

Fight Against Narcotics Trafficking in Mali

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Abstract

Giving significance to the phenomenon of Mali's fight against narcotics trafficking necessitates more excellent knowledge of the legal structure in place to achieve this goal. Despite this, there has been a startling increase in the presence of illicit substances in the Republic of Mali. The effectiveness of the war against narcotics trafficking, on the other hand, is undeniable. This case study is a superb example of the efforts to overcome any impediment to the dynamics of a successful struggle. The elements placing this State of affairs in jeopardy are approached from a different perspective. We believe that this study is an optimistic projection that seeks to emphasize the outlines of the effectiveness of Mali's narcotics trafficking combat. On the whole, however, it is undeniable that there are shortcomings in the system, both exogenous and endogenous, factors that we insist on being considered.

Keywords: Fighting, narcotics trafficking, MALI.

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INTRODUCTION

Controlled drugs are grown, produced, distributed, and sold in a worldwide illegal trade known as drug trafficking. World heroin use (340 tons) and seizures estimate that 430-450 tons of heroin enter the global heroin market each year. World heroin use (340 tons) and seizures estimate that 430-450 tons of heroin enter the global market each year. Myanmar and the Lao People's Democratic Republic account for around half of the total. Afghanistan accounts for the remaining 380 tons, while 5 tons are consumed and confiscated in Afghanistan.

In 2007 and 2008, 16 to 17 million people used cocaine worldwide. Cocaine is typically trafficked by sea from Colombia to Mexico or Central America. It is then transported by land to the United States and Canada for distribution.

West Africa has become a center for drug trafficking in the last decade, including Mali. Some of these illicit items have become well-known in the region, as has the rising use of psychotropic medicines like Tramadol and codeine cough syrup. The problem affects most West African countries to some extent.

Mali has become one of the main transit points for cocaine in the region. The number of cocaine seizures and interceptions at Bamako airport has decreased. Whether termed "*political*," "*jihadist*," or "*criminal*," various armed groups have been spotted in northern Mali.

Mali's drug war is still dominated by a repressive attitude, as it is in most other countries in the region.¹ Despite efforts to reduce drug intake, mainly through increased knowledge, considerable work is still to be done. The same can be said for providing care for drug addicts and users, which inadequate institutions and resources hamper.

Hence the need to define narcotics trafficking and identify its evolution in Malian society.

Narcotics trafficking is the illegal trade in narcotics, specifically, leading or organizing a group to produce illegally, manufacture, import, export, transport, possess, offer, sell, acquire, or use products classified as narcotics.² The substances concerned are those mentioned in the United Nations Convention on Narcotic Drugs, transposed in Law N° 01-078 of July 18, 2001, on the Control of Drugs and Precursors(article 1).

Historically, the use of plants (cannabis, opium) for their virtues by healers goes back to the mists of time in Africa and Asia. These plants have gradually found new uses that have spread throughout society to have severe consequences for consumers' health.

This use of narcotics has progressively found new services and has mainly spread within societies to the point of causing severe health consequences for consumers.

With an area of 1,241,238 km², for 19,000,000 inhabitants; bordered by Mauritania and Algeria to the north, Niger to the east, Burkina Faso and Côte d'Ivoire to the south, Guinea to the southwest, and Senegal to the west; Mali has not been spared from this scourge. In fact, in the 1970s, farmers used these products in rural areas to increase their physical capacities.³

Urban areas are also not spared. Young people use these drugs to immortalize the lifestyle of artists and

¹ CRISIS Group Africa Report, No. 267, Narcottrafficking, Violence, and Politics in Northern Mali, December 13, 2018, P.19

² Association Henri Capitant, Gérard Cornu, *Vocabulaire juridique*, Paris, PUF, 2016,

³ Christian DIASSANA, Face à la Drogue, Ed. JAMANA., 1995, p.5.

athletes.¹ It is a way for them to fight against stress. That is one of the reasons for traffickers and drug dealers in these areas. In the face of this threat, it is urgent to fight against it.

Fighting against this phenomenon consists of setting up a set of means and actions intended to eradicate this scourge in Mali worldwide. It makes communities vulnerable, compromises social cohesion, disrupts development, and undermines the rule of law. It must be fought on all fronts. The fight against narcotics trafficking is not only relevant from a legal point of view but also from an ethical viewpoint: Narcotics trafficking is a crime against humanity, violating the right to life and health and destroying the social fabric of individuals and societies.

Narcotics trafficking is a phenomenon that concerns both the international community and Mali, particularly since it destabilizes our country's economic system. This traffic is not limited to drug products but has evolved so that today, other banned substances are now circulated as contraband products.

For the past 40 years, illegal narcotics trafficking has been a significant threat to public health.² Commonly used narcotics have begun to see new uses in modern-day societies. Their harmful effects on consumer health are becoming more and more apparent. The increase in drug users is a significant problem that extends beyond Mali. **Thus, it would be appropriate to ask the question: what is the reality of the fight against narcotics trafficking?**

The fight against narcotics trafficking is a matter of concern for all countries, especially in Mali, where poverty imposes itself as a reality that causes the search for solutions to this situation. Fighting against narcotics trafficking is a global cause. The fight against narcotics trafficking is a question posed to the world community and each country. Our study seeks to reveal the origin and functioning of drug trafficking to estimate its impacts on the individual and the economy. We will try to consider factors such as the role of security forces in curbing this phenomenon and the action of criminal justice that aims to combat it. By understanding drug trafficking in Mali, it is possible to identify policies and measures that can be instituted to combat the vice. The study will provide reliable information for lawmakers, security forces, and foreign relations. Through the information collected in the study, Mali can identify mechanisms that can reduce illicit drugs and their operations within the nation's borders.

Mali, like most states, is waging an uphill battle against narcotics trafficking. That is apparent at both the national and international levels. However, this reality is sometimes limited by the constant evolution of ill-intentioned people, hence the need for adapted means to carry out an effective fight.

From this perspective, it is appropriate to discuss the effectiveness of the fight against narcotics trafficking before reporting on the questionable effectiveness of this fight.

1. The effective existence of the fight against narcotics trafficking :

The effective existence of the fight against narcotics trafficking in Mali implies a brief description of the State of the fight against Narcotics trafficking in Mali, particularly the actions initiated to fight against the phenomenon. There are several means to fight against narcotics trafficking in Mali, including internal and international legal texts, and the institutions better equip these texts against narcotics trafficking in Mali.

1.1 The legal arsenal:

Regarding the fight against narcotics trafficking, there are several legal texts at the international level that Mali has ratified and at the national level through international conventions approved by Mali and internally.

1.1.1 At the international level:

The fight against narcotics trafficking in Mali is ongoing. Drug trafficking is a global problem that requires full international cooperation. As a result of the dynamic vice, several mechanisms have been implemented at local and international levels. Primarily the international measures are based on the United Nations policies on drug trafficking.

To effectively combat the trafficking in drugs, the Government of Mali has signed and ratified three international conventions against trafficking in drugs. The 1961 Unified Convention, the 1971 Convention on Psychotropic Substances, and the 1988 Convention against the Illicit Traffic in Narcotic Drugs³. They were ratified respectively on December 15, 1964, and October 31, 1995⁴ (for the 1971 and 1988 conventions).

These two conventions were entered into to facilitate narcotics control procedures and limit production and trading channels for prohibited substances. They form the basis of the international drug control system and seek to ensure the availability of controlled substances for medicinal and scientific uses while preventing their deviation to the black market.

The 1961 Unified Convention aimed to standardize the many conventions concluded in 1912 to allow better coordination and more significant simplification of the control mechanisms relating to the cultivation of opium,

¹ (Amadou, 2019).

² see. Li Jiang, « POURQUOI FAUT-IL ÉLIMINER LES DROGUES ? », GJWGJ, p. 3

³ <https://www.unodc.org/unodc/en/treaties/illicit-traffic.html>

⁴ Bridge (J), Logio (M-G), Les lois ouest-africaines en matière de drogue : résumé et revue, November 2017 P.6

coca bush, cannabis, and other products derived from these substances.

The 1972 Protocol amends the 1961 Convention by providing treatment and rehabilitation services for drug addicts.

To better these conventions mentioned above, a 1988 convention establishes a list of substances considered precursors (example: acetic anhydride) and subjects these substances to a control regime.

The United Nations General Assembly adopted the Convention against Illicit Trade in Narcotic Drugs and Psychotropic Chemicals.¹ It includes criminal provisions targeted at combatting transnational organized crime and unifying drug-related offense definitions, "including money laundering and chemical precursor diversion limitations." It is also taken into account the improvement of international collaboration between the States' competent authorities that have ratified the agreement, particularly in trafficking prosecution. That illustrates the authorities' resolve to use more effective coercive techniques in conjunction with inquiry procedures, particularly in Mali.

The development of the Regional Action Plan against illicit narcotics trafficking 2016-2020 was guided by the 2015 United Nations General Assembly Special Session (UNGASS) on the world drug problem and is based on four strategic areas: prevention, legal and regulatory reform, treatment and rehabilitation, strengthening coordination structures at a regional and national level. This plan seeks to coordinate efforts between countries in the region to guarantee a concerted response to this scourge.

During Olusegun OBASANJO's presidency of the West African Commission on Drugs, a model drug law for West Africa was established.² The provisions of this document help states update or even modify their legislation. They also propose the use of force which is absent from the conventions.

1.1.2 At the national level:

It is a matter of transposing the various conventions ratified by Mali into domestic law, notably in the prevention of drug trafficking, through disseminating information concerning psychoactive and addiction-related risks. As for the repression, it is provided for in particular by many texts and provisions, such as:

- Law N°. 01-078 of July 18, 2001, amended by Ordinance No. 2013-012 / P-RM of September 2, 2013, relating to the repression of offenses relating to poisonous substances and narcotics;
- Law n° 01-80 of August 20, 2001, on the Code of Criminal Procedure, Amended by law N° 2013-016 / of May 21, 2013
- Law No. 2017-028/AN-RM on public health, which provides for the issuance of regulatory texts;
- Act No. 2015-035/AN-RM of August 12, 2015, on combating illicit drug trafficking (articles 122 and 123);
- Decree N° 2015-0400 / P.RM of June 4, 2015, fixing the organization and operating procedures of the Central Narcotics Office.
- Decree N° 0399 P-RM of June 4, 2015, establishing attributions, composition, and inter-ministerial coordination of the fight against drugs;
- Decree No. 2018-1294 / P-RM of November 22, 2018, fixing the customs tariff schedules and each customs tariff as an appendix to that to define the various offenses related to narcotic substances;
- Order N° 2016-0802 / MSPC SG of April 12, 2016, fixing the organization and operating procedures of the permanent secretariat of the Interministerial Mission for the Coordination of the Fight against Drugs;
- The National Drug Control Action Plan (2018-2021) results from joint efforts among multiple partners involved in this fight, namely the Ministry of Health and Public Hygiene, the Ministry of Justice and Human Rights, and civil society organizations (N.G.O.s).

These legal regulations provide a rigorous framework for the fight against drug trafficking, which can be seen in determining the products and plants considered prohibited. They also highlight the incriminations related to trafficking, use, and sale of illicit products and plants. The judicial procedure includes the investigation phase to the judgment, passing through the instruction phase.

The particularity of the criminal procedure in narcotics trafficking is the offense of flagrance (Article 387 of the Code of Criminal Procedure, Article 89 of the law relating to the control of drugs and precursors). The investigation provides for elemental powers to be used by the police officers assigned to the Directorate General of Territorial Surveillance (DGTS) offices, gendarmerie, and customs. The latter are organized at the level of the regions.

Finally, it is a legal instrument specifically aimed at combating drug trafficking.

1.2 The institutional framework:

The fight against narcotics trafficking in Mali is a crucial challenge that cannot be tackled without the involvement of all actors. In addition to the authorities in charge of security, it also concerns administrative and judicial authorities, civil society, and associations. In this context, the National Drug Control Program was set up

¹ (Eligh, 2019)

² (Oviasogie, 2016)

to strengthen the efforts of the actors involved.

1.2.1 Narcotics control and cooperation bodies:

Narcotics trafficking is a matter for all of Mali. The fight against drugs is not the sole responsibility of the Malian government but also the entire Malian population. In cooperation with the Government of Mali, UNODC has supported Malian authorities in building a vibrant and sustainable drug control system since 1972 (Fornili, 2019).

The United Nations Office on Drugs and Crime (UNODC) leads and coordinates international action to fight the global drug problem. Sahel countries and the West African region face serious challenges posed by the unprecedented expansion of transnational organized crime networks, which feed on political instability and an almost complete lack of control over vast spaces in areas not yet touched by history.

The U.N. Economic and Social Council, through its Commission on Narcotic Drugs, guides and monitors the activities of the UNODC. It also collaborates with the Interministerial Coordination Mission for the Fight against Drugs in Mali and ensures compliance with crucial U.N. conventions¹.

The International Narcotics Control Board monitors compliance with international conventions by States, N.G.O.s, and civil society in their activities in States².

At the request of the Malian government, W.H.O. has developed national policies for the prevention of non-medical drug use. Thanks to this assistance provided by WHO and to its collaboration with UNODC (United Nations Office on Drugs and Crime) and other technical agencies, Mali has enacted a new law on the control of narcotic drugs and psychotropic substances.

The National Central Bureau of Interpol in Mali is the competent authority to fight against organized crime, supported by the international community. Any national or foreign individual has a right to complain about it (Boz, 2018).

1.2.2 Government institutions:

In Mali, a protected person of the jurisdiction is the source that should be considered in the first place as a criminal part. However, the problem with this principle is that it is not always visible even if it is established in an actual number of legislations.

In order to help Mali better enforce drug control laws and fight drug trafficking., the Interministerial mission of coordination of the fight against drugs (MICLTD), the Office Central Narcotics (O.C.N.), the Prefecture Committee for Drugs (C.P.D.), and local committees for drug abuse prevention and treatment have all been established.

Mali has long been a partner in the international fight against drug trafficking. In 2015, the government established the Interministerial Coordination Mission for the Battle Against Narcotics (M.L.D.) to focus on the drug battle. Its goals include confirming a national plan to combat illicit drug trafficking and addiction, coordinating the efforts of civil society, ministerial departments, and international entities in the fight against illicit drug trafficking and addiction, and preparing national and international government decisions on the subject.

The fight against illicit narcotics trafficking is one of the main priorities of the Malian government. In this approach, the O.C.N. works in close collaboration with the National Police and Gendarmerie to coordinate actions to ensure the proper implementation of the program for the alternative development of cannabis crops (Cantens & Raballand, 2017). Throughout the country. The office is composed of a directorate based in Bamako and branches in each regional capital of the country. (the one in Kidal has been withdrawn for security reasons). Between 2016 and 2020, this service seized numerous narcotics (cannabis, cocaine, Tramadol).

1.2.3 Non-Governmental Organizations and associations:

Mali is home to many non-governmental groups dedicated to the battle against drug misuse. Two of these organizations are the Samu social and the CRISIS GROUP INTERNATIONAL. This Malian non-governmental organization (N.G.O.) was created on March 1, 2001, and is governed by the framework agreement n°0436/0015594 with the government signed in 2008. Its mission is to provide medical, psychological, and educational assistance to Bamako's most vulnerable social strata. The N.G.O.'s involvement is based on a mobile strategy involving daily nocturnal "*marauds*." These night rounds are responsible for providing medical, psychological, and social services to youngsters living on the streets.

Narcotics trafficking is a major cause of insecurity affecting many countries in the Sahel region, especially Mali. Despite several government initiatives and international support, the menace is still severe and poses a threat to peace and security. Instead of leaving the burden entirely on governments, the International Crisis Group has developed an initiative to find lasting solutions to this problem by providing support mechanisms for regulating conflicts between armed groups and drug narcotics traffickers.

Other N.G.O.s intervene indirectly in this field by financing projects of some Malian associations.

¹ Pavel Sturma, « Aspects récents du contrôle international des drogues et de la lutte contre leur trafic illicite », *Annuaire français de droit International*, vol. 41, 1995, p. 634

² see article 9 of the 1961 Convention

The financial support of N.G.O.s such as Environment and Development Third World and International Aids Coalition Plus has enabled **The Research, Communication, And Home Support Association For People Living With H.I.V.** (ARCAD-SIDA) to conduct a study in 2015 among injecting drug users in Bamako¹. It also while caring for people infected and affected by HIV/AIDS.

The same is true for the association KENEDOUGOU SOLIDARITE. It received financial support from the World Fund and USAID in collaboration with the N.G.O.s: Open Society Initiative For West Africa and the Organization for Reflection, Training, and Education for Democracy and Development; to conduct a study on the profile of drug users in Sikasso².

Having the status of a national N.G.O., the Association for the Support of the Development of Population Activities (ASDAP) collaborates with several international N.G.O.s³ in various fields, including drug addiction in jails.

Some associations that rely solely on voluntary work or membership fees are involved in the fight against drug use and trafficking. First, there is the Youth Association for the Fight against Terrorism, Drugs and Human Trafficking in West Africa (AJLT-DAO), which organizes sensitization missions called "*coffee without drug.*"

Then there is the Association for the Recovery and Reintegration of Drug Victims (ARRVD). The objective of this association is to help drug users and traffickers to stop their activities in Bagadadji (stronghold of drug sales and use in Bamako)

Despite all the means deployed by the State to fight narcotics trafficking, the country's security situation and the progression of traffickers' modus operandi make the fight against illicit drug trafficking ineffective.

2-The questionable effectiveness of the fight against dr narcotics ug trafficking

The UNODC survey conducted in Mali with the British Embassy Bamako and Rémi revealed that the type of substances trafficked is diversifying with an increase in synthetic drugs and disposable (Dabo et al., 2021). Secondly, narcotics traffickers are better armed and increasingly involved in other criminal activities.

Thirdly, traffickers are now transnational groups that produce a shift towards other countries in the sub-region.

Moreover finally, the security and socio-political context and geopolitical changes in Mali countries play a decisive role in trafficking routes. The fight against narcotics trafficking is, therefore, a real challenge nowadays. It shows a questionable effectiveness relative on the one hand to the security and socio-political realities, and, on the other side, the evolution of the traffickers' modus operandi regarding the means of control is proving to be insufficient. This parallelism will allow us to make a description of the extent of this challenge and the possible solutions in perspective.

2.1 The security and socio-political situation

The security situation in Mali is still fragile. Socio-political realities continue to impact the fight negatively against drug trafficking substantially. Programs are undertaken by the government and its international partners, including development cooperation programs that have tended to be delayed or abandoned. Thus, the fight against narcotics trafficking, organized by the authorities for 30 years, suffered from the crisis between 2012 and 2013. That insidiously plagues a surge in narcotics trafficking in Mali.

2.1.1 Social realities

The fight against dr narcotics ug trafficking is a significant challenge for Mali. It requires the intervention of all economic, social, and political partners in this fight. Indeed, no sector can be ignored concerning the scope and repercussions of drug trafficking on the Malian economy, from the army to judicial institutions, customs services, educational centers, and religious institutions.

Drug traffickers utilize narcotics to fuel their unlawful activities (Rhumorbarbe et al., 2016). As a result of this vulnerability, we are seeing the appearance of strange events (the relaxation of morals, the absence of benchmarks for young people). As a result, a swarm of young people looking for a fast buck descends on the region. At this level, drug trafficking, illegal commerce, and the use of narcotics attract these people to meet their own and their families needs. These young people become drug traffickers and dealers, working with little security in rural and urban areas.

Narcotics trafficking remains a source of violence, insecurity, and instability that threatens the entire population, mainly the young people of Mali. It is therefore urgent to turn towards non-punitive and non-prohibitionist intervention means.

Efforts to combat narcotics trafficking must be strengthened to stem the cultivation of poppy and cannabis. The coordination of efforts between countries is essential, and other countries' experiences must be fully exploited. In addition, cooperation with international organizations and agencies is needed.

¹ ARCAD-Sida Mali, Annual activity report 2017 op.cit., p.32

² AKS, ORFED, OSIWA; Report of the baseline study on drug use in the city of Sikasso in Mali, 2017, p.2

³ European Union, UNICEF; African Union; BORNE FONDEN; USAID, NETHERLANDS; Atlanta CDC; OXFAM; ONE World UK

2.1.2 Political realities

These social problems have led to many political crises, creating a gap between politicians, governments, and the population.

It is one thing to have political stability in one's country and another to preserve it. The passivity of President Amadou Toumani TOURE in managing the progressive installation of armed groups and all kinds of traffickers, the attacks on the Malian army by the National Movement for the Liberation of Azawad (MNLA); and existing social difficulties led a group of soldiers to launch a mutiny in March 2012 in Kati. After a one-year transition period, democratic presidential elections were held on July 28 and August 11, 2013. Following these elections, Ibrahim Boubacar KEITA was elected president of the Republic of Mali.

Events are happening in a tense political context, believing that a change will occur during these two terms. On July 10, 2020, the previously peaceful demonstrations turned into civil disobedience, which eventually degenerated into deadly violence.

In addition to the social and security tensions, the president was removed from office on August 18, 2020, by a group of soldiers led by Colonel Assimi GOITA.

Despite several action plans in Mali that seek to eliminate the problems of drugs, terrorism, and arms trafficking, terrorist organizations still hunt the country. The country is not secured, its primary source of income is tourism, and without security, tourists would not risk their lives going there. Also, a lot of illegal activities are fueled by drug usage. For this reason, Roger Botte believes that "*narcotics trafficking should not be analyzed in Africa, as elsewhere, as being on the margins of society, because it is a mode of insertion into the global economy that contributes to a process of political destructuring-restructuring.*"¹

2.1.3 The security situation

In the classical sense, security refers to a state where a person or item is not exposed to significant danger, moral or physical degradation.

The current, comprehensive definition of security includes "state, citizen, and property protection," "absence of dangers to society and its values," and "its dual military and non-military components."

The current assessment of Mali's security situation reveals significant gaps, incalculable dysfunctions, and critical flaws that threaten the country's survival (Babatunde, 2015). In reality, the country is overexposed to a host of dangers, hazards, defects, and vulnerabilities, significantly impacting the country's current and future political, economic, social, and security conditions.

- Terrorism

The Malian State has been engaged in a major security crisis for over nine years. The terrorist threat has evolved since 2012 by adopting asymmetric means. In particular, drug trafficking and terrorism have become a new phenomenon of international security manifested in Mali through the so-called "*narco jihadists.*"

Intercommunity conflicts

The security situation is currently at the heart of the concerns of the Malian government. The need to reassure international partners highlights the persistence of dangers and threats in a vast country faced with several armed groups taking advantage of remote border areas to operate. The terrorist situation in Mali is characterized by asymmetric forms of fighting (Bunker, 2015). Attacks or ambushes on the national armed forces, sometimes suicidal, are staged in an often organized manner and well prepared by criminal groups - such as AQIM (al-Qaeda in the Islamic Maghreb), MUJAO (Movement for Oneness and Jihad in West Africa), F.L.M. (Macina Liberation Front) - whose ideologies have been imbued with a religious dimension. These transnational terrorist organizations have managed to develop sophisticated logistical systems.

2.2. The discrepancy between the methods of the traffickers and the tools used to fight them.

Even though Malian authorities have used various tools to combat illicit drug trafficking, there is a mismatch between the methods of traffickers and the tools at their disposal. Therefore, it will be more beneficial to define the gap before analyzing potential solutions that could help the State better combat this scourge.

2.2.1. The Description of this mismatch

The fight against narcotics trafficking in Mali is experiencing a significant setback due to the limited operational resources of the Malian authorities and the constant evolution of the traffickers' modus operandi.

2.2.1.1 The Complex and Diverse Modes of Operation of Narcotics Traffickers

The history of trade between sub-Saharan Africa and the Mediterranean can provide insight into the operations of narcotics traffickers in Mali (Tinti & Westcott, 2016). Trade between these countries dates back to the first millennium B.C.E., according to UNODC research *The Changing Face of West Africa*², and was primarily focused on the exchange of enslaved people, salt, and other products. During this period, products constantly moved from the oasis to supply centers and eventually to designated ports. Between the ninth and fifteenth

¹ Botte (R), *Politique Africaine* P.149-150, 2004 in juillet (S), le Sahel comme espace de transit des stupéfiants, acteurs et conséquences politiques, publié dans *Hérodote* en 03/2011 (n°142), consulté le 10/10/2020.

² <https://www.unodc.org/westandcentralafrica/en/index.html> ,

centuries, the flow intensified and evolved into a structured trade, resulting in the formation of "a common trading culture, social interactions, and economic and political interdependencies in a vast mosaic of sub-Saharan Africa."¹

The emergence of border nation-states and the appearance of motorized vehicles in the 1960s and 1970s allowed traffickers to develop new procedures to access new markets, reduce financial costs and perpetuate illicit trade. To do this, young people from these areas were initiated and trained in logistical knowledge and developed their contact networks at the borders and crossing points in return for remuneration. This remuneration varies according to the tribal chiefs and officials.

However, the drought of the 1970s in the Sahara and part of the Sahel forced traffickers to change their routes and establish relationships with tribes resulting from the rural exodus of Tuareg and Arab communities to Sahelian areas spared by the drought.

In addition to foodstuffs, the illicit traffic of cars and household appliances was grafted onto The Arab, and Tuareg traders were at the base. It was carried out from the trading centers of Tamanrasset, Ghât, or Sebha to the northern Malian markets and eventually to Bamako. The camps and border villages became places of transit in exchange for passage rights.

Cigarettes and cannabis resin have been added to this illicit traffic. Regarding cigarette trafficking, it marks a significant increase in traffickers.

This traffic, for its success, requires the implication of criminal structuring. This organization is well broken and will allow refining the routes used for the traffic of hashish. As regards the traffic of hashish, the traffickers will use the same chain, but by diversifying the borrowed roads.²

Cannabis cultivation is intensive in the central part of the Rif (Northern Region of Morocco). The cannabis, transformed into resin and placed under the control of the Moroccan "barons" and the Polisario Front, is transported to the Mauritanian-Malian border through the Polisario Front. Once at the wall, the drug shipment is transferred in a convoy of modified 4x4 vehicles.

Crossing northern Mali, its convoys can take several routes based on information transmitted by the relay points:

- the valleys of Tilémsi to reach Léré and Lerneb, then Bourem;
- Anéfis or the Tinkhamaten mountains,
- Taoudeni, Timbuktu, in-Khalil.

To reach Niger, traffickers have a choice:

- The tri-border area (Niger, Mali, Algeria) and the In Tiguidat valley before going along the Niger-Algerian border.
- Tassara, Agadez and the Air mountains
- And finally, Abalak and Tahachit north of Tahoua, bypassing Agadez from the south³

Once they arrive in Niger, the shipments are sent to the Libyan ports of Misrata and Tripoli to be transported to Europe by boat.

In the early 2000s, traffickers specialized in the cocaine business. Due to the growth of cocaine seizures in the Caribbean and Europe, South American cartels established new connections with criminals from specific countries (Cape Verde, Guinea Conakry, Guinea Bissau, Mauritania).

The used means of transport are boats and airplanes. It is within this context that planes landed in the north of Mali. The Air Cocaine case in Tarkint in 2009⁴ and the one in Léré in 2010⁵ are illustrative cases.

That shows that traffickers redefine the relationships between political actors, security actors, citizens, and the business community within and beyond national territories by operating in this way.

2.2.1.2. the inadequacy of current strategies to combat narcotics trafficking

By explaining the modus operandi of narcotics traffickers, one realizes the logistical genius they develop to reach their goods. Considered a transit country for narcotics, Mali has few adequate means to fight against this problem.

¹ G. Soto-Mayor, « Trafics et trafiquants : éléments structurants des sociétés sahéniennes », Recherches internationales, n° 117, janvier-mars 2020, pp. 117-135

² Trafics au Sahel (1) – 60 ans pour conquérir le pouvoir, Nathalie Prévost, 22 septembre 2020, in <https://mondafrique.com/trafics-et-trafiquants-au-sahel-1-60-ans-pour-conquerir-le-pouvoir/> consulted on 10/29/2020.

³ M. Micallef, R. Farrah, A. Bish, V. Tanner, « After the storm : organized crime across the Sahel-Sahara following upheaval in Libya and Mali », Global Initiative , Against Transnational Organized Crime, 2019

⁴ In November 2009, a Boeing 727 departing from Venezuela and carrying between 7 and 11 tons of cocaine crashed in Tarkint, near the Gao region in northern Mali. The judicial authorities' subsequent investigation of the case gradually collapsed, revealing the extent of state complicity in criminal activities and illicit relations with political brokers in the north., in Rapport Indépendant de la Commission Ouest-Africaine sur les Drogues, juin 2014.

⁵ " in January 2010, a Beech Craft BE 300 from Bolivia would have landed in the region of Léré." in G. Soto-Mayor, « Trafics et trafiquants : éléments structurants des sociétés sahéniennes », op. Cit.

The first factor is the vastness of the borders that our country has difficulty securing. Indeed, Mali has a long borderline of 7240 km, shared with seven neighboring countries. The vast desert region, which covers about two-thirds of the country's surface area, is the starting point for narcotics traffickers when they penetrate the Malian territory. We have intercepted drugs at all points in Mali: in the north, near the Algerian border, in the east coming from Niger, through Mopti and Gao, for example. With the technical and operational means available to the security forces, it is challenging to ensure increased and permanent surveillance in this area. Moreover, the country has been confronted with war for more than ten years. That explains the closing of the O.C.N. antenna in Kidal and the financial and material means concentrated on this war.

The second factor is the corruption of the tribal leaders who live in the villages and fractions. The same applies to the few public agents who remain in areas outside the control of security partners or the State. They are forced to collaborate with these traffickers to support themselves financially or fear intimidation and blackmail.

The third factor is poverty and youth unemployment (Coulibaly & Li, 2020). The Malian State has enormous difficulty implementing action plans to fight poverty and create decent jobs for young people, who make up more than half the population. In urban and rural areas, young people who are considered the country's future are left to themselves, without forgetting that other products are appearing, especially for local consumption, such as methamphetamine and medicines diverted from their curative use¹.

At the stage of communication, users can obtain drugs and medicines diverted from their curative uses from young unemployed people with the collaboration of some pharmacists. That favors the consumption of illicit drugs and money laundering in the country.

The fourth issue is that there are virtually no safeguards in place to keep narcotics out of Malian territory. Furthermore, there is a striking paucity of ongoing investigations and research to identify active criminal groups involved in narcotics trafficking ahead of time. The problem is exacerbated by border porousness, a lack of training, inadequate equipment, the inadequacy of specific coercive tools, and certain law provisions.

Therefore, it is necessary to create synergies and coordination essential for effective management of the phenomenon by proposing some solutions.

2.2.2. Possible solutions

It is closely linked to the drug issue this end, several priorities are recommended for implementation through sustainable efforts. The timely processing of traffickers' cases made available to the courts should be a priority at the judicial level. Without question, the actions of these offenders are heinous. Under Article 387 of the Code of Criminal Procedure, these traffickers could be brought before a judge. That will allow the government to fight the disease vigorously and justly while cleaning up the criminal justice system at the national level. They strengthened sub-regional and global judicial collaboration between Mali and other countries. It includes judicial investigations, mutual assistance, and extraditions. In Mali, the fight against narcotics trafficking is experiencing a need for improved collaboration between control agencies at the sub-regional and international levels to share information and enable operations such as the border of a country from other countries (Boás, 2015).

To combat powerful traffickers, they need to share information and collaborate with other government agencies, as they already have networks to move drugs across the border. We can also take lessons from other state programs that have been responsible for sharing data and coordinating successful activities.

Cross-border cooperation between countries pursuing traffickers and information sharing between authorities can make a difference in dismantling trafficking routes (Wakenge, Dijkzeul & Vlassenroot, 2018). However, these initiatives require dedicated resources, so we must continue to fight for international funding that can support this war on drugs. This epidemic is poisoning our world and crushing our future. Stepping up the fight against narcotics trafficking in Mali and other types of crime will positively impact the livelihoods of populations constantly exposed to the effects of crime and radicalism.

The fight against narcotics trafficking in Mali will aim to extend to the border the facilities for carrying out controls and monitoring financial flows to facilitate their traceability while respecting the privacy of individuals for greater effectiveness and efficiency.

The project to combat narcotics trafficking in Mali would have the merit of helping to stem the flow of drugs in West Africa and, therefore, in the rest of Africa. It is nevertheless true that it presents a significant challenge, that of helping to reduce the level of drug use and abuse in Mali, where these two phenomena have reached worrying proportions over time. To this end, since drug policy is primarily preventive, we are proposing a prevention plan aimed at youth. This plan also includes realizing awareness campaigns that target other social categories, such as women and executives.

The Justice Ministry, the Health and Public Hygiene Ministry, the National Police, the Gendarmerie, and all other security structures will be responsible for their implementation. The government also intends to strengthen the capacity to fight narcotics trafficking by providing training courses and equipment to the armed forces.

¹ Crisis Group Africa Report, N°267, Narcotrafficking, violence, and politics in northern Mali, December 13, 2018, P.5

The intervention bodies must be provided with appropriate resources (material, financial and human) to ensure proper functioning in terms of technological capacity. The number of training courses to build the capacity of frontline police officers must be increased. UNODC provided specialized training to the Malian police narcotics brigade in April 2015. As a result of this training, the police were able to seize 400 kg of cannabis, 436 doses of crack, 274 doses of "off,"¹ and 230 capsules of diazepam to ensure the development, implementation, monitoring, and evaluation of national drug policies, as well as for inter-institutional coordination in this area.

In the improved fight against drug trafficking in Mali, the following measures are recommended: ensuring adequate resources to ensure proper functioning, conducting targeted training on border control, and strengthening inter-institutional coordination. Both drugs and insecurity are complex social, political, and economic problems. They involve multiple actors and are deeply rooted in national, regional, and international contexts. They, therefore, require a comprehensive response involving all relevant actors.

The Government for Unity and National Reconciliation in Mali has developed a new counter-narcotics policy entitled "*Global Strategy to Combat Illicit Drug Trafficking*." The program emphasizes the need to involve all actors in the fight against drugs, improve international cooperation on this issue, and strengthen institutional capacity to fight crime.

Finally, public awareness of the risks of trafficking must be strengthened, especially among young people. It is necessary because awareness-raising links proximity and trust between people and authorities in charge of the fight in all its components. It is a source of knowledge transmission. Moreover finally, it allows the people to participate in the arrest of traffickers and dealers while discovering the places of sale and use of drugs. Moreover, through this sensitization, the 3rd district police station of the regional police of Bamako, in collaboration with the anti-criminal brigade, used to make numerous arrests under the supervision of the O.C.N. They first informed the population of certain districts of Bamako about the dangers of drug use before launching an operation called "*Founou-Founou*."² This operation aims to track down drug dealers where drugs are sold and used in the neighborhoods in their administrative district. In a few weeks, it has not only allowed the arrest of drug dealers and highwaymen but has also recorded acute seizures of all kinds of drugs. In addition, this is due to the population of those quarters, who acted despite the risks (intimidations, threats).

The citizens living in these sectors denounce them to the competent authorities³.

Regarding the seizure of narcotic products, Article 136 of the 2001 law provides the handing over of usable products to pharmacies, hospitals, pharmaceutical industries, or even establishments with the right to use or export them. Moreover, it is in default; one could opt for destroying these products, that is, burned by the agents.

However, practice shows us that once the products have been seized and samples are taken, they are destroyed directly and burned by the agents. Now the State can reflect on this practice to create pharmaceutical industries to manufacture pharmaceutical products and make them available to pharmacies and hospitals. It could create jobs and reduce the dependence of our States on Western pharmaceutical industries.

3. CONCLUSION

Ultimately, for the fight against narcotics trafficking to be effective, the Malian State must be firmly supported and strictly organized, following national laws and international treaties. Effective means include The adoption of a rigorous legislative framework against trafficking; The establishment of an appropriate system to protect actors whose collaboration is essential in the fight against narcotics trafficking;

The coordination of all efforts at all levels to effectively curb any new means put in place by traffickers;

The adaptation or revision of existing mechanisms to better reflect the new malicious practices in the fight against narcotics trafficking.

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¹ A drug containing a mixture of heroin and other substances.

² Bambara word (a language spoken in Mali) which means "whirlwind."

³ Issiaka COULIBALY, KOJUGU Keleba, Hebdo. n° 311, 26 Avril 2021, P.2

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