



Department of Justice

STATEMENT OF

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BEFORE THE

**SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL
UNITED STATES SENATE**

REGARDING

COUNTERING NARCOTICS THREATS IN WEST AFRICA

PRESENTED

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Good morning, Chairman Feinstein, Co-Chairman Grassley and distinguished members of the United States Senate Caucus on International Narcotics Control. On behalf of the Drug Enforcement Administration's (DEA) Administrator, Michele M. Leonhart, I want to thank you for your continued support of the men and women of DEA and the opportunity to testify about the scope and dynamics of drug trafficking in West Africa as well as related threats.

OVERVIEW

Over the past two decades, international drug law enforcement efforts have focused principally on the major source countries. In addition, DEA focuses on other areas impacted by the global drug trade, such as the African continent. DEA investigative efforts and those of other law enforcement agencies have chronicled the significant increase in the use of Africa as a trans-shipment, storage, cultivation, and manufacturing point for narcotics destined for Europe, and, to a lesser extent, other consumer markets, including the U.S. The versatility of transnational criminal organizations is well-known, as is their penchant for finding and exploiting vulnerable regions of the world to further their illicit activities. Unfortunately, Africa is such a place, with its strategic geographic location, and, in many instances, weak governments, endemic corruption, and ill-equipped law enforcement agencies.

As a single-mission agency, DEA's focus in Africa is to disrupt or dismantle the most significant drug, chemical, money laundering, and narcoterrorism organizations on the continent. A secondary – but no less important - part of this mission will be the long-term effort to address law enforcement capacity building endeavors and mentoring programs with our African counterparts. The cocaine, heroin, methamphetamine, chemical, money laundering, and narcoterrorism threats in Africa have an impact on the U.S., particularly since some of the drug trafficking organizations (DTOs) that smuggle illicit drugs in the U.S. are the same as those using Africa as a base of operations for smuggling drugs into Europe and the Middle East. By expanding DEA's operational capabilities into Africa, DTOs will find it increasingly difficult to operate in Africa with continued relative impunity. While DEA is increasing its presence in Africa, a critical part of DEA's overall Africa strategy calls for broad interagency support from U.S. government partners as well as international organizations such as the European Union and the United Nations for assistance in capacity building and mentoring programs with African law enforcement counterparts.

DEA's presence in Africa consists of five offices established in Nigeria, Ghana, Egypt, South Africa, and Kenya, with plans for a future office in Senegal. DEA is striving to enhance its intelligence collection and operational capacity to address the African drug threat. As the single point of contact for U.S. drug related matters in the foreign environment, DEA works closely with its U.S. law enforcement, military, intelligence, and diplomatic counterparts to ensure that all investigations comply with relevant U.S. and foreign government protocols. In an effort to counteract the wave of drug-related crime impacting many African nations, DEA works to build the capacity of foreign counternarcotics institutions within host nations. DEA also is engaging foreign law enforcement agencies and governments in an effort to coordinate counter-narcotics strategies in Africa. DEA will continue to work cooperatively to leverage the resources and expertise of our interagency and international partners.

DRUG THREATS IN AFRICA

The principal drug threats in Africa are: cocaine, Southwest Asian heroin, methamphetamine, precursor chemicals, narcoterrorism, other drugs such as marijuana, hashish, and khat, and the laundering of illicit drug trafficking proceeds. These drugs are primarily destined for countries other than the United States.

Cocaine

West Africa is a transshipment location for metric-ton quantities of cocaine being transported to Europe by South American DTOs. The United Nations Office on Drugs and Crime (UNODC) estimated that approximately 35 MT of cocaine were destined to Africa from South America in 2009.¹ Colombian and Venezuelan traffickers are entrenched in West Africa and have cultivated long-standing relationships with African criminal networks to facilitate their activities in the region. Criminal groups take advantage of Africa's porous borders, poorly-equipped and under-trained law enforcement agencies, and corrupt government officials to facilitate their trafficking operations. Cocaine trafficking from South America to Europe, via established routes in Africa, presents a threat to Europe, and tangentially, the U.S. DEA has learned through intelligence that some of the same South American DTOs responsible for transporting major cocaine shipments to the U.S. are using the African continent as a transit base/storage location for cocaine destined for European markets. The drug proceeds from cocaine trafficking return to these South American DTOs to further their illegal activities in the U.S., Africa and Europe.

Southwest Asian Heroin

DEA investigations, intelligence and seizure information identify Africa as a staging ground and transit location for Southwest Asian (SWA) heroin entering global markets. The heroin is principally smuggled by West African criminal groups from Pakistan through Iran and other Middle Eastern countries on to East Africa then to West Africa. Kenya, Tanzania, South Africa, Nigeria and Ghana are the principal transit zones in East and West Africa. The heroin is transported from the source zone in maritime containers, small wooden fishing vessels called *dhow*s, air cargo, luggage and body-carried by couriers for eventual shipment to the U.S. and Europe. The United States still represents only a small fraction of the global market for SWA.

Methamphetamine and Related Precursor Chemicals

Current drug and laboratory seizure statistics suggest that the vast majority of the methamphetamine consumed in the U.S. is produced by Mexico-based DTOs. Since methamphetamine is a synthetic, clandestinely produced drug, its production and distribution rely exclusively on the ability of Mexican organizations to obtain key precursor chemicals, particularly pseudoephedrine and ephedrine. Since 2006, DEA investigations and intelligence collection initiatives indicate sub-Saharan Africa has become a major transshipment location for precursor chemicals destined for the Americas.

¹ 2011 UNODC World Drug Report

In addition to the well-established production of “crystal” methamphetamine in South Africa, DEA has documented the emergence of West Africa as a significant point of origin for multi-kilogram methamphetamine shipments to the Far East. In June 2011, a meth lab was seized in Nigeria which was estimated to be capable of producing 150-200 kilograms per week. A second operational lab was seized in February 2012. Investigations have revealed that Mexican DTOs are playing a role in this burgeoning African methamphetamine trade and have documented links to criminal groups operating in Mozambique, the Democratic Republic of the Congo, Ghana, and Nigeria.

Drug Money Laundering

The laundering of illicit drug proceeds in Africa is a major concern. Africa’s permissive and corrupt environments, and its cash-based economies, offer opportunities for drug traffickers and their money brokers to operate with relative impunity. DEA has observed the following money laundering methods in Africa: bulk currency smuggling and storage, illicit wire transfers, Money or Value Transfer Services (MVTs) or “hawalas,” corrupt foreign exchange houses, casinos, laundering through precious gems (particularly diamonds), real estate investment and trade-based money laundering (including the used car market). Often several laundering methods are used in the same operation to repatriate illicit proceeds back to the criminal beneficiaries and many of these activities impact the Middle East. As evident from the scope of money laundering methods available to drug traffickers, characteristic elements of some African economies (such as sparse banking outlets, cash-dependent markets, and inadequate regulation) impede anti-money laundering efforts.

Narcoterrorism Activity

The threat of narcoterrorism in Africa is a real concern, including the presence of international terrorist organizations operating or based in Africa, such as the regional threat presented by Al-Qaeda in the Lands of the Islamic Maghreb (AQIM). In addition, DEA investigations have identified elements of Colombia’s *Fuerzas Armadas Revolucionarias de Colombia* (FARC) as being involved in cocaine trafficking in West Africa. In a large number of African states, there are also insurgent/anti-government groups undermining stability, the rule of law, and the weak central governments, all of which are conditions exploited by international drug, precursor chemical and money laundering organizations. The weak economies throughout Africa make drug trafficking one of the more profitable ways for criminal organizations, including terrorist organizations, to generate money. The transportation, money laundering and logistical infrastructures utilized by DTOs in Africa are vulnerable, wittingly or unwittingly, for use by terrorist organizations.

Marijuana, Hashish, and Khat

Marijuana, hashish, and khat are additional drug threats currently posed by DTOs operating in Africa and are serious issues of concern to our African counterparts due to their growing rates of abuse on the African continent. Marijuana is the primary drug of abuse in Africa. Marijuana production takes place in almost every African country for internal sale, and also is smuggled to Europe. The primary drug trafficked in northern Africa is hashish. Each

year, Spanish drug law enforcement authorities seize massive amounts of hashish smuggled into the Iberian Peninsula from Morocco. Hashish traffickers and cocaine traffickers now utilize the same routes to transport those drugs into Spain. Finally, khat is smuggled into the United States from East Africa via European countries, where the plant is legal. As a result, millions of dollars a year are being sent to Somalia and other countries in the Horn of Africa, some of which ends up in the coffers of terrorist organizations, such as Al Shabaab.

DEA's STRATEGIC CONCEPT FOR AFRICA

In support of the President's National Drug Control Strategy and Strategy to Combat Transnational Organized Crime, DEA's principal mission in Africa is to identify, target, and dismantle significant international DTOs. DEA's near term strategy for Africa has focused investigative efforts to uncover those DTOs which represent a threat to the U.S. or our law enforcement counterparts in Africa, Europe, and Asia. Once identified, DEA has initiated bilateral and multi-lateral criminal investigations into these groups with success. DEA has developed a long-term strategic concept for our efforts in Africa. The strategic concept includes a series of programs that will enable DEA and U.S. government partners to address operational and capacity building requirements in Africa.

African Investigative Units

Enforcement activities in Africa have demonstrated the need for African counterparts to develop specialized investigative teams to conduct investigations into significant local, regional, and international DTOs. DEA is currently working to cooperatively train, equip, and support specialized units within host nation law enforcement authorities. In August 2010, the DEA in coordination with the Ghanaian authorities established the Ghana Vetted Unit, which was the first vetted unit in Africa. Due to its success, it was accepted into DEA's Sensitive Investigative Unit (SIU) program in August 2011. In 2012, DEA will work with Nigerian and Kenyan authorities to establish additional vetted units in Lagos and Nairobi. Through the West Africa Cooperative Security Initiative (WACSI), DEA will continue to work with the Department of State Bureau of International Narcotics & Law Enforcement Affairs (INL) and the Bureau of African Affairs, as well as the Department of Defense's Office of Counternarcotics and Global Threats and U.S. Africa Command (AFRICOM) to fund these efforts.

DEA Training in Africa

The DEA International Training Section (TRI) will provide the necessary training and mentoring to Africa's law enforcement community. This training is required to combat drug trafficking in Africa and support DEA's strategic concept for foreign environments, including Africa. TRI will seek to provide the African law enforcement officers with knowledge of investigative and tactical techniques. The goal is to improve the ability of law enforcement agencies in Africa to investigate narcotics-related crimes ranging from local impact cases to large-scale conspiracy investigations.

During FY 2011, DEA's TRI provided eight training seminars in Africa. These seminars reached approximately 244 African law enforcement personnel. Additionally, one seminar was

conducted at the DEA Training Academy in Quantico, Virginia, for approximately 17 African law enforcement personnel.

International Law Enforcement Academies/Training Centers

In July 2000, the governments of the U.S. and Botswana entered into an agreement for establishing the Department of State's International Law Enforcement Academy (ILEA) that would provide funding for training for member countries of the Southern African Development Community (SADC), East Africa and other eligible countries in sub-Saharan Africa.

DEA continues to participate in the ILEA in Botswana and sponsors African law enforcement counterparts to attend its courses. The mission of the ILEA is to support emerging democracies, help protect U.S. interests through international cooperation, and to promote social, political and economic stability by combating crime. The ILEA concept and philosophy create a united effort by all of the participants, to include government agencies and ministries, trainers, managers and students, to address common problems resulting from criminal activities.

ONGOING DEA EFFORT TO COUNTER THE AFRICAN DRUG THREAT

DEA recognizes that in order to effectively attack the international drug trade it has to forward deploy its personnel into the foreign arena. DEA has the largest federal investigative law enforcement presence overseas. DEA has 85 offices in 65 countries and works with host governments in assessing drug threats, gathering intelligence, targeting major DTOs, and assisting host governments in developing comprehensive counter narcotics strategies. DEA agents understand the importance of working to establish relationships of trust with host nation governments in order to accomplish DEA's mission.

DEA's global presence has already proved to be essential in assessing the drug threat developing in Africa. Much of the intelligence obtained to date on the activities of DTOs operating in Africa has come from ongoing DEA investigations on the continent and in other DEA offices. DEA will continue to develop these investigations and enhance our understanding of how DTOs in Africa function, so we are best positioned to attack their command and control infrastructure.

As noted, DEA currently has five offices established on the continent of Africa (Nigeria, Ghana, Egypt, South Africa, and Kenya). There are plans to open a new office in Dakar, Senegal in 2013. These offices are strategically located across the continent to best utilize limited manpower and financial resources. DEA's offices serve as regional hubs in which DEA coordinates investigative activities and implements its regional strategy.

Organizational Attack

In order to prioritize and maximize the use of DEA's manpower and financial resources, DEA works with African and other U.S. agencies to identify those organizations having the most significant impact on international drug availability. The result of this collaboration has been the identification and targeting of the full scope of an organization's criminal activities. Since 2007,

DEA has identified at least nine top-tier South American and Mexican DTOs that have established operations in Africa. By attacking these groups in the source and transit zones, as well as their operations in other areas of the world, a unified targeting strategy is being implemented. As the same South American DTOs transporting cocaine into West Africa are also responsible for multi-ton cocaine shipments into Mexico and the U.S., DEA's organizational attack strategy calls for investigative efforts against these organizations on both sides of the Atlantic Ocean.

International Drug Flow Attack Strategy

A key element in combating international drug trafficking is the concerted and coordinated efforts of the inter-agency community to jointly identify chokepoints vulnerable to enforcement efforts and simultaneously direct assets to vigorously target the identified chokepoints on a coordinated and sustained basis. To this end, DEA developed an International Drug Flow Attack Strategy which has the primary objective to cause major disruption to the flow of drugs, money, and chemicals between the source zones and the U.S. The strategy includes an integrated intelligence-enforcement process that rests on multiple pillars: intelligence-driven enforcement, sequential operations, and predictive intelligence. To stem the flow of drugs into the U.S., DEA will continue to implement this successful Drug Flow Attack Strategy by expanding enforcement initiatives with our global law enforcement partners and the military. Where applicable, DEA will begin to engage African counterparts in these initiatives and develop Africa-specific enforcement initiatives.

Financial Attack

A 2011 report by the UNODC affirms that the global illicit drug trade is as lucrative as it is poisonous. This global illicit drug trade generates an estimated \$200-\$400 billion a year in revenue,² far more than the estimated profits from international human trafficking, arms trafficking, and diamond smuggling combined. To make a significant impact on the drug trade in the U.S. and internationally, DEA is tracking and targeting illicit drug proceeds back to the sources of supply before it can be used to finance the next production cycle of illegal drugs. DEA's financial investigations are driven by strategies designed to inflict permanent damage against DTOs. By denying DTOs the revenue from the distribution of illegal drugs, the drug traffickers' capability to acquire or produce additional drugs and support their organizations is hampered. DEA's perspective on the money laundering threat is two-fold: first, DEA is focused on proceeds generated by the illegal drug industry; second, DEA is addressing the threat that drug proceeds represent as a means of financing international terrorist organizations.

Extra-territorial Authority

DEA has the legal authority to investigate and charge drug traffickers with extra-territorial offenses under Title 21 U.S.C. § 959. Section 959 gives DEA extra-territorial jurisdiction to investigate and prosecute drug offenses with a nexus to the U.S. even though the drugs in question have not actually entered the United States. The 959 statute has proven to be

² UNODC, "Estimating Illicit Financial Flows Resulting from Drug Trafficking and Other Transnational Organized Crime," page 32.

an invaluable investigative tool in pursuing drug trafficking organizations overseas where we can satisfy the requirement for a nexus to the U.S. Additionally, Title 21 U.S.C § 960a gives DEA an enforcement tool for narcoterrorism. Like Section 959, Section 960a gives DEA jurisdiction to investigate and prosecute extra-territorial offenses if a link between the drug offense and a specified act of terrorism or a terrorist organization can be established. Under this statute, the prescribed punishment is twice the punishment provided for the underlying drug offense. Unlike offenses charged under 959, under 960a there is no requirement for a nexus to the U.S. for the underlying drug offense, a concept that has proven particularly important in cases involving heroin from Afghanistan and worldwide.

Sections 959 and 960a and traditional conspiracy charges under 21 U.S.C. §§ 846 and 848 provide the legal authority to prosecute transnational DTOs, and the robust sentencing provisions in these statutes provide incentive for defendants to cooperate with investigators, promoting success in investigations.

DEA INVESTIGATIVE SUCCESSES

A number of recent successes detailed below demonstrate how the cooperative efforts of the U.S. and foreign law enforcement counterparts are addressing the African drug threat.

- In 2011, DEA's Europe and Africa Region continued to expand several heroin investigations targeting Iranian heroin distribution networks involved in sending heroin to West Africa for onward shipment to the U.S. In May 2010, a DEA Accra Country Office (CO) priority target investigation resulted in the seizure of 80 kilograms of heroin contained in eight industrial metal gears that had arrived via air cargo from Tehran, Iran. In June 2011, the DEA Paris CO, in coordination with the French Customs Service, searched a crate which led to the discovery of two 200 gram packages of heroin contained within each of the twenty-six cylinders for a total net weight of 10.4 kilograms of heroin. The shipment was going to transit Paris on its way to West Africa. In November 2010, a joint investigation by DEA and the Nigerian Drug Law Enforcement Agency resulted in the seizure of 118 kilograms of Southwest Asian (SWA) heroin in a commercial shipping container originating in Iran. This is the second largest single heroin seizure in Nigeria. It is important to note that this investigation has been linked to the March 2010 seizure of SWA heroin in Accra, Ghana which originated in Iran concealed in gear boxes. Information reveals that a large amount of this heroin is destined to the United States.
- In October 2011, cooperation among the authorities in Cape Verde, the Netherlands, and DEA led to the largest recorded cocaine seizure in Cape Verde and the first instance in which parasitic devices have been seized. The investigation, which began in July 2011, targeted an organization that was involved in smuggling large shipments of cocaine from South America into Cape Verde for subsequent transport and distribution in Europe, leveraging the DoD-funded Counternarcotics and Maritime Interagency Operations Center (COSMAR). In October 2011, after an extensive surveillance operation, the Cape

Verde Judicial Police executed a search warrant at an apartment building and discovered approximately 1,509 kilograms of cocaine and subsequently arrested four individuals involved with the DTO. Also seized were bulk cash, weapons, extensive technical equipment including satellite phones and night vision equipment, and ten “parasite” tubes used for underwater smuggling.

- In August 2011, the Pretoria CO, in coordination with the South African Police Service (SAPS), initiated a joint investigation targeting a Mexican DTO that was attempting to initiate large scale methamphetamine production in Mozambique. In June 2011, the SAPS intercepted a shipment of precursor chemicals destined for several Mexican nationals residing in Maputo, Mozambique. Surveillance of the shipment resulted in the identification of residences in Mozambique which were associated with this organization. A subsequent search of both locations resulted in the arrest of three Mexican nationals and one Nigerian national.
- During July 2011, the Accra CO, in coordination with the Washington Field Division (FD), the New York FD, Ghanaian Narcotics Control Board (NCB) and the Ghana Sensitive Investigative Unit (SIU) concluded a DEA priority target investigation targeting a Ghana based organization responsible for shipping multi-kilogram quantities of heroin from West Africa to the United States. The Accra CO was able to successfully infiltrate parts of this organization, which resulted in numerous heroin seizures and arrests. The defendants arrested in Ghana were indicted in the Eastern District of Virginia and were extradited back to the U.S. The leader of the Ghana-based organization pleaded guilty and was sentenced to fourteen years in prison in April 2012. In addition, numerous properties and vehicles were seized from the principal members of this organization in Ghana. The value of these assets was estimated at over \$1.8 million.
- In May 2011, the Lagos CO, in coordination with the Islamabad, Pakistan CO and the Benin National Judicial Police, Drug and Precursor Unit, conducted an International Controlled Delivery (ICD) of 200 kilograms of Southwest Asian heroin from Pakistan to Cotonou, Benin. This extensive undercover operation resulted in the arrest of three Beninese and one Togolese national in Benin and several arrests in Pakistan. This was the single largest heroin seizure in Benin’s history.
- On May 29, 2010, an investigation targeting two drug trafficking organizations moving large quantities of cocaine originating from Venezuela and transiting West Africa, for eventual distribution into the United States and Europe, resulted in the indictment of nine individuals and the arrest of eight on conspiracy and narcotics charges. Those arrested included 2 Sierra Leone nationals, two Nigerian nationals, two Ghanaians, a Colombian, and a Russian. On May 30, 2010, all those arrested were transferred to U.S. custody and flown to New York to face charges of conspiracy to distribute cocaine with knowledge or intent of importation into the U.S. This case was prosecuted in the Southern District of

New York (SDNY). Five of the defendants were convicted or pleaded guilty. The Nigerian and Russian national were sentenced to thirty years and twenty years in prison, respectively. This successful investigation was made possible by the unprecedented participation and cooperation of the President of Liberia, the head of the Liberian Security Agency, and other Liberian government officials.

- On December 16, 2009, three West African Al Qaeda associates were arrested in Ghana on drug and terrorism charges at the request of the U.S. Thereafter, they were transferred to U.S. custody and transported to the SDNY to face charges of conspiracy to commit acts of narcoterrorism and conspiracy to provide material support to a foreign terrorist organization. The charges stem from the defendants' alleged agreement to transport cocaine through West and North Africa with the intent to support three terrorist organizations: Al Qaeda, AQIM, and the FARC - all designated as Foreign Terrorist Organizations by the U.S. Department of State. The 2009 arrests, provide an example of the link between dangerous terrorist organizations and international drug trafficking. The charges in this case mark the first time that associates of Al Qaeda have been charged with narcoterrorism offenses. All three defendants have pleaded guilty. In March 2012, one defendant was sentenced to 57 months in prison. The remaining two defendants are still pending sentencing.

DEA is continuing to target the most significant DTOs operating in Africa, and I fully expect continued success. The achievements described also must be attributed to the brave and determined African police counterparts and their willing governments. Without their cooperation, coordination, and support, the successes realized in Africa would not be possible.

CONCLUSION

As the lead U.S. federal drug law enforcement agency, DEA is integral to the realization of a successful counter-narcotics plan in Africa. With decades of overseas experience and an unparalleled global law enforcement presence, DEA is well-positioned to forge the partnerships necessary to achieve lasting success in Africa. Implementing an effective counternarcotics strategy in Africa represents a significant challenge to DEA and its partners throughout the U.S. government.

DEA is enhancing its bilateral intelligence collection and operational capacity to address the African drug threat. DEA is also working closely with its U.S. government and foreign law enforcement counterparts to counteract the wave of drug-related crime impacting many African nations. With the implementation of the proposed programs –such as increased training opportunities – DEA and its partner agencies can achieve meaningful and sustainable counter-narcotics success in Africa.

Madam Chairman, the DEA is committed to targeting the threat of transnational drug trafficking that affects the entire global community. We recognize that interagency and multinational cooperation are essential elements of the President's National Drug Control Strategy and Strategy to Combat Transnational Organized Crime, and these cooperative efforts

are the best way for us to dismantle and disrupt international DTOs. DEA will continue to work tirelessly to enhance the effectiveness of our enforcement operations in order to curtail the flow of drugs to the United States and around the world. Again, thank you for your recognition of this important issue and the opportunity to testify here today. I will be happy to answer any questions you may have.