

# **The Impact of Migration and Transnational Organized Crime on Development in West Africa**

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## **Abstract**

*The need to sustain economic integration in West Africa resulted in the removal of all impediments to free movement of persons, capital and services with no consideration of the security implications of borderless borders. The dismantling of internal borders brought to the fore new threats and development challenges such as terrorism, kidnapping, drug trafficking, trade and proliferation of small arms and light weapons, among others. The objectives of the study were to establish the connection between migration, transnational organized crime and borderless borders, and to ascertain the impact of migration and transnational organized crime across borderless borders on development in West Africa. The paper utilized qualitative method, and further employed secondary data, sourced from textbooks, journals, Newspapers, the internet, among others. The findings of the paper shows that there are links between migration, transnational organized crime, borderless borders affecting development negatively. This finding is supported by unhindered and pervasive migration of people with illicit transactions including subversive activities aided by borderless borders in West Africa sub-region. Thus, causing monumental insecurity, threats to lives and property, which cropped up to undermine development efforts among member states. The paper recommended among others that institutions among member states should be revamped and strengthened to check dubious migrants with ill-concealed activities and illegal transactions across borders.*

**Keywords:** Migration, Transnational, Organized crime, Borderless Borders, Development.

Galley Proof IJMGs

## Introduction

The dismantling of internal borders within the Economic Community of West African States (ECOWAS), for economic and political integration, brought the emergence of new challenges from the implementation process. The challenges include threats from transnational organized crimes (TOCs), including human trafficking, drug trafficking, smuggling of migrants, money-laundering, trafficking in firearms, counterfeit goods, hunting of wildlife, among others which undermined development efforts among member states<sup>1</sup>. The idea behind borderless borders was to strengthen the political and economies of member states. This is because most African states are small states, landlocked, poor and vulnerable. Furthermore, they also lack viable domestic markets; and to enhance development, integration of economies became the best option thus requiring opening up of borders to boost trade and political ties. Unfortunately, the development crises such as transnational organized crime and other challenges emanating from the arrangement of borderless border were never anticipated. Transnational organized crime is an illicit business that knows no geographical boundaries or rules, because it transcends cultural, social, and linguistic limitations. Most sub-Saharan African states are facing issues of societal building, which encourage migration supported by the availability of free movement of persons, services and capitals exploited by criminals to undermine governments' development efforts<sup>2</sup>

The countries affected by borderless borders in West Africa include Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau and Liberia. Others are Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. This development resulted from the treaty that established the Economic Community of West African States (ECOWAS), signed in Lagos, Nigeria on 28 May, 1975. Article 27 of the Treaty, stipulated and re-enforced the removal of obstacles to the free movement of goods, capital and people in the sub-region. This development led to the ratification of first phase of the Protocol by member states in 1980 which effectively abolished the use of visas as requirement for Community citizens to migrate within member

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<sup>1</sup> UNODC, (2023). Transnational organized crime: The globalized illegal economy

<sup>2</sup> Eselebor, W.A. "Security and development in the context of borderless borders in West Africa" In Albert, I.O. & Eselebor, W. A. (Eds), *Managing Security in a Globalised World*. The Journal of the Society for Peace Studies and Practice Vol.1 No 2 Abuja: Archers (2013):171

states' territory. In 1986 the second phase of the Protocol was also ratified by member states, allowing Community citizens to take up lawful employment and also to reside in member states without hindrances. This was made without consideration for the security implications of borderless borders within the sub-region. By this policy, ECOWAS member states are to henceforth stop demanding residence permit and visa while allowing Community citizens to work and undertake industrial and commercial activities within their territories.<sup>3</sup> Given the above discourse, the paper attempts a linkage between migration, transnational organized crime, and borderless borders and, also unveiled the impact of migration and transnational organized crime across borderless borders on development in West Africa.

### **Objectives**

The objectives of the study were to establish the connection between migration, transnational organized crime and borderless borders, and to ascertain the impact of migration and transnational organized crime across borderless borders on development in West Africa.

### **Materials and Methods**

Method of the study is essentially qualitative in nature. The paper relied on documented and secondary data, sourced from the websites of International Organizations such as International Organization for Migration (IOM), Economic Community of West African States (ECOWAS), peer-reviewed publications in the subject area, the internet, textbooks, among others. Finally, the study utilized historical analysis for a clear explanation of the objectives and results of the paper.

### **Theoretical framework**

Given the above scenario, the paper employed frustration-aggression theory developed by Dollard et al in 1939, expanded by Berkowitz<sup>4</sup> and Yates<sup>5</sup> by emphasizing that frustration is a strong element arising from disappointment in individual's expectations, which affects the behavior of an individual to act against the expected values and norms of society.

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<sup>3</sup> Ibid, Pp 173-174

<sup>4</sup> Berkowitz, L. *Aggression: A sociological analysis*. New York: McGraw Hill. (1962):53

<sup>5</sup> Yates, A. *Frustration and conflict*. London: Methuen (1962): 42

Furthermore, Anifowose explains frustration-aggression to mean the discrepancies between what people need to what they actually get.<sup>6</sup> Frustration is common among people when their expectations are cut short or short circuited. Similarly, Davies avers that where expectation does not match attainment, the people become irrational in their behaviour to employ illegitimate means to confront circumstances responsible for their frustration.<sup>7</sup> This idea is apt and comprehensive as irrational behaviour is generated by unbearable circumstances like what is going on in Nigeria, where there is mass poverty, hunger, high level of unemployment, human rights abuse by state's security agencies, among others. Therefore, the tendency for people to get away from poverty and deprivation is to employ illegitimate means such as transnational organized crime to elevate their living standard without minding the consequences the venture will bring upon them and the state. Also in Gurr's relative deprivation thesis, he that the greater the discrepancy, no matter how little between what is sought and what seem attainable, the greater the chances to indulge in criminal activities.<sup>8</sup> For instance, countries like Liberia, Sierra Leone, Côte d'Ivoire and Guinea-Bissau were rattled with mass displacement and migration caused by frustration, poverty, and violent conflicts, among others.<sup>9</sup> Desperate Africans are fleeing from poverty ridden environment in search of better living condition within West Africa states by engaging in illicit businesses that are politically and economically affecting the corporate existence of African states. Transnational organized crime thrives in ungoverned spots and place or underdeveloped countries. African states regardless of the presence of huge natural resources and human resources are still grappling with unemployment, high mortality rate, political instability, high poverty rate, corruption, lack of basic infrastructural facilities in all sectors of the economy, and insecurity of lives and property.<sup>10</sup>

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<sup>6</sup>Anifowose, R. (1982). *Violence and politics in Nigeria: The Yoruba and Tiv experience*. New York: Nok Publishers

<sup>7</sup> Davies, C.J. Towards a theory of revolution. In *American Sociological Review* (1962 February): xxvii.

<sup>8</sup> Gur, T.R. *Why men rebel*. Princeton: Princeton University Press, (1970):54

<sup>9</sup> Marie-Laurence, F & Hein, D.H. (2014). *African Migration; exploring the role of development and states*. An IMI Working Papers Series 2014, No. 105.

<sup>10</sup> Senanu, K.K. Development and Underdevelopment of African Continent: The blame game and the way forward. *Research on Humanities and Social Sciences*. 4.7 (2014):14-20.

Adding to the above explanation, many migration theories and models abound which are crucial to the explanation of irregular migration phenomenon such as: The New Economics of Migration, Segmented Labour Market Theory, Neoclassical Economics, World Systems Theory, Social Capital Theory and Cumulative Causation Theory.<sup>11</sup> Apart from frustration-aggression, and deprivation theories, the study is equally anchored on the neoclassical economics theory of migration. Thus, using the Push-Pull model and the Macro-Micro level of analysis framework to underscore conditions that involved in an individual's decision to migrate with criminal tendencies. According to the Push-Pull theory of migration, people migrate to escape cultural, socio-political, environmental and economic hardship. Within these reasons are 'push' or 'pull' factors. The push factors are those that force the individual to move out of the country such as extreme religious activity, conflict, drought, famine, poor economic activity, lack of job opportunities, race and discriminating cultures, political intolerance, among others. Pull factors are those factors in the destination country that attract the individual or group to leave their home, such as better economic opportunities, more jobs, and the promise of a better life, among others often pull people into new locations. Given the above analysis, some African states are characterized by underdevelopment which push people away to engage in illicit activities with the connivance of security agencies and express availability of porous and borderless borders.

## Results

Given the objectives of the paper, it was argued that there is mutual relationship between migration, transnational organized crime and borderless borders across West African countries. The issues revealed here are instructive, in the sense that migration is unregulated in west Africa because of ECOWAS Protocol of free border entry and exit of human, services and capitals which have tremendously encouraged transnational organized crime. Transnational organized crime is a well-coordinated illegal action against individuals and the state, executed by criminal groups conducted on a continuing basis across countries. In this case migrants with evil intentions have remarkably and cleverly taken advantage of the permeable borders to perpetuate heinous crimes such as, human trafficking,

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<sup>196</sup>.Ekaterina, K. Irregular Migration A Case study of Italy. Master Thesis, 30 ECTS International and European Relations Department of Management and Engineering (2011). 67

kidnapping, smuggling, drugs trafficking, terrorist acts, among others to boost their influence and economic status.

The paper also conversed that migration and transnational organized crime across borderless borders have significantly posed growing threat to development in West Africa states, with explosive and devastating consequences. This is more worrisome, as most of the crimes have penetrated state's institutions to institute corruption both at the local and national levels of government in West African states. Basically, these crimes are accomplished largely because of the strong network already established across states by organized criminals. Also, most states in West Africa are entangled with weak rule of law which brought about their susceptibility with adverse effects on the political and economic development of the states.

### **Migration**

Migration is the act of changing location or the movement of persons from one place of residence to another across towns, regions and countries either with legal or illegal motives which result in permanent change in usual place of residence.<sup>12</sup> Human beings have always engaged in movement from one place of residence to settle in another. Migration is not a strange practice, it is a physical process being experienced universally, with varied occurrence and effect on the different countries of the world. There have been instances of migration such as long-distance trade, the search for pasture, plantation and agriculture, industrial production, and armed conflict had existed in Africa prior to the colonial period.<sup>13</sup> This pattern of cross-border activities continued in the post-colonial period unabated as if the state boundaries do not exist.<sup>14</sup> However, the apparent increased in the case of migration was the introduction of large-scale commercial enterprises coupled with establishment of new and artificial borders that cut across established communities, ethnic groups and clans in Africa. The surge of migrants from Nigeria to other West African states or immigrants to Nigeria is predicated

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<sup>12</sup>Toney, B.M and Bailey, A.M. Migration, an overview, Springer link. (2014):2

<sup>13</sup>Itumo, A.; Nwobashi, H.N.; and Igwe, J.C. "Cross-border Migration and the Rising Waves of Terrorism in West Africa: The example of Boko Haram in Nigeria" South East Political Science Review,1.1), (2017): 178

<sup>14</sup>Nnoli, O. National security in Africa: A Radical New Perspective. Enugu: PACREP. (2006):67

on the dire and unhealthy conditions prevailing on the people. For instance, most countries in West Africa, Nigeria inclusive are bedeviled with violent conflicts ranging from heinous activities of Boko Haram insurgency, killer herdsmen, Indigenous People of Biafra to Niger Delta militants. Others are: High illiteracy level, hunger and famine, deprivation, unemployment, poverty, weak institutions, violence against women, kidnapping, cattle rustling, terrorism, religious killings, high economic hardship, political alienation and high level of government insensitivity to the expectations of the people. These are push factors responsible for widespread migration of people to other countries. These factors have made many people to migrate and fall prey to the bait of transnational organized criminal organizations through recruitment for survival. Particularly, as there is self-conviction that border accessibility and passage are unhindered for criminal engagement and activities. Migration is a social activity encouraged by several factors anchored on security, economic reasons and inadequate development.<sup>15</sup> On this note, the opportunities for migration are higher in small states with weak and degenerating economy as well as unprecedented level of unemployment and hopelessness. Citizens and non-citizens of such countries are prone to migration for illicit trades and other anti-social activities, especially when they are convinced that they can access borders without hindrances, coupled with corrupt government's officials and politicians who constitute an incentive for organized crime and also impediment to its effective control.

In the atmosphere of a battered economy, the inclination is very high for citizens to be recruited into organized crime organizations, migrate through free borders in order to protect themselves against economic problems and also to guarantee the future of their families. Apart from the above reason, citizens of a country can also embark on migration on security grounds. This is when it is obvious that state lacks the monopoly of the use of force capacity to protect them against security challenges. In the same vein, citizens of a country can equally embark on migration following lack of basic infrastructure and social services. For instance, citizens from poor countries with terrorist orientations, drug trafficking, human trafficking, arms and ammunitions smuggling, among others can embark on migration,

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<sup>15</sup>Koser, K. "Global Migrations" Current History. Vol. 108, No. 717, California: University of California Press (2009):149

duly guaranteed by free entry and exit of borders for the purpose of finding fertile grounds to perpetrate their illicit acts. Since such fertile grounds are predominantly countries with very porous borders and weak security architecture, the existence of these factors is necessarily for promoting migration<sup>16</sup>.

### **Transnational organized crime**

Transnational organized crime is defined as a coordinated crime perpetrated across national borders, involving groups who plan and execute illicit business in more than one country<sup>17</sup>. The criminal groups often use systematic corruption and violence to achieve their illegitimate goals. The common transnational organized crimes include: arms trafficking, drugs peddling, human trafficking for sex and cheap labour, toxic waste disposal, materials theft, among others. In West Africa transnational organized crime thrives due to certain factors. Some of the major factors are: Corruption among public officials, inability of the state to monopolize the use of force, weak democratic society and institutions; hash economy, poor borders management by security agencies; porous borders, artificial demarcation of national boundaries by colonial masters, cross-border family connections discretionary determined by colonial authorities, poorly trained and remunerated border policing agencies with outdated weapons, corruption by security agencies and connivance with transnational criminal actors; and ineffective management and cooperation among the border security agencies among member states-ECOWAS.<sup>18</sup> In same manner, the increased in transnational organized crime in the sub-region is generated by several factors, such as: regional integration, globalization; progressive economic and political reforms aimed at providing liberal democracy and free enterprise, religious and political conflicts, instability and technological advancements in the banking system which enable criminal minded groups to have access to funds in decentralized places, and technological advancement in the communication and transport industries. Trans-border crime is seen as consequences of regional economic integration promoted

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<sup>16</sup> Alemika, E.O.E. Organized Crime and Governance in West Africa: Overview. In Alemika, E.O.E ed. The Impact of Organized Crime on Governance in West Africa. Abuja: Friedrich-Ebert-Stiftung (2013):25

<sup>17</sup> Yuriy A. V. Measures to Control Transnational Organized Crime, Summary. National Criminal Justice Reference Service (NCJRS). U.S. Department of Justice. Document No. NCJ 184773. (2000): 3

<sup>18</sup> Alemika, E.O.E, Op cite p.128

by the ECOWAS Protocol and globalization as well. Several forms of transnational organized criminal activities and networks, in West Africa abound. This includes among others:

1. Money laundering and corruption within the West African nations.
2. Human and drug trafficking, West African countries as transit nations for cocaine and heroin. However, cannabis is produced in some West African countries and traded within and beyond the region.
3. Arms trafficking into and within the West African region.
4. Internet fraud, including advanced fee fraud in West Africa especially Nigeria.
5. Smuggling of used cars, imported from Europe into Republic of Benin and smuggled into Nigeria.
6. Smuggling of prohibited goods such as expired cosmetics, chemicals, pharmaceutical psycho-tropic drugs, among others.
7. Piracy and armed robbery. For instance, snatching of expensive cars in Nigeria and sold neighboring countries like Benin, Togo, and Chad.
8. Smuggling of goods out of West Africa: Oil and precious stones from Nigeria, diamonds from Sierra Leone through Liberia and Guinea. gold from Ghana, rubber and timber from Sierra Leone, ivory and timber from Equatorial Guinea, among others.
9. Gambling and prostitution.
10. Counterfeit trade practices, such as dumping of sub-standard products, illicit foreign exchange transactions, tax and duty evasions, among others.
11. Dumping of toxic materials.<sup>19</sup>

The above forms of transnational organized crime are surviving in West Africa because of their composition and networks assisted by government officials from being arrested and prosecuted. Countries where corruption is enthroned coupled with other enhancing factors are difficult to curb transnational organized crime. The growth of transnational criminal activity in West Africa has been attributed to several factors. In West

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<sup>19</sup> United Nations Office on Drugs and Crime. Transnational orga-nized crime in the West African region. New York: United Nations. (2005):27 and Wannenburg, G. Organised crime in West Africa. African Security Review 14(4) 2005:45

Africa, they include the following factors:

1. The establishment of ECOWAS Protocol on regional economic integration, which ease the emergence of organized criminal syndicates and their movement from one country to another in the region with minimum surveillance and documentation.
2. Civil wars, as it is in Sudan presently, armed rebellion and banditry as it is in Nigeria now, breeds crimes like arms trafficking, sex slavery and human trafficking, drug trafficking, smuggling of minerals and goods such as alcohol, cigarettes. Refugees from civil wars engaging in organized criminal activities, especially trafficking of persons, weapons, and other goods between their country of origin and host countries during and after the war.
3. Civil war and political instability are responsible for high emigration and the African Diaspora in engaging people back home in transnational criminal enterprises.
4. Criminalization of governance for the accumulation of personal wealth.
5. Weak economic regulatory institutions, lack of consistency in import, export, and tariff policies; weak customs managements and corruption among border security officials engendered the activities of criminal syndicates in smuggling and trafficking.
6. Porous borders as well as ineffective border patrols and lack of aerial surveillance
7. Poor intelligence gathering and scanning equipment at entry ports through air, land and sea.
8. the arbitrariness of national boundaries created by the colonizers master in Berlin conference in 1884 bringing persons with the same ethno-cultural identities across international borders in West African countries.
9. Weak states authority and their inability to curtail trans-border criminal activities.
10. Gross in effective collaboration and coordination by interagency among countries
11. High level of trade between countries, which overwhelms scrutiny by law enforcement agencies.
12. Socioeconomic hardship and widening inequality.
13. Improved technologies, which help organized crime organizations' illegal business transactions

14. High degree of corruption, especially among the ruling elite; weak legislation and corrupt law enforcement agencies.
15. Low morale of border police arising from poor remuneration, inadequate training leading to connivance with trans-national criminals to boost their welfare, among others<sup>20</sup>

### **Borderless Borders**

The introduction of ECOWAS concept of borderless border is an idea borrowed from European model of Schengen regime of political and economic integration. Therefore, the use of the same term to describe West African border regime came with unanticipated security challenges. This is because most countries in West Africa are transitional, weak and have unstable institutions. Again, reducing the barrier status of borders poses serious subversive and challenges of penetration of territories by unscrupulous elements. Basically, the essence of a border, is to separate a country from the others.<sup>21</sup> Meaning a border is meant to protect people of one country even though they are of different historical, ethnic, religious language and cultural backgrounds from people of other countries. Therefore, borders originally exist both as cooperative linkages and also as barrier and defensive structure to discourage and prevent unauthorized consignments and persons from finding their ways into a territorial space of another country. The idea of border demarcation or barrier remains paramount, especially from the position of safety and development of countries. The present condition of ECOWAS internal borders can be reflected in Hartshorne's four typologies of border demarcation to include:

1. Antecedent borders -Virgin land creations demarcated before human creation.
2. Subsequent borders–Borders developed following the pattern of settlement.
3. Superimposed borders–Borders which were imposed by colonial creations like what African states experienced.

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<sup>20</sup> Finckenauer, J. O. Meeting the challenge of transnational crime. National Institute of Justice Journal. 2000:43,

<sup>21</sup>Hartshorne, R. "Geographic and Political Boundaries in Upper Silesia" Annals of the Association of American Geographers, 23 (1993): 198

4. Natural borders – inherited borders defined by physical and natural landscapes like, rivers, lakes, oceans, mountains.<sup>22</sup>

The above typologies of border demarcations in Nigeria and elsewhere were inherited on the basis of natural providence and artificial created by colonial masters without recourse to how the dislodgement and dislocations of people of the same historical origin, race, cultural, language will affect their spatial arrangement, history and co-existence. In the same vein, Martinez categorized borders in terms of historical developments as follows:

1. Alienated Borders - Where as a result of prevailing tensions border is functionally closed
2. Cold War and Security Borders –This is a situation where there are co-existent border lands and where stability is irregular and borders remain slightly open.
3. Interdependent Borderlands–Where there is continuity of stability, with boisterous economic and social interaction in place;
4. Integrated Borderlands-Where there is unrestricted movement of persons, stability is strong, permanent and economies of states are merged.<sup>23</sup>

Integrated border implies oneness or togetherness with the intent to merge weak economies among member states for the purpose of development, through lesser border controls and relaxing of traditional barrier status of borders.

With this development, the states are unable to maintain law and order given the permeability of borders with significant high challenges in security policing to arrest criminal elements and cargoes. Cross-border illegal activities can be retraced to corruption between border officials and transnational criminal organizations engaging in human trafficking and smuggling which are all means used to circumvent border integrity to undermine West Africa's development efforts.

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<sup>22</sup> Hartshorne, R. "Geographic and Political Boundaries in Upper Silesia" *Annals of the Association of American Geographers*, 23 (1933): 198

<sup>23</sup> Martinez, J. ed. "The Dynamics of Border Interaction: New Approach to Border Analysis" London: Routledge, 1994

## **Development**

Development is not the availability of infrastructure but the provision of general welfare of the citizenry expressed in terms of quality education, health services, pipe-borne water, food, electricity, good roads, independent of the judiciary and enabling environment for individuals in the state to create legitimate means of livelihoods and increase their capacity to produce. The widespread of poverty, inequality and unemployment all over the place are predicated on failure of most governments to deliver development as entered in social contract, thereby breeding discontent and conflicts. There is a growing frustration over this issue, because despite the abundance of natural and human resources in West Africa region, there is little to show for it in terms of improvement in the standard of living of the people. The study of development needs to be understood through the works of Sen,<sup>24</sup> who argues that human development is best form of development and defined as the expansion of individual capabilities and freedom. Freedom from poverty, illiteracy, infant malnutrition, and freedom to participate in political processes and economic enterprise are the hallmark of development.

Therefore, society can be regarded as developed to the extent when problems of illiteracy, poverty, malnutrition, political unrest, and gender inequality are reduced to the barest minimum. Contemporary intra-state wars dominant in West Africa can be explained in terms of political and economic conflagration associated with group inequalities, private enrichment and total disregard for the social contract. Others are stemming from economic failure and bad governance practices, greed, corruption, covetousness and the propensity to amass inordinate wealth characterize governance practices in West Africa. rather than the willingness to serve and deliver development benefits to all and sundry. The African elites who form the ruling class and see the state as their own perceive sovereignty only as invaluable economic asset, because it enables them to control and enrich themselves at the chagrin of the poor majority. The reaction from the poor exacerbates weak allegiance to the state, expressed through armed struggles to control the resources of the state or using illegitimate and subtle means

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<sup>24</sup> Sen, A. cited in Alemika, E.O.E. Op.cit. 179

such as corruption to co-opt public officers into criminal acts to penetrate the machinery of governance in West Africa.

## **Discussion**

### **Connection between migration, transnational organized crime and borderless borders**

It is axiomatic to note that in Nigeria to be specific the southern part bordered by the Seme and Idiroko borders, foreigners from Benin Republic, Togo, Mali have heavily and capitalized on the Loose borders to engage in nefarious activities such as human trafficking, smuggling, car theft, drug peddling, among others. The implication is that as people migrate, particularly migrants with dubious and questionable characters who are smugglers often maintain links to transnational organized crime organizations with networks all over the world.<sup>25</sup> The vast profits they generate from the crime clearly continue to instigate instability and hinder development in West Africa. Among the illicit trade and activities are cocaine, methamphetamine production. In 2011-2012, two methamphetamine labs were detected in Nigeria. Also in 2010, some 3,000 methamphetamine couriers travelled from West Africa to East Asia, carrying drugs worth some US\$360 million. In addition, heroin is increasingly detected in the region include the trafficking of deceitful pharmaceuticals from Asia to West Africa, the smuggling of migrants from West Africa to Europe and maritime piracy within the region. The greatest danger in the trafficking of firearms, is not the profits generated but rather the human misery the guns inflict as they enter the hands of active rebel movements to cause mayhem and casualties. Maritime piracy is usually associated with the waters off the coast of the Gulf of Guinea. Much of this activity is linked to the existence of a booming black market taken place in the oil regional industry. Most of the attacks are robberies which drive insurance premiums up, by depriving cash-strapped regional governments of vital income, because of the decreasing use of West African ports for shipping.<sup>27</sup>

The major borders with Nigeria are Niger with 1,497 kilometers in the north, Cameroon with 1,690 kilometers in the east, Benin with 773 kilometers in the west, and Chad with 87 kilometers in the northeast. These borders are either mountainous or footpaths leading to some neighboring African countries. Nigeria's borders in the northern part are massive with hundreds of footpaths crisscrossing to neighboring countries of Chad, Niger and Cameroon

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<sup>25</sup>Osimen, G.U. et. al. "The Borderless-Border and Internal Security Challenges in Nigeria"  
International Journal of Political Science (IJPS) <http://dx.doi.org/10.20431/2454-9452.0303003>  
www.arcjournals.org Volume 3, Issue 3, (2017): 2

<sup>26</sup>Alemika, E.O.E. Op.cit, p. 12

<sup>27</sup>Ibid, p.13

with links to Mali, Libya and Sudan. These paths are not manned by security agencies, and thus serve as leaky routes for arms and ammunitions trafficking into Nigeria by organized criminal organizations.<sup>26</sup> Similarly, some grains and cows merchants in the North-East sub-region of the country, often conceal cache of ammunition and arms in empty fuel tankers, and inside bags of grains mostly undetected by security agencies who give no attention to the nefarious activities at the affected border posts.<sup>27</sup> Transnational organized crime (TOC) groups may be using some Boko Haram terrorists to help them move funds, goods, and people as less attention is given to them by the security agencies. Apparently, because they are equipped with less sophisticated weapons or they are gaining from the nefarious activities. So, these acts are obvious consequences of open borders, technology and globalization that allows individuals to move funds, goods, people and communicate around the world more easily. These criminal elements prey on nations that are conflict ridden, weak borders and institutions, poverty, and a population that feels disillusioned from its government. It is easy to see those involved in disparate illicit activities across borders are vulnerable individuals who begin to establish working relationships with criminal cartel for survival. So, what the transnational organized crime groups and illegal migrants have in common is the need for support mechanisms for each other to accomplish their rewarding activities, such as document fraud, and movement goods or money. Understanding these networks helps us understand the links between migration, Transnational organized crime (TOC) and borderless borders. With these chains of networks, they are able to move a multiplicity of illicit products such as weapons, cocaine, humans, and bulk cash across borders undetected thousands of times each day<sup>28</sup>. Migrants or drug traffickers, human smugglers, arms traffickers, human traffickers, terrorists, and other criminals depend on secure transportation networks across borders to stage smuggling activities to move bulk cash or narcotics.

### **Ghana as a case study**

Due to the free movement of people and goods throughout the West African States region, criminal activities across borders or entering any of the West African countries easily have access without passing through strict border

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<sup>27</sup> Mustapha, M. Globalization and Trans-border Crime: Nigeria's Security Delimma, [www.gamji.com/NEWS2809.htm](http://www.gamji.com/NEWS2809.htm) (2004): 46

<sup>28</sup> Farah. D. Transnational Organized Crime, Terrorism, and Criminalized States in Latin America: An Emerging Tier-One National Security Priority. (Carlisle: U.S. Army War College Strategic Studies Institute (2012): 15.

controls.<sup>29</sup> The unrestricted migration emboldened transnational organized crime groups in Ghana to play a significant role in the massive expansion of the global drug trade and illicit drug markets across the West African region. The country is both a transit point and a destination market for heroin. In regard to cocaine, Ghana is among the most important African transit countries for cocaine trafficked globally and across Africa. The synthetic drug market such as Tramadol and Fentanyl in Ghana are rapidly growing. The abuse of these drugs has been a significant issue since 2016. This is because their use has also been linked to rising levels of violence in Ghana. The criminal networks in Ghana are exacerbated by state-embedded corruption which significantly affect legislative capacity and processes. While Ghanaian officials have historically turned a blind eye to organized criminal activities, the infiltration of drug money into the public sphere has reportedly triggered a hardening of this approach. Informal Ghanaian criminal networks are known to be involved in drug, arms and human trafficking as well as in human smuggling, internet crimes and vehicle theft. Many criminal networks in Ghana are largely linked to African criminal networks, particularly criminal groups in Burkina Faso, Nigerian criminal groups and beyond. The consequences of the overall, criminal networks affect daily life activities in Ghana and significantly undermine public institutions in west Africa.<sup>30</sup>

### **Guinea-Bissau as a case study**

Guinea-Bissau is part of the West African States zone, which also allows freedom of movement within the region. Human trafficking is prevalent in Guinea-Bissau also with a volume of trafficking of weapons, both incoming and outgoing.<sup>31</sup> The country serves as an origin and transit point for illicit financial flows generated by arms trafficking in Africa. Armed groups in Liberia, Sierra Leone, Senegal and the Republic of Guinea are constantly engaging in the buying and selling of light weapons. The financial revenues derived from the illegal business are of immense benefit to violent extremist

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<sup>29</sup>UNODC. Transnational Organized Crime in West Africa: A Threat Assessment, <https://www.unodc.org/toc/en/reports/TOCTAWestAfrica.html> (2013):3

<sup>30</sup>Global Organised Crime Index. Criminality in Ghana-The Organized Crime Index ENACT. Retrieved from <https://africa.ocindex.net/country/ghana>, (2021):4

<sup>31</sup>Global Organised Crime Index. Criminality in Guinea-Bissau-The Organized Crime Index.<https://ocindex.net/country/guinea-bissau>.(2021):5

groups in the Sahel region<sup>32</sup>. The absence of a comprehensive civilian disarmament process, after the civil war which ended in 1999, made the country vulnerable to transnational criminals. Small and light weapons are believed to be concentrated in the capital and border areas, mostly in the Casamance region with Senegal, where smugglers and officials have sold parts of these arms to rebels. Weapons also circulate along the border with Guinea-Conakry, and firearms are illicitly traded in exchange for other goods.<sup>33</sup> However, the main counterfeit products available countrywide are illicit pharmaceutical products, which are considered a healthcare hazard. Although Guinea-Bissau imposes excise duty on certain products, such as tobacco, but the weak judicial system in the country makes it easy for illicit trade of excise goods to triumph. Tobacco smuggling is also prevalent and exacerbated by the absence of a national tobacco control body. In Guinea-Bissau; firearms trafficking has ignited a rebellion in northern Mali; maritime piracy undermined commerce in the Gulf of Guinea. The above information helps to reveal that transnational organized crime has truly risen to the level of a security threat in West Africa. The compromising attitude of government officials, the fragility of Guinean-Bissau institutions, the cross-border migration, corruption and poor law enforcement, have given criminal networks easy access to carry out illicit activities.<sup>34</sup>

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<sup>33</sup>Ibid, p.5

<sup>34</sup> Ibid, p.6

## **Impact of migration and transnational organized crime across borderless borders on development**

Migration has become a propelling advantage for dubious elements to engage in transnational organized crimes, particularly as borders have become borderless in West African Countries. Their obnoxious activities are a major source of underdevelopment and are responsible for sustenance of most armed conflicts. From the foregoing, major factors are increasingly responsible for the prevalence of transnational organized crimes in West African states:

1. Attraction of West Africa as rich mineral resource base, and the ease with which these rogue organizations explore the minerals illegally;
2. Sharp practices in the global black markets controlled by criminal gangs;
3. Demise of totalitarian regimes and deregulation of arms sales;
4. Deregulation of financial sectors and unregulated financial trading;
5. Depressed economies of most West African states, which makes them fertile grounds for criminal networks; and
6. Porous and under-policed security borders.

The occurrence of the above factors, unarguably effects development negatively in West African countries:

1. It leads to disinvestment and capital flight,
2. Poor health care delivery system.
3. Low level of education and high level of illiteracy,
4. It increases the cost of doing business harbouring corruption and sharp practices,
5. It leads to brain-drain and migration of skilled manpower needed for development,
6. It creates uncertainty in an economy through unstable rules of Business,
7. It creates an underground or black-market economy,
8. It undermines the state's legitimacy and lowering of standards,
9. Revenue is lost especially with smuggling and underpayment of duties,
10. It reduces the states' ability to provide essential services and infrastructures,
11. It leads to maladministration and failure in state structures,
12. Contracts are awarded to quacks, who do shoddy jobs,
13. It leads to looting of state treasuries and laundering of money.

14. It leads to overall increase cost in bureaucracy, and
15. It leads to poor external image.<sup>35</sup>

Furthermore, transnational organized crime organizations undermined financial institutions, laws, and national integrity and morals. In these activities, the money involved easily corrupts small governments and large corporations. The diversification of their activities, have become more complex, volatile, and destabilizing by forging alliances with corrupt elements of national governments and using the power and influence of those elements to further their criminal activities.<sup>36</sup> The UN has stated that organized crime threatens peace and human security, violates human rights, and undermined economic, social, cultural, political, and civil development of societies around the world.<sup>37</sup> Furthermore, the vast sums of money involved can compromise legitimate economies and directly impact public processes by “buying” elections through corruption<sup>38</sup>. Also connecting the threats to national development are legitimate players such as bankers and accountants, attorneys, notaries, and real estate brokers, who engage in both the licit and illicit businesses and provide services to legitimate customers and criminals. For example, Transnational Organized Crime (TOC) networks rely on industry experts, to facilitate corrupt transactions and to create the necessary infrastructure to pursue their illicit schemes, such as opening offshore bank accounts in the shell corporation’s name, and creating front businesses for their illegal activity and money laundering, and also enlisting business owners or bankers to launder money, using employees of legitimate companies to conceal smuggling operations.<sup>39</sup> In Nigeria, the criminal cartel groups affect government’s resources and its ability to enhance basic human welfare and living standard of the citizens. The criminal cartels with their corrupt practices often penetrate political

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<sup>35</sup> Eselebor, W.A. op.cit. p. 184

<sup>36</sup> The Office of the President of the United States of America “Combat Transnational Organized Crime,” National Strategic Document, (Washington, 2011)

<sup>37</sup> United Nations Office on Drugs and Crime. “Organized Crime.” <http://www.unodc.org/unodc/en/organized-crime/index.html> 10 (2013):3

<sup>38</sup> Ibid, p 12

<sup>224</sup> Farah. D. op.cit

offices to strengthen their influence, by integrating security agencies and judicial organs of the state to protect their illegal activities.<sup>40</sup>

Given that transnational crime groups do not consider international borders as impediments, they are not only a threat to the nations wherein they are based, but threaten any society wherein they conduct their activities. At a local/community level, the activities of these social organizations pose threats because they often give rise to a variety of social problems such as drug abuse and violence, leading to increased health care, social programmes and law enforcement costs. The increased trend of transnational crime could best be appreciated against the backdrop of recent developments, and they include: Emergence of regional cooperation and removal of trade barriers, ineffective legislations and enforcement of existing laws, huge profits accruable from cocaine, heroin, prostitution and the arms trade, international banking frauds through internet exploits, document fraud and forgeries including international letters of credit, and state collapse and nations becoming hospitable to crime as a result of wars. Transnational organized crime is a highly sophisticated and syndicated criminal activity which goes beyond any single nation's ability to track and monitor. It demands a concerted international cooperation to tackle. They include: Drug trafficking, small arms and light weapons (SALW), human trafficking, contraband smuggling, trafficking in stolen vehicles, cross-border armed banditry/robbery, oil theft/bunkering, financial crimes, advance fee fraud, cybercrimes, credit card fraud, and environmental crimes.<sup>41</sup> Transnational organized crime causes vast and widespread social, political, economic and environmental damage; including human trafficking for sexual exploitation to fraud and money laundering, corruption, poaching of endangered wildlife. Organized crime threatens peace and security in West Africa, by eroding the rule of law and damaging governance. Africa countries are bedeviled with development crisis by organized criminals from pervasive illicit financial transactions, ranging from human trafficking, arms sales, cocaine trade, drug markets, illegal mining to weapons smuggling. These are drivers of conflict and instability that have undermined development in West Africa region. Their illicit arms

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<sup>40</sup> Aisedion, R. Osimen G. U. Aderemi, O.A. "The Effect of Organized Crime on Good Governance in Nigeria" *International Journal of Research in Social Sciences & Humanities*, Jul-Sep. Vol. 12, Issue 3; 532-545 DOI: <http://doi.org/10.37648/ijrssh.v12i03.03> (2022):533

<sup>41</sup> Eselebor W.A. op.cit. p.183

trade exacerbates wars as arms proliferation goes into the hands of terrorists to cause mayhem and killings to deplete human capital. Arms trade has also been observed to serve as a source of diversion of government's scarce resources from human needs to weapons procurement for internal security. The expansion of drug trafficking increases local crime and corruption particularly the trade in cocaine and cannabis. The availability of illicit drugs has overwhelmingly posed a serious threat to the health, safety, security, and financial well-being of Nigerians. Human smuggling is also a great challenge to good governance as criminals, fugitives, terrorists, and trafficking victims, as well as economic migrants can be moved into a country without Immigration enabling documents. This act undermines the sovereignty of nations and often endangers the lives of those being smuggled. Organized criminal usually destroyed state institutions, ingrain corruption to weaken the rule of law and other government institutions.<sup>42</sup>

Transnational organized crime does not only negatively affect the quality of life of the people across states but also deride the policy choices of government in placing its limited resources for the benefit of its citizens. Thus, serves as impediment to the ability of a government to foster good governance, eradicate poverty, reduce inequality, provide employment, sustainable political systems, increase in popular participation, promote social and economic activities central to the wellbeing of the state.<sup>43</sup> The most prevalence business of organized criminals is human trafficking across borders. This act affects the capacity of victims to contribute their quota to the development of their country. The indices of development include actual economic surpluses and potential economic surpluses. When those who are involved in production and those that are yet to be involved become victims of human trafficking, the generating capacity of the country and its savings is reduced, thereby affect good governance and national development adversely. This is because the ultimate wealth of a nation is predicated on available human resources and what they can produce.<sup>44</sup> Therefore some West Africa countries that are burdened with human trafficking, human smuggling and other transnational organized crime activities are engendered with insecurity and other health issues such as HIV/AIDS, pelvic inflammatory diseases and child's vulnerability to

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<sup>42</sup>Aisedion, R. Osimen G. U. Aderemi, O.A. Op.cit. p.537

<sup>43</sup> Ibid, p.38

<sup>44</sup> Baran, P.A. The Political Economy of Growth. New York: Monthly Review Inc.(1978):32-33

psychological and mental imbalance. All these put together cause distortion in government's planning processes as consequences of migration and free movement across borders.<sup>45</sup>

In Nigeria, for instance, transnational organized crime grows with intensity and vigorously as the state loses its ability to take control of the use of force. As a result, Nigeria is saddled with herders and farmers' conflicts, ethnic militias, Boko Haram insurgents, separatist movements, and criminal gangs, among others. The proliferations of small arms and light weapons used by criminals and insurgents have made the crimes difficult to combat. The capacities to combat transnational organized crime have been severely resisted by organized criminals. This is because they have infiltrated into public services which enable them to control economic and political power, launder the proceeds to a foreign account and loot public treasury.<sup>46</sup> Some of the political, economic and social effects of transnational organized crime in West Africa are: Heightening connection between public officials, politicians and organized crime enterprisers; Infiltration of legislative and executive arms of government to capture state institutions. For instance, some of the Nigerian legislators are former governors who were indicted for corruption and money laundering are currently members of the national parliament while their trial in the courts suffer unending adjournments. In some countries, protection of organized criminals by security officials have been reported for instance in Guinea Bissau. The increasing corruption and laundering of their proceeds in foreign banks, purchase of houses in Europe, North America and United Arab Emirate (Dubai) deplete resources needed to provide social welfare services, employment, consolidate democracy and build trust and confidence in government. Following this development, states become incapacitated and fragile with high level unemployment, poverty, hunger, widespread of diseases, and political instability in various countries.<sup>47</sup>

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<sup>45</sup>Aisedion, R. & Omoregie, E. (eds.) "The Security Implications of Human Trafficking for National Development: The Nigeria experience" In International Journal of Management, Social Science, Peace and Conflict Studies. Vol.4 No.1 Platinum Link Communication Services. (2021):218-219

<sup>46</sup> Alemika, E.O.E. Op.cit. 12-13

<sup>47</sup> Ibid

## **Conclusion and recommendations**

An attempt has been made to show the linkage between migration, transnational organized crime and borderless borders. The nexus in practical terms have significantly contributed to the instability of political, economic and social activities in the Economic Community of West African States (ECOWAS) sub-region. Transnational criminal activities in West Africa are on a widespread because of the propensity of some criminally minded people to migrate through borderless borders, where strict documentation and visa are not needed among West African migrants. This underscored the underlying structural problems being experience over the years affecting development negatively. Borderless borders have facilitated the movement of people, goods and services across West Africa region without close monitoring by security agents, based on this strategic advantage; transnational organized crime increasingly become a lucrative business for criminal minded people to carry out their illicit activities. Development is so desirable by countries of the world, but the existence of structural problems deepening frustration-aggression, relative deprivation and disillusionments among the people, consequently generate the urge to migrate. Particularly as criminal obsessed individuals are aware that their nefarious activities will not be strictly checked following the free entry and exit of persons, goods and services established by West African states. So migration and transnational organized crime across borderless borders have caused West African states development challenges, such as political instability, ineffective governance, unproductive bureaucratic structure, weak government institutions, violent conflict, child abuse, corruption, drug abuse, high level of poverty, unemployment, arms proliferations, human trafficking, terrorism, among others.

The paper recommended that good governance is necessary to channel citizens energy against transnational organized organizations with the provision of good living standard by their governments. The government and private individuals should ensure that economic development strategies that promote, high standards of living are sponsored and sustained to boost employment; close the gap of inequality and minimize poverty to reduce migration of dissatisfied people. The provisions in the ECOWAS Protocols on the movement of persons and goods and on the residency of citizens of member countries within the region, should have a restriction clause, that will empower security agencies to check migrants and immigrants' movement across borders. There should be strict measures against corrupt

politicians, security agencies and judicial officials, for effective regulation of trade; monitoring of economic activities of foreign organizations. Priority should be given to border patrol with aerial surveillance, intelligence gathering, unbiased investigation of criminal activities, adequate remuneration and training of officers and men responsible for border patrol, regulation of movement of persons and goods at borders with collaboration among security agencies of the West African region, among others.

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