

HISTORY & INTERNATIONAL STUDIES

Vol. 1, No. 1

March 2002

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ISSN 1597-1929

NIGERIAN JOURNAL OF

TRANSNATIONAL CRIMES AND NATIONAL SECURITY: AN OVERVIEW

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Organized crime has traditionally been seen as a domestic problem bedeviling a relatively small number of states such as Italy, United States, and Japan. In the last few years, however, there has been a recognition that the problem is no longer limited to a few states and can no longer be treated as something that falls within a single jurisdiction. The rise of a global market for illicit drugs, the end of the Cold War and the barriers between East and West, the collapse of the criminal justice system in Russia and the other states of the former Soviet Union, the development of free trade areas in Western Europe and North America, and the emergence of global financial and trading systems have fundamentally changed the context in which criminal organizations operate and encouraged what had been, predominately domestic groups to develop into transnational criminal organizations (TOCs).'

Until very recently when the concept of security was expanded to include human security, security has traditionally been defined narrowly in strategic military terms. To counter such threats nations employed all elements of national power—military, economic and diplomatic. However, since the end of the cold war the world has faced several daunting challenges, which although not a threat in the military strategic sense, nevertheless, challenge the effective functioning of civil society in many nations of the world, especially emerging democracies. One of such threats is that posed by transnational organized crime syndicates.

A leading U.S. Senator captured the essence of transnational crimes and the organizations they run so aptly when he said:

In strategy, sophistication, and reach the criminal organizations, of the late twentieth century function like transnational corporations and make the gangs of the past look like mom and pop operations. . . . Today's transnational criminal cartels use high speed modems

and encrypted faxes. They buy jet airplanes three or four at a time and even have stealth Elike submersibles in their armadas. . . . By its very nature, crime adapts fast to changing circumstances. Unencumbered by scruple or law, criminals and criminal organizations are quick to identify new sources of profit to be hid through the use of violence, deceit, or both.²

Thus, these international criminal cartels basically operate as unregulated transnational "corporations."

These criminal syndicates thrive best in countries where their activities can be carried out without much interference from authorities, such as failed or failing states where human security is minimal or nonexistent. As Dr. Sandro Calvani argues in his presentation at the U.N. Interagency Security Network Group Meeting held in Bangkok, Thailand, in March 2001:

In the last decade, most political crisis, internal conflicts, dysfunctional developmental processes, and human rights abuses have occurred in countries all over the world where societies and the economies have been distorted by the activity of various forms of organized crime. Corruption, financial scams, trafficking in human beings, and money laundering perpetrated by cross border gangs and extremely aggressive and well organized predators have destroyed the traditional fabric of civil societies, threatening the very foundations of development and of peace processes. . . . Both failing and failed states are particularly vulnerable to the spread of organized crime ...Criminal organizations invariably search for weak links to exploit wherever they exist, both among and within states. . .

In other words, transnational criminal organizations prefer to operate from a home base where the risks are low and transport their illicit goods and services to areas where profits are high. It is from this perspective that one can begin to appreciate the involvement of African criminal gangs in transnational criminal activity. The African criminal gangs, according to the U.S. Federal Bureau of Investigations (FBI):

. predominately originate from Nigeria, but also with some criminal groups originating from other African countries, such as Ghana and Liberia . . . Nigerian criminal enterprises are the most significant of the African criminal enterprises . . . operating in more than 80 other countries of the world. They are a significant emerging criminal threat confronting law enforcement agencies worldwide. Nigerian Criminal Enterprises are some of the most aggressive and expansionist international criminal groups and are primarily involved in drugs trafficking and financial frauds.⁴

It is significant that the countries mentioned in this FBI report are English speaking and West African in origin. There are other criminal groups in Africa. The South African Police estimate that their country is home to more than 190 criminal organizations, many of whom are sophisticated and international in scope. Swaziland is becoming a haven for drug traffickers and gunrunners.' However, Nigerian gangs are said to have made significant inroads into these markets.

The phenomenal growth of the Nigerian "criminal syndicates has taken place in the last fifteen years, especially since the collapse of oil prices in the 1980s and its crippling effect on the Nigerian economy. The net result of this was that a significant number of well educated Nigerians either lost their jobs or suffered significant decline in income. Many Nigerians, educated and non :educated, also migrate abroad in search of greener pastures. The desire of many individuals to supplement their income made quite a few turn to crime. They are involved in a myriad of criminal activities that include drug trafficking (especially cocaine and heroin), financial crimes, arms trafficking, money laundering, counterfeiting and altered documents and human trafficking.⁶

In order to appreciate the extent to which the Nigerian Criminal Enterprises have evolved, I quote from the testimony of Jonathan Winer, Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, to the Subcommittee on Africa of the House International Relations Committee. Nigerian Criminal Enterprises:

. . . launder money in Hong Kong, buy cocaine in the Andes, run prostitution and gambling rings in Spain and

Italy, and corrupt legitimate business in Great Britain with their financial crimes. The Nigerian drug trafficking rings are notorious. The presence today of hundreds of convicted Nigerian traffickers in Indian, Pakistani, Thai, Turkish and other international prisons is indicative of the international reach of the Nigerian crime rings. Nigerian trafficking organizations have continued to evolve. Where once they limit themselves top to bottom to members of ethnic Cbased clans, they have come to recognize that international law enforcement targets Nigerian nationals. Accordingly, Nigerian trafficking organizations today favor surrogate couriers, especially young women.'

THE GLOBAL CONNECTION:

Five major factors have been identified as responsible for the upsurge that has occurred in international criminal activity in the last fifteen years. Ironically, the same reasons are also responsible for the unprecedented growth in international commerce in the same period. The five factors are:

The end of the Cold War which led to the breakdown in the ideological tension between East and West. The easy of tension also spread. to the rest of the world;

Economic and trade liberalization which has made the world more interdependent and allowed for the huge growth in trade volumes;

Technological advances, especially in the area of communications and information technology.

Developments in these areas have brought the world closer and made it easier to conduct international business, including illegal ones; .

- The globalization of business, which has been helped by the thawing of political tensions in the world and the revolution in communications and information, has quickened the pace, volume and scope of legitimate and illegitimate international commerce; and,

- The explosion in international travel which has resulted in a phenomenal movement of persons, goods and services across the globe. A phenomenon that has also been exploited by international criminal cartels.'

The world has evolved into a "global village." The positive side of this development is the increase in international commerce. The downside is the increase in transnational crimes.

With regard to the West African subregion, two main developments have taken place to change the political and economic landscape of the sub region. One is the establishment of the Economic Community of West African States (ECOWAS) and the adoption and ratification of its Protocol which allows free movement of persons across the entire subregion. Although the intention is laudable, however, there is no doubt that it has engendered unintended consequences. One of which is that it has allowed criminals to move across borders unhindered. Ghana is one of many West African countries that has been hit by an upsurge in crime, including armed robbery and "419," which they blame on Nigerians.

A Ghanaian recently wrote that "affected by economic decline in Nigeria, some of these Nigerian fraudsters have moved to other countries to perpetuate their acts. Drug trafficking, cheque and credit card fraud are all apart of their repertoire. A number of Nigerians have over the years been apprehended in major cities all over Ghana in connection with these fraudulent acts, a situation which has even compelled the Nigerian Association in the country to advise its citizens to be law abiding."⁹

The other development in the subregion that has provided opportunities for criminal elements to operate unhindered in the sub region is that upsurge in conflicts in the sub legion since the Liberian civil war began in 1990. After Liberia, there has been conflicts in Sierra Leone, ea and now Cote d'Ivoire. These conflicts have led to an upsurge in displaced persons across the sub legion.

MAJOR "HOT SPOTS" FOR TRANSNATIONAL CRIMINAL SYNDICATES

Transnational criminal activity does not operate within defined geographical boundaries, but affects all nations and regions alike. However,

some country and countries are affected more than others are by the activities of these criminal gangs. The main areas that have been identified are Russia/Eastern Europe, Western Europe, North America, Asia, and Africa.

Russia/Eastern Europe:

The collapse of the former Soviet Union and its Former allies in the COMECON and the Warsaw Pact, unleashed forces which were hitherto unknown or had been operating underground making profit from the inefficiencies of the communist system. Since the birth of the Russian federation, it is estimated that 5000 to 8000 criminal organizations with as many as 100,000 members control between 25 and 40 percent of Russia's gross national product (GNP). In fact, the Russian Interior Ministry estimates that criminal organizations control 40% of private businesses, 60% of state-owned enterprises and between 50% and 80% of banks in Russia, with annual revenue believed to be more than \$18 billion. ° Russian criminal groups specialize in drug trafficking, illegal arms dealing, money laundering and the export of Russian natural resources such as oil, minerals and precious stones.

Western Europe:

Italy is the major organized crime spot in Western Europe, mainly because of the activities of the Italian Mafia, probably the world's most famous criminal gang. They specialize mainly in drug trafficking (largely heroin), and money laundering. They are also involved in extortion, weapons and diamond smuggling, and illegal disposal of radioactive waste. Apart from Italy, members of the group are also found in Canada, the U.S. and South America.

Asia (Triads, Big Circle Boys, Yakuza and Vietnamese Gangs):

The most prominent organized crime groups in Asia are the Chinese triads, the Big Circle Boys and the Japanese Yakuza. Most of the Chinese triad gangs are based in Hong Kong, Macao and Taiwan, and they are a collection of individuals who sometimes cooperate. They specialize in drug trafficking, money laundering, corruption, computer software piracy,

credit card forgery, counterfeit identification and currency operations and migrant smuggling. The Big Circle Boys is another of the Chinese organized crime gang. They specialize in drug trafficking, migrant smuggling and large scale credit card forgery and fraud. The Vietnamese gangs are known for their extreme violence and specialize in property crime, drug trafficking and cigarette smuggling to high [tech theft, financial fraud and other white collar crime. Members of these gang can be found in Asia, Eastern Europe, Australia and North America. The Japanese Yakuza, like the Chinese Triads, have a long criminal history dating back to the 18th century. They number about 80,000 in Japan. They specialize in drugs and arms trafficking, money laundering, the penetration of legal businesses and inflating land prices.

Africa (Nigeria and South Africa)

Political and economic instability and rampant corruption in Nigeria has allowed the growth of criminal gangs. The Nigerian gangs are well known for their "419" scams. Nigeria is also a base of operations for large trafficking groups who smuggle Southeast and Southwest Asian heroin into the United States and Europe. The Nigerian groups are active in most parts of the world and specialize in drug trafficking, arms trafficking, human trafficking, financial crimes and car theft. In South Africa, there are groups of criminal gangs active. One are the home grown ones and the others are based in other parts of the world but active there. The home grown groups include former members of the apartheid security forces who are involved in weapons smuggling, drug trafficking and prostitution rings. The Russian mafia, Chinese triads and the Nigerian groups are also into construction, food retailing and influencing unions). The Hell's Angels Motorcycle Club is world's largest outlaw motorcycle gang. They are involved in drug trafficking, prostitution and money laundering. It has 180 chapters worldwide including the U.S., Canada, Great Britain, numerous European countries, Australia, New Zealand, South Africa and Brazil.

TYPES OF INTERNATIONAL ORGANIZED CRIMES

Various types of transnational crimes are committed everyday by individuals but especially by organized crime syndicates. These types of crimes include drug trafficking, money laundering, trafficking in women

and children, illicit manufacturing and trafficking in firearms, corruption of international banking and financial activities, corruption of political and public officials, trafficking in stolen vehicles, financial fraud, including credit card fraud, and extortion and illegal trafficking and transportation of migrants." These, however, represent only the more traditional crimes. There are other emerging crimes, which include cyber crime. We shall examine some of these activities to enable us build a picture of the state of transnational organized crime.

(a) **Trafficking Stolen Vehicles:** The rate of vehicle theft has risen considerably in the few years and so has the incidence of illicit trafficking in stolen vehicles. The problem is very acute in Europe, America; Asia and Africa. The methods used vary country to country and from region to region. However, three have been identified. These are stealing vehicles by duplicate keys, diverting rental cars to foreign countries and outright robbery of vehicles at gunpoint. Most vehicles stolen in Europe, America or Japan are shipped using forged documents to Africa. The Criminal gangs in these countries have links with their African counterparts. There is trafficking in, stolen vehicles in West and East Africa. In West Africa, the Protocol on Free Movement of Persons and goods has allowed criminal gangs to operate freely across West Africa. Although no such protocol exists in East Africa, nevertheless, great movement of stolen vehicles in the Great Lakes Regions [arid Southern Africa. In India, there are incidents of stolen vehicle trafficking with Nepal. However, because of the strict border controls with Pakistan there is no significant problem of trafficking in stolen vehicles.

(b) **Credit Card Fraud:** Credit cards have become the centrepiece of banking and personal finance relationships in quite a large part of the world since they were introduced in the mid 1960s. Although it has not yet adopted in Nigeria, it is one major crime area that Nigeria abroad are involved in. Credit card fraud is made easy because of the relative ease with which organized crime gangs can have access to computer software that can generate numbers. Five ways have been identified that fraudsters employ to achieve credit card fraud. These are courier interception method, cardholder access, merchant access, skimming, and counterfeiting. Losses due to credit card fraud have been categorized as follows: counterfeiting 32%, lost cards 30%, stolen cards 20%, multiple imprint

5%, mail/telephone orders 4%, and others 9%.¹²

(c) **Money Laundering:** This criminal activity is an integral aspect of transnational organized crime carried out through banking and other non [banking sources. Exploitation shall include, at a minimum, the, exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹³ People chose to migrate for a number of reasons that are economic, social and political in origin. These reasons can be categorized into push and pull factors. The 'push factors include war, oppression, desire for personal and professional development, population pressure, search for greater opportunity, environmental degradation, natural hazards. The pull factors include demand for cheap irregular labour, high standard of living, a well developed population of certain ethnic or immigrant groups and in some cases, an unofficial government policy of tolerating or overlooking illegal workers, least while the economic conditions require a pool of cheap labour:⁴ It was estimated that in 1993/94, approximately 100 million people, or 2% of the world's population, were living outside the country of their birth. There are two very popular ways by which people trafficking is effected. One is simply to obtain a visitor's visa of the country and disappear once one has, entered the host country. The other is to present bogus papers at the point of entry. These could be photo :=Substituted passports, to cases of people turning up at customs entry points without papers or simply by claiming asylum or refugee status. It is a high gain low risk crime.

(d) **Cyber Crime:** This is an emerging crime and will continue to grow because of the potential it presents criminal syndicates to carry out their activities with speed, ease, and anonymity. It also provides them with range and therefore the ability to lower many of their costs. What are the kinds of crimes that can take place over the internet? They include fraud and theft, pervasive pornography and pedophile rings. The strengths of the internet for criminal syndicates are many. One, the internet is anonymous. Transnational criminal syndicates like to operate from a home base that offers them low risk. The internet provides that with its borderless operations. This very fact also means that policing cyber crime is slow and tedious at best, and impossible at worst. Anonymity can be achieved by using cyber cafes to sophisticated efforts at internet routing.¹⁵ There are

a variety of crimes that can be committed using the internet, many of which are not necessarily new. One, is the theft of information services. This can happen by gaining access to an organizations dial in/dial out circuits and then make their own calls or sell same to third parties, or capturing calling card details and on selling calls charged to the call card account and counterfeiting or illicit programming of stored value telephone cards. Two, communications in furtherance of criminal conspiracies. Today, it is clear that information technology and communications technology is being used to facilitate organized drug trafficking, gambling, prostitution, money laundering, child pornography and trade in weapons. This is possible because of the use of encryption technology that puts criminal communication beyond the reach of law enforcement agencies. Three, is telecommunications piracy. That is the use of computers to reproduce print, graphics, sound and multimedia materials for personal use or sale at a lower price. This is of major concern to the owners of such copyrighted materials. Each year, it is estimated that losses of between \$15 and US\$17 billion are sustained by industry in the U.S. by reason of copyright infringement. The Software Publishers Association has estimated that \$4.7 billion worth of software was lost to piracy in 1993 with \$2 billion of that being stolen from the internet.¹⁶ Four, is the dissemination of offensive materials over the internet. Such materials include sexually explicit materials, racist propaganda, and instructions for the fabrication of incendiary and explosive devices, including crude nuclear devices. It can be used for harassing, threatening or intrusive communications, like for example cyberstalking (persistent messages to an unwilling recipient). Five is electronic money laundering and tax evasion. Electronic funds transfers offers transnational criminal gangs the ability to not only move money around the world very easily, but also conceal such funds from the appropriate authorities. It will become very easy to sell a quantity of heroin, in return for an untraceable transfer of stored value to my smart card which I then download anonymously to my account in a financial institution situated in an overseas jurisdiction which protects the privacy of banking institutions. I can discreetly draw upon these funds as and when I may require, downloading them back to my stored value card.¹⁷

Six is electronic vandalism and terrorism: Society is becoming ever so dependent on the computers for complex data processing and

telecommunications systems. Damage to, or interference with, any of these systems can lead to catastrophic consequences. Whilst to many it might seem a long way off, yet individuals and protest groups have successfully hacked into many otherwise thought secure government websites, including those of many financial institutions. 'there are others which include, sales and investment fraud, illegal interception of telecommunications and electronic funds transfer fraud.'¹⁸ But the potential for the misuse of IT by organized crime syndicates is real and serious.

(f) Environmental Crimes: The world has become more environmentally conscious and such, there is a proliferation of multilateral conventions and national laws and regulations to control pollutants that are health or environmentally hazardous, to prevent wanton exploitation of scarce natural resources, and to protect endangered plants and animal species. Transnational crime syndicates around the world, especially in Italy, Russia, China and Japan, have taken advantage of the significantly higher costs of disposing of hazardous waste to make illicit profits. The Italian groups are the most involved because they have successfully infiltrated Italy's industrial waste disposal sector. The U.S. Government estimates that international crime syndicates earn US\$10.32 billion annually for dumping trash and hazardous waste materials. Most of these are shipped to countries in Eastern and Central Europe, Asia and Africa in 'trash for ash' schemes.

(g) Trafficking in Precious Stones: There is a lucrative worldwide market for gem stones which transnational crime syndicates are exploiting to make huge profits. Russian, Chinese, Italian and African criminal groups are involved in the illegal trade of precious minerals and gem stones. The increase in armed conflicts on the African continent has led to diamond trafficking by insurgent groups to finance these wars. The UNITA insurgent group in Angola, rebel militias in the Democratic Republic of Congo, and the Revolutionary United Front in Sierra Leone exploited the lucrative diamond mines in the areas they controlled to raise revenue for arms purchases and other operational expenses. Liberia also profited from the illicit trade in Sierra Leonean diamonds.

(h) Maritime Piracy: Maritime piracy is particularly prevalent off the coast of Southeast Asia and Africa. It threatens the security of the world's most important sea lanes. It is a threat to security because it raises

insurance rates, restricts free trade, increases tensions between the affected littoral states, their neighbors, and the countries whose flagged ships are attacked or hijacked. According to reports from the International Maritime Bureau, incidents of maritime piracy have more than doubled since 1994. Piracy is a significant problem along the coasts of Indonesia, Malaysia, Thailand, and the Philippines. The West Coast of Africa, off Nigeria and Senegal, and Somalia's east coast are said to be the most piracy-prone areas in Africa. In East Africa, pirate attacks on berthed or anchored ships plague the ports of Mombasa, Kenya, and Dar es Salaam, Tanzania.

(i) **Smuggling:** Smuggling across international borders is a highly profitable criminal activity. The evasion of tariffs and taxes on commodities can reap sizeable illicit profits for criminal organizations or companies engaged in illegal trade. Most contraband smuggling is facilitated by physical concealment of the illicit goods or by a fraudulent misrepresentation of facts. False invoicing, over or undervaluation of goods, and transfer price mechanisms are frequently used to misrepresent the value of smuggled goods; undervaluation of goods allows contraband traffickers to avoid tariffs or excise taxes, while overvaluation is used either to disguise the true identity of the item or launder illicitly derived proceeds.

(j) **Intellectual Property Rights Violations:** This type of crime involves the theft of trade secrets and copyrights, trademarks and patent violations. These violations, particularly the sale of counterfeit or illegally manufactured products, distort international trade, undermine the legitimate marketplace and cause extensive losses to legitimate industries. For copyright violations, it is said that globally in 1998, one in every three compact disc sold is a counterfeit copy. Total worldwide sales, according to data provided by the International Federation of the Phonographic Industry, is estimated at about US\$4 billion in 1999. The same is true for computer software. According to estimates provided by the Business Software Alliance, software piracy costs the industry about \$12 billion worldwide and topped \$59 billion in the last five years. In 1997, Global Software Piracy Report estimate that 225 out of the 523 new business software applications in use worldwide in 1996 were pirated copies. Trademark violations includes the counterfeiting of certain products and trademark goods. According to estimates provided by the International

Chamber of Commerce (ICC), counterfeit products account for about 8% of world trade, about \$200 billion annually. Patent violations involves the illegal manufacture of products using production processes, designs, or materials that are protected by patents giving the holder the right to exclude others from taking, using or selling an invention for a specified period of time. For example, the Pharmaceutical Research and Manufacturers Association estimates that the pharmaceutical industry loses more than \$2 billion annually due to counterfeit medications sold on the open market. The World Health Organization estimated that in 1997 at least 7% of the medicines sold worldwide were counterfeit products.

STRATEGIC ALLIANCES BETWEEN THESE SYNDICATES:

[Transnational criminal syndicates] is like a "plate of spaghetti." Every piece seems to touch each other, but you are never sure where it all leads. Once in a while we arrest someone we are sure is important. Well he may have been up to that moment, but once we get him, he suddenly becomes no more than a tiny cog. Someone else pops ups in his place.¹⁹

Transnational criminal syndicates are profit maximizing and risk reducing outfits. It follows therefore that they must engage in strategic alliances with other criminal groups or the illicit power structure in a given area of operations in order to reduce their risks. There are several kinds of risks that criminal organizations are anxious to reduce: the risk of interdiction or seizure of the illicit product they are supplying, the risk of apprehension of members of the organization, the risk of infiltration of the group, and the risk of their profit being seized.

A very good example of a risk reduction alliance is that between the Colombian cartels and Mexican drug trafficking families. Mexican criminal groups have a well developed smuggling infrastructure for the transportation of goods and services across the extensive frontier with the United States. For the Colombian cartels, therefore allowing the Mexican families to do something in which they are extremely experienced and skillful made eminent sense. And for the Mexicans, the alliance is important in allowing them significant participation in the cocaine industry, an industry that has higher profit margins than the marijuana industry that has traditionally been

the preserve of Mexican smugglers.

Another strategic alliance has developed between Mexican smugglers and Chinese criminal syndicates involved in trafficking illegal immigrants into the United States. Once again, the Mexicans are able to provide a major service since they possess the ability to smuggle migrants across the border into the Southwest United States with minimum risk of detection. The implication is that when trafficking routes and methods of proven effectiveness are available not only is the product virtually irrelevant as far as the criminal organizations are concerned, but these organizations are willing to engage in any kind of alliance that facilitates their illegal enterprise.

Another strategic alliance that has developed is that between some of the Nigerian drug trafficking organizations and the Colombian cartels. The Nigerian criminal syndicates are classic free market entrepreneurs. They are engaged in both cocaine and heroine trafficking and have progressed from being couriers for others to being major players in their own right. They have developed an alliance of sorts with Colombians based on product exchange. There have been several instances in which Nigerian traffickers have supplied heroin to Colombians in return for cocaine. This has helped the Colombians to develop their own heroin market, while offering opportunities for the Nigerians to sell cocaine in Western Europe.

Another important reason for the development of strategic alliances is the desire to enter new markets. This is evident in the relationship between the Colombians and the Sicilians. This alliance can be explained in large part by the desire on the part of the Colombians to enter the European market. Such all entry was necessary because of the saturation of the United States cocaine market and highly desirable because cocaine sold for higher prices in Europe and therefore offered higher profits. In some respect Europe was also an area of lower product seizures in that European law enforcement was not as engaged in counter: narcotic activity as the U.S. which had even mobilized the army in the war against drugs.

Another kind of relationship has arisen reflecting the need for specialized services on the one hand and the capacity to provide them on the other. Once again, it appears that the Sicilian Mafia and the Colombian

cartels have developed arrangements in Sicilians engage in money laundering on behalf of their Colombian allies. There have also been agreements between the Sicilians and some of the Russian organized crime groups to engage in money laundering.

The notion of neutralizing potential competition through alliances has also been discernible. A good example of this occurred in the Czech Republic when Italian and Russian Mafias met in Prague and divided up the areas of their respective operations. Italian gangs use the Czech Republic as a place for recreation and support, while the Russians use it for money laundering as well as arms dealing, drug trafficking, blackmail and prostitution.

Other important relationships, especially those in the drug trafficking trade, can be understood as franchise alliances. There are many well established relationships of this kind, with African and American groups, Dominicans, Puerto Ricans and others involved as retailers for Colombian wholesalers of cocaine and Chinese and Nigerian wholesalers of heroin.

There are also several other alternatives to fully fledged alliances. Criminal organizations sometimes reduce their vulnerability by co-opting non-criminals. The Nigerian groups are said to be particularly good at this and have succeeded in recruiting couriers (especially American women) who did not fit the profile that would immediately arouse suspicion on the part of customs or law enforcement officials.

Transnational criminal syndicates also make strategic alliances with governments, through either corruption or coercion, or, more often than not, a mix of both. Corruption can reach such a level in some cases that the government can be regarded as collusive, that is working hand in hand with the criminal organizations. High ranking members of the government may benefit directly from the actions of transnational criminal groups, receiving large payoffs in return for facilitating trafficking activities, and providing protection and safe havens... .

The development of strategic alliances amongst transnational crime groups is clearly a cause of considerable concern. Strategic alliances augment their capacity to circumvent law enforcement and implement strategies central to the success of their illicit enterprise. It presents considerable challenges to law enforcement officials. 2°

CONCLUSION

There is no doubt that the Nigerian government has done a lot in the fight against transnational organized crime. A number of far Leaching legislation have been passed. These laws include:

- The Penal Code and Criminal Code Acts: This deals with a range of criminal offences, including 419.
- The National Drug Law Enforcement Agency (NDLEA) to enforce laws against drug trafficking.
- Advance Fee Fraud and other Related Offences Decree 1999 to check sharp practices of unscrupulous local and international businessmen.
- Money Laundering Decree 1995
- Firearms Act 959
- Anti [Corruption Act 2000
- Mutual Assistance in Criminal Matters Within the Commonwealth and Enforcement Act
- Extradition Act

However, a lot still needs to be done, especially in the area of funding, training and the provision of adequate facilities to aid successful investigation and prosecution of offenders.

It has been established that there is a direct connection between crime and poverty. If the country is to make an appreciable dent on the activities of Nigerian criminal syndicates there is the need to address the state of the Nigerian economy.

The level of poverty in the society makes it very easy for these enterprises to find ready recruits. Two, the government also needs to deal decisively with corruption. Corrupt political and public officials make it extremely difficult to fight these gangs.

Since ECOWAS has also taken the bull by the horn, it is important that the country gives as much support to the regional initiative as is possible. Although, transnational organized crime in the subregion is mainly identified with Nigerians, however, it is not just a Nigerian problem. Since ECOWAS allows citizens of its member states to move freely across the subregion, then it is a problem that touches them directly also.

Ofcourse, international law enforcement cooperation is more than ever before influenced by political developments. What we have at the moment is a complex, and sometimes, patchwork of institutions. Vertical enforcement really is an exception except in times of war. But there is need within the ECOWAS framework. For more intensive police cooperation and justice operation as a starting point in the regional fight against the problem.

ENDNOTES

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19. Phil Williams, "Transnational Criminal Organizations: Strategic Alliances," *Washington Quarterly*, 1994, a www.mi.org/drugs/linilcs/trncrorg.htm.
20. This sub section has been from condensed from Phil Williams, "Transnational Criminal Organizations: Strategic Alliances," pp. 15 30.