

COMBATING ILLICIT CAR TRADE IN NIGERIA: AN ASSESSMENT OF LOCAL GOVERNMENT INTEGRATION

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Abstract

Illicit trade is one issue that is of concern to countries globally. What is worrisome is that it is a problem that can be created territorially based on the prohibition regimes in place. In Nigeria, one aspect of illicit activity that has not received adequate attention in literature is the illicit car trade. This paper therefore examines the fight against illicit car trade in Nigeria and tries to find out how integrated the third level of government is in the process. This paper made use of modelling as the primary source of data collection and complimented with secondary sources. The data were analyzed qualitatively. The theory of transnationalism was adopted as a framework for analysis. This paper observed that the local government is not fully integrated in the fight against illicit car trade in Nigeria, and argues that local government is very essential in combating illicit car trade. This is because crime generally thrives with collaboration of local inhabitants. Hence, there is need to properly integrate the local government, by extension the local people in the fight against all forms of illicit trade and car trade in particular.

Keywords: Illicit Trade, Local Government, Cross-border activities, Transnationalism

Introduction

West Africa has been a key focus in terms of research and publications. United Nations Office on Drugs and Crimes (UNODC), European Union, INTERPOL, public policy expert, ECOWAS since at least the 2000s. This is due to what seems to be a growing involvement of countries in the region in a range of illicit activities.

There are a number of studies commissioned in the recent past by some of these agencies above on some of these illicit activities in the region like money laundering, human trafficking, drug trafficking, arms smuggling, oil bunkering, forgery and corruption (UNODC, 2004, 2005, 2010, 2013; Alemika, 2013). For example, in 2009, 21 tons of cocaine with a street value of 900 million dollars was smuggled into Europe via West Africa (Reichel & Albanese, 2014). In November 2015, the Nigerian Nosakhare Steveson was sentenced to over 16 years imprisonment in the United Kingdom for illegal arms trading (Williams, 2015).

There are number of economic and social factors that may make Nigeria attractive for illicit activities. Until recently, it is the biggest economy in Africa and West Africa in particular. The country has GDP of 515.4 billion dollars which makes her 23rd in the world in terms of GDP ranking (World Bank, 2015). There is a huge population of just under 174,000,000 (World Bank, 2013). It is the largest oil producing country in Africa and six largest in the world (NNPC, 2015).

In addition to the point made already, there are number of other factors which made Nigeria vulnerable to illegalities. These include a high unemployment rate among the youth reported by Nigerian Bureau of Statistics (NBS) (Opeyemi, 2015). The report put the rate of unemployment in Nigeria as 9.9% as at 2015. NBS used International Labour Organization (ILO) definition to compute its unemployment details. This definition refers to people who work less than full time which is 40 hours but work at least 20 hours on average a week. It also includes those that work full time but are engaged in activities that underutilizes their skills, time and educational qualification (Opeyemi, 2015).

One area of illicit activities which appear to be flourishing at the moment in Nigeria is the illicit car market. A number of indicators seem to support this assertion. Firstly, official records of Nigerian automotive council shows that two thirds of the Nigerian car trade involves second hand cars popularly known in Nigeria as 'tokumbo' or 'Belgium' cars (Odunsi, 2015). Secondly, there is a high rate of car theft in Nigeria. For example, evidence from Lagos state police command shows that 600 car theft cases was recorded in seven months (Ezeobi, 2012). This is just one state of the 36 states of Nigerian federation. In June 2014, we have a firsthand experience of this illicit trade when one of the researcher's car was stolen from a car park in Owerri and was never recovered.

International evidence from jurisdiction such as Canada, Japan, USA has also suggested that Nigeria is a key destination market for illicit car trade activities. For example, in 2016, an organized Canadian theft group whose specialties was stealing SUVs of manufacturers such as BMW, Mercedes Benz, Land rover, Japanese cars etc was apprehended and they confessed that some of the cars were exported to Nigeria for profit (MacDonold, 2011). In that year it was reported that 20,000 stolen vehicles were exported overseas from Canada to other countries including Nigeria (McDonold, 2011). Japan also provides evidence of illicit car trade in Nigeria. In the year 2000, 56,205 cars were reported missing in Japan. The available records from Japanese customs shows that some of the above 56,205 cars were traced to Lagos, Nigeria (Schaefer, 2002). The state of New Jersey in USA provides another example reported in a press release of February 27, 2014. It was announced that a theft ring that have stolen 160 cars worth over 8 million US dollars has been caught. It was also stated that the cars had been loaded into a ship destined for West Africa (Totowa, 2014).

The foregoing goes to highlight the existence of the problem of illicit car trade in Nigeria. This raises the following questions: Are there sufficient measures in Nigeria to address this problem? How integrated is the local government in combating illicit car trade? Is the local government system in Nigeria considered

relevant in combating illicit car trade by the relevant security agencies in the country?

Therefore, the intention of this paper is to draw attention nationally and internationally to the need to integrate the local government in the fight against illicit car trade in Nigeria. It will specifically look at the enablers of illicit car trade in Nigeria; the extent of local government integration towards combating illicit car trade in Nigeria; reasons for local government integration for combating illicit car trade and strategies for effective integration of local government for combating illicit car trade in Nigeria.

Conceptual Clarification

a. Illicit trade: The word illicit trade is very difficult to define depending on culture or laws of any society or state. The illicit trade can be seen as the process involving several activities or conducts where the ultimate goal is the delivery of goods to consumers in violation of applicable laws (International Criminal Police Organization, 2014). It means a situation when goods are distributed or transported to areas or countries by violating certain rules and regulation. Illicit trade is seen as illegal means of transporting or distributing goods from one area to another. Trade can be referred as illicit if goods are transported from one area to another either by bypassing customs authorities or refusal to pay the required taxes.

Illicit trade can be said to have taken place when goods are intrinsically legal but may be traded in violation of laws and regulations and when goods are intrinsically illegal which violates the laws and regulations (INTERPOL, 2014). This means that illicit trading activities can be in form of illegal activities carried out through illegal means or legal activities carried out through illegal means.

b. Illicit Car Trade: The illicit car trade can be defined as the transportation or distribution or movement of car or vehicle from one area country to another by violating certain laws and regulations. This car may be stolen, hijacked or fraudulently moved from one country to another for use (Irish, 2005). The illicit car activities involve motor vehicle theft, document falsification and painting (forgery), vehicle insurance fraud, vehicle smuggling and illicit car trade market.

c. Local Government: Ogunna (1996, p. 3) sees local government as “a political authority which is purposely created by law or constitution for local communities by which they manage their local public affairs within the limits of the law/constitution.” The guidelines for the local government Reform of 1976 defined local government as “government at the local level exercised through representative councils established by law to exercise specific powers within defined areas (cited Ogunna, 1996, p. 2). From the above, it shows that local government has the following features:

1. It is a government at the local level
2. It exists within a defined boundary
3. It exercises authority or power over a given territory or population
4. It possesses some degree of autonomy

5. It is vested with executive and legislative powers
6. It is created by law/ constitution

Theoretical framework

Theory of Transnationalism

The theory of transnationalism was popularized in the early 20th century by Randolph Bourne which grown out of the increased interconnectivity between people and receding economic and social significance of boundaries among nation-state (Transnationalism, 2016). A numbers of Scholars have used theory of Transnationalism in research in international relations; sociology (Soehi & Waldinger, 2012; Robeson & Frazier, 2011; Lundy, 2011). It has been used to demonstrate how globalization has taken some cross border relations that impact on the state beyond the regulatory capacity of states. Transnationalism talks about the process where immigrants forge and sustain multi-stranded social relations that link together their societies of origin and that of their host country (Rosemberg, Boutain & Mohammed, 2016).

Nye and Keohane (1971) presented as an analytical lens in research to view some aspects of relationships or movements of goods and services across borders that has effect on the economy of a nation but most times not carried out by state actors. They defined Transnationalism with reference to trade as “movement of tangible or intangible items across state boundaries when at least one actor is not an agent of a government or governmental organization” (Nye & Keohane, 1971, p. 332). This theory viewed that many transnational activities or interactions takes place without the actors involved necessarily leaving their localities outside the countries of origin. One of the key reasons why this is possible is globalization. Sometimes the transnational interaction can take place in one country while the effects are seen in another country (Soehi & Waldinger, 2012; Nye & Keohane 1971). The theory of transnationalism has the following assumptions:

- i. Persons are not bound to place, as much, as they are to space and technologies of place.
- ii. There is cultural connectivity and reproduction and human mobility. Meaning that individuals or immigrants maintained cultural ties with their parent country and reproduce these cultural-related activities in their host country when the need arises.
- iii. Some immigrants stay abreast of and influence the political-related occurrences of both their home and host country.
- iv. The increased cross-border activities and interactions affect the capability of states (Rosemberg et al, 2016).

This theory is relevant to this study because it shows that the interaction among non-state actors across borders contributes to several kinds of effect on the state. Like the issue of illicit car trade has been mainly seen as an interaction between non-state actors which has gone a long way to undermine the economy and capability

of the nation-state. With the help of globalisation, porous border, corruption etc, non-state actors have been able maintain adequate interaction with individuals or groups across borders for easy smuggling of cars and sale of illicit cars in and out of Nigerian territory. Therefore, illicit car trading has been easy base on effective interaction among actors involved in transnational illicit car trading activities. This situation has made Nigerian government incapable to combat illicit car trade and other cross-border activities, which will invariably, posed a threat to state's capability, national security and development.

Methodology

This work sourced data from primary and secondary sources. In primary source, the researchers used semi-structure interview to get the responses of people interviewed. This is because it helped the researcher to get the interview process with some prompt. The prompt in this case are necessary because it helped to ensure that the respondents provide as detailed as possible account of the involvement of their organisation in motor trading and do not stray away too far from key point. Secondly, it would also save time unlike unstructured interview because the respondents are busy people. In situation where respondents are busy, it is best to choose an interview method that would make the researcher extract relevant information within a very short time. The people interviewed are staff of Nigerian Customs, Police. Others include car dealers, spare parts dealers etc. In the secondary sources, data were collected from journals, newspapers and textbooks. These information or data collected were analyzed qualitatively.

Enablers of Illicit Car Trade in Nigeria

The growth of illicit car trade in Nigeria and other West African countries cannot just occur. There are numbers of factors that appear to be facilitating it. Based on the respondents interviewed, we identified the factors that facilitate illicit car trade to include: High demand of second hand cars; corruption; unorganised nature of car sales business; fraudulent grant of waivers by government officials; porous border; poor regulation; globalisation; influence of privileged class; friendly border communities; culture; availability of markets for spare parts. However, we will discuss some of these enablers as follow:

1. Corruption: Corrupt practices among security officials and political elites contribute to the increase in illicit car trade in Nigeria. Some security personnel seem to turn a blind eye on movement of prohibited cars across Nigerian borders. This is because of the inducement from illicit car traders (Akinyemi, 2013; Gibemre, 2016; Hahonou, 2016; Alemika, 2013).

2. ECOWAS Protocol: Studies have shown that the abuse and poor implementation of ECOWAS protocol on free movement of goods and services goes a long way to encourage high rate of illicit car trade (Alemika, 2013; Opanike & Aduloju, 2015). This is because the ECOWAS does not have adequate instituted mechanism for

checking the entry of illegal migration. The people who carry out nefarious activities have exploited the opportunity for money laundering, smuggling of cars, trafficking of human, drugs, illegal arm etc (Opanike & Aduloju, 2015).

3. Porous Nature of the Borders: The porosity of Nigerian borders which is as a result of the so many irregular/ unofficial border sites or routes constitute a big problem towards combating illicit trade like illicit car trade (Musa, 2015; Menner, 2014, Gbemre, 2016). Nigeria borders are creation of colonialism. It was not properly demarcated. This has led to a situation where you can find members of the same community in different countries. It has been reported that Nigerian has 147 irregular and 84 regular routes as movement were done through irregular routes. (Maro, cited in Akinyemi, 2013; Menner, 2014) Adams (2012) viewed that there is existence of 1475 official border sites and estimate of 2000 un-official border sites across Nigeria borders. Musa (2015) identified that there are presence of 250 footprints from Damaturu/Maiduguri axis that link the Cameroon, Chad and Niger that are not known to Nigerian Security Agencies. So, the existence of much irregular or unofficial route along Nigerian borders has enhanced the activities of transnational illicit car trading activities because the cars are successfully smuggled through this unofficial route.

4. Poor Intelligence Gathering/ Coordination between Security Agencies: The security agents responsible for border patrol and management confront the problem of how to coordinate or cooperate effectively towards curtailing any illicit trade activities. Border security in Nigeria is a joint operation among a range of security/paramilitary agencies in Nigeria like: Customs, Immigration, Police, SSS, NDLEA etc. This joint operation of border security in Nigeria creates a problem of coordination among the agencies. This is because each of them is established by different act of parliament. This creates a scenario where all the agencies wants to live up to expectation and do not want to appear inferior to the other. For example, the police officer will like to take orders from his superior in the police rather than his superior in the State Security Service (SSS). This is a problem with reference to coordination at the border.

5. Existence of spatial distribution of people with the same ethno-cultural identities across international / national boundaries: The existence of people from the same ethnic group that are living in different states constitute a lot of illicit trade activities (like car trade) (Alemika, 2013). This is because the people that have the same cultural ties in different borders still endeavour to establish contact with each other thereby necessitating informal trade and illicit trade activities.

6. Globalization/ Improved Communication Technologies: The contemporary globalization with the improvement in information and communication technology has gone a long way to facilitate all forms of trans-border criminal activities including illicit car trade (Garuba, 2010; Alemika, 2013). With the use of ICT, the actors in these illicit trade activities find it very easy to establish contact, share information and

manipulate against the security agents to their advantage. The modern technology required for border policing is out of reach of most developing countries and there are inadequate personnel with requisite skills to manipulate such technology. This creates a problem for combating illicit trading activities within and across borders..

7. Problem of Manpower/ Personnel: Inadequate and poorly trained personnel or security officials also contributed to the inability of the security agencies to combat illicit car trade effectively in Nigeria and other West African countries. The inadequate personnel to man the borders has led to smuggling of cars and other goods and persons (Bodyunde, Ola & Afolabi, 2014; Danfunali, 2014; Alemika, 2013). The strength of the security officials compared to the population is quite small. This is largely responsible for situation where some of our borders are poorly manned. In Nigeria today, ICT knowledge is not yet prerequisite for recruitment into our security and paramilitary agencies.

The Extent of Local Government Integration towards Combating Illicit Car Trade in Nigeria

Based on the views of respondents interviewed, it was observed that the local government are not integrated to the fight against illicit car trade in Nigeria. From the process of vehicle license and insurance, vehicle inspection, plate numbering, driver's license, policing of cars on the road are all carried out by agency of federal and state government. Although some of those plate numbers bear local government names in the state, the revenue and the issuance is at the Board of Internal Revenue which is a state agency. The non involvement of local government leaves the local government with no information or data as to what transpires in the car trading business in Nigeria. With the present structure or nature of car trading in Nigeria, that is, from importation to Customs, clearing agent, Board of Internal Revenue, Vehicle insurance companies, Federal Road Safety Corps, suggest that local government has no role in the process.

It was also observed that in combating of transnational illicit car trade, there is poor or no cooperation or collaboration between the security agencies and border communities towards combating any illicit car trading activities. There is no arrangement of community policing approach or strategy developed to effective combating of illicit car trading and smuggling. This situation has led to poor information and intelligent sharing between the security agencies and the people in the communities (most especially people in border area).

The Reasons for the Integration of Local Government in Combating Illicit Car Trade in Nigeria

The local governments need to be effectively integrated to the fight against any illicit trade and car trade in particular based on the following reasons:

1. We maintain that the local government is needed for effective combating of illicit car trade because every crime is committed at the local level. Therefore, every crime

begins within a local government, town, cities, community and village. This is in line with the views of Shaw (1998) that local government as the key to crime prevention is necessary since the majority of (recorded) criminal activities take place within cities, towns or local government. Hence, if crimes are committed in a local government, it is necessary to allow or welcome the full integration of the local government in combating illicit car trade. Cars are sold and driven within local communities. Making them part of the fight will increase the awareness level among the local people.

2. The local government is in a better position to know the peculiarities or needs of the people in the locality. This is because criminal issues vary from one locality to another. So, combating illicit trade and other crimes needs the cooperation or involvement of the local government in order to know the peculiar nature and how specific crimes operate within local government area. Shaw (1998) argued that only few type of crime can be combated at national level and the key to crime prevention is the recognition that crime varies from locality to locality. Illicit trade generally is a creation of prohibition regimes in countries or states as the case may be.

3. Another point is that local government exists in supporting government at the higher level in maintaining law and order. Therefore, the integration of local government is very essential for effective combating of illicit car trade in Nigeria

Strategies for effective integration of local government towards combating illicit car trade in Nigeria

To ensure that the local governments are well integrated in the fight against illicit car trade, the following must be done.

1. Provision of Adequate facilities: The local governments need to be provided with adequate facilities like patrol vehicles, ICT facilities for data gathering etc in order to identify and track down the activities of illicit car trade in Nigeria. The integration of the LG in the fight against illicit car trade cannot be possible or successful if the LG lacks the necessary facilities or equipments to collaborate with other agencies at the higher levels of government.

1. Adequate Training of Personnel: The LG cannot contribute effectively in the fight against illicit trade if there are no sufficient and well trained personnel. The people or security agencies involved in the fight against crime in the LG areas should be well trained and adequate in order to be in better position to combat any illegal activities like illicit car trade. Federal government agencies involved in fighting this crime like police, customs etc should post adequate personnel to all the local government areas.

3. Effective Community Policing in Local government areas: The security agencies in charge of local government issues should be well coordinated and collaborated on data gathering, information sharing and other methods of combating

illicit car trade. The security arrangements in the various local government areas in Nigeria depend on community based initiatives. This initiative uses local vigilantes and other able-bodied members. The collaboration among the government agencies posted to the local government with the community based security arrangement can be productive in the fight against illicit trade. This is because the local people can bring their climatic knowledge of the area in complementing with the security agencies in the fight against any crime. A good example of this collaboration in Nigeria is the collaboration between then Nigerian security agencies (JTF) and the local vigilantes in the North-east in the current fight against Boko Haram.

Conclusion

This paper has tried to look at the issue of illicit car trade and highlight some of the factors responsible for the illicit car trade in Nigeria. It's our position that local government is an integral part of crime fighting in any society. Hence, there is need for proper inclusion of the local government administration in the national fight against illicit car trade in Nigeria. The local government's role in crime prevention in any society is very essential for maintenance of peace and security on any locality. In Nigeria, the local government, which is seen as the third level of government, has not been fully integrated on the fight against illicit car trade and this has aided the people or groups engaged in illegal/ illicit car trading activities to have more advantage.

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