

## LEGAL ANALYSIS OF THE FACTORS MILITATING AGAINST THE EFFECTIVE MANAGEMENT AND CONTROL OF TRANS- BOUNDARY CRIMES IN NIGERIA

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### **Abstract**

*Nigeria like most Countries has had to combat with trans-boundary crimes. This crime is very difficult to trail thus making it possible that only few of the criminal consortiums are made to account for their crimes while the vast majority escapes the eye of the law. This work critically discusses the legal analysis of the factors militating against trans-border crimes in Nigeria and findings shows that there are existing domestic and international law in Nigeria to combat this ugly trend. However weak law enforcement agencies, corruption, inadequate punishment meted out for this offence, lack of access to information amongst others has helped to making the crime notorious. This work adopted the library based research method and it was shown that there are things needed to be done in Nigeria so as to eradicate or drastically reduce this form of crime. This work thus recommends and suggests that construction of border fence between Nigeria and its immediate neighbours, increase in the number of security personnel around the Nigeria borders with other Countries, amendment to the Fire Arms Act, The Economic and Financial crimes commissions Act and the Nigeria Immigration Service Act, severe punishment for trans-border offences, improved technology and others will go a long way to eradicating or reducing this offence in Nigeria. The research therefore concludes that Trans-boundary crimes are illegal and are thus prohibited hence the relevant law enforcement agencies, should cooperate to nip this problem in the bud as eradicating these crimes will lead to economic stability and development.*

**Keywords: Cybercrime, Drug Trafficking, Legal Analysis, Money Laundering, Trans-Boundary Crimes.**

### **1. Introduction**

In recent times, crimes that cross national borders have grown increasingly complex and adaptive, primarily due to the widespread expansion of globally connected organized crime groups. These crimes are notably challenging to uncover and track, allowing many perpetrators to escape legal consequences. Numerous legal experts have observed that criminal activities in this modern era are becoming more global in nature.<sup>1</sup> This shift is largely credited to the porous borders of various nations, which facilitate the ease with which criminal acts can extend beyond one country into another, thereby significantly impacting justice systems. This study critically

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<sup>1</sup> R. Letschert and J. V. Dijk, 'New faces of victimhood: Reflections on the unjust sides of globalization.' (*London: Springer Journal*, 2011). Assessed March 13<sup>th</sup>, 2025

examines the key elements that have made it exceedingly difficult to curb and regulate cross-border crimes in Nigeria.

These crimes are also known as cross-national crime, transnational crimes, or crimes across borders.<sup>2</sup> They encompass any criminal activity that is conceived, initiated, or executed across more than one nation, or where the offense is committed in a single country but its effects are experienced elsewhere. Another perspective defines them as crimes executed in one nation but arranged in another; crimes undertaken by international criminal organizations; or offenses in one nation that have serious consequences in another.<sup>3</sup>

Clearly, cross-border crimes are those that span across countries and involve transnational movement as an essential part of the offense. These crimes generally impact more than one country, either through their execution or their consequences. As a result, tackling and managing such crimes, including bringing the perpetrators to justice, requires cooperation among international law enforcement bodies and transnational partnerships.<sup>4</sup>

A key characteristic of trans-boundary crime is that it may be committed by a lone actor or multiple individuals. Importantly, there is a distinction between trans-boundary crimes and trans-border organized crimes. The difference lies in the fact that trans-boundary crimes can be perpetrated by a single person, while trans-border organized crimes require a collective effort from multiple individuals or organizations.

## 2. Scope of Trans-border Crime

Trans-border crime is fluid and constantly evolving. It continually adapts to new environments and opportunities, thereby giving rise to emerging forms of criminal activity. It represents a form of unlawful enterprise that transcends societal, national, geographical, and linguistic boundaries, disregarding territorial limits. These crimes are varied in terms of size and impact, and in recent years, law enforcement agencies across the globe have witnessed numerous new forms falling within their scope. The breadth of trans-boundary crimes includes:

### 2.1. Advance Fee Fraud

Advance fee fraud is based on demanding certain payments such as taxes, fees, commissions, or brokerage under the false pretense that such payments are needed for official or business related transactions.<sup>5</sup> It is a deceptive scheme where victims are made to pay upfront for goods or services that the scammer has no intention of delivering.<sup>6</sup> Over time, numerous young individuals who engaged in this illegal activity have become wealthy. Recently, these fraudsters have formed international networks, allowing their counterparts abroad to collect the illicit proceeds from unsuspecting victims.

Under Section 419 of Nigeria's Criminal Code, this offense is classified as obtaining by false pretenses.<sup>7</sup> It is generally a coordinated operation between dishonest Nigerians and gullible foreign nationals aimed at illicitly transferring imaginary assets—allegedly owned by the

<sup>2</sup> M.P. Roth, 'Historical overview of transnational crime.' In P. Reichel & J. Albanese (eds). *Handbook of Transnational Crime and Justice* (2nd Ed). (Los Angeles: Sage Publication, 2014). pp. 5-22.

<sup>3</sup> *ibid.*

<sup>4</sup> P. N. Ndubueze, *Transnational Crime: Context, Dimension, and Control* (A Handbook of Transnational Crime and the Rehabilitation of Offenders, 2022). <<https://www.researchgate.net/publication/362177429>> accessed February 24, 2025.

<sup>5</sup> A. Yusuf, & S. Ojo, Advance Fee Fraud and International Economic Crime: The Nigerian Experience. (Journal of Financial Crime 2018), Vol. 25(2), pp. 140–158.

<sup>6</sup> Datavisor, 'Advance fee fraud: Everything you need to know.' <<https://www.datavisor.com.advance.fee.fraud>> accessed February 24, 2025.

<sup>7</sup> Criminal Code Act, Cap C38, LFN, 2010. S. 419.

Nigerian government or private corporations—to foreign accounts. To execute these frauds, scammers often use fake documents and scam letters. A common tactic is to send emails or letters to targeted foreign businessmen, luring them with promises of lucrative returns from supposed deals in Nigeria’s petroleum, banking, or solid mineral industries. These messages are crafted to entice greedy or dishonest foreign investors, who often fall for the trap and end up losing substantial assets.

## 2.2. Money Laundering

Money laundering represents another serious form of cross-border crime. It often involves high-ranking public officials who transfer illicit funds to foreign nations—particularly in Europe—considered safe havens. These laundering schemes typically involve participants from multiple countries, such as lawyers, financial experts, politicians, and bankers. In essence, money laundering is the illegal transfer of unlawfully acquired funds across borders by criminal networks to conceal the origin of the money.

Under Nigerian law, money laundering is a grave offense. The Money Laundering (Prevention and Prohibition) Act<sup>8</sup> criminalizes the activity, prescribing imprisonment of 4 to 14 years. Similarly, the Economic and Financial Crimes Commission (Establishment) Act<sup>9</sup> penalizes individuals who assist in disguising the origin of illicit funds, ensuring they face criminal conviction and sentencing under the law.

## 2.3. Cybercrime

Cybercrime refers to criminal activities committed using computers, the internet, or digital networks.<sup>10</sup> The frequency of these offenses has sharply increased due to the billions of dollars generated annually by criminal gangs operating across different nations.<sup>11</sup> This form of crime presents serious risks to the digital infrastructure of governments and corporations and undermines global confidence in financial systems.<sup>12</sup>

Cybercriminal organizations often target sensitive computer systems, breaching them to cause significant harm. These crimes include identity theft, online fraud, cyber terrorism, and unauthorized data access. They pose major risks to sectors like banking, stock trading, e-currency platforms, and the privacy of personal data. The global reach and complexity of cybercrime make it a growing threat to international financial stability.

## 2.4. Drug Trafficking

Drug trafficking involves the sale, distribution, importation, or exportation of illicit drugs across international borders. It is described as a worldwide black market that covers the cultivation, manufacturing, and trade of drugs outlawed under various legal systems.<sup>13</sup>

According to a recent UN Office on Drugs and Crime (UNODC) report,<sup>14</sup> drug trafficking remains one of the primary activities of transnational criminal organizations.<sup>15</sup> In Nigeria,

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<sup>8</sup> Money Laundering (Prevention and Prohibition) Act, 2022

<sup>9</sup> Economic and Financial Crimes Commission (Establishment) Act, 2004

<sup>10</sup> U.S Immigration and Customs Enforcement, ‘Cybercrime.’ <<https://www.ice.gov.cybercrime>> accessed on February 17, 2025

<sup>11</sup> O. Akinyemi, & K. Balogun, Cybercrime and National Security: Legal Challenges in Nigeria, (Journal of Law and Technology). Vol. 18(1), pp. 22–45.

<sup>12</sup> *Ibid*

<sup>13</sup> UNODC, ‘Drug Trafficking,’ <<https://www.unodc.org/unodc/en/drug-trafficking/index.html>> accessed on February 17, 2025

<sup>14</sup> UNODC, (n-11)

<sup>15</sup> UNODC, ‘The World Drug Report 2017: The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism, UNODC 18 (2017)

illegal drugs are sold in shops, by street vendors, and over-the-counter outlets, thereby expanding their circulation in society. The Nigerian legal framework treats drug trafficking as a serious criminal offense. Section 11 of the NDLEA Act<sup>16</sup> states that any person who, without lawful authority, engages in the importation, production, processing, or cultivation of substances like cocaine, LSD, or heroin shall face a life sentence upon conviction.

Despite these laws, drug cartels continue to challenge the fight against drug trafficking, making enforcement efforts increasingly difficult in Nigeria.

## 2.5. Human Trafficking

Human trafficking entails the illegal transportation or transfer of people from one country to another for exploitative purposes.<sup>17</sup> It is a contemporary form of slavery where individuals are deceived or coerced into labor or sexual exploitation, ultimately benefiting trafficking syndicates.<sup>18</sup>

In Nigeria, women, young girls, and children have been illegally moved across borders to other countries for prostitution or forced labor.<sup>19</sup> This offense is considered one of the most egregious forms of transnational crime. Every year, thousands fall victim to human trafficking for sexual and labor exploitation, making it a multi-billion-dollar global enterprise.

In Nigeria, the Trafficking in Persons (Prohibition) Enforcement and Administration Act (TPLEAA) 2015<sup>20</sup> criminalizes both labor and sex trafficking. The Act prescribes a minimum sentence of two years imprisonment and a fine of ₦250,000. If the victim is a minor, the punishment is more severe ‘seven years imprisonment and a ₦1 million fine.’<sup>21</sup>

## 2.6. Trafficking in Stolen Vehicles

The sale of used vehicles has become widespread in Nigeria, largely due to economic hardship and the high cost of brand-new automobiles.<sup>22</sup> Consequently, many second-hand vehicles are smuggled into the country from Europe and America. Traders involved in this illegal trade often evade taxes and customs duties through fraudulent means.

A significant number of such vehicles enter Nigeria via the land borders shared with neighboring West African countries, aided by cross-border criminal collaborations. Documents accompanying these vehicles are frequently forged, making it difficult for authorities to detect and seize them.<sup>23</sup> This illicit vehicle trade poses a serious threat not just to Nigeria, but to numerous other nations as well.

## 2.7. Illegal Firearms Trafficking

This crime involves the illicit movement and distribution of firearms, ammunition, and explosives from one nation to another for illegal commercial purposes. It presents a severe risk

<sup>16</sup> National Drug Law Enforcement Agency Act, 1989. S. 11

<sup>17</sup> Alese C. Wooditch and Leonard A. Stephenson, *Human trafficking. Definition, awareness, tactics, and Statistics.* (Encyclopedia Britannica, 2025). <<https://www.britainica.com>> accessed on February 19, 2025

<sup>18</sup> A. Adebayo, *Combating Human Trafficking in Nigeria: The Legal and Institutional Frameworks.* (Nigerian Law Journal, 2021). Vol. 25(3), pp. 88–103.

<sup>19</sup> Gerntholtz, L. (2003). *Trafficking in Women and Children: The United Nations Protocols and International Human Rights Law.* Human Rights Brief, Vol. 10(2), pp. 6–8.

<sup>20</sup> T Awunah Donald Ngorngor, ‘*Effective Methods To Combat Transnational Organized Crime In Criminal Justice Processes: The Nigerian Perspective*’ (2015).

<sup>21</sup> Trafficking in Persons (Prohibition) Enforcement and Administration Act (TPLEAA) 2015. S. 6

<sup>22</sup> T. Awunah, (n-16).

<sup>23</sup> T. Awunah, (n-16).

to global peace and stability.<sup>24</sup> Armed conflicts around the world, especially in politically unstable regions, are often driven by the availability of illegal weapons.

In Nigeria and other West African nations, arms trafficking have intensified violent crimes, including terrorism, religious and ethnic clashes, banditry, and armed robbery. The proliferation of illegal firearms has had devastating effects on regional peace and security, making it one of the most dangerous forms of trans-boundary crimes.<sup>25</sup>

### **3. Legal Framework on the Control of Trans-Boundary Crimes in Nigeria**

Over the years, several national and international legal instruments have been enacted to tackle transnational crime. These frameworks include:

#### **3.1. United Nations Convention against Transnational Organized Crime, 2000**

This Convention was adopted by the United Nations General Assembly on November 15, 2000.<sup>26</sup> It aims to reduce the threat of international organized crime by dismantling the operations of global criminal syndicates. As the principal international treaty against organized crime, the Convention is complemented by three Protocols that target specific aspects of transnational crimes. Countries must first ratify the Convention before they can adopt any of the Protocols.<sup>27</sup>

The Convention marks a significant advancement in addressing global organized crime and reflects a shared commitment among nations to strengthen international cooperation.

Signatory nations are required to undertake various measures, such as:

- I. Creating domestic criminal laws against offenses like money laundering, corruption, and obstruction of justice
- II. Establishing legal procedures for extradition and mutual legal assistance
- III. Enhancing law enforcement partnerships across borders
- IV. Providing training and technical assistance to build capacity in national criminal justice systems.

#### **3.2. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2003**

Adopted under UN Resolution 55/25, this Protocol came into effect on December 25, 2003.<sup>28</sup> It stands as the first globally recognized and binding legal instrument that defines human trafficking.<sup>29</sup> The goal of this definition is to harmonize national legal systems by encouraging the formulation of domestic criminal laws that promote international collaboration in

<sup>24</sup> Interpol. 'Firearms trafficking.' <https://www.interpol.int/firearms/trafficking>. accessed on February 26, 2025

<sup>25</sup> Interpol. 'Firearms trafficking in central and Western Africa.' <https://www.interpol.int/firearms/trafficking>. accessed on February 26, 2025

<sup>26</sup> See United Nation General Assembly resolution 55/25 of 15<sup>th</sup> November, 2000 adopting the United Nations Convention against Transnational Organized Crime and the protocol thereto. This convention came into force on 29<sup>th</sup> September, 2003 in accordance with article 38. A total of 147 Countries were signatory to the convention and today the numbers of Countries has moved to 191.

<sup>27</sup> *ibid.*

<sup>28</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, UN General Assembly resolution 55/25

<sup>29</sup> *ibid.* Art. 3.

prosecuting human trafficking cases. Notably, Articles 5 to 8 outline offenses involving the trafficking of persons, with special focus on women and children.<sup>30</sup>

### **3.3. The Protocol against the Smuggling of Migrants by Land, Sea and Air, 2004**

This UN Protocol,<sup>31</sup> effective from January 28, 2004, seeks to address the growing concern of organized groups illegally smuggling migrants often at great personal risk to the migrants and considerable profit to the offenders.<sup>32</sup> One of its key achievements is the first universally accepted definition of migrant smuggling. Its main objective is to combat migrant smuggling and foster cooperation among states while safeguarding the rights of those smuggled.

### **3.4. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, 2005**

Enacted on July 3, 2005, this Protocol<sup>33</sup> introduces the first binding global legal framework on the regulation of small arms and ammunition. Its purpose is to strengthen international cooperation in tackling illicit arms production and trafficking.<sup>34</sup> Countries that ratify this protocol agree to three primary obligations: criminalizing illicit arms activities, creating authorization systems to monitor legal firearms transactions, and implementing measures for tracing and marking firearms for accountability.

### **3.5. National Drug Law Enforcement Agency (NDLEA) Act, 1989**

This Act<sup>35</sup> was enacted to enforce anti-drug laws, including offenses involving illegal drugs such as heroin, LSD, and other psychotropic substances. Section 11(a) of the Act provides:

Any person who, without lawful approval:

(a) Imports, manufactures, produces, processes, cultivate or grow substances such as cocaine, heroin, LSD, or similar drugs, commit an offense and upon conviction, is liable to life imprisonment.<sup>36</sup>

Hence, the Act criminalizes the illegal importation and production of drugs. However, the persistent role of powerful drug cartels operating both in and outside Nigeria has made enforcement extremely challenging.

### **3.6. Economic and Financial Crimes Commission (EFCC) Act**

This legislation<sup>37</sup> establishes the EFCC, the federal agency responsible for monitoring and prosecuting financial crimes. Of special importance is Section 18, which states:

18(1) Anyone who—

(a) Acquires, possesses, or uses property, knowing it was obtained through illegal means;

<sup>30</sup> *ibid.* Art. 5-8.

<sup>31</sup> Protocol against the Smuggling of Migrants by Land, Sea and Air. UN General Assembly resolution 55/25

<sup>32</sup> *ibid.* Art. 3(a). Here smuggling of migrants is defined as the procurement in other to obtain directly or indirectly a financial benefit of the illegal entry of a person into a State party.

<sup>33</sup> Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, 2005.

<sup>34</sup> *ibid.* see Art. 3, 5 & 6.

<sup>35</sup> National Assembly of Nigeria. (1989). National Drug Law Enforcement Agency Act, Cap N30 LFN 2004. Abuja: Federal Government of Nigeria.

<sup>36</sup> *ibid.* Sect. 11.

<sup>37</sup> The Economic and Financial Crime Commission Act, 2002 (as amended in 2004).

- (b) Manages, organizes, or finances such crimes;
  - (c) Converts or transfers such property with knowledge of its criminal origin; or
  - (d) Conceals or disguises the source or ownership of such property,
- commits an offense and is subject to the penalties in subsection (2), which include imprisonment ranging from two to three years.<sup>38</sup>

### **3.7. Money Laundering (Prevention and Prohibition) Act, 2022**

This comprehensive legislation<sup>39</sup> outlaws all money laundering activities by individuals or corporations in or outside Nigeria. It also targets associated transnational crimes. Section 18 of the Act states:

- (1) Money laundering is illegal in Nigeria.
- (2) Any party that:
  - (a) Hides or misrepresents the origin of,
  - (b) Transfers or converts,
  - (c) Moves outside the country, or
  - (d) Acquires, uses, or holds funds or property known to be linked to unlawful acts,commits a money laundering offense. Subsection (3) imposes a penalty of 4 to 14 years imprisonment or a fine up to five times the value of the illicit assets, or both.<sup>40</sup>

The Act also extends to crimes like trafficking in persons, migrant smuggling, sexual exploitation, drug and arms trafficking, and dealing in stolen property.

### **3.8. Firearms Act, 1959**

Enacted in 1959, this law<sup>41</sup> criminalizes the illegal possession and movement of firearms and ammunition within or across Nigeria's borders. Sections 17, 18, 19, and 27 specifically address cross-border trafficking. Key provisions include:

- I. Firearms or ammunition cannot be imported or exported unless through designated ports or borders.
- II. Importation of certain classes of firearms requires a presidential license.

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<sup>38</sup> *ibid.* S.18

<sup>39</sup> Money Laundering (Prevention and Prohibition) Act, 2022

<sup>40</sup> *ibid.* S. 18

<sup>41</sup> National Assembly of Nigeria. (1959). Firearms Act, Cap F28 LFN 2004. Abuja: Federal Government of Nigeria.

III. Declaration to customs is mandatory, along with proof of a valid license.

Section 27 prescribes penalties, stating that violations under Sections 3, 17, 18, and 22 (which ban possession, importation, exportation, and unauthorized manufacture of firearms) attract a minimum of ten years imprisonment. Hence, the Firearms Act mandates severe punishment for anyone caught trafficking arms across Nigeria's borders.

#### **4. Institutional Framework for the Management and Control of Trans-Boundary Crime**

The following domestic and international institutions are central to combating cross-border crimes:

- a) United Nations High Commissioner for Refugees (UNHCR)
- b) International Organization for Migration (IOM)
- c) United Nations Office on Drugs and Crime (UNODC)
- d) International Criminal Police Organization (INTERPOL)
- e) Economic and Financial Crimes Commission (EFCC)
- f) Independent Corrupt Practices and Other Related Offences Commission (ICPC)
- g) Nigerian Police Force
- h) National Drug Law Enforcement Agency (NDLEA)
- i) Nigerian Immigration Service

#### **5. Factors Hindering Effective Control of Trans-Boundary Crimes in Nigeria**

Despite numerous laws and enforcement agencies at both local and global levels, trans-border criminal activities continue to rise. The reasons include:

##### **5.1. Porous Borders between Nigeria and Neighboring Countries**

Nigeria shares open and poorly monitored borders with Benin Republic, Chad, Niger, and Cameroon. These borders are inadequately secured, making them vulnerable to smuggling and illicit trade by criminal syndicates.<sup>42</sup> Past administrations have failed to enforce proper border management, resulting in widespread insecurity due to unchecked movement of arms, drugs, humans, and contraband goods.<sup>43</sup>

In the Seme-Krake area, borders are marked only by ropes attached to sand-filled drums, and once vehicles are cleared by security personnel, the rope is lifted for passage.<sup>44</sup> Pedestrians often move freely between Nigeria and Benin Republic without being questioned, allowing trafficking and smuggling operations especially of humans, weapons, and narcotics to flourish. Moreover, around 100 unofficial routes exist between Seme and Idiroko that criminal gangs

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<sup>42</sup>M. U. Ekpo, *The Challenge of Cross-Border Crimes in West Africa: A Case Study of Nigeria's Borders*, (African Security Review, 2019). Vol. 17(4), pp. 39–53.

<sup>43</sup> L. G. Adeolu, O Fayomi 'The political and Security Implications of Cross Border Migration between Nigeria and her Francophone Neighbors,' *International Journal of Social Science Tomorrow*, 2012.

<[www.ajsih.org/index.php/ajsih/article/download/102/102&sa](http://www.ajsih.org/index.php/ajsih/article/download/102/102&sa)> accessed March 2, 2025

<sup>44</sup> *ibid*.

exploit for their operations.<sup>45</sup> On the Niger border, enforcement is practically non-existent. Some villages on either side are so close that distinguishing between Nigerian and Nigerien territory is difficult. This proximity facilitates the trafficking of children, illegal trade, and unchecked migration into and out of Nigeria.

### **5.2. Corruption among Border and Security Officials**

One of the major setbacks in tackling trans-border crimes is the high level of corruption among law enforcement agents stationed at Nigeria's borders. Several reports indicate that customs officials, immigration officers, and other security personnel often accept bribes and permit the illegal entry and exit of goods and individuals. These compromised officers contribute significantly to the proliferation of illegal arms, human trafficking, and the smuggling of contraband into and out of Nigeria.

In many instances, these officers aid smugglers by turning a blind eye or actively helping them circumvent security checks. This institutional corruption weakens enforcement efforts and hampers the implementation of border control measures, thereby making it easier for cross-border criminals to operate freely.

### **5.3. Inadequate Funding and Resources for Border Security**

Border agencies in Nigeria are poorly funded, with limited access to modern surveillance equipment, operational vehicles, communication tools, and sufficient manpower. Most border posts lack the necessary infrastructure to monitor and control the vast stretches of unmanned land borders.

This deficiency has made it difficult for law enforcement officers to effectively police border areas, making them porous and susceptible to criminal activities. The absence of technological tools like drones, CCTV, biometric scanners, and proper data management systems further exacerbates the problem, creating gaps that transnational criminals exploit.

### **5.4. Weak International Collaboration**

Despite Nigeria being a signatory to various international protocols on crime prevention, the country often faces challenges in securing meaningful cooperation from neighboring countries. Border security requires joint efforts from all countries involved, but the absence of coordinated regional frameworks and poor intelligence-sharing systems has undermined the fight against cross-border crimes.

For instance, law enforcement agencies in Nigeria may be willing to apprehend a fugitive, but without real-time cooperation and support from neighboring countries, such efforts often fail. This lack of synergy limits Nigeria's capacity to investigate and prosecute cross-border crimes effectively.

### **5.5. Complex Nature of Trans-Boundary Crimes**

The increasingly sophisticated nature of trans-boundary crimes presents another significant challenge. Organized criminal groups now deploy advanced technologies and tactics to perpetrate their crimes. These include using encrypted communications, online financial transactions, fake identities, and cross-border mobility to avoid detection.

As these syndicates evolve, they become more difficult to track and dismantle. The capacity of Nigerian security institutions is often not at par with the evolving techniques employed by these criminals, making effective policing difficult.

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<sup>45</sup> *ibid.*

### **5.6. Poor Legal Enforcement and Delays in Prosecution**

Although Nigeria has comprehensive laws addressing various forms of trans-border crimes, the judicial system is often hampered by delays, poor prosecution, and weak implementation. Cases of trans-boundary crimes may linger for years in courts due to lack of evidence, corruption in the judiciary, or poor case management by prosecutors.

This results in low conviction rates, which in turn emboldens criminals. Furthermore, the absence of specialized courts or legal units dedicated to handling transnational crimes contributes to inefficiencies in delivering timely justice.

## **6. Recommendations**

To improve the control and management of trans-boundary crimes in Nigeria, the following measures are recommended:

- i. **Strengthening Border Control Infrastructure:** The Nigerian government should invest in modernizing border facilities by providing high-tech surveillance equipment, drones, biometric systems, and patrol vehicles. Border security personnel should be trained and adequately equipped to monitor vast and remote border locations.
- ii. **Enhancing Anti-Corruption Measures:** There must be a robust and transparent system in place to monitor the activities of law enforcement officers at the borders. Anti-corruption units should be empowered to investigate and prosecute officials who collude with criminals. Whistleblower protection mechanisms should also be strengthened to encourage reporting of corrupt practices.
- iii. **Promoting Regional and International Cooperation:** Nigeria should actively collaborate with neighboring countries through bilateral and multilateral agreements. Intelligence sharing, joint patrols, coordinated investigations, and extradition agreements should be enhanced under regional frameworks like ECOWAS and AU. This will help in curbing cross-border movement of criminals and facilitate swift apprehension.
- iv. **Reforming the Legal and Judicial System:** The legal framework should be restructured to fast-track cases involving cross-border crimes. Special courts or units should be created within the judiciary to handle such cases. Prosecutors must receive training on international crime laws and evidence gathering for trans-border offenses.
- v. **Public Awareness and Community Involvement:** Border communities must be sensitized about the dangers of harboring or aiding criminal elements. Community policing strategies should be encouraged, and local intelligence should be integrated into national crime prevention efforts. Citizens should also be educated on how to report suspicious activities through secure and anonymous channels.

## **7. Conclusion**

Trans-boundary crimes pose a significant threat to Nigeria's national security, economic growth, and international reputation. Despite numerous legal instruments and institutional frameworks established to address these challenges, criminal networks continue to exploit weaknesses in the system—particularly porous borders, corruption, and inadequate enforcement mechanisms.

Effective control of cross-border crimes requires an all-encompassing approach: modern border surveillance, well-trained security personnel, institutional integrity, and international cooperation. If the Nigerian government prioritizes the implementation of its laws, addresses institutional shortcomings, and fosters regional collaboration, the battle against transnational crimes can be more decisively won.