

THE COALITION FOR DIALOGUE ON AFRICA (CoDA)
SEMINAR ON “TRANSNATIONAL TRAFFICKING AND
POLITICAL INSTABILITY IN AFRICA”
22-23 OCTOBER 2009, ABUJA, NIGERIA
Summary Report

Background

The Coalition for Dialogue on Africa (CoDA) convened a two day seminar in Abuja, Nigeria, in October 2009, in partnership with the UN Office of Drugs and Crime (UNODC) and Economic Community of West African States (ECOWAS) Commission to discuss the threat and options for effectively scaling up the national, regional and international fight against it. The two day meeting, on 22 and 23 October, involved 25 participants including regional and international law enforcement officials, military and national security specialists, representatives from security related think-tanks, parliamentarians, academics, and media crime experts (see attached list).

Attempts to entrench democratic governance in Africa are in some quarters being slowly subverted by the growing power and influence of transnational criminal networks that are now operating in (and across) several African countries. In a number of countries, the rule of law is being seriously hindered by the infiltration of these networks in the economy and body politic. Additionally, and even more disturbingly, in a few countries the stability and survival of the state itself is threatened by criminal activity. There has been some awareness raising and alarm sounding about the issue by key stakeholders in recent years. However, despite this, notable experts and concerned parties who have monitored developments for some time still argue that much more needs to be done to address this problem, both at the national and international level.

Against this background CoDA decided it was timely to convene a brainstorming seminar on the subject in order to : i) to arrive at a shared understanding of the threat of transnational trafficking networks and operations to political stability and the rule of law in Africa; and ii) to agree on concrete recommendations and proposals that will bring about a more coherent and inclusive response to this threat from African governments and institutions (public, private, civil society) and the international community.

CoDA is the successor forum to the Global Coalition for Africa (GCA) and the Big Table (Africa-OECD) policy forum. It is distinct from the GCA in that it is completely African owned and based in Africa. The Secretariat of the initiative is based at the headquarters of the United Nations Economic Commission for Africa (ECA) in Addis Ababa., Ethiopia. Although it is a joint venture of the African Union Commission (AUC), African Development Bank (AfDB) and ECA, CoDA is not an intergovernmental program of the three institutions.

Opening session

In his opening remarks, Professor Abdoulaye Bathily, the CoDA Convener, welcomed participants on behalf of the Chair of CoDA's Advisory Board, H.E. President Festus Mogae (the former President of the Republic of Botswana) and thanked the UNODC and ECOWAS Commission for respectively co-organising and hosting the meeting. He outlined the overall objectives of CoDA and explained the rationale for CoDA's decision to convene a seminar on "*Transnational Trafficking and Political Instability in Africa*" at this time. In that regard, he stressed the importance of the meeting and its subject to the Africa region and the world. He highlighted the topicality of the seminar theme as well as the need for a constructive exchange of views between knowledgeable individuals who have been dealing with various aspects of the issue for some time. Professor Bathily said that CoDA had therefore brought various experts together for an open discussion about the impact of the phenomenon of transnational trafficking and political instability in Africa, in the hope that their brainstorming would provide viable policy proposals for CoDA's Advisory Board to embark on advocacy to help drive the agenda forward.

Dr. Abdel-Fatau Musah, Director of Political Affairs of ECOWAS then welcomed the participants on behalf of H.E. Dr. Mohamed Ibn Chambas, the Chairperson of ECOWAS Commission. He noted the relationship between the theme of the seminar and the political instability and poor governance, resulting from *inter alia* drug trafficking and the illicit trade in natural resources, which characterises some countries in the ECOWAS region, such as the Republics of Guinea and Guinea-Bissau, respectively.

Dr. Musah, furthermore outlined the problems of trafficking (in humans and illicit commodities), transnational crime, regional insecurity and conflict, terrorism, poaching, oil bunkering and illegal waste dumping, as well as the myriad threats to governance faced by the countries in the West Africa sub-region. He then went on to cite the efforts being undertaken by the ECOWAS Commission and its partners to put mechanisms in place to combat the scourge of transnational crime. These efforts, he said, focused on the following: (i) developing strategies to strengthen existing conflict prevention mechanisms; (ii) evolving practical measures to ensure good natural resource governance, youth empowerment, and combating transnational crime; (iii) training and equipping the various security agencies in the region to effectively and positively intervene in conflict situations and humanitarian emergencies; and (iv) further strengthening the capacity of the region to engage in effective post-conflict reconstruction and peace-building.

Ms. Dagmar Thomas, Country Representative of the UNODC in Nigeria delivered the final welcome remarks. She acknowledged the active engagement of ECOWAS in this field, which was a priority issue in West Africa. She thanked CoDA, ECOWAS and UNODC for organizing the seminar. She noted that the impact of cocaine

trafficking, the large scale cultivation and trafficking of cannabis, as well as the production and refining of illicit drugs in West Africa, had been assessed in recent UNODC studies (2008 and 2009). Additionally, she stated that billions of US dollars of illicit profits are being made in Africa through illegal oil bunkering, cigarettes smuggling, trade in counterfeit and expired drugs, and human trafficking. She added that these profits are then being laundered and used to fuel corruption, further criminal activity, violence, and instability. Ms. Thomas cited the partnership and cooperation between UNODC and CoDA, ECA, AU, AfDB, ECOWAS and UN agencies as a good example of joint action in the fight against this threat, and urged the seminar participants to engage in frank debate to come up with strong recommendations for national and Africa-wide action as well as for international support.

The seminar discussions focused on the following main areas: latest UNODC assessments of the range and impact of transnational trafficking in the region; analysis of the threats to governance, the rule of law and political stability; impact of criminal activity on the high seas (especially piracy and oil bunkering); crime and corruption in Africa; and, institutional responses.

Highlights of the Discussion

Session 1: The Overview of the Problem

Lead speaker: Mr. Alexander Schmidt, Regional Representative, UNODC Regional Office for West and Central Africa.

In his brief overview presentation, which focused on West Africa, Mr. Schmidt highlighted that the sub-region suffered from the following factors, which make it vulnerable to infiltration by the operations of transnational criminal networks:

- It is one of the poorest regions in the world.
- Governance is weak; many states are prone to instability, corruption levels are high.
- It is located along traditional illicit trafficking routes.
- Low economic development rates allow criminal groups to recruit foot soldiers from a large pool of desperate youths.

Mr. Schmidt stated that West Africa's ability to achieve the MDGs was now also being hindered by organized crime which is undermining the rule of law, governance, democracy, the environment, human rights, and health of the region. To support this claim he cited the following:

- Recent increase use of WA as a hub for cocaine trafficking from Latin America and Europe (estimated trafficking of 40 tons of cocaine through WA to Europe annually worth about US\$ 11 billion).
- Trafficking volume is diminishing due to increased seizure successes, but not necessarily a decrease in the drug market supply.
- Production/refining of cocaine and/or MDMA (ecstasy), and other drugs is known to be taking place in at least one country.

- WA is an established crossroads for smuggling of cigarettes, arms, people, counterfeit medicines, toxic wastes, oil and other natural resources.

Regarding efforts to address the problem, Mr. Schmidt highlighted the need for technical, logistical and operational assistance to security services in the region (e.g. provision of patrol boats, helicopters, and radar) to enable them to improve capacity to protect their borders, coast lines and airspace. In addition he cited the “*One UN*” approach to fighting organized crime as a notable initiative which is already bearing fruit. He ended with a call for continued action at the political level, building on the example of the Kimberly Process experience, and the political commitment of ECOWAS Heads of State to fight drugs and crime.

Discussion Highlights

The ensuing discussions raised the following issues and proposals:

- National ownership and leadership by state actors and governments in particular, is fundamental in tackling organized crime and transnational trafficking.
- The state has a critical role to play in addressing the problem and can not be side-stepped, however options should be pursued to ensure civil society and social resilience to the threat as well as to ensure pressure from above (regional mechanisms) on individual states to act.
- Law enforcement approaches alone will not solve the problem as it is a development issue.
- Serious attention must be given to addressing the developmental aspects of the problem, as it is the developmental context which often pushes/attracts people to the criminal world.
- It is important to investigate the links between recent increases in armed insurgent activity in the region and drug trafficking.
- Greater emphasis must be placed on peer review of the situation as external accountability can often bring strong pressure on states to “do the right thing”.
- Accountability is a critical issue. State actors must be seen as accountable to their citizens. A stress must be placed on legal accountability, so that those who are know to be extracting criminal rents from their positions within state apparatus are punished. Failure to do so leads to a perception of impunity and a long term corrosion of governance systems that benefits the spread of criminal enterprises and threatens the state.
- International partners and other external actors should work more with CSOs; in order to get all stakeholders involved in the fight against this threat. More efforts should be made to mobilise public opinion, and involve the media to uncover people engaged in criminal activity (use the name and shame approach).
- The success of the civil society “blood diamonds” initiative, which resulted in the Kimberly Process could be emulated to ensure greater public awareness, debate and information dissemination about this issue.
- There is a need for more and better coordination and collaboration among actors and a need to build on existing initiatives rather than “reinventing the wheel”.

- Capacity of oversight institutions (e.g. judiciary, parliament, and CSOs) must also be strengthened.
- Cross-border institutions (non-state and state actors) have a very important role to play and need to be given the capacity to do so.

Session 2: Threats to governance, the rule of law and political stability

Lead speakers:

- ***Prof. Adedokun Adeyemi, Professor of Law and Criminology; University of Lagos.***
- ***Mr. Francis Poku (former Minister for National Security of Ghana), Africa Reconcile Limited.***

Professor Adeyemi began by stressing that the “law enforcement problem” can not be solved without solving the “development problem” and thus emphasized the need to consider all the flows and weaknesses in the political system, which make the region susceptible to the operations of transnational trafficking networks. He advised against creating new institutions and instead called for a reinforcement of what exists in order to ramp up the fight against trafficking operations in Africa. He urged a tailored “developmental approach” to deal with the “lower cadre” of organised crime and gave the example of other regions of the world where crop substitution programmes successfully encouraged farmers and other young people to switch from drug production and trafficking. He noted that most individuals are unlikely to risk their lives in illegal activities when they have an opportunity to make money legitimately. He ended by encouraging further discussion and exploration of the following issues:

- The developmental angle of the drug problem (in particular, how to put youth empowerment at the centre of all programmes in the fight against this scourge).
- The interconnectedness of the problem and how the fight back has so far been complicated by Africa’s “irrational” borders.
- How to build on what exists and not “reinvent the wheel”.

Mr. Poku, meanwhile, focused on sharing with the meeting his “hands on” experiences in the fight against trafficking in Ghana and some lessons learnt that could be applied elsewhere. He noted the critical importance of the various national security and law enforcement institutions identifying themselves with official national security strategies, which should have as their aim not only the protection of the state but also the protection of citizens and the promotion of good governance. He added that, given the fact that national security as a concept is determined by the threats of the day, the drug threat must be seen as a serious national security threat to the African state today. Mr.Poku noted the importance of political will to tackling the threat effectively as well as the establishment of a political environment that ensures that the security sector is not restrictive. In that regard, he stressed the importance of security services being organised in a transparent and accountable way and guided by legislation which states their remit clearly. To ensure a comprehensive fight against trafficking increase in the region Mr.Poku highlighted the following:

- Present structures are not working as they should. Regional security systems need a complete overhaul to contain the menace.
- There is a need to review why national structures in place are not working and to formulate a continental security strategy for Africa based on African values and which recognizes Africa's recent history (e.g. the efforts to promote the consolidation of democracy).
- Emphasis must be placed on the pooling of regional national security resources as lack of regional resources has been at the root of failures to date.
- Specialized transnational units should be set up to respond to the threat.
- Political will is essential. Anti-trafficking legislation must be passed and structures put in place to enforce this legislation.
- Personal responsibility must be highlighted. Individuals (known to be involved in trafficking or providing cover for traffickers within the government system) must be brought to book. A dossier of known criminal associates should be published and sanctions applied to them. This can also serve as a useful deterrent to others.

Discussion Highlights

The ensuing discussions raised the following issues and proposals:

- What is the role of trafficking in the “criminalization of the state?”
- A key concept to address is the “criminal rent” that people in power are able to extract from their involvement in trafficking.
- The increasing collusion between powerful individuals within the state system and drug networks and increase use of criminal rents in some countries is very disturbing as it is becoming an increasing source of patronage that is damaging democratic governance.
- Institutions need to focus on the implementation of action plans. In many cases, parliaments have passed legislation but governments do not have the means or the will to act.
- “Guarding of sovereignty” by many national governments is acting as a hindrance to the implementation of the AU continental defence and security system which already exists. In that regard, it may be more viable to create what former UN SG Kofi Annan termed “an interlocking system” from the bottom up by focusing on a sub regional approach rather than a regional or international approach.
- As ECOWAS experience has shown, a sub-regional approach is essential as many states do not have capacity to tackle the trafficking problem alone.
- East Africa is experiencing a similar corrosion of governance as West Africa, and many local networks are implicated. It is therefore important to have a coordinated fight back across the continent involving interregional collaboration and coordination on research and analysis, the creation of necessary legal frameworks and capacity building.
- Law enforcement (involving the investigation, arrest and prosecution of individuals) is presently a very weak link in efforts to tackle the problem. This is one reason why it has not been possible to mobilize local populations in the fight

against the threat. Unless they begin to see light at the end of the tunnel (e.g. arrest and punishment of known drug dealers and their associates in state institutions and/or influential political positions) they will not become engaged fully.

- The recent case of improvements in infrastructural development and provision of employment in Lagos was cited as a good example of the way in which individuals respond well to positive changes in their environment. Lagos was said to have experienced a drop in criminal activity in areas where state government has brought about visible improvements and was now seen to be accountable to its citizens. It was suggested that this approach should be emulated.
- Identity problems and lack of opportunities faced by many African youths might also be a key factor in the spread of drugs in the region.
- We need to look closely at the youth involved in the trafficking networks (Who exactly are they? What is their view of trafficking? Why are they involved?)
- Provision of education and credit facilities targeted at the youth should thus also be a component of the developmental response.
- The experience of using former child soldiers in the demobilization and disarmaments exercises in several post conflict situations could also be emulated through the promotion of reformed criminal youths as champions in the fight back against trafficking. There is a need for “ambassadors against the drugs trade”.
- The demand countries in the North (USA and Europe) must take this issue more seriously as a collective threat to them and Africa.
- Existing protocols which have been set up to address the problem must be reviewed. Elements which do not point to a comprehensive approach must be revised.

Session 3: Threat posed by Trafficking and Organised Crime in Africa

Lead speaker: Mr. Flemming Quist, Senior Law Enforcement Advisor for Africa, UNODC Regional Office for West and Central Africa, Dakar, Senegal.

Mr. Flemming Quist commenced his presentation on the threat posed by trafficking and organised crime in Africa by depicting a grim picture of Africa’s crime situation marked by diverse and interrelated types of crimes. Trafficking in drugs, in human beings and smuggling of migrants are at the forefront of Africa’s security agenda in view of the recently dramatic extent to which they victimize the African population. Human trafficking is a tremendous problem in Africa due to the fact the bulk of its victims are from the most vulnerable part of the population, i.e., women and children. Whereas children are trafficked for work under slave like conditions, women are mostly trafficked as prostitutes, namely in countries such as Liberia.

Mr. Quist also referred to the other nonetheless worrisome categories of organized crime such as, *inter alia*, the smuggling of natural resources and endangered species, cyber crime, money laundering, trafficking in counterfeit products, kidnapping and extortion, and trafficking in small arms and light weapons. However, the most dangerous new threat to rule of law in Africa is visible through the effect of the growing importance of drug trafficking. In effect, West Africa has become a very important transit point for

both heroin from Asia and cocaine from South America. In a December 2007 report UNODC estimated that some 33 tons of cocaine transiting Africa had been seized since 2005. According to Quist, *“the shores of West Africa suddenly are being hit hard by cocaine trafficking by ship and cargo airplanes. Not only is cocaine being stockpiled in tons in West Africa, but Latin American narco-cartels have also established themselves in the region”*. In this context, Guinea Bissau, in his opinion, represents a real matter of concern for the international community both because of the lack of efficiency of law enforcement agencies which is attributable to the overall poverty there, but also due to the country’s failure to establish an effective drug abuse treatment system.

In addition, Quist emphasized the viciousness of the circle formed by the various types of organized crime and drugs flows in Africa that are mutually supportive and constitute interrelated threats that, fertilized by poverty, lack of opportunity and despair, have possible links to terrorism and situations of conflict in Africa. He also gave an overview of the trafficking activities across the Sahara. Addressing the impact of transnational crimes on Africa’s overall welfare, he based his argument on the UNODC’s 2005 report, *“Crime and Development in Africa”* which highlights how drug trafficking and crime constitute an impediment to development in Africa by fueling corruption in that very process.

The final remarks of the presentation focused on the challenges and achievements of law enforcement in Africa. In Mr. Quist’s view, the main obstacles to more effective law enforcement in Africa are corruption (which prevents successful investigations) as well as poor expertise and very minimal exchange of information and intelligence between the respective law enforcement agencies at the national and regional level. Low training levels of investigators and magistrates, lack of forensic capacities, lack of equipment as well as insufficient governmental funds for operations also count among factors hindering law enforcement affectivity in the continent, which he cited.

He concluded his remarks by giving an overview of some examples of achievements in the last five years, through UNODC projects, which have covered law enforcement capacity-building for Africa, computer based training programmes, the anti-smuggling of migrants programmes as well as national programmes on anti-trafficking such as those undertaken in Cape Verde, Guinea Bissau and Ethiopia; and the Global Container Control Programme and Airport Communication project.

Discussion Highlights

The ensuing discussions raised the following issues and proposals:

- There is a lack of intelligence sharing at national, inter-state and regional levels.
- There is a need for capacity building for law enforcement.
- There is a need to tackle this problem not only at national level but at regional level. Regional inter-governmental organization should take the lead and pressure member states to acknowledge responsibility and take appropriate action in this regard.

- There was a common recognition that there is a complex vicious circle between lack of intelligence sharing, capacity, political will and corruption.
- There is a need to revisit the existing protocols within the African Union and regional economic commissions on law enforcement, exchange of information and intelligence. CoDA should do its utmost to advocate this aspect of the review of protocols within the AU.
- Some seizure cases were presented and discussed such as in Kenya, Angola and Senegal, where participants argued that intelligence exchange had been hampered by corruption at the very highest political levels.
- It was agreed that intelligence sharing is a key issue for tackling organized crime.
- The involvement of UN and international partners is crucial –the example of the UNODC Global Container Programme was cited, where some of the achievement of the seizures through this programme were not only because of national will but because of the UN involvement.
- It was also highlighted that it is not sufficient to seize the drugs but also to ensure their disposal and destruction. Often after the seizures, drugs disappear or are not proven to have been destroyed as claimed.
- Therefore, it was reiterated again that the subject – from all angles - should also be dealt with at the regional and global level.
- It was also emphasized that many drug seizures were made by coincidence not based on intelligence.
- The need for close coordination among law enforcement agencies was stressed.
- It was also emphasized that fighting drugs without addressing corruption is pointless.
- The example of the ECOWAS progress was given with regard to the Political Declaration and Action Plan on Drugs and Crime being endorsed by the Heads of States, showing commitment and intentions. However it was highlighted that ECOWAS will have to closely oversee the process and monitor its implementation.
- The regional commissions should integrate drugs and crime into development, peace and security agendas and involve appropriate offices in dealing with these topics – not leaving it solely within social departments.
- There is a need to monitor and strengthen INTERPOL national bureaus promoting trust and efficiency.

Session 4: Impact of Criminal activity on the High Seas

Lead speaker: Mr. James Cockayne, Senior Associate, International Peace Institute (IPI)

Mr. Cockayne noted that criminal activity on the high seas (in particular, piracy, oil bunkering and human trafficking) was now increasing in the Africa region because the “balance of technology” has recently been tilting in favour of non-state actors and the oceans are huge ungoverned spaces where criminality can operate using relatively cheap and easily available technology. This combination, he said, offered criminals an opportunity to reap high rewards for relatively low risk. He noted that sea based human trafficking from West Africa is the source of 50% of illegal migrants to European

countries and a trade valued at US\$ 285m per year. In addition, he outlined how oil bunkering activity in the Niger Delta was giving criminals access to huge rents and subsequently leading to their increasing regional power and influence, increased corruption of local governance systems, and the creation of rackets that undermine democratic governance and fuel insurgencies. In that regard, he highlighted the convergence of crime and insurgent conflict in the region.

Mr. Cockayne noted that the long term solution to the problem will be dependent on the establishment of effective states and long term development. He said that, given that the achievement of this long term requirement is in many cases still “wishful thinking”, the focus now should be on formulating a “creative” short term response. This he suggested could be based around the creation of a sub-regional, multilateral and multifaceted framework for partnership against trafficking on the high seas similar to the *International Contact Group on Piracy in Somalia* (a coordination and cooperation mechanism), which has the blessing of the UN Security Council. He proposed that this International Contact Group should be endorsed by the AU and ECOWAS to give it a wider mandate. It should be seen as a complementary and supportive coordinating mechanism, not a substitute for ECOWAS or intended to usurp its power. Its main aims should be to encourage greater regional, sub-regional and international coordination (including with North and Latin American and European nations) as well as a stronger multi-sectoral approach to tackling the problem. At the same time, efforts should be made to improve sub-regional aviation and coast guard collaboration to monitor the situation as well as to strengthen sub-regional maritime mechanisms.

Discussion Highlights

The ensuing discussions raised the following issues and proposals:

- The proposal of the creation of an International Contact Group (ICG) to serve as a coordination and cooperation mechanism to deal with trafficking on the high seas, similar to the ICG on piracy in Somalia, was welcomed as a complement to national structures and existing modalities.
- It was recommended that the idea be submitted to the UN Secretary General's Special Representative to West Africa, Ambassador Said Djinnit, for consideration.
- The stealing (poaching) of the fisheries resources of developing countries such as Somalia by fishing fleets from developed countries and Asia, which some Somali use as an excuse for resorting to piracy was also highlighted.
- It was proposed that more be done to address the developmental aspect of piracy and oil bunkering in the Niger Delta through protection of the natural resources in the affected areas and the greater use of these resources as a source of economic development to benefit local communities.

Session 5: Transnational Crime and Corruption: Context and Challenges
Lead speaker: Mr. Oliver Stolpe, Justice and Integrity Unit
United Nations Office on Drugs and Crime, Vienna, Austria

Mr. Stolpe structured his presentation entitled “*Corruption as a Threat to Political Stability in West Africa*” based on the following main points: The factors accounting for Corruption’s relevance as a threat to stability in West Africa, the causality link between control of corruption and political stability, and the international efforts pertaining to combat corruption in West Africa. He began by stating that corruption in West Africa is primarily a result of governance failure. Inadequate legal systems, ineffective criminal justice systems, and lack of functioning accountability and oversight, he said, are the principal factors explaining West Africa’s difficulties in effectively controlling corruption.

He cited a 2008 World Bank study, which found that, statistically, political instability in the West African sub-region is inextricably linked to failure to control corruption. Therefore Stolpe stated that “... *statistics show that control of corruption and political instability are in inverse proportion: the higher is the control of corruption, the less is the political instability, and vice-versa. Hence, the control of corruption must be recognized as a key aspect of conflict prevention resolution and management*”.

Mr. Stolpe concluded his presentation by reviewing international efforts in the fight against corruption. He pointed out that despite the signing of the *United Nations Convention Against Corruption* (UNCAC) by most West African States, only a few had managed to effectively enhance control of corruption. Under such circumstances, he stressed the importance of the ECOWAS Praia Action Plan as an implementation instrument to strengthen institutional and personnel integrity to minimize the incidences of corruption and compromise. He explained that, in the same vein, UNODC plays a highly decisive role through legislative assistance, and mentoring in the implementation of anti-corruption strategies as well as through capacity building through projects such as the “*Strengthening the Rule of Law in Cape Verde*”, “*Strengthening Administration of Justice and Rule of Law in Guinea Bissau*” and the project to “*Support the Economic and Financial Crimes Commission and the Nigerian Judiciary*”. Mr. Stolpe also gave an overview of the *Stolen Asset Recovery* initiative, which is being implemented by UNODC and the World Bank to help developing countries recover assets stolen by corrupt leaders, help invest them in effective development programs and combat safe havens internationally.

Discussion Highlights

The ensuing discussions raised the following issues and proposals:

- Recent surveys have shown a slight overall improvement in the sub-region with regard to corruption.

- Institutions tasked to prevent and control corruption, such as the police and judiciary, are in some cases equally if not more affected by corruption as the rest of society.
- Civil Society engagement and advocacy on the issue is critical, however, civil society groups are often victims of corruption, especially the media.
- Corruption is a global phenomenon at different levels. It is an educational process that accompanies development.
- There is need to endorse integrity, introduce a code of conduct, ethic training, and promote individual responsibility on corruption issues.

Session 6: Institutional Responses

Lead speakers:

- ***Dr. Sintiki Ugbe, Gender and Child Development Youth/Sports, Civil Society Employment and Drug Control, ECOWAS Commission***
- ***Peter Gastrow, Senior Fellow, International Peace Institute***

Dr. Ugbe provided the meeting with an overview of the steps taken by the ECOWAS region to combat the threat of trafficking since 1997. The adoption of a resolution by ECOWAS Heads of States in 1998 affirmed their commitment to the issue and led to the development of an ECOWAS regional action plan. In June 2008, the ECOWAS Summit endorsed the convening of a ministerial conference to look deeper at the issue and review the lessons learnt over the past decade. Dr. Ugbe highlighted the following ECOWAS Secretariat principles which guided the subsequent Praia Ministerial Process:

- Strong political commitment and support is critical to success.
- Response action plan should be formulated and owned by member states.
- An operational framework of tools is needed to translate resolutions into actions.
- ECOWAS commission should provide the platform and instrument for addressing and coordinating regional issues.
- Regional response must involve education of citizens and civil society.
- There is a need for effective international cooperation to find national and regional answers to the drug problem.
- Adequate responses are key to an effective regional response.

Dr. Ugbe noted that these elements are reflected in the Praia ECOWAS Regional Action Plan which has led to the formulation of a regional operational plan. She explained that “post Praia” work is focusing on building capacity at the ECOWAS Secretariat and on continued advocacy; and that ECOWAS thus fully welcomed the CoDA decision to convene a seminar on the issue. Looking to the future she emphasized the need for an integrated approach to the issue which includes increased engagement with civil society, support for vulnerable groups, and the establishment of a monitoring mechanism to evaluate the implementation of the action plan. Dr. Ugbe informed the meeting that, given the complexity of the issue, the ECOWAS Secretariat had now set up a committee composed of experts from various sections to promote close collaboration

and coordinate work on the issue in the commission. She stressed the need for funds to turn the plan into a reality.

Mr. Peter Gastrow called for a similar seminar to be convened in East Africa as the focus of discussions at the Abuja meeting had focused overwhelmingly on the West African experience. He proposed that the CoDA seminar recommendations be tested on ECOWAS before they are shared with the African Union. He also highlighted that small institutions and think tanks, such as the International Peace Institute (IPI) could play an important complementary role in support of the main actors in the region, particularly in the area of research, analysis and information dissemination. Mr. Gastrow noted the significant role that smaller, independent institutions can play in making policy proposals based on their own research information as well as assistance with capacity building in the area of policy formulation. He then gave the floor to his IPI colleague James Cockayne who provided more information on his proposal concerning the creation of an International Contact Group on Trafficking. This, he said could focus on the following components:

- Alternative livelihoods.
- Justice systems.
- International law enforcement.
- Forum on prevention, harm reduction and demand reduction.
- Fostering civil society responses.

He said such a group was needed as there currently was not enough international cooperation (especially involving European and Latin American actors) in the fight against trafficking in Africa. He also added that the group could provide scope for applying greater peer pressure as there are presently few sanctions if member states choose not to implement the Praia plan.

The meeting responded to the ideas put forward in session 6 in the closing session.

Closing Session

Moderator: Professor Abdoulaye Bathily, CoDA Convener

The closing session offered participants an opportunity to reiterate their earlier proposals and make other concrete recommendations for advancing the agenda, based on the seminar presentations and discussions. The main consensus and recommendations from this and the earlier session discussions are summarised below:

- The meeting agreed that transnational crime is a global phenomenon which cannot be addressed within national boundaries in isolation but should be tackled globally.
- The meeting agreed that national and regional ownership, as well as leadership by state actors, is fundamental in the fight against transnational organized crime.

- The meeting recognized transnational crime as a direct threat to the development and political stability of African states. It also noted that the problems of drugs and crime would not be dealt with effectively without improvements in governance and development.
- It therefore agreed that it was critical for the threat to be addressed in national and regional development strategies and allocated appropriated resources. The meeting thus highlighted the need to mobilize resources at all levels to tackle this phenomenon.
- The meeting underscored the need to bring the fight against trafficking into the framework of an integrated security strategy at the national, sub-regional and regional levels.
- The meeting noted that existing initiatives should be made to implemented as much as possible and that there is a need to guard against a proliferation of initiatives that are not sustainable.
- The meeting highlighted the importance of involving non-state actors (especially civil society, the private sector, and media) more actively in advocacy in order to the mobilise public opinion at all levels in the fight against the trafficking menace.
- It was proposed that an online media observatory could be set up by journalists to share information among the media and with the general public about the trafficking threat in African countries.
- It was recommended that CoDA and UNODC (as well as the UN Security Council and AU) could work with the media on a major public advocacy and social mobilization campaign on the issue similar to that successfully undertaken by Global Witness and civil society partners on the “blood diamonds” issue.
- It was underscored that there is a “mutual responsibility” on the issue in supply and demand countries (mainly in Europe and North America). It was therefore proposed that this public advocacy and social mobilization campaign should have an international focus so that consumers in the West also become aware of the affects of the “blood drugs” they demand.
- The meeting highlighted the need for Security Sector Reforms, law enforcement capacity building, criminal justice reforms, as well as targeted effort to address

impunity, promote international legal cooperation, and exchange of intelligence at all levels.

- The meeting recognized the need to put in place effective monitoring mechanisms to review the compliance of states to the commitments and obligations they have made within legal instruments. It was proposed that such monitoring bodies should be led by regional organizations, member states and international organizations.
- The meeting underscored the need to promote an integrated approach and partnership to the tackling the challenge. In that context, the meeting noted the need for international partners to harmonise their capacity building initiatives in the security sector.
- The meeting highlighted the need to mobilize international attention and support through regional bodies such as the African Union (AU) and the regional economic communities, as well as the UN Security Council.
- The meeting recognized the need to monitor the implementation of the ECOWAS Praia Declaration, to use as best practice across the Africa region. The monitoring and evaluation mechanism established to report progress on the implementation of the Action Plan, including at the level of the UN Security Council, will serve as an effective indicator.
- In that framework, the meeting agreed that an International Contact Group on Trafficking should also be recommended to support and coordinate efforts in tackling security and political threats posed by transnational crimes. It was proposed that the group should be chaired by regional bodies, and possibly at the AU level in the framework of the implementation of the AU Plan of Action on drugs and crime.
- The meeting encouraged the AU to be proactive in other sub-regions and use the lessons learnt from the ECOWAS experience to mitigate the threat of a rise in trafficking in other sub-regions of the continent. It was proposed that as a first step, threat assessment analysis, similar to that undertaken by UNODC in West Africa should now be undertaken now in other regions.
- The meeting encouraged the establishment by the African Union of an *early warning system* on trafficking operations.

- The meeting agreed on the importance of formulating and implementing appropriate measures to address corruption, rule of law and good governance.
- The meeting encouraged ECOWAS and other regional organizations to work more with independent research institutions and think tanks.

In his closing remarks, Professor Bathily, thanked all the participants for their active participation at the meeting and constructive deliberations on the subject. He underlined the significance of the issues discussed to Africa's future and proposed the setting up of a network from the meeting to continue the dialogue. He also informed the meeting of CoDA's intention to publish a report on the seminar incorporating elements of their presentations, background reports and the discussion highlights reflected in the seminar summary report. He concluded by assuring participants that the summary report proposals and recommendations of the seminar would be submitted to the CoDA Board, and subsequently to other relevant policymakers.