



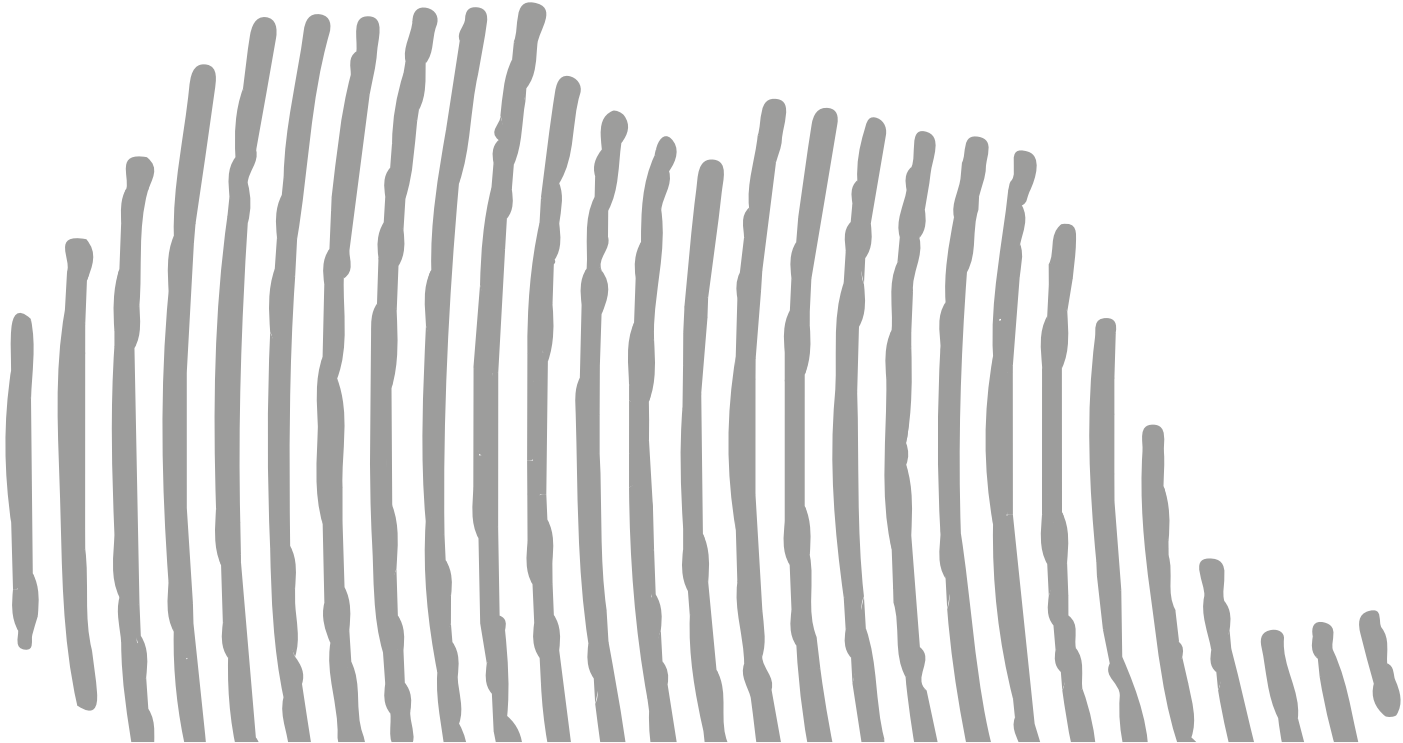
WHITE PAPER

ON ILLICIT ECONOMIES AND ORGANIZED CRIME IN AFRICA



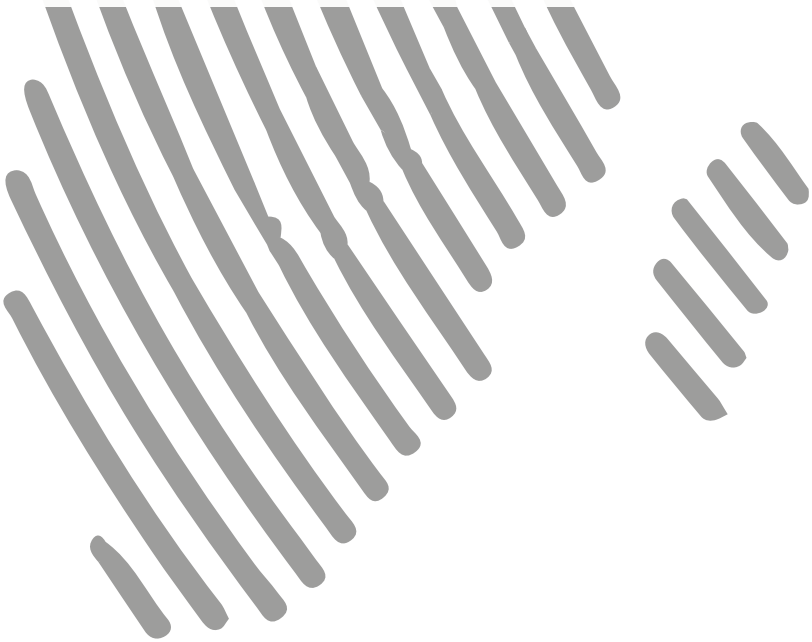
University for Peace





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University for Peace



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The **White Paper on Illicit Economies and Organized Crime in Africa** was coordinated under the supervision of Dr. Maurício Vieira, Head of the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime, with the financial support of Philip Morris International.

The **University for Peace** was established by the United Nations General Assembly Resolution 35/55 of December 1980.

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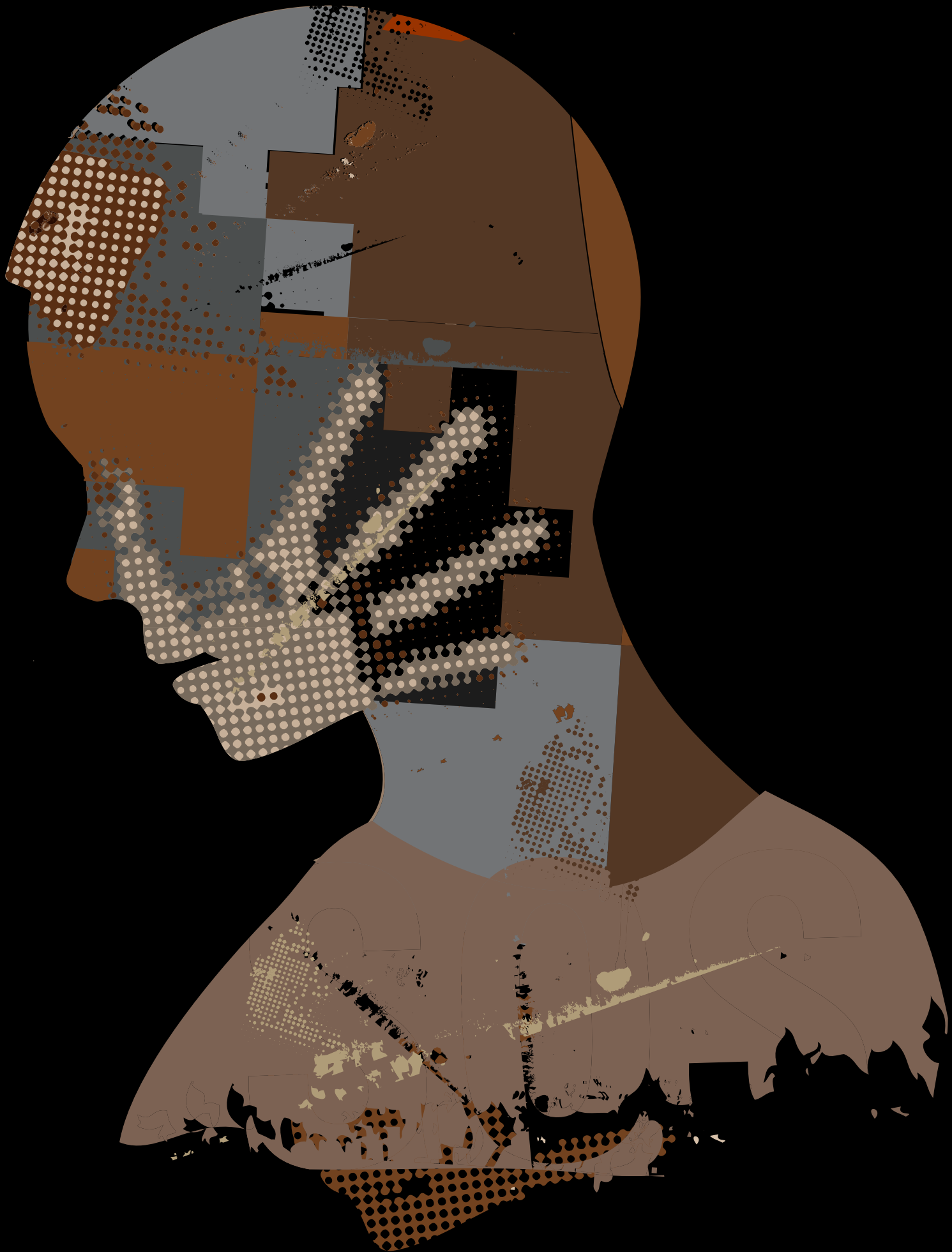
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Suggested citation: University for Peace (2022). *Illicit Economies and Organized Crime in Africa* [White Paper]. University for Peace.

ISBN 978-9930-542-38-5

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About the White Paper

The White Paper on Illicit Economies and Organized Crime in Africa aims to promote dialogue among different stakeholders: government officials, civil society members, researchers, academics, and the private sector on the issue of countering and preventing illicit economies and organized crime on the continent. The paper is based on qualitative research and interviews with experts from different countries and provides an overview of the main gaps and challenges that the continent faces. **The White Paper on Illicit Economies and Organized Crime in Africa** is a project funded by Philip Morris International.

About the University for Peace

The University for Peace was established by the United Nations General Assembly Resolution 35/55 of 1980 with the purpose of promoting the spirit of understanding, tolerance, and peaceful coexistence among human beings, encouraging cooperation among peoples, and helping to overcome obstacles and avert threats to world peace and progress, in accordance with the noble aspirations proclaimed in the Charter of the United Nations. To this end, the University for Peace has undertaken the task of educating for peace, which contributes to the sustainable development of societies through the dissemination of knowledge. Currently, there are 41 signatory states to the International Agreement for the Establishment of the University for Peace. Citizens and residents of signatory states may pursue their graduate studies at University for Peace at a significant discount, making it possible for the university to increase the number of young peacemakers around the world. All students receive courses on conflict resolution from global perspectives that prioritize the role of international institutions and normative frameworks, including the goals set by the United Nations 2030 Agenda for Sustainable Development.

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PREFACE

The White Paper on Illicit Economies and Organized Crime in Africa is a policy-oriented document that focuses on the principal challenges related to transnational threats in Africa. The purpose of this research is to give readers a robust panorama of illicit economies and organized crime in Africa to comprehend the impact of these phenomena on the continent. This paper contributes to the debate on these issues by emphasizing that Africa will not be capable of reducing or preventing the pervasiveness of illicit economies and organized criminal dynamics without cooperation from the international community, multilateral and subregional organizations, civil society, and the private sector.

Africa ranks as the continent with the second highest levels of criminality in the world, which impedes the realization of the Sustainable Development Goals. The most prevalent organized criminal activities vary from human trafficking and migrant smuggling, arms trafficking, environmental crimes, and drug trafficking to financial crimes such as tax evasion, trade misinvoicing, and money laundering. This scenario supports the idea that Africa is a breeding ground for illicit economies and organized crime due to its porous borders, ungoverned territories, weak institutions, high levels of corruption, and lack of appropriate regulations. All these factors speak to the arduous task ahead of the international community and African states to regulate the continent's different economic sectors and actors.

Insecurity catalyzed by social cleavages and aggravated by conflict and underdevelopment has opened avenues for organized criminal groups to exploit the continent for their financial ends. Considering the legacy of colonialism in Africa and resulting precedents of exploitation and social inequalities, some African states lack capacities to protect and provide goods and services to their populations and safeguard their financial institutions and markets. Bolstering state capacities requires a commitment from African governments to design strategies for national and regional security, information sharing, compliance frameworks, and regional and international cooperation.

Beyond knowledge dissemination and policy recommendations, the **White Paper on Illicit Economies and Organized Crime in Africa** builds off 20 years of collaboration between the University for Peace and African partners. In 2002, the University for Peace established its Africa Program (UPAP) based in Addis Ababa, Ethiopia. Since the program's inception, the University for Peace has organized seminars, developed master's programs together with partner universities across the continent, and supported doctoral research through awards and fellowships to African doctoral candidates registered with universities in Sub-Saharan Africa that prioritize studies of peace and conflict, governance, security, and development.

Aligned with the goal to increase knowledge regarding the impact of organized crime and illicit economies in different parts of the world, the University for Peace established the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime in August 2020. The Chair aims to promote and contribute to academic and policy debates on issues related to the impact of organized crime on state fragility, democracy, corruption, and sustainable development.

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Regarding the publication of this document, the University of Peace acknowledges the immense institutional support from the Dean Dr. Juan Carlos Sainz-Borgo. The publication would also not have been possible without the coordination and oversight from the Head of the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime Dr. Maurício Vieira and revision from the Assistant to the Chair Emma Farris. The University for Peace especially thanks its research team in Africa led by the Director of the University for Peace Africa Program Dr. Samuel Ewusi with support from Dr. James Zotto.

The University for Peace also acknowledges Philip Morris International for supporting the publication of this document. The **White Paper on Illicit Economies and Organized Crime in Africa** underscores the importance of discussing transnational organized crime and illicit economies through a multidimensional lens, creating a space for the participation of actors from the private sector, non-governmental organizations, academia, pan-African organizations, and other states to establish a coherent development program that tackles these issues. Without countering the present organized criminal dynamics in Africa, safeguarding individual livelihoods, peace, and sustainable development is not possible.

Dr. Francisco Rojas Aravena, Rector
University for Peace

EXECUTIVE SUMMARY

The **White Paper on Illicit Economies and Organized Crime in Africa** sheds light on the current issues that Africa faces, which result from the effects of colonialism, armed conflict, structural violence, and state fragility over the years. This research also points out the opaqueness of the dynamic of illicit economies and organized crime in Africa, which is marked by the involvement of political elites. The presence of hybrid actors in the proliferation of illicit economic activities is a threat to improving human development on the continent. The principal way in which political elites and organized criminal groups interact and exchange resources is through the extractive industries. Maritime piracy, irregular migration, human trafficking, and migrant smuggling follow the exploitation of natural resources and are extremely problematic illicit activities due to their growth rates and impact on populations.

The panorama of illicit economies and organized crime in Africa evidences important gaps in the efforts to prevent and counter these criminal activities. These gaps include institutional fragility, which reinforces organized criminal dynamics; the absence of a culture of cooperation between law enforcement and anti-corruption agencies; a culture of distrust and unilateralism among countries and law enforcement agencies on land and at sea; the lack of judicial uniformity, mainly in the fight against environmental crime; deficits in the legislative, executive, and judicial branches; and the difficulties that some countries face to implement the United Nations Convention against Transnational Organized Crime (UNTOC). These gaps in the prevention and mitigation of organized crime and illicit economies make the panorama of actors and markets more complex.

The **White Paper on Illicit Economies and Organized Crime in Africa** clarifies that these challenges do not correspond to Africa alone. Countries from other continents that face similar difficulties and institutional fragilities should cooperate with Africa. Strategies for cooperation should range from improving communication and information technologies and the acquisition of cargo scanners to detect arms trafficking and contraband to promoting a culture of transparency in campaign finance and capacity building initiatives for judicial authorities across the continent. Countries with high levels of secrecy jurisdictions should also cooperate with Africa to diminish illicit financial flows to and from the continent.

The challenge of presenting a panorama of these issue areas in the form of a white paper reflects the difficult undertaking of elaborating strategies that consider short, medium, and long-term approaches to counter illicit economies and prevent organized crime. The **White Paper on Illicit Economies and Organized Crime in Africa** argues that the continent needs coordinated mechanisms to monitor and collect data on illicit economies and organized crime; assistance from international organizations, the private sector, and civil society regarding the implementation of the UNTOC; and training and capacity building programs directed at law enforcement and government officials, consumers, and the youth population to reduce the proliferation and acquisition of illicit goods and contraband within Africa.

Illicit economies and organized crime threaten states' capacity to provide for and protect citizens by creating a corrosive structure that impedes countries from reaching their potential, with regard

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to human development, weakens states' resiliency to illicit activities, and interferes with democracy building. This perspective is one that the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime has developed and adopted into its institutional framework: that illicit economies and transnational organized crime inhibit sustainable development and increase institutional fragilities.

While it is not exhaustive, the **White Paper on Illicit Economies and Organized Crime in Africa** provides a panorama of the challenges to combating illicit economic activities, the magnitude of transnational organized crime in Africa, and the effects of these phenomena on Africa's path to sustainable development. The recommendations contained in this paper would help not only to address the continent's opacity regarding illicit economies and organized crime but also to redefine strategies to achieve the Sustainable Development Goals.

Dr. Juan Carlos Sainz-Borgo, Dean
University for Peace

INTRODUCTION

In 2015, the Report of the High-Level Panel on Illicit Financial Flows in Africa estimated that the continent alone had lost US\$1 trillion dollars due to illicit financial flows over the last 50 years.¹ On an annual basis, the report estimated that this loss exceeded US\$50 billion.² While the volume of dirty money generated annually is staggering, this amount is likely to be much greater than what is recorded, as most countries struggle to produce reliable data due to corruption and the infiltration of organized criminal actors in the government and legitimate businesses. Consequently, the challenge to counter illicit economies in Africa will require the alignment of more robust, multidimensional, and cross-sector actions and strategies to counter and prevent transnational organized crime on the continent.

The need for concurrent and immediate action on the presence and expansion of illicit economies and transnational organized crime in Africa is based on the fact that both criminal activities are intertwined and codependent. On the one hand, organized crime benefits from profits generated from illicit economies. On the other hand, the modus operandi of organized criminal groups sustains illicit economies. Moreover, the stream of illicit financial flows helps to identify organized criminal networks in Africa and their connection with criminal groups from countries outside the continent. This connection and existence of a network reflects a transnational dynamic in which organized criminal groups disseminate their practices to the continent, which creates serious challenges for Africa's economic, political, and social development.

To grasp an in-depth understanding of this impact, the **University for Peace** in its launch of the **White Paper on Illicit Economies and Organized Crime in Africa** considers the continent's colonial legacy, which has affected state capacities. Institutional robustness is essential to counter the threat of illicit economies and organized crime. However, organized criminal dynamics have developed a stronghold in Africa due to institutional challenges, such as high levels of state fragility, criminality, and violence. Regarding criminality, its pervasiveness is possible through weak controls and a culture of illegality that allow for porous borders and maritime piracy; irregular migration, which includes human trafficking and migrant smuggling; and arms trafficking and smuggling. Weak branches of government contribute to deficiencies in lawmaking, prosecution of crimes, and oversight mechanisms to increase transparency. The incidence of countries from other continents with high levels of financial secrecy further compounds the proliferation of illicit economies on the continent.

Illicit economies and organized crime pertain to a dynamic in which countries outside of the continent directly and indirectly contribute to illicit financial flows to and from Africa. In this regard, the **White Paper on Illicit Economies and Organized Crime in Africa** identifies gaps and challenges that require a commitment from the international community, individual states, and regional partners on the continent. All countries are responsible for the organized criminal dynamics in Africa and, therefore, have a duty in curbing their impact on the continent. This paper not only prioritizes national and subregional approaches within the continent but also promotes a more robust integration of the goal of countering and preventing illicit economies and organized crime into the Sustainable Development Goals, a human-centered framework for peace, security, and development.

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The University for Peace has adopted such a perspective in working directly with a research team based in Africa. Dr. Samuel Ewusi, director of the University for Peace Africa Program based in Addis Ababa, Ethiopia, and Dr. James Zotto, a lecturer and researcher from Tanzania, were the lead researchers tasked with producing a panorama of illicit economies and organized crime in Africa. Their role in the elaboration of this document is very important because the University for Peace prioritizes African voices in the narrative of the context, challenges, and aspirations of the continent.

Over a period of eight months, Dr. Ewusi and Dr. Zotto interviewed experts from different nationalities within Africa to identify similarities and discrepancies, connecting the dots of an invisible dynamic. Begun during the COVID-19 pandemic and a period of political instability for some African countries, Dr. Ewusi and Dr. Zotto faced challenges. While these challenges affected their field work, they did not undermine the quality of this paper, which confirms the importance of conducting research to address current global threats in periods of uncertainty.



Africa is the second largest continent, encompassing about one fifth of the planet's surface area, which is filled with mineral resources, such as fossil fuels and precious metals.³ Africa also has some of the largest rivers and forests in the world and has one of the most compatible climates for farming.⁴

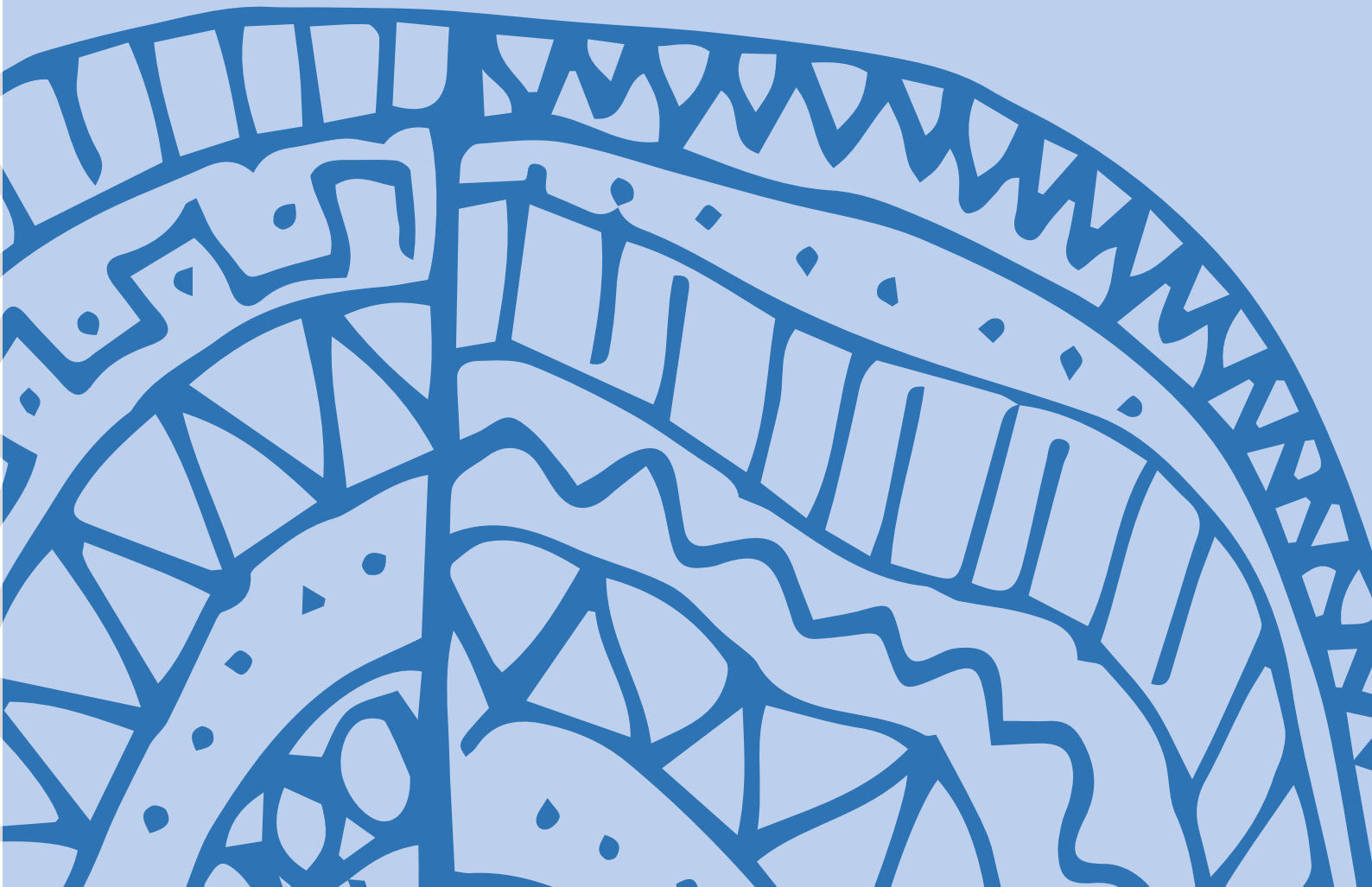
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AFRICA



1. GENERAL OVERVIEW



1. GENERAL OVERVIEW

Illicit financial flows and transnational organized crime in Africa are opaque and complex in nature. These characteristics make criminal practices and networks difficult to detect. Over the decades, criminal networks have negatively affected local economic empowerment through high levels of illicit financial flows. Due to illicit financial flows, Africa lost about US\$88.6 billion, from 2013 to 2015, in capital flight, which is equivalent to 3.7% of its gross domestic product (GDP).⁵ Sub-Saharan Africa alone lost over US\$1 trillion in illicit financial flows from 1980 to 2018, in comparison to the nearly US\$2 trillion received from foreign direct investment (FDI) and official development assistance (ODA) in the same period.⁶ The amount of dirty money throughout the years has made Africa a breeding ground for illicit economic practices due to market demands from both internal and external actors. There are three key factors that explain the magnitude of illicit economies on the continent: global financial flows toward Africa that are fundamental for transnational criminal activities, which focus on generating illicit profits; corrupt practices, which reveal a close relationship between organized criminal groups and political elites; and Africa as a proceed destination for dirty money, which shows the impact of global illicit economies on Africa.

Both advanced and emerging global economies' have unintentionally diversified the market structure in Africa.⁷ Advanced global economies face competitiveness in Africa from emerging global economies looking to continue to invest on the continent.⁸ Characterized by high levels of income per capita, diverse exports, and integration within the global financial system,⁹ emerging global economies contribute to African countries' susceptibility to trade misinvoicing, which allows for tax evasion and capital flight. Other factors that influence trade misinvoicing include capital account openness, political instability, corruption, interest rates, debt, and exchange rate regimes. In some African countries, this scenario is accompanied by high levels of real GDP, which are correlated with high levels of illicit financial flows,¹⁰ indicators of other illicit activities, such as narcotrafficking.

Political elites shape the organized criminal landscape in Africa. Elites' relationship with organized crime has allowed networks in Africa to become more sophisticated. This sophistication within Africa, regarding cartels and small-scale players, spills over into criminal networks outside of the continent, since African elites are connected with criminal organizations and elites from other countries. African elites range from police and military officers and government officials to businesspersons. However, state actors function in a hybrid manner, acting not only as members of organized criminal groups but also as part of the state apparatus.¹¹ This means that criminal actors may find incentives to operate in the political sphere and that political elites may also have incentives to act within illicit economies.¹² In Africa, politics and illicit economies are mutually dependent.

The exploitation of natural resources in Africa is the principal factor of illicit activity on the continent. Extractive industries facilitate illicit financial flows through trade misinvoicing and weak regulatory controls. Countries dependent on extractive industries are especially vulnerable to these illicit financial flows.¹³ Discrepancies between weight and value of shipments of precious metals, such as gold, diamond, and platinum, allow for the manipulation of exports.¹⁴

Many politicians are deeply tied to these industries. Politicians should raise money from public sources that are easily traceable, but in the context of extractive industries, politicians, through shell companies and corporations, enrich themselves off government-owned companies that sell shares to private entities. In this way, the extractive industries provide political leaders with a non-traceable source of income that evades any sort of accountability. This dynamic supports the idea that resource-rich countries tend to have higher rates of corruption and low capacities to combat criminal practices.

Maritime piracy is a continuous threat for the continent. The lack of state capacities to patrol coastal areas and territories between neighboring countries allows traffickers and smugglers to act freely in the perpetuation of maritime crime, such as piracy, illegal fishing, human trafficking and migrant smuggling. Maritime piracy is a concern due to the human cost involved, in addition to the implications that the activity has on the international economy regarding financial losses not only related to shipments lost to pirates but also in port fees and import tariffs left unpaid, which are important to the development of African countries.¹⁵ Moreover, criminals have improved their attacks so that they occur kilometers away from the coast.¹⁶ This dynamic severely compromises maritime trade, which affects shipping corporations and consumers.

Africa faces a paradox of limited internet access and high levels of cybercrime. While cybercrime connects the continent to organized criminal groups outside of Africa, a mere 33 percent of the continent has access to the internet.¹⁷ Limited internet access does not impede organized criminal groups from taking advantage of online platforms to propagate their illicit practices. Cybercrime has been leveraged by organized criminal groups to facilitate human trafficking, migrant smuggling, blackmail and extortion, and sex trafficking. A driving factor of the increase in cybercrime in Africa is the lack of comprehensive policies and strategies to combat the phenomenon. While the African Union adopted the Convention on Cybersecurity and Personal Data Protection in 2014, only 14 of 55 member countries had signed the convention as of January 2020. The convention needs to be ratified by at least 15 member countries to enter into force. As of April 30, 2022, only 13 countries had ratified it.¹⁸

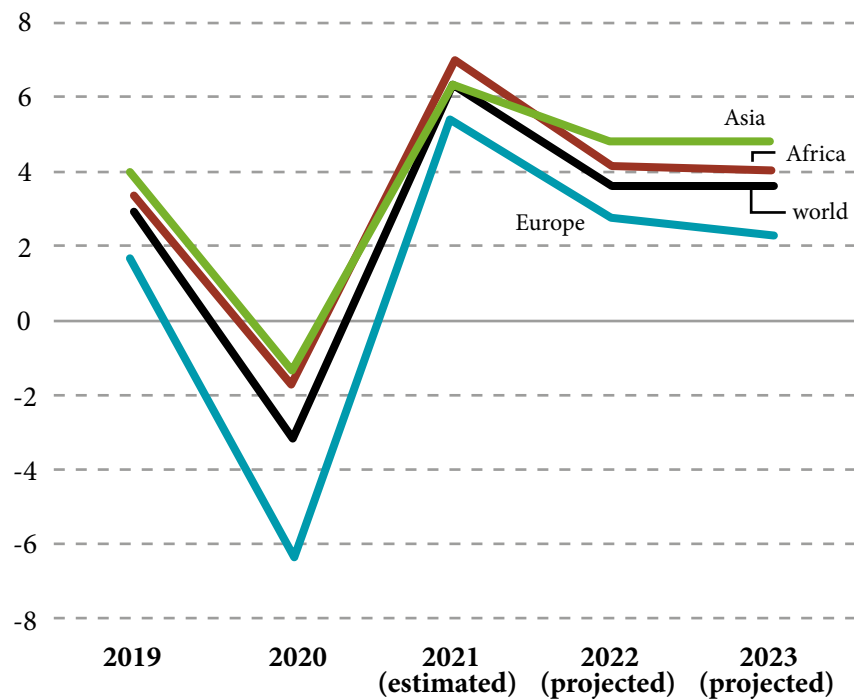
Illicit economies and organized crime undermine efforts to achieve the Sustainable Development Goals in Africa. Practices derived from illicit economies and organized crime are embedded in cyclical violence, regardless of whether the perpetrators are state or non-state actors. State actors are the dominant agents who facilitate illicit economies and inhibit resilience to organized crime in Africa.¹⁹ Their illicit practices pose direct and indirect harm to the economies of African countries, as they have exacerbated societal tensions and incited violence, including ethnic and intergenerational conflicts. Moreover, socioeconomic vulnerabilities are aggravated by the exploitation of natural resources by transnational organized criminal groups. These organizations' impact on the environment is reflected through the level of degradation present, which has negatively affected levels of poverty, malnutrition, and food security on the continent. In this way, a source of income that could benefit African citizens ends up in the hands of corrupt public officials who launder money through the extractive industry and embezzle funds that they should allocate toward poverty alleviation.

Irregular migration, human trafficking, and migrant smuggling are major challenges for African countries. Poor and unemployed youth and children in Africa are exploited by traffickers and smugglers. The security challenges in the Sahel region as well as instability in some North African countries following the Arab Spring have created a maritime corridor for the exploitation,

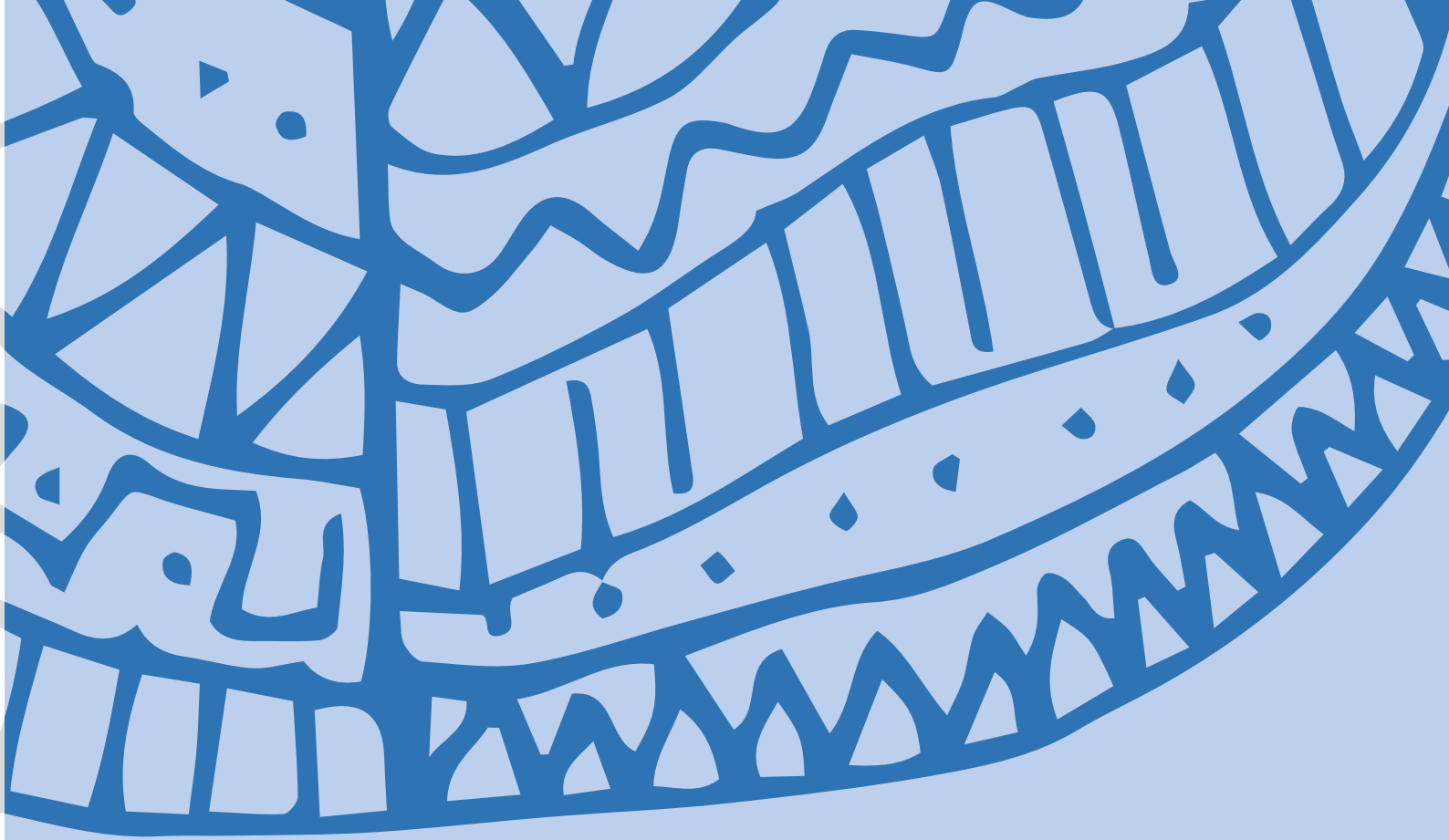
abuse, and trafficking of migrants on their way to Europe via the Mediterranean Sea. Changes to security measures and initiatives between the European Union and some North African countries have led to shifts in irregular migration, as policies in Europe have unintended consequences on migration out of Africa. Migrant routes have adapted to the tightening of controls on migration in some European countries. While Sub-Saharan migrants continue to undertake northbound journeys, new migration policies have forced routes to become more clandestine and dangerous than before, exposing migrants to greater levels of risk. Moreover, smuggling and trafficking networks have regrouped and adjusted their practices in the face of the changing dynamics. More Africans are also traveling from Africa to South and Central America in order to reach the United States. Another aspect of human trafficking dynamics is child exploitation. In Africa, child beggars are rampant. Organized criminal groups kidnap children and force them to work on the streets for their criminal organizations. Without families, children who are supposed to be in school become victims of exploitation and other forms of violence.

Real GDP growth, 2019-23

Percent



In 2021, Africa's real GDP grew by an estimated 6.9 percent, representing a recovery period in comparison with the previous year.²⁰ Nevertheless, GDP growth on the continent could decelerate to 4.1 percent in 2022 due to two major global challenges: the persistence of COVID-19 and the Russia-Ukraine conflict.²¹



2. GAPS

2. GAPS

Institutional fragility reinforces organized criminal dynamics in Africa. As both a symptom and a cause of organized crime, institutional fragility impedes countries from managing, absorbing and mitigating threats,²² especially as they relate to illicit economies and transnational organized crime. In Africa, institutional fragility permeates the State in such a way that countries are unable to act punitively or recuperate their authoritative presence in the face of territorial, economic, political, social, security, and environmental challenges, creating significant voids where the State is absent. The absence of the State allows criminal actors to take on authoritative roles in certain markets or territories. This scenario leads to political instability, increases institutional fragility, and enhances a culture of informality, which contribute to high levels of criminality and affect the State's coercive monopoly, administration of justice, provision of public goods, and conflict management.²³ The lack of state capacities to counter illicit economies and prevent organized crime allows criminal actors to operate freely through practices of corruption, complicity, and extortion.

African countries lack capacity to implement the United Nations Convention against Transnational Organized Crime (UNTOC). This reflects a series of challenges, beginning with difficulties in the following issue areas that UNTOC and its protocols prioritize: trafficking in persons, especially in women and children; migrant smuggling by land, sea, and air; and illicit manufacturing and trafficking of firearms, their parts and components, and ammunition. On a more strategic level, Africa has not been able to harmonize existing regional and international instruments nor adopt regulatory norms for the continent. In this context, designing a common strategy to counter threats to Africa posed by transnational and internal organized criminal groups is challenging and incipient. Moreover, initiatives for prevention, technical assistance, law enforcement, and international cooperation as responses to these threats have been difficult to pursue due to weak judicial systems in Africa. Lastly, representatives of civil society, academia, and the private sector have not been able to band together to mitigate organized crime and illicit economies in a meaningful way, as non-governmental actors rely on consent from governments, a culture of cooperation,²⁴ and information sharing in order to operate.

Law enforcement and anti-corruption agencies operate in parallel without a culture of cooperation. While there have been some improvements in interagency coordination efforts by law enforcement internally between African countries and at the sub-regional level, there has been little cooperation regarding the investigation of cross-border crimes. Despite the establishment of regional action plans to combat transnational organized crime, human trafficking, and migrant smuggling by the Southern African Development Community (SADC) and the Economic Community of West African States (ECOWAS), without a culture of information sharing, the continent's progress in countering and preventing transnational organized crime and illicit financial flows is limited in yielding significant outcomes. States tend to act alone regarding enforcement mechanisms to counter transnational security threats. These unilateral efforts are insufficient since countries lack coordination from neighboring countries. As a result, rather than defeating illicit networks, these isolated actions, which many times include a militarized response to organized crime, affect the evidence gathered

and merely displace crime and criminals from one state to another. Unilateral actions also fail to address root causes of violence and armed conflict. In a context where resources are extremely limited, the lack of coordinated investigations undermines the efficiency of law enforcement measures. Apart from the challenge of conducting more efficient investigations, unilateral actions contribute to a culture of distrust and rivalry.

Different legal systems emanating from African colonial heritage impede the continent's fight against environmental crime. Various legal frameworks and protocols have been adopted by African countries; however, some countries prioritize state sovereignty over international law and norms. This difference has implications for the applicability of international and regional conventions. On the one hand, African countries with monist legal systems have their constitutions in such a way that approved conventions automatically form part of countries' legal systems. On the other hand, countries with dualist legal systems require the translation of conventions into local legislation for them to enter into force. In some cases where countries have legal systems that are a mixture of monist and dualist traditions, a uniform application of international conventions has proven difficult. The variation of official languages in Africa is also problematic due to challenges posed by translation in the prosecution of transnational criminals.

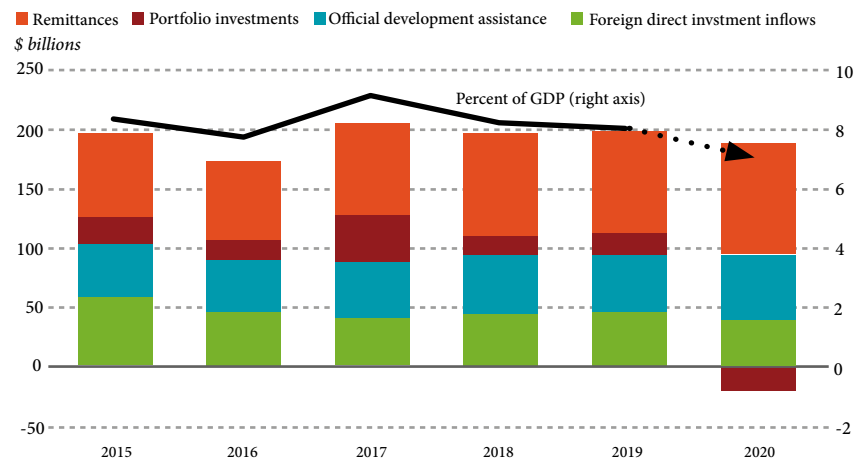
African countries face deficits in their legislative, executive, and judicial branches. Specifically, countries have weak judicial institutions, experience corruption, low wages, and unemployment, and lack legislation and enforcement mechanisms specific to anti-trafficking in persons. As a result, domestic laws are ineffective, populations have become frustrated over the ineffective prosecution of pirates and maritime criminals, weak penalties, and judicial processes, and the continent is conducive to illicit activities, such as drug trafficking. Criminal networks take advantage of these conditions to co-opt government officials and security officers and minimize the risk of prosecution.

Low levels of human development trigger the incidence of criminal actors and organizations on the continent. Conflict zones are brought about by social cleavages, which date back to colonial occupation and exploitation of the continent and are triggered by high levels of poverty and low levels of human development. The lack of a territorial presence by the State contributes to this dynamic, impacting accessibility to social and economic services and infrastructure. This void generated by the State leaves space for other actors, such as organized criminal groups, to take advantage of ungoverned and illegitimate territories throughout the continent, which allows illicit economies and organized crime to flourish. High levels of youth unemployment and a lack of quality education also contribute to the creation of social cleavages and conflict. African youths not participating in the work force are more vulnerable to forced recruitment and sexual violence perpetrated by organized criminal groups. Countries suffering from armed conflict tend to experience breakdowns in their post-conflict peacebuilding processes due to a lack of policies that protect and empower children who are victims of forced recruitment into armed forces. The exploitation of children by organized criminal groups is one of the fastest-growing criminal industries in some subregions of the continent.

Distrust among maritime security agencies and shipping companies inside and outside of Africa threatens stability and security at sea. Maritime piracy is still an issue along the African coast, but the creation of maritime security agencies, such as the establishment of the Yaoundé Architecture for Maritime Safety and Security (YAMSS) in 2013, as a common strategy among African countries to counter organized crime at sea, has allowed for some advances. However, the

YAMSS lacks adequate legislative and judicial implementation mechanisms.²⁵ There is also strong distrust²⁶ between maritime security agencies and shipping companies, which inhibits cooperation at sea. This dysfunctionality permitted both by member countries and the private sector threatens the successfulness of security strategies that should safeguard the African coast from transnational criminal groups that incite terror through piracy, armed robberies, migrant smuggling and human trafficking, and drug trafficking. Despite its shortcomings, the YAMSS provides an opportunity to identify gaps in regional cooperation initiatives, such as the Zone of Peace and Cooperation of the South Atlantic (ZOPACAS), which was established by the United Nations General Assembly Resolution 41/11 in 1986. ZOPACAS, consisting of 24 South American and African countries, seeks to define strategies to combat transnational threats and security issues in the Atlantic Ocean.

External financial flows to Africa, 2015-20



In 2020, external financial flows to Africa declined to 7.1 percent of the GDP.²⁷ Foreign direct investment (FDI) dropped from US\$47.1 billion in 2019 to US\$39.8 billion in 2020 due to the impact of COVID-19 on cross-border investments.²⁸



3. CHALLENGES

3. CHALLENGES

Countries with high levels of financial secrecy amplify illicit financial flows out of Africa. They also lack the adequate legal frameworks and political will to combat illicit financial activities, such as money laundering and tax evasion through offshore companies, and ultimately, pose a financial risk to individual countries and the global economy.²⁹ The ten most problematic countries on financial secrecy are located in Asia, Europe, the Middle East, North and Central America, and the Caribbean.³⁰ Illicit financial flows from the countries in these regions undermine the rule of law, stifle trade, and worsen economic conditions in Africa and beyond. Tax havens and secrecy jurisdictions contribute to the creation of offshore accounts and companies, which permits organized criminal groups inside and outside of Africa to conduct illicit practices. Addressing this challenge requires commitment from countries with secrecy jurisdictions to change or strengthen their national laws in accordance with international regulatory frameworks established by organizations such as the Financial Action Task Force (FATF).

Investment on communication and information technologies are required for both national and regional strategies to combat illicit trade. Since organized criminal groups in Africa have integrated emerging technologies into their modus operandi, these changes in criminal business' structures and models threaten online banking and email services in some African countries, where online scams are commonplace. The expansion of buying and selling online, widespread availability of encrypted communication channels, accessible drone technology, and advanced printing technologies enable criminal groups to adapt technologies to their needs. Financial regulatory systems are also facing the challenge of addressing the emergence of cryptocurrencies in Africa. From July 2020 to June 2021, the continent's cryptocurrency market grew by 1200%.³¹ Africa's share of global cryptocurrency value received summed to 3% in 2021, with a smaller share of this percentage corresponding to illicit markets, such as scams, stolen funds, the darknet market, fraud, ransomware, child abuse material, illicit organizations, and terrorism financing.³²

Immigration and customs officials lack the adequate technology to detect trafficked and smuggled goods. Appropriate equipment for monitoring and detecting trafficked and smuggled contraband, counterfeit goods, and arms at air, sea, and land ports are of urgent need for law enforcement officers and border security agents. Large trucks laden with goods must cross several African countries and subregions to reach their destinations. Thus, it is impractical to expect border personnel of respective countries and subregions to offload each vehicle for inspection. Law enforcement personnel also do not have the necessary technology at major regional airports to identify aircrafts illegally leased by commercial operators in violation of arms embargoes. Throughout the continent, there is also a prevalence of clandestine landing strips used for planes that traffic and smuggle arms. The inability to detect breaches in arms embargoes means that weapons will continue to be used as currency in Africa.

African politics lack transparency, and elections fuel organized crime. Organized criminal groups compete with the State to influence political processes and control territory where elections take place. Politicians' need for campaign finance and votes creates a *quid pro quo* situation, where politicians and cartels depend on one another to achieve their respective ends. African politics

are becoming more dependent on funding from illicit sources, which further compromises and weakens overall democratic systems on the continent. Political elites and their allies are also able to intervene in anti-corruption investigations, thus eroding democratic governance. Democratic erosion is marked by the absence of the State, the replacement of state-run social and economic policies for services offered by criminal actors, and corruption. Organized criminal groups also resort to manipulating the electoral process by presenting their own candidates who provide them with financial resources and privileged information that can be used toward their illicit businesses or clientelism, in regions where this practice is endemic.

High levels of criminality continue to impede the prevention of and fight against organized crime and illicit economies in Africa. With the second highest levels of criminality in the world,³³ Africa faces a variety of challenges regarding criminal markets and the presence of non-state actors. The main challenge for the continent regarding trafficked and smuggled goods is related to arms and ammunition. In Africa, violence is driven largely by the prevalence of small arms and light weapons (SALWs) originating from transnational organized crime suppliers, state manufacturers, and local artisans. While the African Union and the international community presented a policy on arms trade embargoes,³⁴ further international coordination is required to prevent armed groups from accessing these weapons. Transforming violent and armed conflicts in Africa requires grappling with illicit economies, especially arms trafficking.

Legal authorities' limited autonomy and expertise threaten punitive responses to organized crime across the continent. Given the growing complexities of transnational organized crime and illicit economic activities in Africa, legal authorities must integrate new legal concepts, frameworks, and procedural mechanisms into their daily practices. For the effective administration of criminal justice in these areas, prosecutors and judges must be fully trained on specific legal tools detailed in regional and international normative frameworks and national laws. Nevertheless, many African countries lack national mechanisms not only to combat illicit economies and organized crime but also for mutual legal assistance and interstate cooperation on these issues. The sharing of information, lessons learned, and best practices among legal authorities on successful legal application, addressing impunity, and developing a culture of professionalism in the judicial sector are essential for peace, development, and stability on the continent. International cooperation among legal, prosecutorial, and law enforcement authorities is also paramount.

The lack of data on land ownership contributes to corruption and increases inequalities for future generations of Africans. However, land inequality is not a challenge limited to Africa. A global problem in countries with high levels of corruption and agricultural production, the land issue reverberates around the continent, as disputes around access to land, land rights, and territorial control trigger violence that, in many cases, leads to armed conflict, affecting the living conditions and safety of those who live and depend on the land.³⁵ In both South and Eastern Africa, the legacies of colonialism and apartheid have further complicated the land issue, and there is very little data available on land ownership. Records on land property in 2013³⁶ and 2020³⁷ show that, in both years, government registries only accounted for 10 percent of the land, indicating a seven-year period where land ownership was not properly registered by the government. Opaque, dated information leaves room for elites and multinational farming companies to concentrate land ownership. In Sub-Saharan Africa, most farmers are small-scale producers, a population that corresponds to more than 60 percent of farmers in the sub-region.³⁸

4. A WAY FORWARD



4. A WAY FORWARD

Collective efforts to counter and prevent illicit economies and organized crime in Africa must be embedded in the 2030 Agenda. Since the panorama of illicit activities in Africa negatively impacts the realization of sustainable development in the social, political, economic, and environmental spheres of the continent, African countries, international organizations, civil society, and the private sector must work together to achieve the 17 Sustainable Development Goals (SDGs) established by the United Nations in its 2030 Agenda for Sustainable Development. Each goal reflects a holistic approach when considered in the context of all SDGs. Thus, a greater commitment by these actors to combating illicit economies and organized crime in Africa will have direct and indirect consequences on enabling African citizens' access to food, quality education and health care, gender equality, clean water, decent work conditions, responsible environmental practices, and trust in institutions. In addition, an Agenda 2030-centered approach will promote debates on the future of the Sustainable Development Agenda.

African countries must support the implementation of the UNTOC. Some states that have ratified the UNTOC have not established agencies or departments designed to implement this convention. The creation of domestic agencies should be geared toward dealing with issues of extradition, mutual legal assistance, and law enforcement cooperation, in addition to acquiring the national and regional training and technical assistance necessary for improving the capacities of national authorities. There is also need for greater cooperation between international organizations, civil society, and the private sector on this matter.

Both financial and technical support are required for enhancing legal systems in Africa. While some African countries have established special law enforcement agencies, enacted legislation, and introduced sanctions, they have implemented these measures in an inadequate manner due to limited government capabilities and resources. Limited funding inhibits capacity building programs and trainings for judges and prosecutors as well as creates voids in the judicial structure, regarding the acquisition of equipment and hiring personnel. Although some countries have signed bilateral agreements to cooperate to stem illicit financial flows, cooperation at the bilateral level requires training under a tri-fold approach, which includes support from national governments, academic institutions, and the private sector. The lack of necessary expertise and tools, coupled with nonautonomous judicial authorities are key challenges in countering organized crime and illicit economies across the continent.

Consumer-centered approaches must be the focus for diminishing the pervasiveness of illicit goods, contraband, and counterfeit products in Africa. Consumer protection is not a well-known concept in Africa. Most Africans cannot differentiate between original and counterfeit goods, mainly because low prices of goods function as drivers for consumption. The lack of education and awareness on consumer rights needs to be addressed by government actors, civil society members, and representatives of the private sector and non-governmental organizations. In some cases, consumers are not aware of the existence of relevant law enforcement agencies, laws, and processes to address the effects of the illicit goods that they consume. A similar lack of awareness exists at the national and regional levels, which is constantly exploited by organized

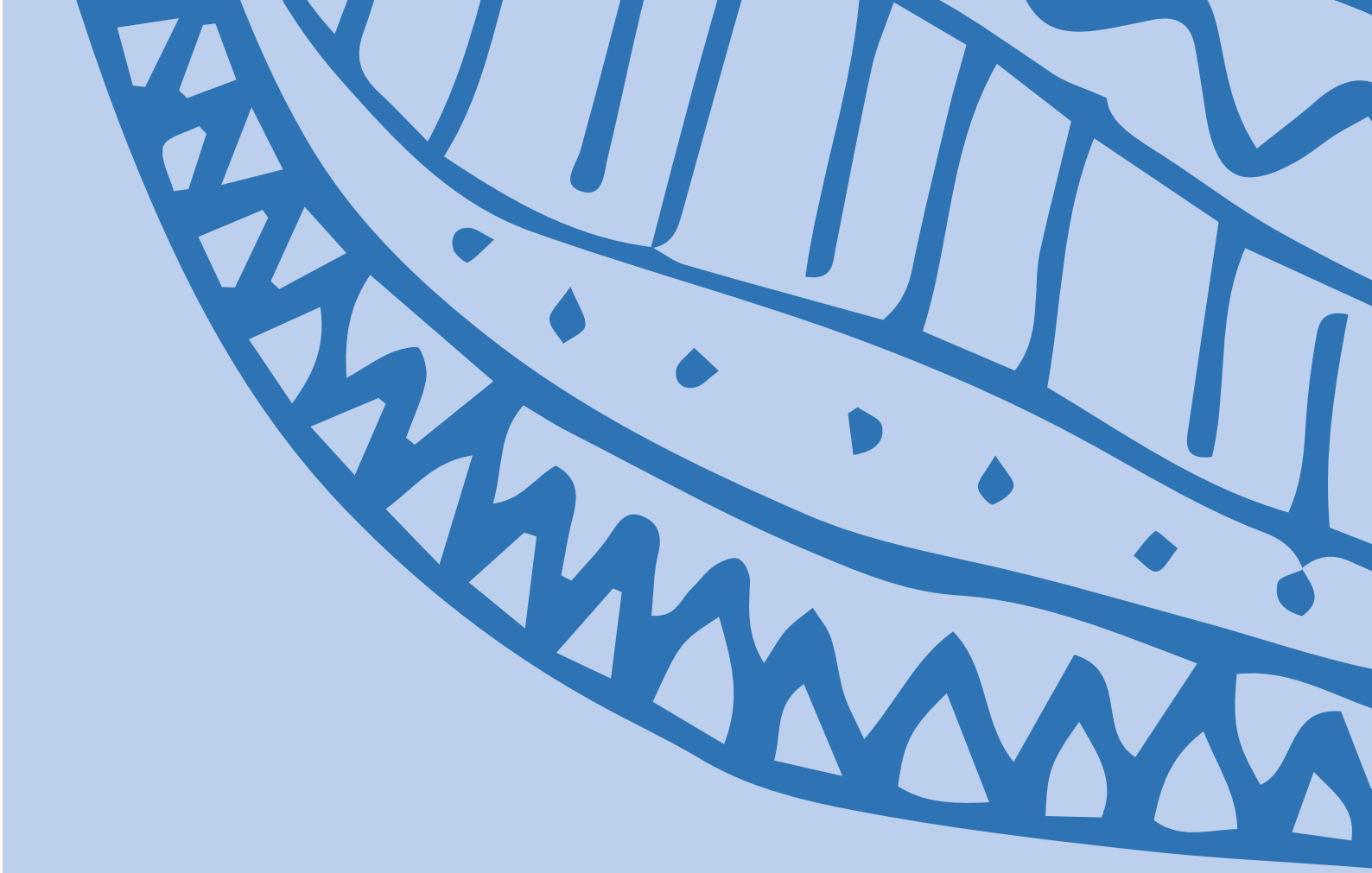
criminal groups. Improving education and generating awareness on contraband and counterfeit goods, beginning at the curricular level in African schools, would enhance cooperation among states, regarding the harmonization of national legislation, controlling porous borders, and combating corruption.

Efforts to combat corruption and illicit financial flows requires support from the private sector. The role of the private sector in countering illicit trade and preventing transnational organized crime must be multidimensional. Representatives of the private sector should lead capacity building initiatives that address a variety of actors, including experts from academia, police and intelligence officers, government officials, and journalists. The youth population should specifically be targeted as potential consumers and distributors of counterfeit goods and contraband and victims of organized criminal groups. In this regard, the private sector should support the promotion and enrichment of youth leadership through capacity building programs on themes related to illicit economies and sustainable development to increase civil society engagement as well as awareness on these issues.

Criminality Scores 2021

Country	Score	Country	Score
1 Congo, Dem. Rep.	7.70	28 Egypt	4.99
2 Nigeria	7.38	29 Liberia	4.98
3 Central African Republic	7.29	30 Congo, Rep.	4.89
4 Kenya	6.86	31 Zambia	4.88
5 South Africa	6.40	32 Gabon	4.86
6 Libya	6.40	33 Gambia	4.85
7 Mozambique	6.38	34 Senegal	4.84
8 Sudan	6.26	35 Ethiopia	4.83
9 South Sudan	6.23	36 Morocco	4.78
10 Cameroon	6.20	37 Algeria	4.68
11 Côte d'Ivoire	6.16	38 Burundi	4.61
12 Tanzania	6.14	39 Mauritius	4.60
13 Uganda	6.05	40 Mauritania	4.60
14 Ghana	6.04	41 Eritrea	4.58
15 Niger	5.98	42 Namibia	4.39
16 Mali	5.86	43 Equatorial Guinea	4.26
17 Chad	5.84	44 Cabo Verde	4.24
18 Somalia	5.79	45 Djibouti	4.21
19 Zimbabwe	5.74	46 Lesotho	4.16
20 Madagascar	5.63	47 Comoros	4.09
21 Burkina Faso	5.56	48 Malawi	3.93
22 Guinea-Bissau	5.41	49 Tunisia	3.88
23 Sierra Leone	5.41	50 Botswana	3.81
24 Togo	5.39	51 Rwanda	3.74
25 Angola	5.38	52 Seychelles	3.74
26 Benin	5.14	53 Eswatini	3.73
27 Guinea	5.00	54 São Tomé and Príncipe	3.65

Africa is the continent with the second highest levels of criminality.³⁹ In Africa, 18 countries, which represent 40 percent of the continent's population, experience high levels of criminality with low levels of resilience to organized crime.⁴⁰



5. RECOMMENDATIONS

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Providing a panorama of illicit economies and organized crime in Africa enhances the international community's comprehension of the most urgent challenges and solutions to be addressed by African countries, international organizations, civil society, and the private sector. While all policies must be oriented toward diminishing the impact of these transnational threats on African populations, African countries must be supported by countries outside of the continent that face similar challenges. Since Africa serves as the origin, corridor, and destination of many illicit goods and markets, collaboration among African and non-African countries would help to counter and prevent illicit economies and organized crime on the continent. Moreover, taking prompt action to curtail illicit activities and financial flows to and from Africa would allow states to focus on their ability to enact meaningful change in the promotion and development of sustainable development initiatives in the future. Based on this context, the **White Paper on Illicit Economies and Organized Crime in Africa** recommends policy-oriented approaches within the political, economic, social, and judicial spheres:

Political action

- African countries should work together with international and subregional organizations to address the impact of organized crime and illicit economies on state capacities through the establishment of good governance policies.
- Transparency and anti-corruption policies must be at the core of a common agenda for peace, sustainability, and development in Africa advanced not only by African countries but also by the international community, the private sector, and civil society.
- African countries should focus on the implementation of the United Nations Convention against Transnational Organized Crime with active participation from civil society, particularly focusing on the convention's review mechanism.
- African countries must collaborate with one another and undertake a more protagonist role with support from the African Union through the enhancement of the Convention on Cybersecurity and Personal Data Protection of 2014, which aims to secure and counter crimes in the cyberspace.
- African countries should initiate interactive dialogues with the G7+ countries to include countering and preventing illicit economies and organized crime in the G7+ agenda for peace and development.

Economic action

- African countries should modernize their economies to reduce illicit activities by integrating informal economic sectors into the formal economy through the adoption of new technologies and developing business registry systems.
- Regional Economic Communities (REC) in Africa should work together with support from international organizations to address vulnerabilities on the continent created by illicit financial flows originating from companies and industries located in emerging market economies.
- The level of GDP fluctuation on the continent must be evaluated by African countries and African RECs in order to provide and establish parameters for mapping illicit financial flows and identifying organized criminal actors within a variety of illegal markets.
- International standards and frameworks that advocate for transparency in the banking sector must be considered as priorities for the overall African economic agenda.
- International and subregional organizations should concentrate their efforts on monitoring the exploitation of natural resources and their connection to a larger dynamic posited by organized criminal groups.
- African countries should reinforce existing norms and international frameworks for the protection of the seas to diminish the impact of maritime piracy and related illicit activities on the African economy.

Social action

- Cross-border police cooperation should be improved through joint patrols and capacity building for police officers by the private sector and non-profit organizations. This cooperation should focus on exchanging information between RECs on criminal networks, arrests, and deportations.
- Immigration officials from different RECs should cooperate with one another to identify and detain criminals involved in organized crime through information sharing.
- African countries and international organizations must prioritize development policies, particularly those that focus on youth employment and empowerment, to diminish the levels of criminality in Africa.
- African governments should support academic and research programs on illicit economies and organized crime through direct government funding and leveraging international research funding.

Judicial action

- African countries should adopt laws and regulations and implement stringent mechanisms aimed at encouraging transparency in economic activities and impeding illicit financial transactions.
- African countries should harmonize their legal processes related to expediting the prosecution of transnational organized crimes.
- African countries should review national legislation to make it more relevant and compliant with regional and international standards and norms. This review process would enable countries to identify gaps in order to enhance their institutional capacity to implement modified legislation.

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