



Professor Etannibi Alemika's Interview on Organized Crime in West Africa

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security agencies in Nigeria and several international organizations. He is the Chair of the Board of the award-winning CLEEN Foundation, the African Civilian Policing Oversight Forum (APCOF) and Altus Global Alliance, and a member of the American Society of Criminology, Academy of Criminal Justice Sciences Foundation and the Social Science Academy of Nigeria. He has been a leading criminologist working on organized crime in Africa.

INTERVIEW

Philippe M. Frowd: The first question is in relation to the fact that you have edited and published several research papers on the topic of organized crime with a focus on West Africa. Was organized crime an issue when you started studying criminology in West Africa? When did it become an issue and why?

Etannibi Alemika: Thank you so much. When I started studying criminology in the late 1970s, early 1980s, the concept of organized crime was not a popular term in Nigeria. Not until I went to the United States to study, did I begin to hear of organized crime. And even in the US then the concept was not the same as it is today. In the early 1980s, when people were talking of organized crime they were actually talking about what we now know as a 'mafia' form of organized crime, which historically was probably how the label itself was invented, looking at the early forms of kin-based criminal networks or criminal enterprises. So, in the United States itself, it was not very much part of the criminology syllabus then. I think its development seems to have grown more from the middle of 1980s and been driven by the international political economy of drug trafficking. I think drug trafficking has driven the concept of organized crime much more than any other form of crime. I think it was much later, with the development of new technologies, that the financial element of organized crime came to the fore, in terms of cybercrime. So, in West Africa, I must confess, that even today the term organized crime is probably something that we as researchers worry about but I'm not sure that the average legislator is worried about it. Organized crime is not part of the terminology used in the laws. Even among policymakers, it is not the kind of terminology that is popular. So, in Nigeria we do not have a law titled 'Organized Crime' today. There is actually no legislation that refers to anything with such terminology, although we are signatories to the UN Transnational Organized Crime Convention. Beyond that, it is not something you hear in the courts, in the legislature, or even in a very rigorous manner in any academic setting. And I think that much also can be said of other West African countries that this terminology seems to be much more alien in the day-to-day life and thinking and discussion at the policy level, at the academic level, research level, and not to even mention the community level.

South Africa is a little different, where historically beginning from the 1960s there have been some sensitivities to the possibility of organized crime. And given its proximity to Europe, I think it was probably at least one of the countries to first begin to talk about organized crime, referring to some groups of people in these terms. And I think that it was also related to the structure of the economy in South Africa.

In West Africa, what we see is that these terminologies are only beginning to become popular now. And with respect to West Africa, what is it that is beginning to give it some popularity? I think this growing popularity is important. It is as if you

bring a new good and you introduce it to the community and say ‘this good is called X’. I think the work of the UN Office on Drugs and Crime (UNODC) on organized crime in the early 2000s was important in this respect. I wrote a first publication in 2005 which was part of this ‘marketing’ of the concept of organized crime at the time. However, there was also ‘diplomatic marketing’ of the terminology, especially the concern with trafficking, first in drugs. In the early 1980s, that was when we began to see two things happening that were significant, especially for Nigerian involvement. In the early 1980s, almost all African countries were in deep economic crisis and the International Monetary Fund (IMF) and the World Bank were standing at the gate. And what was the solution? It was a catch-22 situation: structural adjustment. With Structural Adjustment Programmes (SAPs), the initial post-colonial independent approach of African countries to develop—what was called import substitution industries—was destroyed.

So, we began to see a lot of economic-driven desperation especially with the trafficking of drugs. And that is how, from 1984, Nigeria came onto the watchlists of most industrialized countries, especially the United States and the United Kingdom, and subsequently concerns about advance fee fraud were added to drug trafficking. This is where we were beginning to hear that drug trafficking is an activity that is organized and of course, involving a group of people. The advance fee scam messages were also not just done by individuals. They involved organized groups of people. So, for me, this is the genealogy of the term [organized crime] and the way it gained traction. The term has gained so much traction internationally and came to be the label for almost everything that is carried out across countries, from human trafficking, to migrant smuggling, cybercrime, terrorism, and insurgency. Almost everything is regarded as transnational organized crime or involving some kinds of transnational organized crime today.

Philippe M. Frowd: This genealogical, historical approach to how this came to be is really helpful. So, I think that segues us nicely into the second question, which is about some more recent developments.

Lala Ireland: Could you please tell us more about the latest developments of activities labelled as ‘organized crime’, including the latest trends and patterns? More specifically, which type of transnational activity is perceived to be the most problematic in West Africa today?

Etannibi Alemika: Just to say again that the concept of organized crime itself is contested. We all believe that we know what organized crime is. But when we are pressed to explain what it is, I think we get a little uneasy. What is it that is organized? Is it the crime or the group? If it is the crime, then, of course, almost every crime can be organized. If it is the group, then there are some groups that behave in a particular way. Do they fall under organized crime? For example, when talking about organized crime, you could talk about crimes committed by organizations, such as corporations trying to increase their profits by engaging in various kinds of criminal activities. How is that different from organized crime? Then in Africa, for example, most of the crimes we call organized crime, are simply linked together by conspiracy. That means crime involving conspiracy of two or more people. This conspiracy element is the link that is often used in place of organized crime in Africa, in legislation.

So, now to the trends. Assuming we are talking about crimes involving a group of people coming together with the aim of committing crime regularly for purposes of accumulating wealth, then the most dominant form of organized crime is related to drugs since the 1980s. That is what people think about when they talk about organized crime. Following drugs is trafficking in persons. Then in the context of ongoing conflicts, we're talking about trafficking in arms. Add to that migrant smuggling, which has not received a lot of traction in discussions because research has not exposed what is going on. I think sometimes migrant smuggling is also conflated with trafficking in persons. The two of them have not been adequately studied, so as to be able to distinguish when it is migrant smuggling or trafficking in human beings.

Trafficking in drugs, the trafficking in persons and some of the cybercrimes appear to be the most organized in West Africa. Take drugs for example, this trade is truly transnational. Cocaine or heroin are not produced in West Africa, which means there must be producers elsewhere. There must be people who take these drugs out of producer regions. There must be transporters. There must be people who link people together in a so-called value chain. So, these activities start from South America or Asia and they come through West Africa. How are they received in Africa? Obviously, it is not the South Americans that are going to be posted at the airports, trying to protect these drugs. There must be a Nigerian connection. While the producers are South American, the person who transports them to Africa is probably Nigerian or South African. In West Africa, you have a Nigerian standing in and occasionally a non-Nigerian. Then, depending on whether the drug is going to stay in Nigeria, somebody has to take it to the retail level and then, of course, to the consumer. If it is to leave Nigeria and is in transit, somebody has to facilitate its exit from Nigeria and its reception in the consumer market in Europe. The same would be true if the drugs came from Asia. That is a chain that for me clearly demonstrates a business-like structure. Then if you take trafficking in persons, here you often have somebody in Europe who is the ultimate business person. But you also have a recruiter somewhere in Nigeria who recruits people. Aside from the recruiter, you find people who screen victims and they are not the same people as the recruiters. Some also take victims to where they swear an oath and then take them along the route.

And you have transporters along the route. You have hotels along the route where these people are housed. And then the journey continues until it gets to Europe. Again, this is a very good example of the kind of organized crime taking place in West Africa. The other one, of course, is cybercrime, where you also have people conniving with people outside of the country, setting up not just the scam, but also the banking structure for the proceeds of those crimes. This illustrates the chains involved when we are talking about organized crime. This is not just a crime committed by individuals. These activities are carried out along a chain that the crime entails from the production level to the consumer level.

Lala Ireland: You mentioned some examples of activities of a transnational nature. Have you observed any changes in the nature of these activities during the COVID pandemic, especially as members of the Economic Community of West African States (ECOWAS) closed their borders at the onset of the pandemic? Did these restrictions on the movement of goods and people have any impact on the nature of these activities?

Etannibi Alemika: There have been no significant changes. If anything has changed, it is not due to the closure of borders. I think it is rather driven by changing technologies that are available, such as for the transfer of funds across countries. For example, in the past when you were from Nigeria you had to go to Libya to organize hotel bookings there. You can do it from home now, from your computer. So, I think technology has probably had a greater influence than just the border. At physical borders, at least in Africa, there exists a system alike a ‘protection economy,’ meaning someone protects those who are crossing borders and it will not matter whether the state closes its borders or whether its borders remain open. Those protectors are there and that is where the link between the state and organized crime becomes visible because the protectors are usually state officials at the border, ensuring passage for those people who need it. Even though Nigeria closed its borders to neighbouring countries for many months at the start of the pandemic, many of the issues that we thought [the border closure] would resolve were never resolved and people were still able to cross the border. People might say this is because of porous borders but it still is difficult to control flows at the border these days.

Gernot Klantschnig: Thanks a lot. In the second part of the interview we want to focus on the concept of (transnational) organized crime. Has the analytical and policy focus on organized crime helped to reveal something new about illicit activities? And what has been the effect of the use of the concept in Nigeria and elsewhere in West Africa?

Etannibi Alemika: [The concept] has highlighted the seriousness which has been attached to specific crimes. For example, you will find the idea that the single most important obstacle to development is drug trafficking. You hear statements like that and you find that the European Union (EU) is willing to put millions of Euros into policing drugs from the Atlantic coast right through to North Africa and to Europe. You remember they [the EU] called that the ‘Cocaine Route’. So increasingly, there is some local acceptance of those definitions and of their seriousness and implications for the economy, implications for the polity and for society.

The different crimes that are embedded in organized crime are now being treated as existential threats to the country. Take the Nigerian National Drug Law Enforcement Agency (NDLEA) during the last one and a half years as an example. If you listen to senior people in the NDLEA, they will tell you that the only problem the country has is drugs. And they are willing to test everyone for drugs. If we can test everyone, according to the NDLEA, and eliminate those who are using drugs, then all the problems will be solved. So, there is a growing mentality in this respect that they [organized crimes] constitute major problems and drugs particularly, signal this kind of popular rhetoric about the existential threat. We all know that it is a threat, but I think the way it is presented goes beyond simply saying here is a problem that has many dimensions, that has economic and public health dimensions. How they could be tackled is best presented as a security issue, as an existential threat. And once you get to this level, you find almost a panic about it. That also has happened at some point with respect to advance fee fraud. In the 1990s, advance fee fraud was a major problem. And once Nigerians could solve the problem, Nigeria would gain respect in the international community. So, individual crimes are being presented as existential threats and they have been intermittently taken seriously by different

governments. For example, the Abacha regime [in 1990s-Nigeria], incidentally, focused on advance fee fraud. And yet, he [Abacha] probably had committed the greatest corruption in terms of money laundering from what we know so far. So, it is like I said, the concept of organized crime is not yet popular. People still look more at individual crimes.

We were talking about the concept of organized crime. In fact, due to the limitations of the initial definition of organized crime in the West, it had deprived our understanding of what is harmful to Africans. And I talk about corruption here, because just as you can treat drugs as organized crime, you can treat corruption in the same manner in Africa. If you as a group of people gather to plan how to commit a crime, corruption is a similar behaviour. For example, in the case of the Nigerian elections in 2003, before candidates were nominated, people were looking for who among these candidates first had made enough money (usually through corruption). The second very important thing was also who among the candidates, if he won, would allow activities that constitute corrupt practices. And that is planning for when the person wins. Of course, they had all kinds of schemes in mind. Who gets what contract? How much of the contract is executed? How much of the value of the money is shared among people? So, it is not the old Western concept of corruption of simply being a means of protecting trade. It is a substantive crime and it is transnational. Why is it transnational? Because if in Nigeria a governor stole \$1 million today, tomorrow he is probably in the UK or Dubai buying property or banking the money in Switzerland.

So, it is transnational. And of course, there are bankers there who also assist. We do know in the past that many multinational organizations opened their accounts to corrupt officials, as participants in money laundering. So that is the one area that poses an existential threat to Africa. It is this corruption in the form I have described that constitutes a danger because it drives millions into poverty, millions into unemployment, which inevitably creates a conducive environment for other organized crimes, such as human trafficking, trafficking in arms, trafficking in drugs etc.

Gernot Klantschnig: Are these issues of corruption that you mention actually part of the discussions on organized crime or transnational organized crime today?

Unfortunately, thinking about organized crime is still driven from outside Africa and since this is not the way that advanced economies look at organized crime, it is not yet popular. Transnational organized crime is still viewed from their perspective. You will not find the EU, for example, willing to study corruption as organized crime, as it is willing to sponsor work on drug trafficking or trafficking in persons. That is the challenge. But fortunately, the Mbeki Panel¹ has provided new understandings about the phenomenon of illicit financial flows, which is also a means by which the existential threat of depletion of resources in Africa is undertaken and is also a form of organized crime. There are many cases in the financial sector, which is an area that African policymakers need to focus on, which is not the case for now,

¹ High Level Panel on Illicit Financial Flows from Africa, named after former South African President Thabo Mbeki.

for lack of understanding and, of course, for lack of it not being regarded by the external sponsors as organized crime.

Gernot Klantschnig: The issue of organized crime is mostly seen as a criminal justice issue. Has that focus on crime or criminalization had an effect, on curtailing ‘organized crimes’.

Etannibi Alemika: That gets us back to the understanding of organized crime and how it is conceived. It is generally considered as a law enforcement problem, particularly in the West, a regulatory and a law enforcement problem. But when it comes to Africa, if you apply that model you are not dealing with the root causes of those activities. Because in Europe or America, people already have a number of social protections, economic protections, which are taken for granted. And so they do not interrogate the absence of these social, economic and political conditions. They simply look at this, if you like, from a culpability perspective. And so once you enter the realm of culpability, you are dealing with law enforcement. You are dealing with rational persons who can be curtailed either by enforcing a stricter regulation, or by enforcing a more severe punishment. And unfortunately, that’s how it has worked with most of the systems that have been introduced in Africa. For instance with marijuana, you will recall in the 1980s and early 1990s, there was actually more developmental thinking about what was called crop substitution in countries where marijuana was being widely grown. People were growing marijuana as a cash crop. And as they had no inherent attachment to the crop, if you provided them alternatives, they might actually move to profitable alternatives.

And then you solve the problem of drug cultivation and related issues. In the last two decades, I rarely hear this kind of development thinking about how to solve the problem in the way it was imagined in the late 1980s. There was the initial kind of war on drugs that started in the mid-1980s-America, moving to South America with US assistance and of course spraying and destroying those places. That did not work because they continued drug production. But if you substitute and put alternatives in place, it might work. So, the thinking about alternative employment, about providing alternative economic vocations for those engaged in what we might call harmful trade or ‘organized crime’ had not taken root in Africa. And so we keep wasting money on law enforcement. And law enforcement is weak in this region that any measure to try to strengthen it without addressing the root causes will not lead to significant improvements. So, what has sometimes happened is that state authorities say drug trafficking has gone down. If you examine this carefully, you can see how another form of organized crime has probably increased. I think of it as a business, you know, as an intermittent, changing business for those people because they are not really committed to those lines of business. So, any line of activity that is profitable at any particular point with less regulation and with less attention globally, organized criminals will move into those lines and then it will look as if you are achieving success in the other market segment. And when organized crime encounters problems in the other area, they either move back because there has been slack in terms of regulation, in terms of surveillance. Then we see that drug trafficking is on the increase. So, these are the trends we are seeing in Africa.

Of course, it is a market and there are new services, there are new areas that are developing, for example look at marijuana again. Nigeria now is a major importer

of marijuana from Ghana because Ghana possesses marijuana, which is more potent and available in a more portable manner. And they bring it to Nigeria, where marijuana is still produced and carried in large bags, which makes people carrying them easily identifiable. So, these are some of the new dynamics that we have seen, that within West Africa itself there are innovations. For example, in Nigeria there were also attempts to develop methamphetamine in laboratories and there has been a resumption of that in the last year. So, if there had not been an interruption in 2015, Nigeria could have been a major meth producer and a major exporter. I think there was even an arrest of a Nigerian in Japan, who had transported meth there. So, it's a changing scene of market dynamics.

Philippe M. Frowd: That leads perfectly into a question that I had about data, because a lot of what you have mentioned has been about trying to look at trends and trying to understand what is actually happening, what is being produced, where, and how a reduction in one flow or element can lead to increases elsewhere. So much of the mainstream discourse around organized crime is reliant on official data to generate policy recommendations. And so much of that data comes from governments, especially data that is driven from seizures. But it is very difficult to know how much is not seized, for example. I am curious to know what role there is for this kind of official data, but also what we might learn from other types of data, like local observations and from empirical research, for example, including by academics and other actors.

Etannibi Alemika: Thanks for raising that. I think for now, we do not have data that is indeed reliable and accurate, and substantially comprehensive in terms of capturing a significant number of the activities which we are referring to. It is a major problem in West Africa, not just about organized crime, but about anything in terms of getting good reliable data. My view is there are two sets of works that are going on. The first is like that of the UNODC which has contributed to studying [transnational organized crime] for good reasons and other reasons, because it is dependent on sponsors. What do you consider important? Raise consciousness about many of the forms of criminal activities that are transnational in nature and, in West Africa, I think that is the contribution, the major contribution of UNODC work. But when it comes to estimations, I think that is where the challenge is. Those estimations are grossly, methodologically faulty. Use, for example, [drug] seizures both outside of West Africa or within West Africa. And on the basis of seizures, you are projecting the quantity of drugs that are being trafficked across Africa. There is just no relationship. We just do not know. We talk about dark figures, gray figures [of crime]. But they are neither dark nor gray, these are just simple guesses. When one goes in with such an exactitude in terms of this data, I get worried. What is the ideology driving this kind of falsehood? Because anyone with an elementary knowledge of methodology will know this is falsehood! The second strand of work is the kind of 'hidden narrative' work you guys are doing. That is our understanding. Funding organizations will not allow you, at your level, to be able to do large-scale [data collection] work. The only way you can address some of this problem is to have a local understanding of these crimes and of their trends. I think a project like 'Hidden Narratives of Illicit Livelihoods in West Africa' allows for much more local content information rather than simply wanting to have it numerical. So, we need to understand first

what we are dealing with. How is [crime] perceived in the local community? What is the community like? Another line of work that is emphasizing local understanding and trends is being carried out by the Global Initiative against Transnational Organized Crime. You mentioned local observation and they are using such local observations. They are using more in-depth local research that are not just simply statistical estimations, but rather concrete work. They may not come up with figures of the amount of the traffic. I think those local observations will provide understanding about dynamics and routes. Dynamics related to the actors as well as the consequences for local people. I think that is the good work that is ongoing. But in terms of estimations, each time I see somebody say, 'oh, 700 kg of cocaine passed through West Africa', this is a lie. But if you tell me that 'in a community in Nigeria, this is the kind of mechanism by which drugs come into those communities and what it is doing to public health', I will read that article with interest.

Philippe M. Frowd: Thank you. This is really interesting because I think that we do not really have that much pushback in an organized way against some of these official statistics. I noticed that towards the end of your answer, you talk about having to understand these local perspectives. And I think the problem is not so much only measuring what is happening out there, but also looking at what is out there and deciphering what it even is: Is this crime or is this something different, like some kind of coping strategy? That leads me to the next question about how we should distinguish between activities that are organized crime and activities that are subsistence livelihood activities, because there seems to be quite a bit of overlap. How do we begin to untangle these things?

Etannibi Alemika: The more locally contained an activity, the less likely I will regard it as part of violent organized crime. For example, if a community is involved with a particular set of trade among themselves as a way of servicing themselves because they have no access to other external assistance or support, I will be less willing to regard that as organized crime. I would look at it as some kind of local economy. We have the tobacco industry, we have the alcohol industry, we have pharmaceuticals. Almost every drug has negative consequences. But because of the way they are organized, the purpose of the organization is problem-solving, we do not think that they constitute crime. So, for me it is to understand this local content. But if we begin to find an external link, in which a trade and activity within the local community begins to move on into other areas, without any regulation, and in a way that is exploitative, I will begin to think about organized crime. I think it is when we look at particular forms of activity that one might begin to say, for example: if there's a plant, a vegetable which people naturally consume as a source of energy, for them, it may also be a protein. As long as they consume it within this logic, within their local area, I will not regard it as in any way an organized crime, no matter whether there are those who plant, those who sell, and there is a market within the community. But once it begins to step out, and the market and availability of these is controlled by some individual, I will begin to talk about organized crime. At what point do you call a product as illicit? During colonial rule there was this locally brewed gin called 'ogogoro'. It was banned in the colonial era. Yet imported gin was brought into the country legally. The local one was said to be bad for people, while the imported product was promoted. Traditional rulers were even made to cede their

territory to the colonial state by the use of offerings of these same imported gins. So, until we know the product and then we see the way the role it plays and the way it is organized at the local level, it is difficult to distinguish local community survival strategies from organized crime.

Philippe M. Frowd: Thank you. We can never disentangle these things perfectly, but this idea of exploitation, degree of coercion, hierarchy, how local these things are can be helpful tools. So thank you very much.

Gernot Klantschnig: Thank you. We already talked about policy extensively and how you assess policy on organized crime differently from international actors or different from official discourses. What would be your recommendations regarding alternative approaches that could be used to address so-called organized crime issues in Africa?

Etannibi Alemika: It is not a binary situation of either law enforcement or not law enforcement. How do you come about law and policy? And I think that is the thing that we need to be talking about and unfortunately, which is not being talked about. If you want to have a law, what kind of knowledge about that market do you have? Nigerian drug trafficking laws, for example, were not based on any local understanding of what it is, what harm it constitutes, what dangers are associated with it. No. First, we inherited the colonial 1935 Dangerous Drug Ordinance, which was actually basically regulatory, and was not as prohibitionist as the subsequent laws. Then in 1989, right after a new UN convention on drugs came into force, Nigeria just plagiarized that and established the NDLEA.

Again, this was not local thinking. So, what I will start with is evidence-based policy. That will be my first investment. All this we are talking about whether drug trafficking, human trafficking, cybercrimes, what really are they and how do they manifest among Nigerians and how are they carried out? What are the facilitators? What are the alternative activities that can mitigate involvement in this? Like I said, they are just products that are attractive for what they offer. Is it possible to find other products that are as attractive as that? And that is why I gave the example again of development thinking in the 1980s of crop substitution. If you understand that people in all those states, for instance people in Edo state in Nigeria, are not necessarily committed to marijuana. If their cocoa was thriving, if some other farm products were thriving, they will not in fact be planting marijuana. Once we understand that and what we need to be able to substitute that product for marijuana cultivation. If you do that, you are beginning to have a solution. It is not law enforcement, but economic planning, economic policy. As criminologists, of course, we know that there will still usually be this small fraction, that commits most of the crimes who will continue to be involved. Yet, we can begin to design what is the appropriate legal, regulatory mechanism that can create these incentives for those problems. But I think what we have done is over-emphasized law enforcement and we are not giving enough attention to social and economic policies that can indeed dissuade people from those activities.

You do not even need to be a criminologist to know that drug markets are going to be violent when there is a serious enforcement of law against marijuana. Because it is a local issue of serious concern. Once [law enforcement] begins to focus on those local areas, people will defend their farms with violence. And most of the

NDLEA officials that have been killed, they have been killed in relationship to marijuana farm eradication. So, you need to understand this, even if you want to have control. So, my summary is that you need multiple responses but simultaneously implemented and in a very coherent manner. It should not be a law enforcement approach alone or just economic policy alone. You will need strong regulatory instruments, strong regulatory agencies. Then, of course, we want efficient law enforcement agencies. But more importantly, your economic and social policy planning must begin to make people not look towards illicit economies as a means of survival, but rather to provide more opportunities for people to live decently without having to engage in organized crime.

Lala Ireland: Would regional approaches play a role in these policies?

Etannibi Alemika: Again, it's going to be dependent on markets. For instance, if the activities are related to drugs such as marijuana, a regional approach will be useful. If you are dealing with cocaine and heroin, a regional approach will be useful but will not be sufficient in tackling the issues. It will depend on the scope of the market and the existing structure and the final destination of the illicit products. One single policy will not fit all problems.

Lala Ireland: Thank you very much. We would like to end our interview on this note with this important reminder that a one-size-fits-all policy on organized crime does not provide an effective and targeted approach for such a complex issue. Thank you.

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