

FUEL TRAFFICKING IN THE SAHEL

TOCTA
Sahel
Transnational Organized
Crime Threat Assessment



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Transnational Organized Crime
Threat Assessment – Sahel



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Key takeaways

➤ The ratio of registered vehicles to people in the Sahel countries is low and per capita daily gasoline consumption is estimated to be among the lowest in the world. Nevertheless, an average at-pump price of \$1 per litre would result in a combined annual total market value of at least 5 billion United States dollars (\$) for both legal and illegal fuel in the region.

➤ Despite some of them producing oil, the Sahel countries rely on fuel imports from Algeria, Libya and Nigeria, where fuel is heavily subsidized. It appears that the low fuel prices in Algeria, Libya and Nigeria are among the most significant drivers of fuel trafficking in the Sahel.

➤ In addition to fuel trafficking, cheap gasoline and diesel also fuel the activities of illegal non-state armed groups, including groups deemed “terrorist” by the international community. Moreover, there are some indications that there may be deeper linkages to other forms of smuggling, such as trafficking in medical products, drugs and firearms.

➤ There are four major fuel trafficking flows into the Sahel countries: from Nigeria via Benin to Burkina Faso and Mali; from Nigeria via the Niger to Mali; from Algeria to Mali; and from Libya to the Niger and Chad.

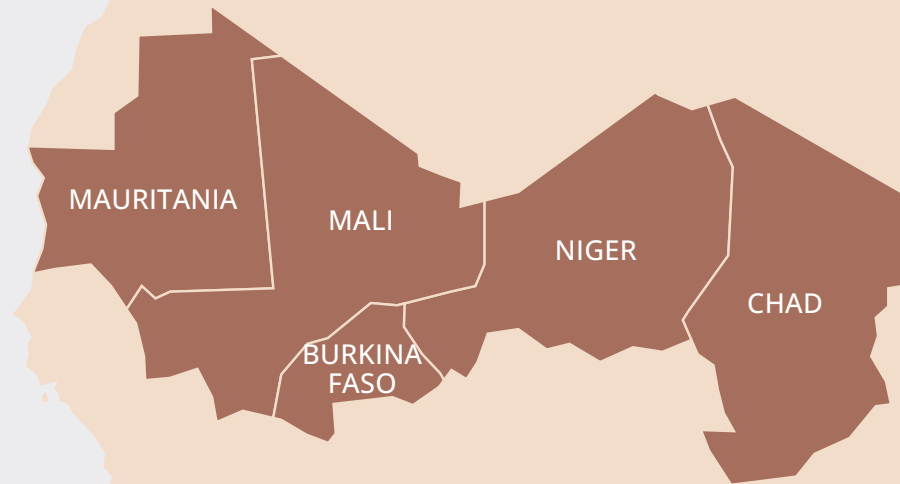
➤ A large portion of the market for trafficked fuel in the Sahel countries appears to be informally organized. However, recent investigations have revealed the involvement of structured groups with links to prominent individuals with interests in retail fuel companies, financial institutions and corrupt law enforcement officials. This highlights the importance of the formal trade in laundering smuggled fuel.

➤ Companies associated with individuals under United Nations Security Council sanctions are also reported to be involved in fuel smuggling from the Niger to Mali.

➤ The introduction of fuel subsidies and licensing policies has led to the emergence of powerful business elites in the Sahel countries with sufficient political influence to protect fuel smuggling activities.

➤ Opportunities to earn illegal revenue indirectly from fuel trafficking through bribery and other forms of corruption compromise the level of repression that the Sahel countries can exercise on the illicit fuel trade.

➤ Issues with, and gaps in, the rule of law in some areas, owing to a combination of a high level of insecurity and vast, porous borders, constitute a key enabling factor for fuel trafficking in the Sahel. The lack of state presence in remote areas gives room for the proliferation of criminal activities.



For the purpose of this report, "Sahel countries" refers to Burkina Faso, Chad, Mali, Mauritania and the Niger.

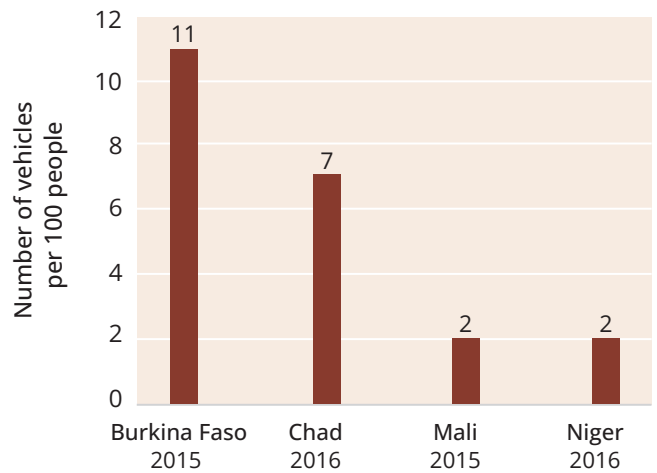
Fuel Trafficking in the Sahel

Market background

The scale of demand for fuel in the Sahel countries is unclear.¹ The ratio of registered vehicles to people is low and per capita daily gasoline consumption in region is estimated to be among the lowest in the world (figure 1).² The five Sahel countries, Burkina Faso, Chad, Mali, Mauritania and the Niger, are estimated to consume a combined total of just over 90,500 barrels of motor gasoline and distillate fuel oil (diesel) per day, or just over 33 million barrels per year, which is equivalent to over five billion litres consumed per year.³ An average at-pump price of \$1 per litre would result in a combined annual total market value of at least \$5 billion for both legal and illegal fuel in the region.

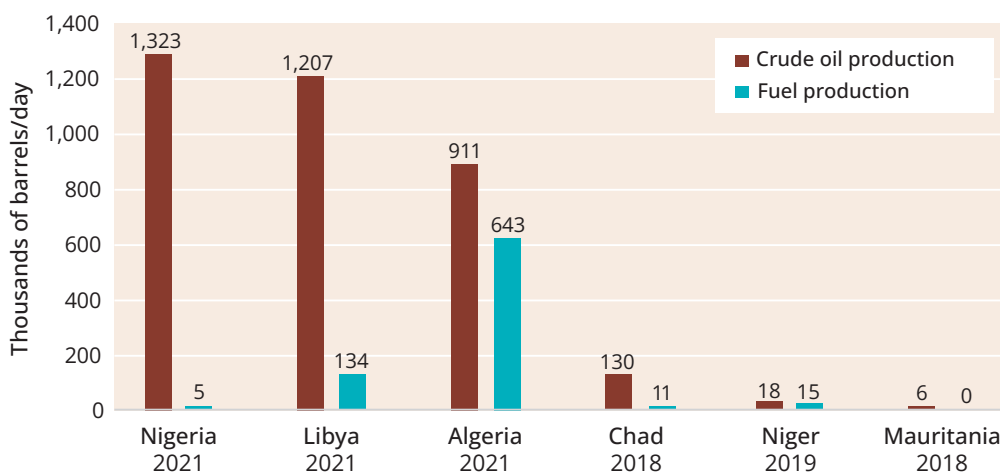
Chad, Mauritania and the Niger are oil producers, but only Chad and the Niger have the capacity to refine oil into fuel on an industrial scale.⁴ In spite of that, all

FIG 1. Number of registered vehicles per 100 people, Sahel countries, 2015 or 2016



Source: World Health Organization (WHO) Global Health Observatory. Available at <https://apps.who.int/gho/data/node.main.A995>.

FIG 2. Crude oil production and refinery throughput (thousands of barrels per day), Algeria, Libya, Nigeria and Sahel countries, 2021 or most recent year



Source: OPEC (for Algeria, Libya and Nigeria) and African Energy Commission (for Chad, Mauritania and the Niger).

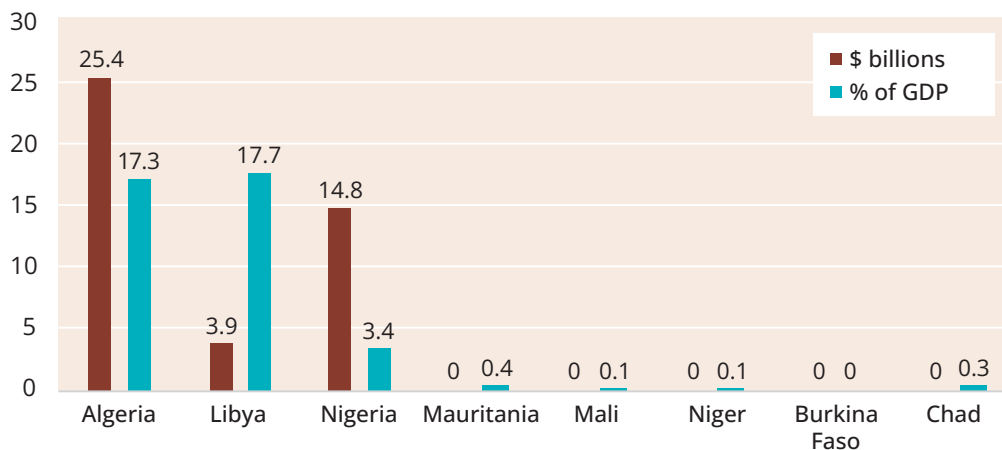
five of the Sahel countries rely on illicit imports of fuel from neighbouring countries, some of which are among the largest oil-producing and fuel importing countries in Africa.

With the exception of Burkina Faso, the Sahel countries are bordered by Algeria, Libya or Nigeria, all of which are members of the Organization of the Petroleum Exporting Countries (OPEC). Oil in itself is not fuel, however: it needs to be refined in order to power vehicles and generators. Algeria has the capacity to refine a large share of its oil output but Libya and Nigeria do not. Despite extracting huge amounts of oil from the ground, Algeria, Libya and Nigeria need to import petroleum products to meet their domestic needs (figure 2).⁵ All

three countries heavily subsidize those fuel imports, making gasoline and diesel at the pump cheaper (figure 3).

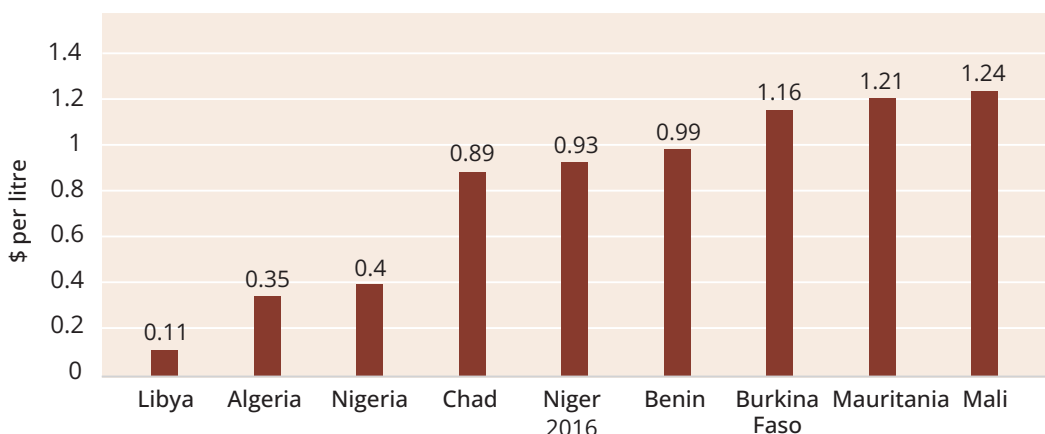
It seems that low fuel prices in Algeria, Libya and Nigeria are the main drivers of fuel trafficking into the Sahel and that most of the fuel trafficked is government-subsidized official fuel from those three countries. There is some oil theft and artisanal refining in Nigeria, but most of it appears to be smuggled within the Niger Delta and on to Cameroon and does not seem to be a major source of the fuel trafficked in the Sahel.⁶ In addition to the smuggling of subsidized fuel in the region, concerns have also been raised about fuel produced in the Niger being smuggled to Northern Mali.⁷

FIG 3. Fuel subsidies in \$ billions and percentage of GDP, Algeria, Libya, Nigeria and the Sahel countries, 2021



Source: International Monetary Fund (IMF), Energy Subsidy Template.

FIG 4. At-pump price of gasoline in Algeria, Libya and Nigeria and the Sahel countries, 2018 or most recent year



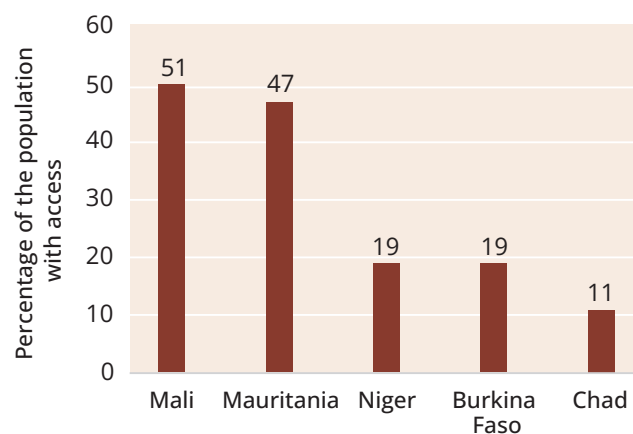
Source: GIZ, International Fuel Prices 2018/19.

Compared with the prices of subsidized fuel in Algeria, Libya and Nigeria, at-pump fuel prices remain high in the Sahel countries, so fuel price differentials create an opportunity for profit to be made from the smuggling of subsidized fuel, as people take advantage of the lucrative opportunity for arbitrage that has been inadvertently created.⁸ The prices of licitly and illicitly supplied fuel at the pump in the Sahel and neighbouring countries, which can more than double from one side of the border to the other, illustrate this (figure 4).

The economics are simple. Anyone can buy subsidized gasoline at the pump for roughly \$0.40 per litre in Nigeria, for \$0.35 in Algeria and for \$0.11 in Libya. If they can smuggle it across the border into the Sahel countries, they can sell it for double. People living in border areas of the Sahel countries are able to refuel for personal use at half the price by crossing the border into Algeria, Libya or Nigeria. Some engage in fuel arbitrage professionally, including by conducting unauthorized imports or misrepresenting the origin or destination of the fuel so as to benefit from subsidies and avoid trade tariffs (see box on page 16). This type of smuggler is one of the focuses of this report.

Cheap gasoline and diesel are a boon for the economies of the Sahel countries, which are among the poorest

FIG 5. Share of the population with access to electricity in the Sahel countries, 2020



Source: World Bank Indicators online. Available at <https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS>.

countries in the world in terms of GDP and human development indicators. Fuel is the lifeblood of the economy and by reducing the transportation costs, low fuel prices indirectly reduce the cost of almost all goods and services. Moreover, in addition to fueling motor vehicles, petroleum products are key to the generation of electricity in the Sahel.⁹ Most people in the region do

FUEL TRAFFICKING AND OTHER FORMS OF TRANSNATIONAL ORGANIZED CRIME

Fuel trafficking is conducted by relatively agile means, such as motorcycles and four-wheel drive vehicles, but it still requires roads. This means that fuel trafficking uses the same routes and informal/formal border crossing points as other bulk commodities, both licit and illicit. There are some indications, however, that there may be deeper linkages to other forms of smuggling, such as trafficking in medical products, drugs and firearms. For example, a seizure by the Gendarmerie in Gouré, the Niger, on 20 October 2021 involved 24 jerrycans of fuel and 5,000 tablets of tramadol, an opiate pain medication.^a

More significantly in terms of volume, fuel trucks may be used to conceal other contraband. In early 2017,

for example, the Chadian security forces discovered weapons hidden in a fuel tanker coming from Libya.^b Moreover, in March 2021, 17 tons of cannabis resin were seized in Niamey, the Niger, in a compound that also contained a fuel tanker truck. According to a Nigerien law enforcement officer, the principal arrestee in the case owns a service station north of Agadez, the Niger, and the cannabis was to be hidden in separate compartments in fuel tankers travelling from Zinder to Agadez within the Niger, at which point it would have been dispatched towards Libya in four-wheel drive pick-up trucks.^c

a Correspondence with the Niger law enforcement, 24 December 2021.
 b Interview with a narcotics trafficking expert, 10 December 2020.
 c Interview with the Niger law enforcement, 12 December 2021.

not have access to the grid and many of them use diesel generators to provide some or all of their electricity.¹⁰ Having said that, there are indications that fuel smuggling is associated with other forms of trafficking and that cheap gasoline and diesel also fuel the activities of illegal non-state armed groups, including groups deemed “terrorist” by the international community (see box on previous page). This report looks at the overall trade in illicit fuel, with a focus on illicit flows of fuel into, out of and across areas controlled by such illegal groups.

Nature of the market and trafficking flows

As mentioned above, three of the Sahel countries, Chad, Mauritania and the Niger, have some domestic oil production capability, although only Chad and the Niger have significant active capacity to refine oil into fuel (figure 2).¹¹

The Société de Raffinage de Zinder (SORAZ) is a joint venture owned by the State of the Niger (40 per cent) and the China National Petroleum Corporation (60 per cent).¹² Operational since 2011, the company’s refinery has a fuel production capacity of around 20,000 barrels per day, but has not been able to produce to this capacity since 2014. In 2021, total fuel production in the Niger was 15,000 barrels per day.^{13,14} Also opened in 2011, the N’djamena refinery in Chad is co-owned by the State of Chad (40 per cent) and the Chinese National Petroleum Corporation (60 per cent) and also has a fuel production capacity of roughly 20,000 barrels per day, with a refinery throughput of 11,000 barrels per day in 2018.¹⁵

Despite some limited fuel production, it appears that the Sahel countries are import-dependent for refined fuel and a share of it comes into the region illegally from Algeria, Libya and Nigeria. There are several flows of illicit fuel to the Sahel countries and the nature of the market in those countries is determined by the particularities of each of those flows. Some are highly informal, with many independent individuals responding to demand, while others are highly organized and dominated by a small number of large companies that import and export fuel illicitly. The amount earned is determined by the volume of fuel smuggled and the price/markup, with the price/markup increasing in proportion to the size of the risk involved. The four major fuel trafficking flows into the Sahel countries, which are explained in full below, are the following:

- Organized use of large “10 ton” trucks to transport fuel from Nigeria via Benin to Burkina Faso and Mali through the disputed Beninese/Burkinabe border area, the Kourou/Koalou corridor
- Disorganized “ant” fuel trafficking by motorbike and four-wheel drive vehicle from Nigeria via the Niger to Mali
- Registered traders and professional traffickers traffic fuel from Algeria to Mali (Kidal, Timbuktu and Taoudénit regions)
- Armed groups and cross-border criminal networks traffic fuel from Libya to the Niger and Chad

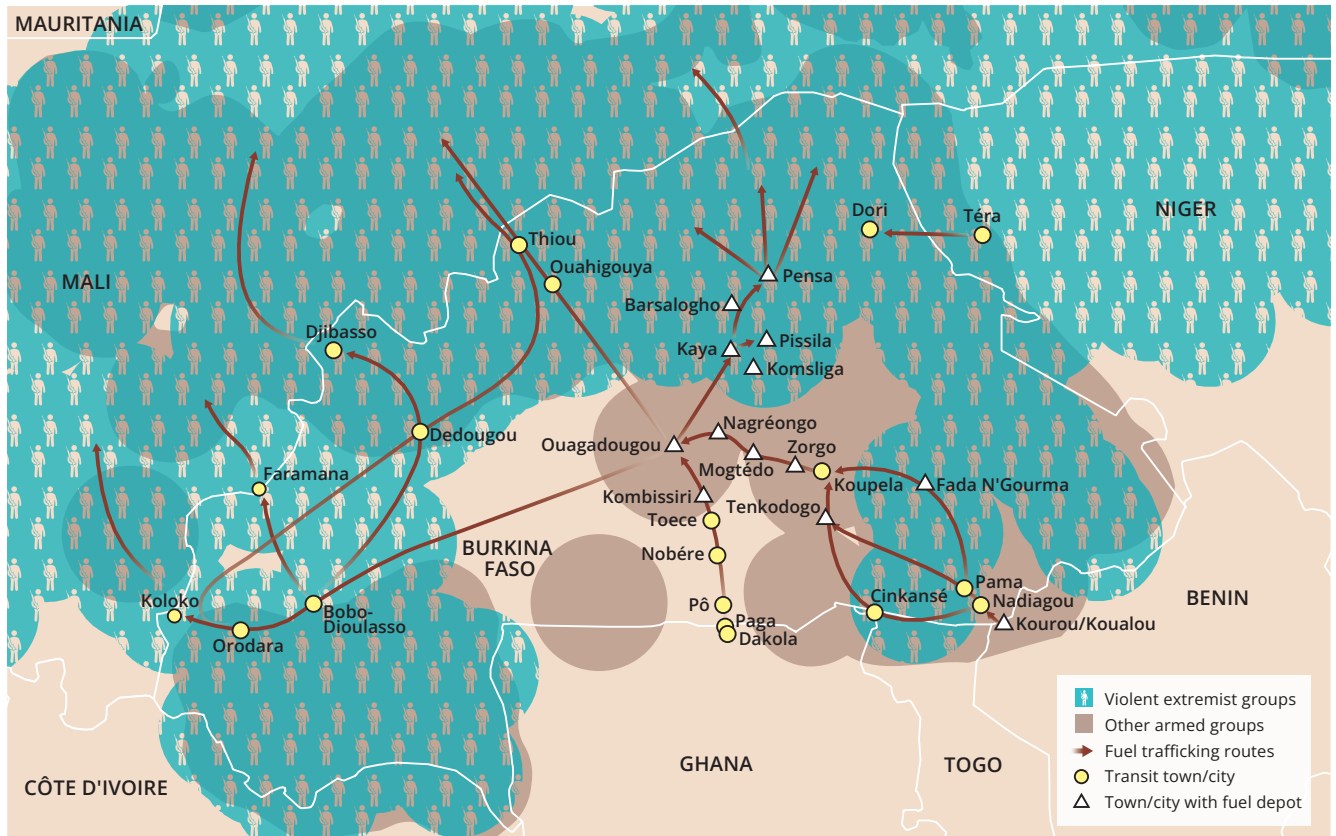
Kourou/Koalou corridor

Due in part to security issues around Nigeria’s sea ports and in part to protectionist policies implemented in Nigeria, neighbouring Benin has effectively become an “entrepôt state,” importing goods and re-exporting them to Nigeria, mostly informally.¹⁶ Officially, trade between Benin and Nigeria is very limited, but the scale of informal trade is evidenced by the fact that Benin imports far more goods of various sorts than can be explained by domestic demand alone. For example, Benin imported more than \$100 worth of rice per capita in recent years, at a time when protectionist import taxes on rice in Nigeria were set at 50 to 100 per cent. This informal cross-border trade generates as much as 20 per cent of Benin’s GDP.¹⁷

While rice and other goods flow informally from Benin to Nigeria, subsidized fuel flows in the opposite direction. In 2012, a United Nations assessment mission found that smuggled fuel represented some 80 per cent of all petroleum sold in Benin, leading to the closure of many legally operating service stations.¹⁸ Not all of this fuel is consumed in Benin, however, as an unknown portion of it is profitably smuggled further on, so as to capitalize on the higher fuel prices in the Niger and in Burkina Faso, which does not share a border with Nigeria.¹⁹

The key point for crossing the border between Benin and Burkina Faso informally is an area of disputed territory. On 20 July 2010, Burkina Faso and Benin jointly submitted a frontier dispute between them to the International Court of Justice, while coming to an arrangement whereby neither country assumes full control of nor responsibility for the disputed area.²⁰ This arrangement has had the effect of creating a no-man’s-land, centred around a village known as Kourou in Benin and Koalou in Burkina Faso, where fuel is stored in tanks in illegal warehouses before being trafficked onwards.²¹

MAP 1. Fuel trafficking routes from Benin through Burkina Faso



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Source: Armed Conflict Location & Event Data Project (ACLED) between 1 January 2019 and 7 October 2022. Available at <https://acleddata.com> (accessed 7 October 2022); European Council on Foreign Relations data. Available at https://ecfr.eu/special/sahel_mapping/; UNODC interviews.

The nature and extent of the organization involved in trafficking the fuel between the two countries was revealed when, in 2019, Burkinabe judicial authorities launched an investigation that resulted in the arrest of 72 people and the seizure of 220,094 litres of fuel in 2021.²² The defendants argued that they were not smuggling, since they received the fuel in the village of Kourou/Koualou,²³ but the court rejected this defence and convicted 46 of them in December 2021.²⁴ In April 2022, one police officer, two gendarmes and five customs officials were arrested in connection with the case and charged with corruption and complicity.²⁵

The trial revealed the network to be highly organized and transporting up to 150 barrels each containing 200 litres of fuel overnight in “10 ton” trucks, amounting to 30,000 litres per trip. Some of the most organized traffickers used several trucks and were able to smuggle more than 3 million litres per year over a three-year period.²⁶ The traffickers were able to pass multiple checkpoints by paying bribes to law enforcement offi-

cial, the bribe for a 10-ton truck varying between 350,000 and 700,000 CFAF (\$553–\$1,106).²⁷

The traffickers were also using fuel tanker trucks and passenger cars to transport the fuel to Fada N’Gourma, the capital of the East region of Burkina Faso and an area where numerous criminal and insurgent groups are active, Ouagadougou, the capital city, and Kaya, 110 km north of Ouagadougou.²⁸

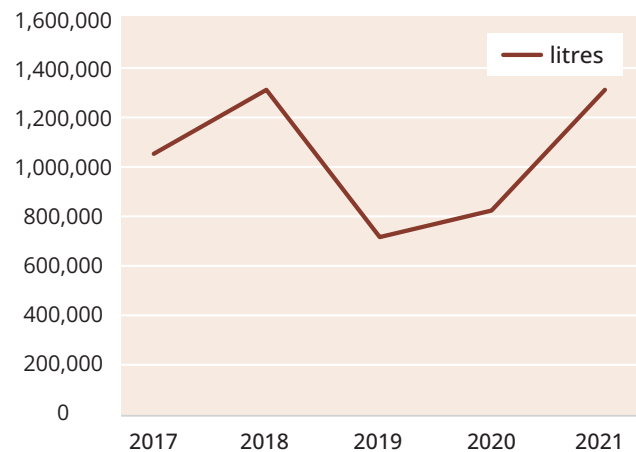
According to media sources, on 18 November 2021, a cell of Jama’at Nusrat ul-Islam wa al-Muslimin (JNIM), a coalition of jihadist groups, took over the Burkinabe town of Nadiagou,²⁹ which serves as a border post on the way to Kourou/Koualou, and which had been abandoned by the Government earlier that month.³⁰ It appears that the position of JNIM in the vicinity enables it to tax what fuel is still being trafficked, as well as other smuggled goods, by demanding protection money in return for allowing passage through the territory.³¹

Illicit fuel warehouses were also identified north of Kaya, close to the border with Mali. In 2018, the Ministry of Security issued an arrest warrant for a man who owned two warehouses in the municipality of Deou, from where some 20 of his employees allegedly used motorbikes to supply fuel to Boukèssi in Mali, an area under the control of terrorist groups.³² The warehouse owner was also suspected of attending meetings organized by a local trafficker and local leader of Ansaroul Islam, a terrorist group operating in the area.³³

Nigeria via the Niger to Mali

The illegal entry of Nigerian fuel into the Niger was already being documented in the 1980s and 1990s. In 1988, an estimated 24 million litres of Nigerian fuel were smuggled into the country.³⁴ In the early 1990s, the Niger Ministry of Commerce granted special import licences to companies, allowing them to bypass the Société Nigérienne des Produits Pétroliers (SONIDEP) and sell fuel outside its official distribution system, effectively making the import and distribution of smuggled Nigerian fuel legal.³⁵ In 1994, special import licences covered an estimated 30 million litres of Nigerian fuel, whereas an estimated 25 million litres of other smuggled fuel also entered the country.³⁶ In 1996, the import licences were suspended, forcing some merchants to seek licences to formally supply SONIDEP, while others continued smuggling fuel.³⁷

FIG 6. Volume of annual fuel seizures and retrocessions to the Société Nigérienne des Produits Pétroliers, 2017–2021



Source: SONIDEP data reported by the Nigerien Press Agency (ANP).³⁸

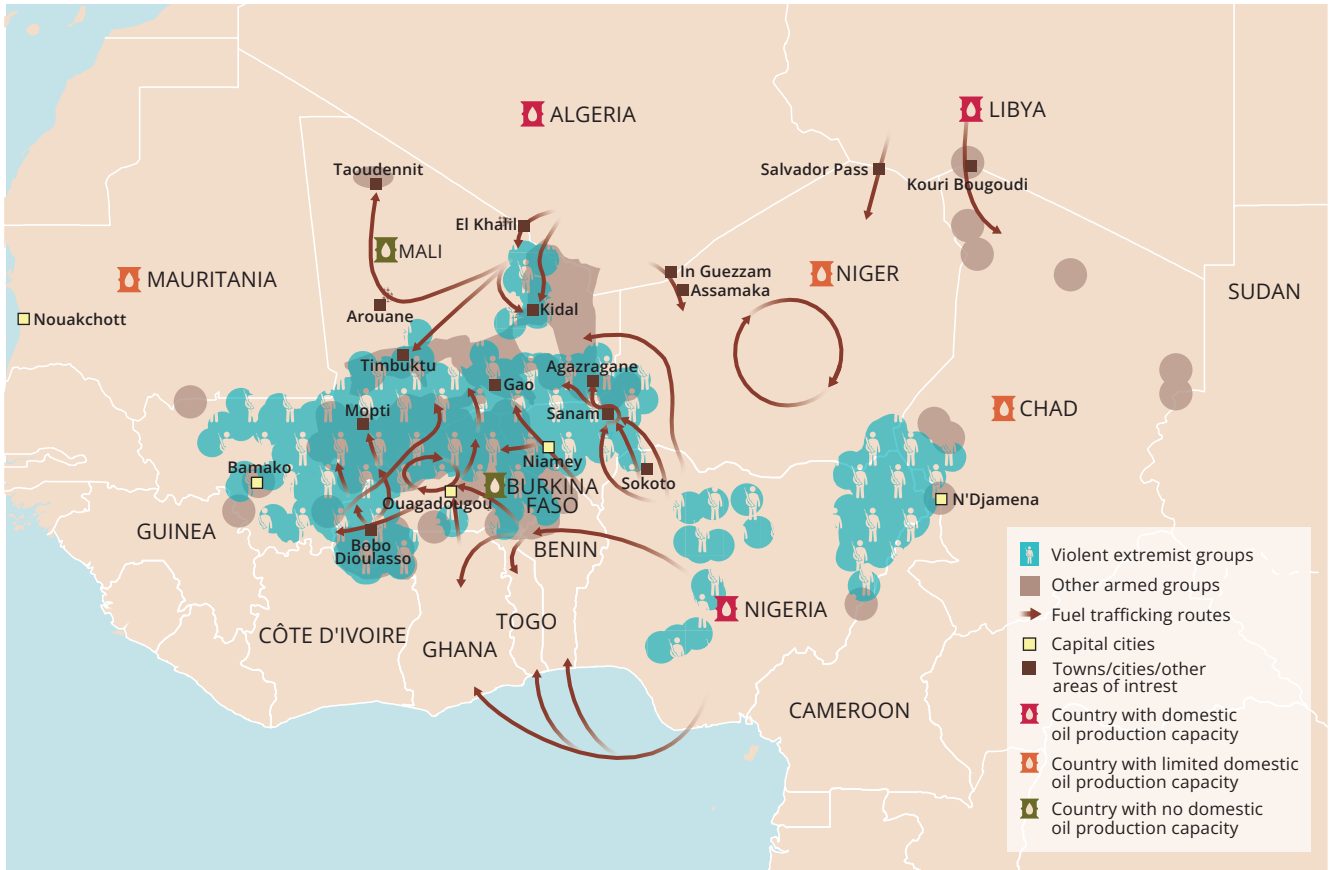
The smuggling of Nigerian fuel into the Niger has persisted despite the country becoming an oil producer in 2011, as fuel prices remain higher there than in Nigeria.³⁹ No recent data on this flow are available, but according to media reports, SONIDEP estimated that 50 per cent of road transport in the Niger in 2012 relied on Nigerian contraband fuel.⁴⁰ According to a Nigerien Press Agency (ANP) report on official data, annual seizures of refined

FIG 7. Motorbikes transporting smuggled fuel, Dosso, the Niger, October 2021



Photo credit: Harouna Ousmane Ibrahim, Dosso, December 2021; Dosso, south-east Niger, close to the Nigerian border.

MAP 2. Fuel trafficking flows in the Sahel



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined.

Source: ACLED data between 1 January 2019 and 7 October 2022. Available at <https://acleddata.com> (accessed 7 October 2022); European Council on Foreign Relations data. Available at https://ecfr.eu/special/sahel_mapping/; UNODC interviews.

A FUEL TRAFFICKER'S MARKUP CALCULATIONS

A litre of gasoline bought for the equivalent of 250 CFA francs (CFAF)/166 Nigerian Naira/\$0.39 in Nigeria, close to the border with the Niger, can be sold for a maximum of 300–400 CFAF in towns and villages across the border in the Niger.^d Further into the Niger, the price of the fuel rises until it reaches the official rate of 540 CFAF per litre, and eventually over 600 CFAF in Mali.^e A trafficker can transport up to 225 litres of fuel on a motorbike (around nine 25-litre fuel cans), thus one trip can generate a markup of between 11,250 CFAF and 33,750 CFAF (or \$18 and \$53) for the trafficker. This is roughly equivalent to a commercial motorbike driver's monthly income for providing transportation services in the regular economy.

Traffickers can transport between 80 and 100 fuel cans each containing 25 litres in one four-wheel drive vehicle. If they sell at 400 CFAF per litre, they can earn a markup of 375,000 CFAF (approximately \$592) per trip.^f Ordinary vehicles can carry 28–35 jerrycans, which are generally sold in the border areas,^g thus making an average markup of 85,000 CFAF, or \$134.

^d Data from civil society source in the Niger, December 2021.

^e Ibid.

^f Interviews with civil society, Niamey, October 2021.

^g Niger Diaspora, "Zinder / Les « In Roua » et le trafic du carburant fraudé: une fatalité", 25 September 2017. Available at <https://nigerdiaspora.net/index.php/societe/2309-zinder-les-in-roua-roua-et-le-traffic-du-carburant-fraude-une-fatalite>.

fuel retroceded to SONIDEP reached an average of over 1 million litres per annum between 2017 and 2021.⁴¹

Stretches of Nigeria's northern border with the Niger are active conflict areas. To the east, Boko Haram and its successor groups continue to attack on both sides of the border.⁴² Further west, bandit groups straddle the border between north-west Nigeria and south-west Niger.⁴³ With the security forces focused on these issues, small-scale fuel traffickers operate with a degree of impunity.

Every day, a fleet of traffickers on motorbikes, in passenger cars and four-wheel drive vehicles cross over from Nigeria into the southern Dosso, Tahoua, Maradi and Zinder regions of the Niger. According to a Nigerien newspaper, around 500 motorbikes carrying 25-litre jerrycans of fuel cross the border between Nigeria and the Niger on a daily basis.⁴⁴ Twenty five litres may not be a lot of fuel, but if constant this flow would add up to more than 41 million litres annually.⁴⁵

Nigerian fuel is also trafficked using four-wheel drive vehicles that can transport between 80 and 100 jerrycans, each containing 25 litres. These vehicles enter the Niger at border crossings such as Karakara, Ruwa Wuri and Birni' Nkonni and travel onwards to Mali. Fuel trafficking of this kind is the most likely to supply violent extremist groups operating in the border zones of Tillaberi region with Mali.

Informants described a number of trajectories, which largely follow small dirt roads, in particular when approaching the border with Mali, so as to avoid confiscation by the Niger security and defence forces present in these areas, who monitor the smuggling of fuel and other substances.⁴⁶ The routes from the various points of entry into Mali then converge and proceed north towards Sanam, avoiding the town of Sanam itself, and then stay north of the road towards Abala.⁴⁷ Although Abala is close to the border between the Niger and Mali, the key point of entry into Mali appears to be further east via Anderambukan and from there to Menaka in south-east Mali.⁴⁸ In Mali, Agazragane is the principal market for fuel, arms and other goods in the Menaka region. It is not currently under the control of any signatory armed group and is accessible to any armed group, including the violent extremist groups Islamic State in the Greater Sahara (ISGS) and JNIM.⁴⁹

As well as by road in four-wheel drive vehicles, Nigerian fuel enters the Niger by pirogue on the Niger River at the border town of Gaya in the south-west of the country and is transported upstream to Niamey and beyond towards Mali, being sold in places along the way such as Ouna, Flame, Say, Tillabéri and Ayorou.⁵⁰ Once it has arrived in Ouatagouna in Mali, fuel is transferred onto vehicles or trucks and transported on the main road to Gao.⁵¹ Pirogues can carry up to 200 drums each containing 200 litres of fuel, or a total of 40,000 litres of fuel per pirogue.

ROUND TRIPPING OF FUEL PRODUCED IN THE NIGER

Nigerian fuel is not the only fuel trafficked in and from the Niger. The Niger is an oil-producing country and some of the fuel smuggled in the country is refined domestically. An investigation by the Haute Autorité de Lutte contre la Corruption et les Infractions Assimilées (High Authority for Combatting Corruption and Related Offences (HALCIA)) concluded that traffickers were purchasing fuel marked for export at a reduced cost and then diverting the fuel to the domestic market or to other countries in the region without paying tax.^h

HALCIA investigated the number of fuel tankers declared for export during the period 2017/18 that did

not pass through the designated border crossing and established that out of the 11,082 fuel tankers declared for export to Burkina Faso and Mali, 904 did not pass through the Torodi border crossing. Furthermore, of the 5,883 fuel tankers declared for export to Nigeria, 633 did not pass through the Matameye/Dan Barto border crossing. In addition, 78 trucks operated by other economic operators, who had obtained transit licences in March and April 2018, did not pass through the designated border crossing, while 20 had smaller quantities of fuel on board than declared.ⁱ HALCIA estimated this to add up to a total loss of over 10 billion CFAF (over \$15.8 million) for the Niger.^j

h HALCIA, Rapport annuel d'activité 2019, 2020, pp. 19–22.

i Ibid.

j HALCIA, Communiqué de presse, 3 October 2019.

With the spill over of violent extremist activity from Mali and Nigeria into the Niger, the Nigerien authorities have attempted to address fuel trafficking. This includes restricting the use of motorcycles and banning the sale of petroleum products, including in the Liptako-Gourma border region.⁵² However, no studies have yet been conducted to assess the effectiveness of these measures.⁵³

Algeria to Mali

Although the border between Algeria and Mali is better controlled than many of the other borders discussed in this report, fuel trafficking between the two countries dates back to well before the start of the current security crisis in 2012. The Kidal region of Mali has been practically integrated into Algeria's economy since Mali's independence in 1960.⁵⁴ The Algerian and Malian Tuareg population is effectively allowed free movement across the border, with many obtaining dual citizenship and conducting business in both countries.⁵⁵ The two provinces of Mali that border Algeria, Kidal and Timbuktu, are almost entirely supplied with contraband fuel from Algeria.⁵⁶

Fuel supplies in Algeria are controlled by the state-owned oil company, the Société Nationale pour la Recherche, la Production, le Transport, la Transformation, et la Commercialisation des Hydrocarbures (Sonatrach), mainly through its subsidiary, Naftal. Algeria's southern border has been officially closed since January 2013 and fuel supplies to service stations at or close to the border with Mali are restricted and police escorted.⁵⁷ A sand berm has been constructed along a large section of the border, locking in areas with a history of smuggling.

Nevertheless, large-scale fuel smuggling is known to be ongoing. Algerian security and defence forces regularly seize contraband fuel in small quantities in pick-up vehicles, but the extent of the fuel smuggling (estimated at close to 30 million litres in 2015)⁵⁸ suggests that most of the flow proceeds uninterrupted.

Today, the two main forms of fuel trafficking in this region are "ant" trafficking by authorized traders and larger-scale trafficking by professional smugglers. The Algerian Government has allowed many of the merchants with dual Algerian and Malian citizenship to officially register as traders.⁵⁹ Twice per month, the provincial authorities (*wali* or prefects) open the border to allow registered traders to return to Mali legally with excess fuel equivalent to nearly one drum (around 150–200

litres).⁶⁰ Incoming trucks are allowed to fuel up to 1,800 litres and sell the excess fuel illicitly back in Mali.^{61,62}

The professional smugglers involved in the larger-scale fuel trafficking carry five to six drums per vehicle, or the equivalent in jerrycans.⁶³ These supplies are generally loaded further north in Algeria, in the cities of Tamanrasset and Adrar, where fuel supplies are not rationed as they are in border towns.⁶⁴ These traffickers maintain short-term warehouses (*zwed*) and constantly move their locations along the border.⁶⁵ According to the representative of an armed group operating in the area, rather than pass through regular border crossing points, specialized fuel trafficking vehicles pass through illegal crossings, often in rugged terrain outside the sand berm or in areas where the berm has been breached.⁶⁶

On the way to Kidal and Timbuktu, fuel transporters have to pass through areas in Mali that are under the influence of JNIM-affiliated groups, such as Talhandak, Abeibara and Boudj Beha. In 2018 and 2019, there were frequent reports of terrorist armed groups in the Kidal region holding up and extorting fuel transporters.⁶⁷ In early September 2018, for example, some 60 private trucks carrying fuel on different roads were held up by apparent JNIM elements until they received payment in kind in fuel.⁶⁸

Libya to Chad and the Niger

Libya has some of the cheapest subsidized fuel in the world (\$0.11/litre in 2018) and, according to the United Nations Panel of Experts on Libya, the smuggling of fuel from and within Libya continues to be a "prosperous activity", including for armed groups and cross-border criminal networks.⁶⁹ The Panel of Experts has documented fuel flows across Libya's borders to Tunisia, but also to the Niger and Chad, in particular to gold-mining sites at the border.⁷⁰ As most of the service stations in the south of Libya are either closed or not selling fuel at the official price, diversions of subsidized fuel feed the domestic black market and it is unclear how much of it crosses the border to the Niger and Chad.⁷¹

Main actors involved in fuel trafficking

As discussed above, a large portion of the trafficked fuel market in the Sahel appears to be informally organized. It is legal to acquire fuel at the pump in the countries where fuel is subsidized, but the magnitude of the volumes involved suggests that legal fuel retailers located

near the borders of those countries are at least tacitly complicit in the cross-border trade, if not necessarily actively involved and thus legally culpable. Many small-scale fuel buyers may view their activities as simply those of any type of trader, who buys where prices are low and sells where prices are high. They may have to pay bribes to law enforcement officers if they are caught, but this may be common in parts of the region even when no crime is committed or trade is legal.⁷²

In addition to small players, investigations conducted in Burkina Faso, Mali and the Niger have shed light on the major protagonists in fuel trafficking in the Sahel. The prominence of individuals with interests in retail fuel companies in those countries highlights the importance of the formal trade in laundering smuggled fuel. Beneath them a large number of merchants maintain illegal depots where fuel is accumulated and, in some cases, there appears to be some degree of official complicity, whether compensated or not.⁷³

In the Niger, for instance, HALCIA documented the involvement of 150 economic operators in a fuel round-tripping scheme during the period 2017/18 (see box on page 16).⁷⁴ The involvement of bank employees and tax officials in schemes for laundering the proceeds of illicit fuel trafficking from Nigeria has also been documented in the Niger.⁷⁵ Moreover, it has been reported that customs officials allow fuel traffickers to cross the border in exchange for bribes.⁷⁶

In the aforementioned 2021 fuel smuggling case in Burkina Faso, some of the individuals arrested are wealthy businessmen, one of whom owns several small service stations in the Kaya neighbourhood, north-east of Ouagadougou. He has also established several small warehouses in the remote villages of Barsalogho, Pissila and Pensa that hold contraband fuel from Nigeria and are where violent extremist groups active in the region, notably the JNIM-affiliated Ansaroul Islam, source their fuel supplies.⁷⁷ Five customs officials, two police officers and a gendarme were arrested in April 2022 on corruption charges in relation to this case.⁷⁸

In Mali, the United Nations Panel of Experts on Mali documented the involvement in fuel smuggling of individuals under United Nations Security Council sanctions or of people associated with them. This includes Mahamadou Ag Rhissa, an influential businessman in the Kidal region and member of the non-state armed group Haut conseil pour l'unité de l'Azawad (HCUA).

In 2016, he represented the non-state armed group Coordination des mouvements de l'Azawad (CMA) during meetings in Bamako about the implementation of the 2015 Agreement on Peace and Reconciliation in Mali. Ag Rhissa was reported to be trafficking gasoline between Algeria and Mali⁷⁹ and to be involved in migrant smuggling and human trafficking in the area.⁸⁰

Companies associated with individuals under United Nations Security Council sanctions, such as Tilemsi Services, which is managed by a relative of Mohamed Ben Ahmed Mahri, alias Mohamed Rouggy, are also reported to be involved in fuel smuggling from the Niger to Mali.⁸¹ Fuel smuggling in the north of Mali seems to be tolerated by the Malian authorities, with the Panel of Experts referring to a "tacit agreement between the Government and armed movements to help the north recover economically from the crisis."⁸² The rotating president of CMA and secretary general of one of its main components, HCUA, has conducted visits to local authorities in southern Algeria in order to guarantee that supplies of fuel and goods are maintained across the border.⁸³

Principal enablers of fuel trafficking

One of the most significant enablers of fuel trafficking in the Sahel is the fact that fuel prices in Nigeria, Algeria and Libya are far lower than in the Sahel countries, mainly as a result of national fuel subsidies schemes. In Nigeria, the fuel subsidy was removed at the beginning of 2012, only to be reinstated at a much lower level shortly afterwards due to popular protest. Although the Nigerian fuel subsidy was originally extended until mid-2023, the Medium-Term Expenditure Framework 2023–2025 concedes that, despite resulting in losses, the subsidy may be extended beyond that point.⁸⁴

On a smaller scale, cross-border trade authorizations issued by local authorities in Algeria have also provided informal merchants with the opportunity to transport fuel into Mali. Moreover, the introduction of fuel subsidies and licensing policies has led to the emergence of powerful business elites in the Sahel countries with sufficient political influence to protect fuel smuggling activities and keep costly subsidies and preferential licensing procedures intact (in the formal market).⁸⁵

Opportunities to earn illegal revenue indirectly from fuel trafficking through bribery and other forms of corruption

also compromise the level of repression that the Sahel countries can exercise on the illicit fuel trade. Illicit payoffs to national security forces, for example, ensure passage for fuel traffickers, as documented in Burkina Faso and much of the Niger, and on other trafficking routes.

Issues with, and gaps in, the rule of law in some areas, owing to a combination of a high level of insecurity and vast, porous borders, constitute a key enabling factor for fuel trafficking. The lack of state presence in remote areas gives room for the proliferation of criminal activities. In parts of northern Mali, for example, where the rule of law is largely absent, pro-government armed groups and violent extremist groups both benefit from and enable fuel trafficking. Some communities have even mobilized against reforms that tackle fuel trafficking and law enforcement action in less conflict-ridden zones.⁸⁶

For instance, when the Malian security forces stopped 43 tankers at Labbézanga on the border between Mali and the Niger in 2017 to request the payment of fuel taxes, unidentified assailants attacked the security forces, killing one gendarme. The trucks were released by order of the newly appointed governor in Gao. Furthermore, in 2018, Malian customs officials were threatened and intimidated, making it practically impossible to carry out their duties, and fuel transporters, who are often affiliated to pro-governmental armed groups, were alleged to have incited local teenage boys and young men to protest.⁸⁷

Policy implications

- In a region with high rates of informal employment (ranging from 78.2 per cent in the Niger to 96.9 per cent in Chad),⁸⁸ ending fuel smuggling in the Sahel could have serious consequences for the well-being of the population. It could drive transportation and energy prices up, affecting the cost of most commercial goods and services. Efforts to curb smuggling in the region, including through customs controls, have been met with violent resistance that has made it practically impossible for customs officials to carry out their duties and even led to the death of a law enforcement officer.
- On the other hand, fuel smuggling entails considerable fiscal losses for countries with already constrained budgets and lubricates corruption, armed groups and organized crime in the Sahel. A solution would be for the Sahelian States and their neighbouring countries to tackle fuel smuggling cases with direct links to organized crime, armed groups and corruption. This could be aided by using the international cooperation provisions of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption, in applicable and appropriate cases, to investigate and prosecute the most damaging forms of fuel smuggling by high-level perpetrators.

Endnotes

- 1 For the purpose of this report, the Sahel countries refers to Burkina Faso, Chad, Mali, Mauritania and the Niger.
- 2 One estimate (www.globalpetrolprices.com/articles/52/) puts the figure at about 0.02 to 0.03 litres per capita per day. Based on United States EIA data, per capita daily gasoline use would range from 0.08 litres in Burkina Faso to 0.03 in the Niger. According to OPEC data, estimated gasoline demand for the whole of Africa in 2021 was 1,169,000 barrels per day, which is about 0.13 litres per capita. This may be skewed upwards by higher consumption rates in large petroleum-producing countries like Nigeria. In Nigeria, consumption estimates have been made as part of an effort to detect and address the illicit market. In August 2021, according to a media source, a representative of the Nigerian Federal Ministry of Petroleum Resources told the Federal House of Representatives Committee on Finance that the daily average consumption was between 48 and 52 million litres, which, divided by a population of 217 million, would be about 0.23 litres per capita. See Bakare Majeed, "Petrol smuggling: reps to probe 40 million litres disparity in NNPC, DPR records", *Premium Times* (24 August 2021). Available at <https://www.premiumtimesng.com/news/top-news/480968-petrol-smuggling-reps-to-probe-40-million-litres-disparity-in-nnpc-dpr-records.html>; the Global Petrol Prices source cited above places Nigerian daily per capita consumption at 0.17 litres.
- 3 Based on United States EIA 2019 data on consumption of motor gasoline and distillate fuel oil for Burkina Faso (23 thousand barrels per day (mb/d)), Chad (9.7 mb/d), Mali (29.2 mb/d), Mauritania (18.2 mb/d) and the Niger (10.4 mb/d). That is, 90,500 barrels times 159 litres per barrel times the 365 days in a year.
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- 10 International Energy Agency (IEA), *Clean Energy Transitions in the Sahel* (Paris, 2022).
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- 25 Email exchange with ASCE-LC, October 2022.
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FUEL TRAFFICKING IN THE SAHEL

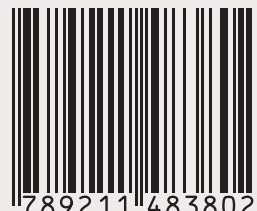
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