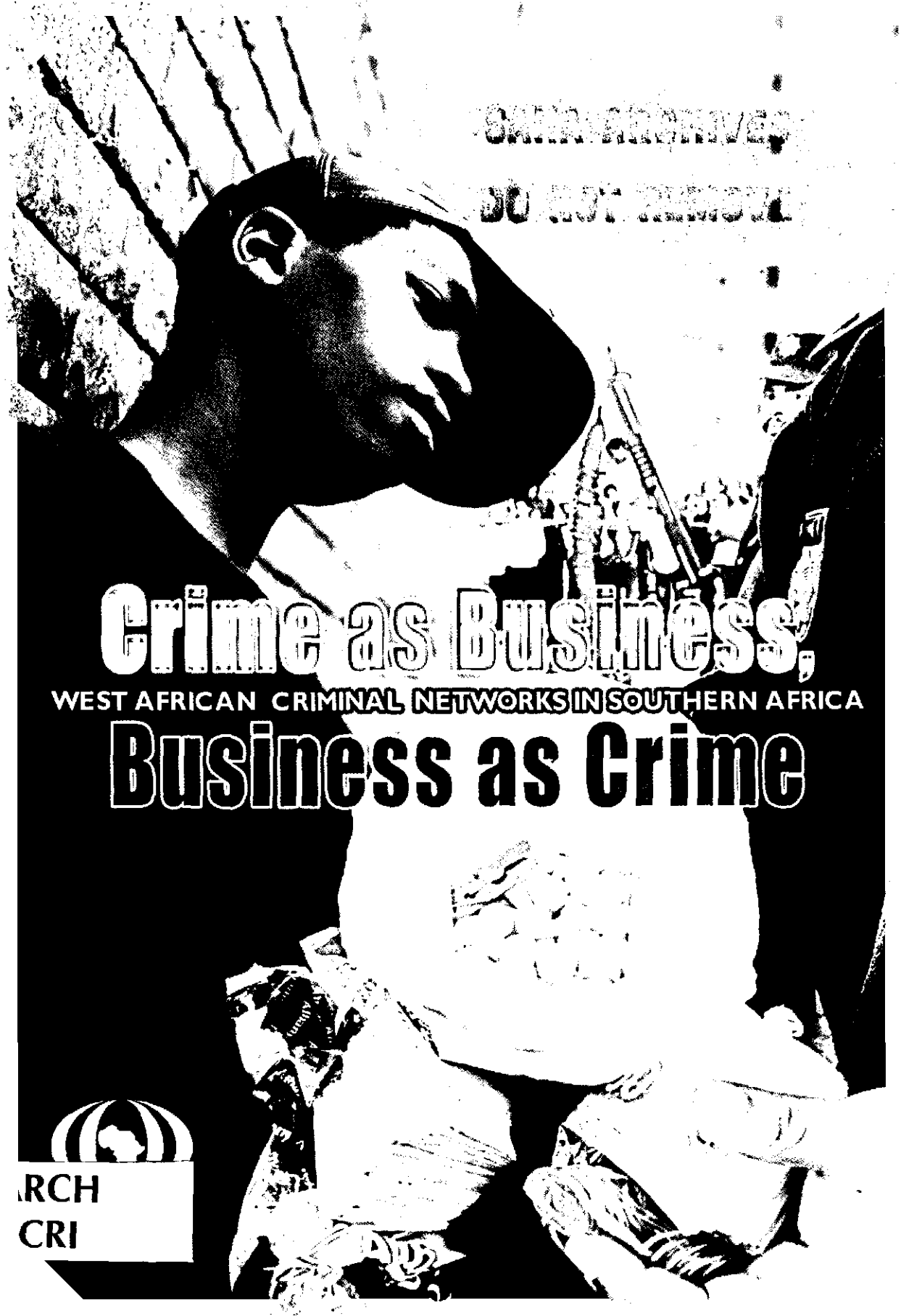

Crime as Business

WEST AFRICAN CRIMINAL NETWORKS IN SOUTHERN AFRICA

Business as Crime

Crime As Business, Business As Crime: West African Criminal Networks in Southern Africa

Crime As Business, Business As Crime: West African Criminal Networks in Southern Africa

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Front cover picture:
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A teenager living in Hillbrow, Johannesburg

Front cover picture:
Photo by Mark Hutchinson
A member of the Crime Prevention Unit with Mandrax tablets and cash found hidden in a car in Manenberg, Cape Town.

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Acknowledgements

The aim of this publication is to provide an overview of, and some insight into, the phenomenon of West African criminal networks in Southern Africa. This report is the result of a research process involving a number of people. This includes both primary research, including interviews with members of West African criminal networks themselves, as well as with law enforcement officials. However, the report has also relied on inputs from a number of individuals currently working in this area, whose presentations at a seminar were drawn upon.

The details of the specific papers are all contained in the footnotes to the report. In particular however the inputs of the following people should be acknowledged: Innocent Chukwuma, of the Centre for Law Enforcement Education in Lagos, LS Aminu of the Nigerian Institute for International Affairs, Stephen Ellis of the Africa Studies Centre, Leiden, Peter Gastrow of the Institute for Security Studies in Cape Town, Ted Leggett of the Institute for Security Studies in Pretoria, and finally Jenni Irish of Injobo ne Bandla.

The contents of Appendix A and B contain summaries of the important work of Ted Leggett and are intended to supplement the information provided in the report by providing an overview of the nature of street-level drug trafficking as well as the South African drug market.

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Mark Shaw, July 2003

Introduction

The growth of organised forms of criminality in Southern Africa since the end of the Cold War and the transition from apartheid to democracy in South Africa is often remarked upon, but little understood. Indeed, given the apparent scale of the problem, little research attention has been given to its scope and causes. In no case is this clearer than in the involvement of West African criminal organisations in Southern Africa. While commentators, analysts and police officers alike point to Southern Africa's resident West African population — and by West African they generally mean 'the Nigerian problem' — as the source of lawless activity, there have been few attempts to trace the causes and growth of West African criminal networks. Such analysis is particularly important given apparent strongly held xenophobic views amongst ordinary South Africans about people from West Africa.[1]

The lack of academic research on West African networks is not confined to Southern Africa. While media reports and law enforcement information provide some coverage, there is no single academic study in North America and Europe, where the penetration of West African criminal groups is by all accounts high, which provides some insight into their activities, nature and growth. The issue is, however, of some importance in Southern and particularly South Africa. While West African criminal networks are active throughout the world, the costs of their activity here may be higher by

[1] Human Rights Committee of South Africa, *Xenophobia — The New Racism*, 2001. This is also documented in interviews with people from West Africa living in inner city Johannesburg. See Morris A, *Bleakness & Light: Inner-City Transition in Hillbrow, Johannesburg*. Johannesburg: Witwatersrand University Press, 1999, pp.307–328.

virtue of both the degree of their penetration and the weakness of state institutions to counter the threat.

The problems of conducting research into criminal networks are significant. The nature and extent of the problem is difficult to ascertain for the law enforcement community with its higher levels of resourcing, and thus even more so for academic researchers. The dynamic nature of West African criminal networks, their close association with tight ethnic and clan groups — the use of languages that few outside particular communities in West Africa know, for instance, is a significant disadvantage to the interception of communications — and the multiple activities in which they are engaged make an overall understanding difficult.

Nevertheless, academic analysis in the area has two significant advantages. First is an ability to conduct the research and make contact with a wide variety of actors involved in a non-threatening way, or at least without the threat of arrest and prosecution. Researchers engaged in this study were surprised to find that many people involved in criminal networks were eager to talk. This was partly because in their own minds their activities were not criminal, but business transactions that the other party entered into freely. Secondly, by its nature, academic research in the field requires literally a lower standard of proof than law enforcement officials preparing cases for the scrutiny of a court. Thus, fragments of information can be pieced together and conclusions and trends identified.

It is worth adding here that much of the information available on West African organised crime is dominated by powerful external actors whose view of the problem is slanted by a focus on Africa as a transit point for drugs. They are thus often more concerned with the interests of consumer countries than with the detailed operation of criminal

networks within the African context itself.[2] Thus researching the problem of the growth and nature of West African criminal networks as they operate in Africa (or at least its Southern portion) constitutes an important challenge — the sub-continent is not only a transit point for the movement of illegal commodities, but also a growing consumer of these products (see Appendix B). In addition, growing commercial, cultural and other ties with West Africa, the intersection between West African criminal groups and local criminal organisations and the degree to which many West African criminal networks now consider Southern Africa a permanent base of operation suggest that, unlike elsewhere, this must be considered a domestic problem, not confined to blocking the flow of drugs from some far-off part of the continent with weak law enforcement capacities.

The purpose of this study is to assess the available information on West African criminal networks in Southern Africa. The research process included the collection of as much material as possible on the nature and activities of West African criminal groups, as well as interviews with a range of relevant role-players, including many involved in criminal activities themselves. The result is only a partial picture of the nature and development of West African organised crime in Southern Africa. Critical to the exercise is also to point to significant areas where more research effort is required.

The development of West African criminal groups cannot be understood in a vacuum. The end of the Cold War and the weakening of state power in various parts of the world have ensured higher levels

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[2] This argument is powerfully made by Allen C, 'Africa and the drugs trade', *Review of African Political Economy*, 79, 1999, pp.5–7. Congressional hearing and testimony in particular takes such an approach, see 'Nigerian Organisations and White Collar Crime, Testimony provided by US Officials before the Subcommittee on Africa of the House International Relations Committee', *Transnational Organised Crime*, 3, 2, Summer 1997.

of transnational criminal activity. The expansion of criminal activity from West Africa is also consistent with these developments, although the context in which it occurred and the reasons for its expansion are different. These issues, as well as a short explanation as to the key characteristics of post-Cold War organised crime serve as an introduction to the specific problems of Southern Africa.

Understanding Criminal Networks

The growth of a powerful global criminal economy since the dramatic changes brought about by the end of the Cold War has been the focus of much academic study and debate.[3] Conditioned by definitions and explanations of organised crime which sought clear hierarchies, lines of command (starting from a 'godfather' figure at the apex of the criminal organisation), academic explanations have only more recently begun to view organised criminal activity as a network of individuals or small organisations, rather than a clearly structured and easily understood pyramid.[4] By defining criminal organisations as networks, bound together by trust or family and ethnic links, a clearer picture of the dynamic nature and durability of criminal enterprises is provided. When individuals or small groups are removed from a network, they can be replaced, and when necessary specific skills (for example in the legal or accounting field, but also in the business of killing) are required, they can be simply 'contracted in'.

Much like legitimate businesses, the criminal network is bound together by a single objective — that of making profit with minimum risk. In a global environment where technological change and cross-border economic activity have become the defining features of commercial activity, criminal enterprises seek activities, usually the trade or barter of illegal or counterfeit goods, where maximum profits

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[3] For an interesting overview of the subject in the context of global change after the Cold War, see Castells M, *The Information Age: Economy Society and Culture — Volume III: End of Millenium*. London: Blackwell, 1998.

[4] For a fuller review of the subject see Williams P, 'Organising transnational crime: Networks, markets and hierarchies', in Williams P & D Vlassis, *Combating Transnational Crime: Concepts, Activities and Responses*. London: Frank Cass, 2001. Also, Sparrow MK, 'The application of network analysis to criminal intelligence: An assessment of the prospects', *Social Networks*, 13, 3, Autumn 1991; and Williams P, 'The nature of drug trafficking networks', *Current History*, April 1998.

can be obtained. Thus, apart from the enormous profits to be obtained from the trade in illegal narcotics, criminal enterprises engage in other illegal trade where there is a demand for products, be they illegal fauna and flora, stolen goods available at a cheaper price, hazardous waste, or people themselves. The result is twofold. First, criminal enterprises engage in more than one activity to maximise profits; smuggling routes for example used for one illegal commodity can often easily be used for others. Second, co-operation with others engaging in the underground economy, including the bartering of illicit commodities between criminal groups where special skills exist for the disposal of some goods or where specific requirements (for example, the requirement for weaponry) are met.

One key element in reducing risk and facilitating illegal transactions is the extensive use of corruption, specifically, but not exclusively, of state functionaries such as border guards, customs officials and police. This eases the route for the transfer of illicit commodities and implicates state officials in illegal activity, a powerful tool (quite apart from financial reward) to ensure their loyalty. This corrupting of the regulatory tools of government is matched by a corruption of the legitimate economy itself, whether it be through the application of violence (or more often the threat thereof), or to distort the normal functioning of the market for some good or service. At the same time, legitimate business activities serve as an important arena for the investment or laundering of funds obtained through illicit activities. Through these and other mechanisms, the criminal economy has powerful inter-connections with legitimate economic activity. In impoverished communities, flagrant displays of wealth (and often of generosity) blur the lines between illegal and legal wealth acquisition, and individuals are held up as having made it 'in business', even if this is from often shady activities.

Rapid technology change has facilitated the activities of illegal economic activity in two ways. First, it has ensured a range of new commodities that, because they are highly sought after, offer a market for criminal opportunity. Mobile phones, for example, provide huge opportunities for fraud and organised theft and resale in Southern Africa. As with the fax machine before, the Internet opens up new opportunities for fraud. At the same time, the technological revolution ensures that communication between groups and individuals in the criminal economy is facilitated. In the same way as technological change has altered the way people work in the formal economy, so too is it having a similar effect in the illegal economy. Individual or small groups of operators are better placed both to 'market' their skills and also to communicate with other individuals and small groups, smoothing the flow of transactions in the illicit economic sphere. These developments encourage the development of networks of criminal enterprise, and undercut hierarchical operations, particularly in criminal enterprises (such as those made up of West Africans) that are comparatively new and have few traditions of operation and engagement.

While clearly criminal enterprises can be understood in economic terms as maximisers of profit, the market for illicit goods and the consumers who constitute it, must be understood differently. In most cases, the power of consumers in the criminal economy is weak. Limiting consumer choice is often the key to maximising profits for criminal groups, be this through eliminating potential competition (for example on a taxi route) or selling drugs at a fixed price. 'Consumers', because they operate outside the boundaries of the formal economy, have little recourse if transactions go wrong and are in most cases themselves implicated in the crime. This fact alone makes 'consumers' in the criminal economy vulnerable to exploitation, a fact well illustrated below in the specific cases of advanced fee fraud.

The role of particular ethnic minorities in criminal activity remains an area of some controversy given that the high crime rates among specific groups have been used as an excuse for victimisation. But while the costs of such an association with organised crime are high, it has been shown that the close links and hostile view of an external world among some ethnic communities facilitates the formation of tight networks, difficult for outsiders to penetrate. This is nowhere clearer now than with Nigerian, Russian or Turkish nationals who are often stereotyped as criminals, making among other things, travel and business transactions difficult. Such relations are critical for the effective operation of criminal networks.[5]

All of these factors are essential to understanding the nature of West African criminal networks. Their specific characteristics will be highlighted at various points throughout the book. None of the above overview should however be read to imply that criminal enterprises are uniform in nature. While they display similar characteristics, their histories and contexts serve as important defining features in shaping how, from when and where they operate. Even criminal groups that are often lumped together, such as West African criminal enterprises throughout the world, may have significantly different approaches, depending on their origin and the conditions in which they operate. The emergence of West African criminal groups in Southern Africa serves as a useful illustration of this principle.

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[5] See Bovenkerk F, 'Organized crime and ethnic minorities: Is there a link?', in Williams P & D Vlassis, *ibid.*

State Collapse and Criminal Expansion

What is perhaps most remarkable about the emergence of West African criminal networks is how quickly they have established themselves, dominating particular sectors of the illicit economy. Most importantly, the origins of criminal networks from West Africa directly parallel the decline and economic crisis of the Nigerian state in the 1980s. In contrast, the period before the decline of the country was marked by the degree to which the country's relative wealth allowed Nigerians to travel, study and acquire interests abroad, in some cases establishing the seeds of the criminal networks that were to develop in the later crisis years. Economic mismanagement, a failed structural adjustment programme, continuous political contestation and ongoing and harsh periods of military rule marked the decline of the Nigerian state.[6]

Why should Nigeria and Nigerians be singled out immediately in a study focusing on organised crime originating in West Africa? The extent of economic decline in the country, the size of its population (with 125 million people, the most populous state on the continent — one in five sub-Saharan Africans is a Nigerian), the degree to which oil wealth ensured an educated elite, well-travelled and inter-connected to the rest of the world are all contributing factors. While, as will be suggested later, other West Africans have also become deeply involved in criminal networks in Southern Africa (some of whom claim to be Nigerians or are identified by the police as such when they are not), the most significant early trend was the involvement of Nigerian nationals.

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[6] For a detailed overview see Osaghae EE, *Crippled Giant: Nigeria Since Independence*. London: Hurst, 1998.

At least two problems have been encountered in understanding and controlling the increasing involvement of Nigerian citizens in transnational crimes. Firstly, assumptions about the existence of Nigerian organised criminal groups were made prematurely without evidence. The claims have been made based on classical criminological ideas that tie certain economic criminal activities to organised criminal groups. Criminological literature has also often assumed that criminal groups are organised groups that are formally structured bureaucratic organisations drawing their membership from ethnic and national groups. As a result, the criminal activities of several Nigerians, acting individually or in conspiracy with a few others, devoid of formal organisation, were interpreted as the activities of organised criminal groups. This has affected efforts to control the criminal activities of Nigerian citizens and immigrants in different countries.

Secondly, foreign governments and experts concerned with the criminal activities of Nigerian immigrants have failed to appreciate the economic, political and social forces that have influenced the large numbers of Nigerians and their involvement in different economic crimes in their countries. This has also affected their capability to control crime by Nigerians within their borders.[7]

A detailed study of the origins of West African criminal groups must still be conducted. In fact while most analyses of events in Nigeria refer to the criminalisation of the state, few explore the extent to which Nigeria became an important exporter of criminal activity. From 1985, the unprecedented diversion of revenues depleted resources, aggravated the debt burden and alienated important external creditors. In this period overtly illegal activities became a major portion of Nigeria's shadow economy with more than a thousand

[7] Paper by Etannibi EO Alemika, Department of Sociology, Faculty of Social Sciences, University of Jos, Nigeria and Centre for Law Enforcement Education.

million dollars annually (about 15% of government revenues) flowing through criminal networks, often with the connivance of the country's elite.[8] While much has been staked on the civilian government that took power in 1999, significant problems remain and the country is currently estimated to have the largest 'shadow' economy (although not all of this can, of course, be attributed to illegal activities) in the world.[9]

While these figures suggest the astonishing extent of economic activity outside the 'formal' economic sector, they provide little indication of how criminal activities, such as drug trafficking, were spawned in the context of a declining state. Law enforcement explanations also provide little insight. Given the lack of available literature it is remarkable how often a United States Drug Enforcement Administration (DEA) briefing paper on the topic is replicated. This is to the effect that Nigerian naval officers undergoing training in India during the 1980s began trafficking heroin through Nigerian student networks to Europe and the United States. 'When these students realised the potential profits to be earned from heroine trafficking, they started their own operations and heroin trafficking was gradually introduced to most Nigerian traders.'[10] Of course while such developments may certainly have occurred, the reality of the rise of West African criminal networks is much more complex.

The dramatic increase in oil revenues after 1973 ensured the influx of millions of petro-dollars that, while bringing great wealth to the

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[8] Lewis P, 'From prebendalism to predation: The political economy of decline in Nigeria', *Journal of Modern African Studies*, 34, 1, 1996, p.97.

[9] Schneider F & D Enste, *Shadow Economies Around the World: Size, Cause and Consequences*. International Monetary Fund Working Paper, WP/00/26, p.6.

[10] Europe, Asia, Africa Unit: Strategic Intelligence Section, Drug Enforcement Administration, *Nigeria, Nigerian Criminals and the Drug Trade*. United States Department of Justice, October 1996, pp.1–2.

Nigerian state, had important consequences for the development of criminal enterprises in the 1980s. The sudden generation of wealth unsurprisingly led to disagreements (which have yet to be resolved) about who was entitled to spend it. This was exemplified by the fact that the oil wells were situated along the coast in the south, and the country has largely been ruled by military governments based in the north.[11] Such disputes encourage a strong sense of entitlement and little compunction for citizens to steal from the state, because the state has stolen from them.

Such social dislocation has been accompanied by rapid economic decline. While the oil windfall brought great wealth to Nigeria (although it was concentrated in few hands) its dominance has ensured that the economy is dependent on fluctuations of the oil price and the country, like Angola, suffers from the classic effect of 'Dutch disease' where distortions are introduced given the value of a single and dominant commodity to an economy. The petroleum sector produces about 40% of the country's GDP and accounts for 96% of recorded exports.[12] The presence of oil has created multiple opportunities for corruption and has ensured that control of the state is key to the accumulation of wealth. Economic decline in particular was accentuated during the Second Republic (1977–83), the period immediately before the first increases in Nigerian involvement in illicit activities were noted by law enforcement agencies around the world.[13]

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[11] Given that oil is produced in 12 of the 36 states the country's constitution sets out a formula for how the wealth should be divided. Such intra-state divisions point to the fragility of the federation itself. For an overview of recent tensions see *Africa Confidential*, 42, 15–27 July 2001.

[12] Background information: Nigeria, Foreign and Commonwealth Office, *http://www.fco.gov.uk*.

[13] See for example, 'Combating international crime in Africa: Hearing before the subcommittee on Africa of the Committee on International Relations, House of Representatives', One Hundred Fifth Congress, Second Session, 15 July 1998.

By the early 1990s, after two decades of worsening political and economic crises, this had resulted in a highly unstable and corrupt state with significant disaffected minorities. Nigeria, and West Africa more generally, developed into the hub of a worldwide drug trafficking web, spanning almost every part of the globe, including Southern Africa. This is illustrated on the following page.[14]

The issue of ethnic alienation appears to be closely related to the development of criminal networks originating from Nigeria. The presence of the alienated Igbo ethnic group in south-eastern Nigeria and its close involvement in organised criminal activities is a strong theme.[15] Stemming from deep resentments around the Biafran War (1967–1970), the conflict resulted in the marginalisation of Igbos from the various post-war military regimes. While the details of the war are not of concern here, it was in effect an attempt by eastern parts of the country to break away from the federation and achieve independence. The war, however, generated a strong ethnic persecution complex among Igbo speaking people and an alienation from the institutions of governance.[16] Igbos claim that the civil service is closed to them and that job discrimination is rife. As a result, the Igbo have taken their entrepreneurial talents outside the country and are at present involved in a variety of commercial activities around the world. Unfortunately, one of these is the drug trade.

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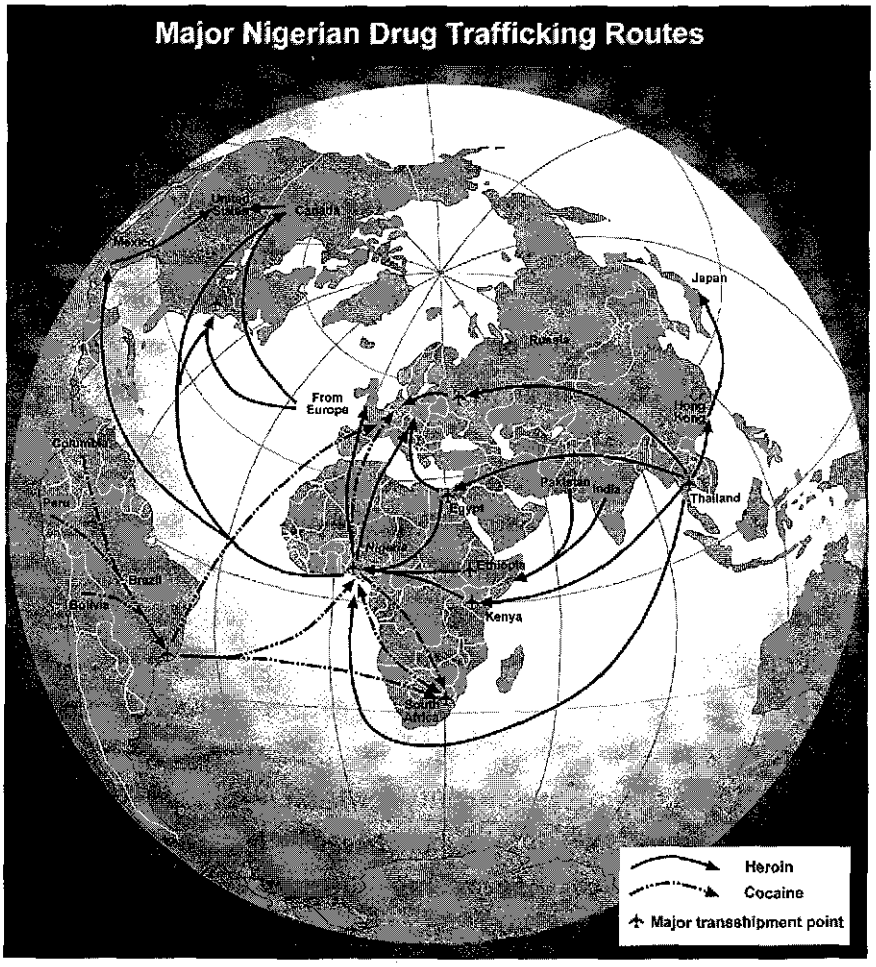
[14] The map is drawn from the US government's *International Crime Threat Assessment* completed for President Clinton in 2000, p.102. Available from *http://www.terrorism.com/documents/pub45270/736502.gif*

[15] See for example Bayert J-F, Ellis S & B Hibou, *The Criminalization of the African State.* Oxford: James Currey, 1999, p.10.

[16] This was encouraged by the presentation of the war in the east as 'a genocidal one waged by the Muslims of Northern Nigeria, who had declared a *jihad* to exterminate Igbos from the face of the earth. This, Osaghae concludes, is not without credence given 'the massacres of Igbos in the north and the strategies of economic blockade and starvation pursued throughout the war'. Osaghae, *op. cit.*, p.66.



This dominance of Igbos in criminal networks was raised in interviews in Southern Africa, with particular reference being made to their 'business' or 'commercial' skills.[17] Yet it is also possible to exaggerate their involvement, according to some informants. Economic and political decline have had the impact of marginalising and impoverishing larger numbers of Nigerians than just those that live in the south-east. In addition, multiple ethnic identities and tight

[17] This is confirmed by earlier research in South Africa. See Leggett L, 'The Sleazy Hotel Syndrome: Housing vice in Durban and Johannesburg', *Crime and Conflict*, 18, Summer 1999, pp.15–16.

community and familial networks ensure that the problem of illicit activities are not confined (at least not now) to a single ethnic group.

The repression of the Abacha years fostered the spread of Nigerians to foreign countries as people fled into political exile. The annulment of the 1993 elections, which allowed Abacha to assume power, led to a favourable disposition by foreign governments to grant asylum and work/residence permits to people who claimed to be fleeing repression. This number included many fraudulent Nigerians who capitalised on the notorious record of the military regime to obtain asylum or residence permits that they would otherwise not have been granted. These people generally lacked professional qualifications and support from pro-democracy institutions. But even in the case of genuine exiles, a lack of legitimate opportunities forced many Nigerians to turn to illegitimate means of acquiring the wealth and status prescribed by society. However, the real extent of claims of widespread criminality by Nigerians in countries outside Nigeria is unclear as the claims may be exaggerated due to xenophobia. More and more West Africans from countries other than Nigeria are also being recruited into crime networks across the world as Nigerians become the subject of excessive scrutiny by law enforcement officers.
The involvement of Nigerians in crimes such as drug dealing, advance fee fraud, human trafficking, money laundering and credit card fraud has led to the stigmatisation of Nigerian citizens in various countries. Nigerians are subjected to strict visa requirements by foreign governments as well as to dehumanising and degrading body searches by law enforcement officials at airports. For about seven years, Nigeria was decertified by the US, partly on account of alleged involvement of Nigerians in drug trafficking in that country and an alleged lack of adequate co-operation of Nigerian government officials with their American counterparts in waging war against illicit drugs.[18]

[18] Alemika E, *op. cit.*

It is worth noting in the context of this discussion on the growth of organised criminal networks originating from Nigeria that many Nigerians hold the West responsible for the decline of the country. That, for many, has provided justification for their involvement in criminal activities, often mentioned in interviews for example with Nigerian citizens in Johannesburg.

Colonialism developed in such a way as to make Nigeria dependent on imports, a practice Nigerians say was encouraged by governments and donors to ensure the country's indebtedness and the transfer of a huge portion of the country's resources to foreign capitalist institutions. In 2001, the country's foreign debt was estimated at about $28.5 billion. A substantial percentage of the annual budget, far higher than the allocations to health and education, is spend on servicing debt, thereby prioritising foreign capital interests above the basic needs of Nigerians. The situation was further exacerbated by the infamous Structural Adjustment Programmes imposed by the IMF and World Bank which over the years severely impoverished Nigerians.

Badly implemented development strategies, which involved flawed plans to introduce import substitution industrialisation, are also blamed for Nigeria's economic dependency and economic stagnation. Instead of the desired industrialisation, the country's economy went into further decline. In addition to the failure to industrialise and create a manufacturing base, funds for imports were not available to most people except the political hierarchy. Because the economy lacked the dynamism for self-development and the capacity to address the people's needs, Nigerians had to look outside for their needs and to devise both legitimate and criminal means to get required resources from the economies they had been importing goods and services from.[19]

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[19] *Ibid.*

Engagement in crime is considered justifiable to redistribute wealth back from those who have 'stolen' it. Interestingly, any social controls in respect of the prevention of criminal activity are internally rather than externally focused. Thus, many informants mentioned that Nigerians themselves seldom consumed their 'own product' (meaning cocaine) as they saw it as introducing unneeded dependency in a commodity used exclusively for the purpose of gaining profit.[20]

The crisis of governance that affected Nigeria has now spread throughout West Africa, having an important impact on countries such as Liberia, Senegal, Ivory Coast and Ghana. In particular the involvement of Ghanaians and Liberians in enterprise type crime in Southern Africa has mirrored economic decline in both societies.[21] While, given fewer numbers, other West Africans are unlikely to dominate in the way of the Nigerian networks, interview evidence suggests that they have developed specific criminal specialisations of their own. Informants were adamant however that the police over-estimated the extent of Nigerian involvement simply because all people from West Africa were labelled as Nigerians with little attempt being made to differentiate particular nationalities. Such ethnic labelling was also common among ordinary South Africans.

The role of West Africans in criminal networks from the mid-1980s onwards, however, cannot be explained simply by the collapse of governance and economic opportunity in their home countries. Powerful pull factors, such as the growing demand for illegal narcotics in North America and Europe that forced up the price of illegal

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[20] It would be difficult however to avoid problems of drug consumption that afflict all transit centers for illegal narcotics. See Klein A, 'Trapped in the traffick: Growing problems of drug consumption in Lagos', *Journal of Modern African Studies*, 32, 4, 1994.

[21] For the case of Ghana, see Bernstein H, 'Ghana's drug economy: Some preliminary data', in *Review of African Political Economy*, 79, 1999.

narcotics (and therefore the profitability of drug smuggling), must also be considered. In turn, West African ethnic communities who had not been assimilated into the societies in which they lived, concentrated in various North American and European cities, provided a secure network for local distribution.[22]

The weakening and criminalisation of the state in particular West African countries, notably Nigeria, Liberia and to a lesser extent Ghana, resulted in the heavy involvement of state actors themselves in criminal activities.[23] Paradoxically this process of state capture and collapse was central in forcing some people to leave in search of new (and often criminal) opportunities given limited and declining economic opportunities at home, while ensuring that the instruments of the state — such as the police, the diplomatic service and various agencies responsible for the issuing of identity and travel documents — became heavily involved in criminal activity. The net result was often that the activities of the state and that of criminal groups became indistinguishable.[24]

The Shagari regime in Nigeria (1979-83), which presided over the oil boom era, was one of the most corrupt. During its time in power, it accumulated external debt in excess of $8 billion. Accumulation of wealth through corruption — bribery and kickbacks, outright fraud and theft of public funds, became pervasive under Shagari. Multinational corporations, foreign entrepreneurs and international freelance business criminals engaged in many diverse kinds of fraud.

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[22] Klein A, 'Nigeria and the drugs war', *Review of African Political Economy*, 79, 1999, p.57.

[23] For example, the involvement of the Liberian government in drug trafficking is explored by Ellis S, *The Mask of Anarchy: The Destruction of Liberia and the Religious Dimensions of an African Civil War*. New York: New York University Press, 2001, pp.169–172.

[24] Williams P & D Brooks, 'Captured, criminal and contested states: Organised crime in Africa', *South African Journal of International Affairs*, 6, 2, Winter 1999.

These included over-invoicing, falsification of import and foreign exchange transactions and assisting public officials to transfer ill-gotten wealth into foreign bank accounts. Many present-day Nigerian criminal entrepreneurs received tutelage during this period from foreigners helping to offload the oil windfall into their own pockets. The oil boom also concealed the structural distortions, contradictions and weaknesses inherent in the economic framework inherited from the colonial rulers. As long as the economy was buoyant, which in effect meant the foreign exchange capacity to import virtually anything, the government was in a position to defuse social tensions and antagonism within the society. [25]

The movement of West African nationals and the beginnings of the activities of West African criminal networks had an impact on Southern Africa later than it did elsewhere. While Nigerian networks in particular had begun trafficking heroin from East Asia to the developed world, using established networks of Nigerians living in Europe and North America, ongoing instability in South and Southern Africa retarded (although did not stop) the movement of people and thus of criminal networks southwards.[26] That was to change in the early 1990s.

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[25] Alemika E, op. cit.

[26] Drug Enforcement Administration, Intelligence Division, Drug Intelligence Brief, *The Price Dynamic of Southeast Asian Heroin*, February 2001.

Moving South

South African Police reports at the time suggest that Nigerians nationals involved in low level drug trafficking first came to the attention of the authorities in the mid to late 1980s.[27] The problem appears to have been relatively small. Given that the attention of the police at the time was primarily focused on quelling political dissent it is possible (as indeed some interview respondents have claimed) that the presence of Nigerian nationals and the beginning of criminal networks were already more established than has previously been thought the case. This is reinforced by interview material from surrounding jurisdictions, most notably Lesotho, where apparently early contacts were made with South African nationals, many of whom were living in exile.

What is clear however is that the major influx of people from West Africa into South and Southern Africa coincided closely with the ending of apartheid and moves towards the negotiation of a political settlement in the country. What is perhaps most interesting is police information at the time that this movement of people, beginning in 1992, coincided with the immediate introduction of high quality cocaine into the country, with the result that cocaine prices, which had been high given the small quantity then available, dropped dramatically in a short space of time.[28] The speed at which these developments occurred appears to have come as some surprise to the South African authorities who in any event were heavily engaged in policing the volatile final days of white rule.

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[27] Gastrow P, 'The network of Nigerian criminal groups in South Africa'. Unpublished paper, Institute for Security Studies, Cape Town, November 1999.

[28] Venter CJD, 'Drug abuse and drug smuggling in South Africa', in Rotberg R & G Mills (eds), *War and Peace in Southern Africa*. Washington DC: Brookings Institution Press, 1998, p.194.

The influx of Nigerians into South and Southern Africa increased sharply with the return of military rule there in 1993 and continued economic decline and state corruption. Increased political turmoil in Nigeria and the election of a democratic government in South Africa ensured even larger numbers of new arrivals from West Africa. This process was facilitated at the time by the possibility of obtaining permanent resident status by applying for political asylum. Interestingly, however, the largest applications for asylum in the period 1994 to 1997 were not in fact Nigerians (of which there were 2,862 applications) but Angolans (4,026 applications), given the ongoing civil war in that country.[29] (However, in the same period, the number of African crime syndicates more than doubled. In 1994, the number of organised crime syndicates in South Africa was 278, dropping to 192 in 1997. However, the number of organised crime syndicates restricted to the African continent grew from 71 in 1994 to 150 in 1997.)[30]

That raises the important question of why Nigerians became more heavily involved in crime than other groups. The answer to the question is not clear but interviews suggest that in fact many asylum seekers did not (contrary to popular public and police belief in South Africa) become involved in criminal activity. In fact, evidence suggests that while such people may have become involved at some later stage when pressure to find employment became intense, their original intention was in fact to escape political instability at home. Again, while the evidence is far from clear, interviews in Lesotho, Swaziland and Zimbabwe in particular suggest that individuals with the intention of engaging in illegal activities entered through neighbouring states, and did not necessarily report their presence to the South African authorities. And, in contrast to Angolan nationals,

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[29] Morris A, *op. cit.*, p.310.

[30] Gastrow P, *op. cit.*

by the mid-1990s Nigerians had already established themselves as significant players in particular criminal markets. South Africa was an attractive proposition for a number of inter-connected reasons.

The military government in Nigeria, eager to secure acceptance from the international community, implemented a series of harsh anti-crime measures. While their overall impact is perhaps questionable given the condition of Nigerian law enforcement agencies and their involvement in corruption and criminal enterprise, there is little doubt that a concentration on issues such as asset forfeiture made crime 'barons' question their long-term prospects in Nigeria. This is one of the factors which led them to relocate.[31]

The Nigerian police force is better known among Nigerians for terrorising citizens than protecting them and enforcing law and order, a hangover from the days of military rule. However, it is hoped that the reform of the police currently under way, will create a greater sense of trust in the forces of law and order. In 2001, the word 'force' was dropped, after being in use for more than 70 years, and the police are now known as the Nigerian Police. The name change, although subtle, is designed to usher in a more modern form of policing and remove the negative connotations of 'force'.

The National Police Force, at its inception, was designed to be anti-people and to only protect the colonial masters which set it up. Since then, it has continued to operate in this narrow sense of policing. Klein says the rigidity, arrogance and brutality with which members of the force have discharged their duties over the years has worked to the detriment of the society at large, robbing it of an ability to sustain public confidence in the forces of law and order. The public's image is

[31] See Klein A, *op. cit.*

one of a bunch of rogues that have been given official licence to operate because of their uniform. The levels of corruption are so high, people believe that no amount of training and orientation will change their attitude.

But in tandem with a poor public image, the Nigerian police have not been properly empowered to discharge their duties. This is a result of decades of neglect by military governments which marginalised the police to prevent them from competing with the military. The reform process is focused on tackling the force's poor image, its technical deficiencies, the issue of corruption, and the label of ineptness and ethnicity which have together dealt a credibility blow to the force. Key issues such as recruitment, which in the past has been so poor as to allow criminals to become part of the force, and proper training are also central to reform. Salaries and wages, the lack of which has led to the massive corruption in the force, are to be reviewed.

Another top priority of police reform is the introduction of the National Identification Card project and Data Bank. This would include features such as photographs, finger printing, bio-data and other profiling characteristics that would make criminals easier to recognise and track down. Once good records are kept, it will be difficult for criminals to easily relocate and recycle themselves without being detected as they are doing now.[32]

As important as harsher state responses at home was a growing perception across the globe that Nigerians were involved in criminal activity. That made it much more difficult to operate from Nigeria itself, and travelling under a Nigerian passport often meant long waits and extensive searches. That provided the incentive to look elsewhere

[32] LS Aminu, a Senior Research Fellow with the Nigerian Institute of International Affairs.

for alternatives particularly when transport links to and from South Africa had expanded dramatically in the immediate post-apartheid period and South Africans were more likely to be welcomed than treated with the suspicion afforded their Nigerian counterparts.

South Africa also presented both a source of, and a market for, illicit commodities. While in comparison to the European and North American markets the number of 'consumers' in South Africa was comparatively small, the country had a reputation for conspicuous wealth, at least among the white minority.

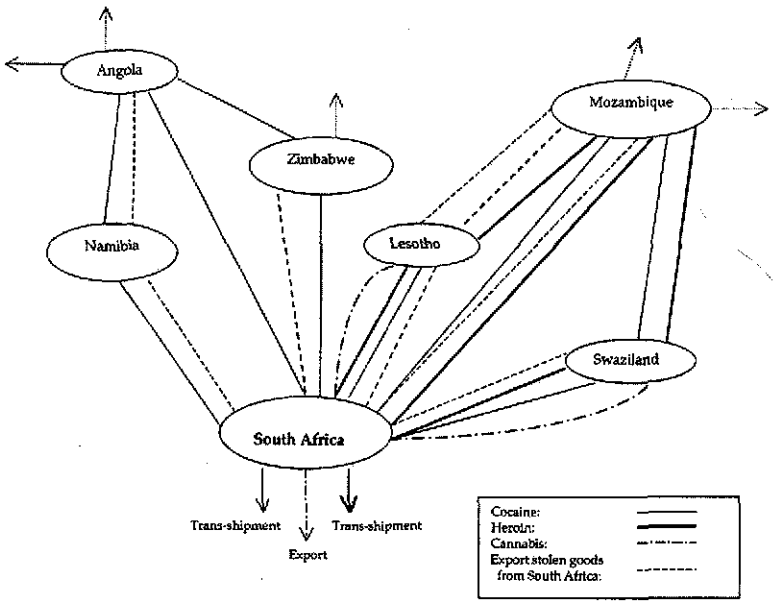
While these factors were perhaps not as clearly articulated as they appear now on paper, interviews suggest that these issues, acting in combination, were important in shifting the focus of operations elsewhere. Some care must be taken, however, to assume that criminal networks engaged in a strategic exercise to map out their futures, but a complex inter-mingling of push and pull factors ensured a shift in focus and activities. This has important conclusions for Southern Africa, although particularly South Africa, as it suggests that the country was considered as a long-term base for West African criminal networks.

Indeed, while the presence of West African criminal networks is to be found in most of the countries of the Southern African region, the focus of their activities, given its comparative wealth, is almost exclusively aimed at South Africa. Thus, surrounding states are used as a conduit for the smuggling of illicit narcotics to South Africa and in turn, stolen goods from South Africa are smuggled out of the country both for regional markets but also for destinations further afield. South Africa then, while serving now as a potential base of operations, is both a market for as well as a source of illicit goods.

The Regional Criminal Network

Given this focus on South Africa, before proceeding further it is necessary to examine the regional distribution of West African criminal networks outside South Africa, and of their activities. While their focus is generally on South Africa, individual countries in the region play a specific role — some are entry and exit points for illegal narcotics in or out of the region, others are transit points for the entry of West Africans into South Africa, while still others are corridors through which illicit goods from South Africa can easily move. A simplified version of the major regional trafficking routes is illustrated in Figure 1 below.

Figure 1: West African regional trafficking routes



Lesotho and Swaziland, the two landlocked kingdoms on the north-eastern side of South Africa play an important role in West African criminal activities given both their proximity to the industrial and financial heartland of Gauteng and their relatively porous borders. Thus, interviews with both police and Nigerian nationals in Swaziland suggest that the country is a significant trafficking route for drugs into South Africa and for stolen goods leaving the Republic. In turn, the country provides a convenient host for criminal networks operating in South Africa. While the number of West African nationals in Swaziland remains small (estimated at between 1,000 and 2,000) few appear to have settled directly from West Africa, the majority moving from South Africa or other Southern African countries in 1993 or 1994.

For a number of similar reasons, Lesotho also plays an important role in regional West African criminal networks. The border with South Africa is relatively porous and many vehicles and people cross into South Africa without being searched. The local currency is fixed to the South African Rand and thus serves as an attractive base for operations into South Africa without the problems of complex (and potentially loss making) currency conversions. Since 1994, Lesotho has become an important transit country for West Africans, particularly Nigerians who wish to enter South Africa, to participate in both the licit and illicit economies. Interviews conducted in Lesotho with West African nationals suggested that this is because there are few difficulties in entering the country, and once in Lesotho it is a comparatively simple matter to journey to South Africa. Thus Lesotho like Swaziland serves as an important transit point for drugs entering South Africa and illicit goods leaving. In addition, cannabis grown in Lesotho and Swaziland is smuggled to South Africa, and then on to Europe.

Interviews conducted in Mozambique suggest that the country has become a significant source of criminal activity, and West African groups are key operators here. Mozambique has three main ports and relatively porous borders. The country has become an important transit zone for drugs on their way to both South Africa and European markets, with the trafficking being controlled by Pakistani, Nigerian and local Mozambican criminal networks. Nigerians are said to dominate the cocaine trade through Mozambique while also engaging in the trafficking of heroin. In the case of the latter however there is stiffer competition with Tanzanian and Pakistani criminal networks heavily engaged in the movement of these drugs. While not a key item in their inventory, Nigerian networks have also sourced mandrax in Mozambique and moved it to South Africa.

Like Mozambique, Angola is increasingly an important trans-shipment point for drugs bound for South Africa, as well as further afield. Historical and language connections with Brazil, through which cocaine is sourced, have facilitated the movement of the drug across the Atlantic. In addition, Colombian shipping lines make use of the port of Luanda. Infrastructure at ports and airports is often weak and borders between Angola and its neighbours porous. While interviews conducted in Luanda suggest that one of the key hindrances to the further expansion of trafficking are the uncertainties engendered by ongoing political instability, this also ensures that money can be easily laundered for commodities such as diamonds, which then, despite the requirements for end-user certificates (which can be obtained through bribery), can be smuggled out of the country. There is growing evidence to suggest that corruption is widespread in respect of the trade in narcotics through the country, with suggestions that seized drugs are sold back to West African traffickers. Recorded figures for drug seizures, for example, often indicate lesser amounts than were actually discovered.

Cocaine from Luanda is transported, largely by road, through Namibia, Botswana and Zimbabwe. While Namibia and Botswana have on current evidence largely avoided significant penetration by West African criminal groups, the case of Zimbabwe is of interest, as it indicates clearly the degree to which profit has an impact on the geographic location of West African criminal networks.

Given its relatively sophisticated economy and pockets of wealth, Zimbabwe has not escaped the activities of West African criminal groups. Cases of advanced fee fraud (see the next section for details) were reported from 1990. However, political instability, economic decline and the resultant weakness of the Zimbabwe dollar (which are now difficult to exchange for 'hard' foreign currency) has made the operation of such scams unattractive. It is probably also fair to say that the Zimbabwean police have been more active in confronting the 'Nigerian problem' than most other police agencies in the region with major operations specifically targeting West Africans being initiated from 1990. While Zimbabwe has in the past been characterised by a small consumer market for drugs, economic austerity has shrunk this market. Now the country remains a transit point for drugs moving southwards, as well as stolen goods (most notably cellular phones and motor vehicles) moving northwards.

Zambia shows the presence of some West Africans, and the country is also a trans-shipment point in the drug trade, but not to the same extent as those bordering South Africa. The activities of West African criminal groups in the Democratic Republic of Congo is more difficult to ascertain. Barriers of language, ongoing instability and well established indigenous smuggling networks may have limited any activities and further research is required. Malawi is dominated by other criminal groups, such as Tanzanians, Lebanese and Pakistanis, who are engaged in the movement of cannabis to Europe and

elsewhere and thus the penetration of West African criminal activities appears to have been checked.

This overview of the regional distribution of West African groups and smuggling networks suggests some important early conclusions:

- War and instability have had a profound impact on the strength and areas of operation of West African (as well as other) criminal networks. In particular, continuing instability in Angola and the difficulties experienced by post-conflict Mozambique have made these states vulnerable as transit points for West African traffickers. In contrast, political instability and economic decline in Zimbabwe in the recent past appears to have weakened some aspects (mainly related to fraud) of West African criminal operations.
- The illicit trade in the region is not one way — that is the smuggling of illegal commodities such as drugs to the South African market only. There is an important reverse flow of stolen goods back into the region and then further afield. West African criminal networks are involved in both aspects of the trade in illegal goods. There is in some cases a direct connection between the two flows, with inward and outward flowing commodities being bartered in exchange for each other (for example, weapons and motor vehicles for drugs).
- The degree to which inter-state boundaries are porous is significantly accentuated by the involvement of West African criminal networks in the procuring of illegal documentation, such as passports and identity documents, in countries across the region. The acquisition of such documentation, as well as the use by West African criminal groups of local couriers, makes it difficult to determine the overall extent of their involvement in various illegal activities. The direct involvement of state officials in the acquisition of such travel and identity documentation for payment is a key component of the problem.

- The strength and convertibility of local currencies, as well as the extent to which the US dollar is openly used as legal tender (for example in Angola or Mozambique), is of critical importance to the profit margins of any criminal activity and the ease with which money can be transferred elsewhere. In particular, advanced fee fraud operations are only viable in South Africa where adequate profits can be made (hence the decline in their usage in Zimbabwe). Outside South Africa, fraud schemes focus on operations that either target South Africans or on activities which generate foreign exchange (for example fraud involving traveller's cheques).
- Small and weak states closely integrated into stronger neighbouring economies, and which subsequently act as conduits and bases of operation into these, are critical to understanding the operations of cross-border criminal networks. The small states of Swaziland and Lesotho perform this role in Southern Africa.

The above discussion has largely focused on trafficking routes for drugs and stolen goods and has not sketched in any detail the full extent of illicit activities. This is done in the following section. First however it provides an overview of the structure of West African syndicates and then details their involvement in a range of criminal activities.

Organisation and Activities

The nature of networked criminal activities has already been discussed above, with the suggestion that clearly structured criminal hierarchies are the exception rather than the norm. West African criminal groups, which have no specific corporate structure or hierarchy, are classic examples of criminal networks. In part this is also a reflection of the activities in which they are engaged in — these are many, inter-connected and overlap with each other.

While individuals may rise to significance as crime or drug 'barons', this in most cases does not imply that a carefully and clearly structured organisation acts under their orders. In Southern Africa for example, despite the presence of an extensive network of West African criminal activity, there is no name (or list of names) which is referred to often in the public realm. The 'Nigerian problem' is essentially a faceless one. This reflects the fact that individuals are involved in the network for profit not publicity, as well as the shifting and essentially fluid nature of the networks themselves. Interviews with Nigerian citizens in Johannesburg for example suggest that loose and often temporary alliances or associations may be formed around specific 'projects'. Individuals or small groups of people are best described as nodal points in a larger web of criminal activity.[33]

None of this explanation should imply, however, that such a loose network is not the most effective means of doing illegal business. With a flat structure, instant communications between members (the cell phone has of course brought a revolution to both legal and illegal business in this regard) and a keen eye on the profit to be made in any deal, such organisations, loose and seemingly unstructured as they

[33] Gastrow P, *op. cit.*

are, are very effective in delivering the goods. The added advantage too is that tracing the operations of such criminal networks by law enforcement agencies is extremely difficult, and when individuals are targeted and identified, the network can quickly reform itself using new players.

People who emerge as prominent in any criminal network are often those who have specific skills, cultivated important contacts (for example with a state official) or who have themselves taken the initiative in bringing together a small group of people to run an illicit business operation. Such small groups may, however, allocate responsibility for specific tasks to individual members. Specific tasks may relate to the provision of security (that can also be 'contracted out'), the identification and management of storage facilities, the cultivation of contacts and of course the distribution and sale of the commodity. This division of tasks may be fluid or some individuals may acquire specific expertise in it, thus being approached by others to complete a 'job' for them.

Such fluid associations, while seldom allowing outsiders to slot into their ranks, do make contact with external criminal groups. Interview evidence suggests for example that West African networks are willing to buy cell phones (for export to Zimbabwe) from local gangs involved in mugging. More sinister is the apparent contacts with organised South African syndicates engaged in cash in transit heists. Interesting in this regard is that the West Africans are less interested in the cash than in acquiring credit cards and cheques for purposes of fraud (see below).

It is worth emphasising that while such networks of crime appear fluid, they are extremely difficult to penetrate. Relationships are built on trust or long association and it is almost unknown for individual

West Africans to serve as a witness for the state. Ironically, interviews suggest that high levels of xenophobia among ordinary South Africans have worsened this situation as West Africans (both by themselves and the locals) are considered unwanted and marginalised communities. While allegiances may form with South Africans or other groups, hard cash seems to fuel these relationships, and social inter-mingling outside the world of 'business' appears to be limited.

Anxious not to attract attention to themselves, West Africans in Southern Africa provide little evidence of violent behaviour that can be used against them. Interviews simply suggested that informal internal dispute resolution mechanisms manage most fall-outs within the networks themselves. Those who do not co-operate are simply shunned — effectively meaning exclusion from the network, and thus presumably from the profits that could be accrued from operating within it. What has been reported a number of times is that violence is 'contracted-out' to local gangsters who are only too willing and able to fulfil the role.

Nigerians in South Africa

More than 50% of Nigerians arrested in South Africa between 1 June 1996 and 31 May 1998, gained entry to the country under a Section 41 permit. The permit allows a person to apply for political asylum in South Africa.

When applying for political asylum, a person may remain in South Africa until the application for asylum has been finalised. The applicant is in no way restricted and may take up employment while waiting for the outcome of the application. This may take up to 18 months to be finalised. If rejected, the applicant can reapply.

Research done by the Crime Information Analysis Centre in South Africa gathered all dockets relating to West African Nationals between the dates above. A total of 204 dockets were received although only 123 were included in the sample for various reasons.[34]

A total of 177 suspects were involved in the 123 cases: 79 of them were aged between 25 and 30 while only six of the suspects were females. The vast majority were Nigerians (106), Liberians (29) and Cameroonians (19). The other countries in the Economic Community of West African States (Ecowas) states had single or no representation.

The 177 suspects were charged with 215 crimes, most of which involved drugs or fraud. Possession of, and dealing in, cocaine was by far the most common drug offence with heroin and dagga (cannabis) playing lesser roles.

In 37 countries instances, the drugs were carried openly. In the rest of the cases, they were concealed on or in the body or hidden in the room where the persons lived.

[34] Grobbelaar J & R Snyman, *Invasion from the North? West Africans and Crime.* Juan Grobbelaar is from the Crime Information Analysis Centre and Rika Snyman is with the Police Practice, Technikon SA.

Nigerians in South Africa (continued)

In only eight cases was it clear the accused were operating as part of a larger group. This does not mean necessarily that most West African criminals operate individually but it does reflect the reluctance of those involved to divulge information about the activities of others.

This provides a snapshot of the overall situation although the picture may have changed since then.

There is a lot of competition between Nigerians in South Africa and some of them appear to be afraid of their Nigerian competitors despite the brotherhood that exists between Nigerians. There are instances where this competition has led to Nigerians being killed.

In South Africa there are about 20 key Nigerian operators who are central to the existing Nigerian networks. They acquired their positions in the network through the following means:[35]

- Some were among the first Nigerians to enter the country and, once established, they brought in other Nigerians to work as part of their networks.
- Some have been able to establish themselves because of their contacts either in Nigeria or in drug source countries.
- They have worked their way up the networks, often taking over the networks of other Nigerians who left the country or died.

Key people in Nigerian criminal networks are extremely difficult to profile for a number of reasons:

- They do not often go by their real names.
- Some of them have identity and travel documents under different names making them difficult to trace.

[35] Interviews to gather the information for the profiles were conducted in Johannesburg, Durban and Cape Town, February–March 2002.

Nigerians in South Africa (continued)

- Many of the people who work as part of these Nigerian networks only know the nicknames of the people they work with and do not necessarily know their real identities.
- These Nigerians will not always tell the truth about where they come from, mostly preferring to say Lagos. This makes it difficult to trace their origins and networks outside the country.

Aside from personal residential property, Nigerians rarely invest in South Africa because of the country's forfeiture laws.[36] As a result, even most of the downtown residential hotels from which Nigerians run much of their business (See Appendix A), many of which have more than 80% Nigerian occupancy, are not owned by Nigerians but by local (mostly white) vice entrepreneurs.

Informants claim that much of the cash is sent back to Nigeria or stashed across the border, particularly in Zimbabwe. When dealers do buy into a business it is usually in a field where capital is light, concentrated and transportable. In both Hillbrow, Johannesburg, and the Point, Durban, Nigerians own cell phone stores, business service centres and other such enterprises.

There are lawyers in South Africa who work with them and often register companies and properties for them.

They will also do business on a single transaction basis, buying, for example, a container of clothing from Taiwan and selling it to hawkers to vend in the townships.

[36] Leggett T, *op. cit.*

Nigerians in South Africa (continued)

One outcome of these patterns of operation and approach to structure is that apart from the explanation above it is difficult to construct a clear structural model of a West African criminal network. Attempts made in the course of this project have, to date, proved unsuccessful. One issue of some interest in this regard however is the degree to which local networks in South and Southern Africa have extensive lines of communication back to West Africa.

In the earlier part of this publication for example, mention was made of the emergence of a series of 'drug barons' in Lagos, suggesting at least some degree of organisational linkages between West Africa and smuggling and fraud networks elsewhere.

But the evidence in this regard appears to be inconclusive and (perhaps surprisingly so) West African criminal networks appear to operate in Southern Africa with an apparently high level of independence. If this is true, it has critical implications for law enforcement in Southern Africa as it suggests that local criminal operations have a degree of permanence here. One illustration of the fact that there is in fact some separation between West Africa and West African networks in Southern Africa is that individuals are often tricked into coming south (as opposed to being sent here on the orders of some criminal master) on the promise of a legitimate job.

The nature of the connections between West Africa and West African criminal networks operating in South Africa, however, requires more detailed information.

Profile of Nigerian Operators

Given that West African organised crime is often considered a 'faceless' phenomenon, the project has made some effort to outline as far as possible the nature and criminal histories of those who have been involved. In South Africa, there are about 20 key operators in criminal networks, largely of Nigerian origin. These individuals acquired their position as nodes within the network due largely to three inter-related factors.[37]

First, they were among the first Nigerians to arrive in the country, and once established they were in a position to recruit further individuals, many from Nigeria itself. For example, Prince, who was born in Nigeria in 1961, entered South Africa sometime in the early 1990s claiming refugee status. After arriving in the country, Prince established himself in a flat in Berea, in downtown Johannesburg. He then established links with smaller white and coloured dealers who had been involved in the selling of cocaine since the mid-1980s, mainly to the white middle class and on a relatively small scale.

Within a short time, Prince had managed to establish six runners to sell his drugs on the street and to convince some of the white dealers to start buying their drugs directly from him. Prince subsequently moved from his flat into a downtown hotel in the high rise residential area of Hillbrow.

Second, and critically, the development of a connection with a reliable supplier of drugs is essential to the degree of market control, and thus of influence and wealth. As Prince's business grew he actively sought

[37] Interviews to gather the information for the profiles were conducted in Johannesburg, Durban and Cape Town, February–March 2002.

connections through his own contacts in Nigeria (and later Latin America) with wholesale drug suppliers. As a result he began to import cocaine directly from Brazil, bought presumably from a supplier through a West African intermediary.

To move adequate volumes of cocaine to respond to the expanding market demand in South Africa, Prince initiated a complex courier system between Brazil and South Africa, often through a third destination. Cocaine was concealed in body suits specially made for the purpose and couriers were recruited initially in Nigeria, but increasingly in South Africa. Third, key to the growth and influence of any group, is the ability to remain for a long period in South Africa and to incorporate or control the activities of other individuals and their related networks.

Prince, for instance, married a (white) South African woman in 1996 and was able to obtain permanent residence in South Africa. In particular, his ability to access supplies of drugs through Brazil provided an important lever to influence and to some extent control the activities of other West Africans engaged in the illicit drug trade. He bought a house in a wealthy area of Johannesburg and over time acquired four other properties and two cars. By the late 1990s he had invested the money obtained through the illegal drug trade in several import export companies. As a result, he seldom engaged directly with the process of selling drugs on the ground. In the course of his criminal career in South Africa, he has twice been arrested on drug related charges but he has managed to avoid conviction in both cases.

If Prince provides a useful example of the growth of influence based on the three criteria outlined above, the case of Papa illustrates the importance of individual connections in setting up and running illicit practices.

Papa, from Anambra in eastern Nigeria, arrived in South Africa in 1996 and established a relationship with the Bulgarian owner of the hotel where he first stayed in Hillbrow. It is unclear whether the relationship was an old one or (and this seems more likely) it developed over time as the two individuals complemented each other's illicit activities. The connection between the two was highly profitable and they joined forces both in supplying drugs and in providing false papers to people wanting to settle in South Africa. The result was the development of an extensive drug distribution network with 100 'runners' selling drugs either on the street or by appointment. Although several arrests of the runners have been made, Papa and his Bulgarian counterpart have never been arrested.

While expanding their drug selling business, Papa and the Bulgarian also opened a brothel in Johannesburg's posh northern suburbs. As a reflection of their partnership, the two sold drugs smuggled through Nigerian connections and used women recruited in Bulgaria. Like Prince, Papa married a South African, and now has permanent residence. He owns several properties in Johannesburg.

While Prince and Papa established their illegitimate enterprises on the basis of connections with outsiders, Ike in contrast worked his way up already established Nigerian drug trafficking networks in South Africa.

Ike, also from Anambra in eastern Nigeria, arrived in South Africa in 1995 and, like Prince and Papa, applied for refugee status which was granted. He settled in Hillbrow and began to work for an already established dealer from Nigeria called Emmanuel. Emmanuel, whose father was a successful businessman in Nigeria's oil industry, entered South Africa from Lagos in 1994 on a visitor's visa.

Ike began as a low level runner, selling drugs on street corners, but through force of personality and success at selling drugs assumed greater prominence over time. When Emmanuel was killed, in what was said to be a failed kidnapping by an opposing group of drug sellers, Ike assumed control of the drug distribution network.

Ike further expanded the business by developing a series of high profile clients who required the anonymity of private deliveries. These clients are serviced through a number of vehicles bought specifically for the purpose. At the same time, Ike bought a number of bars which he used as venues to push drugs. Ike's real coup however was to position a close compatriot TJ (who is described as 'his brother') in Lima, Peru, in order to organise direct shipments of drugs from Latin America. As in the case of Prince this substantially increased his power and influence within the network. Ike has never been arrested.

It is worth noting here that Emmanuel, for whom Ike first worked, already had an established connection to a Colombian cartel when he arrived in South Africa in 1994. He brought substantial amounts of money to the country and bought a series of liquor stores and other properties in Johannesburg. Emmanuel used South African women to act as runners for him, selling drugs in a variety of locations. By the end of 1997 he was in a position to transfer R9.6 million back to Nigeria. Ike, it was said, was not able to maintain links with the Colombian cartel and so, as we have seen, developed his own connections through TJ's presence in Peru.

A series of other local kingpins illustrate the degree to which individuals active in the network have links to a variety of other criminal activities. An individual nicknamed Zero, for example, began as a runner in the operation of one John X.[38] He assumed increasing

[38] John X is not the real or street name of the person concerned.

importance in John X's operations until he himself branched out to establish his own 'business'. He, in particular, has specialised in building a network of white prostitutes who are responsible for dealing drugs to their clients. Zero, also from eastern Nigeria, has now diversified into a number of areas, including receiving (and presumably paying for) hijacked cars and other stolen goods. Zero now resides in wealthy northern Johannesburg.

John X himself comes from a family with connections to criminal operations in a number of countries, including a link to a cartel in Colombia. John X has an extensive network of drug receivers and runners. He was among the first to use prostitutes (who are largely white) to push his drugs.

Chika Raymond Odimara also illustrates the wide variety of activities engaged in by a single individual. He was arrested, tried and found guilty of being in possession of fraudulent South African identity papers in late 1998. Before he could serve his sentence he disappeared from prison taking with him the fraudulent papers.[39] He had previously offered the investigating officer R1 million to drop the case and so it is likely that a less honest official succumbed to the temptation of easy money.

In fact, apart from his own false papers, Odimara was running a large-scale operation, providing false identity documents to Nigerians wishing to enter South Africa. One of his many cars was found with the boot filled with identity documents waiting to be issued. He escaped conviction.

He also had links with drug suppliers and distributors in Latin America, North America and Europe and used South Africa as a transit

[39] *The Sunday Times*, Johannesburg, 9 January 2001.

point for drugs destined for elsewhere. At one point police discovered 200 kilograms of cocaine hidden in Johannesburg (the country's largest drug bust to that date). Again no substantial connection could be made with Odimara.[40] But according to security officials, there is evidence that Odimara is linked to a variety of fraudulent activities, including the transfer of money from bank accounts, the details of which he obtained through corrupt bank officials. Telephone records also showed that Odimara was connected to a number of groups working on 419 scams as well as to cash in transit heists.[41]

He was also reported to have senior political connections, including to ANC Women's League President Winnie Madikizela-Mandela.[42] He was finally deported from South Africa in early 2001, although at least one senior politician phoned police in a last-minute attempt to halt his departure.[43]

Don King (so called because he was considered to be a 'king-pin') was one of the first Nigerians to arrive in South Africa. Once he had established himself in the country, he established networks in neighbouring countries, particularly Swaziland and Mozambique. Once these networks were established, he moved to South America and continues to run his operations from there.

The above discussion provides at least some insight into the structure and activities of West African criminal networks. It is clear that extensive structures are not established for their own sake but that there is a coalescence between loose groupings and various criminal

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[40] *Ibid.*

[41] Interview, security official, Pretoria, November 2001 and March 2002.

[42] *Ibid.*

[43] *Saturday Star*, Johannesburg, 5 January 2001.

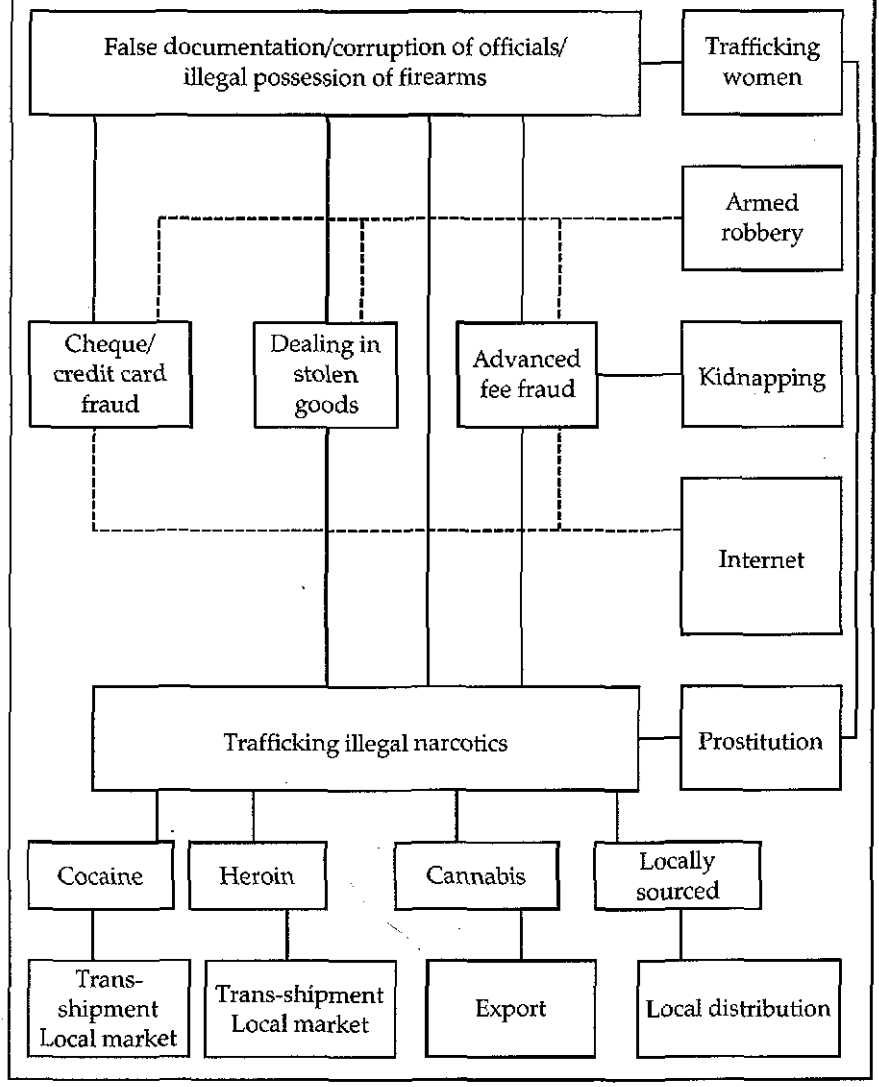
activities. Understanding these activities and how they link together gives important insight into the dynamics of West African crime in Southern Africa. Figure 2 below provides a schematic overview of the involvement of West African criminal networks in various criminal activities. The section that follows briefly explores details around each and the inter-connections between them.

As Figure 2 illustrates there are two critical components which facilitate other activities. The first of these is the production or securing of false documentation, essential for almost all activities. The second is the trafficking in illegal narcotics, the source of significant resources which can be channelled into other criminal operations or legitimate businesses. A range of other criminal activities, more reliant on these two components are also considered. These are: advanced fee fraud, cheque and credit card fraud, dealing in stolen goods and the trafficking in human beings. A range of sub-activities such as armed robbery, kidnapping and the use of the Internet for criminal purposes are also referred to.

False documentation

Across the Southern African region, West African criminal groups are involved in the theft and forgery of travel and identity documentation. In every Southern African country examined in the context of this study, serious problems were reported in this regard. In almost all cases, as already noted, this involves the co-operation and payment of state officials. The ability to travel under multiple identities and nationalities facilitates the illegal cross-border trade and the involvement in a range of other criminal activities such as advanced fee fraud.

Figure 2: A complex web of criminal activity



Drug Trafficking

West African drug traffickers are central players in the illicit drug market in Southern Africa.[44] South Africa is by far the largest market for illegal narcotics entering the region. Nevertheless the regional drug market is reasonably complex. At the risk of oversimplification, West African (and then largely Nigerian) criminal networks are involved in four areas:

- The primary drug trafficked into Southern Africa by West African criminal networks is *cocaine* and its derivative 'crack'. The drug, as is illustrated in Figure 1, is brought from South America either directly to South Africa or through Angola or Mozambique. While a portion is used to satisfy domestic consumption, largely in South Africa, the rest is trans-shipped to destinations in Europe. The increase in the amount of cocaine being brought into South Africa has been rapid. In 1994, police at Johannesburg International Airport confiscated 30,716 kilograms of cocaine powder. This rose to 218,070 kilograms in 1998. In the first five months of 1999, 339 kilograms were confiscated compared to 183 kilograms during the same period in 1998.
- *Heroin* is sourced in East Asia and trafficked either directly to South Africa or through East Africa and Mozambique. West African criminal networks, while important, do not dominate the trade to the same extent as in the case of cocaine, with significant competition from Asian, Indian and Pakistani groups. In August 1999, Nigerian authorities seized 67 kilograms of heroin in an air freight shipment sent from Pakistan on Balkan Airlines. The drugs were found concealed in the covers of 230 photo albums, a concealment which has been used on repeated occasions by West

[44] For an overview see *The Illegal Drug Trade in Southern Africa; International Dimensions to a Local Crisis*. Johannesburg: South African Institute of International Affairs, 1998.

African traffickers. Each album contained about 250 grams and thus orders could be made per photo album.[45] Kenya is also a significant point of entry for heroin from Pakistan and India. Nigerians based in Kenya are using the expatriate community in Nairobi to act as couriers for heroin from both Pakistan and Thailand. Once it arrives, another courier is used to transport it to the USA by way of a European city. Often there is a significant break in travel for the courier in an attempt to disguise his route.[46]

- *Cannabis* is sourced by West African criminal groups from within Southern Africa, largely from South Africa, Lesotho and Swaziland, and trafficked to European destinations.
- In response to demand in South Africa, West African criminal networks source other drugs such as mandrax and ecstasy where there is local demand. These markets are however dominated by other traffickers, although as one observer says, Nigerian dealers are fast becoming a 'one stop drug shop'.

Drugs are moved in and out of South Africa and other Southern African countries through a variety of means, the most common being the use of couriers, often recruited locally. Ex-couriers interviewed in the course of the project suggested that they would be paid around R20,000 for a successful delivery as well as having their expenses paid. Payment is also made for the recruitment of other couriers. As documented elsewhere a variety of diversionary tactics are used, such as sending a large number of couriers on one flight, potentially sacrificing some while ensuring that the majority get through, or, ensuring suspicious but drug free individuals distract the attention of customs officials. Interviews suggest that holders of European Union passports (which includes many white South Africans with dual

[45] West African Criminal Organisations, Keir Timbrell, National Criminal Intelligence Service.

[46] *Ibid.*

citizenship) are targeted for recruitment given that they attract less attention when arriving in Europe. The UK authorities say the quantity of drugs being moved through the country has risen.

In one case, Italian authorities seized 276 kilograms of cocaine at Milan Airport in passengers' checked in baggage. The passengers, four Nigerians and two Brazilians, were in transit from Sao Paulo to Lagos. The bust raises several questions. These include how such a large consignment got on the aircraft, why it was going to Lagos, who was going to store it and how often this route had been used before given how confident the Nigerian Criminal Enterprise (NCE) involved was about getting it through to Lagos unhindered. In another case, consignments of cocaine were intercepted in Venezuela and South Africa. It emerged that an NCE operating in the East London area of South Africa was sourcing cocaine from an NCE based in Caracas, Venezuela. In a three-week period, 37 kilograms were intercepted. The couriers involved were cabin crew members on South African Airways. The roster clerks for SAA were corrupted and would change the crew lists so that certain crew could fly to South America on dates given by the NCE.

Courier case study

South African John Smith,[47] a down-and-out white South African living on the streets, was caught up in the Nigerian crime net.

He was not as lucky as some. Acting as a reluctant courier, he was arrested in Glasgow, UK, in June, 2001, with a 27 kg stash of cannabis sent by his handlers in South Africa.

John Smith, from the port city of Durban, had an unremarkable past. He completed his military service in the late 1980s after which he worked for the South African railways for five years and then as a security officer up to 1999. But in the year before his arrest he was basically destitute and living on the streets.

One day, John Smith was drinking on the beach with friends when he saw a black man on the esplanade beckoning to him. He went over and the man, a Nigerian calling himself Mike, said he wanted to do business with him. 'I asked what sort of business and he said he would explain later.'

In due course John Smith found himself on a flight to Pakistan via Dubai from Johannesburg, at that point still claiming he had not been told the purpose of his trip.

'The people gave me tickets and travelling money and sent me across saying I would be contacted when I was there. I hadn't really thought about what I was going to do. I was homeless at the time and my wife was staying with her mother and I was sleeping in the street. It was a Godsend at the time.' When he arrived in Pakistan he was told he would have to take drugs back with him which he presumed were either heroin or cocaine.

[47] John Smith is not the real or street name of the person concerned.

Courier case study (continued)

As he was due to leave Pakistan a week later, his wife arrived there as well, her ticket also paid for by the Nigerians. However, they both decided they did not want to run drugs and caught the next plane back from Pakistan to South Africa via Doha, Muscat, Nairobi and Harare. As he had unilaterally changed his flying dates, no one was there to meet him. 'They had spent a lot of money on me for nothing.'

John Smith says they were thoroughly searched on leaving Pakistan and would definitely have been caught had they taken the drugs.

Back in Durban, he ran into trouble with his couriers. Mike tracked him down and asked if he would travel again. 'I refused. Later by phone, he started threatening me and my family.' John Smith's two young children were living with his wife. Mike arranged a meeting with his wife but she became suspicious and fled from him. She was pursued but got away.

A week later, Mike visited John Smith again with another Nigerian, Mr Clinton. Clinton put a gun to John Smith's head in an effort to persuade him to do another trip. John Smith invited him to go ahead and shoot him as they would be doing him a favour. The men, sensing their threat would not work, left but the telephonic threats got worse and continued for several months.

Eventually four of them visited him. They threatened him further and he finally agreed to work for them. 'They told me that if I wasted more money they would simply kill me or my family.' They put him on a bus to Johannesburg where he met up with another Nigerian and they booked into a hotel in central Johannesburg.

Courier case study (continued)

After two nights, the Nigerians came to collect him in a taxi. In one statement John Smith says the two bags he was required to take to Glasgow were in the back of the car. During questioning by police in Glasgow, he said the two bags were already in the airport building when he arrived. Either way, he was told he did not need to know what was in them. A plastic bag with his personal effects was pushed into one of the bags. At the airport, he checked in the bags himself with the Nigerians watching from afar.

The flight transited through Amsterdam. On arrival in Glasgow he was detained and questioned.

He told police that although he did not know what was in the bags, he knew from rumours and from media reports that it could be drugs or pornography or something of an illegal nature. 'They just tell you what you need to know and that's all.' He was given a number to call on his arrival.

'The black Nigerians told me that if they travel, they're under great suspicion. They're involved in all sorts of things, particularly fraud. Anywhere a Nigerian can make money, he will do so. Money is his God.

'I took the threats seriously because of people disappearing at the hands of the Nigerians. I was shown guns at one stage. I had a gun pointed to my head.'

John Smith told police in Glasgow that his arrest meant his wife was as good as dead.

John Smith was given $490 as travelling expenses and he said the extra R1,100 he had on him was his savings. His wife said for the Pakistan trip she was given R700 in cash and $600.

Courier case study (continued)

John Smith said he would not be paid any more if the trip was successful but it was likely they would continue to string him along by giving him small amounts of money to keep him going as they had done before.

After his detention, John Smith's wife was harassed for information. Mike also asked her repeatedly to go to London to do business for him but she refused.

'I have been getting calls to say they are watching me. They wanted to know if I was getting any calls from John. Someone has followed me in two cars but I kept on moving around. I went into hiding. I even had my children placed elsewhere so they would not know where they were.'

She has subsequently applied for a divorce from John Smith.

While the overall network of transportation and storage of drugs brought into the country is difficult to trace fully, there appear to be a number of common features. Drugs brought from Johannesburg airport for example are transported to a variety of places, including specific hotels in the inner city. Distribution to selling points across the country takes place in a variety of ways, one method being the use of luxury cross-country buses. Key to the transportation process and to some extent the storage process is that even if drugs are seized they cannot be linked to any individual. Thus, bags transported on the luxury bus lines would not be labelled and consequently cannot be linked to any passenger. Contacts with the long-distance taxi industry are also useful in the process of drug distribution. Although the South African Narcotics Bureau (SANAB) has focused its cocaine and heroin interdiction efforts on Johannesburg International Airport, informants claim that the nearby Lanseria and Rand Airports which are on the city's outer limits, are actually the more popular importation sites.

Lanseria, where 400 kilograms of cocaine were once seized, is the subject of far fewer controls and is reportedly a weak link for entry into South Africa.[48] Chartered planes flown low under radar from neighbouring countries are said by street informants to be a common means of entry.

Once delivered to their point of distribution, drugs are dispersed through a dealer network. Street dealers, it should be noted, are ultimately at the mercy of those who supply the drugs. Interviews with South African dealers suggest that they had been pushed aside when their supplies were ended and their position taken by West Africans themselves. Whatever the details of drug transactions on the street, there is little doubt that the mass influx of drugs brought by West African criminal groups have dramatically changed the inner city of, most notably, Johannesburg. The enormous profits generated from the sale of drugs and the consequent social implications (including the link to prostitution) in inner city areas in Durban and Johannesburg have been documented elsewhere.[49] Money made from dealing in drugs is also used for other activities — both licit and illicit — and it was suggested by at least one dealer that significant property investments were being made.

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[48] OGD correspondent in South Africa, OGD briefing on South Africa. *The Geopolitical Drug Dispatch*, 79, 1998.

[49] Leggett T, *op. cit.* ; Leggett T & K Burton, 'Now selling in the Point: Talking to Durban's drug syndicates', *Crime and Conflict*, 16, Winter 1999; and Thulare P 'Welcome to Hellbrow, talking to Johannesburg's drug syndicates', *Crime and Conflict*, 16, Winter 1999. See also Appendix A to this report.

Advanced Fee Fraud

If there is one activity for which West African crime groups are most well known, it is advanced fee fraud. Unlike in the case of drugs, its manifestation in Southern Africa has received little analytical attention and so deserves a more extensive examination here.[1] Essentially, the process involves the creation of bogus business proposals which promise the recipients substantial financial reward for participating. Once the victim agrees to be involved in the deal, the initiating party requests the payment of various 'advance fees' (for example for banking charges or as a bribe to 'smooth the way'). The collection of these fees is the object of the scam — once a victim is 'hooked', further requests for payment are made.

The initial AFF letters were developed by Nigerians but more recently other West African criminals, particularly from Ghana, Sierra Leone and Liberia, have also become involved in these schemes.[2]

The writer of AFF letters claim to be Nigerian government officials, companies, government contractors or family members of prominent deceased persons, including heads of state such as Nigeria's former dictator Sani Abacha.

When the letters surfaced in the mid-1980s, they were relatively unprofessional and were hand written. However they have become

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[1] There is a large amount of literature covering advanced fee fraud in other jurisdictions. See for example, Smith RG, Holmes MN & P Kaufmann, 'Nigerian advanced fee fraud', in *Trends and Issues*, 212, Australian Institute of Criminology, July 1999. One website is devoted entirely to the topic (*http://hom.rica.net*) and has extensive coverage of individual cases and ongoing trends. Both the US Secret Service and the State Department's Bureau of Narcotics and Law Enforcement have published advisories and information on the topic.

[2] Report on West African Crime Syndicates operating in South Africa, Lesotho, Swaziland, Mozambique, Angola and Zimbabwe produced by Injobo Nebandla for the South African Institute of International Affairs, June 2001.

more professional and more recent letters even have a government seal or stamp.

A document published by the United States Department of State classified AFF schemes as falling into the following categories:

- Transfer of funds from over-invoiced contracts
- Contract fraud (C.O.D. of goods and services)
- Conversion of hard currency
- Sale of crude oil at below market price
- Purchase of real estate
- Disbursement of money from wills
- Threats, scams or extortion
- Clearing house

The extent of such schemes internationally is difficult to measure because many of the victims never report the matter although it is estimated that millions of dollars are lost worldwide as a result of the scams.

According to a report compiled for President Bill Clinton by the FBI and CIA in December 1999, during one six-week period in 1998, US postal services authorities destroyed about 700,000 AFF letters at New York's JFK International Airport.

The London Metropolitan Police Fraud Department estimates that some 3,000 letters are sent out worldwide each week.

Nigeria Police Force statistics show that a total of 1,361 AFF cases were reported to the Serious Fraud Unit in that country for investigation between 1993 and 2001. These were reported from different countries. The four highest were UK (89), US (37), Germany (72) and Canada

(32). Only 8 cases were reported from South Africa. A total of 1,954 suspects were arrested for the offence. Of these 154 cases reached court and only 22 cases were prosecuted.

While such schemes are considered to be non-violent, they can become dangerous for the recipient of the letter. Victims who refuse to co-operate or who are lured to the country selected are often kidnapped in order for money to be extorted from them and their families. In some cases, the victims have been murdered. According to the document procured by the US State Department, 15 foreign businessmen were murdered in Nigeria in three years and all were victims of AFF scams.

South Africa has provided an alternative base from which to operate AFF scams because so many business people have become suspicious of deals coming out of Nigeria.

Teams of anything between three and 10 people operate AFF scams. Operators will normally use fraudulently acquired telephones to make calls which not only saves costs but also makes the numbers difficult to trace.

There is often a link between drugs and AFF scams. Proceeds from the scams can be used to finance drug deals and drugs proceeds are sometimes used to finance the props for 419 scams.

The quality of approaches in advanced fee frauds vary in quality, from the impressive to the ludicrous. In all cases however, the victim receives a letter explaining the proposal and requesting an urgent response. Business owners and managers are identified through trade journals and directories, as well as from searching the Internet. The

approach is generally to send out a large number of letters as a response from even one or two people makes the scam profitable.

Once an individual has responded to the letter, the scamsters embark on an often extensive ruse, which may even, according to one informant, involve the renting of office space. In Southern Africa an array of '419 letters' (so-called after the number of the Nigerian penal code which prohibits the practice) have been sent and most businesses have received them. Those who have been victimised in the scam seldom report it to the police given that, by agreeing to participate, they themselves (if the scam had in fact been real) were committing a criminal offence, by agreeing to accept money which was, and here the options on offer are almost endless, overpaid on a contract or the property of a dead politician bequeathed to the sender.

Two other variations common in Southern Africa are worth noting. The first, often but not always targeted at poor people, is the 'black dollar scam' — essentially a con trick where the victim is persuaded to provide money to buy a special cleaning fluid in order to 'clean' money, blackened, or so one variant of the story goes, by the US government to transport it safely. The second, also known as 'trade fraud', entails persuading a company to send samples of their products for sale (usually in Nigeria). This will be followed by small orders, all of which will be paid for. When the time is 'ripe' and the confidence of the victim won, an urgent and large order will be placed to 'fulfill' a lucrative contract. The goods will be sent before payment is confirmed (a fake bank draft may be provided) and the goods are effectively stolen with little recourse available to the victim.

A review of the now substantial record of such schemes and attempts at them highlight the ingenious nature of many. Two factors of

importance to Southern Africa however are important to note in regard to advanced fee fraud:

- 419 scams and their variants have now become so common that the majority of letter recipients simply ignore them. One reason that they have lost credibility is because they are seen to have originated from Nigeria itself. Thus, the sender is generally always a Nigerian and the return address is in Nigeria. Given these constraints the scams, in their old format, are said to be nowhere near as profitable as before.
- The Internet has provided a wealth of opportunity to 419 scamsters. It provides a powerful search tool to identify potential victims and, more importantly, short circuits the process of sending letters by distributing literally thousands of e-mails. Again, only one victim has to respond, and the scam is in business. Also, interception of the letters before they arrive at the victim (they usually have identifiable characteristics, such as fake stamps) as a crime prevention measure is much more difficult with electronic mail.

An effective way to get around the first problem is of course not to send the letters from Nigeria, but from a more reputable location — such as Southern Africa, but specifically South Africa. Letters have thus appeared on the South African Reserve Bank letterhead, as well as attributed to a range of 'dummy' South African companies, for example the 'South African Mining Corporation'.

Kidnapping

Although it occurs in Southern Africa on a relatively limited scale, foreign businessmen lured to South Africa through the operation of 419 scams have been kidnapped. Kidnapping is said to be the final stage of the scam when it is clear that the game is up and the victim demands their money back, and travels to South Africa in search of his

erstwhile business partners. It is possible that some such cases are not reported to the police and the ransom quietly paid.

In 1999, the police felt the situation was serious enough to warrant the establishment of a National Investigation Team to handle the spate of kidnappings. This followed the arrest of three Nigerians, a Ghanaian and a South African. They were arrested after the kidnapping of Jordanian businessman Adu Baker Mohammed Ali Saqaalikah. The victim was lured to South Africa by an AFF scam and kidnapped at Johannesburg International Airport. His family was contacted and told to pay $400,000. The five people arrested were alleged to be linked to at least 10 other cases of kidnappings.[3]

Kidnapping can also be linked to cases where people have double-crossed Nigerian or Ghanaian criminals. In some cases, they will not kidnap the person who has double-crossed them but will kidnap a family member of the person. Couriers who double-cross Nigerians are sometimes kidnapped and their families forced to pay any expenses the Nigerian may have incurred.

One Nigerian interviewed in Johannesburg in May 2001 was asked what would happen to a person who double-crossed a Nigerian criminal. 'It would depend on what you had done. If you were into drugs and you ripped off a Nigerian, we would cut off your supply to drugs by passing the word around to other Nigerian drug dealers. If you owed lots of money you could be kidnapped and your family would have to pay for your release. In most instances, we would demand the amount of money owed to us plus costs incurred in the kidnapping operation. It would have to be extremely serious for a

[3] 'Police crack kidnapping ring', *Cape Times*, 24 June 1999.

Nigerian criminal to decide to kill you and normally this would be done by violent South Africans, Zimbabweans or Mozambicans.'

Cheque and credit card fraud

West African criminal groups pay for the stolen credit cards and cheque books which are used in an array of fraudulent activities. Contacts at banks and hotels are also used to acquire credit card details (including copies of signatures) which are then used for fraudulent purposes. As already noted, it is alleged that Nigerian criminal networks have paid for credit cards acquired through armed robbery, including cash-in-transit heists.

Dealing in stolen goods

As already indicated, West African criminal groups are involved in the purchase of stolen goods, largely from South Africa, and their resale further afield, mainly in Southern and Central Africa. The two primary examples of this trade are that of motor vehicles and of cell phones.

Trafficking in human beings

Women from some African countries (most notably Angola) are lured by West African (as well as Angolan and Congolese) criminal groups into travelling to South Africa with the promise of a job in the 'hospitality industry'.[4] Heavily reliant on those who brought them to South Africa and often having incurred financial obligations for 'transport costs' the women, who have generally entered the country illegally or have had their travel documents confiscated, have few

[4] See the report of the Cape Town based NGO Molo Songololo, *The Trafficking of Women into the South African Sex Industry*, 2000.

alternatives. Such women are used either to traffic drugs or to work in the sex industry. As already noted above, interviews also suggested that at least some West African men are also lured to South Africa with the promise of work, and then find little alternative to becoming active members of the criminal economy, heavily reliant on those who brought them south.

This brief description of the range of illicit activities that West African criminal networks are engaged in underscores the importance of better understanding the nature and scope of the phenomenon. Significant challenges for research remain. Among the most important of these is to determine the balance between planning and opportunism in the choice of criminal projects, as well as to how the relationship between profit and risk is calculated before decisions are taken about which avenues for criminal profit to pursue.

At the heart of these questions lies the need to understand the element of *choice* in the network decision-making process. It is possible, and indeed this is suggested by the loose network structure of West African groups, that the multiple activities that are pursued and the inter-linkages between them are a function *less* of careful planning and long-term strategy than the activities of multiple and innovative individuals and groups. These individuals, because of their connections, loyalties and allegiances, pursue various avenues of criminal profit that often themselves inter-connect and overlap.

Conclusion

The growth of West African criminal networks in Southern Africa has been remarkably rapid. Beginning in the early 1990s, along with the first significant numbers of West African nationals settling in Southern Africa, the problem has now assumed serious proportions. Two key defining features characterise West African criminal formations. The first is that they are highly fluid, resembling less an organised criminal hierarchy than the complex interactions of a network of individuals and small groups. The second defining feature is that they engage in multiple criminal activities, all of which are closely connected to each other.

These two factors acting together suggest that both the nature and impact of West African criminal networks is difficult to understand. Key drawbacks hinder the process of information collection and analysis — the most notable being accessibility to those who make up the networks — and so any research exercise is, by definition, limited. Yet academic research can play an important role in providing a fuller understanding of West African criminal networks — not least of which is to provide an independent and strategic overview of developments and the identification of trends.

One striking although tentative conclusion is the increased permanence of West African criminal networks in Southern Africa. It is said that individuals have invested in property in the suburbs, well away from the inner city areas where drugs are sold, and send their children to private schools in Johannesburg. The evidence too suggests that West African networks operating in South Africa, while having global networks, do not answer to anybody but themselves. Advanced fee fraud operations, for instance, are clearly now run from

the region, with 'business proposals' purporting to come from South Africans.

The use by West African criminal groups of technology is also of significance as it is altering the nature of their operations. While cellular phones provide both a means of communication as well as a marketable product, of perhaps more significance is the use of the Internet to engage in fraudulent activities. This includes at least three dimensions: the researching of potential victims for advanced fee fraud; the use of e-mail to send out large numbers of 419 letters; and, the use of false credit card data for purchases through the Internet. This trend is likely to continue. While countering it will be part of a broader programme of understanding how technology impacts upon criminal opportunity, West African criminal networks will be important players in this criminal market given their experience of fraudulent scams.[5]

These factors suggest the possibility that well funded and permanent West African criminal networks, who are increasingly able to exploit technology for criminal profit, will continue as important players in Southern Africa. Questions should, however, also be asked about the development of other criminal networks. If war, state collapse and economic decline have been key in driving West Africans into the criminal market, does the same not apply to other nationalities, most notably Angolans and Congolese? While these criminal networks are less active than those from West Africa, the fact that their home countries are situated in Southern Africa itself holds significant

[5] The impact of advances in technology on criminal opportunity are seen as key issues for future attention. See National Criminal Intelligence Service, *2001 UK Threat Assessment, http://www.ncis.co.uk.* See also *International Crime Threat Assessment, op. cit.*

implications for what activities they engage in and how quickly their networks can expand.

The development of further foreign criminal networks in South Africa (which is of course not to say that South Africans themselves do not engage in crime) is likely to tap into increasing feelings of hostility for foreigners from elsewhere on the continent. That will be unfortunate, because as war and instability have created criminal networks, they have also forced people to flee their homes, settling elsewhere in search of safety and a better life. Thus, one of the key challenges confronting governments in Southern Africa is not only countering West African criminal networks, but doing so in a way in which feelings of xenophobia are not heightened. How for example can West African communities be engaged, not as law-breakers, but as potential partners in undercutting the threat posed by criminal networks which emanate from their communities?

This important question underlines the fact that there is no easy solution to the problem of West African criminal networks in Southern Africa and that a number of strategies are required, including engaging with resident West African communities themselves. To emphasise again, perhaps the most important drawback currently is the lack of understanding both of the phenomenon, but also how it can be confronted. What is clear is the degree of dynamism of the criminal network and its ability to change rapidly to accommodate new opportunities and counter or avoid new threats. Understanding not only the nature of the current activities of West African criminal networks, but also potential factors that will impact upon this in future is critical. It is here that academic analysis has an important role to play.

Appendices

Appendix A: Drug Trafficking at Street Level

The core of the drug trade in the South African cities of Johannesburg and Durban is in the sleazy residential hotels of the central business districts.

While guests may be attracted to the central location of such hotels or the very cheap rates, as they step up to the front desk they immediately become aware that something is up. You may be body searched at the entrance or forced to walk through a metal detector. You may be asked to sign an illegible ledger or pay a R10 'visitors fee'. A barred gate may block the stairway and you will notice several, large, dark men loitering about in the lobby.

If you are male, you are unlikely to make it to the stairs without being propositioned by several women offering services at rates as cheap as the nightly rental. Further up the stairs you may find a luridly lit bar area, with busy dark corners. Young women pay frequent visits to a man heavily adorned with gold jewellery who eyes you suspiciously.

Ted Legget, from the University of Natal's School of Development Studies, painted this picture after one hundred interviews and focus groups with police and residents of the Point, Durban's notorious sleazy area just off the beachfront, and the police precinct of Hillbrow, Johannesburg's high-rise crime capital. The interviews included sex workers, drug dealers and Nigerian nationals. The research also draws on discussions with Nigerian substance abuse professionals and academics.

The research reveals a disturbing similarity in the way vice is structured in the central business districts of both cities.

In both areas, 'daily accommodation' residential hotels have virtually been taken over by sex workers, drug addicts and the dealers that service them, who are in the main Nigerians.

The trend of urban decay that has accompanied such developments is fairly universal in large cities around the world. Out-of-towners, whether business people or tourists, were traditionally attracted to the city centre and hotels were built to accommodate them.

As the urban centres began to decay, large numbers of residents moved to the suburbs and the ratio of long-term residents to visitors began to skew. Soon, all that was left of the long-term population were those too old or too poor to relocated. This population is left with little sense of community, and anonymity is the order of the day.

People out of their home environment, such as business people and tourists, are also drawn to entertainment centres which, as a result, have proliferated in these areas. These tend to attract fugitives drawn to the city lights and sex workers. The latter need drugs to cope and dealers appear in numbers wherever they operate. The demand for cheap accommodation is high and hotel standards begin to drop as more upmarket clients find better alternatives.

The inner city hotels have attracted immigrants from other parts of Africa following the end of apartheid. Some of these immigrants come from countries with a high profile in the global black market, particularly Nigeria.

Clearly, not all Nigerians are drug dealers but even the head of the Nigerian Association estimates that 50% of his countrymen in the area are drug dealers. For cocaine (including crack) and heroin, Nigerian

nationals are estimated to hold around 80% of the wholesale business and at least 50% of the retail business in urban centres.

In the informal sector in South Africa, such as street trade, the Nigerians and other West Africans are generally unpopular. Their finely honed marketing skills, aggressive manner and international connections allow them to out-compete local hawkers who are more collectivist in their mentality. This scenario also applies to the drug trade.

Drug counsellors say that crack cocaine and heroin did exist in South Africa prior to the arrival of Nigerians. But it was uncommon and the South African Narcotics Bureau did not make their first crack seizure until 1995. Several informants say there was some trade from the Middle East but never on the scale later built up by the Nigerians. An Iranian syndicate is said to have tried to corner the street market before the Nigerians took over. However, unlike the Nigerians, the Iranians made the mistake of using their own product. As a rule, Nigerian dealers only smoke cannabis and look down on anyone weak enough to succumb to rocks.

The reason the initial wave of Nigerians, many of whom were said to come from Zimbabwe, settled in Hillbrow was because it was the South African equivalent of Lagos, Nigeria's buzzing commercial capital.

It turned out to be fertile ground. Sex workers in Hillbrow were heavily into Mandrax and Welcanol at the time but quickly converted to crack once it became available. The introduction of crack has led to a serious lowering of standards in sex work and the spread of HIV has accelerated. They have also acted as pushers for their clients.

Heroin is relatively new to Durban but is rampant in Gauteng province in which Johannesburg falls. It is likely that in time, sex workers in Durban will take the same path and the rest of the country will follow unless something is done.

It is believed that Igbos, from the south-east of Nigeria, dominate the Nigerian drug trade in South Africa.

In the downtown residential hotels in which dealers ply their trade, an imported cultural structure from Igboland — that of governing themselves with small democratic fraternal societies — is to be found.

Each hotel has a 'building committee', which elects a president, a vice-president, a secretary, a treasurer and a task team. The committee is bound by a constitution and passes decrees binding on all Nigerian residents. If an area is declared a 'no-go zone', for example, any Nigerian entering the area will be fined by the task team, the enforcement arm of the committee. Fees are also paid into a fund that is used to bail out — or pay bribes to free — any member who is incarcerated and to repatriate the bodies of the dead.

This self-governance has reduced violence in the area and generated considerable price inflexibility in the local cocaine trade. The Igbo are essentially business people who have little interest in violence. However, they have acquired a reputation for extracting violent retribution when crossed. When a hit is required, a Zimbabwean or South African will be contracted.

Police are also contracted to arrest troublemakers. This wins the policeman an easy bust and a payoff from the committee. Because payoff levels are so high, policemen are brought in from outside the area to invade hotels and shake down dealers. But ironically, this 'co-

operation' between police and dealers has also contributed to reduced violence in drug trading hubs and some attribute increased order in these areas to the Nigerians.

In Durban's Point Road, a barman remarked that many residents were upset about the arrest of Nigerian druglords in the area because of the sense of order they had brought to the area. A street sweeper said there had been a noticeable drop in visible violent crimes.

Part of this order is the job progression Nigerians new to the country undertake to get into the market. Someone arriving in Hillbrow may be required to undergo an apprenticeship, starting off in street sales and rising through the ranks. However, due to the saturation of the market, many Hillbrow dealers never get past street dealing. This puts pressure on mid-level dealers to branch out into other areas of the country to claim new territory.

The top suppliers have mostly moved out of hotels such as the Mariston in Hillbrow to the upmarket areas of Sandton and Rosebank. Likewise, in Durban they are moving from the Point area to the more upmarket suburb of Morningside.

Nigerian dealers have also begun to lure young white girls from the northern suburbs into the area with easy access to ecstasy, and Hillbrow has become a common destination for female runaways from upper-class areas.

Drug use has also spread through the evolution of rave parties at clubs across Johannesburg and adjoining areas, where drugs are consumed by the youth.

Each party organiser has their own security company for the event. The company will bring its own drug dealers and ensure there are no outside competitors. This also makes it difficult to raid such parties.

Nigerian school children attending expensive schools in the suburbs are often used by parents or relatives to sell illicit drugs to rich white schoolchildren. Some pupils have moved past the middlemen to buy directly from Hillbrow.

Yeoville, not far from Hillbrow, has seen a degeneration of standards over the past few years and is also a popular market for illicit substances, although the hotel syndrome is not present in the suburb. Most users in the Yeoville are young people employed in the corporate world, students, artists, journalists and other professionals as well as immigrants. Cannabis is smoked openly in bars and nightclubs in the area and is the drug of choice. Many users of hard drugs have now relocated.

Local dealers were violently driven out of the area by dealers from the townships of Soweto and Alexandra and have relocated to Rosebank and Randburg. The new dealers operate from the streets and do not appear to fear the police. They often exchange gunfire in local turf wars.The dealers from the townships do not physically operate in this area. Operations are managed via cell phones and with street dealers. Occasionally a kingpin will drop in to deliver a consignment and check on the competition.

Yeoville police are under-resourced and have been unsuccessful in combating the drug trade.

Almost all undercover agents from the local unit are known by the dealers. Interviewees say there is a 'street tax' paid to corrupt police

officers for overlooking drug-related activities and giving warning of planned raids.

In Durban, drug abuse has significantly worsened over the past few years. Racial integration, the growth of the rave scene, the immigration of Nigerian refugees and a burgeoning sex trade have all contributed to the expansion of the drug trade in central Durban.

In the Point road area, drugs are traded fairly openly. Patterns of drug abuse are less segmented by ethnicity in the Point than elsewhere due to the multicultural nature of the area. But trade in each class of controlled substance remains largely the specialised domain of separate syndicates.

The price and availability of drugs, caused by the increase in competition, has also contributed to the boom.

As drug complaints and the number of drug-related arrests in the rest of the country has declined over the years consistent with the growth in the drug trade, Durban has had more positive results.

At the bottom rung of the sleazy hotel scale are buildings occupied entirely by prostitutes. A search of crime forms at the Point Police Station from 1997 found that half of Durban's CBD prostitutes resided in just five daily accommodation hotels. But most of these hotels are below the standards of the Nigerians who will generally post local dealers on the site.

It is difficult to know how to undo the damage done by the sleazy hotel syndrome. Seizure of these hotels under the Prevention of Organised Crime Act is one option. The buildings could then be converted into social housing through various schemes. Taking away

the buildings will not eliminate the drug trade but dealers have long taken advantage of the fortified and well-monitored distance between the lobby and their drugs to avoid arrest. Disrupting the environment housing the drug culture will provide a window of opportunity for aggressive law enforcement.

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Appendix B: The South African Drug Market

The South African drug market is in a state of flux. New drugs are on the rise and old drugs are reaching new communities. New players have entered the scene and old players are seeking new markets.

With the exception of the Western Cape, this has been conducted with surprisingly little violence although this is likely to change as markets become saturated and competition increases.

This is the conclusion of the UN Office for Drug Control and Crime Prevention in its study 'Johannesburg: Study of Illegal Drug Markets' conducted in April 2000.

General findings of the study include the following points:

- Although increasing integration is evident, the drug markets of Johannesburg remain ethnically segmented, a legacy of the apartheid legislation, the Group Areas Act, which divided different races into separate areas. But even within this segmentation, the black majority has remained largely insulated from most illegal drugs. This insulation has been bolstered by strong opposition to the consumption of any substances by the church movement.
- The racial segmentation has led to a similar breakdown in the use of different substances, their vendors and user groups and their general availability.
- The cultivation of cannabis remains in the hands of poor rural blacks who do not regard its consumption as immoral and who generally use the profits for their basic needs. The South African market also imports cannabis from Lesotho, Swaziland and Malawi. Wholesaling in the Johannesburg area is still tied to the black community, especially Zulu-speaking men who originate from the cultivation

area and reside in local hostels. All ethnic groups are involved in retail and consumption. Overall profitability is small due to an overabundance of supply.

Cannabis is exported from South Africa to the UK and the Netherlands. According to British Customs and Excise, South Africa now surpasses Jamaica as the primary source of cannabis to the UK, with over twice as many drug seizures having a South African source.

- Experts estimate that just under half of the Mandrax available in South Africa is manufactured inside the country and the rest is imported. Wholesaling remains in the control of the coloured community, particularly gang members from the townships. While retail and consumption are still disproportionately coloured, all ethnic groups participate at this level.

  Mandrax is reported to have been intentionally fostered by the apartheid state as part of its chemical warfare programme against the black community. Wouter Basson, head of the apartheid government's chemical and biological weapons programme, has been accused of producing 1,000 kilograms of Mandrax and MMDA (commonly known as ecstasy) during the late 1980s and early 1990s, allegedly for use in crowd control. The Truth and Reconciliation Commission believes these drugs were ultimately sold on the streets.[6]

  While Mandrax remains a highly profitable commodity, it has been supplanted to some degree by the introduction of crack cocaine after the 1994 elections. in particular — major users of drugs — have relegated Mandrax to a secondary role and use it now to come off a crack binge. Most coloured dealers now deal in both substances.

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[6] Truth and Reconciliation Commission Final Report, *Special Investigation into Project Coast*, 2, Chapter 6, 1999.

- The market for crack cocaine only developed after 1994 with the arrival of Nigerian traffickers in the high density Hillbrow area of Johannesburg. It remains mostly in the control of Nigerian traffickers in Johannesburg's downtown residential hotels (see Appendix A). They use sex workers to augment their consumer base.
- Club drugs (primarily ecstasy and LSD but encompassing a wide range of substances) have experienced dramatic growth in the white community since the early 1990s, in part due to active interaction with the youth cultures of developed nations. The supply end is dominated by highly structured white syndicates which control the security at both clubs and mass events (raves). These 'bouncer mafias' authorise syndicate dealers to operate in these venues and muscle out any independent operators. Users, mostly the youth, are generally well educated, value their health and are very sophisticated in their consumption patterns. Ecstasy has been deemed fashionable while cocaine has become stigmatised by this group.
- An important linkage has emerged between the crack/heroin market and the club drugs market. Nigerian dealers have begun to sell ecstasy at low prices to young ravers outside the club environment, and in turn they have started to introduce their primary drugs — crack and heroin — to white youth.
- Law enforcement appears to be attuned to current trends although there has been no official reprioritisation of enforcement efforts away from cannabis and Mandrax and towards crack, heroin and the club drugs. The police force is also trying to deal with corruption in its ranks.
- Due to persistent segmentation, prices vary considerably between areas but are standardised within a micro-environment. Prices for a range of drugs in the townships can be half of what is paid in the urban centres and volume discounts seem to be disproportionately

large. In the affluent areas, prices seem to be set at whatever the drug is worth to the consumer at that point in time.

- The traditional consistency in price and certain market inefficiencies suggest a relatively low-competition environment in most markets. Consequently levels of violence have generally been low, with the exception of turf wars between rival coloured gangster groups.

Social fragmentation, poverty and youth are three factors that contribute to South Africa's crime problem in general and to its drug problem in particular. The country has one of the highest levels of income inequality in the world — a feature that has been correlated with high levels of criminal violence.

Demography also contributes to the problem. In South Africa, 44% of the population is under the age of 19 (crime is often correlated with the numbers of unemployed youth).

In addition, the growth of a black middle class means more people are becoming urbanised and coming into contact with drugs. In tandem with this a growing black middle class means increasingly more people are able to afford drugs.

Certain drugs — Wellconal and Mandrax — have enjoyed a popularity in South Africa found nowhere else in the world. This has been partly attributed to the fact that cocaine and heroin really only made inroads after the 1994 elections when South Africans were allowed to fully engage in international commerce and travel once again.

Since the elections, South Africa has entered a new phase in its drug history. The number of airlines operating out of Johannesburg International Airport more than quadrupled over a few years

(although the number has since dropped slightly). The increase included carriers which are close to significant source countries for botanically-based drugs such as Thailand, India and Brazil. In addition to traffickers, tourists and business people are bringing with them their own drug habits.

But, most disturbingly, a democratic South Africa has proved to be very attractive to international syndicates. Its geographic location and permeable borders have made it an ideal trans-shipment site. The South African rand has become one of the most negotiable currencies in the region, making it attractive in its own right, thus providing a further incentive for penetrating this market.

The country offers access to a variety of hard commodities for trade, including cannabis, automatic weapons, gold and other precious metals, diamonds and endangered species parts.

It has excellent communications, banking and transportation facilities, including the largest cargo port in Africa in Durban. A large population of unemployed youth and illegal immigrants provide a ready workforce for the illicit drug industry.
The police and other civil servants are overworked and underpaid and the country offers a high standard of living for the wealthy.

South Africa has proved to be attractive to syndicates from across the globe, including Russia, China, Bulgaria, the Middle East and the rest of Africa.[7]

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[7] South African Institute of International Affairs, *The Illegal Drug Trade in Southern Africa: International Dimensions to a Local Crisis*. Johannesburg: SAIIA, 1998.

The opening of the borders has allowed new immigrants with substantial experience in the international drug trade, particularly Nigerian and Moroccan nationals, to import and aggressively market drugs to all segments of the population.

The Nigerian dealers have succeeded (where other groups have failed) in promoting crack cocaine to epidemic proportions, starting with the sex work community.

However, in tandem with the increase in drug use, the total number of arrests in the country has gone down, making the market attractive to those breaking the law. Total arrests for sales in 1998 were less than half what they were in 1993.

This is partly attributed to the adjustment of law enforcement to a different culture of human rights and to a reprioritisation of resources to new drug threats and more formidable crime networks with which the SANAB had less experience.

In 1995, the bureau split from the Organised Crime Unit which now focuses on larger syndicates and international trafficking. As a result, fewer officers are doing routine street arrests. In addition, new dealers, such as the Nigerians, are often better educated, less likely to plead guilty and more able to hire competent lawyers.

Police sources have said the drop also has to do with the fact that the perception of declining technical and operational standards in the post-apartheid era has caused experienced officers to lose confidence in the system. Many are leaving the force while others have been co-opted into a culture of graft.

Many commentators point to Southern Africa's resident West African population (by which they mean Nigerians) as the source of lawless activity in the region. However, there has been little research on the causes and growth of West African criminal networks operating in Southern Africa. *Crime as Business, Business as Crime: West African Criminal Networks in Southern Africa* provides an overview and an analysis of the problem.

Given the dynamic nature of West African criminal networks in the region and their apparent rapid growth, such a study is important, particularly in view of the xenophobia which exists among South Africans towards people from West Africa. The study suggests that various strategies are required (including engaging with resident West African communities themselves) to confront this phenomenon.

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