

A NEW AGENDA FOR POLICING: Understanding the Heroin Trade in Eastern Africa

*Margarita Dimova, Senior Teaching Fellow, Department of Politics/ Department of Development Studies, SOAS
marg.dimova@soas.ac.uk*

As a result of the alleged immersion of Africa in transnational cocaine and heroin trafficking networks, elaborating a new agenda for counter-narcotics policing has become a focal point in political discussions throughout the continent. Yet, drug-trade data is often unreliable, fragmented and inappropriately sourced. It reflects drug policing rather than actual trafficking trends as it is based on self-reported seizures. That is why meaningful policy formulations require a more insightful understanding of the (dis)organisation of the global drug economy. Seizure reports by national law enforcement authorities are a function of increased international pressure, financial assistance and vigilance and might not adequately depict recent developments. Still, they do present the only available source of aggregate data, especially on opium production and heroin trafficking. Bearing this in mind, this paper will triangulate available seizures data with ethnographic findings on the contemporary modus operandi¹ of heroin transshipment and supply in Kenya. The aim is to provide a micro-level, evidence-based analysis for the reassessment of containment endeavours both at the national and international level. The analysis is presented in three sections. First, the focus is on routes and means of transporting non-indigenous drugs in Kenya. The second section addresses the structure of organisations that carry out these tasks, including local distribution. Finally, I conclude by outlining several feasible policing strategies.

'Things have changed because the security is tight': Mapping the routes

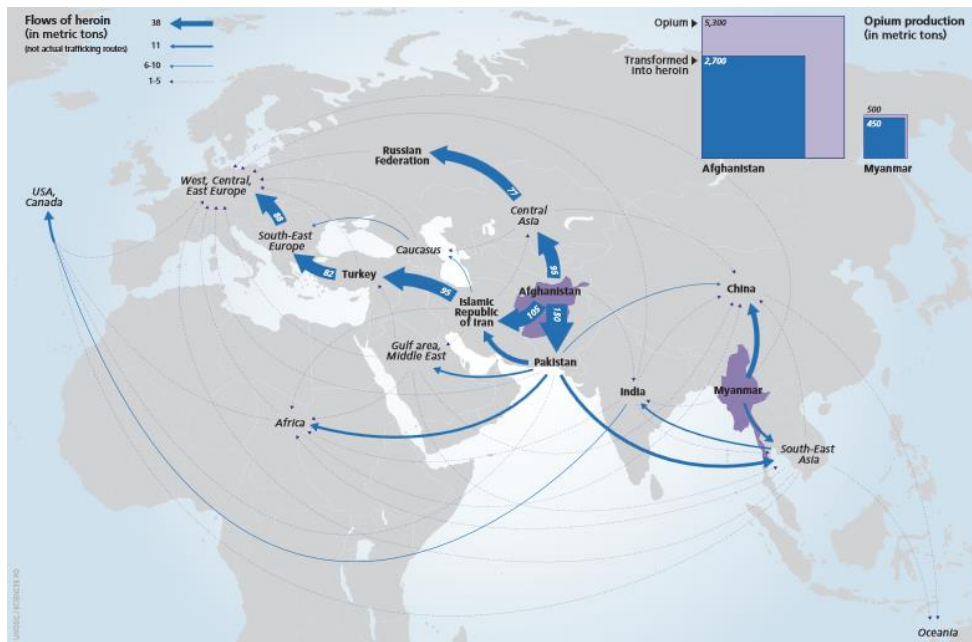


Image 1: Chief heroin production regions map. Image source: UNODC 2010

¹ It is important to highlight the fact that there is no *one* modus operandi to which all heroin distribution networks adhere.

Source countries

As the above image demonstrates, most large consignments passing through Kenya contain heroin from Afghanistan. Pakistan is used as a transnational dispatching hub for opium and heroin coming from its neighbour. Key maritime and air-transportation routes passing through Kenya originate in Pakistan. Similarly to the Kenyan coast, smuggling hubs in Pakistan have witnessed the rapid development of their own heroin markets. Over the past 30 years, for instance, the north-western city of Peshawar, due to its proximity to the border with Afghanistan and the numerous heroin-processing labs in the vicinity, has become the heroin capital of Pakistan. Flows of southern and northern-produced opium converge in Pakistan's coastal areas, most notably the Makran coast and Karachi. According to Wright's analysis in a recent UNODC assessment of the drug trade in Eastern Africa:

Afghan heroin is moved overland to the Makran Coast, a strip of desert coastline that crosses from Pakistan to Iran along the coast of the Arabian Sea and the Gulf of Oman. It is likely small skiffs transport heroin out to dhows from the Makran Coast. The Pakistani section of coast is thought to be the most common launch point, likely because traffickers seek to avoid the harsh penalties they face if caught in Iran. The dhows intercepted with heroin have taken a direct route across the Indian Ocean, avoiding the coast of Somalia where traffickers would be at a greater risk of piracy. Images of dhows caught with heroin aboard showed their cargo holds were empty, indicating the only purpose in making the journey south across the Indian Ocean was trafficking.²

This route is possibly the most popular transshipment corridor that includes eastern Africa in the global heroin trade. That is why Kenyan authorities, dealers and users alike often insist that heroin smuggled into or through Kenya comes from Pakistan, rather than Afghanistan. There are three key methods of heroin smuggling from Pakistan to and through Eastern Africa – maritime, overland and air-based.

Maritime routes

The most prominently reported mode of smuggling entails international consignments hidden in dhows that do not dock at regional ports, but remain in open waters or pass undocumented through small island ports off Kenya and Tanzania's coast. In July 2014, for example, Kenyan authorities retrieved 342.67 kilograms of heroin from the fuel reservoirs of unflagged MV Al Noor (MV Amin Darya), which was seized off the Lamu archipelago north of Mombasa.^{3,4} Wright's study mentioned above stresses the importance of this mode of transshipment. In an interview, she claimed that there is 'an awful lot [of heroin] coming in from the [Kenyan] coast,' as well as from Tanzania.⁵ Security expert Abdi Daib expressed a similar opinion. Daib ran his own research consultancy company in Mombasa, which in the past had been commissioned to conduct surveys by major international development agencies such as USAID. He completed his postgraduate studies

² Joanna Wright, *Transnational Organised Crime in Eastern Africa: A Threat Assessment* (Vienna: UNODC, September 2013), 23.

³ David Ochami, "Security Officers Intercept Sh1.1b Heroin in Mombasa," July 15, 2014, <http://www.standardmedia.co.ke/thecounties/article/2000128296/police-intercept-sh1-1b-heroin-in-mombasa>.

⁴ Calvin Onsarigo, "Police Nab Ship Suspected to Contain Heroin," *The Star*, July 24, 2014, <http://www.the-star.co.ke/news/article-179704/police-nab-ship-suspected-contains-heroin>.

⁵ *Ibid.*

in the UK and teaches anti-piracy and anti-terrorism courses at the local Bandari College. Daib previously worked as Port Facility Security Officer at Mombasa's international Kilindini Harbour for 18 years. He shared Wright's opinion, emphasising that 'the drugs are now entering through the small, small islands – Pemba, Shimoni. What happened is that from the high seas, stuff is brought by speedboats, from these islands, carefully packed and delivered'.⁶

In these operations, countries like Kenya are used as hubs from which batches of heroin brought from open-sea dhows are re-routed to final destinations using various transshipment methods. As Daib highlighted, different smuggling operations connect not only in open seas, but also in poorly regulated small ports such as the old port in the historic part of Mombasa, as well as the one in the village of Shimoni, 53 kilometres from the border with Tanzania.⁷ In the words of Ali Baba, an experienced former dealer from the small resort town of Diani,⁸ 'there are places like Shimoni where there is [sic.] these special boats coming and all that, you know, we have the places like Likoni,⁹ we have some places like Old Town Mombasa where the special boats come'.¹⁰ The purity of drugs from such seizures in open seas or small (rural) ports is rather high,¹¹ which indicates the consignments' designation for distant markets where significant mark-ups and opportunities for dilution can justify the risk of large-scale, heroin-only smuggling. This makes the local market an unlikely endpoint.

Still, Kenya's infrastructure and tourist-friendly visa regime definitely facilitate the operation of locally based distribution units that engage in onward trafficking. Among the main reasons for the extensive seizures data on this regionally organised method of smuggling is the fact that international maritime law allows for warships, such as Combined Maritime Forces' Combined Task Force 150 (CMF CTF-150), to board other vessels only if the latter are unflagged or 'without nationality'.¹² This means that larger ships sailing under a state flag and docking at ports like Kilindini Harbour cannot be targeted by maritime policing even if they are suspected to be smuggling drugs.¹³

Even though they are much more difficult to intercept, legitimate commercial cargo vessels are the most frequently discussed mode of large-scale smuggling of heroin into and beyond Kenya. As already outlined, Kilindini Harbour is a key regional port – annually it handles over 700,000 twenty-foot equivalent units (TEUs) corresponding to a standard-size container.¹⁴ It is among Sub-Saharan Africa's busiest ports not only in terms of throughput,

⁶ Abdi Daib, Mombasa, April 12, 2013.

⁷ It is situated at a similar distance from the island of Pemba, which is part of the Zanzibar archipelago.

⁸ Also known as Ukunda by its residents.

⁹ Likoni is an administrative division in the County of Mombasa, where the Likoni Ferry, which connects the south coast with Mombasa Island, terminates.

¹⁰ Ali Baba, Diani, February 21, 2013.

¹¹ "Canadian Warship Crew Seizes \$100M of Heroin in Indian Ocean," *CBC News Canada*, April 1, 2013, <http://www.cbc.ca/1.1309682>.

¹² United Nations, *Convention on the Law of the Sea*, 1982, Article 110.

¹³ The Global Initiative against Transnational Organised Crime, "Permission to Board? Challenges to Seizing Drugs at Sea in the Indian Ocean," accessed July 28, 2014, <http://www.globalinitiative.net/indianoceanheroin/>.

¹⁴ Kenya Ports Authority, *Handbook 2012-13* (Colchester: Land & Marine Publications, 2012), 7, <http://issuu.com/landmarine/docs/kpa2012-13>.

but also infrastructure investment.¹⁵ Speculations regarding this mode of smuggling have proliferated since the 2004 seizure of over a ton of cocaine in several maritime cargo containers that were cleared through the port. Since then, however, no similar container seizure has been made. This is not to say that the container method of smuggling is not used – it is simply difficult to detect. In fact, containerised shipments are the main mode of cocaine trafficking from Latin America to West Africa¹⁶ and their use is most likely replicated on the other side of the continent.

Only one per cent of the containers passing through Kilindini Harbour or stored at local container freight stations (CFS) are inspected.¹⁷ International container traffic in general is subject to little oversight and most inspections are safety-oriented.¹⁸ The sheer volume of goods transported and the number of handlers involved in container shipping make the policing of maritime cargo drug-smuggling routes extremely difficult. The ANU officer in charge at Kilindini Harbour himself admitted that, ‘for transit containers, unless we have that specific information [tip-off] about that specific container, we don’t search it’.¹⁹ Hence the proverbial nature of most accounts of container-based, large-scale heroin smuggling through and to Kenya.

Overland routes

Increased policing prompts the fragmentation and complication of transshipment routes. UNODC researchers themselves admit that ‘all of these [existing smuggling] approaches are utilized in parallel, with the preferred technique and routing changing in response to enforcement efforts’.²⁰ One of my key interlocutors from Mombasa, Jay consistently drew my attention to the preponderance of overland supply chains once heroin reaches the continent. On one occasion, Jay claimed that ‘this heroin, if it is from Pakistan, it usually goes to South Africa. When it gets to South Africa, it is smuggled all the way to Tanzania’.²¹

Dirt roads, as well as major international arteries, are increasingly used to avoid maritime interception and make use of the many porous land borders in the region. A number of small consignments have been detected at the Lunga Lunga border point between Kenya and Tanzania, for instance.²² ANU officers stationed there also referred to the *panya*²³ routes used by traffickers.²⁴ With the crackdown on large-scale consignments in the Indian Ocean, it appears that combinations of maritime, airborne and overland trafficking are increasingly instrumental in local supply chains.

¹⁵ “Africa’s Top 10 Ports,” *Arabian Business*, May 12, 2008, <http://www.arabianbusiness.com/africa-s-top-10-ports-50442.html>.

¹⁶ UNODC, *Transnational Organized Crime in West Africa: A Threat Assessment* (Vienna: UNODC, February 2013), 13, http://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf.

¹⁷ Wright, interview.

¹⁸ International Maritime Organisation, *International Convention for Safe Containers*, 1977.

¹⁹ Vincent Egesa, Mombasa, March 15, 2013.

²⁰ UNODC, *Transnational Organized Crime in West Africa: A Threat Assessment*, 11.

²¹ Jay, Mombasa, February 25, 2013.

²² Wesonga Ochieng, “Sh11m Drugs Seized at Lunga Lunga Border,” *The Star*, October 26, 2012, <http://www.the-star.co.ke/news/article-92888/sh11m-drugs-seized-lunga-lunga-border>.

²³ Literally ‘rats,’ but in this case – secret land border crossings.

²⁴ Field notes, Lunga Lunga, 12 February 2013.

Bachan was one of my key interlocutors from Mombasa and a veteran dealer. When I first visited the Go-down selling location in the city, he was introduced to me as the ‘chief’ of the location.²⁵ He was seen as Go-down’s gate-keeper. In a statement explaining his own procurement of heroin to sell, Bachan confirmed the fact that local market supply is progressively fragmenting and a rising number of actors engage in it, stating that ‘the stuff I get is directly from Pakistan, but the people come on a flight to Malawi. Then they come here by road. But this is a long process until we get to sell this stuff’.²⁶

Historically, this trend is also reflected in the shift from ‘brown sugar’ to ‘white crest’. ‘Brown sugar’ is an internationally recognised street name for smokable brown heroin base, also known as heroin number three. ‘White crest’ is a local slang term that does not denote a precisely defined substance, but is whitish in appearance. In Western markets, white or off-white heroin is referred to as ‘China white’ or heroin number four, which is said to be a refined, more potent version of ‘brown sugar’. Conventionally, colour differences are linked to source countries: brown from Southwest Asia and white from Southeast Asia.²⁷ My interlocutors often alluded to the replacement of ‘brown sugar’ by ‘white crest’ in their accounts of local market development. Beckerleg et al. were the first to document changes in the type of heroin consumed on the Kenyan coast in 1998.²⁸ Based on users’ reports, they claim that the shift was a logical consequence of sourcing variations – from the Golden Crescent to the Golden Triangle.²⁹

A more plausible interpretation of the shift, however, is the abovementioned complication of trafficking routes and the subsequent need to respond to both mounting local demand and intensified policing. The appearance of ‘white crest’ on the Kenyan market is not a sign of a completely different supply source. Rather, it corroborates the fact that local processing and adulterating of ‘brown sugar’ is taking place. This also explains the central place that the capital, rather than the entrepôt (Mombasa), plays in distribution networks. It is reasonable to assume that Mombasa is no longer the hub of distribution it once used to be. While international heroin traffic might still be heavy around the Kenyan coast, local supply chains are predominantly coordinated from Nairobi. Regional variations in the street price of a single dose of heroin also illustrate this.³⁰

Air routes

Bearing in mind the role Nairobi plays as a coordination hub for the local market, the importance of air courier and airfreight traffic merits examination. China, dealer and local adulteration lab worker from Nairobi, was among the few interlocutors that were sufficiently knowledgeable about this method of smuggling. He described the trajectory of the drugs he handled as follows:

²⁵ Field notes, Mombasa, 15 January 2013.

²⁶ Bachan and Ndolo, Mombasa, January 15, 2013.

²⁷ Daniel Ciccarone, “Heroin in Brown, Black and White: Structural Factors and Medical Consequences in the US Heroin Market,” *The International Journal on Drug Policy* 20, no. 3 (May 2009): 280, doi:10.1016/j.drugpo.2008.08.003.

²⁸ Susan Beckerleg, Maggie Telfer, and Gillian L. Hundt, “The Rise of Injecting Drug Use in East Africa: A Case Study from Kenya,” *Harm Reduction Journal* 2, no. 1 (August 2005): 12, doi:10.1186/1477-7517-2-12.

²⁹ Ibid.

³⁰ Bachan and Ndolo, interview.

An Indian family from Pakistan comes on a plane, gets off in Uganda, my boss meets him in Kampala with a car and they drive into Nairobi. The boss gets five or six months' worth of supply in one go. [...] At the airport in Kampala, they like bribing. It's not as easy as Jomo Kenyatta [main international airport in Nairobi, where] people get caught a lot. I think [it is] about a third, 35 per cent of the business [heroin sold] in Kenya comes in through [regional] airports.³¹

In the most comprehensive grey literature study on heroin trafficking in Eastern Africa, Wright also acknowledges the importance of this means of smuggling, noting that 'the groups trafficking on commercial air flights appear to be based locally'.³² Due to established profiling practices by airport-based anti-narcotics officers, the nationalities of couriers vary considerably. Still, Nigerian, Tanzanian and Kenyan couriers are among the most frequently captured ones.³³ This confirms that their recruiters are operating in the region, seeing that recently heroin trafficking networks in the Global North have eschewed the use of African couriers namely due to intense profiling.³⁴

Focusing exclusively on airborne trafficking, however, ignores the role of Kenya's international airports as connecting hubs, at times used to complicate otherwise heavily surveyed drug-smuggling itineraries such as Sao Paulo-Lagos or Karachi-Dubai-Lagos. Confusing and seemingly illogical journeys have come to characterise airborne traffic due to increasingly stringent control. With the fragmentation of former direct supply chains both for the local and the international market, new (combinations of) methods of trafficking are bound to emerge.

'One company but many groups, various groups': Identifying the structure

The breaking up of the heroin supply chain through East Africa has led to a highly fluctuating and heterogeneous stock, as well as expansion and complication of the business networks involved. Presenting a uniform model for the organisation of heroin distribution syndicates – more accurately denoted by the term 'networks'³⁵ – would be analytically unsound. Yet, trafficking and distribution operations share several important traits, the most important ones being their size and hierarchical organisation.

Size

Academic and grey literature analyses of the global trade in illicit drugs converge in their descriptions of distribution units' fluidity.³⁶ Despite a longstanding obsession with the cartel

³¹ China, Nairobi, October 23, 2012.

³² Wright, *Transnational Organised Crime in Eastern Africa: A Threat Assessment*, 24.

³³ Ruth Muinde, Nairobi, JKIA airport, December 11, 2012.

³⁴ Ali Unlu and Behsat Ekici, "The Extent to Which Demographic Characteristics Determine International Drug Couriers' Profiles: A Cross-Sectional Study in Istanbul," *Trends in Organized Crime* 15, no. 4 (December 2012): 303–304, doi:10.1007/s12117-012-9152-6.

³⁵ In the following chapter I will examine in depth this term and its conceptual link to the idea of disorganised crime.

³⁶ UNODC, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, 27; Letizia Paoli, "The Paradoxes of Organized Crime," *Crime, Law and Social Change* 37, no. 1 (January 2002): 61; Emmanuel Akyeampong, "Diaspora and Drug Trafficking in West Africa: A Case Study of Ghana," *African Affairs* 104, no. 416 (July 2005): 431; Gerben Bruinsma and Wim Bernasco, "Criminal Groups and Transnational Illegal Markets," *Crime, Law and Social Change* 41, no. 1 (February 1, 2004): 83, doi:10.1023/B:CRIS.0000015283.13923.aa.

ideal type, bodies as varied as Europol, the US Department of Justice, and the UN High-Level Panel have come to recognise that:

These networks are hardly groups at all, any more so than a widget manufacturer, a shipping company and a local widget retailer are a 'group.' With no independent institutional identity, they are nothing more than commercial connections of varying durability between individuals, all responding to a common interest in making money.³⁷

The networked nature of these organisations complicates size estimations. While networks evoke images of expansive reach, they also contain small dense pockets of specialised activity. Smuggling and distribution networks which are based in Kenya are centred on key figures who act as nodes, connecting their business partners and employees. In terms of size, this means networks can be quite expansive, but groups around specific nodes remain compact. In other words, heroin trade and other criminal networks are connected in many ways, but also contain compact, supple units. My interlocutors referred to their units as 'companies'. The term 'company' is a direct translation of the Kiswahili *kampuni*. The street-level heroin dealers that I met used *kampuni* in reference to the small group of colleagues and superiors to which they belonged, rather than larger networks of supply.

A company is usually a rather trim entity. It comprises of twenty members at most, and often fewer, and includes peddlers, couriers, packers, stock-keepers and 'bosses' who coordinate transboundary trafficking and/or wholesale.³⁸ In the heroin-selling location in the slum of Mathare in Nairobi, for instance, each company had between two and six or seven dealers, with up to five packers and one or two bosses responsible for securing supply.³⁹ In this case, vertical integration becomes difficult to ensure as small units are in constant flux within larger, looser networks of supply, storage and distribution. It is common for reduced-size heroin trading nuclei to outsource certain segments of their work to freelancers, fixers or other small units. A stock-keeper, for instance, could be working for several companies.

This micro-level trend corresponds to a more general conclusion regarding the economy of illicit drugs on the continent – even international smuggling is organised by much smaller, fluid units, dealing with reduced quantities. Beckhusen notes this trend on a much more macro level in his investigative piece on West African cocaine smuggling:

African drug cartels hustle cocaine in smaller amounts of 175 kilos or so, instead of big shipments of multiple tons, which are more characteristic of the Latin American cartels. If the African cartels are taking a bigger role in cocaine, that means there are fewer truly big shipments for European police to intercept, and more little shipments, creating the illusion of trafficking in decline.⁴⁰

While cartel-type structures appear to dominate the Mexican drug economy, East Africa's heroin transcontinental smuggling and local distribution are carried out by very small

³⁷ UNODC, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, 28.

³⁸ Based on accounts provided by various heroin merchants from different companies in my two main research sites.

³⁹ Field notes, Nairobi, 29 October 2012.

⁴⁰ Robert Beckhusen, "Out: Latin American Drug Cartels. In: African Drug Cartels | Danger Room," *Wired*, February 27, 2013, <http://www.wired.com/2013/02/africa-cartels/>.

clusters operating in a looser, expansive network. The compactness of street-level distribution units or nodes appears to be replicated in trafficking operations. It is important to recognise that despite their cohesion, these tightly knit configurations are not based on a rigid organisational or communication model.

Organisational model

The dynamic system of communication between heroin merchants and their colleagues and superiors does not correspond to the entrepreneurial model of drug trade, based on Cressey's classic bureaucratic Cosa Nostra. The Cosa Nostra classical organisation is the epitome of rigidity.⁴¹ Diametrically opposite is the decentralised and even disorganised form of criminal enterprise, which is enthusiastically advocated in contemporary scholarly debates critiquing organised crime paradigms.⁴² The networks and nodes that I examined have the distinguishing characteristics of both types of organisations – chains of command exist, but top-down movements are interwoven with lateral ones; units are small and look acephalous, but hierarchical arrangements (albeit fluctuating) persist; multiple companies do not engage in violent competition as their supply is differently sourced; no overarching structure controls prices or extorts others. The traditional image of a pyramidal hierarchy is supplanted by an organisational model that could be visualised as follows:

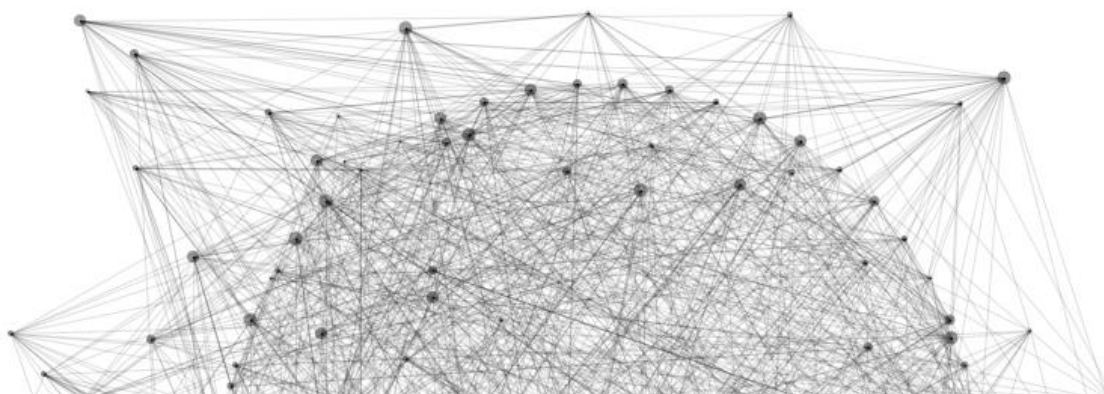


Image 2: Social network sketch. Image source: Aesthetic computing

Considering this, three properties of heroin trafficking and distribution companies in Kenya merit mention. First, they are usually woven around pre-existing personal ties. Second, various connections between members of different companies are commonplace and finally – fracturing and reorganisation happen on a regular basis.

Company owners, stock-keepers and traffickers usually share familial ties, which improve the cohesion of the enterprise. The presence of personal relations in the organisation of smuggling and dealing provides the social adhesive that holds together the ever-splintering structure of Kenya's heroin trade. China articulated this succinctly as follows:

⁴¹ Donald Cressey, *Theft of the Nation: The Structure and Operations of Organized Crime in America* (New York: Harper & Row, 1969).

⁴² Paoli, "The Paradoxes of Organized Crime"; Michael Kenney, "The Architecture of Drug Trafficking: Network Forms of Organisation in the Colombian Cocaine Trade," *Global Crime* 8, no. 3 (2007): 233–59; John M. Hagedorn, "Neighborhoods, Markets, and Gang Drug Organization," *Journal of Research in Crime and Delinquency* 31, no. 3 (August 1, 1994): 264–94.

The boss is one, but there are some others. They are his brothers. His brothers had started their own companies, employing their own staff, say three people to begin with. One company but many groups, various groups.⁴³

At the same time, one of my key interlocutors from Nairobi, Jakabi, explained how as companies expand to include other relatives or close friends, they lose their competitiveness, cohesion or simply fracture: 'Let's say our boss now sells to his brother. His brother maybe sells to his sister. If it goes past his brother, now it will be *matope*,⁴⁴ because maybe they will mix with Panadol'.⁴⁵

Cross-company communication is common and so is the recruitment of dealers as connecting nodes between different traffickers and wholesalers. Foreign heroin entrepreneurs especially rely on street-level peddlers for important business connections. Thus, even though there is a sense of verticality in the companies' organisation, it is often complemented by less straightforward and linear chains of communication. Councillor from Mombasa, prior to becoming a regular drug user, used to have a rather successful career in dealing. He explained how Nigerian company owners usually entered the Mombasa market:

The Nigerians have their own person, a Kenyan, to swallow and transport the drugs. [...] The Nigerians come at this time, they have their own stuff, they enter Go-down. When they arrive there, they have their own people who smoke. They buy the junkies stuff and the junkies sit with them and talk. And when they find out it's a reliable person [the Nigerian wholesaler], they lead them to Bachan.⁴⁶ They tell him 'I will bring you some stuff on a specific day and you can taste it. If you like it, I will sell you some *mali kauli* and we will do business.'⁴⁷

This illustrates the flexibility of distribution networks and the multiple opportunities for establishing one's own company, conflating various roles within it and connecting it to other key nodes in the broader distribution network. This type of structure not only defies the organised crime paradigm, but is also in constant flux. As a result, lateral and vertical chains of communication and command interlace. During an interview, Hamisi Massa, director of the Anti-Narcotics Unit (ANU) of the Kenyan police, concluded that 'there are no major organised kind of networks. The few individuals who are involved have some contacts that they regularly operate with. It's not so organised'.⁴⁸

This mode of (dis)organisation can help explain the widely discussed involvement of corrupt political leaders in the drug trade throughout Africa. Local and international media unanimously cover Kenya as a 'traffickers' haven'⁴⁹ or Africa's next 'narco-state'.⁵⁰ Similar analyses have proliferated in the literature and provided academic backing for the

⁴³ China, interview, November 3, 2012.

⁴⁴ Kiswahili for 'mud', used to indicate the low quality of some heroin on the local market.

⁴⁵ Jakabi, Nairobi, October 12, 2012.

⁴⁶ One of my key interlocutors – a veteran peddler and stock-keeper working for an established company.

⁴⁷ Jay, interview, March 13, 2013.

⁴⁸ Hamisi Massa, Nairobi, February 1, 2013.

⁴⁹ Allen, "Traffickers' Drugs Haven in Kenya."

⁵⁰ O'regan, "Narco-States."

popularisation of the narco-state rhetoric.⁵¹ Bayart et al. contend that crime is ‘collective or highly organized and [...] exhibits a marked or even organic relationship with tenure of political power or the institutions of the state’.⁵² Historically, Kenya has witnessed a significant number of exposés on political involvement in illegal deals – from Goldenberg, through the Anglo-Leasing scandal,⁵³ to the relatively recent blacklisting of former MPs due to kingpin allegations by the US president.

Concerning the latter, it is important to acknowledge that the involvement of key political figures (if any) is of auxiliary rather than organising nature. The difficulties state actors experience in coordinating their actions both in the formal and informal domain make the use of government apparatus chains of command in illicit transactions overly complicated. Key political figures are more likely simply to use their office as a platform to facilitate, rather than coordinate the operation of various criminal enterprises. In a 2014 public event, the director of the Global Initiative against Transnational Organised Crime, Mark Shaw illustrated this trend with the following diagram (see below), which visualised the type of interactions that define relationships between law enforcers, political actors and drug traffickers.

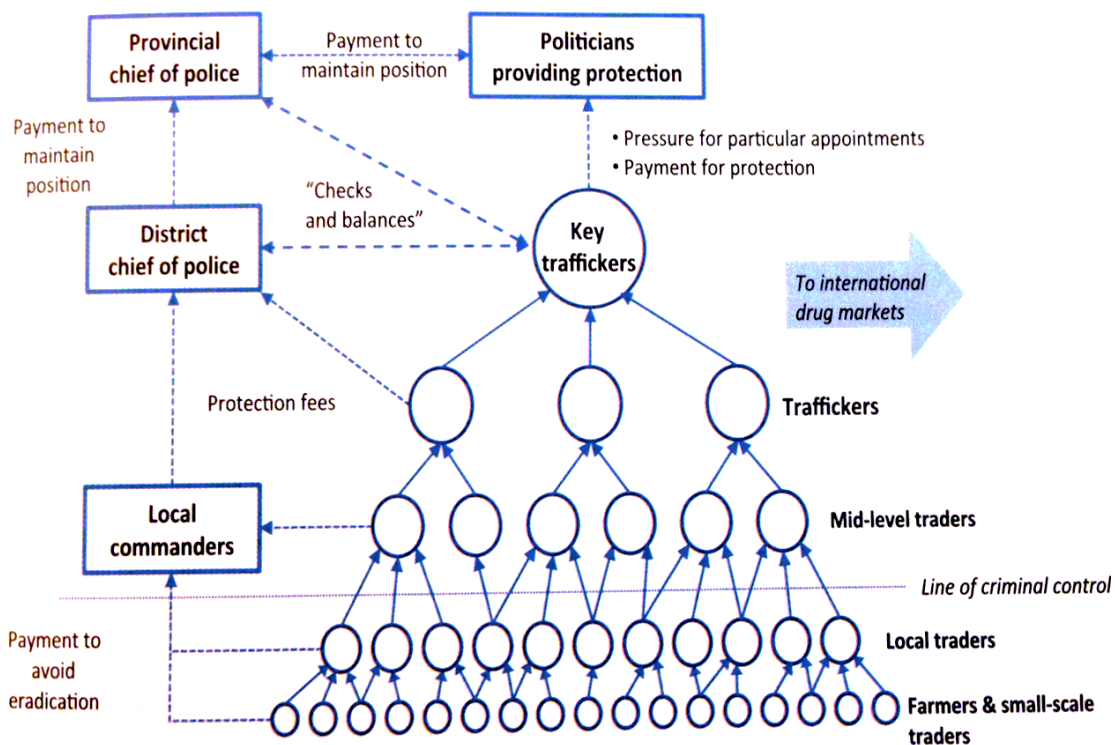


Image 3: A Protection Economy. Image source: Global Initiative against Transnational Organised Crime

Even though any visual representation of such complex transactions is bound to be highly stylised, Shaw’s diagram is useful in demonstrating the entanglement of collaborative links between criminal and state actors. High-ranking officials do not simply control a neat chain of command to conduct their illegal dealings. For instance, law enforcers, as part of the

⁵¹ Paoli et al., “Tajikistan”; Bybee, “The Narco-Curse in West Africa”; Mexico.

⁵² Bayart, *The State in Africa: The Politics of the Belly*, 16.

⁵³ Both are discussed at length in Wrong, *It’s Our Turn to Eat*.

formal state apparatus, are not hierarchically placed under the ‘politicians providing protection’. They negotiate their position in this network with both political figures and key traffickers. The ‘vectors of criminalisation’, to borrow Bayart et al.’s term,⁵⁴ are therefore much more interdependent than a top-down analysis of elites’ abuse of power would propose. The conjunction of lateral and vertical connections between different actors introduces an important dimension to what is conventionally presumed to be a direct link between drug kingpins and politicians. This has important implications for informing the type of containment strategies that are feasible. Based on the particularities of the Kenyan heroin trade presented so far, the final section of this paper will briefly sketch policing possible trajectories for containment at the national and international level.

Conclusion: Policing implications

Over the past five years, Kenyan law enforcers have come under domestic and international pressure to elaborate an effective counter-narcotics strategy. A relentlessly vociferous global war on drugs narrative has prompted a number of heavily publicised, mostly heroin-related arrests. As the 2013 general elections demonstrated, political aspirants are now using a national war on drugs platform to mobilise support.⁵⁵ A wave of deportations on drug-related charges has affected West African businesspeople in Nairobi, while Mombasa’s courts are now regularly trying foreign nationals arrested for their implication in large-scale maritime consignments.⁵⁶ These trends corroborate a popular opinion that the country is rapidly becoming a ‘drugs haven’,⁵⁷ in which both trafficking and local consumption are growing exponentially.⁵⁸ As more and more Kenyans subscribe to the moral panic against heroin, the government is given ample space to justify large anti-narcotics expenditures and extremely harsh policing measures. Can these be employed in a constructive, meaningful and above all – effective manner? So far, law enforcers appear to operate with little sensitivity to the particularities of the local heroin market. With this in mind, three key points merit discussion.

First, heterogeneous routes of transshipment indicate the complex, fragmented nature of criminal networks involved in the global heroin trade. Domestic policing efforts so far have mostly failed to recognise these dynamics. Global trends structure drug supply, but the latter is also impacted by the mode of organisation of criminal networks and authorities’ approach to their containment. Stringent policing regimes are known to fragment and scatter streamlined supply operations. The transition from organised to disorganised crime that has occurred over the past several decades has also contributed to this fragmentation. An excellent example of this was given by Jay in his commentary on the quality of heroin available on the Mombasa market. In it, he likened heroin distribution companies to supermarkets that offer numerous brands of the same product:

⁵⁴ Bayart, Ellis, and Hibou, *The Criminalization of the State in Africa*, 1999, 18.

⁵⁵ A very useful example is provided by the raids on all heroin-selling locations throughout Mombasa by the newly elected governor. In April 2013, before formally assuming office, Hassan Joho mobilised a motley crew of law enforcers to target well-known heroin hubs.

⁵⁶ “Kenya Charges 9 Foreigners over 377-Kg Heroin Haul.”

⁵⁷ Allen, “Traffickers’ Drugs Haven in Kenya.”

⁵⁸ *Recent Cocaine Busts Highlight Kenya’s Continuing Drug Trafficking Problem.*

You know they have different maize flour – Taifa, Dola,⁵⁹ etc. The agents [traffickers' representatives] bring and advertise their stuff to the owners of the 'shops'. The loaders work for the ones who import it and they offer the owners of the shops to have their tasters [dealers] try it. [...] They can offer you up to three different types of heroin – from Tanzania, from Nigeria, from Nairobi. You know it can even come from Nairobi. [...] The loaders usually carry half a kilogram or 3/4 or a kilogram.⁶⁰

Apart from highlighting the multitude of supply channels, Jay's statement reveals the nature of heroin smuggling and selling networks. Large-scale international trafficking (of over 100 kilograms) can be linked – but not synonymous – with significantly smaller local supply chains. Different types of operations exist: from the five-person scattered local venture to the large-scale transregional or transcontinental formation whose work is facilitated by Kenyan officials. These two spectral opposites, together with any organisation in between, all share broader networks of resources and contacts. Within these networks, nodes or units liaise, cooperate, transmute and disband. Law enforcers have to recognise this dynamism and shift their focus from the arrest of few alleged kingpins to investigating their business networks. The apprehension of several key figures in a network does not automatically pre-empt its demise. Instead, as this paper demonstrated, it prompts its reorganisation and potentially even expansion.

Second, building on the fluidity of the heroin economy, more attention has to be paid to the presence of personal relations in the organisation of smuggling and dealing. It provides the social adhesive that holds together the ever-splintering structure of Kenya's heroin trade – family-style ties are used to maintain cohesion. Driven by such organisation dynamics, heroin distribution is extricated from the obscure world of crime and is instead based on a more legitimate framework of human interaction, be it family, kinship or friendship. The configurations of actors within the resulting networks can overlap, morph and merge, but remain constrained by the dynamics of interpersonal trust. In their investigative endeavours, law enforcers have to take into account the strength of interpersonal bonds that characterise heroin companies. By doing so, they will be able to better map and predict the configurations of criminal networks. What is more, similar interpersonal relationships are found in the political patronage connections that link state and crime. The notorious 'corruption' of African leaders, therefore, is more than a profit-oriented phenomenon.

Third, counter-narcotics agencies have to expand their monitoring of routes of transshipment other than the widely acknowledged ones through Mombasa's international Kilindini Harbour and Nairobi's Jomo Kenyatta Airport (JKIA). In fact, various airborne and overland routes from across the continent, or at least its eastern and southern parts, converge in Nairobi, which is known to be a supply hub. The city's relatively accommodating infrastructure and cosmopolitan character have attracted heroin trade entrepreneurs from Lithuania, through China, to Côte d'Ivoire. Nairobi's position as a rerouting and supply centre has eclipsed the historically strategic geographic location of Mombasa. That is why straightforward smuggling through the city's main port is unlikely to dominate local supply. The domestic heroin market is supplied through a combination of trafficking means and various routes through which heroin is delivered to the coast. Large-quantity consignments that are most likely not destined for the Kenyan market are

⁵⁹ Popular domestic brands.

⁶⁰ Jay, interview, February 22, 2013.

dispatched either in open seas or through laxly policed small port towns and villages. Some of the heroin sold in and around Mombasa is even sourced from Nairobi, some – obtained through a long complicated supply chain which combines maritime, overland and airborne traffic. Expanding the operations of Kenya’s ANU, of course, poses a question of resources, but here foreign assistance can be better tailored to the local context. Instead of investing in expensive equipment at already extensively monitored locations, such as JKIA, donors like the US Drug Enforcement Administration (DEA) and UNODC can provide financial support and expertise to smaller border control stations and port facilities.

With this in mind, finally it is important to highlight the importance of international policing of the heroin trade through Kenya. Some inter-governmental initiatives to patrol the Indian Ocean have been undoubtedly successful. For instance, on April 26th 2014, Australian warship HMAS Darwin, part of CTF-150,⁶¹ made its latest seizure, which was celebrated as ‘the largest ever seizure of heroin from a dhow⁶² at sea’ 27 nautical miles (31 miles) off Mombasa’s coast.⁶³ The exceptionally large consignment, reported to be the biggest in Africa’s history, amounted to 1,032 kilograms, worth over £140 million. Initially set up as part of the war on terror agenda in the Horn of Africa, the Bahrain-based but US-led multinational coalition naval task force was to contain Somali piracy in Gulf of Aden. Possibly as a result of the task force’s operation, no Somali piracy hijackings have been reported in the region since 2013.

Enforcement crackdowns on popular, ‘inflated’ production or trafficking locations, however, are likely to have the proverbial ‘balloon effect’. They relocate criminal activities to alternative territories or parts of the ‘balloon’.⁶⁴ This process is already underway in Kenya and the region in general, and is likely to lead to further fragmentation not only of routes, but also distribution networks. Large consignment routes are likely to shift south as a result. Considering that forces like CTF-150 are not mandated to board flagged ships, the latter might be increasingly employed in the operations of transnational smuggling. At the same time, due to the impracticality of inspecting maritime shipping containers, it is impossible to gauge the extent of their use in heroin trafficking. Logistically sophisticated traffickers could be taking advantage of global trade mechanisms that mandate liberal movement of goods in the absence of a coherent international maritime security system. In other words, while increased international policing can have positive short-term results, it also fragments and diversifies trafficking, pushing its agents to discover new, more ingenious methods in the long run. This fact ought to be recognised when lauding the success of initiatives such as CTF-150.

⁶¹ Combined Maritime Forces (CMF) Task Force 150 (CTF 150).

⁶² Dhow is a generic term for a traditional vessel with lateen sails, which has been used throughout the Indian Ocean, as well as the Red Sea.

⁶³ Combined Maritime Forces, “Record Heroin Bust for Combined Maritime Forces CTF 150”; “HMAS Darwin Makes Record \$290m Heroin Bust.”

⁶⁴ Victoria A. Greenfield and Letizia Paoli, “If Supply-Oriented Drug Policy Is Broken, Can Harm Reduction Help Fix It? Melding Disciplines and Methods to Advance International Drug-Control Policy,” *International Journal of Drug Policy* 23, no. 1 (January 2012): 7, doi:10.1016/j.drugpo.2011.04.007; Jonathan P. Caulkins, “Local Drug Markets’ Response to Focused Police Enforcement,” *Operations Research* 41, no. 5 (October 1993): 850, doi:10.1287/opre.41.5.848.

Keeping these dynamics in mind, the realities of illicit drug trade defy mythologised images of all-powerful cartels, perfectly executed smuggling operations along recognised trafficking corridors and sleek mafia-style communications. In actuality, heroin trafficking and distribution through and in Kenya appears chaotic. The routes through which heroin gets into and out of the country are not uniform, just like the supply of any commodity globally does not have a single source. Recognising the perplexing fragmentation of heroin transshipment and distribution in East Africa might dishearten law enforcers, but it can also provide the foundation of a containment strategy with more realistic and thus achievable goals.

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