Way Through which Sharing Information Would Help in Solving Trans-border Organized Crime in Africa

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Abstract

My paper will discuss way through which sharing information would help in solving Trans border organized crime in Africa with a focus on Law and implementation; As a way through which information sharing would be instituted to help in solving trans-border organized crime at regional and state level reaching a conclusion of introduction of public Private partnership at state level and efficient information sharing regional initiatives at integration level with several recommendation to ensure efficient use of information as a tool in solving trans-border organized crimes with a reference to West Africa.

Keywords: Trans-border organized Crime; Information Sharing; Implementation of Law as Solution to Organized crime

1. Introduction

As stated by Boileau Strassoldo, an expert on European borders: "Spatial boundaries have ambiguous features: they divide and unite, bind the interior and link it with the exterior, are barriers and junctions, walls and doors, organs of defense and attack and so on. Frontier areas/borderlands can be managed so as to maximize any of these functions. They can be militarized, as bulwarks against neighbors, or be made into areas of information sharing for peaceful interchange". For Africa, boarder lands are isolated in addition to low populations of the countries making them more prone to trans-border organized criminal activities. The author in [1] argued that in Africa, rampant poverty, unemployment, hunger, have diverted efforts towards having full commitment to border security demands as well as information sharing institution initiatives at country and regional level aimed to fight against organised trans-border crimes with reference to the West African sub-region

1.1: Trans-border organised crime and information sharing: conceptual clarification

Trans-border crime represent a number of illegal activities carried out by individuals and groups across national and international borders, either for financial or economic benefits and also socio-political cum religious considerations. It involves acts like human trafficking, money laundering, drug trafficking, arms smuggling or trafficking of weapons, cross-border terrorism, illegal oil bunkering, and illicit trafficking in diamonds, corruption, and business fraud whose perpetrators and repercussions go beyond territorial borders as argued by author in [2]. Organized criminal groups or individuals carry out their illicit activities using major technological tools such as information networks and the financial system. Furthermore in [3] author argues that taking advantage of differences in legislation, legal systems and traditions, would often seriously hamper, through corruption, information sharing among states and efforts to respond adequately to the threat of organized or trans-border crimes

1.2 Theoretical framework to information sharing: Functionalism Theory

This theoretical conception explain the existing international border system as what in itself may limit efficient information sharing upon recognizing more boundaries by states than human beings in these areas and argue that not until when the society is organized in a well-functioning society, that information sharing would be enhanced through counteractions by useful reporting of organizers and counter check against corruption to authorities who are responsible to sharing information aimed at maintain secure borders against these crimes. In addition to functional interrelated information sharing institutions at intrastate and regional cooperation level as another way how information sharing would help in solving trans-border organized crimes.

1.3 Problem of study

There is continuous existence of trans boarder organized crimes all over the world and in Africa in specific despite the existence of states armies, police and local authorities across these boarders this problem has not been effectively addressed. This situation is made worse by continuous inability to have effective sharing of information to address appropriately the situation and counteract the organizers hence posing a need to understand how information sharing would contribute to the solving of this problem.

1.4 Objective of Study

It is of prior interest to investigate the ways through which sharing information would help in solving trans-border organized crimes.

1.5 Limitation of Study

This study is limited to the discussion of information sharing, anti-transnational organized crimes law enactment and how it would help in solving organized crime through derived institutions with examples from West Africa.

1.6 Methodology

This study relies significantly on secondary data gathered from internet such as books, articles, international and domestic instruments, internet sources and the writers' observation from the various ways how information help in solving organized crime with reference to Africa.

2. Law and implementation; As a way through which information sharing would be instituted to help in solving trans-border organized crime at regional and state level

2.1 International and Regional Information Sharing Systems (RISS)

The author in [4] noted that, The United Nations Convention against Transnational Organized Crime is the primary International tool for combating and promoting law formation to signatories to ensure shared information against organized trans-border crime. Author in [5] argue that this tool set a ground for law enactment in respective signatory states geared towards institution establishment which should ensure information-sharing initiatives as pivot at a regional network with a purpose of connecting databases from local and regional law enforcement for criminal investigations as proposed in [6]. The network interconnectness on international and regional law enforcement databases of intelligence information networks among states such as the trans-Sahara Counter Terrorism Partnership (TSCTP) covering several other West African countries including Nigeria, would increase chances to counteract Trans border organized crimes in specific to West African countries as suggested by author in [7] .

2.1.1 Interagency Agreements

One mechanism that regional law enforcement agencies should be used to minimize jurisdictional discrepancies and coordination of work is through interagency, agreements and Memoranda of Understanding (MOUs) with citing of shared jurisdiction in combating criminal organizations engaging in trans-border organised crime. Author in [8] notes that with agencies in the region agreeing to involve one another in cases of shared jurisdiction, this enhances information sharing in such cases then trans-border crimes can easily be known and stopped.

2.1.2 Interagency Cooperation and Information Sharing

Since trans-border crimes organizations are becoming less hierarchical and more networked in structure. This evolution in the nature of crime and criminal organizations may require that law enforcement simultaneously become more networked in order to effectively counter the threats since "hierarchies have a difficult time fighting networks." Just as was explained by author in [9] that; this does not necessarily mean that it would be possible or even beneficial to make law enforcement and government entities less hierarchical. However, Author in [10], confirms that; law enforcement adoption of information networked practices to information sharing (rather than actual structure) may better equip them to confront 21st century trans-border organised criminals.

2.1.3 Combined Information Centers and information sharing Task Forces

As modern law enforcement operations have become increasingly intelligence-led, agencies and have come to rely heavily on combination of centers and task forces. As stated by Auther in [11] that Combination centers would be defined as a "collaborative effort of two or more regional, state, local, or tribal government agencies that combines resources, expertise, or share information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, apprehend, and respond to criminal or terrorist activity."

2.1.4 Combined information Center Model and shared Task Force Model

The majority of fusion centers, located in states and major urban areas throughout the country, would be created, through interagency information sharing centers discussed above. Author in [12] suggested that Regional law enforcement would then increasingly base on the task force model to coordinate investigations in managing share information in pursuing it. One such task force would be for example the organized trans-border Crime Enforcement Task Force program. Built on by author in [13] who adds that hhis program would base on get information to be targeting the intent to disrupt and dismantle major trans-border criminal organizations with easy of cooperation of the region.

3. An illustration of how information sharing at state level and tribe entities would help solve trans-border organised crimes in with specifics to Africa

With the benefits of operational collaboration and coordination, policy makers and law enforcement for the case of Africa have to cite the value of interagency power of information sharing. The push for information sharing should be more visible through the investigation of trans-border crimes than it is for the investigation of more traditional crime as is suggested by author in [14]. This calls for a need to have intelligence reform and trans-border organised information Acts at state level mandating the creation of an Information Sharing environment to provide and facilitate the means of this information rooted from local and tribal entities to state security.

With state involvement of the private sector through the use of policy guidelines and technologies would improve states technological, technical and financial innovations geared to information coordination and sharing in solving trans-border crimes efficiently in the integration efforts bridging a gap with public sector inadequacy in tracking down organisers as proposed by auther in [15] as well as confirmed by author in [16] that this would greatly help in solving the case of information on cybercrimes and other similar cases.

Author in [15] states that, There is need of a sole clearinghouse for information sharing on traditional criminal Investigations, by creating a number of state databases that contain a given subset of information such as the African state law enforcement online, automated fingerprint identification system, national crime information centre, national data exchange, and violent criminal apprehension program as initiatives of information sharing about crime which would be intensified at state and later to advance to regional level

4. Conclusion

Legislatively, states and regional legislative bodies should consider whether law enforcement has the existing authorities, technology, and resources both monetary and manpower to counter 21st century criminals. If they

determine that these crimes may be most effectively countered at the regional level, policy makers then they may consider expanding regional law enforcement's statutory authorities to investigate these offenses and best information sharing strategies. Policy makers may also consider whether to direct existing or additional resources toward bolstering regional law enforcement agents' skills and abilities to counter modern day threats regional legislations which may examine whether law enforcement is utilizing existing mechanisms to effectively coordinate investigations and share information however with impediments in implementing effective information sharing systems and relying on up-to-date technology policy makers should consider what the appropriate level of interagency information sharing would be and check whether law enforcement is effectively achieving this goal in addition to exploring whether existing inter-agency agreements are being adequately formulated, implemented, and overseen by the relevant agencies in ensuring proper information sharing in solving trans-border organised crimes for the case of Africa

5. Recommendation

As evidenced in many African countries with a failure to ensure efficient information sharing in security demands due to the rampant poverty, unemployment, hunger which all limit chance to have full commitment against organised trans-border crimes. With specifics to the West African sub-region at state level, the improvement of private sector involvement in information centre establishment would bring into the African countries high quality technology, finance, technical human resource to enhance information sharing against trans-border organised crime and reduce the overwhelming strain to government in ensuring efficient and effective information sharing with in and out with neighbours. At regional level, possibility of states to have political will in the integration process of intra border lands would enable an easy implementation of combined information sharing centres and taskforce efforts on a transnational front to check criminals operation across to the interiors of member countries in the region this would in other wards enhance information sharing among the regional agencies in the efforts of reducing trans-border crimes with specifics to west Africa.

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