

Drug smuggling and border control at Johannesburg International Airport and Durban Harbour

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The international drug trade and South Africa

The purpose of this paper is to describe the state of border control at Johannesburg International Airport (JIA) and Durban Harbour in regard to the detection of drugs smuggling. Before beginning the main business of the paper, though, a word on context is necessary. What is the state of the southern African drug market? What is coming in, going out, and being transhipped? Which drugs enter and leave by air, by sea and by land, and which by all three? What sort of quantities are we talking about?

All of these questions are notoriously difficult to answer. The size of illicit drug markets is measured by the rate and quantity of seizures, by changes in the rate of drug arrests, changes in retail prices, by the anecdotal intelligence of investigators, street cops and prosecutors, and by the self-reporting of consumers. The last of these, self-reporting, is the most accurate, but only when data is collected through rigorous and systematic sampling. No drug consumption researcher has ever sampled for the total South African population.¹ The short answer, then, is that we do not know nearly enough about the South African drugs market.

Cannabis

Along with abalone, cannabis is southern Africa's largest contraband export. While precise figures are impossible to calculate, it can be said with certainty that southern African cannabis has risen from its status as a minor export in the late 1980s to a global market leader today. In the late 1980s, the export market for southern African cannabis was so small that it barely registered in the records of European police agencies. Most players were small-time white businessmen who, as one of the investigators interviewed for this project put it, "wanted to earn a bit extra to buy a boat for his house at the Vaal River".

By the late 1990s, much of the regional cannabis trade had been taken over by West African organised crime, and the British authorities had reported that South Africa was the single largest cannabis exporter to the UK. Indeed, by 1999, British customs and excise officials were reporting that twice as many UK seizures of cannabis had a South African origin than the previous British supply leader, Jamaica.²

The spectacular growth of cannabis exports in the 1990s is accounted for in part by the speed with which illicit capital took advantage of the declining value of the South African rand. Between the beginning of 1990 and the end of 2001, the rand weakened from about R2.50 to about R13.00 to the US dollar. It was a good time for anyone exporting commodities that trade in stable, high-value currencies. By 2002, cannabis was wholesaling at about \$1 350 per compressed kilogram in London and Glasgow, and at only \$10 a kilogram in South Africa;³ those who exported cannabis from South Africa began making a killing. Not only were their costs in rands, they were minimal. The cannabis itself was bought for next to nothing from peasant producers. The primary costs consist in concealing it and shipping it in bulk from southern African ports.

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It is also almost certain that cannabis exporters have used cannabis to skirt the weak rand when purchasing imports. Throughout the 1990s, the price of imported contraband drugs – cocaine, crack cocaine, heroin and synthetic club drugs – not only remained stable but, by international market standards, astoundingly cheap. The likelihood is that they were traded for high-value cannabis, rather than low-value rands.⁴ Indeed, illicit traders have bartered commodities at global bazaars since time immemorial. Unlike licit traders, they are able to accrue a double benefit from trading in weak currency zones, benefiting from weak currencies when exporting, and skirting them when importing.

How is cannabis smuggled out of the country? Border post and port detection of cannabis shipments has been too low to constitute a good indicator. At Durban Harbour for instance, which is responsible for 64% of South Africa's sea container trade, officials interviewed have no recollection of a cannabis shipment ever having been seized. Yet, that does not mean that cannabis is not exported from Durban Harbour. Indeed, during 2004, two large cannabis shipments that had originated in Durban were seized in Rotterdam's harbour. The truth is that the modestly-resourced anti-narcotics border control function at Durban Harbour largely invests its limited capacity in monitoring imports, not exports. With the exception of containers bound for U.S. ports, an export shipment will only be examined if specific information is received.

We must thus rely on the anecdotal evidence of organised crime investigators who investigate cannabis exporters. This method is, of course, hardly the most rigorous; it is entirely anecdotal and probably sheds little light on those exporters who are too good to be detected. Nonetheless, twelve investigators from six security agencies were interviewed for this study. Ten of the 12 believe that cannabis exporters usually avoid South African sea ports. The most common *modus operandi* is to smuggle cannabis consignments through land border posts or across unmonitored border lines, and to ship from the ports of neighbouring states. This information is highly anecdotal, but if true is very interesting. It suggests that cannabis export routes are shaped by the avoidance of South African sea ports.

Mandrax

Mandrax (a synthetic drug consisting of methaqualone and diaphenhydramine or diazepam) is the largest narcotic import to South Africa. It is the only imported drug that has permeated working class ghettos in South Africa – much like heroin in the 1960s and 1970s, and crack in the 1980s, in the Americas and Europe. The bulk of its market consists of the working class coloured districts of Cape Town. It does not have a mass market outside of Cape Town.⁵

Mandrax has been coloured working class Cape Town's drug of choice since the late 1970s. Historically, it has been sourced from the Asian subcontinent, home to a sophisticated pharmaceutical industry long schooled in the production of methaqualone. In recent years, Chinese-sourced methaqualone appears to have entered and captured the market in a very short space of time. Why is a matter of speculation,

but it is in all likelihood a combination of two factors. First, Chinese importers have achieved extraordinary economies of scale. Seizures of Chinese-sourced methaqualone and its chemical precursors have mostly been enormous – as much as six tons in a single shipment. Moreover, retail prices do not appear to rise in the aftermath of large seizures, suggesting very high volumes of supply. Indeed, according to a biannual survey conducted by a large drug treatment centre in Cape Town, retail prices remained remarkably stable between 2000 and 2004. Nor did they appear to rise temporarily in the wake of multi-ton seizures.⁶

Second, there is a great deal of evidence that Chinese organisations importing methaqualone en masse are also exporting abalone en masse, and it appears that one is being bartered for the other. Mandrax wholesalers on the Cape Flats are thus paying Chinese Mandrax importers in high-value abalone, rather than low-value rands. Chinese Mandrax importers, in other words, are far more attractive than their erstwhile subcontinental rivals to Cape Town wholesalers.

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Given the enormous scale of Chinese-sourced methaqualone shipments, it is fairly certain that the bulk of the import arrives in Africa at sea ports. But its subsequent intra-continental journey is an interesting one. During 1994, three large seizures of methaqualone powder and precursors were made at Durban Harbour. None of the three shipments, however, were South Africa-bound. Two were being transhipped to Mozambique, the third to Namibia. Since the Western Cape is the only significant market for Mandrax on the African continent, it is fairly certain that all three shipments

were bound for Mozambique and Namibia for manufacture, and would subsequently be smuggled into South Africa for retail, probably through land borders. This would suggest one of two things. Either Mandrax importers believe that South African land border posts are less well policed than South African air and sea ports and that the geographic distribution of Mandrax manufacturing is shaped around the avoidance of South African sea ports and airports. Or manufacturing facilities in Namibia and Mozambique face fewer risks of detection than South African-based manufacturing operations.

Cocaine and Heroin

South Africa has been an established transshipment zone for cocaine en route to Europe from South America, and for heroin en route to Europe from central Asia, since the early 1980s at the very latest.⁷ It remains a major transshipment zone today.⁸



It does not follow automatically that a region established as a transshipment zone will also become a retail zone. Lebanese, Greek and Israeli syndicates have used South Africa for transshipment since the early 1980s, and have never succeeded in retailing drugs in South Africa in large quantities. Until the mid-1990s, both cocaine and heroin served a small, wealthy market of recreational users. In contrast, Sao Paulo came to host one of the largest crack markets on the planet in the years following its establishment as a cocaine transshipment port between the cocoa fields of South America and Europe.

Crack only began to retail in noticeable quantities in South Africa in the mid-1990s, when Nigerian organised crime began to dominate the transshipment market. In contrast to their predecessors, who had tried to retail cocaine in South Africa but failed, Nigerian drug entrepreneurs had access to a local community of pushers, which accessed the South African market via its control of the inner-city sex work industry.⁹ By the early 2000s, crack appeared to have become the third most widely used illicit drug in South Africa, behind mandrax and cannabis.¹⁰ The South African heroin market, in contrast, appears not have changed in character since the 1980s: it remains an expensive recreational drug for the wealthy.

The vast majority of South African cocaine seizures are made at Johannesburg International Airport (JIA). Some seizures are also made every year at South African land borders. This does not necessarily mean that JIA is South Africa's cocaine smuggling hub. It could simply reflect the fact that enforcement capacity is far weaker at other international airports and land borders.

Synthetic drugs other than Mandrax

There is a small, fairly static South African market for club drugs – principally benzodiazepines and amphetamines. The market consists primarily of young, middle class ravers, and if international experience is replicated in South Africa, will not expand beyond these consumers. It is imported in small quantities, probably by human couriers, airfreight and parcel services.

There is one synthetic drug other than Mandrax which has the potential to become a mass market drug in South Africa. For the first time in two-and-a-half decades, Mandrax's market dominance on the Cape Flats is being threatened by a rival synthetic drug – crystal methamphetamine (its colloquial name is tik). In December 2004, four Chinese nationals – three of

whom are known by security agencies to have a long involvement in the abalone trade – were arrested on the premises of a crystal methamphetamine factory in the Western Cape.¹¹ It is, in all probability, being smuggled by the same traders and along the same routes as Mandrax, and is probably also being bartered for abalone. To date, there are no reports of shipments of crystal methamphetamines having been seized at South African ports.

Policing narcotics at ports

There are obviously differences between detecting human drug couriers, drug consignments hidden in air cargo, and drug consignments concealed in sea cargo. We deal with these differences in some detail in the course of this paper. Here, we point to the common principles that animate all anti-narcotics detection at ports.

The relationship between border control agencies and drug smugglers is a simple cat-and-mouse game, one in which, in current circumstances at any rate, the odds seem to be stacked heavily in favour of the mouse. Indeed, it is fair to say that a mouse who gets caught is either ill-equipped to evade detection or unlucky.

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Across the world, border control agents only search a small fraction of cargo and passengers that pass through a port.¹² At Durban Harbour, less than one percent of cargo containers are searched. At JIA, the official figure is three to five percent of incoming cargo, but those involved at the operational level believe these figures to be a little optimistic.

The art of detection, then, is to choose the right one or five percent. And the art of evasion is to ensure that one's consignment never gets into that one or five percent. For the sake of simplicity and convenience, let us say that the task of border control agents is to divide cargo and people into a green zone, which consists of most traffic, and a red zone, in which traffic is stopped and searched. The art of detection is to ensure that the green zone really is green. The art of evasion is to end up in the green zone.

How to divide traffic between the green and red zones? The first task is to determine point of origin. A piece of cargo or a passenger that has not come from South America is far less likely to be carrying cocaine than a consignment from South America. So the first task of an agent looking for cocaine is to determine the point of origin of cargo and passengers. The task of an evader is to conceal the point of origin. The methods of both cat and mouse differ depending on



whether air passengers, air freight, or sea freight are in question. We discuss these differences later.

A second level involves documentation. If an evader is careless or incompetent, the contraband he is carrying on his person or in his consignment can be read from his manifest documentation. A contraband consignment might have a false address on its manifest, a non-existent importer, a fabricated phone number. A consignment of rice shipped from Bolivia would raise suspicions, as would a consignment of cell phone accessories from Thailand. Similarly, a human courier who goes on four, one-week leisure visits to Sao Paulo every year with a single change of clothing and no forex is giving himself away.

The third level is physical detection. Both human beings and cargo carrying contraband “behave” as if they are carrying contraband. A group of anti-narcotics agents who enter an arrivals hall having targeted an incoming flight for human couriers will be trained in “behaviour pattern recognition” (BPR). The assumption is that passengers carrying drugs exhibit behaviour ordinary passengers do not. BPR obviously works best when every official who comes into face-to-face contact with passengers is trained in its method: airline flight staff and ground staff, everyone at the front end of immigration and customs, and so forth. (For instance, somebody who has swallowed a consignment of drugs will refuse in-flight meals, which will be detected if flight staff are appropriately trained.)

Air and sea freight carrying contraband can also “behave” as if they are carrying contraband, to a well-trained eye at any rate. A consignment of washing machines is too light; a consignment of television sets is too heavy. A consignment of cheese is eccentrically packaged. As with BPR, a great deal hinges on the tacit, informal knowledge of the border control agent.

Finally, if border control agents can trust and verify that a shipment has been securely packed and transported by a known and reliable shipper, whose own risk management systems have proven to be impeccable, it will place the shipment directly into the green zone. Since September 11 2001, a great deal of energy has been invested in tightening security behind the border line, in other words, before the freight reaches the port. In the U.S., for instance, only firms that have made at least 24 shipments with the same freight-forwarder over a two-year period can put cargo on passenger planes. Freight forwarders, in turn, are encouraged to sign up to government-designed security code of practice. The reward for

signing up is that one’s freight is fast-tracked through the border control system; compliant companies thus get a competitive advantage over their noncompliant rivals. First prize for any smuggler would be to infiltrate the transport chain of a reputable shipper.

During the course of this paper, we return to all of these levels of the cat-and-mouse game as they pertain to passengers and air freight at JIA, and sea freight at Durban Harbour.

Policing drug smuggling at Johannesburg International Airport

Overcrowded, but lonely

Speak to anyone involved in hands-on, line function security at JIA and you will find a paradox at the heart of their perspective: they will tell you that security at JIA is both overcrowded and understaffed. The paradox is not difficult to unravel. Security is “overcrowded” in the sense that a plethora of security agencies converge on JIA and must co-ordinate their work in relative harmony.

ACSA and the private security companies it subcontracts, together with support from the SAPS, is responsible for the physical security of the airport. It is a massive task that is foundational to all the other security work performed at JIA. It involves regulating the movement of the personnel of dozens of service companies through restricted areas, controlling movement through the airport’s perimeter access points, and monitoring the entire circumference of the perimeter itself.

Then there are the several SAPS agencies located at, or with a professional interest in, the airport. The uniformed branch, responsible for policing the dense concentration of opportunistic and planned crimes that characterise busy commercial airports – handbag snatching, theft of luggage, motor vehicle theft, armed robberies at cash-intensive retail outlets, misrepresentation and fraud, muggings, robberies of valuable cargo, and so forth. Then there is the detective branch, which investigates these crimes; the Border Police, responsible for detecting the movement of contraband, monitoring the movement of firearms, ammunition and criminal suspects; and a sub-branch of the Organised Crime Unit, responsible for detecting human drug couriers. These are all SAPS agencies, but each has its own corporate identity and loyalty.

Then there is Customs and Excise, which controls the movement of goods across borders; Home Affairs, responsible for the movement of people across

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borders; the Department of Health, which manages the disease risks of international human traffic; and the Department of Agriculture, responsible for managing the disease risks of the movement of farm produce across South African borders.

Finally, the operations of a range of investigative and intelligence agencies – the South African Secret Service, the National Intelligence Agency, the Scorpions, Military Intelligence and SAPS Crime Intelligence – bring them into constant contact with JIA and JIA security.

So, border control co-ordination meetings conducted at JIA ought not to be convened in small rooms: they are pretty crowded affairs. In a separate ISS paper we discuss at length the question of inter-agency relations at ports, and debate the various options for integrating their work.¹³ Here, in regard to JIA in particular, we make just three points in regard to “security overcrowding”. The first is that everybody is interdependent; no agency can do its work properly without a host of other agencies doing their work properly. Second, different agencies are not, in substance, accountable to one another. Sometimes their respective mandates overlap, sometimes they conflict. Third, each agency, is, of course, at its own level of competency, of internal efficiency, skill and expertise.

It is thus not uncommon for border control managers to express the frustration that parts of their core function are dependent on supportive functions provided by another agency over which they have no control. Tension between agencies about conflicting mandates and varying levels of competence is thus a permanent feature of the JIA environment. Nor is it ameliorated by the fact that agency capacity is demonstrably uneven and security lapses are a perennial occurrence. For instance, in an unannounced security inspection performed in May 2002, a Qantas security inspector was able to wander, undetected, through controlled baggage areas and restricted sterile areas of JIA.¹⁴ Two years later, in September 2004, an investigative journalist managed to breach perimeter security and to walk through sterile areas unhindered.¹⁵ A few days after this incident, five armed robbers gained access to the tarmac and attempted to seize valuables being offloaded from a KLM Boeing 747.¹⁶ Valuable cargo from the same KLM flight was robbed by a band of armed men three years earlier, in December 2001.

A second factor that shapes the nature of inter-agency relations at JIA arises from the fact that illicit traders move a great deal of high-value contraband

traffic, and may attempt to pay handsome sums for official collusion.

Needless to say, a corruption-prone environment is one in which trust comes at a premium. Almost every official at JIA interviewed for this study said that their awareness of the potential for corruption among colleagues partly shaped their behaviour. People have confidence in the risk management systems in their own agencies, but not necessarily in others; they are thus hesitant to respond to requests for information. Border control officials trust people they know and have worked with, and not relative strangers.

Information does not flow easily through an environment characterised by wariness. It tends to collect in pools. It is hoarded. It is shared only with the greatest of care. And those who hoard information are, of course, acting rationally; a corruption-prone, multi-agency environment is one where caution is necessary. The result is that the security environment at JIA is both crowded and lonely.

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Anti-narcotics teams

Thirty-two officials are dedicated fulltime to anti-narcotics work at JIA. A sixteen-person team of SAPS Organised Crime Unit detectives is responsible for detecting human drug couriers on international flights. A separate team is responsible for detecting narcotics in cargo, international mail, and couriered parcels. It consists of 16 staff – eight Customs agents, drawn from the Customs Anti-Smuggling Unit, and eight uniformed SAPS members, drawn from the Border Police. The fact that it is a joint Customs/SAPS team is a function of one of the conditions on which its

formation and training was funded: it was established in April 2003 under the sponsorship of the United Nations and its members were trained in profiling by U.K. Customs officials.

The detection of non-narcotic contraband is a function performed mostly by Customs, rather than SAPS, on a day-to-day level. The Customs Anti-Smuggling Unit at JIA also has specialised teams dedicated to counterfeit goods, cigarettes and money-laundering respectively. SAPS Border Police, in contrast, has an eight-person shift the work of which is largely taken up with monitoring the Movement Control System, monitoring and registering the movement of firearms and ammunition, and processing cases of undocumented immigration and false travel documentation. SAPS personnel do move into the airport in force during perennial anti-smuggling operations, a mode of work that has its strengths and its weaknesses: more of that a little later.



Detecting human drug couriers

The following section describes the work of the sixteen-member Organised Crime Unit team charged with detecting human drug couriers. It is vague enough not to compromise operational detail but specific enough to give a sense of general principles.

Flight targeting: Theoretically, a person couriering cocaine from Brazil could land at JIA on a flight from anywhere. She may have used more than one passport and air ticket and thus concealed the leg of her journey that took her to Sao Paulo. How does one profile her? Essentially, one divides all the airlines and departure ports connected to JIA and grades them according to risk. Ideally, the risk grades are based on fresh information about smuggling routes and airport and airline security profiles. So, for argument's sake, Glasgow Airport will be graded low-risk, and flights from Glasgow will be targeted less frequently than flights from, say, Alexandria, which has a medium-risk grade. And flights from Monrovia, graded high-risk, will be searched every time they land at JIA.¹⁷ So too, of course, will all flights from Sao Paulo.

It is a question of percentages – of a rational allocation of scarce resources. It is assumed that a courier from Sao Paulo who passed through Glasgow will have a greater chance of being detected before JIA than a courier who moved through Monrovia.

Passenger targeting: Passengers are targeted by a combination of profiling methods. It is assumed, for argument's sake, that a courier is more likely to be white than black, because black passengers are more likely to be picked out by immigration officials in first- and second-world countries. Current intelligence may inform border control officials that Nigerian courier recruiters are recruiting primarily from homeless shelters and among inner-city sex workers. So an elderly white man in a brand new, but ill-fitting suit and a bright-red sunburned neck will raise suspicion. So will a traveller whose passenger manifest appears out of sync with her appearance, or at variance with her explanation; the manifest data of an unemployed person who takes regular trips to South America without forex should be picked up by the Unit's data collection system. Finally, a passenger whose behaviour in the arrivals lounge follows the classic behaviour patterns of a courier should be detected. Needless to say, this sort of work is only performed well by those who have accumulated a great deal of tacit knowledge.

How well does it work? The following would probably not pass as a rigorous control experiment,

but its results were quite interesting nonetheless. As a rough and ready test of how well this method of profiling works, I approached two organised crime investigators with long experience of drug syndicates. I asked each to recall the last cocaine courier he monitored, the courier's profile and travel itinerary.

The first was a 48-year-old self-employed businesswoman. She bought a return ticket from Johannesburg to Lisbon, where she had both family and business clients, and travelled on her South African passport. Once in Lisbon, she began using her bona fide European Union passport, and bought a return ticket from Lisbon to Buenos Aires, where she picked up her shipment. She did the entire return trip from Buenos Aires to Johannesburg via Lisbon with a consignment of cocaine strapped to her waist.¹⁸

The most risk-prone moment in her journey must have been her arrival at Lisbon from a major South American hub carrying a consignment of cocaine. Her arrival at JIA was probably pretty close to risk-free. Neither her personal profile, nor her passenger manifest, nor her itinerary would have alerted border control officials to the fact that she was a courier; as far as the South African authorities were concerned, she was a well-heeled businesswoman on routine business in Portugal. This is not to say that passenger profiling at JIA is faulty. Given availability of resources, JIA officials did everything right: they were blind to her on the grounds she had carried cocaine through Lisbon, a relatively well-policed airport, rather than, say, Lagos, a less secure airport. What the example does illustrate is that JIA officials can get everything right, and a professional, well-resourced syndicate can still reduce its chances of being detected to a bare minimum.

The second was a 32-year-old woman employed as an administrative assistant at a large corporation. She travelled to London six times in a period of 22 months, and returned each time with a consignment of cocaine stitched into the lining of her baggage. As with the first example, this courier slipped through several profile tests. Her personal profile would not have alerted border control agents and her point of departure, London, was in all probability classified as low risk. What might have alerted border control was the fact that she had travelled to London six times in less than two years. She had no professional business in London and was insufficiently wealthy to indulge in such frequent overseas travel. A more rigorous data collection system may have drawn attention to her.

Theoretically, a person couriering cocaine from Brazil could land at JIA on a flight from anywhere.

Organisation and personnel: A sixteen-person team tasked with detecting drug couriers at a large international airport is obviously under strain. To get a sense of the strain, consider the competing prerogatives it must juggle in deciding how to organise its work. There is no specialisation. Everyone is responsible for the entire work chain, from profiling, to detecting, to investigating, to managing the evidence chain, to seeing cases through trial. On the other hand, this structure makes a great deal of sense. Successful prosecutions require continuity and rigour in the chain of custody and evidence – a good reason for the same personnel to see a case through from detection to court.

Yet, given current personnel levels, there is a price to be paid for this work structure. First, the Unit loses the advantages of specialisation. Profiling, for instance, is meticulous and labour-intensive; doing it thoroughly requires doing it fulltime. Second, the Unit is caught in a breathtakingly inefficient structure of time management which caps its optimal level of performance at a very low threshold. Stated simply, the more efficiently the Unit does its work, the less time it has to do it. Success, in other words, breeds inefficiency. Every time a “swallower” is caught, for instance, members of the team guard him around the clock until the entire evidentiary chain is completed – from x-raying the suspect to waiting for him to expel the evidentiary exhibit from his body. A human being can only carry a maximum of a kilogram inside his body: members of the Unit are taken away from the airport in return for very little. The more successes a team has, the more time its members spend in court, and so forth. In sum, every time the Unit has a flurry of successes, it finds itself severely understaffed.

Personnel levels at JIA are boosted from time to time when border control operations are performed at the airport. For the Unit, this is a mixed blessing. The temporary personnel are not familiar with the airport, nor trained to detect human couriers. And given the extent to which border control work is prone to corruption, the presence of many strange faces is probably a spur to increased vigilance and nervousness. This problem is not unique to JIA. Universally, whenever the numbers of specialised personnel are boosted by the presence of temporary auxiliaries, problems in regard to under-training and lack of specialised or localised knowledge arise.

The Unit of course works with and trains airline personnel, the Customs agents who staff the customs corridor, and the Home Affairs officials who staff the immigration cubicles. But profiling human couriers

is not the core business of any of these agencies, and its personnel do not have vocational incentives to motivate them to do this sort of work with enthusiasm.

Despite these predictable difficulties, the Unit can claim a constant stream of busts, some of them very large, which would indicate a modicum of success at the very least.

Detecting drugs in air freight

The team responsible for detecting narcotics in air cargo also consists of 16 members – eight from the Customs Anti-Smuggling Unit and eight from SAPS Border Control. The team has been in operation since April 2003.

Working with freight is both easier and more difficult than working with people. More difficult because freight does not give itself away as easily as human beings: it does not sweat when sniffer dogs enter the arrival hall; it does not speak incessantly on a cell phone to make drop off arrangements, and it does not answer questions inconsistently under interrogation. Yet, with freight, working on the evidentiary chain is less time-consuming, less prone to error and less emotionally taxing than working with human couriers.

The cargo team is responsible for three categories of air freight: heavy cargo, couriered freight and international mail. The latter two are the less taxing. Established international courier companies have invested a great deal in their own internal risk management systems and work closely with Customs teams around the world. Much of

Customs’ work is thus done behind the border line in the supply chain. And in regard to mail, state of the art scanners at JIA work proficiently through large quantities of mail, thus simplifying and rendering more efficient the profiling process. It is ordinary air freight that is the most labour intensive and that relies most heavily on the skill and perceptiveness of those who staff the border itself.

Like the human courier team, the cargo team divides incoming flights into low, medium and high risk categories. As with human beings, it is possible for the point of origin of a consignment to be disguised. It could be sent to a transshipment port, repackaged and sent to JIA with a new manifest. But the chances of a smuggler using a well-policed port for transshipment are unlikely: the smuggler would risk detection at two ports rather than one. So, as long as the calculations and intelligence informing the risk categorisation process are sound, so is the process itself.

A sixteen-person team tasked with detecting drug couriers at a large international airport is obviously under strain.

Beyond flight targeting, the team relies a great deal on examining manifest documentation – false addresses, non-existent importers, a manifest declaring a cell phone consignment from a point of origin that does not manufacture cell phones – as well as on looking for contraband “behaviour” – a heavy cargo declared as clothing, for instance.

When this work is performed only at the border line by customs officials themselves, the chances of accurate profiling are reduced enormously. There are a range of players along the supply chain who should be co-operating with Customs in profiling suspicious consignments. Airlines and transit shed operators are both well-placed to detect shipments which exhibit contraband “behaviour”, on condition that they are appropriately trained and co-operative. Freight forwarders and clearance agents are also well-placed: a client will always pay in cash and will pay unusual attention to the timing of shipments; a client’s delivery address will be an abandoned warehouse.

How co-operative are these various players? It varies.

According to JIA Customs agents, some airlines are consistently co-operative, others consistently disinterested, still others only co-operative when pushed. Freight forwarders and clearing agents are less co-operative: their primary business interest is providing an efficient service. To the extent that increasing investments in risk management hinders, or is indifferent to, efficiency, it is a wasted investment.

To be sure, significant customs legislation does exist that can be used to enforce increasing levels of compliance. Customs has also begun to invest in processes to optimise the flow and control of goods through pre- and post-clearance actions and the reliance on approved agents for compliant import/export dealings. However, as is discussed later in this paper, it is recognised as a problem globally that a great deal of capacity is required to make these processes effective. In regard to South Africa, interviews conducted for this study with freight forwarders, clearing agents and cross-border traders seems to suggest co-operation in the supply chain is reliant primarily on good will. This is surely a problem. In the conclusion of the following section of this paper, we discuss whether it is feasible to use incentives, penalties and the threat of law enforcement to mobilise co-operation in the supply chain.

Policing drug smuggling at Durban Harbour

The recent history of Durban Harbour has been anything but uneventful. The South African economy,

which had been protected from global trade for decades behind a wall of import substitution, was subjected to rapid and far-reaching trade liberalisation in the early 1990s. Durban Harbour felt the brunt of the rapid transformation of the economy. Between 1994 and 2004, the volume of trade passing through the port doubled from about 750 000 to 1.5 mil containers per annum.¹⁹ About 64% of South Africa’s sea freight passes through Durban Harbour.²⁰ It is also a sub-continental hub, serving as a transshipment port for countries as far up the east coast of Africa as Tanzania. It is probably the single most important institution in sub-continent’s international trade.

The harbour has struggled to keep up with the volumes. Investment in infrastructure has not come close to matching the dramatic increase in container trade. The result is that the port is perennially congested, as bottlenecks constantly form on both sides of the supply chain. The ripple effects of serious congestion at Durban Harbour are unthinkable. The harbour’s overriding concern is to keep freight moving.

Port security and border control, no matter how efficiently designed, inevitably slow down the movement of traffic. Part of the art of border control is to reach satisfactory levels of risk management without disrupting trade. But innovation and creativity have their limits, and there comes a point when the relationship between efficiency and security becomes zero-sum; in other words, where one must be weakened at the expense of the other.

Yet if efficient freight movement is crucial to the South African economy, so too is efficient border control at Durban Harbour. If Durban is a hub of licit trade, it is also a contraband hub. Volumes of counterfeit goods – electronic equipment, DVDs, clothing, footwear, cigarettes, and so forth – enter the harbour every day, stealing market share from legitimate local manufacturers. Second hand cars are illegally imported through Durban. Much of the Mandrax smoked on the streets of the Cape Flats appears to enter the subcontinent through Durban. Scores of importers under-declare the value of their shipments to evade the payment of import duties. In short, the integrity of border control at Durban Harbour is vital both to government revenue collection and to the protection of licit industries from illicit rivals.

How did this tension between two vital functions – trade efficiency and border control – play itself out in the mid and late 1990s? It would not be too ungenerous to say that neither fared particularly well. As mentioned earlier, infrastructure development did

Some airlines are consistently co-operative, others consistently disinterested, still others only co-operative when pushed.



not keep pace with increased volumes, with the result that container movement slowed consistently during the 1990s. As for border control, the institutions the new democratic government inherited were in a state of flux. As the authors of a 1997 United States assessment report of South African border control commented in regard to Durban Harbour:

There appeared to be little or no control over gaining access to the port inspections area. The general public has access to cargo areas, vessels and warehouses. The security personnel assigned to control access appeared ill-trained to maintain the high security level that is necessary for control and deterrence. The lack of physical barriers, signage and lighting compound the challenge.²¹

Much thought was given to security at Durban Harbour in the late 1990s. A National Interdepartmental Structure (NIDS) was formed in 1997. Every government agency involved in the business of border control was represented; its mandate was to facilitate the formation of a new integrated border control function. Among other tasks, it paid considerable attention to the infrastructure requirements of sound security at Durban Harbour. Some of its thinking found expression at Durban Harbour: the instalment of a functioning container scanner, for instance, and the establishment of an Operational Coordinating Committee (OPCO). But by the time NIDS was disbanded in 2001, the substance of its plans had yet to be implemented. Ironically, many of the ideas generated by NIDS would see fruition years after its disbandment under pressure from abroad, and particularly from the United States.

Durban Harbour since 9/11

In the end, the pressures that reshaped the face of security and border control at Durban Harbour were global rather than national. In the wake of the terrorist attacks on New York and Washington on 11 September 2001, the U.S. developed an immediate and powerful interest in the security of the global transport chain. Its fears in regard to ocean-faring cargo were particularly grave. More than 24 000 containers are offloaded at U.S. ports every day. The consequences of a single one of them containing a nuclear or chemical weapon are obviously very grave indeed. In the immediate aftermath of 9/11, the U.S. Congress passed a law requiring every container entering the U.S. to be unloaded and examined. The law was, of course, impossible to implement without bringing sea trade to the U.S. to a halt.²²

Instead, U.S. border control agencies began to focus their attention on the points in the global transportation system prior to U.S. borders. Among these points is every major sea port that ships containers to the U.S., including, of course, Durban. In 2002, the U.S. began using its considerable economic and political muscle to reshape the international maritime environment. As a senior border control official at Durban Harbour put it:

Since 9/11, the entire emphasis has shifted to the security of the global trade chain. If the U.S. feels secure, the whole world should feel secure. If the U.S. feels threatened, the whole world must both feel threatened and behave as such. The U.S. has extended its borders; the first line of defence extends as far as Durban.²³

The post-9/11 maritime environment has had two major effects on the nature of physical security and border control at Durban Harbour. In December 2002, signatories to the International Convention for Safety of Life at Sea (SOLAS) signed an International Ship and Port Security Code (ISPS), which was scheduled to be implemented on 1 July 2004 under the auspices of the International Maritime Organisation (IMO).²⁴ The code consists of a series of measures to strengthen security at ports, on vessels and in international waters; it allocates responsibility to a host of role players from shipping lines to port operators to shippers.

Important to our purposes is the fact that compliance with the code entails a radical overhaul of physical and asset security at Durban Harbour, the completion of which is scheduled for 2008. The first task, which is 80% complete and which in fact began, not in response to the ISPS code, but as a NIDS-inspired initiative – is the establishment of a fence around the 22km² periphery of Durban Harbour; the perimeter will also be monitored by CCTV and linked to a 24-hour response capacity. The remainder of asset security compliance to ISPS consists of the establishment of a complex, electronically-driven system of access and movement control throughout the harbour.

Aside from being physically large, the harbour is operationally complex. For the purposes of ISPS compliance, it has been divided into 28 function-specific facilities. A different agency is responsible for each facility, depending on its function. (Responsibility for periphery security and overall asset security rests with the port operator, the National Port Authority (NPA).) A cumulative total of nearly 600

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companies service the 28 facilities on a daily basis. All the personnel of these 600-odd companies will be registered electronically, bar-coded and permitted access only to the particular facility where they work, and to a security corridor between their facility and the harbour periphery.

Transforming a large international port from a place of almost unrestricted movement to an electronically monitored semi-sterile environment is obviously a Herculean task. Work began in 2002. Completion is scheduled for 2008.²⁵ While border control officials may grumble over the fact that these changes were driven by external pressure, there can be little doubt that they are enormously beneficial to all areas of border control, including such national priorities as the policing of the counterfeit goods market and the collection of revenue from importers.

The second direct effect of the post-9/11 environment on Durban Harbour comes in the form of a permanent presence of U.S. border control agents at Durban Harbour. In January 2002, the U.S. Customs Service announced a new programme dubbed the Container Security Initiative (CSI). Its effect would be to extend U.S. border control to all the major ports through which U.S.-bound containers pass. All containers bound for the U.S. would be risk-profiled by U.S. border control agents at port of origin. The CSI is nominally reciprocal. Countries that agree to host U.S. inspectors are permitted to send their own inspectors to U.S. ports. One can hardly imagine, though, that sending staff on permanent assignment to the U.S. would constitute optimal use of South Africa's border control resources.

The CSI was operational at Durban Harbour by mid 2004. Its first effect was to create some friction between South African and U.S. officials, as the latter demanded use of the harbour's only container x-ray scanner, thus limiting the time it was available to scan imports. It is understood that new scanning equipment – enough to go around – will be purchased and in place some time during the course of 2005.

Anti-narcotics work at Durban Harbour

Searching containers for drugs at Durban Harbour is the responsibility of a joint anti-narcotics team consisting of Border Police and Customs Anti-Smuggling Unit officials. As with the anti-narcotics team at JIA, the fact that it is a joint Customs/SAPS team is a function of one of the conditions on which its formation and training was funded: it was established in August 1999 under the sponsorship of the United Nations.

Given the size of its task, it is a small team: at time of writing it consisted of five SAPS Border Police officials and three customs officials. About 1.5 million containers passed through Durban Harbour in 2004. And it takes a team a couple of hours to search a container thoroughly for drugs. So it is only possible for the team to physically search a miniscule fraction of the total volume of containers that pass through the harbour. Under these conditions, a team's profiling skills must be very good indeed.

And yet, to make their work even more difficult, profiling sea containers appears to be far more difficult than profiling air freight. South America is a high-risk point of origin in regard to cocaine and China is a high-risk point of origin in regard to Mandrax. But there are no direct lines between South America and Durban and only one direct line between mainland China and Durban. Freight coming from either of these points of origin is transhipped, and the various transshipment routes are innumerable. Thus, while a piece of air cargo shipped from Sao Paulo to Lagos to Maputo wears its suspiciousness on its sleeve, there is

usually far less to be read into a shipping container's route to Durban. A South American container, for instance, could reasonably tranship from just about any port in the western hemisphere with a direct line to Durban. As a Durban Harbour border control official explained: "We can't divide ports into low and high risk. There are no low risk ports. Drugs can be transhipped all over the world. Instead, you have to examine all manifests very carefully. If you get a shipment of bananas and the point of origin is Singapore, you know there is a problem. If the shipment is rice and the point of origin in Bolivia, there is also a problem. But as for the route itself – it's very difficult to profile on that alone."

Not only are the transshipment routes of seafaring freight complex, it is also not difficult to "lose" a container's point of origin on its manifest documentation. Talking about the routes containers take to the U.S., veteran border control official Stephen Flynn writes in his book, *America the Vulnerable*:

Anyone with \$3 000 to \$5 000 can lease one of the many millions of containers that circulate around the globe. They can pack it with up to 65 000 pounds of items, close the door, and lock it in a seal that costs a half-dollar.... If the box moves through intermediate ports before it enters the United States, the container manifest typically indicates only the details known to the final transportation carrier. For instance, a container could start in Central Asia, travel to an interior port in Europe, move

About 1.5 million containers passed through Durban Harbour in 2004. And it takes a team a couple of hours to search a container thoroughly for drugs.

by train to the Netherlands, cross the Atlantic by ship to Canada, and then move by rail to Chicago. The manifest submitted to U.S. customs inspectors often will only say that the container is being shipped from Halifax and originated in Rotterdam.²⁶

Just as a dirty bomb from Central Asia can appear to have originated from Rotterdam by the time customs agents in Chicago read the manifest, so a shipment of cocaine from Cali can appear to have originated from Free Port, Bahamas or New York by the time it reaches Durban. In other words, sea containers carrying contraband are far less likely to “behave” like they are carrying contraband than airfreight. The result is that profiling is that much more difficult.

Containers profiled for contraband at Durban Harbour are sent to a container x-ray scanner at the dockside. The container is owned by the NPA and operated by Customs and Border Control officials. Using the scanner is not a substitute for a physical search. It is a useful labour-saving device; it essentially tells you where in the container to search. According to Border Control officials interviewed at the scanner site, 30 to 40 containers are scanned per day. (This includes containers profiled for contraband other than drugs.) Say, for argument’s sake that the scanner is used every day of the year (which it isn’t). That would mean that 14 600 out of a total of 1.5 million containers were considered for a physical search in 2004: that is 0.97% of total volume. Given how difficult and labour-intensive it is to profile seafaring containers, this figure of less than one percent suggests that Durban Harbour’s profilers are searching for the proverbial needle in the haystack. Or, more accurately, for a needle in a stash of needles.

It is thus unsurprising that in 2004 not a single consignment of drugs was seized at Durban Harbour as a result of profiling. Its last success at time of writing was in 2003. The good news is that while drug busts at Durban Harbour as a result of profiling are unusual, drug busts as a result of the investigations of organised crime investigators are not uncommon. In 2004, three large consignments of Mandrax, Mandrax precursors and Mandrax manufacturing equipment were detected at Durban Harbour because of specific information received by investigators working on transnational drug smuggling projects. It appears, then, that despite difficulties in profiling, the work of the anti-narcotics team at Durban Harbour is extremely useful when combined with the work of organised crime investigators.

Anti-smuggling partnerships behind the border line

What would it take to make the work of border control anti-narcotics teams more viable? The short answer is a lot more resources than are currently made available. Whether the investment is worthwhile is another question, one this paper is not in a position to answer. It is a political and institutional question of resource allocation. What this paper can do is suggest where extra resources might be invested were they to be invested at all.

Logically, it would seem that investing all one’s resources in enforcement at the border line itself would not be optimal. While having 24 blindfolded officials searching containers is better than eight, the officials remain blindfolded. Their work would be made a good deal easier if they were in a broad partnership with those players who constantly handle goods at other points in the transport chain – the shipping lines, the freight forwarders, the clearing agents: in other words, those whom smugglers are forced to do business with if they want their consignments to travel.

Durban Harbour’s profilers are searching for the proverbial needle in the haystack. Or, more accurately, for a needle in a stash of needles.

This is precisely where the emphasis has shifted in the post-9/11 U.S. To take one example: a U.S. shipper is not permitted to ship airfreight on a passenger plane unless it is registered as a “known shipper”. To become a known shipper one has to have shipped 24 times within two years with the same direct or indirect shipper. Every new shipper must be visited face-to-face by representatives of each airline they intend to ship directly on.²⁷

So, those who move freight must be known to those whose job it is to move their freight for them, in other words, to players in the transport industry. But what incentives does the transport industry have to police its own customers? Why should they do any more than go through the motions of meeting new customers face-to-face? Thus far, the American answer to this question has been a programme called C-TPAT – Customs-Trade Partnership Against Terrorism. Companies that handle imported goods on the American side of the supply chain are encouraged to do an audit of their potential vulnerabilities and to address them. The system is designed to be incentive-based: if companies implement C-PTAT measures, their goods are fast-tracked through ports and they thus gain an edge over their competitors. The idea is that staying out of C-PTAT will be bad for business. A critical mass would join, which means those who don’t will stick out. In other words, freight carrying bombs will begin to “behave” more than freight carrying bombs.



How strong is this system? It is, of course, an elaborate version of the green zone/red zone system discussed earlier. And the same question remains appropriate. How easy is it for smugglers to ensure that their consignment ends up in the green zone? The answer is that the system is far from foolproof. As a South African border control official commented: "It is easy to hide behind a name. You establish a company, ship something 24 times, and then you ship what you want to."²⁸ Or, as another South African border control official put it: "First prize for any smuggler is to free-ride on a respected name. If I were smuggling I'd target a reputable shipper, say a large Japanese motor vehicle manufacturer. I'd find somebody to corrupt on the manufacturer's supply line, pay somebody a fortune to slip my consignment into the supply line. Is anybody's risk system perfect? Of course not."²⁹

Moreover, the system is very expensive and very labour intensive. Ensuring that transport companies are in fact auditing their systems and their relationships with customers requires a great deal of capacity. As Stephen Flynn points out in regard to C-TPAT:

... the Bureau of Customs and Border Protection lacks the manpower and resources to ... review the applications of companies who wish to participate in C-TPAT, and to move away from error-prone cargo manifests that remain the cornerstone of the targeting system. The carrot of facilitation that comes from participating in their programs is not matched by a credible stick.³⁰

In South Africa there is a fair amount of pro forma talk about strengthening partnerships with the private sector behind the border line, matching efficiency with rigour, trade facilitation with effective risk management. In January 2005, for instance, the Finance Minister published a newspaper article in which he spoke of Customs "refining and improving its accreditation scheme to offer preferred clients privileged status through certain benefits – typically electronic paperless customs clearance."³¹ Yet if the U.S. is battling to garner sufficient resources to enforce private sector compliance in the wake of a national catastrophe like 9/11, it is hard to imagine that South Africa will do better.

As argued earlier, it is a question of how to spend scarce resources. Would an investment in border control bring better returns than rival anti-narcotic investments? Or at a broader level, would investment in anti-narcotic enforcement bring better returns than an investment in detecting other sorts of contraband. The answers to these questions are, once again, beyond the scope of this paper.

Nonetheless, there are a few minimal and relatively inexpensive undertakings that might be considered.

One is to have a modest but efficient investigative capacity working quietly and discretely behind the borderlines. As one border control agent interviewed for this study put it:

Take Durban Harbour: nearly 600 service companies entering and leaving the port every day. It is surely in this matrix of services behind the border line that smuggling is facilitated. There must be some capacity present to monitor this matrix. For instance, somebody enters the port with a cleaning service, stops for a while, and then crops up again as a transport service. How often does this happen? We don't know. We don't know because we do not have the capacity to pick it up. We need a function that quietly monitors company integrity – importers, exporters, freight forwarders, all service providers, even the engineering company that installs the cranes.

A light and discrete investigative capacity is just one suggestion. The principle is that if new resources are to be invested, they ought to be invested in opening a window onto points in the supply chain behind the border line. For without that window onto the things that happen behind them, those who staff the borderline itself often find themselves looking for the needle in the haystack.

Notes

- 1 The Institute for Security Studies has conducted of a survey of drug content in the urine of criminal suspects in police cells in three South African cities. The sample was not, of course, representative of drug consumption in the South African population as a whole. See T Leggett (ed), *Drugs and Crime in South Africa: a study in three cities*, Pretoria, Institute for Security Studies, 2002.
- 2 T Leggett, *Drugs and Crime in South Africa*, op cit, p 31.
- 3 United Nations Office on Drugs and Crime, *World Drug Report 2004*, <http://www.unodc.org/pdf/WDR_2004/Chap5_cannabis.pdf>
- 4 T Leggett, *Rainbow Vice: the drugs and sex industries in the new South Africa*, London, Zed, 2001, p 36.
- 5 The ISS urinalysis referred to in note 1 found that 36% of the Cape Town sample tested positive for Mandrax, but only 6% of the Johannesburg sample and 4% of the Durban sample.
- 6 Author's communication with Andreas Pluddeman, senior scientist, Alcohol and Drug Abuse Research Group, Medical Research Council, April 2004. It should be said, however, that official announcements of "multi-ton" seizures ought to be treated with caution. In the U.S., for instance, in 2001, the Drug Enforcement Administration announced that it had seized 41.3kg of LSD from a laboratory in Kansas, enough to give every person in the western



hemisphere two does. A dogged journalist by the name of Ryan Grim discovered after several months of research that the 41.3kg referred to the weight of "a substance containing a detectable amount of LSD". The detectable amount of LSD was 198.9 grams! See R. Grim "The 91-Pound Acid Trip," in *Slate Magazine*, 14 March 2005, <www.slate.com>. I am grateful to Antony Albeker for drawing this case to my attention.

- 7 Author's communication with U.K. customs official, January 2005.
- 8 Author's interview with Zain Aboobaker, National Group Manager, Anti Smuggling, South African Customs Enforcement, January 2005.
- 9 T Leggett, *Rainbow Vice*, op cit, p 64.
- 10 See Leggett (ed), *Drugs and Crime in South Africa*, op cit, p 6.
- 11 See, *inter alia*, "Tik case: focus on immigration," 21/01/2005 at <http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1650562,00.html>
- 12 It takes a good two to three hours for a team to search a multipurpose container for drugs. Searching a significant percentage of containers would bring trade to a standstill. Since 9/11, there has been discussion in the U.S. of using electronic and GPS technology to track the movement and integrity of every single U.S.-bound container on the planet. See S Flynn, *America the Vulnerable: How Our Government is Failing to Protect Us from Terrorism*, New York, HarperCollins, 2004, pp 81-110.
- 13 J Steinberg, *An Overview of South African Border Control: 1994-2004*, Pretoria, Institute for Security Studies, ISS Paper 103, 2005.
- 14 Qantas, "Johannesburg International Airport Security Inspection," 24 May 2002, Inspector: Melinda Horan.
- 15 *Saturday Star*, 17 September 2004.
- 16 "Johannesburg Airport boosts security after raids," *Airwise News*, 21 September 2004, <<http://news.airwise.com/stories/2004/09/1095796910.html>>
- 17 These departure ports are named at random. There are no direct flights to JIA from Glasgow, Alexandria or Monrovia.
- 18 Her business was only moderately successful. She told her handler that she couriered cocaine to fund her own cocaine habit, to fund the renovation of her house, and to subsidise her business travel.
- 19 See, *inter alia*, Business Report, "Board praised for tackling harbour congestion," 20/01/2005, at <<http://www.busrep.co.za/index.php?fArticleId=2379180>>
- 20 Author's interview with Sihle Mbongwa, branch manager, Customs & Excise Durban, February 2005.
- 21 Cited in A Minnaar, *Policing the Ports: Reducing Illicit Trafficking in South Africa*, Pretoria, Institute for Security Studies, 2003, p 71.
- 22 See S Flynn, *America the Vulnerable*, op cit, p 87.
- 23 Author's interview with Sihle Mbongwa, branch manager, Customs & Excise Durban, February 2005.
- 24 For a comprehensive explanation of the ISPS code, see <http://www.imo.org/Newsroom/mainframe.asp?topic_id=583&doc_id=2689>
- 25 Author's interview with Justice Bloose, head of security, National Port Authority, Durban, February 2005.
- 26 S Flynn, *America the Vulnerable*, op cit, pp 88-89.
- 27 See, for instance, <www.exportmichigan.com/changes-in-aircargo-regs.htm>
- 28 Author's interview with Andrew Niedermeyer, Customs & Excise Anti-Smuggling Unit, JIA, January 2005.
- 29 Author's interview with George Morey, anti-narcotics team, Durban Harbour, February 2005.
- 30 S Flynn, *America the Vulnerable*, op cit, p 107.
- 31 T Manuel "Customs the key to efficient trade," in *Business Day*, 27 January 2005.



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About this paper

The paper examines efforts to detect and combat the smuggling of drugs through Johannesburg International Airport (JIA) and Durban Harbour. The extent and nature of the illicit cross-border drug trade is examined. We then describe the state of border control at JIA and Durban Harbour with particular reference to anti-narcotics activity. We suggest that, if further resources are to be invested in efforts to curb the illegal movement of drugs through South African air and sea ports of entry, it ought to focus on improving monitoring, compliance and intelligence in the transport supply chain behind the border line. In the absence of this investment, risk profiling at the border line itself is not as efficient and effective as it might be.

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