afghanistan Opium Survey 2012*, UNODC, 2012, p13.
3. In this report the drugs issue is mentioned only as a 'factoid' in a box on p51, while at the same time acknowledging that 'the illicit production of opium still overshadows agriculture, accounting for nearly half of overall agricultural production but on a much smaller portion of agricultural land.' Drugs are not mentioned in sections on rural livelihoods or in the conclusions and recommendations, and are given only a paragraph (apart from the aforementioned box) in the chapter on the economic impacts of transition, despite separate sections on employment, poverty and economic growth. See World Bank, *Afghanistan in Transition: Looking beyond 2014*, World Bank, 2012. Even in early July 2013, a World Bank presentation made to senior officials in Kabul made only a passing reference to the rise in cultivation that year, offering no analysis of how growing drugs production would impact on the wider economy and the bank's own economic forecasts for the country. See World Bank, 'Afghanistan: From Transition to Transformation II', briefing to senior officials, 2 July 2013.
4. This point is repeated in World Bank, *April 2013 Afghanistan Economic Update*, World Bank, 2013, p7.
5. Jeff Conklin, 'Wicked Problems and Social Complexity', in *Dialogue Mapping*, John Wiley, 2008, [www.cs.uml.edu/radical-design/uploads/Main/WickedProblems.pdf](http://www.cs.uml.edu/radical-design/uploads/Main/WickedProblems.pdf)
6. For example, the Helmand Monitoring and Evaluation Programme (HMEP), which is used to assess performance in Helmand, reports that only 3-5% of households answered yes to the question: 'In the past 12 months, did your household make any revenues from each of the following?... Sale of opium/poppy.' See *HMEP Annual Review*, February 2013, 14-2 and 14-4. Even in the more secure Food Zone in which polling might be possible, opium poppy cultivation rose, occupying as much as 62.5% of the agricultural land in the part of Nahr-i Seraj contained within the Food Zone (US government data analysed by Alcis). Given the trends in production and prices reported by UNODC and the US government, it is hard to believe that opium poppy cultivation was a source of income for only 5% of the population as HMEP reports. Beyond the inevitable social desirability bias inherent in such direct lines of enquiry, there are also many parts of Helmand, particularly those areas where the Taliban dominate (including north of the Boghra Canal) where opium poppy is increasingly concentrated. Again, it is difficult to believe that such topics could be pursued at all without threats to the lives of enumerators.
7. See for example, Damian Gayle, 'Afghan heroin production soars as foreign troops pull out, says UN', *Mail Online*, 15 April 2013.
8. The SIGAR report cites appropriations of \$51.15bn for security; \$22.39bn for governance and development; \$6.15bn for counternarcotics; \$2.4bn for humanitarian aid; and \$6.64bn for operations and oversight (p55). The appropriations for counternarcotics include funds for eradication, the MCN's Good Performers Initiative, Counter Narcotics Public Information and counternarcotics reports, as well as money for the Counter Narcotics Police of Afghanistan and interdiction operations.
9. Strategy Unit, *Strategy Unit Drugs Report: Phase One – Understanding the Issues*, London: Prime Minister's Strategy Unit, 2003, [http://web.archive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/drugs\\_report.pdf](http://web.archive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/drugs_report.pdf)
10. MCN, 'National Alternative Livelihoods Policy', Kabul: MCN, 2012, p34; and Emma Graham Harrison, 'Afghanistan: high expectations of record opium crop', the *Guardian*, 15 April 2013.
11. Juma Khan Hamdard had previously fought on the side of Hezbi Islami (Hekmatyar) before becoming the Governor of Paktya in the south of Afghanistan. Atta also accuses Hamdard of arming Pashtun commanders in the run up to the 2009 presidential elections, allegedly working on behalf of the Ministry of the Interior and to counter Atta's support for Abdullah Abdullah's candidacy in the elections.
12. Adam Pain, 'Let Them Eat Promises: Closing the Opium Fields in Balkh and its Consequences', Afghanistan Research and Evaluation Unit, 2008, pp1-2.
13. Kirk Semple, 'Cannabis replacing opium poppies in Afghanistan', the *New York Times*, 4 November 2007, [www.nytimes.com/2007/11/04/world/asia/04iht-cannabis.1.8176149.html](http://www.nytimes.com/2007/11/04/world/asia/04iht-cannabis.1.8176149.html)
14. UNODC/MCN (2015) *Afghanistan Opium Survey 2015: Provincial Area estimates*, Part 1, August 2015, page 5. [http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan\\_Opium\\_area\\_estimates\\_part\\_1\\_Final\\_1.pdf](http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan_Opium_area_estimates_part_1_Final_1.pdf)
15. This section is based on fieldwork undertaken in April 2013, as well as previous rounds of fieldwork in Nangarhar. David Mansfield, *Between a Rock and a Hard Place: Counternarcotics Efforts and Their Effects in Nangarhar and Helmand in the 2011-12 Growing Season*, AREU, 2011; and David Mansfield, *All Bets are Off! Prospects for (B)reaching Agreements and Drug Control in Helmand and Nangarhar in the Run Up to Transition*, AREU, 2013.
16. UNODC estimates 3,151 hectares of land in the province were under opium poppy cultivation. If the 784 hectares reported destroyed are included, the figure totals just under 4,000 hectares. UNODC/MCN, *Afghanistan Opium Survey 2012*, UNODC/MCN, 2012, p10. The 2011 survey also points out: 'It is worth noting that while every effort is made to ensure that all areas in which poppy is grown are covered by satellite imagery, it is only in the provinces of Badghis, Dai Kundi, Farah, Helmand, Kandahar, Nimroz, Uruzgan and Zabul where imagery collection is based on a representative sample and confidence intervals are calculated for the level of cultivation.' In the 26 'target' provinces, including Nangarhar, Balkh and Badakhshan, 'the approach assumes that all areas were identified and covered by imagery,' and therefore 'area estimates should be considered as a minimum estimate'. See UNODC/MCN, *Afghanistan Opium Survey 2011*, UNODC/MCN, 2011, p92.
17. Although it is interesting to note that, as in the 1990s, the Taliban has adopted a more punitive position on cannabis; trade in hashish is prohibited and has to be conducted by farmers 'in secret' (although cultivation is plainly visible).
18. In April 2013, labourers in Jalalabad reported that although wage labour rates had continued to rise over the previous 12 months, increasing from PKR450 to PKR500 per day (\$4.40 to \$4.90), there were significantly fewer days available and a

- larger number of prospective workers in the marketplace each day competing for work. They also complained that real wages had fallen due to the rising cost of food items. This is supported by the World Food Programme, which estimated that the daily wage for unskilled work would purchase 35% less wheat flour in March 2013 than it did during the same month in 2012. See World Food Programme Vulnerability Analysis and Mapping – Afghanistan, *Initial Market Price Bulletin for the month of March 2013*, <http://documents.wfp.org/stellent/groups/public/documents/ena/wfp256835.pdf>
19. This section is based on fieldwork undertaken in April 2013, as well as previous rounds of fieldwork in Balkh. See Paul Fishstein, *A Little Bit Poppy-free and a Little Bit Eradicated: Opium poppy cultivation in Balkh and Badakhshan provinces in 2011-12*, AREU, 2013.
  20. The UNODC/MCN *Afghanistan Opium Survey 2011*, p8, shows a map of the satellite imagery for the area covered in Balkh during the 2010/11 growing season, which shows only a small area of coverage in Chimtal District. The *Afghanistan Opium Survey 2012*, p74, indicates that there was no satellite imagery for Balkh during the 2011/12 growing season.
  21. This has devalued by roughly a third since January 2009, largely due to Western economic sanctions. See Paul Fishstein, *Balkh's Economy in Transition*, AREU, 2013.
  22. For example, the ALP in Alburz reportedly took its government-provided weapons and went into opposition.
  23. This section is based on fieldwork undertaken in April 2013, as well as previous rounds of fieldwork in Helmand. See note 15.
  24. UNODC reported that opium poppy cultivation in Helmand increased from 63,307 hectares to 75,176 hectares, while the US Government estimated that cultivation rose from 61,500 hectares to 90,500 hectares over the same period.
  25. Cultivation is still well below the amount in the Food Zone in 2009 and 2010, when the US government estimated 45,917 hectares and 40,972 hectares respectively.
  26. The Executive Director's preface states: 'Less poppy was cultivated within the confines of the Helmand "Food Zone", where agricultural support programmes are implemented.' At the same time, the UNODC only offers an estimate of the scale of cultivation within the Food Zone during 2012. UNODC/MCN, *Afghanistan Opium Survey 2012*, UNODC/MCN, 2012, p13.
  27. UNODC/MCN, *Afghanistan Opium Risk Assessment 2013*, UNODC/MCN, 2013.
  28. Tenant farmers in Marjah typically paid 60-70 *man* of wheat per *jerib* in the 2012/13 growing season.
  29. Sharecroppers receive a fifth of the final crop.
  30. These data are simplified for illustrative purposes. In reality, farmers would look to retain sufficient wheat, maize and mung beans for family consumption, make contributions to the mullah (around 3% of the total crop), and keep some crop for seed for the subsequent season. It is also important to note that very few farmers in the canal command area would cultivate as much as 15 *jeribs* of land.
  31. This assumes a household of 10 members, of which typically two to three will be fully working members.
  32. Bride prices in central Helmand typically range from PKR500,000 to PKR900,000 (\$4,890-\$8,800). The cost of the actual wedding might add a further PKR200,000 to PKR300,000 (\$1,955- \$2930) and there are further costs to meet in terms of clothes for the bride and groom and other gifts. Key informants report that there has been an increasing incidence of couples eloping in the last two to three years as a consequence of families being unable to meet the costs of marriage.
  33. Mung beans have fallen from a price of PKR290-350/*man* in 2011 to PKR280-330/*man* in 2012 (\$2.80-\$3.40 to \$2.70-\$3.20); maize has fallen from PKR100-120/*man* in 2011 to PKR70-75/*man* in 2012 (\$1-\$1.20 to \$0.70-0.75).
  34. Exchange rate in November 2012 was PKR95 to \$1.
  35. Exchange rate in November 2011 was PKR85.5 to \$1.
  36. UNODC lists the district of Delaram in Farah. See UNODC/MCN, *Afghanistan Opium Survey 2012*, UNODC/MCN, 2012, p94. The district and provincial boundaries as recognised by the government now locate Delaram in Nimroz.
  37. UNODC/MCN, *Afghanistan Opium Survey 2012*, UNODC/MCN, 2012.
  38. For details of the different waves of migration that have occurred in this area, see note 15, *Between a Rock and a Hard Place*.
  39. Fieldwork in Shna Jama, November/December 2012.
  40. Exchange rate in May 2013 was PKR99 to \$1.
  41. Farmers cover the plants they wish to keep with straw or sand for protection and then spray the field. The field is then left for 10 days before being irrigated. Once irrigated, the sand or wheat straw is washed away and the farmer undertakes a less intensive weeding than would have otherwise been required, removing the dead crops and aerating the soil. Application rates are 0.5 litres per *jerib*.
  42. Farmers claim prices for panels have fallen by more than half over the past five years. Reports suggest there are a growing number of businesses now selling solar panels in Kandahar City, with talk of further dealerships in Farah City.
  43. Farmers in this area refer to diesel costs of PKR110 (\$1.10)/litre, and use three litres of diesel per hour per *jerib*. They claim that it takes 2.5 hours to irrigate a *jerib* of land in the spring and four hours in the summer. With irrigation taking place every three to four days depending on levels of precipitation over the season, the costs are considered high.
  44. The World Bank reports that construction and services account for 64% of the working population in urban centres but only 24% in rural areas. See World Bank, *Afghanistan in Transition*, World Bank, 2012, p65. However, fieldwork in rural Nangarhar and Helmand highlights the important contribution non-farm income, in particular wage labour opportunities in the construction sector and enlistment in the ANSF, have made to the household economy in the absence of opium poppy cultivation.
  45. UNODC, *Thematic Evaluation of UNODC Alternative Development Initiatives*, UNODC, 2005, p2.
  46. United States Department of State Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report, Volume 1: Drug and Chemical Control*, United States Department of State, 2013, p13, [www.state.gov/documents/organization/204265.pdf](http://www.state.gov/documents/organization/204265.pdf)
  47. International Narcotics Control Strategy Report.
  48. Committee on International Relations, and Committee on Foreign Relations, *Legislation on Foreign Relations Through 2002, Volume I-A of Volumes I-A and I-B, Current Legislation and Related Executive Orders, Foreign Assistance Act 1961, Section 490 (1) and (2)*, US House of Representatives and US Senate, p189-192.
  49. FAA 1961, Section 487 (a) 2, p183.
  50. Opening Statement of Chairman Jason Chaffetz, Subcommittee on National Security. 'US Direct Assistance in Afghanistan: Ensuring Transparency and Accountability', 13 February 2013, <http://oversight.house.gov/wp-content/uploads/2013/02/Opening-Statement-of->



- Chairman-Jason-Chaffetz-2-13-13.pdf; Opening Statement of Chairman Robert Menendez, 'Assessing the Transition in Afghanistan,' Senate Foreign Relations Committee, 11 July 2013, [www.foreign.senate.gov/imo/media/doc/Menendez%20Statement%20Assessing%20the%20Transition%20in%20Afghanistan%20July%202011%202013.pdf](http://www.foreign.senate.gov/imo/media/doc/Menendez%20Statement%20Assessing%20the%20Transition%20in%20Afghanistan%20July%202011%202013.pdf); and John Sopko (SIGAR), Testimony Before the Committee on Oversight and Government Reform, 'Challenges affecting US Foreign Assistance to Afghanistan,' 10 April 2013, <http://oversight.house.gov/wp-content/uploads/2013/04/Sopko-Testimony-Final.pdf>
51. Shahai Murtazai, 'Pakistan to design Farah river dam', *Tolo News*, 24 February 2013.
  52. The same responses can be heard in Zahre District in areas such as Pashmul and Howz-i Madad, where the road construction is typically viewed in a negative light due to the loss of significant amounts of agricultural land, including vineyards (fieldwork in Kandahar, December 2012). In Nangarhar, roads into rural areas are increasingly seen as the means by which Afghan and international military forces can subjugate the local population. See note 15, *All Bets are Off!*.
  53. For a description of how the 'political marketplace' works, see Alex de Waal, 'Mission without end? Peacekeeping in the African political marketplace', *International Affairs* 2009, 85(1), pp99-113.
  54. David Mansfield, "'Taxation" in Central Helmand and Kandahar', paper for the UK Government, March 2013.
  55. As one farmer put it: 'We accept the government in this area; we don't kill government people, we don't put mines in the road but we will grow poppy' (fieldwork in Malgir, April/May 2013).
  56. At the time of fieldwork this tax had not yet been collected but farmers reported that the population had been informed that they would need to pay and claimed that a list of farmers and the payments due had been prepared by the *mirab* (water master). It was also claimed that the ALP commander and many of his soldiers had also cultivated opium poppy. Fieldwork supports this claim, with four out of the five households with members in the ANP or ALP growing opium poppy in the 2012/13 growing season.
  57. Ray Rivera, 'Afghan army attracts few where fear reigns', the *New York Times*, 6 September 2011.
  58. 'Enlisting in the Afghan National Army (ANA) has become the primary risk mitigation strategy for those in the districts of Shinwar, Achin and Khogiani. For example, in the district of Achin more than half of those interviewed had members of their household in the ANA; in Shinwar it was over a third; and in Khogiani one quarter of respondents had members of their household in the ANA... It is also notable that in the districts of Kama and Surkhrod – areas that are less exposed to risk and where households have largely succeeded in diversifying on-farm and non-farm income – none of those interviewed in 2010 reported having members of their household in either the ANA or the ANP.' David Mansfield, 'The ban on opium production across Nangarhar – a risk too far?' *International Journal of Environmental Studies* 2011, 68(3), pp381-395.
  59. See note 15, *All Bets are Off!*.
  60. A term coined by the World Bank, referring optimistically to the period from 2015 to 2025.
  61. David Mansfield, 'The Failure of Quid Pro Quo: Alternative Development in Afghanistan', paper prepared for the International Conference on Alternative Development in Drug Control and Cooperation, Feldafing, 7-12 January 2002.



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# Legalising the Illegal in Colombia: Criminals as political actors

**Christian Aid Occasional Paper**

Jacobo Grajales

October 2015

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## **Acknowledgements:**

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# Introduction

This paper analyses how paramilitary groups have transformed organised crime, local politics and agrarian property in Colombia since the 1990s. It looks into the politicisation of criminal actors on one hand, and the criminalisation of Colombia's internal armed conflict on the other. In other words, it examines how, in the midst of conflict, criminal actors become political actors, and how political actors become criminals.

Experts now suggest that crime, international drug trafficking and political corruption are not always signs of state weakness, but could actually contribute to state-building in developing countries.<sup>1</sup> This is not to imply that kleptocracy and criminalisation are an intrinsic part of those societies. Rather, it is to say that wherever there is an accumulation of power and capital, opportunities tend to emerge that political and criminals can exploit to their mutual advantage.

For politicians, having links with a lucrative illicit enterprise – such as the transportation and sale of cocaine – can not only provide them with easy cash, but also with effective local 'law enforcers': *de facto* instruments of social control and repression. For criminals, on the other hand, building links with politicians and government institutions is simply good business sense. Thus, *quid pro quos* emerge in which criminals can deliver order – not disorder – in return for the permissiveness of their partners in government.

But it is not just in illicit trades where such *quid pro quos* emerge. In fact, those between criminal and political actors over the control of land appear far more significant, especially the impact they have on development. Land, after all, is not only an economic resource; as the academic Christian Lund has shown, property rights are intimately linked to citizenship – hence those who control it get more than just economic benefits. Thus, the state and its laws are regarded as the institutions that should control and manage property rights. Very often, however, as this case study will show, the state does not define what constitutes property rights. Rather, it is a contentious field where diverse actors compete for the recognition of public authority.

The emergence and growth of armed groups in Colombia since the 1960s has led to a situation where different institutions – licit and illicit – compete with each other to assert their authority.<sup>2</sup> Large swathes of territory came under the control of private armies – from guerrilla groups and paramilitary militias to drug lords and other criminals. This paper will focus on a particular type of armed actor as they compete for capital and power: the paramilitary groups

that developed in the early 1980s as a counterinsurgent militia backed by politicians, state officials, and large landowners.

The paper argues that in various Colombian regions paramilitary groups evolved from mafia-style groups focused mainly on racketeering into a more politically oriented armed network. Discussion and debate in Colombian national politics during the 1980s and 1990s were focused on negotiations with insurgent guerrilla groups. During this time, parts of the government, like the military, and the landed elite recruited criminal groups as paramilitary militias to fight the guerrillas. The paramilitaries became effective checks to the growing power of the insurgents. But soon, rather than being content to be mere pawns of the larger players, the paramilitaries saw opportunities to become players themselves, with the ability to shape the outcomes. They may have noticed that a place at the negotiating table – like that accorded to the insurgent groups – could accord them legitimacy and the right to be consulted across a wide range of issues, and even influence in shaping the political agenda.

Paramilitaries defined themselves as armed counterinsurgents, while creating a new image – that of political actors with the same claims as the guerrillas to a part in the peace negotiations. This transformation – from racketeering groups to politically oriented armed actors – was facilitated by their links with powerful interest groups and government institutions. These connections, as well as their participation in cocaine smuggling and their role as security providers, fuelled their growth.<sup>3</sup> They forged alliances with local and national politicians, used violent coercion as a tool for electoral fraud, taxed public contractors and resorted to embezzlement where they could.

A key to understanding this transformation is the emergence of the paramilitary 'franchise' sold by the Autodefensas Unidas de Colombia (United Self-Defence Forces of Colombia) or AUC, the national federation of counterinsurgent paramilitary groups. As in business enterprise, an AUC 'franchise' gave the buyer the right to use the AUC name, logo, and letterhead. It also bestowed the buyer and his men an official rank, military titles, and insignias within the federation. Thus, any organisation holding an AUC franchise – whether criminal or not – can use the purchased status to claim that what they are doing, for example drug trafficking, is in pursuit of a political cause. This provides them with grounds to not only avoid prosecution for criminal offences, but also with the means to launder illicit wealth and other illegally acquired assets. In short, the franchise turned common mobsters, for a fee, into armed political actors.

Any analysis of peacebuilding and development needs to explore this transformation of criminals into political actors. Yet to date it has largely been ignored. Criminally oriented groups are conventionally considered to be ‘outlaws’, operating largely outside the state. Yet, as shown by scholars such as Jean-François Bayart, Jean-Louis Briquer and Gilles Favarel-Garrigues, criminal actors can participate in the regular functioning of public institutions. Contrary to normative perceptions – and the perception created by labels such as ‘warlords’ and ‘drug lords’ – their objective is *not* to manoeuvre outside the state. Paramilitary groups are not at the margins of electoral politics and policy making. They are embedded into the networks of political and state power. Their real intention is to participate in intra-state conflicts – like political parties or local political networks – for material and political gain.

The political transformation of paramilitaries did not limit or contradict their control over cocaine smuggling. In fact, the trade in cocaine was an important source of strength and patronage that these groups used to strengthen their political role. Furthermore, their links with the political and economic establishment allowed them to become brokers between legal and illegal markets. So the paramilitaries used the violence that characterised their criminal activity as a way of best *using* the system, rather than opposing it.

To illustrate the point, this paper examines cases of violent land-grabbing, which show how criminal groups turn into politically oriented armed networks. The paramilitaries grabbed land for a large number of reasons, such as laundering money or getting access to government subsidies for the development of industrial crops. They obtained title deeds through violence, made fraudulent land claims, or directly evicted poor farmers. Using their political connections, they then managed to obtain legal recognition for the land they had captured. Such recognition was vital because they needed to convert – or launder – criminally acquired profits into legitimate capital. So it did not suffice to simply occupy or take physical control of a plot of land. Their legal rights to land acquired illegally needed institutional recognition.

What is curious is that this legal recognition of grabbed lands was not only obtained through clandestine or corrupt means, but also through the clever manipulation of official policies

on rural development. The Colombian government defined the marginal regions of Colombia as a frontier zone, as ‘land to be conquered’. This opened doors not only to corporate agribusiness projects but also criminal opportunists. It was easy for them to free-ride on the policy and grab land directly, or become agents or middlemen that ‘sold’ or ‘acquired’ land for agribusiness firms. Poor and powerless local communities were effectively made invisible by the guiding principles of the Colombian government’s economic development policy.

The government seemed to realise the serious flaws in its development policies because in 2010 it pledged to implement a land-reparation policy – distributing land and returning grabbed plots to their rightful claimants. But land reparation can only be successful if it takes into account the fact that many illegally acquired landholdings have been effectively laundered and legalised, and that those who are in control may be the paramilitaries who have become partners of the Colombian state. It is estimated that these paramilitaries controlled up to a third of Colombia’s rural areas in the early 2000s. At the same time they built mutually profitable links with drug smugglers until one could no longer be distinguished from the other. Their new status of armed political actor – rather than just plain criminal – offered them the perfect opportunity to launder their money and assets, and to avoid all criminal charges.

The intertwining of criminal elements and the state is not a symptom of state failure. It is a process inherent in the development and formation of the Colombian state and its institutions. As a way of dealing with the country’s armed and criminal actors, it appears the state has set up a space of ‘tolerated violence’, in which such elements navigate and manoeuvre, seeking to bargain with central and local government representatives.

This paper concludes that paramilitary militias were key actors in the nexus between the cocaine market on one hand and local land conflicts on the other. Section 1 will analyse the links between violence, crime and politics. Section 2 will examine how these links influence property rights over land. In conclusion, this case study introduces new insights into how those involved in crime engage in politics to legalise the illegal and launder the profits of land dispossession in Colombia.

# Part 1: Crime, violence and politics

Asked to describe the characteristics of paramilitary groups, an inhabitant of Santa Marta, the capital city of Magdalena Province, said:<sup>4</sup>

'At that time [the beginning of the 1990s], I used to work in the central market. Everyone had to pay paramilitary groups the *vacuna* [protection money], and its amount depended on the size of your business. No one was happy to pay, but as they were heavily armed you did not have any choice. Yet, there were also some advantages. They organised the market and fixed the prices, so that everyone knew how much to pay for a pineapple or a kilo of meat. Foremost, they had a security network; you could leave your shop open, there was no risk at all.'

A common source of funding for armed groups is racketeering. To strengthen their territorial control paramilitaries are likely to use routine forms of social control and resource extraction. Its regular and organised nature, and the supply of real or imaginary services to its 'clients', makes this form of extortion a 'racket system'.<sup>5</sup> Rocco Sciarrone makes this point when writing about the Sicilian mafia:<sup>6</sup>

'The singularity of racketeering comes from the fact that it is always linked to a territory, it mobilizes and brings prosperity to a network of relationships and can often produce relations of reciprocity. Racketeering is possible because of relational resources and also produces this kind of resources, that we will call social capital. The racket-protection mechanism is one of the trends of prosperity for mafia, but is also an efficient mechanism for the formation and the strengthening of territorial control.'

A double transformation during the early 1990s fundamentally altered the ambiguous role played by paramilitary groups in Colombian politics. The first change was a reconfiguration of the drug trade; the second was the transformation of criminal firms into armed political actors.

## The reconfiguration of the drugs trade

Between 1991 and 1996, the drug-smuggling structures known as cartels collapsed.

The downfall of the infamous Medellin cartel was mostly due to anti-drug policies and internal conflict. Pablo Escobar, the cartel's kingpin, pursued a strategy of high-intensity violence designed to dissuade the state from applying its extradition treaty with the US. So great was the violence that he unleashed, that eventually some of his men rebelled. The leaders were the brothers Carlos and Fidel Castaño. They led an underground war, in alliance with the state, in order to bring down Escobar. The police's elite commando squad finally killed Escobar in December 1993, with the support of the Castaños.

Escobar's death put an end to the Medellin cartel.<sup>7</sup> Three years later, the Cali cartel followed a similar path.

The business, however, did not collapse. The cartels were simply replaced by fluid networks of small firms, which specialised in single elements of cocaine production – such as smuggling, or support tasks like security services, debt recovery and money laundering. This division of labour allowed entrepreneurs to win a place in a criminal supply chain that in economic theory would be regarded as both efficient and cost-effective.

One reason why smaller and more fluid organisations replaced the cartels is because they are more adaptable and therefore more resilient to police repression. The fragmentation and resulting division of labour in the cocaine industry brought about the consolidation of a new kind of criminal firm: the specialist security provider, who were specialists in violence. Rather than recruit, train and arm young men as his political muscle, a cocaine entrepreneur could get better value for his operational costs by bringing in already trained and experienced specialists.

Some of these protection firms had a comparative advantage in that they were in control of certain smuggling routes. While their power was mainly based on their capacity to use violence, their ability to control territory allowed them to tax cocaine production and transportation.

From the middle of the 1990s, the cultivation of coca leaves in Peru and Bolivia declined, mainly as a result of America's 'war on drugs'. But production in Colombia increased from

51,000 hectares in 1995 to 160,000 hectares in 1999,<sup>8</sup> resulting in what has been called the ‘Colombianization’ of coca-leaf production. At the heart of this process were criminals who, as paramilitary groups, had chosen to invest in the control of rural territory.

### **The transformation of criminal firms into armed political actors**

Over time, the armed and financial power of these paramilitary groups grew. They were not only financed by drug money; they also embezzled public funds. In several cases reported by the press and subject to criminal investigation, paramilitary groups took a percentage of public tenders in towns that were under their military control. Contractors were also required to pay a toll by the paramilitaries in order to compete for public tenders.<sup>9,10</sup>

But more significant than their armed and financial clout was the way in which paramilitary groups crafted their image as political actors. For example, the Castaño brothers’ paramilitary group – one of the first in Colombia – adopted a more politically acceptable name: the Autodefensas Campesinas de Córdoba y Urabá (ACCU), or the Peasant Self-Defense Forces of Córdoba and Urabá. For the first time in the history of Colombia’s armed conflict, a paramilitary group was endowed with the image of a politico-military organisation, with internal hierarchies, subdivisions and military ranks. The ACCU defined itself as ‘a countersubversive armed organisation’ and a ‘civil resistance movement’. It justified its mobilisation by the need to defend ‘national rights and interests neglected by the State and seriously threatened by subversive violence’.<sup>11</sup>

As Colombian academic Fernando Cubides argues in his book *Burocracias Armadas*, ACCU was describing itself in these terms even before it began negotiating with the government.<sup>12</sup> Its ‘warrior ethos’ was not new – it simply followed the domestic paradigm of a politico-military organisation made familiar by the guerrilla groups. They learned from Colombian history and the standards of international humanitarian law that an organised armed actor is defined by having a responsible command and controlling a territory in which to carry out sustained military operations. Cubides also argues that the fact a group needs a warrior ethos before it can enter the political arena is deeply anchored in the Colombian political culture. Such ‘war imaginary’, Luis Martínez stresses in his analysis of the Algerian civil war, implies a transformation of the ordinary bandit into a political actor.<sup>13</sup>

The paramilitary groups adopted all the external signs of a politico-military organisation: uniforms and insignias, spokespeople and ‘ideologists’. This was fuelled by an influx of new recruits from rebel groups and the army. Around 1994, the Castaño paramilitary group, the ACCU, arrived in the Urabá gulf zone – which was previously under the influence of People’s Liberation Movement (EPL) and Revolutionary Armed Forces of Colombia (FARC) guerrillas<sup>14</sup> – and came into contact with a local self-defence group. These were the ‘people’s commandos’ – demobilised members of an EPL faction. Their aim was to protect demobilised militiamen from attacks from other guerrilla groups. But the people’s commandos were overpowered by FARC, leading to a series of mass murders of the commandos’ supporters and family members. The commandos searched for an ally and welcomed the ACCU, who in turn used the new alliance to reinforce their local power in the gulf zone.

The ACCU grew by recruiting former army members. They secretly collaborated with the Army XVIIth Brigade’s recruitment officers so they could offer a place to young rank-and-file soldiers who had completed their military service. They also recruited middle-ranking officers. From the mid-1990s, as the outcry about the Colombian army’s human rights record grew, a growing number of soldiers suspected of having exceeded their duties or misused their power were dismissed. Some of them found their way into paramilitary groups including the ACCU, who valued their expertise and paid well.

After successfully forging its image as a politico-military organisation, the ACCU began a programme of national expansion. In 1994, at a meeting pompously called the ‘First National Conference of Self-Defence Groups’, Carlos Castaño started pushing for closer coordination between the country’s various paramilitary groups. In 1997, he successfully positioned himself as a spokesman for this network. Then, he announced the creation of the United Self-Defence Forces of Colombia (AUC). The AUC was not a unified group under a single command, but rather a ‘confederation’ of paramilitary groups in which each member kept considerable autonomy. The different ‘blocks’ or ‘fronts’ were just new names for the members of the network, who retained control over their finances and strategic decisions.

After the initial network building, the AUC’s expansion was fuelled by a strategy – similar to one used by large corporations – that illustrates how counterinsurgency and crime overlap in Colombia. A rich independent contractor – most often a drug trafficker – was allowed to buy a ‘franchise’ from the AUC leaders. This franchise gave the



buyer the right to use the name AUC and get an official rank within the organisation – something that could prove useful during negotiations with the government. With the franchise, the buyer also obtained troops from paramilitary groups trained in guerrilla warfare. These men would help recruit and train new individuals.

A very good example of this franchise-selling process is the case of Miguel Arroyave. According to investigations by Verdad Abierta, a respected non-government organisation and resource centre on the conflict in Colombia, Arroyave was a key figure in the cocaine industry during the 1990s, and became the main chemical-supplies smuggler in the country.<sup>15</sup> In 2001, he bought a franchise from the Castaño brothers for an estimated \$7m, which gave him the opportunity to operate in the whole East Plains region. This caused an armed conflict with a native paramilitary group, known as the Buitragueños.

A pattern soon became evident among the new paramilitary entrepreneurs emerging from the AUC. They were mainly drug traffickers who had a double interest in becoming paramilitaries. On the one hand, the cartels' collapse had undermined the oligopoly of drug trafficking. The fluidity of the economic networks promoted the proliferation of narcotics micro-enterprises, but also increased the demand for violence/protection services. Purchasing a franchise allowed drug traffickers to build their own private army. Through their association with the AUC, paramilitary entrepreneurs were able to monopolise violence in a given territory, subordinating all other criminal group and imposing the payment of tribute.

The purchase of a franchise meant common mobsters could transform themselves into armed political actors, with all the benefits attached to this status. This transformation gave paramilitary entrepreneurs the chance of a seat in the negotiations between the AUC and the government, which were already looming in 1997. While the peace negotiations were about the larger issues of resolving conflict and peace-building, the narco-traffickers were eyeing them differently. For them, it was the perfect opportunity to launder their money and escape criminal charges.

There was a further benefit of being involved in political negotiations that was not lost on those involved – immunity from US extradition requests. In the most prominent cases, a narco-trafficker's plea bargain with a Colombian judge would immediately be followed by a US extradition request. The only way of gaining immunity from foreign justice was to secure legal guarantees from the Colombian government, which could only be obtained through open political

negotiation.<sup>16</sup> Indeed, the political negotiations conferred considerable discretionary power on the president and parliament in granting paramilitary leaders immunity against extradition and protection against the seizure of their goods, in spite of the legal obligations created by international treaties and domestic law. By turning from criminal lords into armed political groups, paramilitary leaders expected to reap the political benefits that had been accorded, in the Colombian legal tradition, to rebels.

Paramilitary groups' territorial control allowed them to integrate criminal firms into their network and build alliances with criminal bosses seeking a political façade. They also depended on support, cooperation or at least tacit permission from inside the political institutions in their territories. Hence, they built alliances with local politicians and civil servants, relationships that became pivotal to the consolidation of their paramilitary power. These relationships were not one-time or short-term alliances. Gradually, the paramilitary groups became institutions in themselves, a fundamental part of Colombian politics.

For example, in large swathes of rural Colombia, they became key brokers between politicians and voters – candidates had to obtain the paramilitaries' approval, and polls were controlled by the local 'commander'. Paramilitary groups also became mediators between local and regional politicians. Thus, the paramilitaries regulated the sharing of patronage benefits, while acquiring a share of the booty. Paramilitary brokerage defined a political strategy whose main resources were violence (or its threat) and networks of influence. This point about networks of influence echoes Rocco Sciaronne's analysis of the Sicilian mafia when he talks about the importance of 'social capital':<sup>17</sup>

**'One of the greatest strengths of the Mafia is its ability to obtain the cooperation of other social sectors outside its organizational core, its ability to maintain links of collusion and complicity with various spheres of civil society and institutions [...] the concept of social capital refers to the resources that are made available by the inclusion into a network of social relations.'**

Paramilitaries did not intend to use this brokerage to *replace* elites or public institutions. Instead, they participated in the bargaining, compromises and competition *between* elites. The paramilitaries' private appropriation of public institutions did not essentially differ from more traditional forms of

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corruption: taking a commission on public contracts, creating fictitious contracts, and outsourcing public services to business 'friends' or to companies controlled by front men were common practices in Colombian politics long before the rise of paramilitary groups. A historical analysis of crime and corruption shows that the paramilitaries' criminal practices were not an innovation. They are only a variation in degree and scale of the capture of public local institutions by private interests, a step towards greater coordination of embezzlement strategies.

The paramilitaries' political influence was not limited to local politics. The same practices were used to influence elections to the Senate and the House of Representatives.<sup>18</sup> Exploiting their control of a territory, paramilitary leaders ensured that elected Members of Parliament were linked to them by local agreements. This influence served two distinct purposes for paramilitary groups. First, it allowed them to shape legislative debates relevant to them, including criminal policy and demobilisation negotiations. Second, it allowed them to ensure the appointment of allies to key positions inside the state and its agencies. MPs can introduce and support applications for administrative positions, and thus play a key role when building a network of influence. According to the Colombian Supreme Court,<sup>19</sup> paramilitary groups decided to launch this national influence strategy around 2000, ahead of the national legislative polls of 2002. They built political alliances with leading regional figures and – through vote buying, violence and fraud – their favoured parties.

# Part 2:

## Land-grabbing and crime

Land-grabbing is a significant feature of the Colombian conflict. The government estimates that armed actors have seized more than four million hectares from peasants.<sup>20</sup>

In Colombia, people are forced from their land in several different ways, most of them closely bound to contention over land rights.

Despite the violence at armed groups' disposal, evicting peasants does not necessarily, in itself, allow them to exploit the land. After the land grab, when violence serves little purpose, social connections and relationships of mutual benefit becomes the key weapon for paramilitary groups. It helps them gain legal recognition from public institutions for their illegally acquired property. This recognition is particularly important for those involved in crime, who can survive only by converting criminal profits into legal capital.

Laundering the profits from violent land-grabbing is a necessary step when the properties acquired are protected by a title deed. Up to half the peasant families in Colombia do not have any formal title for their plots, but the ability of paramilitary groups to gain legal rights to land even when the original owners do have a title deed illustrates the political influence they wield.

Land owners can be compelled, using the threat of violence, to sell their land under market price and often paid for with a bouncing cheque. As one small farmer in Santa Marta said in a March 2009 interview: 'One day, [the paramilitaries] came to my place; they said, either you sell us your farm, or we'll buy it from your widow. We took all our stuff and left.' In most cases, after an owner leaves, paramilitaries falsify a deed with the help of notaries – public officials, appointed by the executive. The participation of some notaries in paramilitary land grabs is currently under investigation by criminal and disciplinary authorities.

### **The role of the national institute for land reform**

A key public institution that participated in land-grabbing was the Instituto Colombiano de la Reforma Agraria (INCORA), now called the Instituto Colombiano de Desarrollo Rural (INCODER). As the national institute for land reform, it was entitled to modify property rights. Its collaboration was particularly useful for paramilitaries when the plots that were to be seized had been adjudicated as part of the land-reform policy that INCORA was created to implement. There was a ban on the sale of such land for 12 years after the procurement of the plot. If the beneficiary of land

adjudication abandoned their plot during that period, it could be allocated to a new owner. INCORA was the key institution involved in the transfer of these property rights. The following case study shows the importance of public institutions and the illicit influence over administrative acts in land-grabbing.

In the early 1990s, INCORA allocated plots to landless peasants in the municipality of Chibolo. These farms, originally owned by large local landowners, were purchased by INCORA for distribution to the peasants. One example is the El Encanto hacienda, located near the village of Pueblo Nuevo, in Chibolo, on which 37 families settled in 1991.

In 1996, paramilitary groups commanded by Jorge Cuarenta arrived in the region. In December of that year, they assembled the people of Pueblo Nuevo, warning them about their obligation to provide information about the guerrillas. By then, selective assassinations had already begun. Jesus Olivo, a peasant leader, was murdered in October 1996 and Oberto Martínez, a farmer, was killed the following year. The residents told human rights support groups that after Oberto's death, paramilitaries warned them that if they refused to collaborate, a loved one would be murdered. On 30 July 1997, the threat was carried out with the murder of Roberto Barrios, a school teacher, on the village square. Terrified by the killing, many of Pueblo Nuevo's residents – 140 families in total – left the village to take refuge in the urban centre of Chibolo. A few months later, a dozen people returned to Pueblo Nuevo to assess the situation, and were immediately threatened by the paramilitaries. After two more assassinations, the people of El Encanto renounced claims to their land.

It was at this point, only after the peasants had renounced their claims, that INCORA intervened when it could have proactively diffused the threats by reaffirming their recognition of the families' rights to the land. Even though it was INCORA itself that had originally allocated the land to the peasants in 1991, the agency nullified the titles. An Administrative Act of 28 October 2002 indicated that the owners had abandoned their lands, which could therefore henceforth be reassigned. INCORA then issued several acts granting the land to the new owners: the paramilitary lieutenants and local allies of the AUC.

To understand INCORA's actions it is necessary to examine the paramilitary control of local institutions – particularly in how it influences who is appointed to key positions. Appointments to positions in state bodies like INCORA could be strongly influenced by regional politicians. Senior appointments in INCORA at that time are thought to have

been the prerogative of Dieb Maloof, a senator subsequently convicted for his electoral alliance with paramilitaries in Magdalena. It is likely that Maloof's choice of who to appoint, or not to oppose, is based on what his criminal allies wanted. As the paramilitary chief Carlos Tijeras stated, although appointments to senior positions in public institutions remained the political candidates' prerogative, they had to be approved by the paramilitary commander of the zone.<sup>21</sup>

Some analysts depict Colombian paramilitaries as 'armed actors' operating outside the state.<sup>22</sup> However, as revealed by the cases of forced displacement and land-grabbing, the state is actually an arena in which these warlords operate. Contrary to the guerrillas, who intended to replace the state, paramilitary groups used violence and social capital to obtain influence over local institutions and, eventually – mainly using parliament – over central agencies. Other analysts conclude that paramilitary groups somehow 'co-opted' the state and 'reshaped' or 'reconfigured' its structure.<sup>23</sup> But such interpretations are based on normative definitions of the state, and they fail to analyse the role of private violence in capital accumulation and state formation.

As the following case study will show, violent actors can take advantage of state development policies, obtaining tolerance, and even subsidies; equally, governing elites can legislate and routinely ignore conflicts of interest to support certain businesses or firms, regardless of whether or not these came about from criminal entrepreneurs.

### **Case study: El Prado and Mechoacán**

El Prado and Mechoacán were two haciendas in Cesar Province, near the town of La Jagua de Ibirico. In the early 1990s they were bought by INCORA and allocated to 184 families of landless peasants. Unknown to INCORA or anyone else, under these lands was one of the biggest coal reserves in Latin America.

According to Verdad Abierta,<sup>24</sup> the Colombian Institute of Geology and Mining signed a contract allowing a company to start prospecting for coal. With the coal deposits confirmed, the company subsequently obtained a mining licence, and was required to negotiate the acquisition of the necessary land with the local population. But in 1999, paramilitaries under the command of Jorge Cuarenta arrived in the region, aiming to seize the land and sell it to mining companies. They started a campaign of fear and harassment, aiming to evict the peasants.

**'My two younger children and my wife were afraid, they told me we should leave. One night I got threatened. They [paramilitaries] arrested a son of mine because he told them that it was not fair that, after all we've struggled for our lands, they took them away from us. They nearly killed him; that is why we left.'**<sup>25</sup>

On 19 May 2002, a group of paramilitaries called Bloque Norte arrived at the Flórez family's house in El Prado. They took Jesús Eliécer Flórez, his three children and a visitor. They were never seen alive again, nor have their bodies been found. During the next few months, seven other people were murdered in El Prado. In November 2009, Alcides Mattos Tabares, alias Samario, confessed to his participation in the Flórez killings. He told the prosecutor that the murders had been ordered by Hugues Rodríguez, one of the main promoters of the paramilitaries in the region. Rodríguez was also a rich landowner with a hacienda near El Prado.

In Mechoacán, paramilitaries killed Luis Trespalacios, head of the local community assembly and Gabriel Cudri, one of the assembly's members. In interviews with the press, Samario stated that these killings were not part of the AUC's counterinsurgency action, as had been claimed, but were in fact motivated by the economic value of the coal mines.<sup>26</sup>

**'He [commander Tolemaida from the AUC] had ordered. . . that El Prado had to be entirely vacated, because the people who lived there were supposedly members of the guerrillas. . . Years later, I learned that those lands had been given to relatives of Commander David Hernandez, alias "39" (treinta y nueve). I learned that those orders had been given by Hugues Rodríguez, because he wanted to broaden his neighbouring hacienda, because those lands were rich in coal. That is the cause of those deaths and forced displacement. The value of the land is exorbitant by the mere fact of the coal mines.'**

After the eviction of El Prado and Mechoacán inhabitants, property rights were transferred to the relatives, front men and allies of paramilitary chiefs. According to Verdad Abierta,<sup>27</sup> some of these rights were obtained by the firm Inversiones Rodríguez Fuentes, which was owned by relatives of Hugues Rodríguez. Jorge Alberto López, who

had owned Mechoacán before the INCORA bought it and allocated it to the peasants, received eight plots of land. Alicia Quiroz, mayor of La Jagua de Ibirico from 1998 to 2000, received one plot. Laureano Enrique Rinco, elected mayor of the same town in 2006, received one plot. Other plots were simply declared unoccupied by INCORA, and then directly allocated to the mining companies.

The legalising of land-grabbing followed a similar strategy. According to the Colombian Supreme Court,<sup>28</sup> INCORA had established that the plots had been abandoned and so could be reallocated. Later, following a subsequent investigation into the case that resulted in prosecution, Carlos Eduardo Reyes, head of the local INCODER agency, was convicted for his participation in the land grab.

In Mechoacán, the 12-year moratorium on land-reform plots had already expired, so it was possible to sell the land. According to the prosecutor's office in the case brought before the Criminal Circuit Court,<sup>29</sup> the title deeds were falsified so the land could be sold and the property rights could be transferred. Some of the new deeds were supposedly signed by landowners who were already dead by the time of the presumed sale while other deeds were purportedly signed by illiterate peasants.

El Prado and Mechoacán were rapidly transferred to new owners.<sup>30</sup> According to the prosecutor's office, members of the paramilitary groups operating in the zone stated that the aim of the whole operation was to sell the land to mining companies.<sup>31</sup>

Since the 1980s, analysts of the Colombian conflict have stressed that long-term conflict and the emergence of armed actors are strongly determined by the presence of natural resources. Paramilitary groups have emerged where there is agribusiness development, both to counter peasant demands for land and to promote and conduct land-grabbing. Controlling these areas allowed them to take advantage of the agribusiness economy.

### **State policies, business development and the paramilitary economy**

However, the paramilitaries have not limited their expansion to these areas. As they consolidated their control over these regions, it was accompanied by a rush to other areas considered as being open to colonisation and development. The link between state policies, business development and paramilitary economy can be briefly described on three levels.

Firstly, the state, business and paramilitary groups promoted a narrative of rural development and 'virgin spaces' open to colonisation. These narratives defined the marginal regions of Colombia as a frontier zone, as 'land to be conquered'. This then justifies the local presence of the state, the integration of these territories into a land market, and the patterns of violent dispossession – which was legitimised in the name of progress. Opportunities for agribusiness were thereby created in these 'frontier zones'. Such a process was made possible by the fact that land in marginal zones had been defined as 'wasteland'. As a spokesperson from one paramilitary group declared:<sup>32</sup>

*'The palm trees belong to four or five friends of [Vicente] Castaño. Purchases were poorly defined. Those were wasted lands, with no fences and plenty of weeds. They had been abandoned and were controlled by the guerrillas. The businessmen found the displaced people and gave them some money. There were no threats, there was simply no proper land registries.'*

Secondly, a series of legal measures promoting palm-oil production and biofuel as an alternative to petroleum have helped produce an extremely profitable economic sector. Agribusiness has also been put forward as a component of the programme to promote a move away from production of illegal drug crops. And because of its strategic economic importance and its assumed profitability, legal inquiries on the links between agribusiness firms and paramilitary groups are often suppressed.<sup>33</sup> It is seen as a matter of national interest and is relatively protected from criticism, even when it originates from state institutions.

Thirdly, strategies of money laundering are determined by the business agenda. For instance, when surveillance agencies themselves exposed the violent dispossession by paramilitaries in the Lower Atrato valley, and the probable links between land grabbing and agribusiness firms, the government responded by creating a regulatory framework concerning 'strategic alliances' between local communities and large firms. These alliances were mechanisms and processes that enabled local communities and large firms to communicate with each other, raise concerns and sort out issues, in order that so-called 'win-win' situations could be achieved.

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These alliances were presented as a remedy to land-grabbing issues, linking together the interests of communities and those of agribusiness firms. Yet, the direct consequence of these strategic alliances has been to facilitate the legalisation of land dispossession.

According to Restrepo and Franco, most strategic alliances have been created both through coercion and fraud, involving, for example, the impersonation of local leaders and the forging of contracts.<sup>34</sup> Instead of supporting local communities, they became another tactic in the arsenal of land grabbers, intended more to provide a cover and to legitimise dispossession. They even created new opportunities to seize public funds, as the government reserved subsidies for projects launched within strategic alliances.

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# Conclusion

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For more than two decades, Colombian paramilitary groups were embedded in state structures and political networks; they were not extraneous actors, separate from political institutions and the market. They participated in elections and political manoeuvring, in land-grabbing, in the accumulation of capital and in economic development. It was through paramilitary groups that violence and crime overlapped and interacted with the state and market formation.

Consequently, the government's policy to revert land to peasants constitutes one of its most ambitious commitments and cannot be addressed as a mere issue of criminal justice. An efficient policy of land distribution would have to involve significant reform of the state, taking into account the role of paramilitaries in state formation.

The legal sector must be the first priority of these reforms. Colombian courts have demonstrated that they are able

to expose the political networks that accompanied and fuelled the rise of paramilitaries. Legal institutions have produced a large share of the data used by scholars and NGOs to analyse and map the Colombian conflict. Yet, political support for these inquiries is still weak. After bitter opposition between the executive and the judicial branches of the state during the Uribe presidency (2002-2010), an appeasement policy has marked the Santos period (2010-today). Yet, effective justice reform, which provides Colombian prosecutors with the necessary resources to shed light on the criminal responsibilities that underlaid the paramilitaries' expansion and power, is still incomplete. While criminal inquiries targeting politicians and civil servants have been fruitful, prosecutors have been far less proactive or successful at dealing with the sources of the paramilitary network's economic strength. Yet, as this paper has shown, the Colombian conflict cannot be understood without a complete view of its multiple determinants, whether legal or illegal, political or economic.

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# Endnotes

1. See for example De Danieli's occasional paper on Tajikistan in this series: Filippo de Danieli, *Inadvertent Impact: Drugs and Stability in Tajikistan*, Christian Aid, 2015.
2. Criminal organisations compete and cooperate with each other in the same way that legal companies, while in competition with each other, may find certain situations in which they start to build cartels and create oligopolies.
3. In 2000, the first official study on paramilitary groups established that they had expanded from around 2,000 men in 1992 to more than 10,000 in 1999. Ministerio de Defensa (2000). *Los Grupos Ilegales de autodefensa en Colombia*. Bogotá, 2000.
4. Interview, Santa Marta, April 2009.
5. Laurent Gayer, 'Les Rangers du Pakistan: de la défense des frontières à la "protection" intérieure', in JL Briquet and G Favarel-Garrigues, eds, *Milieus criminels et pouvoir politique. Les ressorts illicites de l'État*, Paris: Karthala, 2008, pp23-56.
6. Rocco Sciarrone, 'Réseaux mafieux et capital social', *Politix* 2000, 13(49), 35-56.
7. In spite of the terrorist campaign initiated by Escobar in his war against the state, he enjoyed some form of legitimacy until his death. This popular support was mainly the product of the distribution of money and goods among the poor, that led him to be considered by some as a 'contemporary Robin Hood'. The case of Escobar leads us to point out the diversity of social resources criminal actors can gather, especially when they are seen as actors who can challenge the dominant order and the establishment.
8. UNODC, *Colombia Coca Cultivation Survey*, UNODC, 2006.
9. M Romero Vidal, ed, *La economía de los paramilitares*, Random House, 2011.
10. Tadeo Martínez, 'La red "anticorrupción" de Jorge 40', *Semana*, 2008.
11. Autodefensas Campesinas de Córdoba y Urabá. Estatutos de Constitución y Régimen Disciplinario. s.d.
12. Fernando Cubides, *Burocracias Armadas*. Bogotá: Norma, 2005.
13. Luis Martinez, *La guerre civile en Algerie*, Paris: Karthala, 1998.
14. The *Ejército Popular de Liberación* or EPL was founded by the Communist Party of Colombia (Marxist-Leninist) in 1967, and The *Fuerzas Armadas Revolucionarias de Colombia* or FARC is one of the biggest armed groups in Colombia and claims to be an army of peasant Marxist-Leninists.
15. Verdad Abierta, 2009.
16. Plea bargains have to be in accordance with ordinary legal provisions, while political negotiations are based on an extraordinary legal framework that allows disregarding justice for the sake of peace-building.
17. See note 6.
18. Mauricio Romero, ed, *Parapolítica. La ruta de la expansión paramilitar y los acuerdos políticos*. Bogotá: Corporacion Nuevo Arco Iris, 2007.
19. For example, see the decision against Senator Mario Uribe: Corte Suprema de Justicia. Rad. 27918, 21 February 2011.
20. Gómez, 2012.
21. See note 10.
22. Gustavo Duncan, *Los señores de la guerra*, Bogota: Planeta, 2005.
23. For example, Garay considers that state has been coopted and reconfigured by paramilitary groups. Yet I argue this is a normative perspective that conceals more than it reveals about the historical configurations of the state and the way violence and crime are often linked to the construction of political power. Luis Jorge Garay Salamanca, ed, *La Captura y Reconfiguración Cooptada del Estado en Colombia*, 2nd ed, Método, 2008.
24. Verdad Abierta, Carbón y sangre en las tierras de 'Jorge 40', 26 October 2010, [www.verdadabierta.com/despojo-de-tierras/2816-carbon-y-sangre-en-las-tierras-de-jorge-40](http://www.verdadabierta.com/despojo-de-tierras/2816-carbon-y-sangre-en-las-tierras-de-jorge-40)
25. Verdad Abierta interview, 2010.
26. See note 24.
27. See note 24.
28. Corte Suprema de Justicia, Tutela impugnacion 59924. Incoder, 19 July 2012.
29. Juzgado Penal del Circuito Especializado, Proceso N.º 00082 de 2010, 9 November 2011.
30. Ibid.
31. See note 24.
32. León, 2005.
33. Restrepo Echeverri and Franco Restrepo show how the economic weight of agribusiness has been an obstacle to legal procedures against paramilitary allies. JD Restrepo Echeverri and VL Franco Restrepo, 'La toma de la tierra: lógicas de guerra y acumulación en el Bajo Atrato', in M Romero Vidal, ed, *La economía de los paramilitares*, Bogotá: Random House, 2011.
34. Ibid.



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