



Managing Trafficking in Northern Niger

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Headquarters

International Crisis Group

Avenue Louise 235 • 1050 Brussels, Belgium

Tel: +32 2 502 90 38 • Fax: +32 2 502 50 38

brussels@crisisgroup.org

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Principal Findings

What's new? Niger's informal systems for managing violence related to drug, gold and people trafficking in the country's north are under strain – due in part to European pressure to curb migration and in part to increased competition over drug transport routes. The discovery of gold could bring new challenges.

Why does it matter? Tacit understandings between the authorities and traffickers pose dangers, namely the state's criminalisation as illicit trade and politics become more intertwined. But the collapse of those understandings would be still more perilous: if trafficking disputes descend into strife, they could destabilise Niger as they have neighbouring Mali.

What should be done? Niger should reinforce its conflict management systems. Action against traffickers should focus on those who are heavily armed or engage in violence. Niamey and external actors should reinvigorate the north's formal economy. European leaders should ensure that their policies avoid upsetting practices that have allowed Niger to escape major bloodshed.

Executive Summary

For years, Nigerien leaders have limited trafficking-related bloodshed in the country's north through tacit understandings with those involved, but today such tactics are under stress. The north's once booming illicit economy took a hit in 2015, when the government banned migrant smuggling under European pressure. At the same time, heightened competition over drug trafficking routes has upped tensions, and now newly discovered gold brings its own risks. Niamey should shore up its informal conflict management initiatives and strengthen the north's formal economy, while simultaneously confronting the most violent traffickers. International actors, particularly European leaders keen on curbing migration, should back this two-track approach. Foreign militaries that now focus primarily on fighting jihadists should avoid getting sucked into efforts to disrupt illicit trade. The escalation of trafficking disputes into open armed conflict would almost certainly fuel the militancy and migration that Western governments hope to contain.

Over the past twenty years, trade in drugs, gold and people has generated unprecedented revenue in northern Niger. To safeguard their interests amid stiffer competition, traffickers have hired armed groups, some of whom are bandits and others ethnic-minority rebels. They have also cut deals with state officials, whether to shield their business activity from official scrutiny or to buy soldiers' services in protecting their convoys. Some have become legitimate businessmen and even entered national politics. For their part, central and local Nigerien authorities have mostly sought to manage rather than stop trafficking, focusing on resolving quarrels between rival kingpins lest they escalate into communal fighting. Managing illicit commerce has often been an important means of strengthening weak economies and incorporating ex-rebels in government.

Many locals regard the new class of politically connected traffickers warily. They worry that these men could ally with particular political factions for mutual advantage, hollowing out state institutions, co-opting state security forces and, in effect, turning the state into a criminal enterprise.

These concerns are serious, but for now Niger is better off continuing to compromise with traffickers, provided that these understandings deter violence. Such accommodation has worked well in Agadez, where the state has integrated previously disaffected Tuareg elites into the state and used dialogue to ensure that illicit commerce yields economic benefits for locals. In contrast, similar informal systems are lacking in the far north Kavar region, where Tebu elites nurse grievances against the state and trafficking disputes have aggravated friction between Tebu and Tuareg. The area also suffers from conflicts spilling over from southern Libya and northern Chad, adding to the difficulties that national and regional authorities face there.

An uptick in foreign involvement in the Sahel brings another challenge. As foreign governments step up campaigns to counter jihadism and seal off migration routes to Europe, trafficking is under fresh scrutiny. Not only are European governments determined to stem the northward flow of migrants, but they and other foreign actors increasingly cast trafficking as a security risk that bankrolls militants and undermines the state. A 2015 law, passed largely due to foreign pressure, banned migrant

transport, a lucrative business with little negative impact upon Niger itself, and threw the northern economy into disarray. Were it not for a gold mining boom, which happened around the same time and absorbed unemployed migrant smugglers, the economic damage could have been much worse. Many of the jobless men might have found their way into armed groups and competition for scarce resources could have taken more lives.

Niger and its partners should focus on containing trafficking's potential to drive violence. Local mediation initiatives, which have prevented clashes among rivals, particularly around Agadez, and deterred communal conflict tied to illicit commerce, should continue. Nigerien authorities should be particularly cautious in attempting to disrupt trafficking in Kowar, instead seeking to establish similar conflict management systems to those in Agadez. At the same time, the Nigerien authorities should confront those traffickers who are heavily armed or engage in violence; the state should tailor its tactics – from military action to prosecution to stripping of political privileges – based on what is mostly likely to work with each individual or network. It should also do more to create alternatives in the formal economy, starting by investing in road construction, electrification and better management of resources.

The EU and European governments should ensure that policies aimed at disrupting trafficking to do not inadvertently fuel the trends they aim to curtail. European leaders appear set to keep placing high priority on curbing migration, even if the number of people passing through Niger has dropped considerably since 2015. Critical is that their policies do minimal economic damage and do not upset the informal systems that have allowed Niger to escape major violence even as neighbouring Libya and Mali collapsed. Foreign military operations that for now concentrate on tackling Islamist militancy should avoid getting involved in efforts to disrupt trafficking, which would inevitably embroil them in local politics. The EU should also take care that development programs do not give the sense of favouring one community over another and thus exacerbate ethnic competition. The collapse of the fragile equilibrium that Niger has more or less maintained over the past decade would almost certainly play into the hands of militants and further stimulate northward migration.

Dakar/Niamey/Agadez/Brussels, 6 January 2020

Managing Trafficking in Northern Niger

I. Introduction

The illicit movement of people and goods has recently become a central concern of the Nigerien state and its international partners.¹ Since 2015, the EU and its member states have set a high priority on stopping “human trafficking” – by which they mean, in effect, all forms of illegal migration.² They have focused significant efforts on Niger, a hub for migrants headed for the Maghreb and/or Europe, particularly in the wake of conflicts in Libya and Mali. Off-the-books trade in commodities, especially drugs and gold, is creeping up the international agenda as well: governments increasingly see it as a possible funding source for jihadists operating in the Sahel, including Niger. Foreign military forces in the region are under growing pressure to treat traffickers of drugs and gold as potential terrorists. To some degree, Nigerien authorities have taken on board the thinking that a modern state cannot tolerate a thriving black market.

In reality, illicit exchange in the Sahel is not inherently nefarious or destabilising to the state. Some such activities in Niger, such as importation of Semtex explosives from Libya or movement of people to be sold into prostitution and slavery, are indeed alarming. For their part, European governments, and thus the EU, see curtailing migration in all its forms as a priority due to strong domestic political pressure. In truth, though, much illicit activity, ranging from the smuggling of Algerian spaghetti to subsidised gasoline, poses little threat. Even facilitating the movement of people has a long history in Niger; only with the rise in migration through the Sahel owing in large part to Libya’s collapse – that uptick itself coming on top of European concerns over large numbers of Syrian refugees – has it generated controversy. Indeed, for years, informal trade, including migrant smuggling, has reinforced Niger’s stability, creating jobs, generating revenue and helping link northern political elites to the state.

Thus far, Niamey has been able to curb escalations in trafficking-related violence by informally managing illicit activities through tacit understandings with those involved. This report examines the risks in this approach but also the dangers in adopting the harder line that some Western governments are pushing for. It focuses on the most lucrative illicit businesses, in migrants, gold and illegal drugs. Research was carried out in Niamey, Agadez and Iferouane in April, June and December 2018 and

¹ In this report, we use “trafficking” as a catch-all term to refer to the illicit transport of drugs, gold and people, in reflection of common usage on the ground and in the French language. In English, the legal and institutional practice is to use the term “trafficking” to refer to the illicit transport of illegal goods (such as cocaine and weapons), as well as sex trafficking victims, and the term “smuggling” to refer to the illicit transport of legal goods (such as gold and food products), as well as consenting migrants. This distinction is important, but not for those involved in the practice or for those making policies pertaining to it in Niger. “Smuggling” is used in this report only when explicitly referring to voluntary migration and the migrant smuggling ban.

² Arrivals to Europe spiked in 2015, mostly from Syria, Africa and South Asia. See “Irregular Migrant, Refugee Arrivals in Europe Top One Million in 2015: IOM”, International Organization for Migration (IOM), 22 December 2015.

February 2019, as well as in the U.S. in April 2019.³ Crisis Group spoke with actors including traffickers, northern elites, gold miners, central state policymakers, security officials, Western diplomats and humanitarian agency officers. The report builds on Crisis Group's work on drug trafficking and violence in northern Mali, which highlights the risks and costs of failing to manage illicit trade.⁴

³ In this report, we use the term "centre north" to refer to Agadez city and Air, the geographic but not administrative designation for the area stretching north from the city toward the Algerian border. Air is traditionally dominated by Tuaregs, though many people of other ethnic groups now live there as well. We use "far north" to refer to Tebu-majority Kawar, which lies along the Libyan and Chadian borders. Both Air and Kawar sit administratively within the Agadez region.

⁴ Crisis Group Africa Report N°267, *Drug Trafficking, Violence and Politics in Northern Mali*, 13 December 2018.

II. New Stresses and Risks of Violence

Much of what today is called trafficking in northern Niger was considered “virtuous” – necessary for livelihoods and survival, “often technically legal, and threatening to no one” – until the 1990s.⁵ Subsidised food products and petrol from Algeria and Libya travelled south, driving down the local cost of staples. Sub-Saharan migrants rode north via Agadez to work in Libya and Algeria. The state considered migrant transit irregular, but not illegal.⁶ Such flows sustained struggling communities amid frequent droughts and famine in the 1970s and 1980s. They were consistent with the self-image of the Tuareg and Tebu peoples, who identify culturally as transporters of goods and people across the Sahara.⁷

The north’s illicit economy has boomed since the 1990s in part because of a decline in the licit economy, notably tourism and uranium mining. Tourism was a robust source of jobs and revenues in the 1970s and 1980s. But it has struggled to rebound after rebellions in the 1990s and from 2007 to 2010, as well as the 2010 kidnapping of seven foreign workers. Uranium mining has been hit by volatile commodity prices. Two mines in the north produced 74.8 per cent of Niger’s total exports in 2011, but just 36.7 per cent in 2017, with revenues falling by €15 million from 2014 to 2015.⁸ Regional authorities say they still receive the 15 per cent of uranium royalties the northern communes are entitled to by law, but only irregularly.⁹ Since 2015, companies in the uranium sector have laid off more than two thousand salaried workers and sub-contractors.¹⁰ Youth unemployment in the formal sector in northern Niger has risen as high as 80 per cent.¹¹

Against this backdrop, illicit economies are a lifeline but a fraying one. Trafficking livelihoods have become increasingly unstable and unsafe. Political pressure from several European countries and the EU has led to a crackdown on Niger’s migrant transport business. Competition for control of drug trafficking routes, a major factor in the crisis in Mali next door, has intensified. Discovery of large gold deposits in the north and far north has created new rents to fight over while attracting the predation of non-state armed groups. Western countries are also pressing Niger to take a stronger stance against trafficking that they believe helps finance Islamist militancy.

⁵ Crisis Group interview, North African ambassador, Niamey, June 2018.

⁶ For more, see Julien Brachet, “Manufacturing Smugglers: From Irregular to Clandestine Mobility in the Sahara” in: *The Annals of the American Academy of Political and Social Science*, vol. 676, no. 1 (March 2018).

⁷ “It’s in the culture of Tuaregs and Tebus to facilitate peoples’ passage across the Sahara”. Crisis Group interview, Haute Autorité à la Consolidation de la Paix (HACP) official (a Tuareg), Niamey, June 2018.

⁸ *Annuaire Statistiques du Niger*, 2013-2017.

⁹ Communes are administrative units within regions, each comprising several towns and villages. Crisis Group interviews, northern mayors and regional officials, Niamey and Agadez, June 2018. See the 2006 Mining Code, Article 95. Other sources indicate that both communes did receive some royalties during this period, although the payments arrived only sporadically and not in full. “Etat des lieux sur la rétrocession des 15% des redevances minières et pétrolières de l’état vers les communes des régions concernées”, Publiez ce que vous payez and OXFAM, 30 August 2019.

¹⁰ Crisis Group interviews, northern elected officials and private security company director, Niamey and Agadez, June 2018.

¹¹ Crisis Group interview, northern regional council official, Agadez, June 2018.

A. *The 2015 Migrant Smuggling Ban*

From the end of the Tuareg rebellion in the mid-1990s until 2015, transporting migrants across Niger into North Africa was a lucrative, socially acceptable profession, especially for unemployed former rebels.¹² Around 50 Agadez-based migrant travel agencies, run by mainly Tuareg and some Tebu former rebels, maintained networks extending as far west and south as Ghana, Senegal and Nigeria.¹³ Migrant travel agents operated with licences stamped at city hall and military escorts. They could make as much as three million West African francs (roughly \$5,000) per week and employed a myriad of subcontractors: vehicle owners, drivers, drivers' assistants, guides, pullers (who fetch migrants from bus stations), caterers, guards and motorbike taxi drivers.¹⁴

Beyond the estimated 7,000 people directly employed by the agencies, tens of thousands, including civil servants, soldiers and customs officials, benefited from migrant travel's dividends.¹⁵ As a technical adviser in Agadez said:

It gave people money in their pockets right away. Everyone received something. Banks made money off the transfers. The commune earned taxes. Security forces collected payments. Farmers and herders sold food. It all entered into the economic circuits. Migration took over where tourism left off.¹⁶

The industry had a dark side. In Niger, migrants were often trapped in ghettos, waiting for the money or means of transport to continue their journey, with some forced into labour and abused.¹⁷ Those transiting through Libya faced high risk of being sold into conditions close to slavery, tortured and/or sexually exploited, particularly after the state's collapse with the 2011 ouster of long-time leader Muammar al-Qadhafi.

But despite the dangers faced by some migrants, the Nigerien state tolerated people smuggling as a critical source of revenue. By 2015, it was contributing an estimated 60 billion West African francs (\$100 million) to the Agadez regional economy per year.¹⁸

This picture changed in 2015. On 25 May that year, in a move officially intended to protect migrant rights and Niger's borders but in large part the result of European lobbying to curb migration, parliament passed a law banning the passing of migrants.¹⁹

¹² Crisis Group interview, technical adviser, Agadez regional council, Agadez, June 2018. Negotiators hammered out accords in 1995, 1997 and 1998 on four major issues related to conflict zones: decentralisation, socio-economic development, security and reintegration of former rebels. Migrant travel agencies played a key role in reintegration.

¹³ Crisis Group interviews, former migrant smugglers, Agadez, June 2018.

¹⁴ Crisis Group interview, former migrant smuggler, Agadez, June 2018.

¹⁵ Crisis Group interview, HACP official, Agadez, June 2018.

¹⁶ Crisis Group interview, technical adviser, Agadez regional council, Agadez, June 2018.

¹⁷ Data suggests that overall, women migrants in the Sahel are far more vulnerable to predation. While men and women seem to have reported in equal proportions experiencing the most frequently reported incident, extortion of bribes, yet women were more vulnerable to serious abuse, with more than one in four claiming having suffered or witnessed physical violence and sexual assault. See "Navigating borderlands in the Sahel: border security governance and mixed migration in Lip-tako-Gourma", MMC Research Report, November 2019.

¹⁸ Crisis Group interview, HACP official, Agadez, June 2018.

¹⁹ "Loi No 2015-36", 26 May 2015. In 2015, the media began to speak of a "European refugee and migrant crisis", a period of rising arrivals, mostly to southern and south-eastern Europe. EU member

The law, first enforced in 2016, dramatically reduced the number of migrants traveling north from the Agadez region: according to figures from the International Organization for Migration, numbers fell from 333,000 in 2016 to 69,000 in 2017.²⁰ Many Nigeriens perceive the billion euros that the EU has committed in aid to Niger for 2017-2020 as a quid pro quo for this law and its enforcement.²¹ European officials, themselves pressured by right-wing populist movements at home, justify the pressure exerted on Niamey by saying they worry about migrants' exploitation.²²

Northern authorities and residents describe the law's economic impact as devastating. According to one estimate, the commune of Dirkou alone is losing 20 million West African francs (approximately \$30,000) in revenue every month.²³ Dozens of travel agencies have closed and thousands who were employed in the sector have suddenly found themselves jobless.

The 2015 law had other harmful effects. It empowered the security forces to stop citizens of West African countries and detain Nigerien drivers for no other reason than being together in a vehicle headed north in Niger.²⁴ Transporting or simply hosting West African nationals can bring penalties of up to 30 million West African francs (\$50,000) in fines and 30 years in prison.²⁵ The law additionally contravenes the Economic Community of West African States (ECOWAS) Free Movement Protocol promoting borderless movement for citizens of member countries. As yet, Niger has incurred no penalty, but the law undercuts regional integration ambitions.²⁶

Meanwhile, migrant transport persists but has become far more dangerous. Smugglers avoid the main roads and use tracks across the desert to travel to Libya, leading to more deaths and more passengers abandoned somewhere in the sands.²⁷ The cost of passage has also increased by as much as four times.²⁸

states received over 1.2 million first-time asylum applications in that year, more than double the number in 1994.

²⁰ "Statistical Report, Niger Flow Monitoring Points", IOM, December 2016. In 2016, the EU gave Niger €140 million to curb migration through its territory; in 2018, it added €230 million, focused on migration. Between 2016 and 2020, the EU is also providing €600 million in development aid. "Multilateral Damage", Clingendael CRU Report, September 2018. Nevertheless, one year later, numbers already seemed to be rebounding, with 76,000 departures from the Agadez region in 2018 – a 10 per cent increase from the previous year.

²¹ Crisis Group interviews, Niamey and Agadez, June 2018.

²² Crisis Group interviews, EU officials, June 2018.

²³ Crisis Group interview, Tebu security source, Agadez, June 2018. See also "Le Niger : une économie de transit", interview with Hamadou Tchernou Boulama, Rosa Luxemburg Stiftung West Africa Regional Office, March 2018.

²⁴ Members of the security forces board northbound buses looking for migrants. Crisis Group interview, former migrant smuggler, Agadez, June 2018.

²⁵ Crisis Group interview, northern Niger security source, Agadez, June 2018.

²⁶ Crisis Group interview, northern Nigerien government official, June 2018. The law may be challenged in an ECOWAS court.

²⁷ Crisis Group interviews, former migrant smugglers, Agadez, June 2018.

²⁸ Crisis Group interviews, former migrant smugglers, Agadez, June 2018.

B. *More Competition for Drug Runners*

Drug trafficking patterns have also evolved. Illicit trade across the Sahel dates back decades. In the 1990s and 2000s, the region's traffickers began to move higher-value products than cigarettes and subsidised goods, such as hashish and cocaine. Most of these drugs are headed for Europe. The emergence of the Sahel's hashish trade is linked to a rise in Moroccan production in the early 1990s. Increased surveillance along direct routes from Morocco to Europe also meant that traffickers brought drugs on a circuitous path down and through the Sahel before heading further north through Libya or Egypt. In the early 2000s, some Sahel traffickers began specialising in cocaine, which is 25 times more profitable than hashish by weight.²⁹ Since the late 2000s, other narcotics destined for export and local consumption, such as Tramadol, have also appeared.³⁰

Drug trafficking is more closely associated with violence than other contraband flows. Following the state's collapse in northern Mali and southern Libya, drug runners armed themselves, founding militias or paying jihadist and other armed groups for protection and/or the right of passage. In northern Niger, similar dynamics are at play, though arrangements between officials and traffickers have kept violence to lower levels. Traffickers clash with each other, and sometimes manipulate the police into targeting rivals, but the drug trade has not yet generated large intra- and inter-communal conflicts, as in northern Mali, or open gang warfare.³¹

That said, competition over drug trafficking routes has become fiercer and the risk of violence has risen since 2016. That year, established kingpin Cherif Ould Abidine died due to illness, and smaller operators scrambled to grab shares of the market he had controlled.³² Armed robberies of drug convoys increased, leading traffickers to seek protection.³³ Some bandits might intercept a convoy and then sell it back to its owner.³⁴ These dynamics could produce a militarised drug economy similar to that in northern Mali if the drug runners' rivalries heat up further.

²⁹ Hashish in turn is twelve times pricier than smuggled cigarettes. Crisis Group Report, *Drug Trafficking, Violence and Politics in Northern Mali*, op. cit. See also "Criminalité Transnationale Organisée en Afrique de l'Ouest : Une Evaluation des Menaces", UN Office on Drugs and Crime, 2018.

³⁰ "Tramadol, les ravages de la cocaïne du pauvre", *Libération*, 16 August 2016.

³¹ Crisis Group Report, *Drug Trafficking, Violence and Politics in Northern Mali*, op. cit.

³² Crisis Group interviews, Niamey and Agadez, June 2018. See also "Niger's narco-networks", Global Initiative Against Transnational Organised Crime, 18 June 2018.

³³ In May 2017, a former Tuareg rebel led an armed band against a convoy supposedly transporting cocaine near Aderbissinat, about 100km south of Agadez. According to French media, elements of the National Guard provided support to this former rebel, though their motivations remain unclear. The convoy managed to escape, losing only one vehicle out of twelve. For more details, see "Drogue : Agadez, la 'Colombienne' du Niger", *Jeune Afrique*, 11 May 2017.

³⁴ In one case, a Malian drug lord briefly kidnapped a Nigerien MP he was allegedly working with after the latter stole from a cargo of two tonnes of Moroccan cannabis resin concealed in a truck hauling frozen chicken. See, for instance, "Trafic de drogue : qui protège 'el Chapo' du Sahel ?", Tamoudre, 3 February 2017. In February 2019, the commander of the Dirkou military base was killed in an ambush believed to be drug-related. Crisis Group interviews, northern security sources, Agadez, February 2019.

C. *The Gold Rush*

Another hot commodity in Niger is gold, long a fixture in West Africa and parts of Chad and Sudan.³⁵ In early 2014, a Nigerien Tebu who had mined the precious metal in the Chadian Tibesti region found deposits at Djado, a remote, 100km-long valley in Tebu territory in Niger's far north. The discovery set off a Sahelian gold rush, pushed along by high gold prices and additional finds elsewhere in the area. Thousands of prospectors, including local Tebus, Zaghawas from Chad, Sudanese and migrants on their way to Europe, came to Djado hoping to strike it rich. Traditional leaders and regional authorities established a sort of regulation, issuing their own permits to miners in exchange for a fee. In Niamey, however, the state initially took a laissez-faire approach.

As word of the discoveries spread, bandits began preying on both miners and convoys carrying gold to market, stealing the gold and then hiding out in the Kawar wilderness or across the Chadian and Libyan borders.³⁶ The first known incident occurred in 2014, when Tebus who had been expelled from the Djado site battled with Zaghawas who were working there.

In February 2017, in response to escalating violence, the government closed the Djado mines and transferred thousands of Nigerien miners to Agadez and sites in the Air region.³⁷ Militants operating along the Niger-Chad-Libya border had started intercepting convoys hauling drugs, cars and gold in northern Niger. The closure of Djado sparked clashes among Nigerien security forces, Zaghawas and Tebus.³⁸

A second gold mining site, Tchibarakaten in Air near the Algerian border, opened months after Djado in 2014. The miners who flocked to Tchibarakaten were chiefly of the Ishumar ("unemployed") generation of former Tuareg rebels. They staked claims and hired southern workers to do the hard digging. The gold at Tchibarakaten was buried deeper than at Djado, so extracting it required more labour and special machinery. By 2016, up to 10,000 miners were working in more than 600 pits, with numerous secondary and tertiary industries cropping up to cater to their needs.³⁹ Tchibarakaten thus absorbed some of the people who had lost their jobs due to the migrant smuggling ban, as well as laid-off uranium miners and returnees from war-torn Libya.

At Tchibarakaten, unlike at Djado, the central state, regional elites and population cooperated to design a system of management that has kept violence in check. Miners

³⁵ See Crisis Group Africa Reports N°274, *Chad: Avoiding Confrontation in Miski*, 17 May 2019; and N°282, *Getting a Grip on the Central Sahel's Gold Rush*, 13 November 2019.

³⁶ Kawar borders both Libya and Chad. Its boundaries approximately coincide with those of the Bilma département (district) in the Agadez region – the largest administrative region in Niger but also by far the least populous with fewer than 21,000 inhabitants. "Le Niger en chiffres 2016", Institut National de la Statistique, November 2016.

³⁷ See Matthieu Pellerin, "Beyond the Wild West: The Gold Rush in Northern Niger", Small Arms Survey, 2017; and "Le ministre des mines évoque les vrais raisons de la fermeture des sites d'orpaillage du Djado au Niger", Niamey et les 2 Jours, 15 May 2018. Other reasons, such as wanting to sell mining concessions to foreign companies, may have played a role in the state's decision to close the mines. See Emmanuel Grégoire and Laurent Gagnol, "Ruées vers l'or au Sahara : l'orpaillage dans le désert du Ténéré et le massif de l'Air (Niger)", *EchoGéo*, 2017.

³⁸ Crisis Group interview, northern member of parliament, June 2018.

³⁹ See Grégoire and Gagnol, "Ruées vers l'or au Sahara", op. cit.

there have a union that represents them vis-à-vis the state.⁴⁰ They pay annual taxes of 15,000 West African francs (\$26) per pit to the municipal treasury of Iferouane, the nearest town; the town's mayor sends a representative to the site to collect those taxes. More than 200 gendarmes and Nigerien Armed Forces troops provide security in return. Once a week, the military escorts a convoy of 50 Landcruisers carrying gold to the nearest transit point south, Arlit.⁴¹ Both the finance and mines ministers have visited the site, as has the Agadez governor. The mines ministry granted local elites the right to dig on plots where artisanal miners were already active, causing tensions. But local Tuaregs, such as the Agadez Regional Assembly president, held lengthy negotiations that produced an arrangement that shared extraction rights and was satisfactory to both sides.⁴²

Such arrangements, which reflect a sophisticated balancing act that straddles formal procedure and informality, come with risks.⁴³ The connections among state authorities, regional elites and traffickers are key to northern Niger's stability. But the lack of a formal regime means that powerful actors may be tempted to overturn these arrangements by force if they perceive their interests are seriously threatened. That the region is distant from the capital and awash in small arms makes the danger all the more real.

Gold mining at Tchibarakaten, while less volatile than at Djado, thus could also be a cause of conflict. As mining develops, it combines aspects of licit and illicit commerce: the state imposes permits, licences and taxes at the point of extraction but little to no regulation on exports. The mines themselves may be subject to sudden policy shifts that remove miners' access to rents they perceive as theirs.⁴⁴ For instance, the government might bring in foreign companies to run the mines in exchange for budgetary subsidies in the form of permit fees and royalties. Such a move could cause a backlash unless managed carefully.⁴⁵

⁴⁰ Crisis Group interview, Mohamed Said, president of artisanal gold miners' management committee, Agadez, June 2018. The gold is sold in the United Arab Emirates. "I have four wells, twenty employees. If we get 50g in a week, they get a third and I get two thirds. One gram sells for 19,000 West African francs [\$33]".

⁴¹ Crisis Group interview, Mohamed Said, president of artisanal gold miners' management committee, Agadez, June 2018. Since bandits sometimes attack the military convoys, some prefer to pay traffickers to escort them, a service that fetches a handsome 600,000 West African francs (\$1,049) for the 370km trip.

⁴² Crisis Group interviews, miners and Agadez Regional Assembly representative, Agadez, June 2018.

⁴³ In April 2018, under orders from Niamey, customs officers seized thirteen tanks of fuel from Tchibarakaten and offered to sell them back to the Tuareg miners. The move had one obvious motive – profit – and one concealed motive – to see what kind of reaction it would provoke. State authorities may be looking to crack down on the site, possibly as a prelude to shutting it down, as they did with Djado. Miners' representatives went to the prime minister, northern deputies were summoned for negotiations and the customs officers returned the fuel tanks. Crisis Group interview, northern deputy, National Assembly, Niamey, June 2018.

⁴⁴ See "Gold worth billions smuggled out of Africa", Reuters, 24 April 2019.

⁴⁵ In 2017, the government granted gold mining permits in western and northern Niger to four companies, including Turkish, Canadian and Swiss companies. Khadim Mbaye, "Mines : le Niger octroie plusieurs nouveaux permis d'exploitation", *La Tribune Afrique*, 16 August 2017.

D. *International Pressure*

The footprint of foreign powers in the Sahel has been growing since 2013, when France launched Operation Serval to expel Islamist militants from towns in northern Mali.⁴⁶ French forces now operate in Niger as well. The U.S. is also expanding its military presence in the country, especially the use of unmanned aerial vehicles, with three bases in Niger including a \$100 million air base in Agadez where U.S. officers are training the Nigerien air force.⁴⁷ In addition, Belgium, Canada, Germany, Russia and the United Arab Emirates have troops in Niger or have signed agreements committing to send them soon. Officially, these are all counter-terrorism missions, but various unofficial aims are also in play, including containing migration, controlling borders and securing access to natural resources (like the uranium from northern Niger that fuels French nuclear power plants).⁴⁸

The main foreign agency explicitly mandated to fight illicit commerce is the EU Capacity Building Mission in Niger (EUCAP), a civilian team dispatched in 2012. Its core mandate is to train, advise and equip Nigerien authorities – mostly civilian but some military – working to combat the nexus of organised crime and terrorism. EUCAP trained Niger's Central Office for the Fight Against International Drug Trafficking, which provided intelligence that supported a major cannabis seizure in June 2018. Its remit expanded in 2015 to assist Nigeriens in dismantling migrant smuggling networks, and it built facilities and deployed staff in Agadez city to be closer to northern trafficking hubs. EUCAP has a non-executive mandate, which means that it supports Niger in investigations but cannot initiate its own. The U.S. embassy has tried to complement this approach by promoting law enforcement and providing the Nigerien authorities with capacity training.⁴⁹

While for now the French and U.S. militaries target traffickers in Niger only when the link to terrorism is clear, there is a risk of mission creep. Debates in Paris and Washington are circling around the question of the extent to which trafficking helps bankroll Islamist militancy. Some military officials say these activities generate a substantial portion of jihadist groups' revenue.⁵⁰ Intelligence agencies may see containing the black market, or disrupting certain actors' access to its revenues, as key to counter-

⁴⁶ In July 2014, the French army integrated the Serval forces into Operation Barkhane, a regional deployment stretching from Mauritania to Chad and consisting of roughly 3,500 troops.

⁴⁷ These investments signal that the U.S. expects to stay in Niger for a long time. Crisis Group interviews, U.S. security officials, Washington, April 2019. The CIA maintains a drone base in Dirkou in Kavar. See "CIA drone mission, curtailed by Obama, is expanded in Africa under Trump", *The New York Times*, 9 September 2018.

⁴⁸ See Sergei Boeke and Bart Schuurman, "Operation 'Serval': A Strategic Analysis of the French Intervention in Mali, 2013-2014", *Journal of Strategic Studies*, vol. 38, no. 6 (2015).

⁴⁹ Crisis Group interviews, U.S. Embassy officials, June 2018.

⁵⁰ Crisis Group interviews, Western military officials, June 2018.

terrorism.⁵¹ Some Western officials lean toward expanding their counter-terrorism mission in the Sahel to disrupt trafficking.⁵²

Others, however, are more reticent. Some foreign military officials recognise that Niger's northern population, northern elites and, to some extent, national authorities depend upon the revenues and jobs that illicit trade provides.⁵³ Aggressive campaigns against it would risk doing economic harm and provoking local anger. Some officials add that traffickers are a unique source of intelligence, since they regularly traverse spaces where jihadists operate and the state is weak or non-existent. Trafficking, they argue, is organised crime, a problem for law enforcement agencies rather than the military.⁵⁴ They say contraband accounts for perhaps only around a fifth of jihadists' income – not an inconsequential amount, but also not the main source of financing.⁵⁵ The costs of targeting trafficking, for them, outweigh the benefits.⁵⁶

But even if French and U.S. military operations against jihadists do not explicitly target criminal networks, they are expanding, which in itself raises difficult questions about how to deal with traffickers who may have indirect connections to militants. The first challenge is the fluidity among many local actors and lack of clarity on who is doing what. In northern Niger, an influential figure may be a trafficker one day, a rebel the next and a partner of jihadists the third. Traffickers themselves may feed foreign forces false intelligence as a way to settle scores.⁵⁷ In practice, it is harder for French and U.S. forces to avoid getting sucked into confrontation than they admit.⁵⁸

A second problem is the reliance on drones. The U.S. military has been building drone bases as a substitute for commando raids since the calamitous October 2017 operation in Tongo Tongo that left four American and five Nigerien soldiers dead.⁵⁹ U.S. forces often depend on their Nigerien counterparts to identify targets:

⁵¹ Crisis Group interviews, U.S. security officials, Niger, June 2018. Crisis Group interviews, Washington, April 2019. The former director of the main French intelligence agency stated in a recent interview: "I have personally always supported the view that we cannot fight [terrorism] without fighting [trafficking]". See "Libye, Syrie, Mali, Daech : le diplomate Bernard Bajolet parle cash", Mediapart, 26 October 2018.

⁵² Crisis Group interviews, Western military officials, Niamey, June 2018 and Washington, April 2019.

⁵³ Crisis Group interviews, Western military officials, Niamey, June 2018.

⁵⁴ "We're not customs agents. We just want to kill terrorists". Crisis Group interview, French military officer, September 2018.

⁵⁵ Crisis Group interviews, French military officials, West Africa, May 2018.

⁵⁶ Crisis Group interviews, French military officials, West Africa, May 2018.

⁵⁷ Both militaries already often turn a blind eye to trafficking in exchange for information and cooperation on other priorities. In Niger, the U.S. is thought to have detained one well-known trafficker and released him after he supplied information on Islamist militants. Crisis Group interviews, Agadez regional officials, September 2018. In a separate incident, a senior Nigerien military official tipped off Operation Barkhane about what he said was a convoy of terrorists, asking for an airstrike against it. The French took no action after determining that the convoy consisted of traffickers and not terrorists. Crisis Group interview, French military source, September 2018.

⁵⁸ "One of our main activities is trying to distinguish between violent extremist organisations and criminality. It's difficult for us to get involved with criminality". Crisis Group interview, U.S. military source, Agadez, June 2018.

⁵⁹ For more, see Crisis Group Africa Report N°92, *Islamist Terrorism in the Sahel: Fact or Fiction?*, 31 March 2005.

For us, a guy in the desert with an AK-47 is a terrorist, but the Nigeriens tell us, 'No, banditry is OK for Tuareg factions'. But we don't know which they are unless we capture them and ask them what they're doing – feeding their families or funding terrorists in Mali. To date, if the Nigeriens tell us they are bandits and not terrorists, we have to accept that.⁶⁰

Yet such an approach carries graver risks; indeed, if anything the main danger is not that Nigerien authorities might portray terrorists as traffickers but that they might cast traffickers as terrorists. Some Nigerien officials have their own black-market interests. Senior military officers and low-ranking soldiers alike have long been involved in illicit trade, doing everything from taking payoffs to letting drug traffickers go to seizing their shipments and reselling the narcotics themselves.⁶¹ Unless the U.S. and French militaries devise clear and effective safeguards, they run the risk of being manipulated, as their partners on the ground try to settle scores, aggravating local competition.

Still another concern is that Nigerien authorities, themselves under observation, may feel compelled to arrest traffickers when tips come in from French or U.S. intelligence networks. In the field, security forces face greater Western pressure to stop and seize, leading to higher risks of confrontation. By cracking down, they may close avenues for negotiation with traffickers, making it more difficult for them to mitigate the risk of violence.⁶²

⁶⁰ Crisis Group interview, U.S. military source, Agadez, June 2018.

⁶¹ Crisis Group interviews, Nigerien justice and security officials, Niamey and Agadez, June 2018. For more on payoffs at border control posts, see "Corruption, Insecurity, and Border Control in Niger", DIIS Policy Brief, February 2016.

⁶² Crisis Group interviews, Nigerien military and justice officials, Niamey, June 2018.

III. How Niger Contains Trafficking-related Violence

Over the past decade, Nigeriens have developed their own ways to regulate black markets and limit the violence they generate. In large part thanks to political decentralisation, Niamey authorities and northern elites who used to fight over the north's resources have learned to cooperate in managing the region's illicit trade. Co-management has helped Niamey and leaders in Agadez preserve stability in parts of the north despite new pressures and regional disruptions. It has also allowed the state to extend its reach into hard-to-penetrate areas and placate otherwise intractable groups. Niger has been particularly successful in mollifying the Tuareg in the centre north. It has struggled to do the same with the Tebu of the far north.

A. *Co-managing the Illicit Economy*

Niger has largely kept a lid on violence related to trafficking over the past decade. From 2008, Nigerien traffickers' interests overlapped with those of rebels against the state, as they did in northern Mali in the same period.⁶³ During the Nigerien Movement for Justice (MNJ) rebellion, drug traffickers began hiring armed guards, including bandits but also rebels, to protect their convoys. The rebels, for their part, began to see drug trafficking as a financing instrument. But whereas in northern Mali similar dynamics exacerbated armed conflict, in northern Niger, trafficking-related violence has been contained since the MNJ revolt ended in 2010, showing how traffickers may sometimes have an interest in tamping violence down to maintain an environment safe for business.⁶⁴ In Niger, those who transport particularly valuable illicit goods, such as drugs, gold and migrants, have frequently been a force for stability and even peace.

In the case of the drug trade, Cherif Ould Abidine, a particularly powerful trafficker, arguably delivered a period of stability notwithstanding the damage done by his criminal enterprise. On one hand, he paid off security officials to secure safe passage for convoys of drugs across northern Niger, enriched his inner circle by procuring fat state contracts and, through a mix of intimidation and funding, removed democratically elected officials who resisted him and replaced them with his own allies.⁶⁵ On the other, he "pacified" trafficking routes running from the Malian to the Libyan and Chadian borders, managed rival interests, and kept roving bandits at bay.⁶⁶ The result was relative calm in northern Niger from 2010 to 2016 amid unprecedented regional turbulence, including state collapse in neighbouring Libya (2011) and Mali (2012).

⁶³ In Mali and Niger, traffickers have funded non-state armed groups, including the Nigerien Movement for Justice (2007-2010) and in Mali, militias that emerged to protect trafficking routes during the 2011 rebellion.

⁶⁴ See also Crisis Group Report, *Drug Trafficking, Violence and Politics in Northern Mali*, op. cit.

⁶⁵ Crisis Group interviews, northern elected officials, traditional leaders, traffickers, deputies, Agadez and Niamey, June and December 2018.

⁶⁶ Crisis Group interview, northern officials and traffickers, Niamey and Agadez, June and December 2018.

Nigerien authorities, facing a choice between fighting such prominent traffickers or working with them to reduce violent confrontations between them and competitors, have tended to embrace the latter option.⁶⁷ Traffickers and the state have often forged common interest in managing the illicit economy to safeguard stability. In pursuit of this goal, as well as, at times, their own personal profit, figures within the central state have partnered with powerful traffickers, with northerners with access to these networks sometimes acting as go-betweens to mediate between them and the state and among the kingpins themselves.⁶⁸ As one official says: “We put men inside and we close our eyes to their activities. We can’t stop the trafficking, so it’s better to be inside”.⁶⁹

This system has minimised violence in areas where the state is weak and illicit commerce dominates. True, it is delicate: it needs to be constantly rebuilt or renegotiated as new actors emerge or old rivalries reignite. It may also leave the state vulnerable to capture by criminal cartels. But through their agents inside the trafficking networks, state officials have been able to mediate conflicts among the major figures and prevent their disputes from kindling ethnic or other communal tensions. For traffickers, allying with state officials who can promise some degree of protection is preferable to relying on jihadists or others whom they can hire.⁷⁰ The payoff of cooperation with the state is entry into the Nigerien elite. Some successful traffickers have gone on to found legal companies and fund political parties.⁷¹ Others have made the switch from rebel leaders to senior political officials who advise the government on managing the north’s security and development challenges.⁷²

Committees of northern elites, with some support from Niamey, provide another form of conflict management. Around 2017, concerned by spiking Sahel violence, several such committees began organising dialogues – many of them private forums – to resolve disputes among traffickers and prevent communal fighting.⁷³ On several occasions, these committees’ mediation de-escalated quarrels that threatened to blow up into gun battles. In 2018, for example, the Agadez Regional Peace Committee brought together two powerful rival traffickers embroiled in a dispute over a cargo seizure that resulted in one of them narrowly escaping an assassination attempt.⁷⁴ The committee was able to broker a truce.

⁶⁷ For more details, see Yvan Guichaoua and Mathieu Pellerin, “Faire la paix et construire l’Etat : Les relations entre pouvoir central et périphéries sahéliennes au Niger et au Mali”, Cahiers de l’IRSEM, no. 51 (July 2017).

⁶⁸ Some state officials call this connection complicity, but others call it practicality. Crisis Group interviews, senior Tuareg and Tebu policymakers, Niamey, December 2018.

⁶⁹ Ibid.

⁷⁰ Crisis Group interview, northern leader with links to traffickers, Niamey, December 2018. See also Wolfram Lacher, “Organised Crime and Conflict in the Sahel-Sahara Region”, Carnegie Papers, September 2012.

⁷¹ Several sources say Nigerien political parties increasingly rely on black-market money to fund campaigns. Sometimes, they add, the party in power depends on this money to pay civil servants’ salaries. Crisis Group interviews, political and security officials, Niger, June 2018. Traffickers are not the only businessmen to enter national politics. The Alhazai from Maradi and Zinder have followed a similar path. They are Hausa traders who got rich mostly by selling millet.

⁷² Crisis Group interviews, former rebels turned government advisors, Niamey and Agadez, June 2018.

⁷³ Crisis Group interviews, Nigerien mediators, Niamey and Agadez, June 2018.

⁷⁴ Crisis Group interviews, Agadez Regional Peace Committee member, June 2018.

B. *Cooperation in the Centre North*

While over the past decade Niamey, for the most part, has contained trafficking-related risks in the Agadez administrative region, its conflict management mechanisms are under strain. The region is a vast, harsh territory the size of France, located over 960km north of the capital, accessible only via a partially paved road and inhabited by fewer than half a million people. Its uranium mining revenues are an important prop for the government budget.⁷⁵ At the same time, residents of this underdeveloped area, many of whom are Tuaregs, have a history of revolt against the state. Many question the idea that it has their interests at heart. Young Tuaregs in particular vie for a greater say in governance and a greater share of the area's resources.

In the centre north, the government reached a series of political agreements with rebellious Tuaregs in the early 1990s. A 1995 settlement devolved administrative powers to a regional council and mayors' offices. Devolution has helped fill regional government coffers, for instance facilitating the tax deal between the miners' union and the Iferouane municipality at the Tchibarakaten gold mines. The central government also strengthened ties with Agadez by promoting northern elites to senior positions. Particularly important was President Mahamadou Issoufou's 2011 appointment of Brigi Rafini, a Tuareg and former vice president of the national assembly (2004-2009), as prime minister. Other northern nomads have filled top posts under Issoufou, including Interior Minister Mohamed Bazoum, an Arab from the Ouled Slimane tribe, and army chief of staff General Ahmed Mohamed, a Tuareg. Each of them counts various northerners among his advisers; these include intellectuals, but also ex-rebels and men with known links to traffickers, who serve as a channel for airing northern grievances.

As a result, Niamey could draw on the support of the country's Tuareg elites when, in Mali, the National Movement for the Liberation of Azawad, a Tuareg rebellion, took the northern city of Gao in 2012.⁷⁶ President Issoufou held consultations with ex-rebel chiefs that produced a "Nigerien doctrine" oriented around dialogue and the containment of Tuareg grievances in Mali. Rafini, the Agadez Regional Council's president Mohamed Anacko and the Haute Autorité à la Consolidation de la Paix (an office of northern intellectuals and military officers that helps carry out the peace agreements of the 1990s) all worked with Arab and Tebu ex-rebels to shelter Niger from any spillover from the Malian conflict. Later, Niamey's decision to grant the Tuareg rights to artisanal gold mining at Tchibarakaten softened the blow of the 2015 migrant smuggling ban. Such management of resources to benefit local populations has long been the central demand of rebellions in Niger and elsewhere in the Sahel.

Regional initiatives headed by Anacko have helped keep the peace but face new pressure, particularly from young Tuaregs who feel left out. The Agadez Regional Council has extended the state policy of advocating for northern interests, launching development and security initiatives focused on the north. Anacko also heads the

⁷⁵ According to the Organisation for Economic Co-operation and Development (OECD), revenues from extractive industries contributed less than 3 per cent of the Nigerien state budget in 2016. But this money comes with no strings attached, unlike Western aid dollars. OECD Global Revenue Statistics (2000-2016), Public Revenue for Niger.

⁷⁶ Crisis Group interviews, Mohamed Anacko, Niamey, June 2018; HACP officials, Agadez, December 2018.

Agadez-based Peace and Security Commission, a body formed in 2017 and comprising traditional leaders, civil society figures and government representatives. This commission has launched a number of dialogues seeking to prevent communal clashes and to resolve disputes between traffickers.⁷⁷ These efforts, like other trafficking management strategies, will require constant renewal: many young Tuaregs complain that they reward an aging elite that capitalised on past rebellions and has not shared the fruits of its accommodation with the state.⁷⁸

C. *Tensions in the Far North*

Strategies for managing trafficking that have worked well in the centre north have been lacking in the largely Tebu far north Kawar region.⁷⁹ Niamey and Tebu elites have not reached any agreement on power sharing, resource distribution or collective security. Like the Tuareg, Tebu in Kawar consider transporting goods and people across the desert a cultural and economic necessity. They also have long harboured grievances against the Nigerien state: primarily, what they see as its neglect and lack of spending in their home area, their exclusion from both political power and the benefits of the country's natural resources, and a sense of being preyed upon by state forces.⁸⁰ Unlike the Tuareg, the Kawar Tebu have little representation in the capital, in part due to the region's remoteness and Tebus' attachments to other poles of influence in Chad and Libya. Niamey's interventions in the region thus often feel peremptory and unjust, as in October 2018, when the government abruptly dismissed an influential Tebu district chief in Djado.⁸¹

Since 2016, Tebu in the far north have come under additional strain. Many feel that the state is persecuting them by shutting down their gold and migrant trade without offering anything in return. They resent what they perceive as the state's preferential treatment of the Tuareg. Tebu relations with army units in Kawar, which, according to a local expert, comprise mostly ethnic Hausa and Zarma from the south, remain fraught.⁸² Tebu merchants claim that these "foreign" army elements insult them, and impose excessive customs dues upon them, at checkpoints on the way from the Libyan

⁷⁷ Crisis Group interviews, Mohamed Anacko, Niamey, June 2018; regional mediators, Agadez, December 2018.

⁷⁸ Crisis Group interviews, Niamey, June 2018.

⁷⁹ Kawar, named after a range of cliffs, extends from Fachi to the Chadian and Libyan borders. Its main population centres are Bilma, Dirkou, Seguidine and Djado. The region's estimated population is fewer than 100,000.

⁸⁰ They staged rebellions over these grievances in the 1990s and from 2007-2010. The Armed Revolutionary Forces of the Sahara, which joined the 1990s rebellion to claim greater rights for all Tebu in Niger, has reappeared in various forms since then. Some scholars say Libya funded these rebels to prevent oil exploration in north-eastern Niger. See Emmanuel Grégoire, *Touaregs du Niger : le destin d'un mythe* (Paris, 1999), p. 147.

⁸¹ Many people in Djado perceived the firing of an influential district officer (*chef de canton*) in May 2018 as related to his feud with the interior minister. Djado's loyalties are now split between the dismissed *chef* and his replacement. Crisis Group interviews, Tebu journalists, Niamey, December 2018. See also "Kawar : vers la destitution du chef de canton de Djado ?", Radio Nomade FM Agadez, 31 May 2018.

⁸² Crisis Group interview, Tebu army interpreter, Agadez, June 2018.

border to Dirkou.⁸³ At the same time, the Tebu have faced internal tribal fragmentation as well, when Barka Ouardougou, a leader who had organised and presided over various clans, died without leaving a successor. In this atmosphere, more Tebu youths are resorting to drug running and banditry.⁸⁴

Tuareg-Tebu relations have deteriorated in the far north. Events in Libya have contributed. Both groups trade and fight in Libya but young Tuaregs feel that Tebus have benefited from the conflict at their expense.⁸⁵ Altercations between traffickers and bandits (known as *coupeurs de route*) are also stoking tensions between the two groups.⁸⁶ Tuareg traffickers say highway robbery is their foremost security concern and claim that the bandits are Tebu (other sources say the bandits are Chadian or Zaghawa, and sometimes report them wearing Chadian military uniforms).⁸⁷ In June 2018, young Tuaregs involved in transporting goods in the Air, a mountainous region in the centre-north, demanded that security forces take action against raiders they called “foreign bandits”. Soon afterward, the military sent units to confront a band of militants (thought to be Chadian) who had been operating in the region for months, kidnapping people and stealing vehicles. The deployment demonstrated both the government’s will to respond and coordination between national and Air regional leadership, but it did little to reverse rising banditry or rising interethnic hostility.⁸⁸

Banditry is an existential threat not only for traffickers who are finding it harder to protect their cargo but also for ordinary people – merchants, drivers, passengers – whose livelihoods require that they move around. *Coupeurs de route* held up an estimated 300 vehicles in Kawar in the past two years, killing people in some of them.⁸⁹ A bandit is often a former rebel with no political connections.⁹⁰ The more bandits take up arms, the more the state deploys its own force, leading, in turn, to traffickers running more

⁸³ Crisis Group interview, Tebu security source, Agadez, June 2018.

⁸⁴ “Many of our young generation with no alternatives for earning money join trafficking groups. They are not yet militarised but if these rivalries continue, it is certain they will arm themselves. If they do, it will not be to rebel but rather to do trafficking”. Crisis Group interview, northern security source, Agadez, June 2018.

⁸⁵ Crisis Group Middle East and North Africa Report N°179, *How Libya’s Fezzan Became Europe’s New Border*, 31 July 2018.

⁸⁶ Fighting that broke out in 2014 between Tuareg and Tebu in Oubari, southern Libya, ended in 2016 with a ceasefire but no clear winner. See Crisis Group Commentary, “Traversing the Tribal Patchwork of Libya’s South West”, 12 June 2017. In 2015, an accident provoked disputes between Tuareg and Tebu in Agadez that nearly drove the two ethnic groups into direct conflict. Crisis Group interview, Agadez residents, Niamey, December 2018.

⁸⁷ Crisis Group interviews, Tebu leaders, Agadez, February 2019.

⁸⁸ Nigerien armed forces now fear going to Kawar more than any other northern region. The Garde Nationale runs monthly patrols through the far north that are risky, costly and ineffective, requiring moving twenty vehicles through difficult conditions over ten days. Nigerien forces, more afraid of roving militants than vice versa, have repeatedly been attacked and had their vehicles stolen, particularly in ambushes around the Puits de l’Espoir area. For the most part, Nigerien forces and armed units in this zone simply avoid one another. Crisis Group interviews, Tebu army interpreter, Agadez, February 2019.

⁸⁹ Crisis Group interview, Tebu regional expert, Dakar, September 2018.

⁹⁰ Crisis Group telephone interview, Sahel expert, June 2018.

heavily armed convoys. According to a Tuareg state official, “that’s what set off the conflict in Mali and it’s what locals want to avoid in Niger”.⁹¹

The lack of informal arrangements in Kawar like those that exist further south to manage illicit economies, limit violence and link political leaders to the centre, heightens risks of violence and rebellion in the far north. Facing worsening insecurity as illicit trade becomes more dangerous, Tebus in Kawar have launched new self-defence groups, several based in southern Libya where the state is no longer present.⁹² In 2016, together with Tebus in Manga in the south east, they founded the *Mouvement pour la Justice et la Réhabilitation du Niger*, which demands not only communal rights to revenues from a new oil field at Agadem and the reopening of the Djado gold mine but also a Tebu sultanate.⁹³

D. *Risks in Niger’s Conflict Management*

The downside of Niger’s pragmatic approach to managing illicit trade is that many state officials have acquired a personal interest in some of its forms. The profit motive could come to trump the national interest in politicians’ decision-making, ushering in what some call the “cartelisation” of Nigerien politics.⁹⁴

Arguably the gravest danger is that rivalries among state factions arise and merge with violent competition among traffickers.⁹⁵ Alliances between politicians and trafficking barons could aim to corner the market in a high-priced commodity, with politicians then using preferential access to state contracts and immunity from prosecution to protect their partners. Traffickers might use state intelligence and security forces to strike at one another. Such an incident may already have occurred: on 14 June 2018, an anti-drug unit seized two and a half tonnes of cannabis from a Niamey warehouse. Two weeks after this record seizure went public, gunmen tried to kill the would-be successor of a powerful trafficker in Agadez. Many suspected that the gunmen were taking revenge against the trafficker for tipping off the authorities about the cannabis.⁹⁶ The incident was especially worrying because one of those

⁹¹ Crisis Group interview, northern security source, Agadez, June 2018.

⁹² Crisis Group interviews, Tebu elites, Niamey, December 2018. There is often little difference between self-defence and rebel groups. “Tebus say the army hasn’t secured the zone and they’re too preyed upon by bandits to circulate alone. ... They’re worried about their families. They’re young and not ex-rebels, but they are considering launching a rebellion”. Crisis Group interview, Tebu government official, Niamey, December 2018.

⁹³ Crisis Group interviews, Tebu rebels, Niamey, December 2018. Manga stretches from the Hausa area of Diffa to the traditionally Tebu Agadem zone, where the state has licensed new oil drilling in recent years. The rebel group, headed by Adam Tcheke, has threatened to attack Chinese oil facilities in Agadem’s vicinity. Government representatives hosted two rebel leaders in Niamey in November 2018 for negotiations. The leaders subsequently agreed to leave the rebellion along with their men and weapons. Only a small group remains under arms.

⁹⁴ “We risk becoming like Mexico, where the cartels hollow out and manipulate the political sphere for their own ends”. Crisis Group interview, northern youth leader, Agadez, June 2018.

⁹⁵ Crisis Group interview, northern Nigerien officials, June 2018.

⁹⁶ Crisis Group interviews, northern officials, Agadez, June 2018.

arrested at the warehouse had ties to a Malian armed group, indicating that the Malian conflict could be spilling into Niger.⁹⁷

The rise of traffickers and their proxies within political parties and military and intelligence agencies could also sharpen political rivalries. While some senior officials believe these compromises facilitate management of the north, others are concerned that they could undermine the state and lead to violence.⁹⁸ They are particularly apprehensive about the lead-up to the 2021 presidential election, in which President Issoufou, having served two terms, is constitutionally barred from seeking a third, meaning the contest to succeed him will be wide open.⁹⁹

⁹⁷ The group is the pro-state Imghad Tuareg Self-Defence Group and Allies in Mali. Crisis Group interview, Nigerien security official, October 2018. See also "Ahmadou ag Badi un chef militaire du GATIA parmi les personnes arrêtées par la sécurité nigérienne pour trafic de drogue", Mali.net, 24 June 2018.

⁹⁸ "Drug trafficking is far more dangerous than migrant trafficking because it produces more money that can be used to corrupt the state. We're worried that drug traffickers could become a lot stronger than the government". Crisis Group interview, Nigerien general, Niamey, December 2018.

⁹⁹ Crisis Group interview, Nigerien security official, October 2018.

IV. Using Niger's Strengths to Its Advantage

Upheavals in the illicit economy – the crackdown on migrant smuggling, the rise of new drug lords, the emergence of semi-formal gold markets and the risk that combating contraband is becoming a broader security goal – are straining Niger's strategies for containing violence linked to the black market. The informal mechanisms that have helped keep the country relatively calm during a period of unprecedented regional turmoil remain fragile. They face particular pressure as Niger prepares for the 2021 presidential election, when competition for resources and influence will heighten.

Niamey and its international partners, particularly the EU, face difficult trade-offs. Disrupting trafficking, especially of drugs and people, is a strong domestic imperative for European governments. But taking further aggressive steps to do so could upset conflict management arrangements already under strain after the 2015 migrant smuggling ban. The collapse of a reasonably stable country in the central Sahel would almost certainly play into the hands of militants. For now, therefore, reducing violence by targeting only kingpins responsible for bloodshed would be a safer goal than attempting to stop black-market activities altogether. At the same time, Niamey and international partners can take steps to develop the north's formal economy. Foreign powers providing military aid should watch that it does not hurt relations between Niger's government and its citizens. The EU and others should be careful that none of their interventions appear to favour one community over another and thus stoke conflict.

A. *Prioritise the Reduction of Violence*

Attempting to disrupt all forms of illicit commerce would risk creating conditions for rebellion in the north, roiling its economy while pulling apart the state's alliance with the Tuareg. Nigerien state and local authorities agree with French and U.S. commanders that traffickers will remain fixtures in the Sahel for some time. This reality does not mean rolling back the 2015 migrant smuggling ban. But external actors should give space to the government's informal efforts to de-escalate disputes among traffickers. Niamey should focus not on eliminating illicit trade altogether but on containing its potential for violence; it should sanction only those with blood on their hands. At the same time, foreign military and law enforcement actors should avoid being manipulated by traffickers, who may seek to misrepresent rivals as terrorists. Kawar merits particular care, given that competition over contraband there has already produced armed movements.

The Agadez-based Peace and Security Commission is an example of an effective local mediation initiative. Its members have intimate knowledge of the actors, risks and effective modes of dialogue. International partners should be aware of the commission's role in preventing black-market disputes from escalating and might want to consult with the commission when developing their own policies. For its part, the Commission should be as inclusive as possible, involving more young people and representatives from a range of ethnic groups, including Tebu. Mediation initiatives in the Agadez area may have succeeded in preventing violence from breaking out between Tuaregs and Tebus, but they remain Tuareg-dominated.

The informal integration of traffickers into state institutions – for example by permitting top figures to double-hat as politicians or official advisers – helps regulate the black market and contain its potential to produce violence. This policy undoubtedly has downsides: the rise of Niger's criminal class could erode the state's integrity and capacity. Were the risk of conflict lower, Niger and its partners might want to root out criminal interests from state structures. For now, however, the danger that contraband fuels armed conflict in northern Niger is graver than that of state cartelisation.

Niamey should therefore draw a line between those traders who invest in heavy weapons and resort to violence and those who do not – and focus on the former. The National Security Council, the highest institution responsible for the country's security policy, should explore options for holding violent traffickers to account. It could use a range of policy tools to enforce a red line on violence, depending on what is appropriate in a case-by-case scenario. Policies could range from military action to prosecution to stripping political privileges from a trafficker.¹⁰⁰ When security forces do arrest traffickers who resort to violence, international security agencies with an anti-trafficking mandate, such as EUCAP and the G5 Sahel Joint Force, can help. In contrast, the French and U.S. militaries should stay out of such operations.

Kawar, which is already home to heavily armed traders in contraband, is an area of particular concern. Authorities in Niamey and Kawar should look to Agadez city and the Air region for inspiration and strive to develop a shared system for managing formal and informal trade that addresses the needs of each side. The state should look for ways to improve representation in government of Kawar Tebu who feel maltreated by Nigerien security forces and pulled into Tebu rebellions in Libya and Chad. It should also deploy security forces to restore law and order, while making sure they do not extort or prey upon locals. Authorities should complement this deployment with dialogue and development-oriented outreach to the increasingly fractured and well-armed Tebu, for example by regularly inviting Tebu leaders from Kawar to Niamey to hear their concerns and smoothing over tensions that erupted with leaders at Djado.

B. *Invest More in the Formal Economy*

Although other, more populous regions have greater needs, Niger and its partners should pay particular attention to developing economic opportunities for northerners. Trafficking and smuggling will likely always be more lucrative than licit activities. But the more opportunities exist outside contraband, the less likely it is that efforts to disrupt illicit trade leave people without livelihoods and vulnerable to recruitment into militant groups and the easier it would be for traffickers to transfer into more formal economic activities.

¹⁰⁰ For each type of action precedent exists: the state sent security forces to close the Djado gold mines when armed groups took that over; it arrested a Malian militia chief trafficking drugs through Niger; and when Cherif Ould Abidin's quest to capture lucrative state markets in Agadez became too brazen, it stripped him of his deputy title. Crisis Group interviews, Niamey and Agadez, June and October 2018.

Niamey should start by making full, regular and transparent payment on the share of uranium revenues it owes to the northern communes and regional assembly.¹⁰¹ Transparency will require the authorities to clarify how much ore is extracted from each site, how much revenue the government receives from mining companies and how much it is disbursing to the communes. These tasks, in turn, require more effective internal and external auditing mechanisms.¹⁰² In general, the state should manage northern resources in ways that are self-evidently beneficial to northerners, which may mean ensuring that mining companies are paying local taxes.¹⁰³

Northern Niger needs roads and power. Actors like the EU could direct more of their funding to much-needed but long-delayed infrastructure development. The government is working on electrification projects, and Agadez residents are eagerly anticipating a planned solar plant.¹⁰⁴ The government should expedite construction of the national road linking Tahoua to Arlit via Agadez, which has been plagued by fraud and procrastination for a decade. Funding national roads and the trans-Saharan highway initiative will also boost trade and create jobs.

The revival of tourism in the regional capital Agadez is an economic development priority for local officials and workers. For decades, Agadez was an attractive destination for international tourists, who now largely stay away due to its red security risk rating. But no terrorist attack on security forces, local civilians or foreigners has been reported in Agadez since 2013 – a better track record than in several European capitals. France should lead the way by lowering the security risk rating of Agadez city from red to orange.¹⁰⁵

When investing in the formal economy, state authorities should avoid competing with informal activities and instead work in tandem with them. Mining in Tchibarakaten is a good example of positive synergy between formal and informal management. The mines' "nationalisation" absorbed unemployed workers and injected money into a northern economy hit hard by the migrant smuggling ban. Negotiations among the state, northern elites and miners' representatives produced a sharing arrangement that moderated elite attempts to control large parts of the mines and thus pro-

¹⁰¹ Crisis Group interviews, northern regional officials and Niamey political officials, Agadez and Niamey, June 2018. Article 95 of the 2006 Mining Code stipulates that Niamey send 15 per cent of the country's uranium royalties to northern communes. At the local level, 90 per cent of the funds are to go to local development, which in practice, has usually meant education, health care and agriculture.

¹⁰² See "Etat des lieux sur la rétrocession des 15% des redevances minières et pétrolières de l'état vers les communes des régions concernées", Publiez ce que vous payez and OXFAM, 30 August 2019, as well as "Les revenus des industries extractives du Niger, le cas de l'uranium : *qui en profite?*", Open Society Initiative for West Africa, 2014.

¹⁰³ At great expense to himself, the Arlit mayor took the French uranium company Orano to court to challenge its withholding of a one billion West African franc (\$1.7 million) tax owed to the commune each year. After two years of litigation, the company paid the tax for the 2015-2017 period. Crisis Group interview, Arlit mayor, Agadez, June 2018.

¹⁰⁴ Construction of an EU- and AFD-financed solar-diesel hybrid photo-voltaic power plant in Agadez is scheduled to begin in 2019. With a 19 MW capacity, it will more than cover the growing needs of Agadez, estimated at 8 MW. It is expected to be operational in January 2020. See "Niger : Agadez prend son temps", *Jeune Afrique*, 28 February 2018.

¹⁰⁵ See Tity Agbahey and Mawli Dayak, "Niger : investir dans le tourisme pour protéger l'avenir", WATHI, 26 March 2019. The red zone on the French travel advisory map starts just south of Agadez city and spreads north from there.

tected the interests of those involved in informal mining, including former migrant smugglers. Local perceptions that the mines benefit the area have improved security and contained banditry. This arrangement, balancing state needs and regulations with local ones, could serve as a model for reopening the Djado site, conditions for which are under consideration.¹⁰⁶ The government should exercise caution, ensuring that it has local buy-in, before offering licenses to foreign companies.

C. *Avoid Unintentionally Destabilising Niger*

Particularly important is that foreign governments anticipate the potential trade-offs in their policies. They should minimise risks that efforts to curb migration and Islamist militancy destabilise Niger and potentially fuel the trends they aim to counter.

The need for caution applies especially to migration policy. European politicians frame migration as a criminal activity that menaces Niger's security, but in reality they view it as a domestic security issue that can make or break European governments. As one EU official noted: "We cannot admit that we are in Niger to focus on stopping migration. We have to demonstrate that our engagement is linked to criminality and factors that destabilise Niger".¹⁰⁷

European pressure has reduced migration through Niger but it has come with costs. In one sense, the drop-off in the number of migrant departures from Agadez is a victory for EU policy. But smugglers tend to adapt quickly to obstacles, finding new routes – in fact, 2018 migrant departure numbers from Agadez had already climbed by 10 per cent compared to the previous year.¹⁰⁸ Still more dangerously, the 2015 migrant ban brought the northern economy to its knees at a time when the risk of conflict was uncharacteristically high. It was arguably only a stroke of good fortune – the gold rush – that absorbed unemployed migrant smugglers and prevented the northern economy and Niger's informal conflict management mechanisms from collapsing. Without that, a scramble for scarce resources could well have escalated and threatened Niger's stability, likely fuelling militancy and violence.

Other EU programs have also had unintended consequences.¹⁰⁹ In some cases, programs designed to spur economic development and ease migrant smugglers into less lucrative but more sustainable professions have fuelled ethnic discord. The EU meant to apply technical criteria to determine who was eligible for such support: the programs aimed to exclude only those smugglers deemed to be major criminals.¹¹⁰ In practice, however, most job retraining funds went into Tuareg-majority communes. Meanwhile, Tebus perceived that the government's parallel campaign of arrests and

¹⁰⁶ Crisis Group interviews, Nigerien officials, February 2019.

¹⁰⁷ Crisis Group interview, EU official.

¹⁰⁸ "Niger – Rapport Sur Les Points De Suivi Des Flux De Population (Décembre 2018)", IOM, 28 January 2019.

¹⁰⁹ Crisis Group interviews, Tebu and Tuareg regional leaders, Niamey and Agadez, June 2018.

¹¹⁰ Crisis Group interview, EU official, Niamey, June 2018.

vehicle seizures was targeted at them.¹¹¹ In this case, EU assistance contributed to intercommunal competition and deepened the sense of Tebu exclusion.¹¹²

Given that the EU appears set on continuing to pursue policies aimed at containing migrant departures via the Sahel, it should strive to ensure that interventions do minimal economic damage, do not upset Niger's fragile conflict management systems and avoid exacerbating intercommunal tension. Where its interventions will have a disruptive social and economic impact, as in the case of the migrant smuggling ban, it should strive to anticipate these consequences and ensure that it more evenly distributes the economic assistance and alternative livelihoods it offers to those who lose out. Where its policies have a punitive element, it should make sure that punishment is meted out equitably. It should take special care to remove any taint of communal discrimination from its programs.

¹¹¹ Crisis Group interviews, Tebu and Tuareg regional leaders, Niamey and Agadez, June 2018.

¹¹² "It would have been equitable to give half the envelope to Dirkou [in Kowar] and the rest to Agadez. Politically, this was not viable because it would have upset Agadez", said an HACP member. Crisis Group interview, Niamey, December 2018.

V. Conclusion

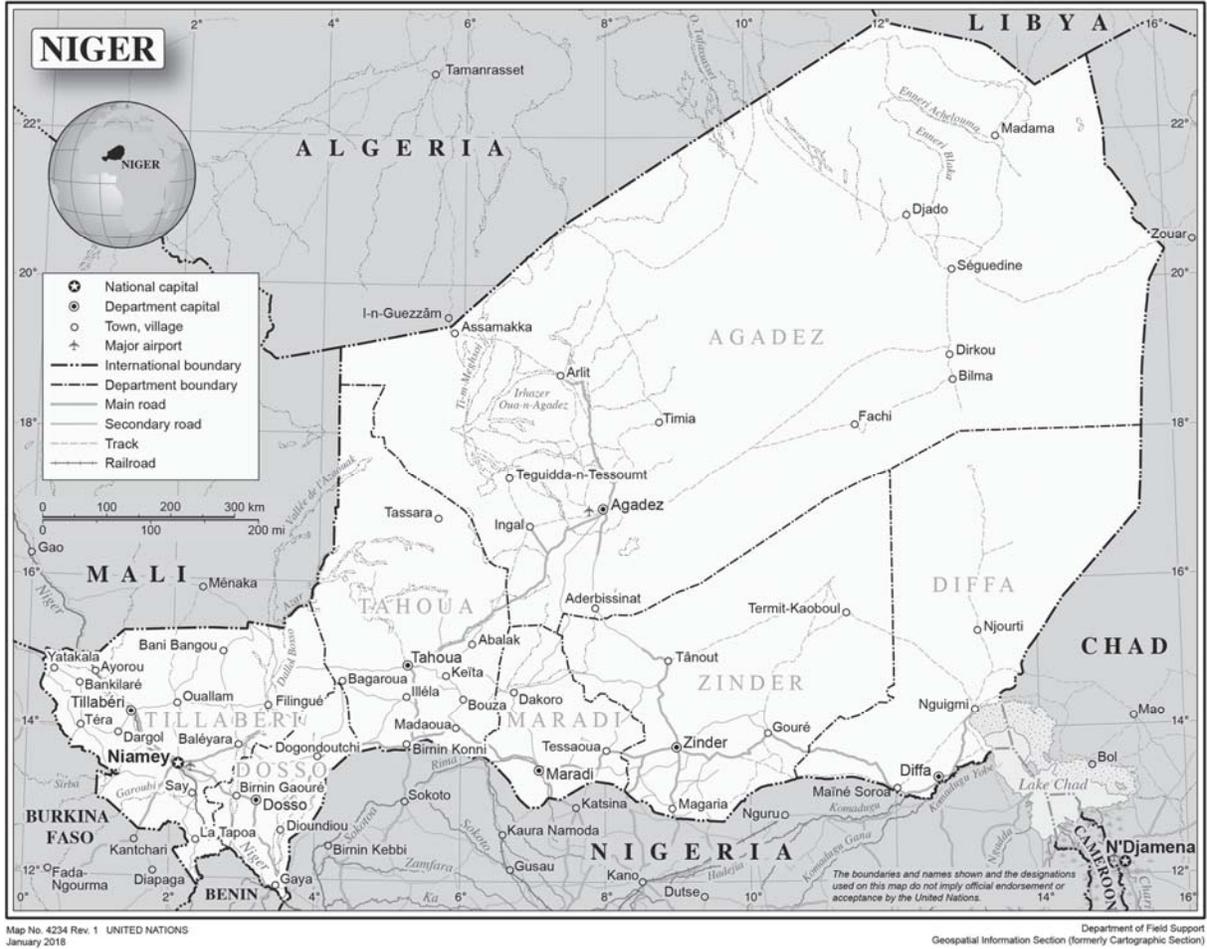
Niger is not like Mali, where the state's position with respect to drug trafficking in the country's north – absent, on one hand, and complicit, on the other – has fuelled conflict.¹¹³ By contrast, state actors and related power networks in Niger have managed contraband flows relatively peaceably, though some of the compacts between the state and traffickers are fraying. The EU has had some success in curbing migration flows but aggressively aiming to eradicate them further and ending other forms of trafficking in Niger is neither realistic nor desirable. A more pragmatic goal, which political elites including northerners integrated into the state have been doing their best to pursue, is to curtail violence that competition over illicit commerce produces.

Niger and foreign powers should better coordinate their policy responses. They should minimise the risk that interventions upset the delicate balances that often help maintain calm and ensure that conflict-sensitive development programs accompany efforts to tackle illicit economies in the north. Nigerien state institutions and northern elites, meanwhile, must stay attentive to the risks associated with the rise of a criminal class in national politics. They should mitigate these risks by cracking down on traffickers who turn to violence. That way the Nigerien state can continue managing trafficking, rather than being managed by it.

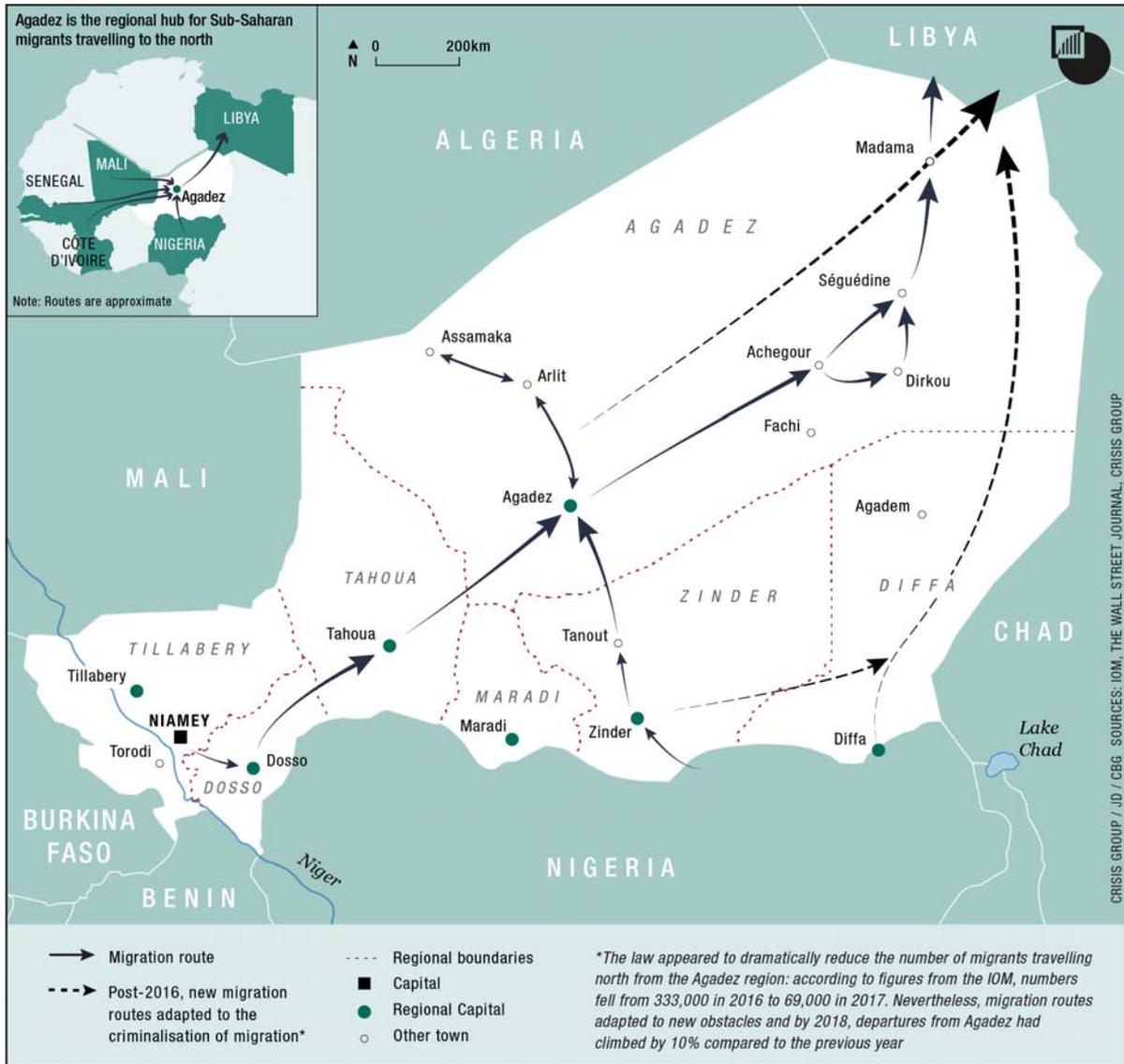
Dakar/Niamey/Agadez/Brussels, 6 January 2020

¹¹³ See Crisis Group Report, *Drug Trafficking, Violence and Politics in Mali*, op. cit.

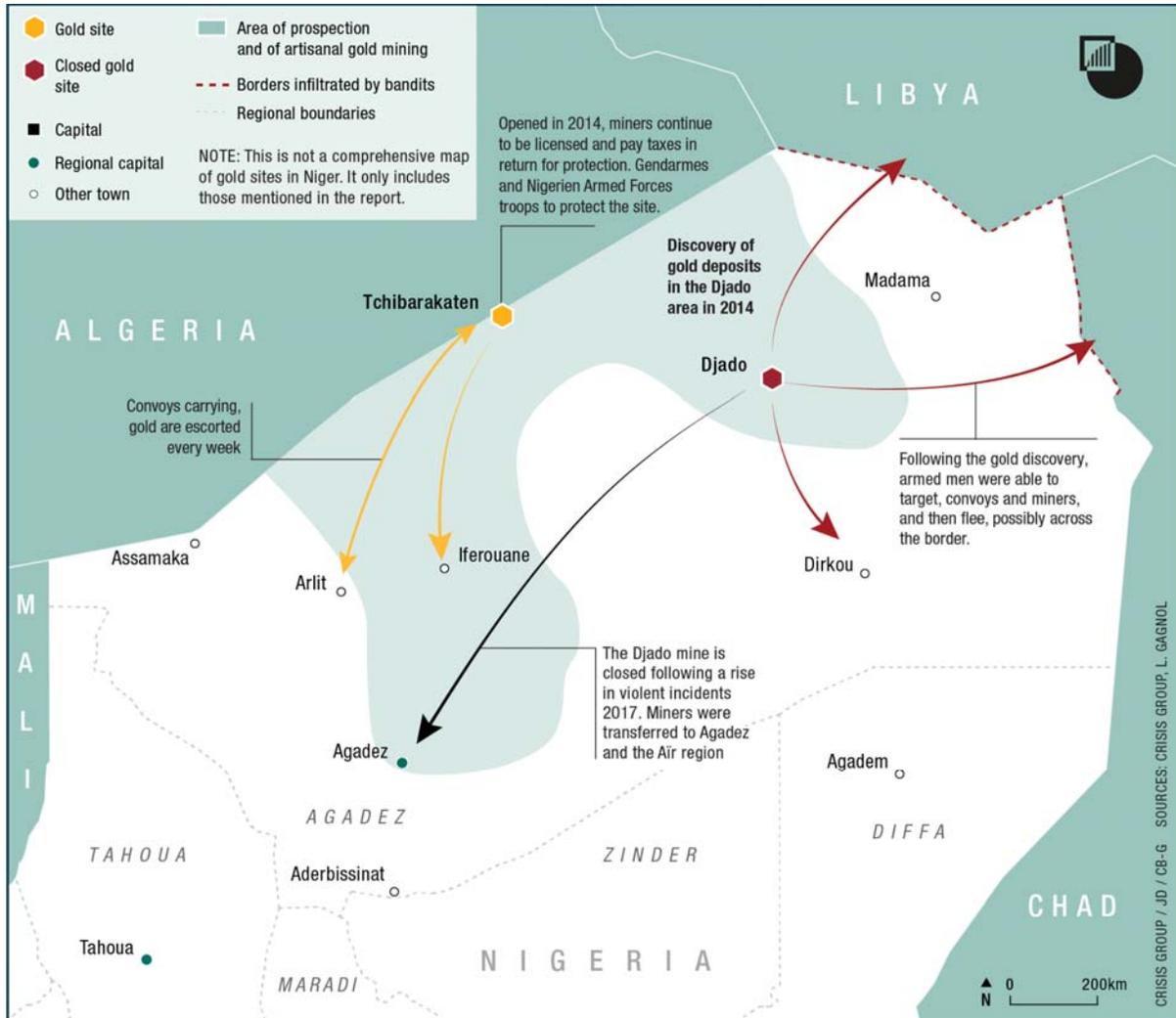
Appendix A: Map of Niger



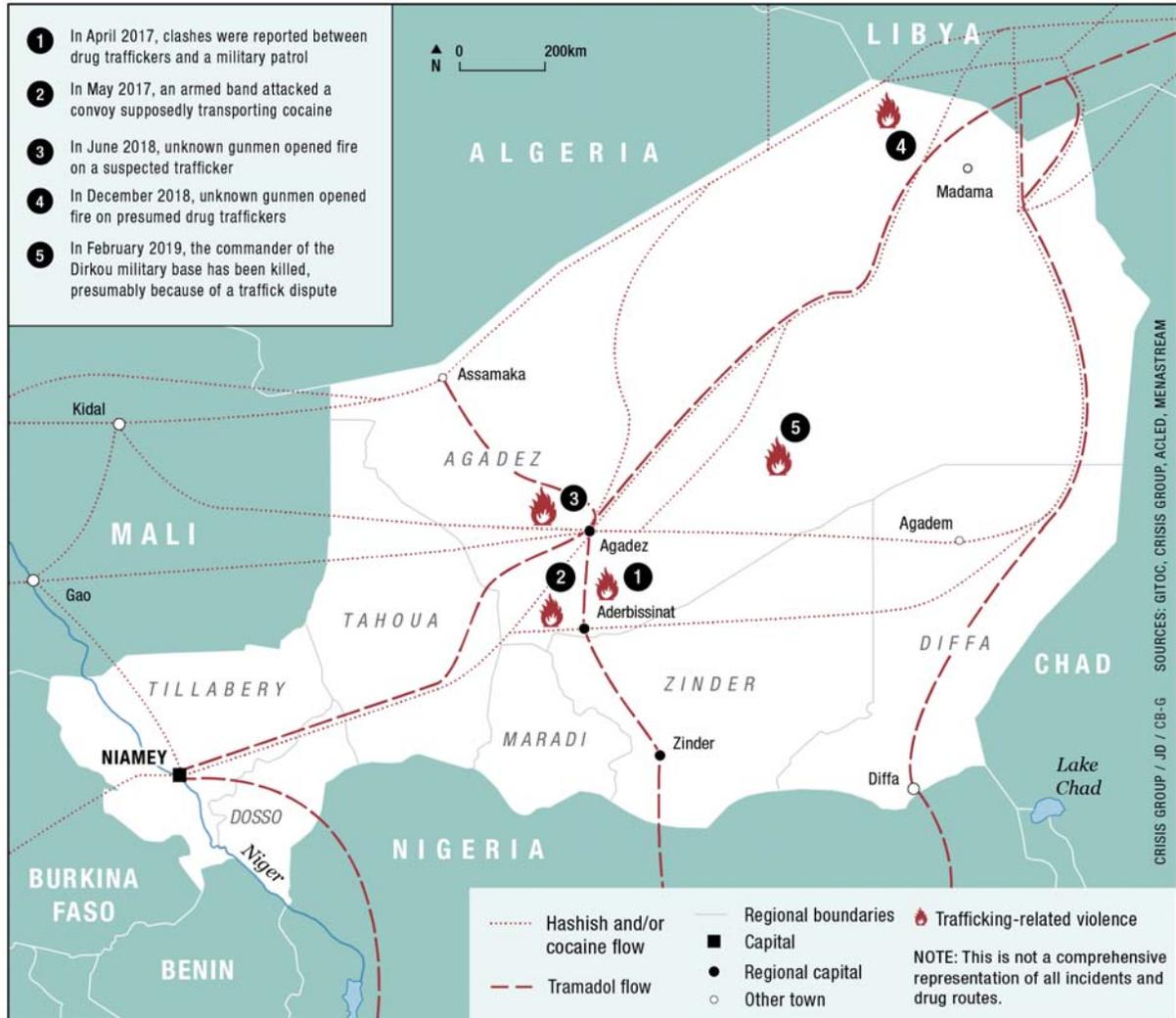
Appendix B: Migration Routes in Niger



Appendix C: Selected Gold Mines in Niger



Appendix D: Main Drug Trafficking Routes in Niger



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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

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The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

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Miklós Németh
Christine Ockrent
Timothy Ong
Roza Otunbayeva
Olara Otunnu
Lord (Christopher) Patten
Surin Pitsuwan
Fidel V. Ramos
Olympia Snowe
Javier Solana