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A definition of 'drug mules' for use in a European context

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Overview

The trafficking of drugs and, in particular, the use of human carriers (often called 'drug mules') for this purpose remains a relatively hidden phenomenon, on which limited information is available. As is the case with various other elements of illicit industries, the majority of evidence available in relation to drug couriers/drug mules is drawn from official sources such as police and customs data relating to apprehension, and thus offers a relatively limited perspective of the phenomenon.

Although they form an important source of information, law enforcement data may not be an accurate representation of the issue and reflect both the success of enforcement efforts and, potentially, targeted enforcement priorities. Academic research has attempted to reconcile this gap in our understanding of drug mules; however, much of this knowledge cannot be applied in a broader context as it is country and culturally specific.

The principal aims of this project were to determine if it is feasible to capture a common European definition of a drug mule and to assess the implications of this for data gathering and future research.

Current definitions of 'drug mules' as they relate to drug trafficking appear to be relatively ambiguous, with no clear separation of drug trafficking elements (such as distinguishing between production and transportation and, in the latter case, between import or export) being made at either European Union (EU) or United Nations (UN) level.

Because of this ambiguity, the project sought to develop a definition of the term 'drug mule' in an attempt to create a shared understanding and agreement of the concept in order to broaden its applicability and comparability throughout Europe. A review of existing literature identified two distinct types of courier: the self-employed courier and the drug mule. The main differentiation between the two forms of couriers centres on the level of organisation and commercial interest in the transportation of the drug, with those who are paid a fee, wage or salary (including the reduction of debts) to transport drugs referred to as 'drug mules' and those who derive benefit from the sale (or use) of the drugs upon arrival at their destination referred to as 'self-employed'.

Using this information as a base, the following definition of 'drug mule' is proposed: *A drug courier who is paid, coerced or tricked into transporting drugs across an international border but who has no further commercial interest in the drugs.*

This concept/definition was then tested by surveying professionals, academics and practitioners throughout Europe and beyond to assess not only their understanding of the meaning of the term 'drug mule', but also its prevalence and legal standing in their own country. The results of this survey suggest that respondents have a general understanding of the roles that exist within the drug courier market, including the role of drug mule, but that this is not clearly reflected in written legislation or policies. This lack of a formal and standardised definition suggests that further research should be undertaken to develop a more formalised definition and understanding of the term 'drug mule' across countries and across professional fields.

1. Introduction and background

Drug trafficking is no longer considered solely a social ill or a domestic issue, but is now presented as a matter of European security ⁽¹⁾. In the European Union (EU) vast amounts of resources are spent on securing external and internal borders against illegal drugs and punishing those who break drug laws ⁽²⁾; however, research in the area is still, comparatively, in its infancy. Very little is known about the operation of drug markets or about state and non-state responses to drug markets and the effects of these. There remains a disconnect between theoretical models and regular data gathering that empirical research has so far been unable to bridge. Thus, the aim of this project was to reassess the ontological assumptions that have been underpinning drug market research and informing research choices to determine whether a more comprehensive and comparative approach might be more useful in the future.

Until very recently the collection and analysis of drug-related law enforcement data at the national, European and global levels, and the subsequent evaluation of law enforcement policy, was largely in the hands of law enforcement agencies rather than a subject of wider public analysis and debate. The accepted models of drug markets and interventions have been a product of combining these data with the findings of small-scale, local and ethnographic studies. These models have not been rigorously tested, as evidenced by the lack of subsequent data. The limitations of current data, in terms of availability, methodology, reliability and comparability, are well known to researchers in the field (EMCDDA, 2002; Dorn et al., 2005, p. 2).

Where data relating to drug markets has been collected regularly, it has been done so mainly as a result of their availability as opposed to their theoretical or analytical utility. Much of the current understanding of drug trafficking is based on these data, which are widely accepted as flawed. Theories and models of drug trafficking that are now considered 'classic' have, for the large part, been based on reports of successful law enforcement interventions, and because of the inherent risks of field research this is particularly true of activities related to production, large-scale (or wholesale) trafficking and international trafficking. The first section of this paper will document the existing knowledge, assumptions and data from such 'official' sources that inform our understanding of drug markets.

Academic research in this area, based on extensive and intensive field work, is increasing. This has led to criticisms of the 'classic' models, which are challenged as being oversimplistic. However, this research, employing sociological and ethnographic tools and methods, is often highly localised and overly contextualised, and is disconnected from the wider global or regional drug markets.

This paper takes the classic juncture between the international and national markets — the 'drug mule' or international trafficker — as a means of assessing the ontological base of drug markets

⁽¹⁾ The preamble to the European Council Framework Decision 2004/757/JHA, laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking, states: 'Illicit drug trafficking poses a threat to health, safety and the quality of life of citizens of the European Union, and to the legal economy, stability and security of the Member States' (Council of the European Union, 2004).

⁽²⁾ Estimated drug-related public expenditure within Europe in 2005 was EUR 35 billion, with law enforcement accounting for 16 % and prisons for 31 % (EMCDDA, 2008).

and research as a whole and as a way of bringing together local and international research. It develops a definition of 'drug mule' grounded in previous empirical research but which decontextualises the role as a means of broadening its applicability throughout Europe. This definition is then tested by surveying national experts throughout Europe and beyond to assess their recognition not only of the term but also of the role, its prevalence and legal standing in their own country.

2. Drug markets: official data sources and law enforcement

Data sources and availability

Recent European and domestic policy documents have stressed the need for increased research and evidence-based policymaking. One of the most important actions for the EU in the field of drugs, as well as one of most longstanding and well established, is to increase both the quality and quantity of information available to domestic policymakers and the public. In the field of drugs, this has been demonstrated by a desire to '[f]urther develop instruments to monitor the drug situation and the effectiveness of responses to it' ⁽³⁾. The tenor of such objectives reflects the fact that the scientific community is still some way from establishing mature scientific indicators in the sphere of demand and supply reduction.

Providing regular, reliable and comparable data across such a geographically, socially and legally diverse area as Europe is a difficult task. Not only does each country have a specific and unique drug problem, and has developed specific responses to address it, but there are different scientific and political priorities in play to contend. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) has been invaluable in coordinating national experts from across Europe to develop tools and methods for providing comparative, epidemiological data on the drug problem ⁽⁴⁾. However, advances in this area have only served to highlight weaknesses in other areas, particularly drug supply and supply reduction. Two fundamental issues have considerable detrimental effects on the collection of Europe-wide data on drug supply, and these will be discussed below.

The first is the issue of data collection and availability. Drug trafficking is a consensual crime, which means that the detection and reporting of drug offences are the result of law enforcement activity. It has been argued that data sets such as recorded offences and seizures reflect not the true size of the drug market but the level of activity of the police, whose operational priorities may be dynamic. Data from traffickers themselves are extremely limited, being largely confined to information received from incarcerated traffickers, who, being a by-product of successful law enforcement activity, are less than ideal as a source on which to base general conclusions.

The second issue is that of data reliability and comparability. Legal systems throughout Europe vary widely in terms of both the institutional and instrumental frameworks (the laws, who applies them and how they are applied) and the culture of information gathering, reporting and dissemination. This has led to a situation in which there are large gaps in the data, often filled by estimates, and what is reported by one country might not mean the same in a different country.

⁽³⁾ Objective 23 of the EU drugs action plan (2009–12) (Council of the European Union, 2008).

⁽⁴⁾ More information on the EMCDDA's five key epidemiological indicators can be accessed at <http://www.emcdda.europa.eu/themes/key-indicators>

The EMCDDA currently gathers data on two types of drug law offence as part of its routine monitoring: 'use-related' and 'supply-related' offences. Two additional categories — 'use and supply-related' and 'other' ⁽⁵⁾ — were added to accommodate the needs of countries regarding offences that cannot be clearly included in the use/possession or dealing/trafficking/production categories. These categories, whilst undoubtedly of policymaking use, are the result of a compromise resulting from the nature of monitoring 30 different legal systems, each with its own legislation, norms and practices. One of the few areas common to the legislation of reporting countries is the distinction between offences connected to drug use and those related to drug trafficking. However, even this distinction is not without problems, and there are often large differences, such as the threshold quantity of a drug that constitutes a trafficking offence. The categories of 'use and supply-related offences' and 'other' are reported by five and fourteen of the reporting countries, respectively.

Drug trafficking offences are grouped together as 'supply-related' offences despite constituting a vast array of actions and roles, which themselves may have various legal definitions in different domestic legal systems. The EU defines drug trafficking in the same terms as the United Nations (UN) ⁽⁶⁾:

[The] production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of drugs.

Identifying trafficking offences, on a European scale, is notoriously difficult due to a lack of comparability in legislative definitions (Decourriere, 2001, p. 66; European Commission, 2009, p. 3), legal practice (EMCDDA, 2009b) and data-gathering methods (EMCDDA, 2002), which means that one of the fundamental issues is to first develop some shared understanding and agreement of terms in order to (even artificially) generate a degree of comparability.

The limitations of monitoring in the area of criminal justice were outlined in an EMCDDA report on sentencing statistics:

The definitions used in national data systems vary between countries, and different terminologies may be applied to similar concepts ... Similarly, quantity is often a criterion for the presumption of personal use or supply, but some countries have specific offences of 'personal possession of large quantities'. While such countries submit statistics for drug law offences according to these two distinct categories of personal use and supply, it is not clear on what basis they make the distinction.

(EMCDDA, 2009b, p. 9)

⁽⁵⁾ See EMCDDA Statistical bulletin, Table DLO-2, at <http://www.emcdda.europa.eu/stats09/dlotab2a>

⁽⁶⁾ See Article 3(1)(a)(i) of the 1988 United Nations Convention Against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances and Council Framework Decision 2004/757/JHA of 25 October 2004, laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking.

Given the lack of clarity in the delineation of basic differences such as that between use and supply, one might reasonably question the rationale of attempting a further, more subtle distinction. However, a further distinction between types of offences is essential to achieve a greater insight into the workings of European drug markets and national responses to them — a need that is increasingly recognised and whose fulfilment is demanded (Council of the European Union, 2008; Kilmer and Hoorens, 2010, p. 13). This situation is emphasised by the paucity of available national data, which indicate that, although maximum sentencing tariffs for drug trafficking are rarely implemented in Europe (EMCDDA, 2009b), there remains a significant difference between the tariffs attached to importation offences and those imposed for retail, or street-level, trafficking (McEvoy, 2005; Mwenda, 2005).

The first step towards monitoring at the European level is, of course, ensuring regular, reliable and comparable monitoring at the national level. Despite the legal and statistical difficulties, a number of countries already record data on drug importations at a basic level ⁽⁷⁾. In the conclusion of his examination of national drug trafficking legislation, Decourriere (2001, p. 69) calls for a reclassification of drug offenders, which would give researchers a greater degree of detail, and argues that this would allow Member States to 'retain certain specific national features' and 'apply their own criminal law policy whilst at the same time adopting certain common standards'. However, accepting the differences between national systems and finding common understanding is much less contentious than seeking to harmonise systems, or impose a specific understanding, across Europe. This paper contributes to a clearer and more inclusive ontology, which will benefit future comparative drug research and data collection.

International drug trafficking

The international market for drugs is, in general terms, described annually at the global level by the United Nations Office on Drugs and Crime (UNODC) (UNODC, 2009, 2010) and at the European level by the EMCDDA and Europol (EMCDDA, 2009a; Europol, 2009). These agencies have shown consistently, over a number of years, that markets for the four main drug types ⁽⁸⁾ may follow basic commercial and logistic patterns: production, transit and arrival in primary markets. Such models of drug markets have largely been explained using the cocaine market as an example (Zaitch, 2002; Babor et al., 2010), as this provides the simplest and most temporally consistent geographical model of drug trafficking available. In brief, coca is grown in the Andean region and manufactured into secondary and tertiary coca products locally before being transported to primary markets (most often the USA and Europe) either directly or through transit countries. This is obviously a simplification of a flexible and dynamic process, and it is often argued that such an analysis represents only one of many possible views or even that it is the preferred view of law enforcement agents, who use it to argue in favour of specific responses (Perl, 1992). Despite arguments against such drug market theories, certain elements have yet to be wholly falsified,

⁽⁷⁾ In the 2008 national reports, submitted to the EMCDDA in 2009, at least six countries (Belgium, Germany, Ireland, France, Latvia and Sweden) reported importation offences despite not being required to do so.

⁽⁸⁾ In order of European consumption estimates, these are cannabis, amphetamine-type stimulants (ATS) (which include amphetamine, methamphetamine and ecstasy), coca products (in the European context this is almost exclusively cocaine) and opiates (almost exclusively heroin) (EMCDDA, 2009a).

primarily that in many cases drugs must move from areas of production to areas of consumption. Even if this reflects only one view of a complex situation and adds little to our understanding, it is an important starting point.

The case of cocaine is the one most often cited, probably because of the limited geographical areas in which it is produced. The relative simplicity of the classic cocaine market model is, however, only slightly modified in the case of opiates. Opium from poppies grown mostly in south-west and south-east Asia ^(?) is manufactured into secondary and tertiary products in transit to primary markets in Europe along longstanding routes through Asia, Russia and the Balkans. Like cocaine, heroin decreases in mass and increases substantially in value through this process, making trafficking easier and more profitable as it moves west along the route.

Large amounts of cannabis are introduced to Europe from Morocco, with smaller amounts also being produced in the Caribbean, South America, Africa and south-west Asia. In the case of cannabis, the picture is more complicated because there is increasing evidence that a large proportion of the cannabis consumed in Europe is produced and trafficked within the region (Decorte, 2010, p. 271). This situation is also true of synthetic drugs, production of which is prominent in the Netherlands and eastern Europe (EMCDDA/Europol, 2011). Very little, however, is known about the internal EU drugs trade and the effect on trafficking of the open internal borders. Two schools of thought have emerged: one suggesting that the single market and Schengen agreement offer criminals a greater opportunity for exploitation, particularly in cross-border crimes such as drug trafficking, and another which argues that police stand to benefit from greater cooperation and coordination (Dorn, 1996). Without accurate data, though, neither position can be adequately supported, and such data are currently lacking.

What information there is on international drug trafficking, both into the EU and within the EU, is produced largely by law enforcement agencies. This includes data on seizures, both the number of seizures of various drugs and the amounts, as well as on the methods employed by the drug traffickers. A number of methods, or 'technologies', may be used to transport drugs across international borders, either covert or illicit transit (private and unscheduled vehicles to transport loads) or the subversion of licit means of transit (such as hiding drugs among regular cargo on scheduled commercial passenger flights or sending drugs through the postal service) (Lee, 2003).

To counter these activities, national law enforcement actors have developed specific and targeted responses based on an increasing body of knowledge of trafficking practices. The first line of defence against international trafficking relies on national and international networks of information. It is becoming increasingly popular for countries to station customs liaison officers in producer or transit countries to provide links with local law enforcement agencies. Knowledge and experience of trafficking has also led to the development of both flagged journeys (e.g. flights originating in known producer countries) and flagged behaviour (e.g. no checked luggage on long-haul flights, buying last-minute tickets in cash). Strengthening the sharing of information and intelligence is the role of international organisations. Interpol, Europol and the World Customs Organization (WCO) all use secure databases and information systems to pass relevant

^(?) In 2009, the combined production of Afghanistan, Laos, Myanmar and Pakistan accounted for approximately 94 % of global opium (UNODC, 2010).

operational information between agents in different countries. The Maritime Analysis and Operations Centre — Narcotics (MAOC-N), an international coordination platform based in Lisbon, Portugal, has claimed successes in countering the first form of trafficking, specifically targeting shipments of cocaine in the Atlantic.

Intelligence has played a vital role in developing targeted operational responses to trafficking. These are largely the responsibility of national customs or border agencies. Many sea ports are now equipped with sophisticated container scanners that can analyse port traffic, while post distribution centres handling international mail regularly screen packages. In the case of human couriers, a number of interventions are used to aid detection, such as full-body scans, X-rays of people and luggage, ion scanners, which can detect minute particles of illicit substances, and, of course, sniffer dogs.

Human couriers continue to be a popular method of drug importation and have developed many ways to evade interception. Common evasion techniques include the swallowing of drug-filled pellets and concealment in baggage (and also within specially prepared items within the baggage). The evasion strategies employed by traffickers include changing trafficking routes regularly, bombarding particular routes with couriers in the hope that some will distract law enforcement, allowing others to get through, and the use of 'non-typical' couriers, such as children and the elderly. Reports of such strategies and techniques come largely from law enforcement agencies, and although they provide a general picture of the importation phenomenon, the bigger picture, including patterns, trends and prevalence, remains unknown outside law enforcement circles. Resources in this area are stretched, and the most effective tool continues to be intelligence. Given the high levels of traffic going through most European ports of entry today, it is vital that interventions are well targeted; however, the analysis of interventions has long been deemed an operational matter, and therefore unavailable for public and academic appraisal.

3. Drug markets: the academic view

One classic model of knowledge formation posits that once a phenomenon has been observed, theories can be developed to help explain, analyse or understand it. These theories should then be tested to judge their validity and modified as appropriate. If the original observation is flawed, then all subsequent theories and understandings resulting from it will be equally flawed. In the field of drug market research, the original observations, as mentioned above, arose largely from law enforcement activities and reflected legal instrumental frameworks rather than a balanced or incisive view of reality. As the body of research has grown, so the original observations, and the resulting understanding and assumptions, have been increasingly questioned.

More recently, there has been an explosion of research by social scientists, working in many different fields, that has provided sufficient evidence to prompt a break with past scholarship. Comprehensive models that view drug markets as a linear phenomenon from production to user have been called into question, and there has been a shift away from viewing drug markets as dominated by strictly hierarchical organised crime groups in favour of a more complex, nuanced picture that emphasises social and ethnic ties (López-Restrepo and Camacho-Guizado, 2001; Dorn et al., 2005, p. 9; Desroches, 2007, p. 832; Brombacher and Maihold, 2009, pp. 31–32).

Different scholarly fields have brought their own methodological issues into play. Each has strengths and weaknesses and can offer insights into the general understanding of drug markets. Extensive surveys by Ritter (2006) and Dwyer and Moore (2010) have identified five different disciplinary approaches to the studies of drug markets. A summary of such approaches can be found in Table 1, which states the strengths and weaknesses of each approach as well as noting some examples of such approaches in the literature.

The previous section described the 'official' sources of data available to researchers, which come largely from law enforcement or state sources. The majority of studies in Table 1, although clearly not all ⁽¹⁰⁾, and those more recently produced by academia use either field studies or a mixture of observed data and official data sources. If officially reported data could be described as having a 'top-down quality', then academic research is very much concerned with complementing these with 'bottom-up' or 'street-level' data, that is from interviews or observations of offenders involved in the drug markets. However, this approach also has its limitations: access to the actors working in the drugs trade is severely limited because of the illicit nature of the activity and the danger to the researcher, and data from criminals are rarely verifiable. Common data sources, such as incarcerated offenders, pose the same problems as law enforcement sources — they reflect successful law enforcement operations and/or unsuccessful trafficking operations, and it is debatable how representative these are of the phenomenon as a whole.

⁽¹⁰⁾ As noted, one of the weaknesses of economic approaches and law enforcement assessments is their over-reliance on 'official sources'.

Table 1. Approaches to studying illicit drug markets

Approach	Strengths	Weaknesses	Examples of studies
Ethnographic and qualitative approaches	<ul style="list-style-type: none"> – Enables a rich picture of the market (roles and structures) – Develop typologies – Help understand multiple local 'markets' 	<ul style="list-style-type: none"> – Limited scope for generalisation, i.e. <i>specificity</i> 	Caulkins and Reuter (2009) Paoli and Reuter (2008) Zaitch (2002)
Economic approaches	<ul style="list-style-type: none"> – Help develop a comprehensive theoretical approach 	<ul style="list-style-type: none"> – Idiosyncrasies may produce counterintuitive results – Applying external models can lead to oversimplification – Large reliance on rationality – Dependent upon available data, mainly from law enforcement, i.e. prices, seizures, etc. 	Caulkins and Reuter (1998) Costa Storti and de Grauwe (2009)
Behavioural and psychological research	<ul style="list-style-type: none"> – Can develop further insights on established models 	<ul style="list-style-type: none"> – Limited usefulness in its own right, more often used to complement economic research 	Lichtenwald (2003/4) van de Bunt et al. (2003)
Population and survey-based research	<ul style="list-style-type: none"> – May produce large amounts of data 	<ul style="list-style-type: none"> – Under-representation of illicit drug users because of the hidden nature of the behaviour – Rarely addresses issues of drug supply – Not driven by theories of drug markets 	Green et al. (1994) Matrix Knowledge Group (2007) Seigny and Caulkins (2004)
Law enforcement assessment	<ul style="list-style-type: none"> – Can inform other approaches – May produce large amounts of data – Provide information on different levels of the drug market 	<ul style="list-style-type: none"> – Much information not in the public domain – Data sources reflect law enforcement priorities and are a result of successful activities (bias) 	Dorn et al. (2003) Europol (2009)

Sources: McKenzie (1979), EMCDDA (2002), Ritter (2006), Dwyer and Moore (2010).

There are two compelling reasons why existing models are not sufficient for this project and why a reconceptualisation is necessary:

1. The lexicon generated by the vast array of disciplinary approaches, much of it atheoretical and unsystematic, has led to few, if any, universal concepts with which to discuss drug trafficking.

2. Most models, with the exception of population and epidemiological approaches, are used to describe or explain existing drug markets (a 'snapshot') rather than to logically categorise them with the aim of systematic monitoring and comparison ⁽¹¹⁾.

In addition, the majority of studies considered by Ritter (2006) focused on narrow geographical locales, single drug groups or specific aspects of the drug phenomenon, i.e. street-level retail markets. Although these are not necessarily weaknesses, they limit the usefulness of such studies for the purposes of this analysis, which aims to look across Europe and across drug groups, and specifically at the act of importation.

Desroches (2007) comments that there is a paucity of studies on upper-level drug trafficking. His own literature review identifies 'fewer than a dozen' studies in the field, although, by his own admission, he focused primarily on studies based on empirical research. Other than this, the method of selection is unknown. Table 1 contains a selection of studies examined in the process of compiling this paper. Unlike Desroches' study, this project is not limited to upper-level trafficking or to empirical research; rather, it has attempted to analyse all the available literature that discusses roles within the drug trade, including grey literature and advocacy, which make up a large part of the available information.

The studies mentioned in Table 1, and discussed below, include a number (Dorn et al., 1998; Zaitch, 2002; Pearson and Hobbs, 2003) already considered by Desroches (2007), but, where possible, the most recent studies and a number of seminal studies that were not available to Desroches were also consulted (Matrix Knowledge Group, 2007; Paoli and Reuter, 2008; Caulkins et al., 2009). Every attempt has been made to include in Table 1 a full range of studies, in terms of geography, drug type and market level, although obviously a great deal of emphasis has been placed on high-level trafficking. The predominance of studies of British or American origin reflects not only the language of the author but also the pre-eminence of these countries in published academic work in peer-reviewed journals (mostly in English) in this field. Dorn et al. (2005) draw similar conclusions, but they covered a greater number of languages.

A number of studies show that groups now operating in the drugs trade are largely composed of a number of more or less informal networks, sometimes formed through social (and criminal) contacts (Matrix Knowledge Group, 2007) or through ethnic ties (Zaitch, 2002; Paoli and Reuter, 2008). This organisational restructuring has been described as a movement from a pyramidal structure to a pillar-like structure, whereby small autonomous groups carry out operations at one stage of the supply chain (Kenney, 2007; Brombacher and Maihold, 2009, pp. 31–32). Within these networks there do appear to be accepted and structured 'roles' ⁽¹²⁾, for example producer, courier, broker and money launderer, most of whose activities are covered by Framework Decision 2004/757/JHA. These roles operate on different levels that are dependent on factors such as organisation,

⁽¹¹⁾ There are a great number of theoretical frameworks that facilitate 'good' conceptualisation in the social sciences, but for the sake of brevity two logical guidelines followed here are (i) each category must be well differentiated and (ii) all phenomena must fall within the categories. The guidelines were informed by Sartori (1970) and Gerring (1999).

⁽¹²⁾ The frequency with which actors progress through roles (e.g. from courier to manager) or take on multiple roles (e.g. manager and broker) is not fully understood (Reuter and Trautmann, 2009).

finances, experience, knowledge and contacts (Gruppo Abele, 2003; Lichtenwald, 2003/4; Matrix Knowledge Group, 2007).

Importation as a distinct role

The particular role that this project is concerned with is that of 'importer'. The importer may be part of a vertical network that runs from producer to retail market or part of a group whose sole role is to facilitate importations in a number of operations or organisations (Zaitch, 2002). A number of different methods are used to transport drugs from the production areas to the market, or between markets. The routes and methods employed are, broadly speaking, known to law enforcement agencies, but what is often lacking is knowledge of specific routes and the resources to police large geographic areas or the numbers of containers, people or vehicles crossing a border (Dorn et al., 2005; Europol, 2008; Brombacher and Maihold, 2009, pp. 9–10; Caulkins et al., 2009; UNODC, 2009). It has been noted that the sanctions facing convicted importers are severe (Fortson, 1996; Silvis and Williams, 1995 ⁽¹³⁾). Despite these risks, the use of human couriers remains amongst the most popular methods of bringing drugs into Europe, with the drugs secreted either in belongings or on/in the courier's body (UNODC, 2008).

Use of the term 'mule' to describe a form of drug courier is widespread in the academic literature (Huling, 1996; Sevigny and Caulkins, 2004) and among law enforcement agencies ⁽¹⁴⁾, international organisations (UNODC, 2008) and the popular media. The term is most likely to be derived from the use of mules as pack animals and is an expression that was originally local to the west coast of the USA as slang for people ('delivery boy') delivering drugs (Cromwell, 1970, p. 78). However, the term is now used to describe a wide variety of trafficking typologies and technologies, including, but not limited to, international couriers, national couriers and people who move as well as sell the drugs, which has led to some degree of confusion ⁽¹⁵⁾. The term is, however, ideal to describe a purely transportation role.

Those studies that have attempted to describe drug markets have identified a number of common drug courier typologies ⁽¹⁶⁾ (Lichtenwald, 2003/4; Dorn et al., 2005) and subtypologies (Caulkins et al., 2009) differentiated by variables such as motive, hierarchical level and technologies. Wilson and Stevens (2008) categorise the roles according to 'position in the supply chain', 'business structures' and 'support activities'. However, they make no concessions for the potential overlapping of roles that may occur within the drug transportation market. For example, in the schema

⁽¹³⁾ Council Decision 2004/757/JHA, laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking, is an instrument which attempts to provide some degree of harmony to European criminal law in the area of drug trafficking.

⁽¹⁴⁾ From a news item on the Europol website, 'From Madrid in Spain the drugs were trafficked to the Italian regions of Piemonte and Marche by utilising human "drug mules" '. Online at: <http://www.europol.europa.eu/index.asp?page=news&news=pr090624.htm>

⁽¹⁵⁾ The confusion is compounded by literature which identifies mules specifically as drug swallows (Brombacher and Maihold, 2009, p. 11), whereas this paper contends that a drug mule is defined by role rather than smuggling technology.

⁽¹⁶⁾ Naturally, though, these come with the usual caveats that they are conceptual devices for describing, discussing and analysing more complex realities.

described by Wilson and Stevens (2008, p. 5), a 'boss', when examined under the category of 'business structure', is someone in charge of an operation and who pays people's salaries. Yet this role may also potentially be viewed as a 'national wholesaler' if examined under the category 'position in supply chain', and could even be a 'legitimate professional' when looked at through the category of 'support activities'.

Their description of an 'international transporter' as someone 'involved in the transportation of drugs into the UK (e.g. mule or haulier) but not involved in the buying or selling of drugs' is a reasonable one and relatively well bounded, but there would seem to be a large overlap between this category and 'transporter/runner', who 'transports drugs between locations and actors' (Wilson and Stevens, 2008).

After an extensive review of the literature, including academic, historic and law enforcement sources, Dorn et al. (2005, p. 36) found that upper-level traffickers⁽¹⁷⁾ were commonly divided into three groups: 'politico-military', 'business criminals' and 'adventurers'. The scope of the literature reviewed meant that these divisions may describe actors at any stage of the drug market, from production to local wholesale, fulfilling any role in the process.

In terms of isolating importers and couriers from the other roles, there are a number of studies that specifically target 'smugglers', amongst them those by Lichtenwald (2003/4) and Caulkins et al. (2009), which specifically identify groups within smuggling operations.

Based on American research, together with consultation with law enforcement agents and convicted smugglers and examination of declassified government documents, Lichtenwald (2003/4) developed a model of smuggling organisations and behaviours. The model groups smugglers and smuggling behaviour into three 'phases' according to psychological factors and corresponding roles: phase one roles require the least experience, skill or organisation whereas group members assuming phase three roles typically display a high level of intelligence and organisation.

Caulkins et al. (2009) analysed interviews conducted with 110 people incarcerated in UK prisons for drug-smuggling offences. Amongst this group a similar pattern of organisational level and skills was evident, and this led Caulkins et al. to group offenders as 'voluntary employee', 'self-employed' or 'organiser'. This study also sheds some light on the motivation of those caught and strengthens the finding of a literature review carried out by Dorn et al. (2005, p. 9) that a primary motivation for traffickers is financial reward. The Caulkins et al. (2009) study even reports the amount of money each courier claimed they received for their trip(s) (p. 73).

Both of these studies, albeit based on only those who are caught or who come to the attention of the authorities, found that in the organisation of drug importation many more people fall into the 'low organisation/skill' category than could be described as self-employed or organisers. Of the 66 individuals identified as couriers using commercial flights, five were self-employed and five were

⁽¹⁷⁾ Upper-level trafficking, in this literature review, was taken to include interaction with producers, wholesale distribution in source countries, international import/export and wholesale in market countries, and excludes retail sale and small-scale production (Dorn et al., 2005, p. 1). In this context, international drug traffickers provide but one link in this supply chain.

organisers/managers. The rest would be classified as wage earners or the coerced (Caulkins et al., 2009, p. 71).

Prior to the efforts of Caulkins et al., it had been argued that creating drug dealing typologies in a British context would be 'barely credible and premature' (Pearson and Hobbs, 2003, p. 336) owing to the paucity of the evidence base. This thinking was extended by Desroches (2007) to the futility of creating global typologies. It is argued here that, despite the lack of evidence, and indeed because of the confused and unfocused approach taken so far, now is the time to gather together what evidence we have.

Desroches (2007) further argues that creating typologies necessitates simplification and that, although this is true, it does not negate their use, especially when attempting to present something meaningful about a complex issue. The process of simplifying complex realities and interactions into more easily analysed academic theories is being increasingly used in the field of drug trafficking. There has been a sharp increase in the use of economic techniques and modelling to explain certain aspects of the drug phenomenon, such as drug prices (Caulkins and Reuter, 1998) or law enforcement techniques (Poret, 2009), or even the markets as a whole (Costa Storti and De Grauwe, 2009).

A common criticism of these studies is that the basic rational choice theory that underpins most economic theories cannot be easily transposed from the study of legitimate markets to the study of illicit markets and the study of complex political (and social) ⁽¹⁸⁾ interactions (Pierson, 2000). That said, it is undeniable that these studies add valuable methodological and theoretical orthodoxy to the knowledge base. It is this philosophy, rather than specific methods and theories, which has had the largest impact on this project.

⁽¹⁸⁾ Just as analysing drug markets from a law enforcement perspective distorts the picture, so does viewing the market solely from the level of the street. We may agree with Pierson that it is the interaction of actors and institutions (both state and non-state), and their fight for power and legitimacy, that provides the most interesting research focus. Illicit drug markets and the responses to them abound in such interactions, and find it surprising that the field of political science has so infrequently touched on this area of research.

4. (Re)conceptualisation and (re)definition

Applying the complex (not to mention contested) ideas gathered through the literature review into a logical framework for comparison necessitates a degree of simplification. Accepting a degree of simplification of the phenomenon is inevitable when measuring and comparing in the social sciences — in the real world no two events are ever likely to be circumstantially identical — yet a successful conceptualisation must still manage to walk the fine line between parsimony and utility⁽¹⁹⁾. Accepting that drug importers and drug importation techniques vary wildly, it is necessary to disregard individual importers and methods of importation and focus instead on what they have in common, primarily the role they play. Thus, it is important to be clear that what is being developed is not the concept of importer but rather the role of importation.

There are three well-established methods for approaching concept formation: observing existing norms and definitions; identifying known attributes; and in concert with theory formation (Gerring, 1999, pp. 362–364). One of the fundamental justifications for this project is that current usage of the term 'drug mule' is confused and not standardised in academia or law enforcement or even among the general population. However, the term does appear to be widely known, and thus should encompass universal attributes. Variable attributes, such as drug type, the sex or nationality of importer, and importation method, should be removed.

If the term 'drug mule' is to be useful, common attributes should be clearly defined and demarcated. Knowledge in this area is not sufficiently advanced to provide any theories on the subject outside of the very general, drug-specific market models, or indeed to develop them, and so utilising this approach would be somewhat premature.

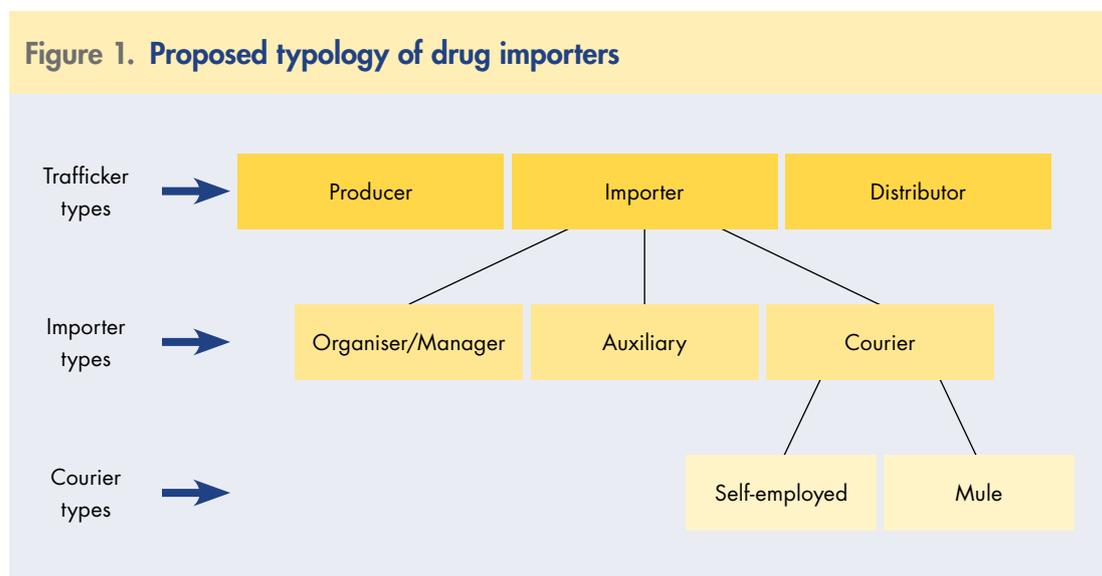
This study utilises a top-down method, first dividing drug trafficking into three constituent sectors: production, importation and distribution. This division relies on a number of assumptions: drugs need to be grown (if natural) or manufactured (if synthetic); primary markets are often (but not exclusively) outside producing countries; and once within a primary market, drugs will be dispersed amongst the using population (Zaitch, 2002; Dorn et al., 2003; Matrix Knowledge Group, 2007; Costa Storti and de Grauwe, 2009). Although it is possible to conceive of drug transaction scenarios that do not traverse all three sectors — for example, in the case of someone who cultivates a small number of plants at home for personal use the only trafficking sector encountered would be 'production' — the aim is for every *trafficking action or role* to be placed discretely in one, and only one, sector. In order to do this, it is necessary to define not only the set of entities in the world to which it refers, or its extension, but also the set of meanings or attributes that define the category and determine membership, or the intention (Sartori, 1970).

The top, most general, level, can then be subdivided. Taking the sector of importation as a self-descriptive act, it is conceptualised as the process of transferring drugs from one country (be it producer or transit) to another (be it transit or primary market) (UNODC, 2009). By ignoring the smuggling methods employed (often referred to as 'smuggling technologies'), which are often

⁽¹⁹⁾ A successful concept is a compromise between several important factors: familiarity, resonance, parsimony, coherence, differentiation, depth, theoretical utility and field utility (Gerring, 1999).

specific to a particular drug or locale (Gruter and Van De Mheen, 2005, p. 25) and may be dependent on smuggler preference and law enforcement responses (Decker and Chapman, 2008, pp. 69–84), and instead concentrating on roles which can be applied universally, we can identify three main types of importer: the organiser/manager type, who is responsible for the organisation of the drug importation; the importation auxiliary, who assists in importations in the origin or destination country or both; and the courier. The courier 'type' is identified as those importers who are in physical possession of the drugs whilst crossing an international border. These importer types can be further subdivided.

Figure 1. Proposed typology of drug importers



As Figure 1 demonstrates, courier subtypes are divisions of the courier type, which in turn is a division of the importer type. What distinguishes Figure 1 from many existing drug market schematics is that, rather than representing hierarchies, organisational networks or process networks, the types suggested represent discrete roles which can be measured and compared regardless of drug or geography. To illustrate, a drug mule who has swallowed cocaine to transport it from Colombia to Spain will share with a mule who transports ecstasy in his or her car from the Netherlands to Germany certain fundamental characteristics that will allow the two to be compared.

The courier type 'extends' to all importers who are in personal possession of the drug at the border. Yet within this group a distinction must be drawn between those who organise the importation themselves and those who import drugs for others. As demonstrated in Table 2, there may be two identifiable characteristics that would indicate this distinction: the level of organisation, being the extent to which the courier organises and manages his or her own actions; and the commercial interest in the drug trade, being the extent to which the drug courier organises and manages the financial aspect of the drug transaction.

Table 2. Courier type attributes

	Level of organisation	Commercial interest in the drug trade
Self-employed	High/medium <ul style="list-style-type: none"> • Contacts with/runs own distribution network • Plans own activities (e.g. arranges transport, arranges supply) 	High/medium <ul style="list-style-type: none"> • Drugs trade <i>probably</i> is their primary/sole means of income • Financial interest lies in selling the drugs imported • The 'owner' of the drugs
Mule	Low <ul style="list-style-type: none"> • Unlikely to know others in the network • Receives orders from others 	Medium/low <ul style="list-style-type: none"> • Drugs trade <i>could be</i> their main/sole means of income • Financial interest lies in performing a service (i.e. transporting the drugs) • The 'custodian' of drugs belonging to others

There appears to be some level of disagreement in regards to the complicity of drug mules in the drugs trade. They are often portrayed by the media, but also in academic work (Huling, 1996; Green, 1996) and even in law enforcement assessments (Home Affairs Committee, 2010), as unwilling, or at least only partially willing, participants. Levels of coercion are neither well defined nor well studied in the context of drug mules; however, a level of duress is noted even when drug mules are paid for their services (see the views of staff at Schiphol Airport in Home Affairs Committee, 2010). The payment of mules has been studied in much more depth and, as noted by Caulkins et al. (2009), the rate of pay depends on the type and weight of drugs transported. This payment per shipment system appears to be universal, regardless of smuggling method employed (plane or 'non-plane' transport) and the amount paid to the mule, which is typically only a fraction of the retail price of the drugs ⁽²⁰⁾.

The 'payment for service' system strongly suggests that any drugs found in the possession of a mule are not their own property but rather the property of someone else in the supply chain. It has been noted that some organisations exist specifically to transport other people's drugs between countries (Zaitch, 2002; Decker and Chapman, 2008; Caulkins et al., 2009), but studies of such organisations have focused largely on the trafficking of cocaine, and the prevalence of this type of organisation, especially for trafficking other drug types, is unknown.

The existence of the second courier type, the self-employed courier, is less documented in the literature than the mule but it is supported by the study of Caulkins et al. (2009) as well as the study of Gruppo Abele (2003), which, interestingly, explores trafficking of synthetic drugs in three European cities (Amsterdam, Barcelona and Turin) and specifically includes entrepreneurs who transport consignments of synthetic drugs by road, either for sale or for personal use. The category

⁽²⁰⁾ Based on EMCDDA (2009a), a kilogram of cocaine would retail for between EUR 44 000 and EUR 88 000, whereas the average pay for a cocaine mule is EUR 2 000–11 500 per kilogram (Caulkins et al., 2009, p. 73). However, these figures do not take into account the fact that importation-'grade' cocaine is typically much purer than retail-'grade' cocaine, meaning that cocaine is commonly diluted after importation, nor that cocaine wholesale prices are typically much lower than retail prices.

of self-employed couriers includes those who organise the purchase of drugs (from producers or brokers) and the transport and sale of drugs in the target country, either selling the drugs themselves or forming connections with a wholesaler or broker. The risk of apprehension in this role remains high but because the self-employed courier 'owns' both the distribution networks and the drugs the potential for profit is much higher.

In conclusion, the classification outlined above, of physical actions or 'roles' rather than of offences or actors, facilitates comparisons and understanding by removing variables that may be geographically, socially or temporally distinct. By decontextualising the roles of drug traffickers from local and national experience we create categories that are not limited to the observations of law enforcement or to the interpretation of national legislation or sociologists but which are empirically strengthened by both.

It is posited that when production sites are at a distance from consumption sites transport is essential. The transport of drugs constitutes a role distinct from both production and sale. Similarly, the physical transportation (or possession of drugs in transit) is distinct from the use of cargo (including postal) services. Those who physically transport drugs may be categorised in two groups, corresponding to distinct roles: those who are paid a fee, wage or salary (including the reduction of debts) to transport the drugs, referred to as 'drug mules', and those who derive their benefit from the sale (or use) of the drugs upon arrival, referred to as 'self-employed'.

5. EMCDDA survey results and feedback

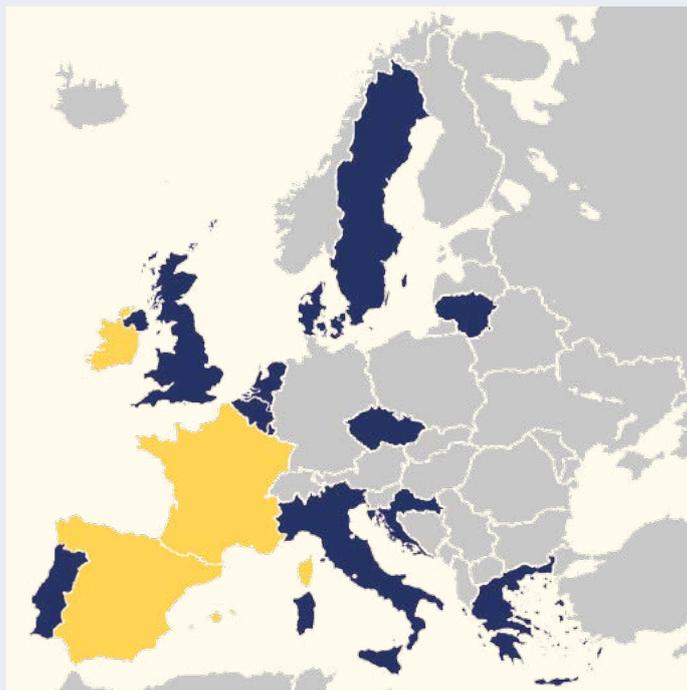
The respondents

A survey by questionnaire was carried out in spring 2010 among academics and practitioners throughout Europe and beyond. The objective of the survey was to test the proposed conceptual framework of drug couriers and to review practices towards them, as well as potential data available.

The questionnaire was originally sent to 75 individuals identified by their participation in stakeholder groups and from the literature review. In addition to these groups, contact was also made with potential respondents identified by staff at the EMCDDA.

The aim of the sampling strategy was to reach as many experts as possible, in a wide range of fields, and therefore initial recipients of the questionnaire were asked to forward it to anyone they thought might be able to answer it. As the number of final recipients is unknown, the rate of response is also unknown. Despite this and the relatively short deadline, which coincided with the summer holiday period, the overall response coverage was reasonable. A total of 49 responses were received from respondents in 16 countries: 12 EU Member States (Figure 2), Australia, Malaysia, Nigeria and the United States. Removal of incomplete (responses with no substantive answers) and duplicate submissions resulted in 37 valid responses.

Figure 2. Location of EU respondents

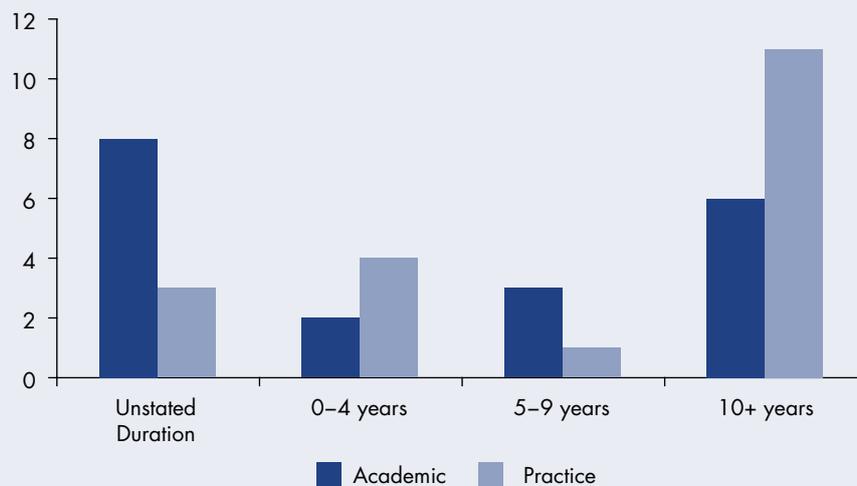


Key: Blue: survey respondents. Yellow: other detailed feedback

The survey asked respondents to select their profession or field of expertise from five choices: law enforcement, prosecution, court, policy or academia. The first four of these were grouped together as 'practitioners'. Twenty (52 %) of the respondents worked in academia. Two respondents selected more than one field, one an academic who also serves as a judge and another with experience as an academic and prosecution lawyer.

Survey respondents were also asked to comment on their specific experience in the field, including length of experience. Of those who responded to this question (19 academics and 19 practitioners), the majority had worked in the field for a period of five years or more, with 17 having experience in drug trafficking of 10 years or more. The greatest experience was claimed by respondents in the four practitioner fields, particularly law enforcement, with 10 respondents claiming 10 years' experience or more (Figure 3).

Figure 3. Length of professional experience of respondents in the field of drug trafficking



In addition to the survey respondents, the project was presented at the annual meeting of the EMCDDA's Legal Correspondents group. The presentation generated extensive feedback and discussion regarding drug couriers, in particular of the situation in Ireland, Spain, France and Malta.

Conceptual framework

The second section of the questionnaire provided respondents with a proposed draft conceptualisation of drug couriers and asked for their opinions on it. It began with whether they agreed with the definition of a drug mule as *'a drug courier who is paid, coerced or tricked into transporting drugs across an international border but who has no further commercial interest in the drugs'*.

A large majority of respondents (29; 78 %) stated that they agreed with the definition; seven (19 %) respondents expressly disagreed and one (3 %) failed to answer. When asked whether they agreed with the specific categorisation of courier types into drug mule and self-employed, the results were the same: 29 (78 %) agreed, seven (19 %) disagreed and one (3 %) provided no answer. There was not, however, complete overlap between answers to the two questions 24 respondents agreed with both the definition and categorisation, three disagreed with both (all academics) and one academic provided no answer, stating, 'I agree [with the definition] but in my academic investigation I've chosen a different perspective.' Four respondents agreed with the definition and disagreed with the categorisation and four others disagreed with the definition but agreed with the categorisation.

Respondents were also asked to comment on how the definition might be improved and whether they knew of additional courier types or categorisations for distinction. The prominent theme of the comments was that the definition, although useful as a generalisation, was overall too simplistic in terms of the number of categorisations provided. In addition to this, it was also suggested that the detail provided in the given categories was too specific, complex and narrow to allow for an accurate reflection of the phenomenon. A common criticism was that the definition encompassed only organisational and commercial factors rather than social factors such as relationship to other traffickers (ethnic or familial), drug use and other criminal activity of the trafficker and friendship ties. It was frequently mentioned, both in the surveys and in verbal feedback, that elements of coercion and trickery were particularly difficult to quantify, especially when drugs are couriered in lieu of a debt. Law enforcement practitioners were particularly sceptical about the coercion element, claiming it to be much rarer than reported; however, questioning this, many social researchers stressed that the social organisation of drug importation groups, and in particular the effect of community and group acquaintanceship ⁽²¹⁾, were important factors to take into consideration.

Social roles and acquaintanceship within the group were in fact considered in an earlier framework but had been discarded for the sake of parsimony and field utility. It was felt that they would not distinguish sufficiently between different types of courier to be valid inclusions. A number of respondents also suggested including the courier 'organiser/manager'. This had also been discarded at an early stage because it was thought that such a role would normally involve not the transporting of drugs but rather the management of couriers. Managers who courier drugs themselves would be undertaking a different role (and possibly two or more simultaneously).

A number of commentators suggested that the definition be further refined to reflect different motivations for mules and creating subtypes of mules to specifically address the level of professionalism and position within a larger organisation or social group. Some comments also suggested adding a level of flexibility to the definition so that the categories would be less rigid and would allow for multiple entries. However, it must be emphasised that doing so would inevitably have the result that the definition becomes less effective as a monitoring tool.

⁽²¹⁾ In particular, factors such as peer pressure and the fear of violence towards themselves and their families were often mentioned, but, as stated, these are difficult to verify and quantify.

From some responses it was clear that the wording of the question did not emphasise strongly enough that the categories proposed are intended to describe the activities undertaken or the 'roles' played within the larger drug market rather than the individual actors. A number of respondents stated that over a period of time, or even simultaneously, an individual may play a number of roles within a criminal market, moving from one to another or even being 'promoted' or inspired as a result of earlier experience. It should be stressed more strongly in the wording of the question that the purpose of a table of courier types was to describe actions and define roles at the moment of importation.

Despite some criticism, the courier types identified, as well as their characteristics, were well known throughout Europe. There was a recognition of the terms, even if some respondents did not agree with their usage. With regards to what differentiates courier types, the 'level of organisation' (24 responses) was more widely accepted than 'commercial interest' (19 responses). Fourteen respondents (six academic, eight practitioners) agreed with both characterisations. Ten respondents (five academics, five practitioners) agreed only with 'level of organisation' and five (four academics, one practitioner) agreed only with 'commercial interest'. Eight respondents (five academics, three practitioners) agreed with neither or provided no answer. This was something of a surprise. However, given the structure of the question there is some doubt as to whether all respondents understood that multiple answers were possible.

Once again, the coverage of respondents was good, with a high level of recognition of terms across Europe and, perhaps most interestingly, strong recognition in eastern Europe, which goes some way to confirming that what is being described is not simply a western European phenomenon.

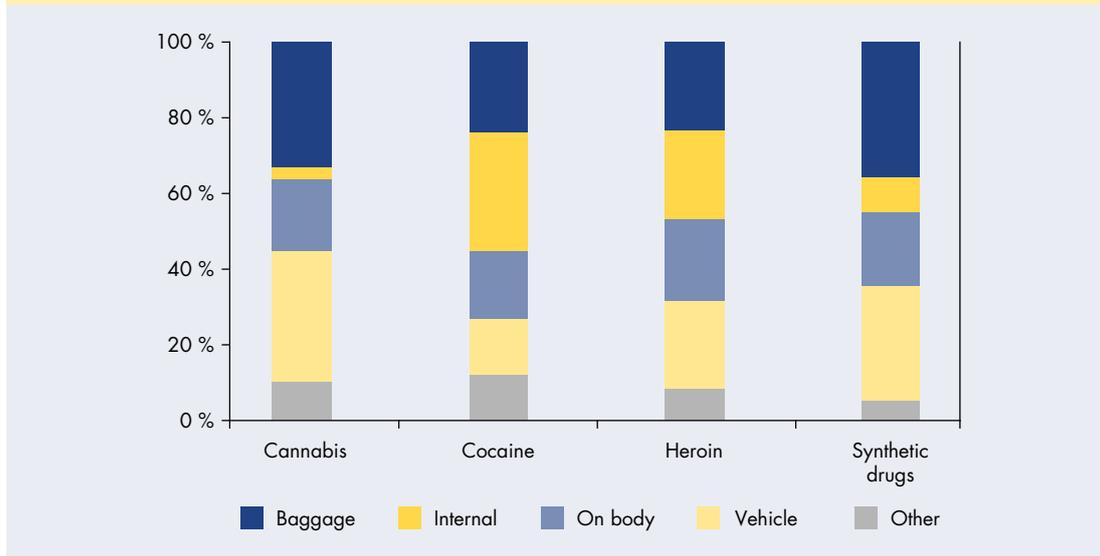
The drug courier situation

To ascertain whether the perception of drug couriers and mules was linked to specific drugs, drug groups, origin countries or regions or specific smuggling methods, the respondents were asked to comment on the drug trafficking situation in their country: first, which drugs were transported by which methods (Figure 4); and, second, by which routes (Figure 5). The question took the form of a multiple selection grid, and space was provided for additional comments such as other courier techniques or to name specific synthetic drugs.

Respondents selected cocaine as the most commonly couriered drug, followed by heroin, cannabis and synthetic drugs. Cocaine is reported to be most commonly swallowed, closely followed by concealment in baggage, on the person or in vehicles. Reported heroin-smuggling techniques followed a remarkably similar pattern, although with slightly fewer internal concealments and more vehicle concealments. The total for vehicle concealments of all drugs was surprising and was second only to baggage concealments, which could indicate that drug couriers are making much use of the European road networks, as mentioned above, a particularly interesting area of future research. The geographical spread of respondents, indicating the use of roads, was relatively even.

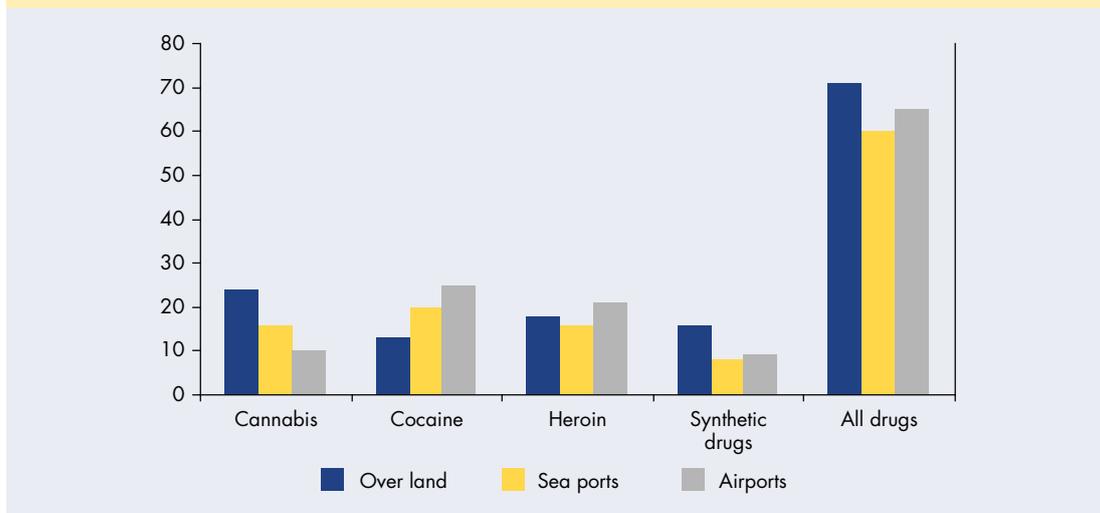
Internal concealments of both cannabis and synthetic drugs were recorded at a very low level, most likely because of their comparatively large volume and proximity of production and consumption.

Figure 4. Methods used by couriers to conceal drugs



Other smuggling techniques used by couriers were suggested by some respondents. However, techniques such as use of the mail system or container traffic do not involve direct human interaction at the moment of crossing a border, and therefore are not included in the current framework. Methods such as soaking clothes in solutions of drugs are interesting but would count as either 'on body' or 'in luggage'. Private planes or boats were also mentioned but would be considered as 'vehicles', although this category is most likely to include cars, vans and lorries.

Figure 5. Drugs/routes



Note: The category 'All drugs' is the combined total of responses.

The question of transport routes is undoubtedly linked with both method of concealment and drug type. For example, overland transport routes are more likely than air routes to be associated with vehicular concealment methods. Also, drugs produced outside Europe are more likely to be transported by air or sea. However, the fact that 'over land' is, overall, the most popular route for all drugs, with a high response even for cocaine and heroin, suggests that secondary distribution or internal trafficking also occurs on a large scale. In the case of imported drugs such as heroin and cocaine, it could be that certain areas serve as transit entry points or transit hubs and distribution centres.

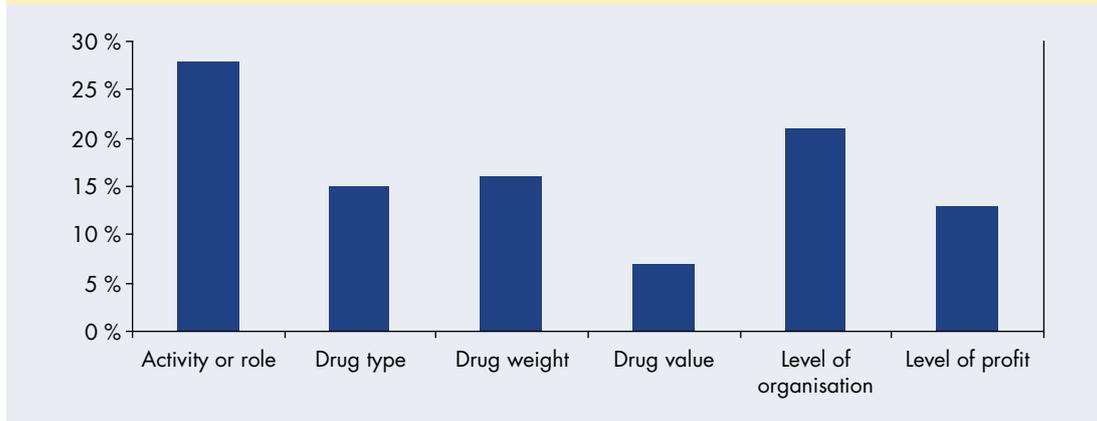
These results suggest that drug couriers and mules should not be thought of simply as cocaine swallows from Latin America, as frequently depicted in the media; rather the situation is much more complex, and further research is required to clarify the picture. Such conclusions are strengthened by looking at the origin/transit countries mentioned by respondents. Cocaine is produced in Latin America, heroin largely in Asia and most trafficked cannabis in North Africa (probably cannabis resin). However, European countries were cited often as the origin of cannabis (probably herbal cannabis) and synthetic drugs as well as transit countries for all of the drugs.

Legal responses

Questions on national legal responses received a smaller response, with only 29 respondents answering these questions. In terms of the specific law enforcement responses to drug importation, the most commonly mentioned interventions were special task forces, controlled deliveries and screening of flights, particularly from 'high-risk' countries. There were only two detailed responses to this question, one which mentioned the Dutch policy of screening all flights from Caribbean countries arriving at Schiphol Airport and the other citing the UK's Operation Airbridge, which specifically targeted couriers from Jamaica.

By far the most common distinction made between drug mules and other drug traffickers was solely one of practice (17 respondents). Respondents from five countries (Belgium, Czech Republic, Italy, Netherlands and the UK) claimed a distinction was present in law but none provided a reference to a particular piece of legislation. More respondents (nine) claimed that no distinction at all was made between types of drug traffickers in their country.

Figure 6. Criteria used to distinguish between drug couriers and other drug traffickers



When a distinction was made between drug mules and other types of traffickers, it was most often based on the role or the activity of the person involved, along with the level of organisation. As Figure 6 shows, financial factors, and even the drug type involved, were reported to be of much less importance when it comes to identifying drug mules.

Most respondents commented that the main consequence of such a distinction would be that an identified mule would receive a shorter sentence. However, no respondents provided concrete examples, and none elaborated whether the sentence would be shorter in comparison with the sentences passed on other types of drug importers or all drug traffickers in general. Interestingly, one respondent, from Australia, added that an identified drug mule would be less likely than other drug traffickers to face asset confiscation.

Data collection

The final section of the questionnaire was perhaps the most disappointing. Fewer than half (14) of the respondents reported that data on drug couriers were available at the national level. Of these, seven referred to annually reported law enforcement (as opposed to prosecution or criminal justice) data and four mentioned academic studies.

Fourteen respondents reported that information was available on the number of drug couriers entering the criminal justice system and the number of these convicted, but, interestingly, a higher number of respondents (18) reported that data on the sentences given to drug couriers were available in their country.

6. Discussion

Although the response to the survey overall was lower than initially expected, it was felt that, given the constraints of time and resources, and the fact that the survey was available only in English, a reasonable coverage with regards to countries and professions was achieved. The response was at least sufficient to prompt and direct further investigation in this area.

At this early stage of research in this field, the survey was designed to achieve the widest coverage possible, which meant that some sections were perhaps relevant to only one particular population. In particular, a rather legalistic section attracted only a few responses, as well as a number of confused and seemingly contradictory responses. The section designed specifically to address law enforcement responses was also poorly answered. Future research might benefit from targeted questionnaires to specific recipients, especially from a law enforcement and/or criminal justice perspective.

In addition, given the lack of survey responses from a number of the large European countries, namely Germany, Spain and France, it might be worth translating subsequent questionnaires into other languages. Although this was considered for this particular survey, the pressures of time and translation resources meant that it was not a feasible solution, especially considering the known problems regarding the translation of technical terms and also the importance of maintaining conceptual uniformity — given that a primary goal at this stage was to check the understanding across Europe. The need for translation could be circumnavigated with a more focused survey *and* sample that better outlines the purpose of the project and importance of the respondents' contribution.

7. Conclusions

The aims at the outset of this project were rather modest: to determine if a common European definition of a drug mule could be developed and to assess the implications of this for data gathering and future research. Although neither question has been definitively answered, and indeed a number of additional questions have arisen, the results at this stage are encouraging and will no doubt lead to better-focused research in the future. This project has helped develop a number of subsequent hypotheses that should form the basis of a future research agenda in this field.

This project questioned experienced professionals, academics and practitioners from a wide number of countries with different legal traditions, drug problems and law enforcement practices. There does appear to be some shared understanding of the roles within drug markets throughout Europe, and importantly this is the case not only in what might be considered 'typical' countries, i.e. primary markets or high-prevalence countries, but on a much wider scale. Drug mules are understood to transport different drug types and rely on multiple methods of concealment to avoid law enforcement detection. From the results of this survey it is suggested that drug mules are using most, if not all, of Europe's transport links to first bring drugs into Europe and, subsequently, to move drugs around within the region.

It is becoming increasingly popular to refer to the functioning of the illicit drug trade in the plural — the drug market becomes drug markets — in order to recognise the diversity, dynamism and flexibility of the phenomenon (Dwyer and Moore, 2010); however, few, if any, researchers would argue that these drug markets act in isolation. In terms of developing a broader understanding of these markets and, importantly, how they interact and change, it is essential to identify links between markets and common processes. This being the case, future research should pay special attention to the interaction of importation, both external to the EU and within the EU — can we, or should we, distinguish to a greater extent between traffic and transit ⁽²²⁾. Much is already written on interventions specific to airports and, increasingly, seaports; however, since the opening of the single market and the Schengen agreement little empirical scientific evidence has been acquired relating to road and/or internal trafficking. Although we are still some way from collecting data regularly, or even estimating numbers with any degree of reliability, developing common criteria, definitions and understanding is a step in the right direction.

The informal recognition and understanding of roles was demonstrated to be some way ahead of either formal or legal recognition. Despite the establishment of roles playing an apparently important part in the sentencing decisions of courts throughout Europe, it is clear that any decisions made are often done so in an ad hoc manner and, importantly, it is apparent that methods of recording or monitoring decisions in any way that enables comparison are rare. There are no standard rules for identifying drug mules (as opposed to better-organised traffickers). Despite the wide recognition of terms, there are still a number of fundamental issues to resolve, foremost of which is that, although the terms and roles may be well understood amongst academics and even practitioners, without written legislation or policies they are incredibly hard to monitor on a regular

⁽²²⁾ One might wish to limit traffic to the transfer of possession whereas transit could be geographical transfer; however, this is just one possibility.

basis in Europe. As long as the criteria are based largely on domestic practice, the terms used will always remain irregular, subject to national contexts and non-comparable. Future research should focus specifically on national policies and practices towards the recognition of drug mules, and in particular on identifying commonalities and any possible methods for formalising recognition into a regular reporting system. Given the variety of legal systems in operation, such methods may have to be tailored on a country-by-country basis. Possible indicators could include indirect indicators of an actor's role, for example the application (or exclusion) of additional penalties such as asset forfeiture (which may be applied in cases of significant financial interest).

In addition, the sociodemographic and economic features of drug mules remain relatively obscure outside particular ethnographic, cultural and national studies. Although detailed data on the age, sex, nationality, social standing and even motivation of drug couriers and mules are undoubtedly of great interest, especially on a comparative, Europe-wide level, obtaining such detailed data on a routine basis remains unrealistic. However, such research could take valuable lessons from projects such as this, primarily efforts to achieve Europe-wide consensus on terms and ideas, which would ultimately make comparison easier and also aid in discarding perhaps unnecessary variables such as transport methods or routes.

The final results of this stage of research point to two important conclusions:

1. The better understanding of the broader, international drug market rests not solely on a reliance on hard data sets or in-depth studies but rather using these together to create tools which allow for reliable international comparison.
2. In the particular case of drug importation, the role of the drug mule is one that features in many, if not most, markets. Drug mules are reported to be transporting all the major illicit drug types through Europe and making full use of all European transport routes.

These conclusions lead to two recommendations, one specific to drug importation and one aimed more generally at the study of drug markets. First, the wide recognition of the drug mule as a distinct role is encouraging. More research should be undertaken to further clarify understanding, specifically comparatively across countries *and* across professional fields. The study found that the terms and ideas were widely understood across Europe, but responses were not sufficient to note discrepancies between fields in different countries. Further research that invites a wider response throughout Europe may be a productive method of prompting this.

Second, the methods employed to develop the role of the drug mule, attempting to decontextualise it to improve comparability, could be used across drug markets and at all levels of production and trafficking, which would ultimately benefit research into the interactions and dynamics between different drug markets. Such a global perspective remains contentious amongst some researchers, who instead focus on the complexities of market socialisation, the flexibility of actors and deeper research agendas. Criticisms of oversimplification should always be taken into consideration, but if there is to ever be any understanding of drug markets greater than a narrative description, attempts must be made to look at the wider picture.

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References

- Babor, T., Caulkins, J., Edwards, G., Fischer, B., Foxcroft, D., Humphreys, K., Obot, I., Rehm, J., Reuter, P., Rom, R., Rossow, I., Strang, J. (2010), *Drug Policy and the Public Good*, Oxford Press, Oxford.
- Brombacher, D. and Maihold, G. (2009), *Cocaine trafficking to Europe*, Stiftung Wissenschaft und Politik/German Institute for International and Security Affairs, Berlin.
- van de Bunt, H., Kunst, D. and Siegal, D. (2003), *Ecstasy across the border: a study of ecstasy couriers and petty smugglers*, Erasmus University, Rotterdam.
- Caulkins, J. and Reuter, P. (1998), 'What price data tells us about the drug markets', *Journal of Drug Issues* 28, pp. 593–613.
- Caulkins, J. and Reuter, P. (2009), 'Towards a harm reduction approach to enforcement', *Safer Communities* 8, pp. 9–23.
- Caulkins, J., Burnett, H. and Leslie, E. (2009), How illegal drugs enter an island country: insights from interviews with incarcerated smugglers, *Global Crime* 10, pp. 66–93.
- Costa Storti, C. and De Grauwe, P. (2009), The cocaine and heroin markets in the era of globalisation and drug reduction policies, *International Journal of Drug Policy* 20, pp. 488–496.
- Council of the European Union (2008), *EU drugs action plan 2009–2012*, Council of the European Union, Strasbourg.
- Cromwell, P. F. (1970), 'Slang usage in the American subculture', *Crime Delinquency* 16, pp. 75–78.
- Decker, S. H. and Chapman, M. T. (2008), *Drug smugglers on drug smuggling: lessons from the inside*, Temple University Press, Philadelphia, PA.
- Decorte, T. (2010), 'The case for small-scale cannabis cultivation', *International Journal of Drug Policy* 21, pp. 271–275.
- Decourriere, A. (2001), *Legislation and regulations on drug trafficking in the EU Member States*, a study prepared for the Commission of the European Union, Brussels.
- Desroches, F. (2007), 'Research on upper level drug trafficking: a review', *Journal of Drug Issues* 37, pp. 827–844.
- Dorn, N. (1996), 'Drug markets and law enforcement in Europe', in Green, P. (ed.), *Drug couriers: a new perspective*, Quartet, London, pp. 169–182.
- Dorn, N., Lutz, O. and White, S. (1998), 'Drugs importation and the bifurcation of risk: capitalization, cut outs and organised crime', *The British Journal of Criminology* 38, pp. 537–560.

- Dorn, N., Bucke, T. and Goulden, C. (2003), 'Traffick, transit, and transaction: a conceptual framework for action against drug supply', *The Howard Journal of Criminal Justice* 42, pp. 348–365.
- Dorn, N., Levi, M. and King, L. (2005), *Literature review on upper level drug trafficking*, Home Office Online Report 22/05. Online at: <http://www.homeoffice.gov.uk/rds/pdfs05/rdsolr2205.pdf>
- Dwyer, R. and Moore, D. (2010), 'Understanding illicit drug markets in Australia', *British Journal of Criminology* 50, pp. 82–101.
- EMCDDA (2002), *Information systems based on law enforcement agencies and the criminal justice system*, European Monitoring Centre for Drugs and Drug Addiction, Lisbon.
- EMCDDA (2008), *Towards a better understanding of drug-related public expenditure in Europe*, European Monitoring Centre for Drugs and Drug Addiction, Lisbon.
- EMCDDA (2009a), *Annual report 2009: the state of the drugs problem in Europe*, European Monitoring Centre for Drugs and Drug Addiction, Lisbon.
- EMCDDA (2009b), 'Drug offences: sentencing and other outcomes', *Selected issue*, European Monitoring Centre for Drugs and Drug Addiction, Lisbon.
- EMCDDA/Europol (2009), *Methamphetamine: a European union perspective in the global context*, EMCDDA–Europol, Lisbon and the Hague.
- EMCDDA/Europol (2011), *Amphetamine: a European union perspective in the global context*, EMCDDA–Europol, Lisbon and the Hague.
- European Commission (2009), *Report from the Commission on the implementation of Framework Decision 2004/757/JHA*, Commission of the European Communities, Brussels.
- Europol (2008), *European organised crime threat assessment*, Europol, The Hague.
- Europol (2009), *European organised crime threat assessment*, Europol, The Hague.
- Fortson, R. (1996), 'The sentencing of drug couriers' in Green, P. (ed.), *Drug couriers: a new perspective*, Quartet, London, pp. 79–111.
- Gerring, J. (1999), 'What makes a concept good? A critical framework for understanding concept formation in the social sciences', *Polity* 31, pp. 357–393.
- Green, P. (1996), 'Drug couriers: the construction of a public enemy' in Green, P. (ed.), *Drug couriers: a new perspective*, Quartet, London, pp. 3–20.
- Green, P., Mills, C. and Read T. (1994), The characteristics and sentencing of illegal drug importers, *British Journal of Criminology* 34, pp. 479–486.

- Gruppo Abele (2003), *Synthetic drug trafficking in three European cities: major trends and the involvement of organised crime*, Gruppo Abele, Turin.
- Gruter, P. and Van De Mheen, D. (2005), Dutch cocaine trade: The perspective of Rotterdam cocaine retail dealers, *Crime, Law and Social Change Volume 44, Number 1*, pp. 19–33.
- Home Affairs Committee (2010), *The cocaine trade*, The House of Commons Home Affairs Committee, London.
- Huling, T. (1996), 'Prisoners of war: women drug couriers in the United States' in Green, P. (ed.), *Drug couriers: a new perspective*, Quartet, London, pp. 46–60.
- Joshua, L. (1996), 'Nigeria, drug trafficking and structural adjustment' in Green, P. (ed.), *Drug couriers: a new perspective*, Quartet, London, pp. 21–30.
- Kenney, M. (2007), 'The architecture of drug trafficking: network forms of organisation in the Colombian cocaine trade', *Global Crime* 8, pp. 233–259.
- Kilmer, B., Hoorens, S. (eds) (2010), *Understanding illicit drug markets, supply reduction efforts, and drug-related crime in the European Union*, RAND corporation, Cambridge.
- Lee, G. D. (2003), *Global drug enforcement: practical investigation techniques*, CRC Press, Los Angeles, CA.
- Lichtenwald, T. G. (2003/4), 'Drug smuggling behaviour: a developmental smuggling model — Part 1', *The forensic examiner*, American College of Forensic Examiners Institute, Springfield, Missouri, pp. 15–22.
- Lichtenwald, T. G. (2004), 'Drug smuggling behaviour: a developmental smuggling model — Part 2', *The forensic examiner*, American College of Forensic Examiners Institute, Springfield, Missouri, pp. 14–22.
- López-Restrepo, A. and Camacho-Guizado, A. (2001), *From smugglers to drug-lords to 'traquetos': changes in the Colombian illicit drugs organizations*. Online at: <http://kellogg.nd.edu/events/pdfs/LopeCama.pdf>
- McEvoy, P. (2005), *Research on the criteria applied by the courts in sentencing under s. 15A of the Misuse of Drugs Act 1977 (as amended)*, Prepared for the Irish Ministry of Justice. Online at: <http://www.justice.ie/en/JELR/Research.pdf/Files/Research.pdf>
- McKenzie, R. B. (1979), 'The non-rational domain and the limits of economic analysis', *Southern Economic Journal* 46, pp. 145–157.
- Matrix Knowledge Group (2007), *The illicit drug trade in the United Kingdom*, 2nd edition.
- Mwenda, L. (2005), *Drug offenders in England and Wales 2004*, Home Office Statistical Bulletin, London.

- Paoli, L. and Reuter, P. (2008), 'Drug trafficking and ethnic minorities in Western Europe', *European Journal of Criminology*, Volume 5, pp. 13–37.
- Pearson, G. and Hobbs, D. (2003) 'King pin? A case study of a middle market drug broker', *The Howard Journal of Criminal Justice* 42, pp. 335–347.
- Perl, R. F. (1992), 'United States Andean drug policy: background and issues for decision makers', *Journal of Interamerican Studies and World Affairs* 32, pp. 13–36.
- Pierson, P. (2000), 'Increasing returns, path dependence, and the study of politics', *The American Political Science Review* 94, pp. 251–267.
- Poret, S. (2009), 'An optimal anti-drug law enforcement policy', *International Review of Law and Economics* 29, pp. 221–228.
- Reuter, P. and Trautmann, F. (eds) (2009), *A report on global illicit drugs markets 1998–2007*, RAND Europe, Cambridge, UK.
- Ritter, A. (2006), 'Studying illicit drug markets: disciplinary contributions', *International Journal of Drug Policy* 17, pp. 453–463.
- Sartori, G. (1970), 'Concept misformation in comparative politics', *The American Political Science Review* 64, pp. 1033–1053.
- Sevigny, E. L. and Caulkins, J. P. (2004), 'Kinpins or mules: an analysis of drug offenders incarcerated in federal and state prisons', *Criminology & Public Policy* 3(3), pp. 401–434.
- Silvis, J. and Williams, K. S. (1995), 'Managing the drug problem: tolerance or prohibition?', in Fennel, P. (ed.), *Criminal justice in Europe: a comparative study*, Clarendon Press, Oxford, pp. 149–169.
- United Nations (2009), Draft Resolution E/CN.7/2009/L.7/Rev.1, United Nations Economic and Social Council. Online at: <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=E/CN.7/2009/L.7/Rev.1&Lang=E>
- UNODC (2008), *Drug trafficking as a security threat in West Africa*, United Nations Office on Drugs and Crime, Vienna.
- UNODC (2009), *World drugs report 2009*, United Nations Office on Drugs and Crime, Vienna.
- UNODC (2010), *World drugs report 2009*, United Nations Office on Drugs and Crime, Vienna.
- Wilson, L. and Stevens, A. (2008), *Understanding drug markets and how to influence them*, The Beckley Foundation, London.
- Zaitch, D. (2002), *Trafficking cocaine: Colombian drug entrepreneurs in the Netherlands*, Kluwer Law International, The Hague.

Annex 1 — Questionnaire

Drug couriers — towards a better understanding

As part of the EU action plan on drugs 2009–12, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) is seeking to improve the state of knowledge in the area of drug trafficking.

This survey is part of an external contract for the EMCDDA and aims to get feedback on a reconceptualisation of drug couriers, those people who bring drugs into the EU. A preliminary study has identified two distinct types of courier — the self-employed courier and the drug mule.

This survey has been sent to a number of national experts from the fields of law enforcement, criminal justice and academia. The results of this study may be published; however, the results will be aggregated and anonymised and only those who give their permission will be acknowledged.

The survey provides all the information you are asked to comment on; however, a more detailed account of the study can be found in the working paper found here:

[Drug Mules - Towards a new conceptualisation](#) (page will open in a new frame).

The questionnaire consists of 17 multiple choice and free text questions divided into 6 sections and is anticipated to take around 10 minutes to complete.

Page 1 — Your details

Page 2 — Our definition

Page 3 — Drug couriers in Europe

Page 4 — Legal responses

Page 5 — Drug courier data

Page 6 — Additional comments

Thank you for your time.

1. What is your main field of work?

- Law enforcement (e.g. Police/Customs/Gendarme/Border guard)
- Prosecution (e.g. Public prosecutor/Lawyer)
- Court (e.g. Judge)
- Academic
- Policy or government (e.g. Ministerial/Civil service)

Other:

2. Country:

3. Specific experience in the field of drug trafficking:

(e.g. role, number of years' experience, level of experience)

4. After a review of relevant literature two main types of drug courier have been identified: the self-employed courier and the drug mule.

A drug mule has been defined as:

A drug courier who is paid, coerced or tricked into transporting drugs across an international border but who has no further commercial interest in the drugs.

This definition is further explored in the following chart, which identifies the difference between the two types of drug courier.

	Level of organisation	Commercial interest in the drug trade
Self-employed	High/medium <ul style="list-style-type: none"> • Contacts with/runs own distribution network • Plans own activities (e.g. arranges transport, arranges supply) 	High/medium <ul style="list-style-type: none"> • Drugs trade <i>probably</i> is their primary/sole means of income • Financial interest lies in selling the drugs imported • The 'owner' of the drugs
Mule	Low <ul style="list-style-type: none"> • Unlikely to know others in the network • Receives orders from others 	Medium/low <ul style="list-style-type: none"> • Drugs trade <i>could be</i> their main/sole means of income • Financial interest lies in performing a service (i.e. transporting the drugs) • The 'custodian' of drugs belonging to others

Do you agree with our definition of a drug mule?

Yes

No

How can it be improved?

5. We have identified two courier types: the drug mule and the self-employed courier. Do you agree with this categorisation?

- Yes
- No

Are you aware of additional courier types?

6. We identified two characteristics of drug couriers: level of organisation and commercial interest in the drug trade. Which, if any, do you agree with?

- Level of organisation
- Commercial interest
- Neither

Which additional characteristics may be useful?

7. Which are the commonly used concealment methods used by drug couriers or mules entering your country?

(Please tick ALL that are applicable)

	Concealed in baggage	Swallowed/ concealed internally	Hidden on the body/in clothes	Concealed in a vehicle	Other (please specify in comments)
Cannabis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cocaine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Synthetics (*)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(*) Please indicate specific synthetic drugs commonly imported (e.g. ecstasy, amphetamine, etc.) in the comments section.

Comments about concealment methods:

8. Which are the commonly used transport routes used by drug couriers or mules entering your country?

(Please tick ALL applicable)

	Airports	Seaports	Over land
Cannabis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cocaine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Synthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(* Please indicate specific synthetic drugs commonly imported (e.g. ecstasy, amphetamine, etc.) in the comments section

Comments (including specific airports, ports and border crossings used)

9. Common origin/transit countries for drug couriers transporting each drug type:

Cannabis:

Cocaine:

Heroin:

Synthetics (please indicate specific drug):

10. Has your country set up specific law enforcement responses to drug couriers or mules?

(e.g. special task force, controlled deliveries, screening flights, etc.)

11. Does your country make any distinction between drug mules and other drug traffickers?

- No distinction between traffickers
- Distinction in law
- Distinction in written policy/guideline
- Distinction in practice

Comments (please include titles of any relevant documents)

12. What are the criteria for distinction?

(choose all that apply)

- Activity or role Drug type Drug weight Drug value Level of organisation Level of profit

Other(s)

13. What are the consequences of any distinction made?

(e.g. lower sentence, unlikely to face asset confiscation, deportation, etc.)

14. Are you aware of any data available on drug couriers in your country?

- Yes
 No

If yes, please describe data, including sources:

15. To the best of your knowledge, which of the following data may be publicly available for national monitoring in your country?

(please choose all applicable)

- Number of drug couriers entering the criminal justice system Number of convicted drug couriers
 Nationality or sex of drug couriers Origin of importations
 Type of drugs imported Sentences of convicted drug couriers

Other available data

16. Any additional comments or information for this study:

17. The results of this survey may be published. All results will be aggregated and anonymised; however, if you wish to be acknowledged in the list of contributors to the study, please enter your details below:

Name and surname:

Organisation:

Position within organisation:

Contact details (e.g. email) (NOT for publication):

Annex 2 — Valid survey responses

In the time it was active, the online survey received 37 valid responses after surveys in which no substantive questions were answered were removed. Given the multiple-selection nature of some questions, this led to a number of responses per question greater than 37. A full count of the responses which could be quantified (answers to open questions could not be reproduced) are provided below.

Q1 — Field of experience ⁽²³⁾

Law enforcement	13
Prosecution	2
Court	2
Academic	20
Policy	2
<i>n</i>	39

Q2 — Country

Australia	7
Belgium	3
Croatia	1
Czech Republic	3
Denmark	1
Greece	1
Italy	2
Lithuania	1
Luxembourg	1
Malaysia	1
Nigeria	1
Netherlands	2
Portugal	3
Sweden	2
United Kingdom	6
USA	2
<i>n</i>	37

⁽²³⁾ Two respondents were considered multiple field experts: one judge who also works as an academic in the field and one prosecution lawyer with academic experience. Some later claimed previous experience in other fields; however, the purpose of this question was to judge from what perspective each respondent acknowledged answering the survey from.

Q3 — Experience (when stated) ⁽²⁴⁾

	Academic	Practice
Unstated duration	8	3
0–4 years	2	4
5–9 years	3	1
10+ years	6	11
Total	19	19
<i>n</i>		38

Q4 — Do you agree with the definition?

Yes	29
No	7
N/A	1
<i>n</i>	37

Q5 — Do you agree with the categorisation?

Yes	29
No	7
N/A	1
<i>n</i>	37

Q6 — Drug mule characteristics ⁽²⁵⁾

Level of organisation	24
Commercial interest	19
Neither	2
<i>n</i>	45

⁽²⁴⁾ Thirty-two (32) respondents provided an answer to this question; three provided multiple responses.

⁽²⁵⁾ Multiple answers possible.

Q7 — Concealment methods

	Baggage		Internal		On body		Vehicle		Other		Total	
	<i>n</i>	%	<i>n</i>	%								
Cannabis	23	33.3	2	2.9	13	18.8	24	34.8	7	10.1	69	100
Cocaine	24	24.0	31	31.0	18	18.0	15	15.0	12	12.0	100	100
Heroin	20	23.5	20	23.5	18	21.2	20	23.5	7	8.2	85	100
Synthetics	20	35.7	5	8.9	11	19.6	17	30.4	3	5.4	56	100
All drugs	87	28.1	58	18.7	60	19.4	76	24.5	29	9.4	310	100

Q8 — Transport routes

	Airports		Sea ports		Over land		Total	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Cannabis	10	20.0	16	32.0	24	48.0	50	100
Cocaine	25	43.1	20	34.5	13	22.4	58	100
Heroin	21	38.2	16	29.1	18	32.7	55	100
Synthetics	9	27.3	8	24.2	16	48.5	33	100
All drugs	65	33.2	60	30.6	71	36.2	196	100

Q11 — Distinction ⁽²⁶⁾

No distinction	10
Distinction in law	5
Distinction in policy	4
Distinction in practice	17
<i>n</i>	36

⁽²⁶⁾ Twenty-seven respondents answered this question with nine giving multiple answers.

Q12 — Criteria for distinction ⁽²⁷⁾

Activity or role	17
Drug type	9
Drug weight	10
Drug value	4
Level of organisation	13
Level of profit	8
n	61

Q13 — Consequence of distinction

n = 15, all of whom explicitly mentioned the effect on sentencing that distinctions between traffickers had.

Q14 — Are you aware of national data?

Yes	14
No	15
No answer	8
n	37

Q15 — Which of the following data might be available for national monitoring purposes ⁽²⁸⁾?

Number of drug couriers entering the criminal justice system	14
Number of convicted drug couriers	14
Nationality or sex of drug couriers	12
Origin of importations	12
Type of drugs imported	21
Sentences of convicted drug couriers	18
<i>n</i>	91

⁽²⁷⁾ Twenty respondents answered this question with 17 giving multiple answers.

⁽²⁸⁾ Twenty-three respondents answered this question.

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