

EFFECTIVE METHODS TO COMBAT TRANSNATIONAL ORGANIZED CRIME IN CRIMINAL JUSTICE PROCESSES: THE NIGERIAN PERSPECTIVE

*Awunah Donald NgorNgor **

I. PREAMBLE

At the dawn of the 20th century, crime and criminality have metamorphosed from international to transnational. This globalization of crime has necessitated nations to seek and explore the effective ways and means to curb transnational crime through the vehicle of criminal justice processes. The technological advancements witnessed in the preceding millennium in all facets of human endeavor have inadvertently, or simply put, aided and created a seemingly enabling global environment for transnational crime to thrive.

The world is becoming smaller and interrelated every day. The advances made in technology have facilitated trade, travel, movement of persons and services. In the same vein international criminal activity has tremendously benefited from these advances. The complicity and extent of transnational organized crime, and the negative influence these criminals exert through the stupendous wealth that they acquire make it imperative for the cooperation of all nations and regions of the world to effectively combat this menace. The stakes are enormous, as international criminal organized groups jeopardise the global trend toward peace and freedom, sap

the strength from developing countries and threatened all efforts to build a safe, more prosperous worlds.

The political, economic, social and security frameworks of many nations have been gravely weakened, undermined and corrupted by the unwholesome activities of organized criminal groups operating in a sophisticated impregnable network.

In this presentation, however, attempts will be made to critically analyse the Nigerian model in tackling, controlling and managing transnational organized crime within the ambit of the Nigerian Criminal Justice System and International Justice System and International Cooperation.

II. AN OVERVIEW OF TRANSNATIONAL CRIME

Transnational organized crime suggests in simple terms the movement of persons, goods and services across sovereign national jurisdiction in a manner devoid of acceptable norms and standards. The increasing trend of transnational crime could be best appreciated against the backdrop of internationalization of crime. These phenomena of globalization of crime could be traceable to some contending reasons:

* Detective Superintendent of Police, D Department
Force Criminal Investigation Department, Nigeria
Police Force, Nigeria

RESOURCE MATERIAL SERIES No. 58

- (i) Emergence of Regional Cooperation and removal of trade barriers;
- (ii) Huge profit can be made by meeting demand in one country for an illegal product which is only available from elsewhere, e.g. cocaine, heroine or prostitution;
- (iii) Criminals are making increasing use of the international system and are particularly attracted to jurisdictions which help to disguise their activities, such as countries which entrench banking and corporate security;
- (iv) Criminals exploit weakness in the provision of products or services in another country, for instance, the roving international banking frauds, which have emerged in recent years.
- (v) The forging of international letters of credit or bearer bonds, which can be presented at a series of financial institutions around the world in an effort to exploit the tax internal checking procedure.
- (v) The increased volume complexity of international transactions which help to disguise criminal activity; and
- (vi) The depressed economy of most developing countries which creates the conducive fertile ground for the gestation of crime networks and operation.

Transnational organized crime is a highly sophisticated and syndicated criminal activity which surpass the primary concern of a particular single nation. It demands a conceptual international cooperation to tackle. Some of these crimes that have transnational characteristics are:

- (i) illicit drug trafficking
- (ii) illegal firearms trafficking
- (iii) human (women and children) trafficking
- (iv) trafficking stolen vehicles
- (v) card fraud
- (vi) money laundering
- (vii) smuggling
- (viii) trafficking in stolen work of arts
- (ix) Advance fee fraud (a.k.a. 419) amongst others.

There are major factors largely responsible for the preponderance of transnational crime, namely:

- (i) The development of global markets;
- (ii) Advancement in technology, efficient communication and transport which have accelerated the movement of people, products, money and of course criminals;
- (iii) The deregulation of the financial systems of many developed economies whereby many bottlenecks in international trade and commerce are removed;
- (iv) Political developments, especially the demise of old totalitarian regimes of East and Central Europe and the emergence of new markets oriented democracies, causing existing international criminal organisations to seek new frontiers;

III. THE NIGERIAN SITUATION

It has been argued that organized crime weakens the very foundation of democracy, as there can be no-good governance without rule of law. This observation is quite apt for the situation in Nigeria! As the nation faces the challenges of nurturing a stable democracy, after many years of military dictatorship, organized crime poses a great threat to the survival of the country.

It is a truism that for every six black men in the world, four are Nigerians. Therefore, Nigeria has a dominant role to play in the international effort to curtail transnational organized crime. The participation of

116TH INTERNATIONAL TRAINING COURSE
PARTICIPANTS' PAPERS

Nigerians in organized crime whether as passive members of the group or active main stream members must be seen within the context of Nigeria as the most populous black nation in the world. At the local level, the sophistry of organized groups can be best described as rudimentary. However, with international linkages, the operational base of organized crime in Nigeria has widened beyond immediate frontiers which is a source of great concern to government. The Nigerian government has mapped out policies and strategies to deal decisively with crimes that are transnational in nature and scope.

A. Illicit Drug Trafficking

Drug trafficking undoubtedly features prominently among international crimes that respect no national boundaries. Nigeria is neither a producer nor consumer nation in the illicit drug trade. It serves as a transit route. Most persons with Nigerian International Passport that are arrested, prosecuted and convicted in connection with drug trafficking are couriers working for drug barons in other countries.

Of all transnational criminal activities prevalent in Nigeria, the drug trade has brought the country much more woes and international pariah status than any other has. Drug trafficking came to official prominence between 1983 - 1984 in Nigeria following public execution of some convicted drug traffickers.

The violence associated with illicit drug trade in some parts of the world is yet to be witnessed in Nigeria due to the fact that Nigeria is a stop over routes between the producers on one hand and consumers on the other. The couriers are mostly youths within the age bracket of 18 - 40 years. The methods of peddling in drugs varied from simple concealment in personal effects, lining of clothing, animals (pets),

concealment in women's reproductive organ (vagina), disguised as talcum powder, packaged in small molded balls and swallowed, engraved in cultural artifacts to many ingenious unimaginable methods. The drugs are transported across the globe by land, air and sea.

However, be that as it may, since the establishment of National Drug Law Enforcement Agency (NDLEA) by the Nigerian government in 1989, the hitherto upsurge in drug trafficking has reduced considerably. Added to this, is the promulgation of National Drug Law Enforcement Agency Act. The Act seeks to enforce laws against the cultivation, processing, sale, trafficking and use of hard drugs and to empower the Agency to investigate persons suspected to have dealings in drugs and other related matters. The NDLEA with the cooperation of other international agencies has relatively fought the war against drug trafficking to a reasonable level.

B. Illegal Firearms Trafficking

Proliferation of firearms is a threat to international security. Illegal firearms trafficking constituted a major component of transnational organized crime. The ever increasing armed conflicts in many regions of the world account for huge trafficking in firearms. Similarly, constant political instability and internal power tussle amongst third world countries precipitate arms trafficking.

The Nigerian fratricidal civil war between 1967 - 1970 exposed the country to influx of firearms. Also, the participation of Nigeria in Peace Keeping Operations all over the world and particularly Nigeria's dominant role in Economic Commission of West African States Monitoring Group (ECOMOG) Operations in the sub-region serves as a likely source of illegal firearms into the country. Apparently, the major

route of illegal firearms being brought into Nigeria is through the seemingly porous borders of neighbouring countries in the sub-region.

Illegal firearms trafficking have undisputedly fueled ethnic/religious armed conflicts and armed robbery in Nigeria which has resulted to monumental negative consequences. Armed robbery remains one of the major crimes in Nigeria which is perpetrated by holders of illicit arms.

Strategies for arms control have been put in place by Nigerian government. These include:

- (i) intensive international boundary control
- (ii) cancellation of Firearms (Dealers) Import Licence
- (iii) withdrawal of arms from individuals
- (iv) periodic check of arms on charge in a public armoury
- (v) Continuous recovery of arms and ammunition by the Police from armed robbers and other criminals.

On the international sphere, under the auspices of United Nations Regional Centre for Peace Disarmament in Africa and the programme of Coordination and Assistance for Security and Development (PCASED), Nigerian government organized a sub-regional workshop on the Importation, Exportation and Manufacture of Light Weapons in West Africa. The workshop was designed to enable the Chiefs of Police, Customs and Gendarmerie of ECOWAS member states initiate a process of establishing an information exchange network and strategy for the control of the proliferation of light weapons in the sub-region.

Under the relevant Nigerian laws, arms trade generally is under control by the Government of Nigeria. It is controlled by the issuance of relevant licenses which indicate the types and categories of arms and ammunition that can be traded upon by individuals and corporate organisations. The general control and acquisition of personal firearms in Nigeria is the prerogative of the Inspector-General of Police in the exercise of his function as the Chief Security Officer.

Any arms procured through any illegal way is a crime. The illicit trade in arms is being carried out nefariously by dubious businessmen whose identities remained masked. It is extremely difficult to determine the quantity of arms and ammunition illegally possessed in Nigeria. This poses a great danger to internal security.

It is however pertinent to assert that the Nigeria Police Force and other security agencies as well as the government are doing everything possible to check the activities of these unpatriotic Nigerians and their foreign collaborators engaged in such criminal activities, which from all indication constitute serious threat to the security of Nigeria in particular and the international community at large.

C. Human (Woman and Child) Trafficking

In the recent past, the trafficking in humans, particularly women and children has assumed an alarming proportion globally. Trafficking in persons has become a big menace internationally because of its attendant illegality and evil. Victims of human trafficking are often recruited into prostitution or child-labour or outright slavery. The traffickers and victims are seduced into the illicit trade by the apparent economic benefits and sermons of success stories by those who are engaged

116TH INTERNATIONAL TRAINING COURSE
PARTICIPANTS' PAPERS

in the illicit trade.

Nigeria is a leading nation in human trafficking in Africa. Young Nigerian girls of the average age of 14 years are lured into this illegal business by syndicates operating within and outside Nigeria. The entire business is shrouded in secrecy and some of the victims are transported outside Nigeria in the guise to pursue education and gainful employment. The traffickers employ subtle force, coercion, fraud and outright deceit to accomplish their objectives.

Generally, the trafficking gravitates towards Central Europe especially Italy through various detected and undetected routes. Despite existing laws against trafficking in human beings and related crimes, the illegal business has continued unabated and the government of Nigeria is making tremendous effort to stem the tide. Recently, there has been intensive enlightenment and educational programmes on the dangers of human trafficking which is linked to prostitution, child labour and slavery. To this end, deported Nigerians from Europe are rehabilitated and offered alternative employment by government.

In the same direction, the Nigeria Police Force will be hosting international workshop on trafficking in human beings in November, 2000. In an effort to have a national focus on the issue, the Inspector-General of Police set up a National Committee on Human Trafficking in 1995. Similarly, a National Working Committee on Human Trafficking was inaugurated in December, 1999. The Head of Force Criminal Investigation Department (FCID) Mrs. A. J. Ojomo, fwc, Assistant Inspector-General of Police, as the coordinator of the National Working Committee is piloting the crusade against trafficking in human beings.

An NGO, Women Trafficking Child Labour Eradication Foundation (WOTCLEF) pioneered by the wife of the Vice President of Nigeria is sponsoring a private Bill to the National Assembly on the issue of women trafficking. WOTCLEF is fighting the scourge from a moralistic point of view. The Police is engaged in preventive surveillance patrol, information gathering and sporadic raids on syndicated traffickers.

Prostitution is said to be the world's oldest profession. It is a global phenomena and a complex worldwide web. Essentially, trafficking in humans, particularly in women and children, is to serve the international prostitution ring. The world community therefore, must amend respective existing laws against trafficking in human beings and adopt measures to curtail human trafficking.

D. Advance Fee Fraud : A.k.a 419

The concept of Advance Fee Fraud is predicated on payment of some sort of fees, tax, kick-back or brokerage on the pretence that such is required as part of official transaction in existing business deals. The Nigerian Criminal Code section 419 describes it as obtaining by false pretences. It is an organized syndicated criminal venture between dubious, unscrupulous Nigerians on one hand and unsuspecting foreigners to illegally transfer abroad non existing funds belonging to the government of Nigeria or a corporate organisation in Nigeria to an account of such gullible/greedy foreign collaborator. Scam letters and forged documents are mostly used in perpetuating this crime. Its most common form is a letter to an identified foreign businessman who is told enticing stories about huge profits to be made in Nigeria's oil, defence, banking or solid mineral sector by the provision of an account where some money from a deal would be paid. The letter is written in such a way as to attract

an equally dubious foreign businessman who usually buys the scam. He is duped after paying a certain amount of money demanded for bribing officials responsible for releasing the huge sum of money.

The trans-global dimension this crime has assumed is a source of concern to Nigeria because of its negative consequences on the country's economy, credibility, and image. The Nigerian international image has so much being battered that most business proposals from Nigeria are seen as deceptive and fraudulent. Between 1998 - July 2000, the following nationals were complainants in Advance Fee Fraud related cases in Nigeria:

- | | |
|-------------------------------|------------------|
| * Germany 24 | * Italy 5 |
| * United States of America 16 | |
| | * Canada 5 |
| * India 5 | * South Africa 2 |
| * Japan 6 | * Iran 5 |
| * Australia 2 | * Egypt 2 |
| * New Zealand 2 | * Syria 1 |
| * Philippines 1 | * Portugal 1 |
| * Saudi Arabia 1 | * Israel 1 |
| * Korea 1 | * Taiwan 1 |
| * Nigeria 113. | |

(Source: Special Fraud Unit Section, Nigeria Police Force)

This clearly shows the international dimension of the crime. The above quoted figures represent recorded reported cases to the Force Criminal Investigation Department of Nigeria Police Force. Obviously, similar cases might have been reported to other security agencies. Besides, most victims of Advance Fee Fraud in Nigeria are reluctant to report the matter officially to security agencies because the victim(s) and suspect(s) are mostly engaged in illegal processes.

Conversely, the Nigerian government through security agencies especially the Police, have waged unending war against this crime. In this sense, the government

in 1995 promulgated Advance Fee Fraud and other fraud related offences Decree. Similarly, the Nigeria Police established a Special Fraud Unit (SFU) principally to take charge of heinous crimes of this nature. The Nigerian law enforcement agencies work hand-in-hand with other international agencies in joint operation and investigation of the various crimes especially the Advance Fee Fraud. The best way of preventing advance fee fraud is public enlightenment on the crime.

E. Trafficking in Artifacts

Works of Arts are rare and expensive commodities in the international market. Trafficking in stolen works of arts constitute one of the major illicit trades that has international connections. International syndicates in collaboration with their local counterparts gradually plunder the nation's cultural heritage. Nigerian cherished works of arts are found in international art galleries through illegal routes which remain shrouded in secrecy. This unwholesome act of international pillage denies Nigeria the expected foreign earnings. The Nigerian government views this illicit trade with a lot of concerns. It needs some combined efforts of Nigeria and international security agencies to effectively control trafficking in works of arts.

F. Trafficking in Stolen Vehicles

In Nigeria, like most West African countries, sales of second-hand cars is a lucrative business. Due to general global economic recession and harsh economic conditions prevalent in Nigeria, hardly could individuals afford brand new vehicles because of the prohibitive cost. Hence, fairly used vehicles are smuggled into the country from the western world. Businessmen involved in this trafficking employ all forms of intrigues to circumvent payment of customs duties and tariffs. In fact, most of the cars are stolen from US

and other European countries. These cars find their ways to Nigeria through the international borders of neighbouring West African countries with the connivance and conspiracy of international con businessmen. In most cases, accompanying documents to the vehicles are expertly forged. This transnational organized trafficking is a disturbing trend not only to Nigeria but most countries of the world. International initiative must be put in place to track stolen vehicles all over the world and punish perpetrators accordingly.

G. Money Laundering

Money laundering has a linkage to attempts by organized and unorganised criminal syndicates to legitimise the proceeds of their criminal activities by concealing their true origin and ownership in order to enable them employ such fund for further activities.

These organized criminal groups, for example, drug trafficking, repatriate money from abroad by direct purchase and re-sale of luxury items like cars and jewelry. Similarly, dirty monies are equally passed through complex international system of legitimate business. Professional launderers employ various methods and techniques to accomplish their unwholesome activity. These include over invoicing of goods, usage of high value and using laundered money to capitalize a public quoted company.

The Nigerian government is deeply concern about the distablizing impact of the numerous financial crimes on the nation and have articulated bold measures to fight the menace. Prominent among these measures are setting up of :

- (i) Money Laundering Surveillance Unit in Central Bank of Nigeria
- (ii) The promulgation of the Money Laundering Decree 1995

- (iii) Public awareness campaigns against drug trafficking, money laundering and advance fee fraud locally and internationally.

H. Credit Card Fraud

The use of Credit Card is not well pronounced in Nigeria. However, dubious Nigerian nationals home and abroad are involved in counterfeiting and theft of Credit Cards. The government in collaboration with other international agencies are tackling the menace posed by the activities of international fraudsters. However, international remedy must be found urgently to curb this disturbing trend.

IV. LEGISLATION AGAINST TRANSNATIONAL ORGANIZED CRIME

The Nigeria government has over the years enacted far-reaching laws aimed at checkmating transnational organized crime and punishing the perpetrators of these crimes. These laws include among others:

- (i) Penal Code and Criminal Code Acts. The substantive criminal codes that cover criminal offences in the Northern and Southern Nigeria respectively. In relation to prostitution and trafficking in women, the Penal Code, codified laws of Northern Nigeria provides:
 - (a) Procuration of Minor Girls (section 275)
“whoever, by any means whatsoever, induces any girl under the age of eighteen years to go from place or to do any act with infant that such girls may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punished with imprisonment which may extend

to ten years and shall also be liable to fine”.

- (b) **Importation of Girls from Foreign Country (section 276)**
“whoever imports into Northern Nigeria any girl under the age of twenty-one years with intent that she may be, or knowing it to be likely that she will be forced or seduced to illicit intercourse with another person shall be punished with imprisonment which may extend to ten years and shall also be liable to fine”.

- (c) **Traffick in Women (section 281)**
whoever, in order to gratify the passions of another person, procures, entices or leads away, even with her consent, a woman or girl for immoral purpose shall be punished with imprisonment which may extend to seven years and shall also be liable to fine”.

The Criminal Code, the codified laws for Southern Nigeria, provides in section 419, regarding Advance Fee Fraud thus:

“Any person who by any false pretence and with intent to defraud, obtains from any other person anything capable of being, or induces any other person to deliver to any person anything capable of being stolen is guilty of a felony, and is liable to imprisonment for three years”. If the thing is of the value of one thousand naira upwards, he is liable to imprisonment for seven years.”

- (ii) **National Drug Law Enforcement Agency - established to enforce laws against drug trafficking.**
 As a deterrent to drug trafficking, NDLEA Act in Part II, Section 10 stipulates:

“Any person who without lawful authority -

- (a) *Imports, manufactures, produces, processes, plants or grows the drugs popularly known as cocaine, LSD, heroine or any other similar drug shall be guilty of an offence and liable on conviction to be sentenced to imprisonment for life; or*
- (b) *Exports, transports or otherwise traffics in the drugs popularly known as cocaine, LSD, heroine or any other similar drugs shall be guilty of an offence and liable on conviction to be sentenced to imprisonment for life; or*
- (c) *Sells, buys, exposes or offers for sale or otherwise deals in or with the drugs popularly known as cocaine, LSD, heroine or any other similar drugs shall be guilty of an offence and liable on conviction to be sentenced to imprisonment for life; or*
- (d) *Knowingly possesses or use the drugs popularly known as cocaine, LSD, heroine or any other similar drugs by smoking, inhaling or injecting the said drugs shall be guilty of an offence and liable on conviction to imprisonment for a term not less than fifteen years but not exceeding twenty-five years:*
- (iii) **Advance Fee Fraud and other related offences Decree 1999 - Law promulgated to check sharp practices of unscrupulous local and international businessmen:**
“Besides, penalties under this Decree, section 11 of the Decree moreover, provides for restitution for the victims of false pretence. Section 11(I) provides, in addition to any other penalty prescribed under this Decree, the Tribunal shall order a person convicted of an

116TH INTERNATIONAL TRAINING COURSE
PARTICIPANTS' PAPERS

- offence under this Decree to make restitution to the victim of the false pretence or fraud by directing that person to do the following*
- a. *Where the property involved is money, to pay to the victim, an amount equivalent to the loss sustained by the victim, and*
 - b. *In any other case;*
 - i. *To return the property to the victim or to a person designated by him or*
 - ii. *To pay an amount equal to the value of the property, where the return of the property is impossible or impracticable.*
- (iv) Money Laundering Decree 1995 - Law enacted for prevention of Money Laundering.
"Section 14 of the Decree stipulates what constituted offences under the Decree. It provides thus: a person who:
- a. *Converts or transfers resources or property derived directly or indirectly from illicit traffic in narcotic drugs or psychotropic substances, with the aim of either concealing or disguising the illicit origin of the resources or property, or aiding any person involved in the illicit traffic of narcotic drugs or psychotropic substances to evade the legal consequences of his action or*
 - b. *Collaborates in concealing or disguising the genuine nature, origin, location, disposition, movement or ownership of the resources, property or rights thereto derived directly or indirectly from illicit traffic in narcotic drugs or psychotropic substances*
 - c. *Is guilty of an offence under the section and liable on conviction to imprisonment for a term of not less than 15 years or not more than 25 years."*
- (v) Special Tribunal (Miscellaneous Offences) Act - An Act in respect of miscellaneous offences with stiff penalties and to establish a Special Tribunal for the trial of such offender.
- (vi) Firearms Act 1959 - An Act to make provision for regulating the possession of and dealing in firearms and ammunition including muzzle loading in firearms, and for matters ancillary thereto
- (vii) Anti Corruption Act 2000 - A law enacted to fight corruption in all its ramifications.
- (viii) Mutual Assistance in Criminal Matters within the Commonwealth Enactment and Enforcement Act - An Act to make legislative provision to give the Force of law to the scheme for mutual assistance in criminal matters within the Commonwealth.
- (ix) Extradition Act - A law to enable extradition of fugitive offenders within the Commonwealth.

The aforementioned laws and many administrative instructions are bold and articulated legislative steps to make the commission of transnational and related crimes unattractive.

V. PROBLEMS

Combating transnational crime is fraught with teething problems. The marvelous advancement in technology will definitely enhance the planning and execution of transnational crime. Criminals will advance from the rudimentary modes of communication like ordinary mail, telephone to more

sophisticated E-Mail and Internet satellite communication facilities, thereby creating identification and investigation problems.

Computer revolution has given birth to a new crime trend known as *cyber terrorism*. The detection of counterfeits and forged documents is made tedious by the introduction of hi-tech computer scam, forgeries and advanced colour processing techniques which render distinction between copied document and their originals difficult.

Internet technological knowledge has become a familiar and household commodity in almost all advanced and developed countries with the exception of African countries. Consequently, African law enforcement agencies do not possess the technological know how to burst cyber crimes.

The proliferation in the number and complexity of transnational crimes will make law enforcement capital intensive and cumbersome. Developing countries with their poor economic base and competitive development needs will hardly cope with the responsibilities of modern policing required in this regard. The Criminal Justice system can only respond to the extent that it has capability to respond. The amount of money being invested fighting crime is so small in developing countries in comparison to advanced nations.

Lack of political will on the part of some countries may pose obstacle to law enforcement cooperation in combating transnational crime. It is clear that for political, economic, religious and cultural reasons, some countries are unwilling to enter into bilateral or multilateral cooperation agreement on matters of crime control which they assumed as unwarranted interference with their legal

sovereignty. Complex and varied, the problems militating against the effective combating of transnational organized crime may be, they are certainly not insurmountable.

VI. PROSPECTS

The attendant negative impact of transnational organized crime on world economies can not be overemphasised. Therefore, to effectively combat transnational organized crime, its structural characteristics and operational methods should be taken into account in devising strategies, policies, legislation and other measures designated to combat it.

A critical analysis of transnational crime revealed an organisation which exists to commit crimes; has hierarchical links which enable its kingpins to control the organisation, use of violence, intimidation and corruption to acquire wealth and control territory and market, and launders the proceeds in furtherance of infiltration of legitimate economics. Organized crime groups have potential for territorial expansion beyond national borders and links with other criminal organisations. It is apparent therefore, that any stratagem aimed at combating organized crime must be the product of the knowledge of these organisations and their dynamics, statistics and information should, at every given opportunity, be collated, analysed and appropriately disseminated for use by law enforcement agencies.

On the domestic sphere, to effectively curb transnational organized crime, the following methods should be addressed among others in accordance with various UNO resolutions on the matter:

- (i) Legislation penalising participation in criminal associations or conspiracies, and imposing criminal liability on

116TH INTERNATIONAL TRAINING COURSE
PARTICIPANTS' PAPERS

- corporate bodies is necessary as a means of strengthening preventive capabilities;
- (ii) Reliable evidence gathering techniques, such as electronic surveillance, undercover operations and controlled delivery should be considered in national law;
 - (iii) Encouraging the cooperation and testimony of members of organized criminal gangs by limiting the disclosure of the address and identity of witnesses, and protection programme of witnesses and their formation;
 - (iv) Defeating the economic power of criminal organisation through criminal law measures with appropriate sanctions and sentences and regulatory mechanisms. The laundering of criminal proceeds must be criminalised;
 - (v) Legislative and regulatory measure that limit financial security, ensure adequate record keeping and impose an obligation for the identification and reporting of suspicious financial transactions;
 - (vi) Strengthening of the supervision of passport issuance and the endorsement of protection of passports against tampering and counterfeiting; and
 - (vii) Promotion through mass media campaigns that stimulate public awareness of the evils of organized crime; the need for public participation in its prevention and the promotion of public security.

Added to the above, and most importantly on the domestic front, should be the establishment and management of courageous, incorruptible law enforcement agencies to arrest, investigate and

prosecute culprits of transnational organized crime to a logical conclusion. Currently in Nigeria, the government is re-organising, re-modernizing her security agencies especially the Police Force to squarely face the challenges of the new trends in the transnationalization of crime.

Transnational organized crime is an international activity that calls for nation states to pool their resources to collectively enhance peaceful, economic, social growth and development for the mutual benefit of all. Consequently, there should be in place workable global strategies to effectively combat transnational organized crime within the framework of criminal justice processes. To this end, special courts with general international application should be created to deal squarely with transnational organized crime.

Significantly, the United Nations has spearheaded counter-measures against transnational organized crime. The plan of action adopted during the 7th United Nation Congress on the Prevention of Crime and the Treatment of Offenders, held in Milan in 1988 and the adoption of Model Treaty on Extradition and Model Treaty on Mutual Assistance in Criminal Matters in 1990, in accordance with the 8th Congress held in Havana are pointers in this direction.

In order to eliminate the destructive aftermath of organized crime, international cooperation in criminal matters should be hinged on the following forms:

- (i) Extradition;
- (ii) Mutual Legal Assistance;
- (iii) Transfer of Criminal Proceedings;
- (iv) Regulations and enforcement of foreign criminal judgements and sentences which may include:
 - (a) Transfer of prisoners;
 - (b) Transfer of supervision of persons conditionally sentenced

- or released;
- (c) Enforcement of other sanctions:
- Search, seizure and confiscation of criminal proceeds of crime;
 - Special investigation techniques;
 - Exchange of information and training.

investment necessary for all-round development.

To ensure peace, tranquility and a globally secured life, the modern world must take the issue of transnational crime, and international cooperation in combating it, very seriously.

Furthermore, international organisations such as ICPO-INTERPOL, the World Customs Organisation, the United Nations Commission on Crime Prevention and Criminal Justice, the Universal Postal Union should be used to full advantage in global law enforcement. Transnational organized criminal organisations are not only sophisticated but also heavily financed, there is need for harmonization of relevant laws, equally nations should make adequate and sufficient budgetary allocation to crime prevention and detection.

The negative consequences of transnational organized crime transcend government, public and private sector. Therefore, the burden should not be left to government alone to bear. The public and private sector should be encouraged to fund law enforcement cooperation programmes aimed at eradicating organized crime. The civil groups have comprehensive reservoir of information and knowledge on these criminal syndicates.

V. CONCLUSION

Undoubtedly, no effort propelled to stem the tide of transnational crime with its monumental and disastrous consequences on the world order will be too great. The international community will to her peril neglect to face the challenges of modern crime and criminality. A political system that allows criminals free reign will not attract the much needed foreign