

Combating Transnational Organized Crimes Through Cross-Border Cooperative Legal Framework Amid Rising Spate of Terrorism, Human Trafficking and Drug Trafficking

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ABSTRACT

Transnational Organized Crimes, otherwise referred to as cross-border crimes, have become a phenomenon transmuting from one form to another as a result the zealous efforts of perpetrators at escaping justice, despite plethora of domestic, bilateral and multilateral treaties, conventions and protocols entered by cooperative nations to ward-off cross-border crimes. This study comprehensively evaluates the efficacy of various specialized international organizations, established laws and agencies set up to combat incidence of transnational organized crimes. The impacts of the United Nation and its International Convention against Transnational Organized Crime, African Union, Interpol, US Federal Bureau of Investigation, International Criminal Tribunal and other regional bodies form the subject of this work with reference to their successes, failures and attendant challenges. The various types and dangers of Transnational Organized Crimes and groups are considered hereunder in line with their prevalence in certain regions or their common route - citing relevant cases and instances across Africa, Asia, America, Europe and the Middle-East – the UK's neo-slavery case of Senator Ike Ekweremadu of Nigeria and the on-going Finish case involving one Simon Ekpa come in handy. The question on disparity in jurisdiction, legal systems and the pivotal need for uniformity and transnational collaboration in the process of enforcement is hereby analysed with a view exposing the causes and dangers of increasing rates of border crimes. The extent to which the existing legal frameworks have impacted to curb perpetration of transnational crime forms the basis of conclusion and recommendations towards achieving a water-tight border security against transnational crimes.

Keywords: Transnational, Crime, Convention, Collaboration, Enforcement, Organized.

INTRODUCTION

There is no gainsaying the fact that humans are, indeed, increasingly witnessing a new world order where crimes are actively syndicated by organized criminal groups or organizations with global networks and supersonic speed. Owing to lack of political will-power, continued international political rivalry, and sovereignty questions, the dearth of effective law enforcement continues to hamper the needed capacity to confront the raging challenge of cross-border organized crimes through arrest, investigation and prosecution of offenders.¹

In West Africa for instance, lack of stringent border control by relevant bodies has generated so much security threats and economic instabilities such that terrorist, smugglers, armed robbers and traffickers hold sway without major hindrance.² The northern region of Nigeria is a good example of an area riddled with numerous border settlements, from Republic of Chad to Niger Republic, that are inadequately manned, serving as entry points for insurgency.³ In Africa and some other under-developed and developing countries across the globe, high level of Illiteracy, poverty, bad governance, unemployment, lack of priority for welfare of the citizens,

¹ Yemets O. et al., Legal Aspects of International Cooperation in Combating Organised Crime, Scientific Journal of the National Academy of Internal Affairs, 2024, 29(1), 20-30, www.researchgate.net, accessed: 22nd February 2025 at about 3:45pm.

² Ukwaiyi J. K. and Anam B. E., Cross-Border Crimes and Security Challenges in Nigeria, International Journal of Scientific Research in Humanities, Legal Studies & International Relations (IJSRHLSIR) Vol. 4, No. 1, February 2019. P. 104, www.internationalpolicybrief.org, accessed: 26th February 2025 at about 3pm.

³ Ukwaiyi J. K. and Anam B. E. *Id.* 104.

corruption, drug addiction and several other factors, all work together to contribute to the increasing spate of cross-border crimes.⁴

The border points between Nigeria, Cameroon and Benin Republic have been identified by UNICEF studies as avenues for trafficking, through Gabon, Equatorial Guinea, and Togo to others Countries.⁵ The UN office on Drugs and Crimes in West Africa headed by Antonio Mazzitelli, observed that the poor security across the West African borders has given leeway to criminal syndicates into Guinea Bissau thereby increasing criminal activities along the West African sub-region.⁶ It has been discovered that over 5 million citizens of ECOWAS countries commutes the connecting highways within the West African corridor monthly.⁷

A crime is termed transnational or cross-border where any of the process of its conception, planning, execution and conclusions cuts across two or more countries. Crimes become transnational upon organizers attaining the capacity to operate across the borders of a given nation and with the attendant global effects and implications in its planning and execution processes. Transnational crimes are numerous and are intermittently springing up newer versions.⁸ These crimes are quite prevalent around countries without tight borders.⁹ The strong and immediate quest for globalization for competitive economic growth has rendered borders porous to give way to consequential free flow of crimes.

Transnational or cross-borders crimes include human trafficking, drug trafficking, illicit trafficking in diamonds, money laundering, smuggling, cybercrime or cyber fraud, international terrorism, environmental crime, illegal oil bunkering, and a host of other organized crimes.¹⁰

For a crime to be termed “transnational”, it must have been:¹¹

1. perpetrated in more than one state;
2. committed in one state but in connection with a Transnational Organised Crime group which operates across countries;
3. committed in one state but with major parts of its plans drawn across the border.
4. committed in one state, but with effect(s) across the border.

Types Of Transnational Crimes

Human Trafficking – otherwise referred to as trafficking in person, was defined by the United Nations Office on Drugs and Crime (UNODC) as:¹²

⁴ Ukwayi J. K. and Anam B. E., *Ibid*.

⁵ Ukwayi J. K. and Anam B. E., *Id*. 106.

⁶ Addo P., Cross-Border Criminal Activities in West Africa: Options for Effective Responses, Koffi Annan International Peace Keeping Training Centre (KAIPTIC), Paper No. 12, 2006, P. 1, African Union <https://au.int>, Accessed: 26th February 2025 at about 4:45pm.

⁷ Lamine, Cisse, “ECOWAS and the Daily Events: The Present Realities of the Integration Process within the Sub-Region” in Agenda 2006, GJA & FES, Accra, P. 47 cited by Addo P. (n7) P.1.

⁸ Donnaiene Atienza, Transnational Crimes: Challenges & Cooperation, International Association of Women Judges, iaw.org, 2024, accessed 8th April, 2025 at about 6pm; “United Nations Convention against Transnational Organised Crime, United Nations: Office on Drugs and Crime, https://www.unodc.org/en/organized_crime/intro/UNTOC.html, accessed: 10th of April 2025 at about 4pm; Kevin.town, “Transnational Organised Crime: Let’s Put Them Out of Business,” “Transnational Organized Crime: the globalized illegal economy, <https://www.unodc.org/toc/en/crimes/organizedcrime.html>, accessed: 10th of April 2025 at about 4pm; Stanford Law School – The American University of Iraq, Sulaimani, Introduction to the Law of Kurdistan, Iraq Working Papers Series, Transnational Criminal Law, 2016, P.9.

⁹ Ukwayi J. K. and Anam B. E. (n3) 104.

¹⁰ *Id*. 103; Addo P. (n7) P. 1.

¹¹ Stanford Law School (n9); Donnaiene Atienza (n9)..

¹² Transnational Organized Crime: the globalized illegal economy, unodc.org, accessed: 7th April 7, 2025 at about 4pm; Stanford Law School (n9), citing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, Article 3(e), entered; into force on 25th December, 2003, U.N.T.S. 39574, accessible at <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC/20Convention/TOCbook-e.pdf>.

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.¹³

Human trafficking involves the recruitment, transportation and exploitation of person(s) for any illegal activity such as forced labour, sometimes for organ harvesting, sexual exploitation and what is now known as neo-slavery. Such was the case of kidnapping of *Yizidi* women by the Islamic States of Iraq and Syria (ISIS).¹⁴ Most recent is the case of a wealthy Nigeria politician who together with his wife and a “muddledman” Medical Doctor, Obinna Obeta, was jailed by a court in the United Kingdom for organ-trafficking.¹⁵ They were sentenced by the UK’s Central Criminal Court (Old Bailey) to 9 years and 8 months, 4 years and six months, and 10 years in prison respectively.¹⁶ These three persons conspired and orchestrated the movement of a poor young Lagos street trader from Nigeria to the UK to harvest his kidney for the ailing daughter of the Ekweremadus, Sonia, without the consent of the 21-year-old victim.¹⁷

The above case was described by the presiding judge as neo slavery.¹⁸ The victim, whose name was not mentioned for protective purpose, testified that he was promised a better life in UK where he could work and study but would require some medical test to which he subjected himself both in Nigeria and then in the UK. The victim discovered the actual purpose was to harvest his kidney going by the line of discussion when he came in contact with the doctors at the Royal Free Hospital in London. He immediately walked into Staines Police Station to report the case.¹⁹

The Ekweremadu’s case became the first conviction for organ-harvest trafficking in England and Wales.²⁰ The consent of the victim notwithstanding, the culprit must be brought to book. According to Ms. Lynette Woodrow, a Deputy Chief Crown Prosecutor, “With all trafficking offences, the consent of the person trafficked is no defence. The law is clear; you cannot consent to your own exploitation.”²¹

Drug Trafficking – has to do with illegal or unauthorized cross-border distribution, cultivation and production of illicit or prohibited or restricted drugs or substance like narcotics.²² This trade has really gained ground in Africa and the Middle-east. Typical examples are the cases of two Venezuelans who were apprehended for being in possession of narcotics in Accra, Ghana valued \$38 million and a Ghanaian trawler found to be conveying a 3000kg of Colombian cocaine by the Spanish authorities²³ and the movement of heroin from Afghanistan to Iraq via Iran.²⁴

¹³ <http://www.unodc/en/traffickinghumanbeings.html> cited by Addo P. (n7).

¹⁴ R. Engel and J. Novogrod, ISIS Terror: Yizidi Women Recall Horrors of Slave Auction, NBC (13th February, 2015), accessible at <http://www.nbcnews.com/storyline/isis-terror-yazidi-women-recalls-horrors-slaveauction-cited-by-Stanford-Law-School> (n9).

¹⁵ Tom Symonds, “Nigeria: Kidney-plot politician Ike Ekweremadu jailed”, <https://www.bbc.com>, 5th May, 2023, Accessed: 18th April, 2025 at about 12noon; Crown Prosecution Service, News, International and Organised Crime, Fraud and Economic Crime, “Updated with sentence: Senior Nigerian politician Jailed over illegal UK organ-harvesting plot”, 5th May 2023, <https://cps.gov.uk>, accessed: 21st April 2025 at about 1pm.

¹⁶ Nimi Princewill and Allegra Goodwin, CNN, “Nigerian Senator jailed for nine years in UK organ harvesting plot”, 5th May 2023, <https://www.cnn.com>, accessed: 21st April 2025 at about 8am. See also, “Organ Trafficking: Nigerian Senator Ike Ekweremadu awaits Sentencing”, 13th August 2024, <https://www.africannews.com>, accessed: 21st April 2025 at about 1pm.

¹⁷ Tom Symonds (n16).

¹⁸ *Ibid.*

¹⁹ Crown Prosecution Service (n16).

²⁰ Tom Symonds (n16).

²¹ Crown Prosecution Service (n16); Tom Symonds (n16).

²² United Nations on Office on Drugs and Crime, Drug Trafficking, <https://www.unodc.org/unodc/en/drug-trafficking/> - cited in Stanford Law School (n9).

²³ Pepe, Eric, “West Africa” The New Drug Triangle“. *NewsweekInternational*, 29 August, 2005 at Addo P. (n7); Transnational Organized Crime: the globalized illegal economy (n12).

²⁴ Stanford Law School (n9).

Cyber Crime or Fraud – are perpetrated online through the internet or computer network and it involves identity theft and hacking from one country to the other.²⁵ The Council of European Treaties have attributed cybercrime to include illicit interception or access to computer information, copyright infringement (illegal download of music or video), forgery and child pornography through the use of computer.²⁶

Terrorism – are violent activities activated to instigate panic to achieve political gains; mostly over a nation. Hence, most terror attacks are usually inexplicable. The Osama bin Ladin September 11, 2001 attack and that of the “underwear Bomber” (Umar Farouk Abdulmutallab) are illustrative. On the 12th of October 2011, a 25-year-old Abdulmutallab, an al Qaeda radicalised young man:

pleaded guilty to conspiracy, to commit an act of terrorism transcending national boundaries; attempted murder (289 people on board)²⁷ within the special aircraft jurisdiction of the United States; willfully placing a destructive device on an aircraft, which was likely to have endangered the safety of the aircraft; attempted use of a weapon of mass destruction; willfully attempting to destroy and wreck a civil aircraft; and three counts of possession of a destructive device in furtherance of a crime of violence.²⁸

Abdulmutallab was eventually sentenced to a quadruple life in prison and 50 years in prison without an option of parole.²⁹

Osama bin Ladin, a co-founder of al Qaeda terror group, on 11th September 2001, coordinated 4 Islamist Suicidal attacks on the U.S.; leading to the death of 2,996 people and destruction of several properties.³⁰ This attack instigated U.S. giant strides towards combating terrorism.³¹ This efforts materialised when after a prolonged search, Osama was killed the year 2011 by the U.S. Navy SEALs in Abbottabad, Pakistan.³² The killing of Osama signaled a remarkable development in the fight against terrorism.³³

Most recently is the on-going finish case involving a 40-year-old Nigerian-Finish citizen known as Simon Ekpa who has now been charged with Public incitement to commit a crime with terrorist intent and participating in a terrorist group between August 2021 and November 2024.³⁴ This case was said to have been a product of collaborative criminal investigation between the Finish and Nigerian authorities.³⁵ Both countries have seized his assets while the case is on-going.³⁶ Although the case has commenced, the handling and the eventual outcome of the case will to a large extent speak volume about the seriousness of the fight against transnational crimes by nations.

²⁵ Atar J. Aboud, An Overview of Cybercrime in Iraq, 2 The Research Bulletin of Jordan ACT, 31, 32 – cited in Stanford Law School (9).

²⁶ Convention on Cybercrime Title 1-3, entered into force on 1st July 2004, C.E.T.S. No. 185, accessible at <http://conventions.coe.int/treaty/en/treaties/html/185.html>.

²⁷ Umar Farouk Abdulmutallab, en.m.wikipedia.org, accessed: 23rd April 2023 at 7pm.

²⁸ U.S. Attorney’s Office, “Underwear Bomber” Umar Farouk Abdulmutallab Pleads Guilty, 12th October 2011, FBI, archive.fbi.gov, accessed: 23rd April, 2025 at about 6pm.

²⁹ U.S. Immigration and Customs Enforcement, ICE, Newsroom, 15th February 2012, ‘Underwear Bomber’ Umar Farouk Abdulmutallab sentenced to life, (Updated 18th November 2024), www.ice.gov, accessed: 23rd April 2025 at about 7pm; Umar Farouk Abdulmutallab, <https://en.wikipedia.org>, accessed: 23rd April 2023 at about 7pm.

³⁰ Peter I. Bergen, *September 11 attacks, United States (2001)*, Britannica, <https://www.britannica.com>, accessed: 23rd April 2025 at about 7pm; Wikipedia, <https://en.wikipedia.org>, accessed: on 23rd April 2025 at about 7pm.

³¹ Peter I. Bergen (n31).

³² Mark Memmott, *Osama Bin Laden Killed*, NPR, 27th April 2012, <https://www.npr.org>, accessed: 23rd April 2025 at about 11pm; Osama Bin Laden, FBI, www.fbi.gov, accessed: 23rd April 2025 at about 11pm; Seymour M. Hersh, *The Killing of Osama Bin Lade*, Verso Books, <https://www.versobooks.com>, accessed: 23rd April 2025 at about 11pm.

³³ *The Death of Osama Bin Laden: What it Means for the War on Terror*, News Center, University At Albany, <https://www.albany.edu>, accessed: on 23rd April 2025 at about 11:30pm.

³⁴ YLE News, “Lahti Politician Simon Ekpa Charged with Terrorism Offences”, <https://yle.fi>, accessed: 30th May 2025 at about 8am; Vanguard News, “Finland: DSS Confirms Terrorism Charges against Simon Ekpa”, <https://www.vanguardngr.com>, accessed: 30th May 2025 at about 8am.

³⁵ *Ibid*.

³⁶ Businessday NG, “Finland Investigates Simon Ekpa over Suspected Terrorist Acts”, <https://businessday.ng>, accessed: 30th May 2025 at about 8am.

Smuggling – this involves arms/weapon trafficking and smuggling of art/cultural artifacts. It is an illicit business involving international syndicates highly wired network that has continued to post serious challenges to security bodies saddled to check the borders of various countries.³⁷ Arms/Weapon smuggling involves illegal trafficking, sale or transfer of arms and ammunitions

from one country to another; it is otherwise referred to as gunrunning.³⁸ Smuggling Cultural Artifacts has to do with stealing of ancient items or antiques.³⁹ The Iraqi Museum once suffered theft of artifacts.⁴⁰

Environmental Crimes – this is a novel type of Transnational Organised Crime. They are illegal conducts that expose the environment to hazards, harm the environment or render the environment toxic.⁴¹ They include water and air pollution, dealing in substances that deplete the ozone layer, illegal logging and mining, unlawful trade in animals and fishing, wildlife trafficking, unlawful dumping of hazardous waste, ecocide, majorly carried out across the border.⁴² The pollution of the Kuwaiti oil wells by late Saddam Hussein of Iraq is a typical case of transnational environmental crime.⁴³

Money Laundering – this is a means of covering up the criminal source of fund through a disguise in form of forgery of documents or manipulations or diversions to deceive the authorities and the public.⁴⁴ An instance is the shady methods adopted by banks in Iraq in the transfer of money between Iraq and Syria.⁴⁵

Crime against Artworks and other Cultural Property

Artwork and other property theft is a crime that as lasted for centuries across borders. It perpetrated through looting and trafficking from one country to the other leading to a grave financial loss to the victims. Despite assiduous global efforts towards combating this line of crime, investigation has shown that it is still dangerous and prevalent; and there is the urgent need for enormous resources to be harnessed and for more proactive measures to be taken towards combating it.⁴⁶ To this end, the FBI has created the National Stolen Art File (NSAF) to maintain a computerized record of reported cases of stolen art and cultural property; and a specialized Art Crime Team saddled to investigate crimes against art and property.⁴⁷

Illegal Sport Betting

More often than not, funds generated by Transnational Criminal groups through illegal betting are deployed by them to finance criminal activities such as human, drug and weapon trafficking, money laundry and tax evasion across borders.⁴⁸

³⁷ Ukwayi J. K. and Anam B. E. (n3) 106; Transnational Organized Crime (n13).

³⁸ Protocol against Illicit Manufacturing of and Trafficking in Firearms (entered in to force on 3rd July, 2005), U.N.T.S. 39574 – accessible at <https://treaties.un.org/pages/viewdetails.aspx?src>.

³⁹ Article 11 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (9th May, 1972, U.N.T.S. 11806, accessible at http://portal.unesco.org/en/ev.php-URL_ID.html.

⁴⁰ See Fox News, Interpol Steps up Search for Ancient Artifacts Stolen in Syria, Iraq (25th April, 2015), accessible At <http://www.foxnews.com/world/2015/04/28/interpol-steps-up-search-for-ancient-artifacts-stolen-in-syria-irac/>.

⁴¹ Stanford Law School (n9).

⁴² Transnational Organized Crime (n12); Donnaiene Atienza (n9); Stanford Law School (n9) – citing Debbie Banks *et.al.*, Environment Crime: A Threat Our Future 2 (October) 2008, accessible at [http://www.unodc.org](http://www.unodc.org;).

⁴³ Gilbert Cruz, Kuwaiti Oil on Fires, TIME (3rd May, 2010), <http://content.time.com/timespecials/packages/article/html>. – cited in Working Papers Series, Transnational Criminal Law, 2016, P.9

⁴⁴ UNTOC, Article 6.

⁴⁵ Omar al-Shaher, Money Laundering in Billions, Iraq Officials Estimates, Al Monitor (21st August, 2013); accessible at <http://www.al-monitor.com/pulse/originals/2013/08/money-laundering-corruption-iraq.html>. cited in Stanford Law School (n9).

⁴⁶ FBI, What We Investigate, Transnational Organized Crime, Fbi.gov (An official website of the United States Government), accessed: 1st March, 2025 at about 5pm.

⁴⁷ *Ibid.*

⁴⁸ Transnational Organized Crime (n12).

Organized Crimes – these are generally syndicated by criminal groups to promote money laundering, smuggling and other illegal ventures such those enunciated above. They are essential inimical to a nation's socio-political and economic coexistence with other nations.⁴⁹

Combating Transnational Organized Crimes and Groups

Transnational Organised Crime is a huge enterprise which over the years has gained enormous market space through sales of illegal wares.⁵⁰ It is a dynamic market that changes in adaptation with the trends within its market with any hindrance by socio-cultural, geographical, linguistic, boundaries or rules.⁵¹ Transnational Organized Crime is a profitable systemic exploitation is venerable or unsuspecting human beings.⁵²

Common to all, among international crimes, are crimes against humanity and genocide. They are termed “transnational” when they take a more international dimension by cutting across two or

more nations. “trans” means a movement from one end to the other or mobility beyond a particular end.⁵³ Transnational crimes are crimes having effects on more than one nation.⁵⁴

Transnational crime has been kept without a conclusive definition to give room for emerging and novel transnational crime.⁵⁵ There is no clear difference between transnational crime and international crime; international crime has transnational effects, and transnational crimes are by there their nomenclatures, international crimes.⁵⁶ Terrorist group like Boko Haram operating in Nigeria is being investigated under domestic, transnational and international laws.⁵⁷ However, in some jurisdiction, it does not matter whether a crime is transnational or domestic, because, some countries have already domesticated all treaties and protocols against transnational crimes. Iraq's penal code, for instance, has uniform punishment for crimes irrespective of whether committed domestically or across the borders.⁵⁸

The issues that become relevant are to determine the country having the jurisdiction to sit over cross-border cases and the applicable legal framework.⁵⁹ Issues on Jurisdiction could come in different perspectives. It could be determined by:

1 - the particular court of the country where the crime was committed – territorial jurisdiction; 2 - the status of the person alleged to have committed the crime (personality jurisdiction); and 3 - crimes which the court is automatically vested with the power to hear (universal jurisdiction).⁶⁰

The applicable legal framework against transnational crimes could be unilateral, bilateral or multilateral. It is unilateral where it is a law made by a given nation; bilateral when it is a product of an agreement between two nations; and multilateral where it involves three or more nations consenting to a treaty to combat transnational.⁶¹

Transnational Organized Crimes are perpetrated by unstructured illegal groups as cells, clans, networks of diverse hierarchies typically insulated by corruption, complex communication systems, international commerce and violence, to safeguard their activities across borders with the main aim of making money.⁶²

⁴⁹ Ukwayi J. K. and Anam B. E. (n3) 104.

⁵⁰ Transnational Organized Crime (n12).

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ Stanford Law School (n9).

⁵⁴ *Ibid.*

⁵⁵ UNODC (2014), <https://www.unodc.org> accessed on the 10th of April, 2025 cited in Stanford Law School (n9) P.4.

⁵⁶ Neil Boister, An Introduction To Transnational Criminal Law, 18 (2012), cited in Stanford Law School (n9).

⁵⁷ Stanford Law School (n9).

⁵⁸ *Id.* P. 10.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Id.* P.17; Crown Prosecution Service (n16).

⁶² FBI (n47)

Their illegal activities include migrant smuggling, illegal gambling, human trafficking, drug trafficking, firearms trafficking, money laundering, extortion, cybercrime, production and sales of fake goods wildlife and cultural property smuggling etc.⁶³

Giving the humongous amount of funds and the complex cyber techniques with greater reach usually deployed by the criminals involved in Transnational Organized Crime, it is quite easy for public officials to be lured to compromise legitimate economies.⁶⁴ Significantly, the rapid growth of transnational Organized Crimes continues to mount negative pressure on both national and international security and causing corruption and devastating impacts on democratic institutions, economic stability, border security, public health and safety.⁶⁵

To effectively combat transnational crimes, maximum synergy is essentially required among nations in the areas of enactment of relevant laws and creation of cooperative law enforcement agencies. To a large extent, several international collaborations have been established to seal agreements, treaties and conventions, with a view to eradicating transnational crimes. Such agreements, treaties or conventions were reached under the auspices of agencies under the United Nations, regional organizations, financial crime organizations and other specialized international organizations.

It is critical to posit that the effectiveness of the fight against transnational crimes is equally measurable through the steps taken to prevent them from occurring and the length of time taken to investigate, effect arrest, prosecute and secure judgment. In the case of the Underwear bomber, for instance, his father was reported to have alerted different security agencies and the U.S. Embassy in Nigeria, 2 weeks before the incidence leading to his arrest, of his fear that his son may have been radicalised; same was sent to National Counter Terrorism Center and Muttalab was included on a general watch list.⁶⁶ No serious and meticulous step was taken by security agencies to prevent him from boarding a flight for the reason that details by Muttalab's father were not specific enough to withdraw his visa or include him on a no-fly list.⁶⁷

Stringent efforts at securing further details from Muttalab's father would have been more effectual and preventive. It took about 3 years for Simon Ekpa to be arrested to face charges⁶⁸ it took the U.S. several years to hunt down Osama bin Ladin. It was the victim in Ekweremadu's case that worked into a Police facility to lay complaint before the convicts were arrested in a case that ought to have been nipped in the bud from Nigeria or at the point of entry into the UK.

The United Nations, through its United Nations Convention against Transnational Organized Crime (UNTOC), INTERPOL and International Criminal Tribunal, champions the global stride towards eradicating human trafficking, drug trafficking, corruption and other organized crimes.⁶⁹ Organized crime groups across the borders are criminal enterprises constituting threats to nations' socio-economic development; requiring well established and specialized domestic and international program to tackle them.

Nigeria is assiduously advocating for harmonised international laws to combat organised immigration cyber-enabled crimes. At a border security summit held in London and hosted by the UK Prime Minister, Sir Keir Starmer, the Nigerian Minister of Interior Dr. Olubunmi Tunji- Ojo posited that world leaders are considering common descriptions for punishments online trafficking, unique agreements against cyber-crimes being perpetrated across various jurisdictions and laws that will hinder free flow of funds for illegal migration.⁷⁰ According to the minister:

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ CNN, "Source: Terror Suspect's Father Tried To Warn Authorities", <http://www.cnn.com>, accessed 30th May 2025 at about 10am.

⁶⁷ *Ibid.*

⁶⁸ YLE News, "Lahti Politician Simon Ekpa Charged with Terrorism Offences", *Ibid.* (n35); Vanguard News, "Finland: DSS Confirms Terrorism Charges against Simon Ekpa", *Ibid.* (n35).

⁶⁹ Article 1, United Nations Convention against Transnational Organised Crime (UNTOC).

⁷⁰ News Agency of Nigeria, "Nigeria Advocates international laws to combat cyber-enabled immigration crimes", Punch Newspaper, 1st April, 2025, accessed: 2nd April 2, 2025 at about 5pm.

Nigeria calls for real time content moderation to detect and remove recruiting advertisements for human smuggling. Stronger reporting mechanisms for law enforcement to assess critical data on suspicious accounts AI-driven early warning systems to flag illicit migration-related content before it spreads...Big tech companies must be more accountable for misuse of their platforms by criminal gangs... Government must commit to a global framework for digital accountability, ensuring that criminal syndicates do not exploit the gaps in online governance.⁷¹

The Minister considers it essential for technology companies to avoid the use of their platforms for the purpose of trafficking migrants to avoid weaponising digital platforms to foster transnational crimes.⁷² He emphasised the importance of expanded campaign for public awareness against the danger of illegal recruitment for illegal trafficking and migration. He advocated cooperation among religious, community and civil society leaders towards the fight against digital exploitation.⁷³

Some Available Legal Frameworks Against Transnational Crimes

1. United Nations Convention against Transnational Organized Crime (UNTOC, 2000)

This convention is a multilateral treaty sponsored by United Nations in the year 2000 against transnational crimes with 29th September 2003 as its effective date, 192 nations as parties and 147 nations as signatory so far. The convention is otherwise known as the Palermo Convention.

The Mayor of Palermo, Leoluca Orlando emphasized that UNTOC 2000 is the first international convention against transnational organized crime, terrorism and human trafficking.⁷⁴ The convention has birthed three supplementary protocols known as the Palermo Protocols;⁷⁵ these are:

1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
2. Protocol Against the Smuggling of Migrants by Land, Sea and Air.
3. Protocol against the Illicit Manufacturing of and Trafficking in Firearms.

Sequel to the above Protocols, kidnapping of women or children was made a capital offence in Iraq where human trafficking for the purpose of slavery became rampant.⁷⁶

The UNTOC strengthened its policies on wildlife smuggling in the year 2014 making it a serious offence under UNTOC 2000.⁷⁷ Several nations have made domestic laws in compliance with UNTOC 2000. For instance, Botswana enacted its Anti-Human Trafficking Act in year 2014.⁷⁸ Afghanistan, for the first time promulgated a Penal Code to render its laws UNTOC- compliant.⁷⁹ UNTOC 2000 has been having its positive global effective compliance among nations signatory to it. Illustrative is the incidence of 2017, where for not fully

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ Loredana Pianta, *Researchers Simulate Mafia and Terrorism Recruitment*, science.com., *Phys.org*, 25th July, 2019, accessed: 21st January 2025 about 4:17pm.

⁷⁵ Stanford Law School (n9) P.6; UN Convention Against Transnational Organized Crime and the Protocol thereto, UN office on Drugs and Crimes, 2004, P. v. (retrieved 16th July 2011), en.m.wikipedia.org, accessed: 21st January 2025 at about 6pm.

⁷⁶ R. Murray, *Female Trafficking Soars in Iraq*, Inter Press Services (27th August, 2011), <https://www.ipsnews.net/2011/08/female-trafficking-soars-in-iraq/>; Stanford Law School (n9) P.6; Atika Shubert, *Women Trafficking to Iraq*, CNN (6th May 2013), the ccnfreesomproject.blog.cnn.com/2013/05/06/women-trafficked-to-iraq/; Iraqi Penal Code 111, Article 422 – 423, <http://www.iraq-ig-law.org/en/webfm>, accessed: 21st January 2025, at about 4pm.

⁷⁷ *Wildlife Trafficking to become a 'serious crime' under UNTOC*, Worldcr.com, 20th February 2014, via en.m.wikipedia.org, accessed: 21st January 2025, at about 4:45pm.

⁷⁸ Tsepo Mongwa, *Botswana Makes Progress*, DailyNews, AllAfrica.com, 12 September 2018, accessed: 21st January 2025 at about 4:20pm.

⁷⁹ *Afganistan: UN mission welcomes new penal code, urges measures to protect women from violence*, UN News, news.un.org, 22nd February 2018, accessed: 21st January 2025 at about 5pm.

complying with the UNTOC 2000, Japan was denied the chance to host the 2019 Rugby World Cup and the 2020 Summer Olympics and Paralympics, despite its preparedness.⁸⁰

The United Nations Office on Drugs and Crime (UNODC) operates as the custodian of the UNTOC and its protocols⁸¹ and the four instruments possess the attributes prevailing international laws bordering on money laundering, human trafficking and arms trafficking. The capability of the nations that are signatory to UNTOC to enforce the legal framework of the organization reflects the efficacy of this laws.⁸² According to Laura Adal,⁸³ “Dealing with organized crime means having the right laws in place; and the skill and political will to enforce them”. For an instance, a minimum of four years imprisonment is the prescribed sentence for offence of transnational organized crime upon the pronouncement of guilt on a accused person.⁸⁴

The Federal Bureau of Investigation (FBI) has a long standing program which relies on both local and foreign relationships with bodies, experts on subject matters and nations to demystify the strong network of transnational organized criminals.⁸⁵ The bureau publishes the names of identified Transnational Organised Criminal groups on the US Department of Justice Top International Criminal Organizations Target List and supports the efforts of the Office of the Foreign Asset Control under the Treasury Department, to track down these criminal enterprises.⁸⁶ The FBI contributes towards enhancing the advancement of technical and investigative expertise, and organized crime task forces with other partners across the globe.⁸⁷

In Nigeria, the Trafficking in Persons (Prohibition) Enforcement and Administration Act⁸⁸ and the Cybercrime (Prohibition, Prevention) Act⁸⁹ are legal frameworks good enough to combat criminal exploitation of digital platforms to perpetrate transnational crimes.

International Criminal Tribunal (ICT) – the United Nations founded the ICT to ensure the prosecution of persons who perpetrate heinous crimes like war crimes and genocide which are majorly syndicated across international borders.⁹⁰

INTERPOL – was established by the United Nations to engender international cooperation among police formations of its member nations in the areas of exchanging information with a view to apprehending and investigating crimes suspects.⁹¹

Regional Organizations

There are regional bodies formed essentially to fight cross-border crimes. They include African Union (AU) through its Peace and Security Council (PSC) and Continental Operation Center (COC),⁹² Organization of American States (OAS)⁹³ and Association of SouthEast Asian Nations (ASEAN) Chiefs of National Police

⁸⁰ Norio Maruyama, (Press secretary, Japanese Ministry of Foreign Affairs) *Japan and an Anti-Crime Bill*, The New York Times Nytimes.com, 1st June 2017, accessed: 21st January 2025 at about 5:20pm.

⁸¹ United Nations Convention against Transnational Organized Crime (Palermo Convention), Veritaszim, veritaszim.net., (retrieved 30th May 2020), accessed: 21st January 2025 at about 6:20pm.

⁸² Laura Adal, Organised Crime in Africa/Weak Laws Make Tackling Organized Crime Harder, Enactfrica.org, 8th November 2018, accessed: 21st January 2025 about 6:35pm.

⁸³ *Ibid.*

⁸⁴ Carina Bruwer, Lion, Tiger and Bears: Wildlife Trafficking in the Age of Globalisation, Dailymaverick.co.za, 20th February 2019 in Laura Adal (n77).

⁸⁵ FBI (47); Transnational Organized Crime (n13).

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

⁸⁸ Trafficking in Persons (Prohibition) Enforcement and Administration Act, 2015.

⁸⁹ Cybercrime (Prohibition, Prevention) Act, 2015; Nigerian Financial Intelligence Unit, <https://www.nfiu.gov.ng>, Accessed: 15th May 2025 at about 1pm.

⁹⁰ <https://www.icc-cpi.int>, accessed: 14th May 15, 2025 at about 5pm.

⁹¹ <https://www.interpol.int>, accessed: 14th May 15, 2025 at about 5pm.

⁹² African Union, Press Releases, “Africa Strengthens Fight against Trafficking in Persons and Smuggling of Migrants with Validated Continental Guidelines”, 20th December 2024, www.au.int, accessed: on 14th May 15, 2025 at about 6pm.

⁹³ <https://www.oas.org>, accessed 15th May 2025 at 2pm.

(ASEANAPOL),⁹⁴ European Union Agency for Criminal Justice Cooperation (Eurojust).⁹⁵ The AU combats cross border crimes through its established regional mechanisms. European Agency for Law Enforcement Cooperation (Europol) coordinates member states on the investigation, arrest and prosecution of suspects of organized cross-border crimes.

The roles of Europol and Eurojust in developing a mechanism strong enough to combat cross-border crimes through the establishment teams for joint investigation among participating nations cannot be overemphasized.⁹⁶ The European Union has been propelled by the high spate of cross-border drug trafficking to collaborate in prosecuting crimes.⁹⁷ OAS provides essential aids to its members in their efforts at combating drug trafficking, cybercrimes, and human trafficking. ASEANAPOL comprises of Southeast Asian Countries. It aids regional cooperation among its members to combat of cross-border crimes.

Financial Crime Organizations

Some international financial bodies have been established to drive the financial intelligence towards eradicating and preventing terrorism financing and monetary fraud. The Egmont Group of Financial Intelligence Units was formed to enhance collaborations among financial intelligence bodies against terrorism financing and money laundering. Similarly, Financial Action Task Force (FATF) stipulates international parameters towards the fight against terrorism financing and other financial crimes.

Specialized International Organizations Against Transnational Crimes

There are also specialized organizations formed with the aim of combating organized and cross-border crimes. They include International Maritime Organization (IMO),⁹⁸ which ensures maritime security and prevention of crimes on the seas. International Labour Organization (ILO)⁹⁹ sets labour standards to combats human trafficking and forced labour. Through the World Customs Organization (WCO),¹⁰⁰ customs bodies of various member states synergize to eradicate smuggling and other trade-based crimes. The International Organization for Migration (IOM)¹⁰¹ protects the rights of migrants and fights to prevent human trafficking.

In the United States, the Federal Bureau of Investigation (FBI), through the instrumentality of the Racketeer Influenced and Corrupt Organizations Act (RICO), fights against transnational organised crime groups.¹⁰² These groups are seen as threats to the national and economic security of the United States and, as such, in collaboration with others similar agencies worldwide, the FBI tackles criminal syndicates.¹⁰³

Dangers Of Transnational Organized Crime (Toc) Groups

Law enforcement agencies deploy legal tools which allow them to enforce asset forfeiture against cross-border criminals; to prevent them from enjoying the fruit of their ill-gotten wealth and to compensate victims of cross-border crimes.¹⁰⁴ Typical examples of Transnational Organized Groups are the Balkan groups which deploy novel technologies to advance their capacity to increase their criminal network.¹⁰⁵ Others are as enunciated below.

⁹⁴ <https://www.aseanpol.org>, accessed on 15th May 2025 at about 2pm.

⁹⁵ <https://www.eurojust.europa.eu>, accessed on 15th May 2025 at about 4pm.

⁹⁶ O. Yemets et al. (n2).

⁹⁷ *Ibid.*

⁹⁸ IMO, "Piracy and Armed Robbery against Ships, <https://www.imo.org>, accessed: 15th May 2025 at about 4pm.

⁹⁹ ILO, "Forced Labour, Modern Slavery and Trafficking in Persons", <https://www.ilo.org>, accessed: 15th May 2025 at about 3pm.

¹⁰⁰ World Customs Organization, "World Customs Organization Releases Illicit Trade Report 2023" (releases on 26th June 2024), <https://www.wcoomd.org>, accessed: on 15th May 2025 at about 3:30pm.

¹⁰¹ <https://www.iom.int>, accessed: 15th May 2025 at about 4pm.

¹⁰² FBI (n44),

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*; Transnational Organized Crime (n13).

¹⁰⁵ FBI (n47).

Africa TOC Groups

In Africa, technological advancement and globalization since the 1980s have strengthened transnational groups within the continent; the most sophisticated of which are Nigerian Criminal enterprises involved in internet-enhanced crimes including financial fraud, drug trafficking – they operate across over 80 countries worldwide.¹⁰⁶ Their activities have to a large extent reduced the attraction of investors to the continent; thereby denying Africa the much-needed rapid socio-economic growth.

Eurasian TOC Groups

Eurasian TOC groups emanated from the Central Europe or the old Soviet Union under the political and the financial influence to commit crimes across borders. These groups indulge in various cross-border crimes such as security and investment fraud, healthcare fraud, murder and robbery.¹⁰⁷ Their influence has grown to the capacity of destabilizing economies of Central Europe.¹⁰⁸

Asia TOC Groups

Since the early 1990s, transnational criminal groups developed into enterprises which carry out organized crimes through traditional racketeering operations like killings, extortions, loansharking, kidnapping, money laundry, prostitution, vehicle theft, sales of fake products, illegal gambling, financial fraud, smuggling and drug trafficking – with the US as their mainstay.¹⁰⁹

Italian Organised Crime

The Italian Organised Crime Groups majorly known as Italian Mafia came into existence in the 1800s. Having permeated the social-economic fabrics of Italy, it has now widened its reach to become transnational, collaborating with other similarly syndicated groups across the globe. In Italy, *Sacra Corona Uniya*, *La Cosa Nostra* (Sicilian Mafia) *Ndrangheta* and *Camora* are the four major organized criminal groups.¹¹⁰ For instance, so many Mafia groups function through the *La Cosa Nostra* (Sicilian Mafia) in the US to peddle drugs and commit illegal gambling, weapon trafficking, kidnapping, extortion, money laundry, counterfeiting, political corruption, bombings, infiltrating legitimate businesses, fraud, murder etc.¹¹¹

Western Hemisphere Organized Crime

Western Hemisphere Organized Crimes are carried out across Southern America, Central America and Mexico; enhancing free flow of illicit drugs, illegal finance and money laundry.¹¹² To combat these criminal groups, the FBI is working in synergy with both local and international collaborators focuses on capturing their kingpins with a view to disorganizing their networks.¹¹³

Middle Eastern TOC Group

Over the years, several Transnational Organised Groups have originated from the Middle East and their active operations across the areas with a sizeable numbers of people of Middle East and Southwest Asian origin and the US dating back to the 1970s.¹¹⁴ These groups commit various cross-border crimes ranging from cigarette

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ Transnational Organized Crime (n13).

¹¹² *Ibid.*

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

smuggling, theft and redistribution of instant formula, faking trademarks using small store fronts as subterfuge etc.¹¹⁵

The United Nations Convention Against Transnational Organized Crime and Protocols Thereto

The UN Convention against Transnational Organised Crimes was adopted by a resolution of the UN General Assembly on the 15th day of November in the year 2000 at resolution 55/25 during the UN convention which held, in Palermo, Italy, to find solutions towards combating TOC; it came into force on the 29th day of September 2003 pursuant to Article 38 of the UN Convention.

By 20th October 2023, the parties to this convention had risen to 193 with 147 as signatories.¹¹⁶ This resolution is an instrument entered by parties to effectively and sufficiently combat Transnational Organised Crimes. To give specific attention to notorious areas of the perpetrations of these organized crimes, three other protocols were entered as supplements by States which must have first been parties to the Convention; they include:¹¹⁷

1. the Protocol against the Smuggling of Migrants by Land, Sea and Air – was adopted as Resolution 55/25 and came into force in 28th January, 2004 to deal with the increasing rate of smugglers of migrants and gave an agreed definitive description of what amounts migrant smuggling with the aim of protecting the rights of migrants against any form of exploitation.¹¹⁸

2. the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – which was adopted via a resolution 55/25 of the UN General Assembly and came into force on 25th December 2003. It is a quantum leap against the raging menace of Transnational Organised Crimes and the first globally binding legal instrument which gave an agreed definition to the crime of trafficking in persons and protecting the human victims.¹¹⁹ It is indicative of the resolve of parties to the convention to tackle same on all fours with the establishment of critical legal framework on cooperative law enforcement, legal aid, extradition, technical supports and training for capacity building for relevant national agencies.¹²⁰

3. the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition – was adopted as Resolution 55/255 on 31st May and came into force on the 3rd of July 2005 to fight illegal dealing on firearms. It is a clear indication of the resolve of parties to eradicate illegal arms dealings.¹²¹

Contrary to the conventional idea of states basing their security arrangements against external aggression, securing sovereignty and territorial integrity, the fight against transnational crimes goes beyond geographical boundaries and requires international collaborations.¹²²

The United Nations Convention against Transnational Organised Convention (UNTOC) is a reaction to the intensity of the global rage by the Transnational Organised Groups. It was entered by member states, in December 2000, to collaboratively and effectively combat and prevent transnational organized crime.¹²³ The Convention and its ancillary protocols remain a global mechanism in the battle to eradicate the activities of cross-border crimes under the auspices of the United Nations Office on Drugs and Crime (UNODC) which was established in the year 1997.¹²⁴

¹¹⁵ *Ibid.*

¹¹⁶ Donnaiene Atienza (n9); UN Convention against Transnational Organized Crime and the Protocols thereto, Office on Drugs and Crime, unodc.org, accessed: 7th April, 2015 at about 5:30pm.

¹¹⁷ *Ibid.*

¹¹⁸ UN Convention against Transnational Organized Crime and the Protocols thereto, Office on Drugs and Crime, unodc.org, accessed: 7th April, 2015 at about 5:30pm; Donnaiene Atienza (n9).

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ *Ibid.* Donnaiene Atienza (n9).

¹²² Donnaiene Atienza (n9).

¹²³ *Ibid.*

¹²⁴ *Ibid.*

Challenges Of Combating Transnational Organized Crimes

The legal framework of every jurisdiction or state towards combating Transnational Organised Crimes are majorly formed by its perception of laws and its relevant enforcement agencies; posing a serious challenges at various stages of enforcements against transnational crimes.¹²⁵ A practical example is the case of “ILOVEYOU” trail of destruction involving one *Onel De Guzman*, a young student from the Philippines, who was found to have caused virus in the year 2000; exploiting the attraction and eagerness of people on issues of love.¹²⁶ He released an e-mail “ILOVEYOU” with an attachment captioned “LOVE-LETTER-FOR-YOU.TXT.vbs”, capable of mutating itself into accessible e-contacts of whoever opens it; causing losses worth billions of dollars.¹²⁷ The virus affected as far as the British Parliament and the Pentagon in the US.

The House of Commons in the UK was forced to short down e-mail servers; the Pentagon in the US had Ford, several US Army bases, AT&T, Pentagon rendered offline; Danish Parliament redereed offline; Norwegian Photo agency Scanpix lost 4500 photos; banks, Dow Jones news wire and PR companies were affected in Hong Kong.¹²⁸ *Guzman* could not be effectively prosecuted because:¹²⁹

1. unavailability of specific law against cybercrimes in the Philippines at that time;
2. though was eventually charged with malicious mischief and credit card fraud, he was discharged upon is defence of ‘lack of intent’; that he might have inadvertently released the virus;
3. he had the leverage to delete relevant evidence giving the delay suffered in the issuance of
4. warrant of arrest;
5. There was no dual criminalization of the act between the two states concerned in the process of deportation.

The effects of the vulnerability cyber space as exposed by the above illustration still persist till date. It brings to fore the urgency in the need to achieve local and international efforts to bridge the gap through collaborative establishment of legal frameworks to prevent a recurrence¹³⁰

Transnational Collaborations Against Cross-Border Crimes

Transnational collaborations comes in the form of coordination of law enforcement agencies of states, joint investigative procedure, transfer of criminal proceedings and convicts.¹³¹ It involves Judicial cooperation and legal aid by way of extradition; intra and international and Inter-governmental collaborations among police structure as represented by INTERPOL which enjoys a membership of 196 states exchanging relevant data to combat cross-border crimes.¹³²

It should be marked out that the successful prosecution of Ekweremadu’s case was achieved owing to the collaboration among various law enforcement partners. According to Esther Richardson, a detective Inspector with the Modern Slavery and Exploitation Command of the UK’s Metropolitan Police:¹³³

This is a landmark conviction and we commend the victim for his bravery in speaking against these offenders. We could not have done this without the help of our colleagues in the CPS, Human Tissue Authority and other partners who have worked tirelessly to achieve this result. We do understand the challenges around modern slavery cases as no two investigations are the

¹²⁵ Landler, Mark (21st October, 2000), “A Philipino Linked to ‘Love Bug’ Talks About His License to Hack”, The New York Times, Retrieved 5th May, 2010 – cited by Donnaiene Atienza (n9).

¹²⁶ Donnaiene Atienza (n9).

¹²⁷ *Ibid.*

¹²⁸ Griffiths, James, “How a Badly-Coded Computer Virus Caused Millions in Damage, CNN Business” CNN, 3rd May, 2020, <https://edition.cnn.com/2020/05/01/tech/ilove-you-virus-computer-security-hmk/index.html> – cited by Donnaiene Atienza (n9).

¹²⁹ Donnaiene Atienza (n9), citing Landler, Mark (n120).

¹³⁰ Donnaiene Atienza (n9).

¹³¹ *Ibid.*

¹³² *Ibid.* citing INTERPOL, <https://www.interpol.int/en>, accessed: 24th October, 2024.

¹³³ Crown Prosecution Service (n16).

same. Specialist officers from the Met's Modern Slavery and Exploitation team understand this and we will ensure victims are supported, signposted and safeguarded with the help of partners.

In the alternative, states can deploy UNTOC wherein the UNODC caused Model Law on Extradition and Model Treaty on Extradition (2004) as a technical tool for states to cooperatively enter regional or bilateral or multilateral agreement against transnational crimes.¹³⁴

Several regional and bilateral universal treaties/agreements have been reached by states in this direction. This could be general purpose treaty or crime specific treaties. They include:¹³⁵

General Purpose Treaties

1. ASEAN Treaty on Mutual Legal Assistance in Criminal Matters;
2. 1959 European Convention on Mutual Assistance in Criminal Matters;
3. Extradition Agreement between the US and Croatia;
4. Extradition Treaty between the US and Mexico.

Crime Specific Treaties

1. African Union Convention on Cyber security;
2. European Convention on the Counterfeiting of Medical Products (2011);
3. Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children in West and Central Asia (2006);
4. Cooperation Agreement between Benin and Nigeria to Combat Trafficking in Persons, with an
5. Emphasis on Trafficking in Women and Children (2005);
6. Australian – Indonesia Money Laundering and Counter-Terrorism Financing Cooperation Arrangement (2017);
7. United Nations Convention Against Corruption (UNCAC);
8. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, etc. (2001).

CONCLUSION AND RECOMMENDATIONS

Transnational crimes and groups continue to fester and evolve despite numerous international strategic legal frameworks. Uniformity of purpose on the modalities of application and enforcement of laws against transnational crimes are a panacea towards a successful combat against cross-border crimes. The weight of punishments prescribed by laws against cross-border crimes and the proper, meticulous and successful enforcement of same, to a large extent, determine the capacity of nations to ward-off prospective transnational criminal. It is essential for world leaders to pursue the unification of the strength of punishment to be meted out to transnational criminals and to stop the criminal idea can be described as “forum shopping” by criminals seeking to commit crimes within the jurisdiction of countries with lesser or milder punishment.¹³⁶

For instance, the cases of “underwear bomber” and the eventual killing of Osama Bin Laden lay credence to this conclusion; as such massive attempt and the killing has not recurred in the U.S. Similarly the exemplary UK case of the Ekweremadus serves as a perfect deterrence for person who may want to indulge in what the court termed neo-slavery. The killing of Osama Bin Laden and the arrest of Abdulmutallab could not have been possible without a prolific deployment of technology and effective usage of intelligent reports. Deployment of technology, increased manpower and sanitization of security architecture are strategies that countries should activate to fight cross-border crimes under the already existing international and domestic relevant laws.

¹³⁴ Fromiti, “Organized Crime Module11 Key Issues: Mutual Legal Assistance,
<https://www.unodc.org/e4j/ru/organized-crime/module11/key-issues/mutual-legal-assistance.html#/> cited in
Donnaiene Atienza (n9).

¹³⁵ Donnaiene Atienza (n9).

¹³⁶ News Agency of Nigeria (n71).

Constant reappraisals of policies and enforcement mechanisms are *sine qua non* to achieving steady and effective legal framework in the fight against transnational crimes.¹³⁷ Continuous sophisticated training and retraining of law enforcement agents, engaging undercover personnel or decoy to penetrate transnational crime groups or cartel are a veritable strategy at nipping cross-border crimes in the bud.

There are adequate legal frameworks to combat transnational crimes; the malaise is in their enforcement and near lack of strict cooperation among nations who have acceded to relevant conventions and protocols owing to institutional rivalry and rising political differences. Assuming the cases of Abdulmutallab and Ekweremadu were to have transpired in Africa, the societal status and pressures of the Mutallabs and the Ekweremadus may have had influence on them.

It is a cardinal principle of life that prevention is better than cure and as such, punitive preventive combat against transnational crimes far outweighs punitive curative combat. For example, had early preventive and collaborative steps upon hints been taken in cases of Muttalab, the incidence would have been averted. The major determinants of institutional and international effectiveness of the fight against transnational crimes are proactive measures taken to avert occurrence of crimes and the length of time spent to investigate, effect arrest, prosecute and secure judgment. This is only achievable when nations and agencies put aside political differences, shun rivalry, and embrace strategic deployment of modern world cutting-edge technologies like the blockchain data dealings and Artificial Intelligence (AI) surveillance.

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¹³⁷ Donnaiene Atienza (n9).

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