

The Management of Nigeria's Borders and Trans-Border Crime

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Abstract

The paper looked into the border management challenges and trans-border crimes resulting from poor border management of Nigeria that have threatened national security. The common trans-border crimes across the border include stolen travel documents, goods smuggling, trafficking in drugs, arms, and irregular migration movements.. Oral interviews and secondary sources were employed to collect data, which was analyzed qualitatively. Structural functionalism theory is adopted for this paper which sees society as built upon order, interrelation, and balance among parts as a means of maintaining the smooth functioning of the whole. The results showed that there are inadequate housing options at border posts, unfavorable working conditions, border communities' support of patronizing illegal routes, which ensures that the routes continue to exist, inadequate logistical support with some of the border management agencies, and other problems. The governance system and human resource management are inadequate, and that the government lacks a human resource policy, which has caused Ministries, Departments, and Agencies to duplicate their tasks and responsibilities, thereby working at cross purposes against the interest of Nigeria at large. It is concluded that Nigeria's security issues have become significantly more challenging as a result of relative increase in transnational crime. As a result, the government must be committed to preserving control over her borders since evolving threats necessitate an all-encompassing plan. It suggested security measures, such as increasing cooperative border patrols, to seize operational control of Nigeria's wide borders.

Keywords: Nigerian Borders, Border Management, Trans-Border Crimes, Borders Security, Borders Threat

Introduction

The intricate interaction of elements among many international actors, including the government through its public sector

agencies and the private sector, is reflected in modern border management. Effective border management is a necessary component of any complete and integrated national prevention strategy, and it necessitates cooperation between states and the relevant international and regional organizations. In order to ensure everyone's welfare, governments all around the world have made security their top concern. Nations are today, extremely concerned about criminal activities that occur across international borders. Multiple transnational crimes, particularly in the last two decades between 2000 and 2020, have posed a threat to the internal security of Nigeria. These crimes include smuggling of illegal goods, drugs, human trafficking, theft, kidnapping, and covert border crossings as well as irregular migration and trans-human activities across national borders without following the rules (Abia, 2013; Addo, 2006; Boister, 2003 & Eselebo, 2008). These international crimes consistently pose a threat to the national security of Nigeria.

Concerns over border management and security have persisted over time for Nigeria, which has a total area of 4,047 km² (Babatola, 2015). A breakdown in border governance could lead to an increase in trans-border crimes. That is, the issue of international crime, particularly the smuggling of contraband, will be made worse by the government's inability to coordinate activities against criminals at the borders at the global level. In light of the aforementioned, the paper examined the effectiveness of the Nigerian government's border management measures as well as other criminal pursuits that compromised security.

Conceptual Clarifications

Border Management: Border management comprises the activities of all government agencies with responsibility for ensuring that imports satisfy environmental, security, industrial and phytosanitary (relating to, or being measures for the control of plant diseases crops) standards as well as Customs requirements

(De-Wulf, 2011). In an ideal situation, that is how it should be, but the question that arises from this is that, do government agencies actually perform their responsibilities effectively at the borders? The manner at which these trans-border criminal activities are increasing is disturbing. Border management demands improved intergovernmental and interagency networking arrangements, allowing agencies to cooperate in accordance with common and agreed standards. It demands that border management agency officials to be well equipped with the skills, knowledge, behaviour, and experience to manage new processes (Zarnowiecki, 2011).

Border management entails that persons and objects crossing the border comply with laws. It also means how different agencies are organized and how they fit into a unified concept of border management. There are three kinds of border crossings: Any point of access to the national territory, whether authorized to the public or not; an unguarded border crossing used by certain inhabitants usually local residents, whose property might straddle the border, or other people preapproved or not who comply with all the rules for it. And a guarded border crossing either restricted to some categories of users and traffic or open to all traffic (Zarnowiecki, 2011).

Trans-Border Crimes: The concept trans-border crime refers to the violations or attempted violations of national laws and regulations aimed at organizing, directing, aiding or facilitating international activities (Sevastianov et al., 2015). This implies that, trans-border crime is a situation whereby an offender crosses an international boundary to participate in a crime or to commit an offence requiring law enforcement agencies to either cross boundaries to investigate. That is crimes that take place across international boundaries, which tend to jeopardize the security of countries involved. A normative definition views crime as deviant behaviour that violates prevailing norms and cultural standards prescribing how human ought to behave normally (Boisier, 2003). An offence is trans-national in nature if (a) it is committed in more than one

state; (b) it is committed in one state but a substantial part of its operation, planning, direction or control takes place in another state; (c) it is committed in one state but involves an organized criminal group that engages in criminal activities in more than one state, or (d) it is committed in one state but has substantial effects on another state (Picarelli & Corpora, 2003). This shows that trans-border criminal activities have different international organized structures. They vary from hierarchies to clans, networks and cells.

Abia (2013) argued that trans-border crimes include a number of illegal and notorious activities carried out by individuals and groups across national and international borders, either for financial or economic benefits. To him, these crimes include human trafficking, money laundering, drug trafficking, arms smuggling or trafficking of weapons, and business fraud. It seems these are the common trans-border crimes in West Africa because other scholars have mentioned similar ones. Trans-border crime involves people in more than one country maintaining a system of operation and communication that is effective enough to perform criminal transactions, sometimes repeatedly (UNODC, 2005).

Dan (2013) contended that contemporary trans-border crimes take advantage of globalization, trade liberation and exploding new technologies to perpetrate diverse crimes and to move money, goods services and people instantaneously for purposes of perpetrating political violence. From the position of this author, trans-border crimes are committed with political motives behind them. But it should be noted that trans-border crimes are committed for economic and financial benefits and as such, these criminal explore the opportunities created by globalism as explained by the scholar to perpetrate their atrocities.

Theoretical Framework

This paper is grafted on Gabriel Almond's structural analysis (1966). He argued that every political system has some structures and these structures perform certain functions meant for it. What

is structure? Structure means institutions. Every political system has several institutions such as legislature, executive, judiciary, political party and so on.. Almond uses political system instead of state. In his opinion, the term state is mainly a legal concept. But political system includes many other ideas besides legality..

In structural functional analysis, Almond argues that certain political functions existed in all political systems. On the input side he listed these functions as: political socialization, political interest articulation, political interest aggregation, and political communication listed as output which is rule-making, rule implementation, and rule adjudication. (Almond & Powell, 1966).

Structural functionalism is a theory that sees society as built upon order, interrelation, and balance among parts as a means of maintaining the smooth functioning of the whole. The basic assumption of structural functionalism is that a bounded nation-state system exists, and studies structures in terms of their functions within the state. Other assumptions include: systems have a property of order and interdependence of parts; systems tend toward self-maintaining order, or equilibrium; the system may be static or involved in an ordered process of change and the nature of one part of the system has an impact on the form that the other parts can take. Structural functionalism posits that a political system is made up of institutions (structures), such as the executive, legislative, judiciary, interest groups, political parties and bureaucratic machinery. Structural functionalism is basically a perspective, which interprets society as structure with interrelated parts.

Therefore, the theory holds the view that in a political system, there are institutions or structures that perform specific functions and that when such institutions fail to perform their functions, the political system will be drastically affected and become dysfunctional leading to upheavals which sometimes creates feeling of insecurity in the country. The proper border management of Nigerian borders seems to be failing as the institutions that are

supposed to protect the borders have not been able to function maximally which means the institutions have failed to perform their specific functions thereby affecting the security system of Nigeria. That is the failure of political institutions has engendered insecurity in Nigeria.

Transborder Crimes in Nigeria: Trans-border crimes common across Nigerian borders as examined by scholars (Abia, 2013; Mobolaji & Alabi (2017). Ado, 2006 & Eselebo, 2008) include the following. **Small Arms/Light Weapons** - These are firearms designed to be held in one or both hands while being fired. Firearms trafficked across the sub-region are eventually used by criminal gangs for armed robbery including vehicle theft and trafficking. The weapons are recycled between Guinea, Liberia and Sierra Leone and among belligerents in other conflict zones such as the Calamanco province and the rest of Southern Senegal, Northern Ghana, Nigeria and Guinea Bissau. Some countries in the sub-region especially Nigeria, Ghana, Mali and Sierra Leone have a flourishing artisamal industry of local arms manufacture. These arms are smuggled out of Ghana through Togo, Benin to Nigeria and are used for violent crime (Addo, 2006).

Trafficking in Persons: Trafficking in persons is defined by the United Nations Office on Drug and Crime (UNODC) to mean, “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payment or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Nigeria is rated by the UNODC as having a medium incidence of reporting on destination countries and a very high incidence of reporting on transit countries. Numerous methods are used in the area to traffic people. Slavery in the agricultural industry is one type. Nigeria is rated extremely high by the UNODC (2005) for the

frequency of reporting transit countries and medium for the frequency of reporting on destination countries. The South-South and South-East geopolitical zones in Nigeria are the most notable source regions for trafficking in persons, while trafficking in persons is evident throughout all of the zones. The states that are reportedly the most prevalent source areas include: Edo, Abia, Akwa-Ibom, Imo, Enugu and Cross River (Nigerian Immigration, 2019). The models of transportation employed by the traffickers may be by foot, by road, by water ways or by air. The routes taken depending on the destination for journeys within Nigeria – often between rural villages and towns or cities. For journeys out of Nigeria to other countries, the routes involved may be across the desert, or across the borders to the Republic of Benin or Cameroon. For external or transnational trafficking, destination is usually an urban area in another country in Europe, West Africa or the Middle East (Gimba, 2007). NIS (2019) has identified the most common destination areas for trafficking from Nigeria to include the following nations: Italy, United Kingdom, France, Belgium, The Netherlands, Republic of Benin, Sierra Leone, Cameroon, Gabon, Niger, Guinea, Togo, Ghana and Saudi Arabia. Nigeria is a source, transit and destination country. The perpetrators are also linked to terrorism, the drug trade and smuggling of goods, small arms and light weapons.

Drug Smuggling: It is thought that the drug or narcotics trade is expanding throughout West Africa. Drug traffickers use the services of couriers to conduct their business and are only given certain delivery locations. A turning point was reached when the Indian subcontinent became the primary supply of heroin for the unlawful global market, and Nigeria slowly became a component of the traffickers' network of illicit drug routes. Cannabis, cocaine, heroin, and psychiatric chemicals are the main drugs traded in Nigeria in that order. Latin America and Asia are the origins of narcotics like cocaine, heroin, and psychoactive chemicals.

Colombia, a country in Latin America, is where Nigerian drug lords import their supplies of cocaine (NDLEA, 2000).

Prostitution: According to research, there have been more Nigerian women deported from Europe as a result of their prostitution (UNESCO, 2007). Most of the countries to which Nigerian women are trafficked for prostitution are Italy, Belgium, France, Germany, Spain, the Netherlands, and the USA. The majority of the 200 to 250 Edo State-born girls that are shipped abroad each year are under the age of 15 (Gbadamosi, 2006; Gimba, 2007).

Forged/Stolen Travel Documents: Travel documents racketeering is a syndicate crime perpetrated across the world. In the sub-region, due to the existence of the ECOWAS Travel Certificate, many nationals prefer to use the certificate. Some Nigerians transit to these west coast nations only to procure other (countries) passports which are readily available from syndicates in these countries.

Smuggling of Goods: Smuggling take various forms and ranges from smuggling of food items to cars, weapons among others. The continued spread of cases of economic crime within the sub-region has been in the upward surge. The most prominent of these crimes being the advance fee fraud also known as letters scheme fraud and obtaining money by false pretences is spreading along the West African sub-region of Nigeria, Benin, Togo, Ghana, Cote d'Ivoire, Cameroon (Journal of Human Social Science, 2014). The scenario with regards to theft of vehicles in Nigeria has taken a new dimension from what used to be a simple theft through master key that opens both the doors and ignition of vehicles into serious felonious offence where violence is the vogue with attendant fatal consequences to the victim, incident of convoy of stolen vehicles have been recorded moving under heavy arsenal through the streets of Lagos, leaving casualties including law enforcement agents on their trail (Gimba, 2007).

Findings

Nigeria faces a range of security threats, including terrorism and transnational crimes, the former of which includes human trafficking and migrant smuggling. In the Nigerian context, some contiguous border communities are artificially divided by the national land borders; however, this is not typical of all land borders, and great sensitivity is required to manage these borders in ways that are not divisive or offensive to those communities while still providing security and accountability.

Nigeria's borders are open, providing several opportunities for the smuggling of illegal goods like drugs, firearms, and other contraband. Since most of the things that are brought in by smugglers are prohibited items, smuggling is a crime and is therefore prohibited. Due to Nigeria's permeable borders, people are trafficked across them. The traffickers use land, sea, and air travel as their modes of transit. It is important to note that the routes chosen depend on the final destination. The routes taken for departures from Nigeria to other nations may cross the desert or the coast, and the traffickers may not be familiar with the typical border crossing sites (IRIN, 2007). Due to a porous structure of Nigeria's borders and the hospitable disposition of Nigerians, mercenaries from neighboring African nations are routinely employed in conflicts around northern Nigeria. Some insurgencies and rebellions have been headed by foreigners. (Musa & Fayemi.2000).

Trafficking in persons has negative impact on the labour market in the source country (Nigeria) and has been identified as a serious threat to human security as some of them are forced into prostitution. Nigeria, being a recipient country of forced migration from West Africa, the large volume of illegal and undocumented migrants working in the country also contributes to urban crimes and fraud (Afolayan, 2002). The proliferation of conventional arms, especially the light weapons in the country has certainly attributed to porous nature of our borders and inefficient border management.

According to the International Narcotics Control Board (INCB) (2018), Africa is still a major hub for drug trafficking. According to data on drug seizures, trafficking in Nigeria involves not just marijuana and cocaine but also ephedrine and other precursors. Tramadol, a synthetic opioid that is not regulated internationally, is being abused more and more throughout Nigeria and the rest of West Africa. The manufacturing of marijuana and amphetamines is still a problem in Nigeria. Through our open borders, drugs like marijuana, cocaine, heroin, and other narcotics are transported into Nigeria and could pose a threat to the country. This is due to the fact that drug misuse hinders Nigeria's future development by causing a loss of employment-related man hours. Drug traffickers encourage violence and corruption, and many users turn to theft and prostitution to feed their addiction. It might endanger the basic foundation of society and destabilize the entire economy (Afolayan, 2002).

All around the nation, there are numerous instances of armed robbery, auto theft, banditry, kidnapping, and other criminal activity. Armed civilian militarization is not just ruthlessly eroding our society's core foundation by fostering a culture of violence. Because of this, our culture has become one of terror, where thuggery, intimidation, and murder are used to quash political opposition. Political violence is consciously thought out and responded to with a violent display. (Pham, 2008; Eselebor, 2008) Prominent politicians nurture their own militant groups. Numerous variables connected to the Nigerian climate and politicians' desperation to win elections have been blamed for the increase in the trafficking of firearms. However, the firearms frequently end up in the possession of criminals who use them for their own purposes. The movement of persons and weapons across borders has led to serious security issues in several areas of north eastern Nigeria in recent years. Large groups of armed men, survivors of recent rebel conflicts in Niger and Chad, have crossed into Nigeria and turned into bandits, endangering numerous

remote towns and villages as well as important highways (IRIN, 2007).

The regions near Nigeria's South-Eastern border with Cameroon have come to be known as ones that child traffickers prefer. UNICEF studies show that child trafficking rings frequently use coastal and border towns in the southeast states of Cross River, Akwa Ibom, and Rivers as staging areas for transporting children, mostly by sea, to destinations like Gabon, Equatorial Guinea, and Cameroon. There are several instances of children and young women being abducted from Togo, Benin, and other West African nations and transported to Nigeria's southeast regions. 2007 (Okonji).

Criminals are more organized than ever and continue to plan intricate criminal operations using cutting-edge platforms like mobile payment technology and e-currency or digital cash. In other words, trans-border crime constitutes a serious and growing threat to national security, with serious consequences for public security, public health, democratic institutions, and economic stability across the country. International criminal organizations are diversifying their illegal enterprises beyond just the trafficking of products, drugs, and people. They are also developing new, more advanced forms of illicit activity. When these criminals use government institutions to further their illegal operations, they undermine the rule of law. There is currently a culture of impunity because many of these criminals and illicit players have close relationships to official institutions. Criminal networks are not only growing but also broadening their operations, which has led to the convergence of dangers that were once separate but now have explosive and destabilizing impacts. The key takeaway is that international crimes are getting more sophisticated every day, which has a terrible impact on Nigeria's economy.

The money that the government has available to supply the impoverished with basic necessities is often affected by these crimes. In addition to providing other infrastructure facilities like

roads, electricity, water, and others, these essential amenities may also include medical or health services, educational opportunities, housing, and income. Furthermore, the illegal actions of these gangs have escalated in violence and ruthlessness to the point that they are killing border patrol agents. Even if this may not necessarily be a new pattern, previous incidents have shown how crime syndicate members remain ready to employ brutally merciless tactics to defend and enlarge their criminal domains. Drug use or trafficking may increase crime rates in society, which will have an influence on public safety. In addition to terrorist operations, Nigeria's open border has aided in the growth of some criminal gangs that carry out armed robberies and other crimes that represent a severe threat to national security. This means that international criminals could enter Nigeria covertly and harm the country's peace and security.

Effective border management in Nigeria has proven to be exceedingly challenging or difficult for a variety of reasons which include the following:

Firstly, Inadequacies in organizational design and human resource administration and Agencies' duties and pursuits overlap because the government lacks a human resources policy. Due to some of these agencies' overlapping obligations, they can compete with one another to complete their assignments, keeping information to themselves rather than operating in the good of the country. This suggests that conflicting operational performance has arisen from the overlap of duties among government agencies, which has been harmful to Nigeria as a whole. The performance of border security agencies is significantly impacted by the lack of response to policy issues when significant government policies are still being implemented. This demonstrates the absence of a long-term strategic direction or strategy for border management, a lack of oversight over crucial resources and activities, and inadequate data collection and information system management. Investigation reveals that there is no standard performance system since some

entry points, particularly along the northwest and southwest borders, do not have effective coordination of movement or clearance of passengers. This might make it possible for criminals to flee unnoticed.

The organizations tasked with securing the borders lack sufficient trained personnel. Because some of the staff members lack the necessary skills or training, it is apparent that some of them lack the ability to carry out their duties efficiently. That is, there aren't enough contemporary training facilities available for them to receive on-the-job training. All government organizations charged with managing borders are affected by this difficulty. In the instance of Nigerian immigration, a government agency, there is no modern immigration academy and an inadequate curriculum covering relevant areas in modern migration management.

Secondly, logistics and infrastructure flaws. The inquiry uncovered multiple border management organizations with inadequate logistics. Security personnel and other agencies don't have enough running vehicles at their disposal to effectively carry out their duties at the border. The border housing facilities are in disrepair, and there is inadequate infrastructure for the offices. The general working environment is difficult and there are little accommodations and medical services at the border posts for border officials.

Thirdly, lack of funding and fiscal support is a big issue. This is due to the fact that border management needs a lot of resources to fulfill the constitutional mandate of policing the borders, but the financial resources allotted to the different agencies are frequently insufficient to even buy the most basic tools required for operations, like operational vehicles and office equipment. The government agencies in charge of border control have struggled with inadequate budgetary provisions, which makes it difficult for them to carry out their duties or commitments.

Lastly, border communities' sabotage. In this context, sabotage refers to an intentional, unlawful action committed by individuals

or groups with the aim of undermining a government and its security system in order to engender a general feeling of disquiet in society. Because local communities support the continued use of these routes, which keeps them open and makes closing them practically impossible, it has become evident that managing illegal routes is a difficult burden for border communities. In Nigeria, the national land borders artificially divide certain contiguous border villages. The Dole Kaina/Lollo areas in Kebbi State and Jibiya in Katsina State are examples of culturally homogenous communities that frequently support small-scale trafficking and other smuggling activities as a means of community survival. Transnational criminal activity continues to be rampant because border communities are reluctant to work with the government to combat it.

Conclusion

Trans-border crime is an issue that has made Nigeria security issues very difficult. and as such, the government must be committed so as to have control of her borders. Though, new and emerging vulnerabilities demand holistic approach. Trans-border criminality has many by-products and terrible side effects. Other components of securities like economic, social, political, environmental and human securities are threatened, in one way or the other. Tolerating any form of crime would certainly lead to increase in crime which, the end result would not be good for Nigeria.

For the sake of fostering the political, social, and economic activities necessary to advance national development and security, as well as for maintaining peace and stability, effective border management is crucial. The ability of security personnel to protect the nation's borders should be strengthened, and security organizations should employ specialists. In order to stop the flow of illegal immigration across borders, security services must also build a broad-based integrated border control system.

Additionally, efforts must be increased for a consistent joint border patrol between Nigeria and her neighbors, training and retraining of border security personnel should be increased to keep them up to date with modern trends as criminals have advanced in their methods of operation, and government should invest in acquiring modern technology to secure Nigeria's borders and enhance effective border management.

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