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Organized crime in sub-optimally developed societies

ABSTRACT

The aim of this article is to show the broad picture of criminal relations in sub-optimally developed societies. It is Africa which has been the home for the biggest number of developing countries for many years now. However, due to an enormous diversity of the continent, the main focus of this paper will be the region of East Africa, which consists of thirteen countries, including Kenya, Tanzania, Uganda, Burundi, Rwanda, Djibouti, Eritrea, Ethiopia and Somalia, as well as the Indian Ocean islands off the East African coast: Seychelles, Comoros, Mauritius and Madagascar. This article will search for the answer to the question of whether or not there are growing trends of concern, and whether they pose a significant threat to the stability of the societies of East Africa.

Key words: organized crime, East Africa, developing countries, small arms and light weapons.

It seems that the end of the 20th century and the beginning of the 21st century was a difficult time for East Africa region due to the proliferation of small arms and light weapons (SALW) and an upturn in crime rate statistics.² The objective of this paper is to provide a broad overview of illicit transnational activities and the involvement of organized crime in the above mentioned region, which so far has not been subject of a comprehensive study. Four different areas are going to be examined: trafficking in persons and migrant smuggling, firearms trafficking (SALW), drugs trafficking, environmental degradation.

The World Bank Report “African Poverty at the Millennium” claims that most of the time the data concerning African countries are truly worrying but

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² Data according to the UNODC 2009-12 Regional Programme for Eastern Africa: Promoting the Rule of Law and Human Security.

also that they display a considerable variability.³ It has been proven that they are often hard to verify, if not totally divergent. Although recent evidence suggests that many African countries have been affected by organized crime groups, little attention has thus far been given to a systematic analysis of the problem in the Eastern region of the continent. One fifth of the world's population lives in Africa and more than a quarter of all countries in the world are in Africa, and still the continent is the least documented region in terms of data and information on crime. Many African Governments are unable to supply information concerning crime in their country, including information requested by international drug and crime control treaties.⁴ That is why when examining crime in sub-optimally developed societies we face a lack of reliable data (data are either not collected, not easily accessible, or treated as confidential). However, the existence of organized crime and transnational trafficking in illegal goods such as firearms, drugs and counterfeit products is not contested.

The starting point for this analysis is three broad impacts of crime described by the United Nations Office on Drugs and Crime (UNODC) in the report "Crime and Development in Africa":

- crime erodes Africa's social and human capital,
- crime drives business away from Africa,
- crime undermines the ability of the state to promote development.⁵

Illicit trafficking and the associated problem of organized crime always affects the society by threatening the human security and state development, it also restricts investment and corrupts state institutions. Organized crime and corruption have the power to keep African countries in the vicious circle of the present-day stagnation. There is a number of factors which facilitate these processes:

- weak governments and instability,
- low allocation of resources to criminal justice systems,
- corruption as a critical problem,
- lack of transparency, accountability and awareness,
- poverty and inequality,

³ White Howard, Killick Tony, *African Poverty at the Millennium. Causes, Complexities, and Challenges*, The World Bank, Washington, 2001.

⁴ United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/organized-crime/index.html>, 28.09.2010.

⁵ United Nations Office on Drugs and Crime (UNODC): "Crime and Development in Africa", Vienna 2005, p. 67.

- demographic trends,
- geographical location,
- mismanagement of natural resources,
- African markets as destination markets for illegal commodities.

While there is no internationally accepted definition of “organized crime”, in this article it will be defined according to the United Nations Convention against Transnational Organized Crime (UNTOC) which says that “an organized crime group” is “a structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit”.⁶ This is a rather broad definition, which does not perceive organized crime only in terms of mafia-style organizations with a strict hierarchical structure but it also includes street gangs and other different groups.⁷

Organized crime and Africa

“[In Africa] security means the protection of individuals with respect of the satisfaction of the basic needs of life, it also encompasses the creation of the social, political, economic, military, environmental and cultural conditions necessary for survival, including the protection of fundamental freedoms, access to education, healthcare and ensuring that each individual has opportunities and choices to fulfill his/her own potential.”⁸

Africa is the second largest continent and first in terms of being in trouble. For years, the international community has been trying to create different plans and agendas to strengthen the African economic and social development. The face of poverty and inequality in sub-Saharan Africa is still very harsh. According to the Social Indicators of 2005, “African Development Indicators” published by World Bank, more than 1.2 billion people live on less than one US dollar a day — most of them in sub-Saharan Africa.⁹ At the beginning of the 21st century, Africa yields insight into a group of global issues: from “the new

⁶ Article 2(a) of the UN Convention against Transnational Organized Crime.

⁷ Organised Crime and Trafficking in Eastern Africa, United Nations Office on Drugs and Crime, Nairobi, November, 2009, p. 13.

⁸ Draft text as adopted by the first meeting of the African ministers of defence and security on the establishment of the African Standby Force and the Common African Defence and Security Policy, 20-22 January 2004, Addis Ababa, Ethiopia. The text was adopted during the African Union Summit in the same year.

⁹ *African Development Indicators 2005*, The World Bank, Washington, 2005.

security threats” (drugs, gangs, SALW proliferation etc.), environmental problems and the global warming (droughts, the disappearance of biodiversity) to the redefinition of statehood, foreign policy (no longer the monopoly of the state) and state and human security. It seems that Africa is no less integrated into globalization than any other region in the world. “These constitute particular aspects of ‘globalizations’ — the uneven patterns of competitive restructuring involving further incorporation, structural change especially of state-society-economy relations, compressed communications, transformed technologies, internationalized patterns of taste and consumption, and so forth (...) — which have been transmitted to the continent as ‘structural adjustment’ programs (SAPs) and conditionalities (...)”.¹⁰ With the international aid, Africa has experienced considerable progress towards sustainable development over the last decade. However, the economic crisis, ongoing poverty enhancement and social inequality, climate change and an ever-present danger of escalating violence and conflict in the region have continued to menace Africa’s progress and have provided ground for different threats, in particular organized crime and trafficking. Governments in the region have made efforts to develop and implement policies to turn the tide, but it is often the case that corruption, weak governance and the rule of law have undermined those efforts.¹¹

As it was already mentioned, transnational organized crime is considered one of the major threats to human security, impeding social, economic, political and cultural development of societies worldwide. It is a multi-dimensional phenomenon and has manifested itself in different ways.¹² The process of globalization has changed the international environment, so the range of organized crime activities has broadened and diversified. Traditional structures of organized crime groups have been replaced with loose networks that work together in order to exploit new opportunities in the rising economies. The signing of the United Nations Convention against Transnational Organized Crime in 2000 was a step forward in countering this threat.

Nowadays, it is the United Nations Convention against Transnational Organized Crime that entered into force in September 2003, which counters organized crime worldwide. The Convention commits members of the

¹⁰ Shaw Timothy M., *African Foreign Policy in the New Millennium: From Coming Anarchies to Security Communities? From New Regionalisms to New Realisms?* in: Dunn Kevin C., Shaw Timothy M., (eds.) *Africa’s Challenge to International Relations Theory*, Palgrave Macmillan, 2001, p. 207.

¹¹ *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November, 2009, p. 3.

¹² United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/organized-crime/index.html>, 28.09.2010.

international community to introduce a range of measures, including the creation of domestic criminal offences; the adoption of new frameworks for mutual legal assistance; extradition; law enforcement cooperation; technical assistance and training. According to its website, “UNODC works closely with governments, organizations and civil society to strengthen international cooperation to counter the pervading influence of organized crime and drug trafficking. The Unit has initiated and oversees numerous counter-narcotics and anti-organized crime projects.”¹³

Crime syndicates are smuggling diamonds, petrol, ivory, weapons, timber and also human beings. Because it is illegal and often done discreetly, experts note that the extent of organized crime is hard to establish. “But international crime intelligence and seizures of contraband suggest that Africa may have become the continent most targeted by organized crime”, according to UNODC’s 2005 report, *Crime and Development in Africa*.¹⁴ “Lack of official controls makes the continent vulnerable to money laundering and corruption activities, both of which are vital to the expansion of organized crime”.¹⁵

Scientists point out that organized crime threatens security of individuals and their property, the growth of democracy, good governance and human rights. This can dramatically limit development. Unsustainable development contributes to crime, resulting in an unstoppable cycle of poverty-crime-corruption. Crime also leads to the loss of different kinds of possibilities. Fear of crime can put off people who would like to invest in Africa. Despite the fact that returns are much higher than in other parts of the world, foreign direct investment (FDI) in Africa in 2008 reached a record high of \$88 billion, the peak of an uninterrupted six-year increase in investment.¹⁶ Wilfred Machage, Kenya’s Assistant Minister of Health, notes that to maintain this achievement it is necessary to focus on fighting organized crime, but it depends on increased funding, ongoing disruption of the criminal networks, and cooperation with regional and international law enforcement agencies.¹⁷

Organized crime in Africa is also increasingly linked with terrorism, which is illustrated by the 2010 killing of an aid worker in West Africa and the suicide bombings in Kampala, Uganda. This changed the traditional view that Africa

¹³ Information according to UNODC.

¹⁴ *Crime and Development in Africa*, United Nations Office on Drugs and Crime (UNODC), Vienna 2005, p. 29.

¹⁵ Mutume Gumisai, *Organized crime targets weak African states*, United Nations Africa Renewal, www.un.org/africarenewal.

¹⁶ The United Nations Conference on Trade Development (UNCTAD), World Investment Report 2009, 17.09.2009.

¹⁷ Ibidem.

was not a “hot spot” for terrorism. According to Jean-Paul Laborde, chairman of the UN Counter-Terrorism Implementation Task Force (CTITF), the specific alliance between transnational organized crime and terrorism forces us to focus particularly on Africa. In the past, terrorism in Africa was linked to movements of liberation, to the pretext of establishing a state or to mark the differences between religions, but it is no longer the case, since terrorist groups operating in the region are linked to transnational organized crime activities.¹⁸ According to his statement, both East and West Africa are becoming more popular as an intermediate destination in the trans-shipment of drugs and people from elsewhere to Europe. It has also become obvious that terrorist groups are using funds raised in this process to buy weapons for attacks and bombings. The arrival of fighters from two dominant terrorist organizations in the region, al Qaeda and al Shaabab, introduced new terror methods to African countries: suicide bombing have become common not only in Nigeria and Somalia, but also in other parts of the region (Kenya, Tanzania, Uganda). They are still operating freely between all the countries of the region.

The African security remains endangered not only by the extreme poverty, but also by radical groups, which play a significant role in the region. Without alternative financial incentives, unemployed youths, poor farmers and other low-paid workers will remain increasingly interested in this arena. Political, religious and ethnic tensions are also fueling the desire of some Africans to participate in terrorist activities. “The failure to reach out to the moderate nationalists only advances the goal of the radicals. It puts everyone into the biggest race to be seen as being the biggest supporter of the jihadists and diminishes the chances of creating a credible alternative to the militias”.¹⁹ The latest events in Kampala show how complicated the situation is.

¹⁸ *UN Official Warns Terrorism and Organized Crime Increasingly Linked*, AllAfrica, 30.07.2010, <http://allafrica.com/stories/201007300978.html>.

¹⁹ Adbi Rashid of the International Crisis Group in: Mutiga Murithi, *How Al Shaabab Became Al Qaeda's Incidental Stepchild*, The East African, 10.07.2010.

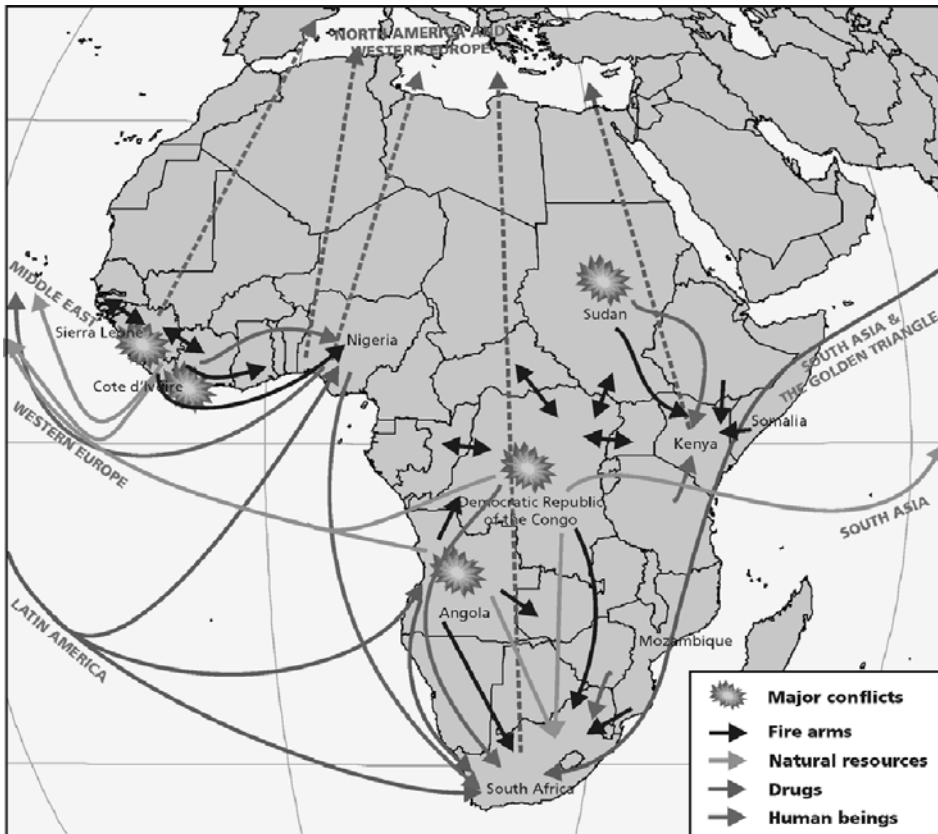


Figure 1: Illicit trafficking in sub-Saharan Africa

Source: UNODC

Crime in East Africa

The region of East Africa is one of the most conflict-prone on the map of Africa. Within the region we will find one of the most insecure and underdeveloped countries, Somalia, as well as an old inter-state conflict between Ethiopia and Eritrea and an intra-state rebellion in northern parts of Uganda. This region is also home to the countries like Rwanda, Burundi or Kenya, where the memory of recent violence is still vivid. There is a constant threat that East Africa will remain in this vicious circle of underdevelopment and violence, while on its borders we will also find serious problems like the conflict in the Democratic Republic of Congo and the complicated situation in Southern Sudan. The region is host to thousands of refugees and migrants. According to the United Nations High Commission on Refugees, in 2004 there were over 2

million refugees in sub-Saharan Africa, including 1 million refugees in Central Africa and the Great Lakes region, 670, 000 in East Africa and the Horn of Africa, 220, 000 in South Africa, and 330, 000 in West Africa. African refugees comprised about 37% of the global total.²⁰ As a result, this region has become home to different kinds of gangs and illegal militias.

Recent evidence suggests that many East African countries have been affected by organized crime groups. There is much anecdotal evidence to suggest that with the growth of international trade, the region is becoming an important transit point for illegal drugs and trafficked persons being transported to the Middle East, Europe and elsewhere. Furthermore, the long term impact on biodiversity and environmental resources is now a crucial issue for the whole region.²¹ The health and lives of Africans in this region are put at risk due to the widespread presence of counterfeit medicines. Also, counterfeiting different products or buying counterfeited items from Asia, occurring on a regular basis in the countries of the region, are against international law. Armed conflicts and violent crimes such as piracy are possible due to the presence and trade in SALW. The question now is not whether these activities undermine the states in East Africa, but rather to what extent they pose a threat to the development of these societies, and what the consequence might be if no further action is taken.²²

Trafficking in persons and migrant smuggling

Trafficking in persons is called a modern-day slavery, involving victims who are forced into labor or sexual exploitation. The International Labor Organization (ILO) estimates that “12.3 million people worldwide are enslaved in forced labor, bonded labor, forced child labor, sexual servitude, and involuntary servitude at any given time”.²³ And it is important to mention that “human trafficking is a multi-dimensional threat, depriving people of their human rights and freedoms, risking global health, promoting social inequality, inhibiting development by depriving countries of their human capital, and helping fuel the growth of organized crime”.²⁴ Article 3, paragraph (a) of the

²⁰ *Crime and Development in Africa*, United Nations Office on Drugs and Crime (UNODC), Vienna 2005, pp. 27-8.

²¹ Rice Mary, *Environmental Crime. A threat to our future*, Environmental Investigation Agency, 2008.

²² *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November 2009, p. 6.

²³ International Labor Organization: A Global Alliance Against Forced Labor.

²⁴ CIA World Factbook, <https://www.cia.gov/library/publications/the-world-factbook/fields/2196.html#documentContent>, 29.09.2010.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime defines Trafficking in Persons “as the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”.²⁵

Migrant smuggling is defined by a supplementing protocol to the United Nations Convention against Transnational Organized Crime (UNTOC), known as the Protocol against the Smuggling of Migrants by Land, Sea and Air and it defines the smuggling of migrants as the “procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.” (Article 3, Migrant Smuggling Protocol).²⁶

Smuggling of migrants and trafficking in persons seem to be similar; however, it is necessary to mention that they are distinct crimes. According to the UNODC report “Organised Crime and Trafficking in Eastern Africa”, “the key distinction is that smuggled migrants normally consent to the smuggling process and their relationship with the smuggler ends once they arrive at their intended destination. On the other hand, victims of trafficking have either never given their consent or their initial consent is nullified by the means used by the trafficker to gain control over the victim, such as deception and violence. Also, the purpose of trafficking is always exploitation, which ultimately generates profits for the traffickers, while smugglers generate their profits through selling their services to their clients — illegal entry to another country — a relationship that is terminated when reaching the destination country”.²⁷

In 2006, approximately 800,000 people were trafficked across national borders and millions more were trafficked within their own countries.²⁸ Out of

²⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

²⁶ Protocol against the Smuggling of Migrants by Land, Sea and Air supplementing the United Nations Convention against Transnational Organized Crime.

²⁷ *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November, 2009, pp. 15-6.

²⁸ *Ibidem*.

these figures, approximately 80 percent of transnational victims are women and girls and up to 50 percent are minors.²⁹ However, like in many other cases, in the issue of human trafficking we are facing a lack of reliable data.

The position of East African migrants is highly complicated. They are dependent on the situation in their country of origin, which often leads to internal and international displacement, which in turn creates a prospective atmosphere for trafficking. Unfortunately, it seems that there are no future prospects for improving this situation. In the area of human trafficking, the need for efficient border management ought to be emphasized. “Borders are long and unguarded, permitting people to travel relatively easily across them, and the border police lack the necessary training and equipment. The problem of human trafficking and migrant smuggling is further exacerbated due to the presence of weak governments and criminal justice systems. The lack of an adequate legislative and regulatory framework and awareness of the part of law enforcement and government officials only serves to impede the effective and coherent prevention of human trafficking”.³⁰

While searching for the reasons why people are trafficked, several factors may be singled out, such as the following: the process of globalization, poverty, illegal migration, lack of education, women’s socio-economic inequality, lack of employment opportunities, and demand for cheap labor.³¹ The profiles of the victims of human trafficking are often very similar — they are unemployed persons, poorly educated with low income level. The strategy of the traffickers is to promise a good job, a higher salary, improvement in education or other favorable prospects, but the promised conditions are rarely met. “The demand for female victims is boosted in the region by the growing tourism and sex industry, and forced child labor is prevalent in rural areas on plantations, and in the fishing and mining industries”.³²

Firearms trafficking (SALW proliferation)

Of the estimated 875 million combined civilian, law enforcement, and military firearms in the world, 100 million of those are thought to be in Africa. The majority of global firearms, however, roughly 75 per cent of the known

²⁹ Trafficking in Persons Report, *United States*, 2006.

³⁰ *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November, 2009, p. 20.

³¹ According to Prevent Human Trafficking Institute (PHI) website: <http://www.child-trafficking.info/upload/Files/phi-faqs-human-trafficking-for-dfw.pdf>.

³² *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November, 2009, p. 18.

total, are in the hands of civil society.³³ The term ‘small arms and light weapons’ (SALW) is used to describe most firearms in use by individuals and small groups of individuals, and the ammunition used for the weapons. Common firearms in East Africa are the AK-47 and G3. SALW are used for a range of reasons, from civilians’ use for protection, to pastoral uses, to the more sinister uses of criminal gangs, militias and terrorist groups.

Authorized international transfers of ammunition for SALW—including undocumented transfers — are estimated to have averaged USD 4.3 billion annually between 2006 and 2009. Small arms ammunition comprised of USD 1.8 billion of this total, with ammunition for light weapons (excluding man-portable guided missiles and single-shot, disposable rockets) accounting to USD 2.5 billion. A combination of 2010 findings with those of the Small Arms Survey 2009 shows that the global authorized trade in small arms and ammunition is significantly greater than USD 6 billion per year, what is much larger than the previous estimates.³⁴ According to the same survey, 10 million out of some 875 million firearms worldwide belong to gangs (just over one per cent). Other non-state armed groups have roughly 1.4 million altogether (less than 0.2 per cent), of which some 350,000 belong to groups that were actively fighting in 2009.³⁵

From the available data, it is difficult to analyze the current situation regarding the illegal possession and trafficking in SALW in East Africa and how it is to develop. However, considering the available facts and figures it is highly unlikely that weapon possession and illicit trafficking in SALW will decrease anytime soon. Instead, most indicators lead to the conclusion that the situation is most likely to deteriorate both in short and long term if no further action is taken. According to East African Community (EAC) SALW program, the five Partner States (Burundi, Kenya, Rwanda, Tanzania, Uganda) have destroyed more than 12,000 small arms and five tones of explosives in an attempt to make EAC secure and peaceful for its people and investments.³⁶ There is a strong belief that this problem should be jointly resolved by all the countries — that is why many initiatives have been undertaken by the international community and among them is the above mentioned EAC — SALW program, or International Conference on Great Lakes Region (ICGLR)

³³ Small Arm Survey, <http://www.smallarmssurvey.org/files/portal/issueareas/inventories/inventories.html>, 29.09.2010.

³⁴ Small Arms Survey 2010: *Gangs, Groups, and Guns*, Cambridge University Press, 2010.

³⁵ *Ibidem*.

³⁶ Nambi Irene V., Karuhanga James, *EAC to Destroy 2600 Illicit Arms*, *AllAfrica*, 30.09.2010, <http://allafrica.com/stories/201005240208.html>.

and some more.³⁷ Most of the countries of the region signed and/or implemented the regional legal and policy framework, like:

Nairobi Protocol for the prevention, control and reduction of SALW in the Great Lakes and Horn of Africa regions	X		X	X	X	X			X	X	X	X	X
ECCAS Permanent Consultative Committee on Security Matters in Africa	X								X				
SADC Protocol on the control of firearms, ammunition and other related material												X	
AU-Bamako Declaration on illicit small arms	X					X			X			X	X
UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (PoA)	X					X			X			X	X
Ottawa Convention (Mine Ban Treaty)	X					X			X			X	X
UN Arms Trade Register													
UN Firearms Protocol						X							

Figure 2: Regional SALW Legal and Policy Framework

Data according to: Regional Centre on Small Arms (RESCA): Fact Sheet 2008

SALW problems are manifested differently across the region, often according to the cultural contexts being irrespective of political boundaries. A regional approach to tackling illegal trade and addressing its impacts is therefore essential. However, such an approach is complicated by the differing national capacities of the states concerned. Most of the countries which are under examination in this paper are classified as Least Developed Countries, where national capacities are greatly limited. Without a strong administrative and governing sector, SALW-related activities cannot be sustained. It is, then, necessary to take more efforts to build states' national capacities, in addition to addressing development and security sector reform simultaneously with regional approaches in order to avoid shifting SALW problems and their effects to weaker areas in the region or into neighboring countries with the well-known

³⁷ For more visit the website: <http://www.icglr.org/peace-security.php>.

spillover syndrome. The instability of the Great Lakes Region will continue to test the effectiveness of any effort to address the issue of SALW in East Africa, but an adequate infrastructure, capacity, resources, coordination and information-sharing will greatly help lessen the extent to which external instabilities affect the region.³⁸

Drugs trafficking

The East African region is attractive to international drug trafficking due to its availability as well as imperfections of national and international criminal justice systems. East African countries are facing security threats of drug traffickers infiltrating ports in order to bring their products into the country and move them to Europe, or to other African states. However, it is confirmed that the low seizure figures seem to indicate that few resources are allocated to collect data on drug control and that international border controls are weak, rather than that no drugs are being trafficked through the region. International and domestic response to drug trafficking has been varied, but several players are involved, from the UN to the United States, European countries and regional organizations from several different African countries.

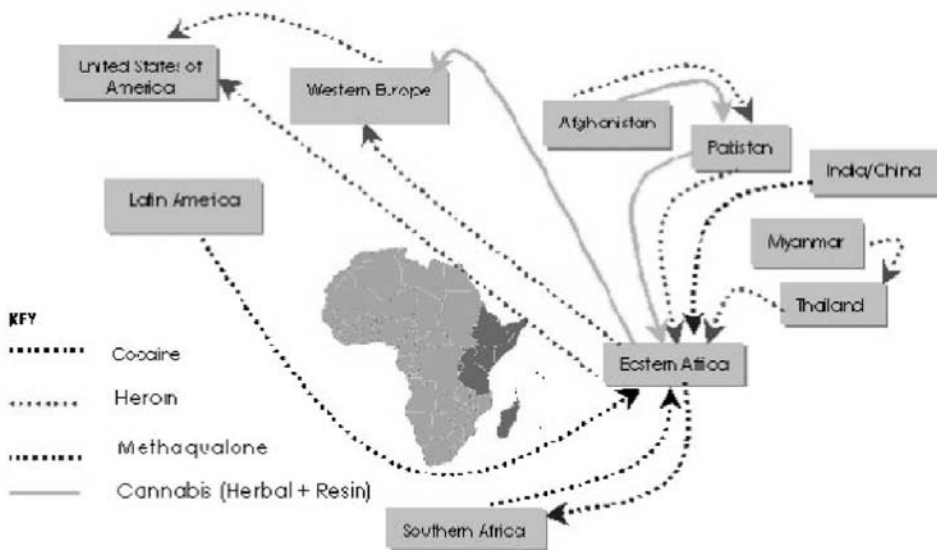


Figure 3: Major Drug Transit Routes in Eastern Africa

Source: <http://www.unodc.org/easternafrika/en/illicit-drugs>

³⁸ Maze Kerry, Rhee Hyunjo, *International Assistance for Implementing the UN Programme of Action on the Illicit Trade of Small Arms and Light Weapons in All Its Aspects: Case Study of East Africa*, United Nations Institute For Disarmament Research, p. 13.

The region under scrutiny is accessible by sea and air to heroin, opium and cannabis resin producer countries in South West and South East Asia through the ports in Djibouti, Eritrea, Kenya and Tanzania. Anecdotal evidence suggests that Somalia, currently in the process of disintegration, is host to widespread illegal transactions, including both drug and arms trafficking. There are two important international airports in the region, Addis-Ababa and Nairobi, which are used as transit points for drugs. Both airports have connections between West Africa and the heroin-producing countries in South West and South East Asia. There is also an increasing use of postal and courier services for cocaine, heroin and hashish. A review of drug seizures from 1998 to date indicates an increase in the trafficking of heroin to East African countries from Pakistan, Thailand and India. Increased seizures of heroin with Nigerian connections bound for Uganda, Tanzania and Kenya through Ethiopia have been noted as well. Seizures and arrest statistics show that more Tanzanians and Mozambicans are becoming involved in the trafficking of heroin from Pakistan and Iran.³⁹ Uganda has gradually become one of the leading drug trafficking conduits for organized international drug cartels in Latin America, West Africa to Europe and Far East countries. In May 2010, Kenya Police at Jomo Kenyatta International Airport arrested Ugandan Anne Birungi Bisaso, alias Gillian Kiconco, with 21 kg of cocaine worth ca. USD 1m.⁴⁰ A major seizure of 1.2 tones of cocaine took place in the Port of Mombassa (Kenya) in 2006, and a number of smaller cocaine shipments were also reported, which originated in South America and were headed to Kenya via West Africa before being subsequently shipped to Europe.⁴¹

East Africa's role as a transit point and destination for illicit drugs seems to increase unless an immediate action is not taken. The region as a whole is characterized by weak border controls (land, sea and air), as well as intensive but still limited cross-border and regional cooperation, which can be easily exploited by traffickers. Antonio Mazzitelli, United Nations Office on Drugs and Crime Regional Representative for Central and West Africa, defined "the cycle of failed states" as organized crimes and illicit trafficking, which then produces corruption, in turn making a country vulnerable to political terrorism, but also to other transnational organized criminal activities.⁴² Drug trafficking

³⁹ United Nations Office on Drugs and Crime (UNODC), www.unodc.org/easternafrika/en/illegal-drugs/drug-trafficking-patterns.html.

⁴⁰ *East Africa Needs Joint Anti-Drug Trafficking Task-Force*, AllAfrica, <http://allafrica.com/stories/201006220037.html>, 30.09.2010.

⁴¹ *Organised Crime and Trafficking in Eastern Africa*, United Nations Office on Drugs and Crime, Nairobi, November 2009, p. 30.

⁴² *Global Drug Trade: Africa's Expanding Role*, Woodrow Wilson International Center for Scholars. 28.05.2009.

in Africa has gained special attention in recent years. However, as long as there are no effective control mechanisms in the countries of the region, the trafficking and importation of illegal drugs will continue to rise, further diminishing the development process in the region.⁴³

Environmental degradation

Environmental degradation is a rising challenge for developed and sub-optimally developed countries. It is often transnational in nature and involves organized crime activities such as trafficking in natural resources, illegal trade in wildlife, illegal, unregulated and unreported fishing and illegal exploitation of and trafficking in minerals and precious stones.⁴⁴ Environmental crime has become increasingly organized and transnational in nature and can be seen, just as drug and firearms trafficking, as one of the most significant areas of trans-border criminal activity, threatening to disrupt societies in the region and impair sustainable development.⁴⁵ In East Africa, we can particularly observe the process of facilitation of different forms of crime by the established involvement of organized criminal groups, the failings of national structures and the transnational nature of environmental crimes.

In East Africa, environmental crime ranges from poaching and illegal logging and trade in biodiversity products (flora and fauna) to improper transportation and dumping of waste. Although widespread for decades, trade in illegal timber and illegal logging has only been seen as a major concern in recent years. Also, illegal exploitation of natural resources is of great concern for local communities. According to the “Environmental Crime. A Threat to Our Future” report, these activities threaten ecosystems and the future sustainability of forests, foster corruption and violence and result in unexpected losses for the state and businesses. Moreover, they undercut the prices of legal products on the international market and are connected to organized crime, human rights abuses and international and intrastate conflicts. Lack of or poor legislation concerning the environment and increasing levels of corruption in producer countries impede the prevention and detection of this crime.

Environmental crime in the East African region is committed at the following two levels: at a local level by members of pastoral communities for the purpose of ensuring their livelihood and at an international level for

⁴³ Ibidem.

⁴⁴ According to the UNODC website: <http://www.unodc.org/unodc/en/frontpage/what-does-environmental-crime-have-in-common-with-organised-crime.html>.

⁴⁵ Rice Mary, *Environmental Crime. A threat to our future*, Environmental Investigation Agency, 2008.

commercial purposes, with the latter case involving criminal networks composed of nationals and foreigners. Processes of despoliation, warfare, and above all the dramatic inequalities lie behind environmental degradation between few wealthy people and the desperate mass. Beyond this, however, there is little agreement among researchers about how cause and effect operate between crime, conflict, politics and resource management.⁴⁶

Nowadays, in East Africa just as in the Wild West and other frontier societies, pillage is systematic and is connected with the destruction of the state in the Democratic Republic of Congo (former Zaire). This systems of extraction recruit landless labor and homeless refugees, which may be involved in the work of mining, killing or despoiling natural resources, or all three. Using their own weapons or hired guns, gangs and different militias compete for their share of the loot. At the regional level, this economy of pillage and competition for land, minerals and control, extends to the central authorities of two regional states — Rwanda and Uganda, and involves sectors of the Burundian military and also political elites. Increasingly, during the 1990s, these state authorities started to depend for their revenue, especially for military operations, on the systematic pillage of Congolese resources of all kinds. From the regional level, the chain of profit ends up at the global economy level, especially with large mining companies like Anglo-American, Barclays Bank, Bayer AG, de Beers and others.⁴⁷

Criminal relations in sub-optimally developed societies

There is no evidence that Africa is less integrated into globalization than other parts of the world. That is why the whole region together with its sub-regions (Central, East, West, South Africa, as well as the countries of Maghreb) is endangered by the expansion of transnational crime. In this article, we searched for an answer to the question of whether or not there are growing trends of concern and whether they pose a significant threat to the stability of societies, particularly in East Africa. After a careful examination we can confirm that in the analyzed areas there are serious trends of concern which can diminish the meaning of all the programs and agendas undertaken by local communities as well as international organizations to strengthen the uneasy process of sustainable development and growth. All of the problems mentioned above, such as trafficking in persons and migrant smuggling, firearms

⁴⁶ Hintjens Helen, *Conflict and resources in post-genocide Rwanda and the Great Lakes region*, International Journal of Environmental Studies, Vol. 63, No. 5, October 2006, pp. 600-1.

⁴⁷ Ibidem, p. 610 and www.fataltransactions.org.

trafficking and SALW proliferation, as well as drugs trafficking and environmental degradation are only few out of the whole list of those present in East Africa. In this article, we did not focus on piracy, counterfeiting or money laundering which are also serious areas of concern in sub-developed societies; however, they need another study. All those problems can seriously affect not only the examined region, which can already be observed on the streets of Nairobi, Dar es-Salaam or Bujumbura, but can also spread to different parts of the world if appropriate steps are not taken soon.

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