Making War: Conflict Zones and Their Implications for Drug Policy

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Abstract

The illicit drug economy has emerged as a major factor that can exacerbate violence, complicate peace negotiations and corrupt transitions from war to peace. Trafficking chains span continents, yet they often take root in fragile and conflict-affected states, where violent actors can exploit the ‘violent-governance paradigm’ to entrench their economic, political and social influence. When this combines with the international narcotics enforcement regime, it has proven to have detrimental consequences for the resolution of conflict, as well as for the long-term developmental trajectories of those whose livelihoods depend on the drug economy. A harm reduction approach can be argued for, but the drug policy community has yet to demonstrate that it can offer proven alternatives beyond the point of cultivation for actors further along drug supply chains.

1 Introduction

Drugs and conflict are almost inextricably interlinked—on the part both of the state and the non-state. Throughout history, many conflict actors have been fuelled by narcotics while conflicts themselves are funded by taxes on the illicit drug economy. While drugs are rarely the reason a conflict begins, there are many contemporary examples of the drug economy prolonging and exacerbating levels of conflict and violence and preventing successful peacebuilding (Cornell, 2005).

An analysis of the Resolutions of the United Nations Security Council (UNSC)—the highest ranking global body with regard to peace and security—carried out by the Global Initiative Against Transnational Organized Crime (GI-TOC) shows that the drug trade has been a growing concern over the past decade. Of a total of 1,219 UNSC Resolutions passed between 2000 and 2019, drug trafficking was mentioned in 114—around 10 per cent—and is second only to arms trafficking as the most frequently occurring form of crime. Of

FIGURE 7.1 Mentions of drug trafficking in UN Security Council Resolutions by region (2000–19)

SOURCE: GI-TOC (2020B)

particular significance is, as Figure 7.1 clearly shows, that the rate at which drug trafficking is mentioned in resolutions is accelerating. In the period 2010–19, the number of resolutions specifically mentioning drug trafficking exceeded 20 per cent (GI-TOC, 2020a), and the geographic scope of those resolutions significantly increased.

Although references in resolutions is an imperfect measure that cannot be assumed to be a proxy for the scale of any illicit market, nor necessarily a reflection of the real-world nature of conflicts on the ground given the politicisation and complexity of the Security Council as a multilateral mechanism (Bish, 2019), the continued and growing recognition of the role of drug trafficking by the world's highest ranking peacekeeping body is nonetheless noteworthy and significant.

In their *World Atlas of Illicit Flows*, INTERPOL, GI-TOC, and RHIPTO—the Norwegian Center for Global Analysis—estimate that the proceeds from drug trafficking represents 28 per cent of the income of non-state armed groups and terrorist organisations in zones of conflict around the world. Most of this revenue comes not from the production or distribution of drugs, or from other direct means of involvement in the drug trade, but from the taxing of drugs that transit through territory controlled by criminal groups. This encompasses the Fuerzas Armadas Revolucionarias de Colombia (FARC) in Colombia, the Taliban in Afghanistan, Boko Haram in Nigeria and the various extremist groups in West Africa and the Sahel, among others (RHIPTO, 2018).

It has become a well-established assumption that peace, security and development will provide the preconditions for a reduction in levels of violence (Serwer and Thomson, 2008), and it is equally often assumed that the same three factors will reduce illicit activity and criminal behaviour. As a consequence, in the contexts of many of the conflicts of the past two decades, the challenges of addressing the illicit economy are pushed aside to be resolved after the bigger questions of political settlement are concluded and the peacebuilding track is undertaken (Boutellis and Tiéllès, 2019).

The drug policy community has remained largely absent or excluded from these debates, and consequently there is surprisingly little literature that addresses why and how drug policy approaches should be considered in a conflict setting. This is perhaps because, in parallel over the same period, the attention of the drug policy community was more focused on the growing challenges of the urban environment, recognising that the countries with the highest levels of homicide and violence were no longer conflict zones, but urban areas beset by organised crime (UNODC, 2019a), and that new approaches were urgently needed to address the urban violence paradigm.

While this urgency and imperative were by no means misplaced, the era of armed conflict is far from over, and the damage that actors resourced by the illicit economy can cause is still manifold. Unresolved, protracted, and deadly civil wars are currently raging, with drug production and trafficking fueling these conflicts. The rise of Captagon production and trafficking over the course of the prolonged conflict in Syria is one notable example (Kravitz and Nichols, 2016); the transit of cocaine through the insurgencies of the Sahel and its trafficking through the ports of Libya is another (Micallef, 2019). Insurgent movements funded by the drug trade remain in Africa, the Americas and Asia.

It has become clear that the world's fragile states and conflict zones are attractive to transnational organised crime groups, which increases the likelihood of continued intersection between narcotics and conflict (RHIPTO, 2018). This policy comment, therefore, seeks to revisit—at a level higher than individual ethnographic research—the question of that intersection, and to examine what a drug policy lens can bring to peacebuilding in these contexts.

The chapter is divided into two sections. The first analyses the features of the illicit drug economy and how those who profit from it operate in situations of conflict. The second section concludes by reflecting on what this means for the way drug policy should be considered and implemented, and whether in fact there is a value to bringing a stronger drug policy approach to conflicts and their resolution.

The chapter draws upon the author's nearly two decades of experience as a specialist in organised crime, illicit economies, and conflict zones. As a former

United Nations staff member, this included work with the United Nations Development Programme on Afghanistan and Iraq, among other countries, and as a policy specialist in the United Nations Office on Drugs and Crime (UNODC). As the Deputy Director of the GI-TOC, the author has carried out extensive research on conflicts in Africa and the Middle East—including Syria, Mali and the Sahel, Guinea-Bissau, Libya, Somalia and the Horn of Africa—and on the role of the illicit economy in fuelling and furthering those conflicts. In addition, this work offered first-hand involvement in and knowledge of the workings of a number of multilateral, bilateral, and civil society initiatives to address these challenges. The present chapter also benefits from an extensive literature review across multiple continents, drawing from the body of ethnographic scientific research on narcotics and violence, conflict, and peacebuilding, as well as an increasingly rich and insightful set of grey literature produced by independent think tanks and civil society groups often using a political economy approach to analysing the illicit economy.

2 The Drug Trafficking and Conflict Nexus

The interaction between conflict and narcotics has been observable in the conflicts of every continent. Moreover, even long after those conflicts are purportedly resolved, the negative ramifications can still be felt and usually over a wider geographic region than the original conflict epicentre. Illicit economies and the groups that enable them have proven themselves to be highly durable, adaptive and prone to expanding their theatres of operation.

Almost all of the world's heroin supply is created in the conflict zone that is Afghanistan. The two-decade-long struggle to address the nexus between poppy cultivation and 'warlordism', corruption and underdevelopment in Afghanistan—described by Mansfield—is one example of this interaction (Mansfield, Chapter 5, this issue). Similarly, many of the longer-standing and best known narcotic-fuelled conflicts have been concentrated in producer regions, including Colombia, where coca production was a resource for the FARC military insurgency (Felbab-Brown, 2005), and in Myanmar, where opium production funded the civil war and has left a legacy of chaos and criminality in the Shan State borderlands (Cowell, 2005).

The intersection between conflict and production—in these cases and in other regions—triggered a range of policy and programmatic options that focused on alternative development for those dependent on cultivation for their livelihoods. These programmes enjoyed limited success, with some criticism levelled at the alternative development approaches. For example, in an earlier

chapter of this volume, Buxton claims that they failed to tackle the root causes of drug production and that they were seldom integrated into a more holistic strategy to address the broader illicit economy and the actors within it (Buxton, Chapter 2, this volume). Greater harm, however, was caused by the application of established counter-narcotics doctrine including heavy-handed eradication campaigns. These not only failed to meaningfully reduce funding to the armed militias and belligerent groups that the drug trade was financing, but in some notable cases actually strengthened popular support for those groups (Felbab-Brown, 2009). These criticisms are discussed in other chapters in this volume.

An issue of greater concern to the peacekeeping and peacebuilding communities emerged, however, over the next decade or so when it became apparent in contexts such as Guinea-Bissau and Mali that a transit trade in illicit narcotics was a significant contributor to state failure. Neither of these countries were drug production areas, or even particularly prominent trafficking zones, yet the profits of drug trafficking have proven potentially destabilising and have played a role in the development of unprecedented forms and levels of violence. The profits of the drug trade reached into the uppermost levels of governments, with complex networks that had overlapping political, business and social interests (ICG, 2018; Shaw, 2015). The profits of trafficking allowed militants to buy arms and political influence (Tinti, 2014), which created enormous challenges for navigating a peace process or political transition.

In the context of these conflicts, however, the heavy prior emphasis on alternative development meant that the toolbox was largely empty when it came to addressing the governance and developmental implications of the drug trade outside of a cultivation zone.

The international and multilateral system, preoccupied with negotiating the politics of the transition, preferred to silo the complex and corrosive impacts of the drug trade as a security threat to be assigned to law enforcement or even military actors, and the public health and harm reduction consensus appears to break down where there is a perceived intersection between criminality and conflict, which often justifies a hard line of law enforcement or even militarised approaches to breaking that nexus.

This has been particularly exacerbated in cases such as Mali and Afghanistan, where armed militants involved in the drug trade are also accused of terrorism. Focusing on the link between narcotics and terrorism further securitised law enforcement efforts and intelligence gathering to the point that the war on drugs and the war on terror became interlinked, and that 'the traditional separation of narcotics and terrorism counter measures and agencies has gradually faded since 9/11' (Björnehed, 2004, 313).

The criminal justice-led approaches prescribed by the international narcotics control regime proved both ineffective and damaging in weak states with limited law enforcement capacity, where the integrity of both leadership and serving officers was easily or already compromised (Aning and Pokoo, 2014), and—more importantly—where the actors involved in the illicit economy had a degree of legitimacy in their communities (Reitano and Hunter, 2016).

What we have learned, moreover, is that criminal agendas and the political landscape intersect in many different ways, so that separating criminal and conflict actors is a naive objective (Bosetti et al., 2017) that fails to account for the violent-governance paradigm.

2.1 *The Violent-Governance Paradigm*

Conflict zones and poorly managed post-conflict transitions offer many opportunities for those that are well resourced and comfortable using violence to achieve their own objectives and consolidate power while state institutions are weak (Shaw and Reitano, 2017). This is due to the quintessential nature of armed conflict regardless of the ideology or interest that might have sparked the conflict: that it is a competitive fight for power and influence that uses violence.

During the lifespan of a conflict what is therefore created can be termed a ‘violent-governance paradigm’—a mutually reinforcing cycle where political leverage is achieved through access to resources that have value or can be monetised; where resources buy the support of local communities through the provision of livelihoods and access to existing political influence (through corruption); and where resources also buy access to arms and foot soldiers (militias, armies or paid security or ‘heavies’), which in turn can be used to pressure or attack the opposition, erode a monopoly on violence, secure control of territory and assets, or extort support from local populations (Figure 7.2).

To describe this in another way—one that is perhaps better grounded in the established governance literature—a conflict is a sovereignty challenge, where sovereignty is defined as ‘a tentative and always emergent form of authority grounded in violence that is performed and designed to generate loyalty, fear, and legitimacy from the neighbourhood to the summit of the state’ (Blom Hansen and Stepputat, 2006). This definition justifies the right to sovereignty (either locally or nationally) for any group that wields violence to create legitimacy (Stepputat, 2018).

There are strong parallels between this definition of sovereignty and the techniques via which criminal groups operate to secure access to and control over illicit markets (Tilly, 1985). Mafia-style organised crime groups

FIGURE 7.2
The violent-governance paradigm
SOURCE: CREATED BY AUTHOR

similarly use violence or the threat of violence to secure control over territory and resources and ensure the compliance of those living within their territory, to intimidate communities and authority figures, and to extract criminal rents (Varese, 2017). Violence is the means by which competition within and between organisations is played out, internal discipline is ensured, threats to the group are overcome, and reprisals are carried out (Reuter, 2009).

Even in a conflict zone where the monopoly on violence is contested, a government may have significant capabilities with regard to the use of force in response to security challenges. But legitimacy and violence do not always equate directly to one another. Where the legitimacy of the state using force is compromised, by corruption or the perception that the use of force was illegitimate, then non-state actors have the capacity to build their own legitimacy with the communities in which they are embedded (Idler and Forest, 2015). They can do this by using violence to secure access to resources and to earn criminal rents through the creation of protection economies (Shaw, 2016b), and then distributing part of those rents and other services to the benefit of the communities.

Criminal groups across the world provide concrete goods to communities, but also deliver services, from security and justice to social and public goods such as health, education and humanitarian relief (Cockayne, 2007). In a conflict zone all the same principles apply, but the provision of physical security to groups who feel persecuted by the state is a particularly potent means by which armed groups can challenge state authority and build the loyalty of the community (McCloughlin, 2009). If the conflict is driven by the perception that state resources are being unjustly captured and retained by the government or elites and that livelihoods for ordinary people are being provided through the illicit economy, then a Robin Hood syndrome can come into play, in which criminal actors are the ones redistributing wealth and rebalancing justice that

has been distorted by the state (Martinez-Gugerli, 2018), earning them even more social capital.

With trust and legitimacy with local populations established, these populations may offer protection and coverage for criminal groups, giving them a stronghold from which to plan and carry out their operations (Reitano and Hunter, 2016). More importantly, however, legitimacy can strengthen their political capital within a framework of disputed authority, building up criminally financed actors as viable players in conflict negotiations and giving them a seat at the table.

The violent-governance paradigm highlights the interdependence between violence, legitimacy, and access to resources, and that responses targeted at reducing any single one of these levers are likely to prove inadequate. Even where violence levels can be reduced through mediation, for example, access to resources, local legitimacy, and the constant threat of a return to violence can maintain the status quo. The gang truces negotiated in El Salvador illustrate this point very clearly (Dudley, 2013), as do the consistent failures of efforts with regard to ceasefires and 'cantonment' in Mali (Boutellis, 2015). In fact, as armed groups consolidate control over territory and populations, violence levels may fall (or change) as the threat of violence and of symbolic hits becomes sufficient to keep civilians aligned to their authority (Catino, 2014).

Constraining groups' access to resources is another strategy put forward as a means to undermine the potency of armed groups that are criminally resourced. Upstream interdiction efforts to cut off drug supply chains and the freezing or seizure of criminal assets are the primary responses proposed by law enforcement to the challenge of addressing drug trafficking and the illicit economy more broadly. Yet both strategies are notoriously weak in the best case scenarios—surveillance and interdiction affect only a tiny fraction of total global flows of narcotics (UNODC, 2019b); the prohibitive costs, legal constraints and regulatory requirements of anti-money laundering regimes and asset seizure make this a symbolic rather than a practical tool (Reuter and Truman, 2004)—rendering them almost nonsensical in a conflict setting where there is no meaningful state institution to support those frameworks. Furthermore, armed groups with territorial control are able to build their resource base opportunistically from any other licit or illicit resource flow, and through protection taxation on local populations (RHIPTO, 2018; Reitano et al., 2017).

What is required is a simultaneous, coordinated and long-term effort to reduce all three aspects of the violent-governance paradigm: armed groups' control and use of violence, access to resources, and legitimacy with local communities.

3 Bringing the Drug Policy Agenda to the Negotiating Table

The violent-governance paradigm illustrates that measures and strategies to combat illicit economies must be understood as profoundly political efforts (Felbab-Brown, 2017). While violence and conflict may have many drivers, too often the drugs issue is used as a catch-all concept that a simplistic set of law enforcement responses can address. Instead—as is true also in non-conflict scenarios—simplifying complex conditions and ignoring the underlying factors that underpin illicit drug economies can serve to inflame rather than mitigate violence, injustice and social fracture.

Colombia and Afghanistan are two prominent cases of countries where the ‘war on drugs’ has become enmeshed in a national conflict. In these countries, not only have counter-narcotics policies proven ineffective, they have also had disastrous consequences for the population. An overly securitised response to criminal actors has led to a spiralling ‘arms race’ between the state and well-resourced criminal groups, which has considerably intensified ordinary people’s levels of suffering and done little to reduce either the scale of trafficking or levels of violence, or to build a space around which a more sustainable return to peace may be brokered.

The nascent use of new military technology such as autonomous warfare (e.g. drones), cybertechnology, or artificial intelligence may offer some opportunities to improve surveillance and issue targeted strikes that reduce civilian casualties. But these are technologies that are unregulated, untested (Nakamitsu, 2019) and equally available to criminal groups, particularly those enriched by the drug trade or supported by external proxies. So there is little current evidence to suggest that they will significantly change the game.

A more effective focus is required to address drug markets in conflict zones, both to reduce the potential of the drug trade contributing to fuelling or prolonging conflict and to prevent it from exacerbating the humanitarian challenges or long-term development prospects of affected communities. The question, then, is if there would be any benefit in applying a drug policy lens to conflict, post-conflict, and peacebuilding scenarios where there is a significant drug economy to be addressed.

There clearly are benefits. What has become very clear in contexts both in and out of conflict zones is that there is a need to widen the concept of harm reduction to encompass the entirety of the supply chain, not just zones of production (Shaw, 2016a). The 2020 report of the Global Commission on Drug Policy focuses on the harm caused by drug-trafficking enforcement, concluding that there has been insufficient attention paid to alternative approaches to

dealing with protagonists in the illicit economy, and to applying developmental solutions to questions of their involvement (GCDP, 2020).

In matters of organised crime, the law enforcement community often has the biggest voice and speaks with the greatest authority. So, for the political actors preoccupied with negotiating a complex humanitarian emergency, a cessation of violence, and a feasible transition, there will always be a temptation to abdicate issues of narcotics control to that community. If the drug policy proponents can inject into this environment the need for harm reduction-first policies, and propose good practices based upon practical lessons learned, then that would be of considerable added value. Too often, both political and development actors are searching for innovative ideas for programming, and discover little in the process (GI-TOC, 2015).

That said, it still needs to be asked whether or not the drug policy community has those lessons learned to offer. As Felbab-Brown has highlighted, there is a big difference between cultivation countries—where there is visible evidence of production—and places where there is no visible cultivation. In the former—contexts such as Afghanistan, Colombia or Myanmar—there is a labour-intensive illicit industry that is geographically bounded and that generates livelihoods. Thus, it can clearly be linked to the territorial control of specific actors, and there are measurable yardsticks for achievement in reducing production (Felbab-Brown, 2017). It is in these theatres that alternative development approaches have proven themselves able to take root and display efficacy (Brombacher, Chapter 4, this volume). But in the context of trafficking economies, or in narcotic industries that have no visible cultivation—such as in the growing markets for amphetamines, synthetic opioids or the abuse of prescription drugs—there is far less on offer.

We have yet to see a credible alternative livelihood from the legitimate economy be crafted for militia groups whose expertise is moving illicit narcotics across difficult terrain or taxing the movement of goods in both the licit and the illicit economy. Perhaps here, the domain of disarmament, demobilisation and reintegration (DDR) has more to offer, though DDR practitioners have so far largely failed to see their own relevance in these debates. In a post-conflict period, a long-term engagement to prevent violent actors entering the criminal economy and to stop war economies centred around illicit narcotics being embedded into the peacetime economy and political transition is required (Shaw and Reitano, 2017).

Countermeasures of this sort will have to be predicated on a deep analysis of the contesting parties' interests, agendas and claims. They will also require understanding, mapping and continually updating the infrastructure of the illicit economy and who controls it. With conflict actors, resources and

commitment must be devoted to building trust and relationships, addressing their grievances and mapping alternatives—if not for the immediate warring parties then for the next generation of society, to dissuade them from continuing the struggle. Their political grievances must also be addressed if they are to see an incentive in setting aside illicit interests and the legitimacy and political leverage that they convey, and to buy in to the complete eradication of violence, and the resolution of conflict. This means that resources will need to be spent on diplomatic relations and on foreign aid. In cases where underdevelopment and inequitable land use are a source of tension, these too will have to be addressed hand in glove with drug policy. These are not a normal part of traditional counter-narcotics policy, but they are consistent with a harm reduction-based, development-led approach.

Addressing people's perceptions of and relationships with the narcotics economy can be one means of eroding the violent-governance paradigm. In drug-trafficking transit countries where there is little domestic consumption, involvement in the narcotics economy may have little stigma associated with it, as it is a significant source of livelihoods and wealth. But it can upset traditional, cultural, and religious norms, introduce new levels of violence into society, and change the domestic political economy significantly. Educating communities to understand the second-order risks of the drug trade, particularly where it is linked to conflict actors or political instability, is one area in which drug policy approaches may have experience to share, and may also serve as a way to mobilise community responses with regard to the rule of law, justice and public health (Reitano and Shaw, 2014). In regions where there are significant local user populations and harm is readily apparent—such as in the countries along the East and southern African littoral—civil society may prove a more ready advocacy group and partner when it comes to addressing the drug trade (Haysom, 2020).

The key risk, however, in pushing a drug policy agenda into a conflict or post-conflict environment without the programmatic palette of options to offer is that this might politicise and further militarise the fight against drug trafficking. The description of the violent-governance paradigm implies the importance of the state itself in defining the contours of the illicit economy, and the legitimacy that criminal groups are able to develop. Case studies of Mali and Libya have highlighted the fact that regional and central authority figures may themselves plan an active role in enabling, protecting or extracting rent from the illicit economy. On the one hand, drug trafficking can build political leverage for actors able to extract rents and translate them into violent governance. On the other hand, drawing on the international community's emphasis on drug control, actors in the central state or the prevailing authority may use

the accusation of narco-trafficking to discredit legitimate opposition or important voices in a transition (Lacher, 2014).

Arguably, boosting drug policy's position on the international agenda in an already complex environment when one has few credible solutions to offer brings with it greater risks than it does benefits. However, encouraging the drug policy community to continue to build the evidence base, to experiment and to innovate in policy and programming that target the illicit economy and violent actors along drug supply chains, and to better understand what an effective downstream harm reduction approach might look like are important steps to take.

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