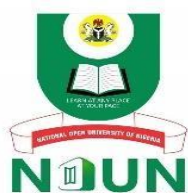


## **COURSE GUIDE**

### **POL 804 TRANS-BORDER COOPERATION AND NATIONAL DEVELOPMENT**

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© 2024 by NOUN Press  
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Printed 2024

ISBN: 978-978-786-173-8

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## INTRODUCTION

### **POL 804: TRANS-BORDER COOPERATION AND NATIONAL DEVELOPMENT**

This course is designed to provide a comprehensive and practical understanding of trans-border cooperation and its relationship to national development. This course will expose students to the understanding concepts such as boundary making, delimitation and demarcation.

The importance of trans-border cooperation to national development will be discussed and a critical overview of theories of trans-border cooperation will be examined. In analysing mechanisms for trans-border cooperation, the course discusses trans-border management in ECOWAS, the Gulf of Guinea and Regional citizenship. Students will be introduced to Joint Development Zones (JDZ), Joint Free Zones (JFZ), Exclusive Economic Zone (EEZ) and Unitization.

The course considers it imperative to provide students with knowledge of the role of the National Boundary Commission in boundary and border management, especially concerning contemporary security issues. To widen the student's horizon, this course will examine and present a comparative analysis of trans-border cooperation in West Africa, Africa, America, Europe, Latin America and Asia.

Finally, students will be engaged in problem-solving-oriented discussions on the challenges and prospects of trans-border cooperation and management in Nigeria.

### **COURSE AIM AND OBJECTIVES**

The general aim of this course is to provide theoretical and practical knowledge about issues, concepts and events relating to trans-border cooperation and national development.

The specific objectives of the course are to:

- Educate learners on trans-border cooperation and its relationship to national development.
- Educate learners on the concepts related to trans-border cooperation as well as expose them to the mechanisms for trans-border cooperation both at the continental and global level;
- Introduce learners to the role of National Boundary Commission in boundary and border management as well as the role of other international agencies and commission.

- Expose learners to the trending use of technology in border management as well as the challenges associated with the adoption of technology in border management in Nigeria and Africa.

## **WORKING THROUGH THE COURSE**

To complete the course, you are required to read the study units and other related materials. You will also need to undertake practical exercises for which you need a pen, a note-book, and other materials that will be listed in this guide. The exercises are to assist you in understanding the concepts being presented. At the end of each unit, you will be required to submit written assignment for assessment purposes.

At the end of the course, you will be expected to write a final examination.

## **THE COURSE MATERIAL**

In all of the courses, you will find the major components thus:

- 1) Course Guide
- 2) Study Units
- 3) Textbooks
- 4) Assignments

## **STUDY UNITS**

There are 20 study units in this course. They are as listed hereunder:

### **Module 1 Trans-Border Cooperation**

- |        |   |
|--------|---|
| Unit 1 | Introduction to Trans-Border Cooperation          |
| Unit 2 | Trans-Border Cooperation: Global Overview         |
| Unit 3 | Theories of Trans-Border Cooperation              |
| Unit 4 | Trans-Border Cooperation and National Development |
| Unit 5 | Globalization and Trans-border Cooperation        |

### **Module 2 Mechanisms for Trans-Border Cooperation**

- |        |   |
|--------|---|
| Unit 1 | Trans-Border Management in ECOWAS and Regional Citizenship                      |
| Unit 2 | Gulf of Guinea, Joint Development Zones, Joint Free Trade Zones and Unitization |
| Unit 3 | Role of the National Boundary Commission in Border and Boundary Management      |

- Unit 4 Issues, Challenges and Solutions to Effective Border Management in Africa
- Unit 5 African Union Convention of Cross Border Cooperation in Niamey

### **Module 3 The Use of Technology in Border Management**

- Unit 1 Digital and Smart Border
- Unit 2 Geographic Information Systems and Border Management
- Unit 3 Technology and Insecurity in Nigeria
- Unit 4 Challenges in the Use of Technology in Border Management in Nigeria.
- Unit 5 Technologies in International Migration Management

### **Module 4 Commissions and International Organizations Involved in Trans-Border Cooperation**

- Unit 1 International Organizations and Trans-Border Cooperation
- Unit 2 The INTERPOL
- Unit 3 The United Nations (UN) Agencies and Trans-Border Cooperation
- Unit 4 The Role of the WTO and WCO in Trans-Border Cooperation
- Unit 5 Nigeria-Niger Joint Commission for Cooperation

### **COURSE OVERVIEW PRESENTATION SCHEME**

There are 20 units in this course. You are to spend one week on each unit. One of the advantages of Open and Distance Learning (ODL) is that you can read and work through the designed course materials at your own pace, and at your own convenience. The course material replaces the lecturer that stands before you physically in the classroom.

All the units have similar features. Each unit begins with the introduction and ends with reference/suggestions for further readings.

<b>Units</b>	<b>Title of Work</b>	<b>Week Activity</b>	<b>Assignment (End-of-Unit)</b>
<b>COURSE GUIDE</b>			
<b>Module 1</b>	<b>Module 1: Trans-Border Cooperation</b>		
Unit 1	Introduction to Trans-Border Cooperation	Week 1	Assignment 1
Unit 2	Trans-Border Cooperation: Global	Week 2	Assignment 1

	Overview		
Unit 3	Theories of Trans-Border Cooperation	Week 3	Assignment 1
Unit 4	Trans-Border Cooperation and National Development	Week 4	Assignment 1
Unit 5	Globalization and Trans-border Cooperation	Week 5	Assignment 1
<b>Module 2</b>	<b>Module 2: Mechanisms for Trans-Border Cooperation</b>		
Unit 1	Trans-Border Management in ECOWAS and Regional Citizenship	Week 6	Assignment 1
Unit 2	Gulf of Guinea, Joint Development Zones, Joint Free Trade Zones and Unitization	Week 7	Assignment 1
Unit 3	Role of the National Boundary Commission in Border and Boundary Management	Week 8	
Unit 4	Issues, Challenges and Solutions to Effective Border Management in Africa	Week 9	Assignment 1
Unit 5	African Union Convention of Cross Border Cooperation in Niamey	Week 10	Assignment 1
<b>Module 3</b>	<b>Module 3: The Use of Technology in Border Management</b>		
Unit 1	Digital and Smart Border	Week 11	Assignment 1
Unit 2	Geographic Information Systems and Border Management	Week 12	Assignment 1
Unit 3	Technology and Insecurity in Nigeria	Week 13	Assignment 1
Unit 4	Challenges in the Use of Technology in Border Management in Nigeria.	Week 14	Assignment 1
Unit 5	Technologies in International Migration Management	Week 15	Assignment 1
	<b>Module 4: Commissions and International</b>		

<b>Module 4</b>	<b>Organizations Involved in Trans-Border Cooperation</b>		
Unit 1	International Organizations and Trans-Border Cooperation	Week 16	Assignment 1
Unit 2	The INTERPOL	Week 17	Assignment 1
Unit 3	The United Nations (UN) Agencies and Trans-Border Cooperation	Week 18	Assignment 1
Unit 4	The Role of the WTO and WCO in Trans-Border Cooperation	Week 19	Assignment 1
Unit 5	Nigeria-Niger Joint Commission for Cooperation	Week 20	Assignment 1
	Revision	Week 21	
	Examination	Week 22	
	Total	22 Weeks	

## WHAT YOU WILL NEED IN THE COURSE

There will be some recommended texts at the end of each module that you are expected to purchase. Some of these texts will be available to you in libraries across the country. In addition, your computer proficiency skill will be useful to you in accessing materials that pertain to this course from the internet. It is crucial that you create time to study these texts diligently, religiously and with rapt attention.

## TUTORS AND TUTORIALS

The course provides sixteen (16) hours of tutorials in support of the course. You will be notified of the dates and locations of these tutorials, together with the name and phone number of your tutor as soon as you are allocated a tutorial group.

Your tutor will mark and comment on your assignments, and watch you as you progress in the course. Send in your tutor-marked assignments promptly, and ensure you contact your tutor on any difficulty with your self-assessment exercise, tutor-marked assignment, and the grading of an assignment.

Kindly note that your attendance and contributions to discussions as well as sample questions are to be taken seriously by you as they will aid your overall performance in the course.



## **ASSESSMENT EXERCISES**

There are two aspects to the assessment of this course. First is the Tutor-Marked Assignments; second is a written examination. In handling these assignments, you are expected to apply the information, knowledge and experience acquired during the course.

The tutor-marked assignments are now being done online. Ensure that you register all your courses so that you can have easy access to the online assignments. Your score in the online assignments will account for 30 per cent of your total coursework.

At the end of the course, you will need to sit for a final examination. This examination will account for the other 70 per cent of your total course mark.

## **TUTOR-MARKED ASSIGNMENTS (TMAs)**

Usually, there are four online tutor-marked assignments in this course. Each assignment will be marked over ten percent. The best three (that is the highest three of the 10 marks) will be counted.

This implies that the total mark for the best three assignments will constitute 30% of your total course work. You will be able to complete your online assignments successfully from the information and materials contained in your references, reading and study units.

## **FINAL EXAMINATION AND GRADING**

The final examination for POL.804 will be of two hours duration and have a value of 70% of the total course grade. The examination will consist of TMAs and POPs which will reflect the practice exercises and assignments you have previously encountered. All areas of the course will be assessed. It is important that you use adequate time to revise the entire course. You may find it useful to review your Tutor-Marked Assignments before the examination. The final examination covers information from all aspects of the course.

## **HOW TO GET THE MOST FROM THIS COURSE**

1. There are 20 units in this course. You are to spend one week in each unit. In distance learning, the study units replace the University lecture. This is one of the great advantages of distance learning; you can read and work through specially designed study materials at your own pace, and at a time and place that suits you best. Think of it as reading the lecture instead of listening to the

Lecturer. In the same way a lecturer might give you some reading to do. The study units direct you when to read and which are your text materials or recommended books. You are provided exercises to do at appropriate points, just as a Lecturer might give you in a class exercise.

2. Each of the study units follows a common format. The first item is an introduction to the subject matter of the unit, and how a particular unit is integrated with other units and the course as a whole. Next to this is a set of learning objectives. These objectives let you know what you should be able to do, by the time you have completed the unit. These learning objectives are meant to guide your study. The moment a unit is finished, you must go back and check whether you have achieved the objectives. If this is made a habit, then you will significantly improve your chance of passing the course.
3. The main body of the unit guides you through the required reading from other sources. This will usually be either from your reference or from a reading section.
4. The following is a practical strategy for working through the course. If you run into any trouble, telephone your tutor or visit the study centre nearest to you. Remember that your tutor's job is to help you. When you need assistance, do not hesitate to call and ask your tutor to provide it.
5. Read this course guide thoroughly. It is your first assignment.
6. Organize a study schedule - Design a 'Course Overview' to guide you through the course. Note the time you are expected to spend on each unit and how the assignments relate to the units.
7. Important information; e.g., details of your tutorials and the date of the first day of the semester is available at the study centre.
8. You need to gather all the information into one place, such as your diary or a wall calendar. Whatever method you choose to use, you should decide on and write in your own dates and schedule of work for each unit.
9. Once you have created your own study schedule, do everything to stay faithful to it.
10. The major reason that students fail is that they get behind in their coursework. If you get into difficulties with your schedule, please

let your tutor or course coordinator know before it is too late for help.

11. Turn to Unit 1, and read the introduction and the objectives for the unit.
12. Assemble the study materials. You will need your references for the unit you are studying at any point in time.
13. As you work through the unit, you will know what sources to consult for further information.
14. Visit your study centre whenever you need up-to-date information.
15. Well before the relevant online TMA due dates, visit your study centre for relevant information and updates. Keep in mind that you will learn a lot by doing the assignment carefully. They have been designed to help you meet the objectives of the course and, therefore, will help you pass the examination.
16. Review the objectives for each study unit to confirm that you have achieved them. If you feel unsure about any of the objectives, review the study materials or consult your tutor. When you are confident that you have achieved a unit's objectives, you can start on the next unit. Proceed unit by unit through the course and try to space your study so that you can keep yourself on schedule.
17. After completing the last unit, review the course and prepare yourself for the final examination. Check that you have achieved the unit objectives (listed at the beginning of each unit) and the course objectives (listed in the course guide).

## CONCLUSION

This is a theoretical as well as empirical course and so, you will get the best out of it if you can read wide, listen to as well as examine international arbitration, wars, and get familiar with international law and diplomatic affairs and reports across the globe.

## SUMMARY

This Course Guide has been designed to furnish you with the information you need for a fruitful experience in the course. In the final analysis, how much you get from it depends on how much you put into

it in terms of learning time, effort and planning.

I wish you all the best in POL.804 and in the entire programme!

## MAIN COURSE

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## **MODULE 1      TRANS-BORDER COOPERATION**

Unit 1	Introduction to Trans-Border Cooperation
Unit 2	Trans-Border Cooperation: Global Overview
Unit 3	Theories of Trans-Border Cooperation
Unit 4	Trans-Border Cooperation and National Development
Unit 5	Globalization and Trans-border Cooperation

### **UNIT 1      INTRODUCTION TO TRANS-BORDER COOPERATION**

#### **Unit Structure**

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Trans-border Cooperation
- 1.4 Characteristic Features of Border and Border Cooperation
- 1.5 Motivations for Trans-border Cooperation
- 1.6 Boundary Making, Delimitation, Demarcation and Delineation
- 1.7 Boundary Making Process.
- 1.8 Practical Cases of Boundary Making
- 1.9 Legal and Political Measures Addressing the Issue of Boundaries in Africa
- 1.10 Summary
- 1.11 References/Further Readings/Web Sources
- 1.12 Possible Answers to Self-Assessment Exercises (SAEs)



#### **1.1 Introduction**

This Unit provides background knowledge on the concept of trans-border cooperation. The section also discusses the boundary-making process, demarcation and delineation while providing specific instances and cases. Trans-border cooperation is a global phenomenon because it is practised in all the regions and continents of the world by nations that seek to promote economic integration and collaboration towards addressing issues of common concern thus, it is done within a framework of law and politics.

In Africa, boundaries and borders are legacies of colonialism. The improper delineation and demarcation of Africa during the 1884-1985 Berlin Conference have created issues for African states – one that efforts are being made to address.



## 1.2 Learning Outcomes

By the end of this Unit, you should be able to:

- Define trans-border cooperation and motivations for trans-border cooperation.
- State the process of boundary making.
- Differentiate between Demarcation and Delineation.
- Identify Legal and Political Measures Addressing the Issue of Boundaries in Africa.



## 1.3 Trans-border Cooperation

Trans-border cooperation refers to initiatives through which actions are formulated and executed by both public and private actors from two or more countries residing in cross-border areas. This cooperation is based on the collective agreements and support of the government of the countries concerned. This cooperation is based on two objectives:

1. Improve the living conditions of trans-border populations.
2. To build regional cooperation towards achieving economic, political and socio-cultural goals.

Trans-border cooperation has been described as collaboration between adjacent areas across borders. It is a relationship between countries that share borders or are bounded by common boundaries. This form of cooperation is a form of international cooperation of which one of its main purposes is to remove the restrictions that come with the existence of national borders. It covers a wide range of cross-national activities of governments and local authorities at national, regional and local levels.

Trans-border cooperation is usually promoted to overcome social, economic, infrastructural and cultural barriers that were created by national borders. Overall, this form of cooperation fosters and strengthens good friendly relations between countries, guarantees stability and ensures partnership and long-lasting socio-economic development.

## 1.4 Characteristic Features of Border and Border Cooperation

The border can work as a fence separating the regions from one another; in this respect, the border throws obstacles in the way of co-operations. However, the border can also be such a zone of connections and

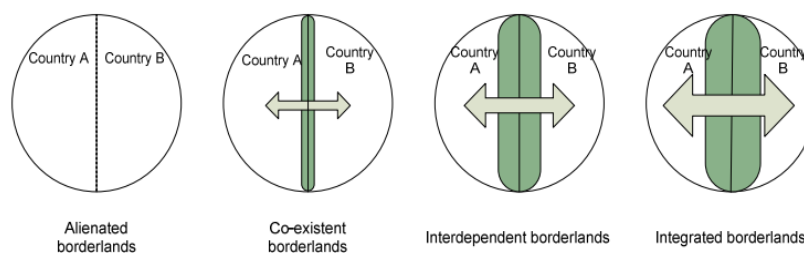


cooperation (Ratti-Reichmann, 1993; Ehlers-Buursink, 2000; Fritsch-Németh, 2003) where those advantages, rising from the common use of economic and cultural resources, prevail that result from the existence of the border.

Most opportunities open up for economies in previously peripheral regions to get connected in the case of such open borders. The cooperation of both sides of the border getting increasingly tighter may result in border towns and villages developing, using their comparative advantages, supporting each other and getting rid of their peripheral characteristics (Hardi, 2004).

In this advanced phase of the cooperation of borders and cross-border regions, we can no longer talk about cross-border regions, but trans-border regions (Baranyi, 2007). Martinez defined four types of border regions according to the number, depth and frequency of the interactions between the two sides of the border (1994) as shown in the figure below:

### Interactions in Border Regions



Source: Martinez, 1994, quoted by Hardi, 2004

Fig. 1.1

In the case of the possible best scenario, the integrated borderlands can come into existence if stability is strong and permanent. The economies of the two countries merge functionally, and the free movement of people and goods across the borders is not restricted anymore. The two countries can be looked upon as a single social system.

## 1.5 Motivations for Trans-border Cooperation

Beata *et al* (2012) assert that trans-border co-operations can be motivated by the rationality of economic advantages and its intrinsic identity-shaping and image-building power that can be used in city marketing. Economic motivation can be reached by the collective utilization of resources.

The inclination and readiness for co-operation are extremely important in the case of different investments in infrastructure, projects of tourism,

or environmental protection and conservation of natural resources. Again, trans-border co-operations can be regarded as a sort of response, too. They can be a response to the regional and “networked” logic of economic activities on the one hand, and a response to the state’s limited opportunities of handling globalization-related problems and developing geographical peripheries, such as borderlands, on the other hand (Scott, 2001). Shared interests and concerns can be a motivation for trans-border cooperation. A common threat to countries is one of the biggest motivations for trans-border cooperation in the world today.

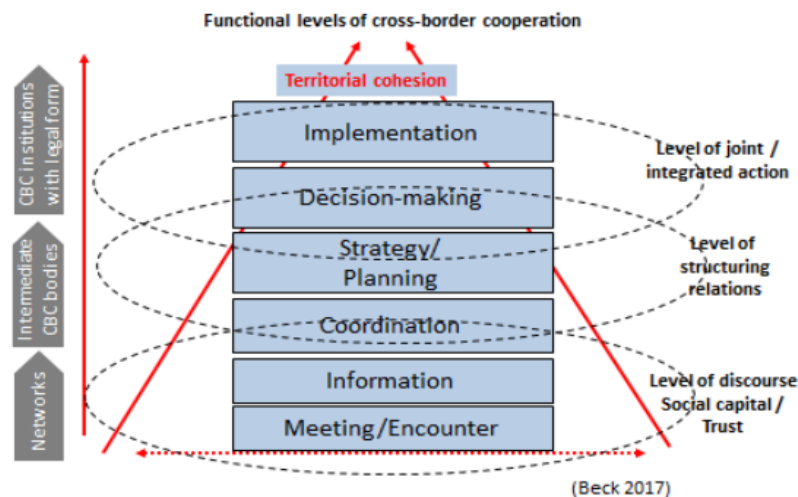


Fig. 1.2

## 1.6 Boundary Making, Delimitation, Demarcation and Delineation

**Boundary:** Territorial sovereignty, in turn, implies boundaries. A state would not even be considered to be a State under public international law if a majority of its borders are not defined.” But delimiting a boundary implies more than defining it in a treaty. It also implies determining its purposes and functions before or after the demarcation.

How a state defines or determines the purposes and functions of its boundaries is essential to its success in controlling its territory, and this, in turn, has profound impacts on its neighbouring states in several ways. For instance, in securing the territory and controlling other states’ populations from freely crossing its boundaries, a state may create friction with neighbouring states that are also engaged in similar exercises. Herbst (1989) argues that boundaries are political creations that reflect the mindset and needs of those in power.

It is important to understand this mindset to comprehend why they were created and maintained the way they are today. Almost all the current African boundaries were created, beginning in 1885, as “a rational

response by the colonialists” to “their political needs.” These boundaries were adopted and maintained by the post-colonial African leadership because they also served “their political needs.” Herbst predicts that colonially inherited borders will last until African leaders find their preservation “to be more costly than other alternatives,” decisions which will be made based on “a large number of political calculations,” such as the costs of losing territory, natural wealth, and population.

According to the African Union Border Programme (2014), the making of African Boundaries had three distinct stages:

1. **Phase 1 (1850-1886):** This stage involves the conquering and mischievous acquisition of territories by the British, French, Germans, Belgians, Portuguese, and Italians. Colonial mischief in the territorial acquisition and boundary making included the deceit, fraud, intimidation, bribery, and confusion of the African rulers. In territories that were highly regarded as rich in mineral wealth, such as the Uganda-Congo border, Europeans also tried to cheat each other.
2. **Phase 2 (1886-1900):** This state involves the pacification and creation of colonial states through small-scale mapping and treaties. Many errors were made due to scant knowledge of the continent and the rudimentary maps in existence. In the words of Lord Salisbury in 1890, the Europeans were “engaged in drawing lines on maps where no white man’s foot ever trod; we have been giving away mountains and rivers to each other” without knowing where they were.
3. **Phase 3 (1900-1930):** This stage involves the completion of cartographic and geographic surveys of territories by boundary commissions that enabled total domination of colonies. These commissions were tasked with the responsibilities of carrying out geographic explorations, geodetic and topographic surveys, and demarcations.

Boundary making can be internal or international. Whichever the case, it starts with the intention of two or more countries or parties of boundary delimitation and/or demarcation. These terms are ruled by their function like separating, developing or connecting the different areas. The initial intention is usually identified by a treaty or agreement. International boundary making concerning natural, geometric or artificial boundaries can be accomplished in two ways:

1. The countries (states) of concern implement their boundaries themselves by setting the requirements and specifications in a treaty negotiated between them; they control the output (boundary documents and maps) and its later use.
2. The countries call upon the Secretary General of the United Nations to make arrangements to demarcate the boundaries between them.

**Delineation:** Delineation is simply the graphical or mathematical representation of the boundary. Most often, a joint commission undertakes both demarcation and delineation. The commissions can publish results that consist of reports, photographs and other illustrations, maps, and tables showing geographic positions of boundary monuments and survey control stations used for the entire period of fieldwork.

In this way, delineation is the comprehensive description of the entire demarcation and mapping activities that can document the boundary for future reference. Based on the foregoing, there are two types of boundaries: natural and geometric or artificial boundaries. Natural boundaries are the hydrological boundaries, or watercourses, dry boundaries, mountain ranges and other natural landmarks. Artificial boundaries are boundaries marked by monuments.

**Delimitation:** Delimitation is the legal process by which two sovereign nations establish and describe in writing the location of their common boundary, mainly as the output of the decision made during negotiations. On the methods of delimitation, the African Union Border Programme (AUBP, 2021) asserts that when two States on the African continents decide to delimit their shared border, they proceed by one of two options:

1. Delimitation of a pre-existing international border that the two new States have inherited post-decolonisation. This paradigm also pertains to the secession of Member States from a former political union, such as happened in the former Socialist Federal Republic of Yugoslavia. For new, decolonised States, 'it is supposed that the legal title that the colonial power held over the territory in question, provides for continuity using a type of title transfer as a basis for the new State's territorial sovereignty. Concerning secessionist States, they 'regain' as their boundary the former border that separated their territories before the constitution of the Union.
2. The subject border is a pre-existing internal administrative boundary. Such is the case for many African and Latin American

countries which, throughout the second half of the 20<sup>th</sup> century and the first half of the 19<sup>th</sup> century respectively, adopted as post-independence boundaries the borders that former colonial countries set to divide up their possessions into administrative (territorial) districts.

**Demarcation:** Demarcation is a part of the boundary-making process that involves field operation. Its purpose is to identify the position of the boundary on the ground so it is recognizable to all, and this normally starts with surveying which is the initial stage of demarcation. The objectives of demarcation are usually clear. This is to place or adopt physical marks that accurately represent the location of a delimited boundary. Wherever possible, demarcation by artificial boundary marks should consist of monuments placed directly on the boundary line. In this process, a joint commission, composed of an equal number of members from each country, normally undertakes the physical demarcation.

## 1.7 Boundary-Making Process

There are three crucial stages in the boundary-making process:

1. The preparation of boundary delimitation starts with the drafting of border treaties or agreements. The boundary engineer serves as a technical adviser to the negotiator by providing the input information for decision making as shown in the stage.
2. The second stage which encompasses the demarcation work includes all field activities, where delineation covers the mapping process.
3. The third stage illustrates the output of the boundary-making process: static documentation or dynamic purposes for future use. Mapping, reports, GIS Tool updating and administration.

### Classification of International Boundaries

According to the African Union Border Programme (AUBP, 2021), there are two classifications that have been commonly used to identify international boundaries:

1. **The Boggs Classification (1940):** This classification identifies the following types of boundaries:
  - **Physical or natural:** These types of boundaries follow a particular natural feature such as a river, watershed, mountain range, etc. According to Griffiths (1996), there are about 45 per cent of African boundaries that follow rivers or watersheds.

- **Geometric:** these boundaries follow straight lines, arcs of a circle such as longitude and latitude. While 44 per cent of African boundaries are straight lines, 30 per cent follow other rectilinear or curved lines.
  - **Anthropo-Geographical:** These types of boundaries relate to various human settlements, culture, and language.
  - **Compounded:** These types of boundaries comprise various basic elements mentioned above.
2. **The Hartshorne Classification (1938):** This classification identifies the following types of international boundaries:
- **Antecedent boundaries:** are drawn before cultural landscapes are developed. According to Kapil (1966), “antecedent boundaries exist wherever political jurisdictions have been formally allocated before human settlement has taken place or, at least, before major socio-cultural features, such as industrial growth, markets, or regions of circulation and movement, have had time to develop.”
  - **Consequent/subsequent boundaries:** On the other hand, consequent boundaries “are those delimited after such features have already emerged, which coincide with social, economic, cultural, or linguistic discontinuities.” It is also referred to as a subsequent boundary since it is drawn after the development of the cultural landscape and follows cultural lines.
  - **Superimposed boundaries:** are drawn after the development of the cultural landscape but without regard to possible cultural boundaries. These boundaries are those that do not coincide with discontinuities as those in consequent boundaries.
  - **Relict boundaries:** are those that can still be seen in the cultural landscape, even though they no longer have any function of political division. Examples of relict boundaries are the “Great Wall of China,” the “Berlin Wall” that separated East and West Berlin, and “Hadrian’s Wall” in the United Kingdom that was built in AD 122 to demarcate the northernmost boundary of the Roman Empire.

## 1.8 Practical Cases of Boundary Making

Given the fact that majority of new states that were established since the Second World War were established in Africa and Asia, these regions has witnessed a lot of boundary disputes in the last three decades. In Africa, international boundaries of post-colonial states have followed colonial boundaries thereby inheriting the delimitation problems in the affected areas. Africa was partitioned by European powers and thus, artificial boundaries were created. Some of these have become sources

of cross border disputes today. Few cases of boundary making in the globe are discussed briefly below:

1. **The Israel-Jordan boundary:** This boundary was defined in a peace treaty, following bilateral negotiations between the two sovereign states. All the relevant activities were achieved by collaborative work between the parties. This boundary serves as a successful model for implementing the methodological model of the boundary-making process. A joint team of experts of boundary surveyors was fully integrated into the process from its beginning and continues today to be a major contributor to successful ongoing boundary maintenance and boundary administration.
2. **The Iraq-Kuwait boundary:** This is the first international boundary demarcated by a special Demarcation Commission in accordance with a UN Security Council resolution. The boundary line had been demarcated through a systematic methodological process. An international surveying team carried out the decisions of the Commission and contributed to its success.
3. **The Ethiopia-Eritrea Boundary:** In this case, a special international Boundary Commission was established in a peace agreement between the countries involved for interpreting the delimited and demarcated colonial boundary according to international law. A professional surveying team successfully supported the commission's work. However, it should be noted that lack of a full agreement between the two states regarding the placement of boundary markers prevented the completion of the task.
4. **The Cameroon-Nigeria boundary:** In West Africa, Nigeria and Cameroon serve as a case study in successful boundary making resolution. The two states agreed to establish a common boundary committee chaired by the UN, in order to implement the decision of the International Court regarding the international boundary between them. The level of involvement of the two states regarding the decisions and their execution was very high. A joint technical committee (JTT) was established for implementing the decisions.

## 1.9 Legal and Political Measures Addressing the Issue of Boundaries in Africa

Since the attainment of Independence, the borders that African States inherited from colonial times have been a recurrent source of tensions,

conflicts and even crises between and within several African countries. A number of political and legal measures have been taken by African leaders to address the question of boundaries in Africa. These include:

1. The 1<sup>st</sup> Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), held in Cairo (Egypt) in July 1964, as well as Article 4(b) of the Constitutive Act of the African Union (AU), which adopted the principle of respect of existing borders on achievement of national independence.
2. The 44<sup>th</sup> Ordinary Session of the Council of Ministers of the OAU, held in Addis Ababa (Ethiopia) in July 1986, as well as the relevant provisions of the Peace and Security Council of the African Union which adopted the principle of negotiated settlement of border disputes.
3. The Assembly of Heads of State and Government, held in Durban (South Africa) in July 2002, which provides for the delimitation and demarcation of African boundaries where such an exercise has not yet taken place. This confirms the shared commitment to pursue the border delimitation and demarcation exercise as factors for peace, security and economic and social progress.
4. The Constitutive Act, stipulating the will to accelerate and deepen the political and socio-economic integration of the continent and to provide it with a popular base.
5. The 8<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government of the African Union, held in Addis Ababa in January 2007, which adopted the declaration on encouraging the Commission to pursue its efforts of structural prevention of conflicts, especially through the implementation of the African Union Border Programme (AUBP).



**SELF-ASSESSMENT EXERCISES (SAES) I**

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... refer to initiatives through which actions are formulated and executed by both public and private actors from two or more countries residing in cross-border areas.
2. .... is the legal process by which two sovereign nations establish and describe in writing the location of their common boundary, mainly as the output of the decision made during negotiations
3. Improving the living conditions of trans-border populations and building regional cooperation toward achieving economic, political and socio-cultural goals are some of the objectives of trans-border cooperation. **TRUE/FALSE**
4. *Which of the following is not a stage in the boundary-making process?*
  - i. The preparation for the boundary delimitation stage which begins with the drafting of border treaties or agreements.
  - ii. The second stage which encompasses the demarcation work and includes all field activities, where delineation covers the mapping process.
  - iii. The third stage that involves Mapping, reports, GIS Tool updating and administration.
  - iv. Foundation Laying and grading
5. Which of these is not a stage in boundary making in Africa:
  - i. 1850-1886
  - ii. 1886-1900
  - iii. 1900-1930
  - iv. 1912-1925
6. Demarcation is a part of the boundary-making process that involves ..... Its purpose is to identify the position of the boundary on the ground so it is recognizable to all, and this normally starts with surveying which is the initial stage of demarcation.
7. A ..... composed of an equal number of members from each country, normally undertakes the physical demarcation.
8. International boundary making with regard to natural,

geometric or artificial boundaries can be accomplished in one of these two ways:

- i. The countries (states) of concern implement their boundaries themselves by setting the requirements and specifications in a treaty negotiated between them; they control the output (boundary documents and maps) and its later use.
  - ii. The countries call upon the Secretary General of the United Nations to make arrangements to demarcate the boundaries between them.
  - iii. A and B
  - iv. None of the Above
9. Which of these phases involved the completion of cartographic and geographic surveys of territories by boundary commissions that enabled total domination of colonies?
- i. Phase 1
  - ii. Phase 2
  - iii. Phase 4
  - iv. Phase 3
10. Boundary making can be ..... or .....



### 1.10 Summary

The importance of trans-border cooperation in a country's national development cannot be overemphasized especially in a globalized era. Trans-border cooperation benefits a nation by mobilizing both human and material resources to address common border issues and shared concerns. Trans-border cooperation facilitates economic development and aid in addressing security and other issues of national concern. African boundaries are colonial legacies. This has necessitated the drive for a review. Boundary making is a process that involves delineation and demarcation.

### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. According to ..... there are two classifications that have been commonly used to identify international boundaries:
2. .... are drawn before cultural landscapes are

developed. According to Kapil (1966), ..... exist wherever political jurisdictions have been formally allocated before human settlement has taken place or, at least, before major socio-cultural features, such as industrial growth, markets, or regions of circulation and movement, have had time to develop.

3. The ..... types of boundaries follow a particular natural feature such as a river, watershed, mountain range, etc. According to Griffiths (1996), there are about 45 per cent of African boundaries that follow rivers or watersheds.
4. In West Africa, ..... and ..... serve as a case study in successful boundary making resolution. The two states agreed to establish a common boundary committee chaired by the UN, in order to implement the decision of the International Court regarding the international boundary between them. The level of involvement of the two states regarding the decisions and their execution was very high.
5. Consequent boundaries are those delimited after such features have already emerged, which coincide with social, economic, cultural, or linguistic discontinuities. They are also referred to as ..... since it is drawn after the development of the cultural landscape and follows cultural lines.
6. The 44<sup>th</sup> Ordinary Session of the Council of Ministers of the OAU, held in Addis Ababa (Ethiopia) in July ....., as well as the relevant provisions of the Peace and Security Council of the African Union which adopted the principle of negotiated settlement of border disputes.
7. ....are those that can still be seen in the cultural landscape, even though they no longer have any function of political division. Examples of ..... boundaries are the Great Wall of China, the Berlin Wall that separated East and West Berlin, and Hadrian's Wall in the United Kingdom that was built in AD 122 to demarcate the northernmost boundary of the Roman Empire.
8. The 8<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government of the African Union, which adopted the declaration on encouraging the Commission to pursue its efforts of structural prevention of conflicts, especially through the implementation of the African Union Border Programme (AUBP) was held in Addis Ababa in January 2007.

**TRUE/FALSE**

9. A ..... was established for implementing the decisions.
10. .... Is classification of international borders by the African Union Border Programme.
  - a. Boggs Classification
  - b. Gaddafi Classification.
  - c. Obama and Kerry Classification.
  - d. United Nations Model Classification

**1.11 References/Further Readings/Web Sources**

African Union Border Programme (AUBP) (2014). *Delimitation and Demarcation of Boundaries in Africa General Issues and Case Studies*, African Union Commission, Ethiopia.

Ahmad, M.B. (2009). *Integration and Peace through Border Delimitation and Demarcation: The Nigerian Experience*, Presentation at the 2009 Meeting of ABORNE, Johannesburg, September 10-13.

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**1.12 Possible Answers to Self-Assessment Exercises (SAEs)****Answers to SAEs 1**

1. *Trans-border Cooperation*
2. *Delineation*
3. *True*
4. *D*
5. *D*
6. *Field Operation*
7. *Joint Commission*
8. *A and B*
9. *D*
10. *Internal or International*

**Answers to SAEs II**

1. *African Union Border Programme*
2. *Antecedent Borders*
3. *Physical or Natural*
4. *Nigeria and Cameroon*
5. *Subsequent*
6. *1986*
7. *Relict Boundaries*
8. *True*
9. *A Joint Technical Community*
10. *A*

## **UNIT 2      TRANS-BORDER   COOPERATION:   GLOBAL OVERVIEW**

### **Unit Structure**

- 2.1    Introduction
- 2.2    Learning Outcomes
- 2.3    Africa
- 2.4    Asia
- 2.5    Europe
- 2.6    Latin America
- 2.7    North America.
- 2.8    Summary
- 2.9    References/Further Readings/Web Sources
- 2.10   Possible Answers to Self-Assessment Exercises (SAEs)



### **2.1      Introduction**

Trans-border cooperation has manifested and continues to manifest in all the regions of the world. There are instances of border disputes around the world and institutional frameworks for resolving these disputes and fostering cross-border cooperation. The different regions and continents have adopted different mechanisms in which they can promote cooperation across their national borders. In this unit, we shall proceed to examine these systems in the various continents.



### **2.2      Learning Outcomes**

By the end of this Unit, you should be able to:

- Explain Trans-border cooperation in Africa, Europe, Asia and North America.
- Differentiate the arrangements in trans-border cooperation among the various regions of the world.



### **2.3      Africa**

The United Nations estimates that there are more than 100 open border disputes spanning over 170,000 km of boundary lines. Charles (2005) adds to this assertion by stating that these disputes are over 182 dyads in total, 109 land and 73 maritime divide 54 countries including about 16 that are landlocked.

In the resolution of the first ordinary session of the Assembly of heads of state and government held in Cairo, Egypt, of 1964 (OAU, 1964; OAS, 2021) had suggested to the newly de-colonized African continent that decolonized countries had to agree to the limits set by their colonizers. A case was made for a deliberate attempt to revisit the delineation of the African continent. However, despite the ambitious programme of the African Union (AU) of 2007 (AUBP, 2020); it is still unfortunate that most African countries have not been able to resolve those poorly delineated borders and concurrent disputes because of varied territorial, political and functional dispute reasons.

Indeed, in 2020, only about 35% of all boundary lines had been demarcated; that is, nearly 110,000 km of boundary is not properly marked on the ground. According to Gbenga (2015), it is clear that prior to colonization, the continent local and regional-imperial powers had natural boundaries and artificial boundaries that are products of inter-kingdom wars.

Pre-colonial Africa had walls and delineation makers. Unfortunately, those were unknown or ignored by colonial masters, and since then, too many states showed limited interest in the AU initiative to delineate their boundary lines; a challenging task for a continent 6.1 million square km large.

It should be noted that the 2014 African Union's convention on Cross-Border Cooperation, which set the agenda 2063 for an 'integrated continent, politically united and includes a world class integrative infrastructure that cut across the continent', the current political climate of rising nationalism, population expansion and environmental tensions, all contribute to making those tensions worse (Agenda 2063). Obviously, the goal is to seek greater political and economic integration, in particular, to increase intra-African trade beyond current 15.5% (UNCTAD, 2017).

It is also pertinent to state that trans-border cooperation as a subset of regional cooperation has been one of the core messages of a united and prosperous Africa. This has necessitated the formation of sub-regional organization with the aim of promoting political, social and economic cooperation among states within a sub-region that share common boundaries with one another. The Economic Community of West African States (ECOWAS) is an example in this regard.

## 2.4 Asia

The problem of border disputes has been a major historical challenge to the peace, integration and economic development of the Asian region. In its history, there are too many cases of violent disputes especially over natural and mineral resources. Till today, these issues have continued to fuel crisis in the borderland areas.

However, attempts have been made to promote trans-border cooperation as a number of cross-border coordination and cooperation areas have emerged as powerful economic regions. Chung-Tung (1998) studied a number of Asian and South Asian interesting cross-border developments: In North East China was Tumen River Development Zone; in Central Asia, there was the Hong Kong–Shenzhen region and in the south was the China-Vietnam (Guangxi Province of China with Quang Ninh Province of Vietnam) which overlaps with the Greater Mekong Sub-region, this exists with the Singapore Johor-Riau trans-border region that connects Southern Johor in Malaysia, with the islands of Batam, in the Riau Province of Indonesia.

The Tumen River development program, which is originally, a United Nations Development Program initiative (UNDP, 1993; Tsuji, 2004) connects China, North Korea and Russia, with South Korea and Japan. This is made possible with the major infrastructures in trade routes connecting rich extractive resources with international markets. Since inception, over the last 25 years, it sponsored 30 billion dollars infrastructure investments.

This trans-border region is about 10,000 km square and directly connects the city of Yanji in China, with North Korea Chongjin and Vladivostok by sea across Tumen's estuary. Trans-border cooperation in the Tumen River region has not been without challenges. Chung-Tung (1998) stated that the region is yet to realize its potentials. Partly, this is because neither the North Korean nor the Russian decentralized sufficient autonomy to local and regional authorities. Despite improved connectivity and natural resource trade increases, the region has been unable to foster enough synergies.

Another example of trans-border cooperation in Asia is the Greater South China Sub-region (GSC) which includes China's Guangdong and Fujian provinces and Hong Kong, Taiwan and Macau. At the centre of this relationship is trade between China and Hong Kong with merchandise trade reaching 544 billion in 2019 or 50% of all Hong Kong's trade with the rest of the world (Hong Kong, 2021), and, with Taiwan with 103 billion in merchandise going to China accounting for



nearly 30% of all of Taiwanese export and 20% of all Taiwanese imports (Statista, 2021).

According to Chen (2005), the GSC region is a proto-typical trans-border sub-region because it is mature and successful in integrating chains of production across the industries of all five core partners: Guangdong, Fujian, Hong Kong, Taiwan and Macau. Hong Kong is the regional service centre. It is also the financial centre and the site of core investments in the region along with Taiwan.

Thirdly, the Greater Mekong Sub-region (GMS) as an example of trans-border cooperation in Asia may be a hybrid case because of its size and complexity. It brings together Cambodia, China's Yunnan province, Myanmar, Lao People's Democratic Republic, Thailand and Vietnam. According to Chen (2005) trade, both international and cross-border within the region, is the prime cross-border regional factor. Today, cross-border trade flows with the Yunnan province of China are particularly important.

Historically, trade across the region has existed since the 'southern silk road' when Burmese and Indian merchants traded 'diamonds, jade, spice, cotton, and ivory for silk from China's Sichuan province and copper, salt, herb from central China (Chen, 2005).

In 2014, the region's 2.6 million square km had a population of 329 million people and intra-trade growth from five billion in 1992 to 444 billion in 2015. Its total merchandise exports had reached 406 billion in 2014 and GDP summed up to 3.1 trillion. In the meantime, it had benefited from 6.5 billion investments from the Asian Development Bank (GMS, 2016).

## **2.5 Europe**

Europe has been one of the most referenced examples of successful and progressive trans-border cooperation for decades. In the past, border disputes have often been reasons for war.

Common examples are the war of 1864 between Denmark and Germany that was settled with the referendum of 1920. The Alsace dispute is another example. This dispute started during the war of 1870, and was settled in 1919, and then again in 1940, but reappeared in France in 1945.

The Correlate of Wars Directed Dyadic Interstate War data-set recorded 609 dyadic wars in Continental Europe during the 20<sup>th</sup> century, and although there have been wars in Europe during the 21<sup>st</sup> century, the emergence of the European Union has marked a significant change.

Even with recent disputes and trans-border cooperation issues fuelled by emerging global problems, Europe still remains the most pacified area of the world today.

This trans-border cooperation was fostered under the framework of the European Union. After the Second World War, the idea of a European union was birthed as a peace building process. The European Union has since positioned and asserted itself as a framework for settling border disputes and promoting trans-border cooperation among European countries.

Though the EU has been relatively successful, the recent case of BREXIT, the increased demand for succession by the Scots, the tensions in the Aegean seas between Greece and Turkey and the recent invasion of Ukraine by Russia has demonstrated that the institutionalization of those specific cross-border relations is not a guarantee for security.

Albeit, an integrating pan-European economy is also assumed to be contributing: for instance, between 2002 and 2020, the share intra-EU trade for all member states was between 50 and 75% with few exceptions, Cyprus, Malta and Ireland with 34%, 41% and 49%, respectively (Eurostat, 2020). Indeed, Eurostat submits that trade among EU countries as a share of total trade in goods ranged from just over 34% for Cyprus to 80% for Czechia and Luxembourg in 2020. The European Union average stands at 68% (UNCTAD, 2017).

In sum, in the European Union, integration policies have somewhat contributed to peaceful borderlands, and led to much greater economic integration across EU member states; but this does not entirely explain why cross-border cooperation in the EU is currently a worldwide example.

## **2.6 Latin America**

The issue of central authorities refusing to welcome border regions is at the heart of obstacles to trans-border relations in Latin America. Just like Africa, Latin America has a history of colonialism which comes with the creation of artificial borders that is characterized by poor delineation of boundary lines. This has had an impact in cross border relations in the region.

In addition to this, the continued cross-border activities of indigenous populations are still perceived as an impediment to the firm establishment of Latin American States. For instance, in the case of Columbia, spilling over its international boundary lines, internal

difficulties, make cross-border regions and population mobility unwelcomed phenomena for central states.

The major reason for this is that Latin America was settled very early in the history of colonization. The boundary lines of most states exist in treaties that poorly establish their exact location on the ground. This is similar to the situation in Africa, where many “south of the Sahara” boundaries are not demarcated.

The border exists as part of a treaty but is not clearly demarcated either in writing or on the ground, which results in multitude frustration but also interesting situations whereby the border is also at the centre of social and economic exchanges – thus making the monitoring of the boundary line on the ground a complicated affair.

Historically in Latin America, border disputes seem to have been common, and military intervention in many ways seem to be the natural Latin American reaction to disputes. For instance, since the Second World War, there has been issues between El Salvador and Honduras (1969), Argentina-Chile (1978), Columbia and Venezuela (1987), Peru and Ecuador (1995) and Nicaragua-Honduras (2000). Also, there have been two cases of irredentism: Guyana (1966) and Belize (1981).

Nevertheless, Latin American states have been very successful also as mediating such disputes effectively: the RioGroup and the Organization of American States in the Ecuador-Columbia disputes (2008) both point to a collaborative capacity to resolve disputes in the Latin American region.

Disputes in borderlands area still exist to this day but are localized and result from population migration and criminal activities. Mobility and displacement remain the most important factor of instability in border regions but is not a positional dispute. Latin American states struggle to control movement, criminality and population mobility across their borders. While pan-Latin-American treaties of coordination exist, they are not as old as those found in Europe.

The institutions of the MERCOSUR, the Common Market of the South, started in 1985 with the Iguacu declaration, as an expansion of the Latin American Free Trade Association (1960) and became a customs union in 1995, but have started looking at cross-border regions in 2009 (ECLAC, 2020) only. In 2019, intra-Latin America and Caribbean (MERCOSUR) trade excluding Mexico stands at 14.5%, which compares well to Africa (15.1%) but does not compare well with Europe or North America, including Mexico, respectively, 68% and 30% or Asia (59%) (UNCTAD, 2017).

## 2.7 North America

In North America, intense cross-border trade, originally across the Great Lakes regions, has led to the development of forms of economic interdependency across a vast region that concentrates nearly 50% of all trade crossing the Canada/US boundary line: the great lakes region.

Today, it forms one of the most economically integrated border regions in the world. As a result of the Alaska purchase; the United States inherited a poorly delineated area of the Pacific North region. At the time, the United Kingdom and the United States followed up by establishing the International Boundary Commission in 1925 with mandate to survey, map and maintain a three-m-clear-vista on both sides of the boundary line, as well as, monuments and buoys.

In other words, for nearly 125 years, there have not been any border disputes between Canada and the United States, and when looking at the details of the unsolved different, neither country sees them as priorities.

Trans-border cooperation between the United States and Canada has been facilitated by a lot of institutional frameworks and organizations. Davidson and Trautman (2015) noted these many organizations to include: the Cascadian Task Force, the Main Street Cascadia, the Cascadian Economic Council, the British Columbia-Washington Council and the Pacific Alternatives among others. Today, these organizations are a part of the territorial and institutional networks of cooperation, where much of Cascadia's policies, are initiated.

The most influential institutional framework is the Pacific Northwest Economic Region (PNWER), a public-private organization that brings together committees of US and Canada State and Provincial legislators and representatives from the private sector to discuss border issues. The relationship between the United States has been open and progressive until recently when conservatives began to champion stringent border and immigration policies. The closest attempt to implement this is the policy of building a wall on the Mexican border being implemented by the Trump administration.

Overall, in North America, a long history of trade and just-in-time-chains-of-production has disregarded the boundary line for nearly a century. Possibly, because of a common language, various cultures have not evolved into nationalist politics sufficiently to deter integrated cross-border regional economies.

Interestingly, however, trade relations have not triggered major growth in cross-border bilateral international organizations, but many functional

groups work to alleviate the taxing effect of the boundary line and border policies in the region.

### SELF-ASSESSMENT EXERCISES (SAES) I

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The United Nations estimates that that there are more than ..... open border disputes spanning over ..... km of boundary lines. Charles (2005) adds to this assertion by stating that these disputes are over 182 dyads in total, 109 land and 73 maritime divide 54 countries including about 16 that are landlocked.
2. Most African countries have not been able to resolve those poorly delineated borders and concurrent disputes because of varied territorial, political and functional dispute reasons. In fact, in 2020, only about 35% of all boundary lines had been demarcated; that is, nearly 110,000 km of boundary is not properly marked on the ground. **TRUE/FALSE**
3. The Tumen River development program, which is originally, a United Nation Development Program initiative connects....., ..... and ..... with South Korea and Japan.
4. .... has been one of the most referenced examples of successful and progressive trans-border cooperation for decades.
5. Just like Africa, Latin America has a history of ..... which comes with the creation of artificial borders that is characterized by poor delineation of boundary lines. This has had an impact in cross border relations in the region.
6. In North America, intense cross-border trade, originally across the Great Lakes regions, has led to the development of forms of economic interdependency across a vast region that concentrates nearly ..... of all trade crossing the Canada/US boundary line - the great lakes region.
7. In other words, for nearly ..... years, there have not been any border disputes between Canada and the United States, and when looking at the details of the unsolved different, neither country sees them as priorities.



## 2.8 Summary

Europe has been one of the most referenced examples of successful and progressive trans-border cooperation for decades. Trans-border cooperation between the United States and Canada has been facilitated by a lot of institutional frameworks and organizations. The United Nations estimates that there are more than 100 open border disputes spanning over 170,000 km of boundary lines. It is also pertinent to state that trans-border cooperation as a subset of regional cooperation has been one of the core messages of a united and prosperous Africa.

### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Europe has been one of the most referenced examples of successful and progressive trans-border cooperation for decades. In the past, border disputes have often been reasons for .....
2. The European Union has since positioned and asserted itself as a framework for settling border disputes and promoting trans-border cooperation among European countries. **TRUE/FALSE**
3. The boundary problem in Latin America is similar to that of Africa. **TRUE/FALSE**
4. Prior to colonization, Africa local and regional-imperial powers did not have natural boundaries and artificial boundaries that are products of inter-kingdom wars. **TRUE/FALSE**



## 2.9 References/Further Readings/Web Sources

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## 2.10 Possible Answers to SAEs

### Answers to SAE I

1. *100 and 170,000*
2. *TRUE*
3. *China, North Korea and Russia*
4. *Europe*
5. *Colonialism*
6. *50%*
7. *125.*

### Answers to SAEs II

1. *War*
2. *TRUE*
3. *TRUE*
4. *False*

## UNIT 3 THEORIES OF TRANS-BORDER COOPERATION

### Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Functional Theory
- 3.4 Dependency Theory
- 3.5 Balance of Power Theory
- 3.6 Summary
- 3.7 References/Further Readings/Web Sources
- 3.8 Possible Answers to Self-Assessment Exercises (SAEs)



### 3.1 Introduction

Several theories have been advanced to explain the rational and determinants for trans-border cooperation. One of such theories is the International Trade Theory. This theory asserts that through cross-border cooperation and external relations, countries seek to advance competitiveness.

The theory also holds that boundaries and borders in addition to economic, cultural, social and environmental resources are important variables of territorial capital and contributes to the establishment of selective pattern of regional growth models.

The theory views cross-border cooperation from two prisms – as a factor of sustainability and a factor of destabilization. Cross-border cooperation promotes competitiveness and is a good way for countries to compete internationally and pursue sustainable objectives. Through cross-border cooperation, countries can gain competitive advantage through the internationalization of companies and industries from neighbouring countries.



### 3.2 Learning Outcomes

By the end of this Unit, you should be able to:

- Identify the theories trans-border cooperation.
- Explain the functional theory of trans-border cooperation
- Explain the dependency theory of trans-border cooperation
- Explain balance of power theory of trans-border cooperation.





### 3.3 Functional Theory

As a theory of international relations, Functionalism gained prominence after the Second World War when consensus started to take place that the self-interest of the state cannot be the motivating factor in the time of global integration. The functionalist theory argues that functions and needs go beyond the territory of a particular state hence the need for cooperation rather than isolation.

This theory links the development of states towards common interests and needs to the increased influence of knowledge and science. As a result, state interdependence and cross border relations will increase in certain areas, especially in the technical and economic areas where there are benefits to interconnectedness and integration.

The functionalist school hammered on the principle of common interests and needs as the driver of cross-border relations among states especially in an era of globalization and processes of integration. The process of integration between states was further developed in the neo-functionalist theory that focused on the process of integration namely regional integration. It postulated that states will in part integrate in functional or economic areas.

### 3.4 Dependency Theory

Dependency theory claims that as poor states are integrated into the international system, such as the European Union, resources will flow from the poor states to the rich states, making the latter richer at the expense of the former. Relying on the Marxist historical interpretation of society, the dependency theory focuses on the exploitation of poorer nations by richer nations and suggested that one of the best ways poor countries can develop is by trans-border cooperation.

Trans-border cooperation, to the dependency theorist is a tool that can be used to facilitate or accelerate the economic dependency of poorer nations and liberation of poorer nations from richer nations.

### 3.5 Balance of Power Theory

This is a theory of international relations that posit that states, in a bid to guarantee their survival, ensures that one state does not amass enough military, economic and technical power to dominate the rest.

The balance of power theory argues that if one state becomes stronger, it will take advantage of its weaker neighbours, forcing them to establish a common front. Going by the assumptions of this theory, some nations promote cross-border cooperation as a mechanism to prevent the emergence of an all-powerful rival. This cooperation will be used to withstand or counter balance the influence of a bigger state elsewhere.

The European Union as a framework for cross border cooperation is an example in this regard. In containing a threat, states may seek protection through alliances. For states who are direct rivals to other powers, cross border cooperation is necessary to prevent the infiltration of rivals to their sphere of influence.

### SELF-ASSESSMENT EXERCISES 1

1. Functionalism is a theory of international relations.  
**TRUE/FALSE**
2. Dependency theory claims that as poor states are integrated into the international system at the expense of poor states.  
**TRUE/FALSE**
3. Balance of Power theory has mutual suspicion among major powers as motivation for trans-border cooperation.  
**TRUE/FALSE**



### 3.6 Summary

There are three theories for trans-border cooperation: Functional, Dependency and Balance of Power theory. The Functional theory however, is the best theory that explains trans-border cooperation in a globalized world. Balance of Power theory is borne out of international realism.

### SELF-ASSESSMENT QUESTIONS II

1. .... theory is premised on Marxist Historical interpretation of society.
2. .... argues that functions and needs go beyond the territory of a particular state hence the need for cooperation rather than isolation.
3. ....,..... and ..... are theories of trans-border cooperation.



### 3.7 References/Further Readings/Web Sources

Mariana, A. (2014). *The theories and practical implications of cross-border cooperation: The EGTC “EURO-GO” as an Example of an Instrument for Promoting Integration among neighboring countries*,

<https://www.researchgate.net/publication/310903191>



### 3.8 Possible Answers to SAEs

#### Answers to SAEs I

1. True
2. True
3. True

#### Answers to SAEs II

1. Dependency
2. Functional Theory
3. Functional theory, Dependency Theory and Balance of Power Theory

## UNIT 4 TRANS-BORDER COOPERATION AND NATIONAL DEVELOPMENT

### Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 Trans-Border Cooperation and National Development
- 4.4 Summary
- 4.5 References/Further Readings/Web Sources
- 4.6 Possible Answers to Special Assessment Exercises (SAEs)



#### 4.1 Introduction

The importance of trans-border cooperation cannot be overemphasized. Trans-border cooperation is useful in helping a nation achieve her economic, security, regional and cultural objectives and interests. This unit will state and explain the benefits of trans-border cooperation to national development.



#### 4.2 Learning Outcomes

By the end of this Unit, you should be able to:

- Identify and explain the benefits of trans-border cooperation to national development



#### 4.3 Trans-Border Cooperation and National Development

The benefits of trans-border cooperation to national development include:

##### 1. Trans-border-cooperation boosts a nation's economy:

Trans-border cooperation can boost the economic development for each participant country in the area. This is mostly depending on the depth of the relation between the neighbouring countries. The basis for it consists in the common interest for improvement of life standard, in ensuring a sustainable and harmonious framework and in the clearance of frontier barriers, restrictions or other factors.

In view of improving of the social-economical position of the regional communities and removing of the negative effects of the border, the local communities are more and more involved in the regional collaboration. Effective trans-border cooperation boosts trade and the movement of goods and services in a country's border. This can help prevent the influx of unwanted commodities that are harmful to a country's citizens and well as regulate the pattern of economic activities in and out of the countries involved in that cooperation.

Trans-border cooperation can help a country effectively implement some economic laws designed to boost local industries and production. Countries cooperating at the borders can help enforce laws that are designed to achieve economic nationalistic objectives.

On the other hand, trans-border cooperation also helps in promoting free trade. A country's border policies also go a long way in influencing the investment choices of local and foreign investors.

The increasing interdependence of global means of production and information raises practical questions of how to coordinate production and trade (such as building cars or computers with parts manufactured in many countries) and the flows of capital and profits which can only be done efficiently if traditional borders and notions of sovereignty on which they are based are devalued (Marenin, 2003).

## **2. Trans-border Cooperation Promotes Peace Between Border Communities:**

It is a known fact that cross-border zones are essential for the stability of Africa. This is because they are places of social, cultural and economic exchanges between various countries where the populations between borders share numerous social and family links. Real imaginary lines for the border zone populations, the borders are often perceived as artificial concepts which, in reality, do not prevent either exchanges between populations, or cross-border movements.

However, drawn during colonial period, without reflecting life realities or local cultures, they can also turn out as a source of disputes and sometimes even open conflicts and represent a serious obstacle to the development of a country's border's populations.

Indeed, peace and security are essential to any development. They are at the same time an important prerequisite and a full component. The absence of safety mortgages development and, mutually, the economic fragility favour conflicts and insecurity. Conflict situations pull a reduction in population's income and make fall the growth rate of state economies. Thus, trans-border cooperation helps in ensuring peaceful coexistence among and between the populations at the border areas.

### **3. Trans-border Cooperation Promotes National Security**

With increasing instability in nations caused by the activities of trans-national criminal organizations, there is a need for trans-border cooperation to boost border security and management so as to curb the inflow of criminals and their activities around border areas.

The control of borders, weapons and drugs circulation become major stakes since the recent Libyan and Malian crises and, with the increasing power of Islamic terrorism in Sahara. With trans-border cooperation, countries can work with their neighbours in the fight against terrorism, insurgency and criminality. This is particularly useful in helping a country curb trans-national criminal activity such as arms smuggling, drug trafficking, humans trafficking and terrorism.

Trans-border Cooperation helps to address the problem of porous borders. Ghosh (2000, p.221) argued that many of the security threats posed by illegal migration and human smuggling are those of "disruptive movements of people that could provoke immediate border security problems because of the scale of such movements or adverse domestic political reactions to perceived governmental "loss of control" of borders and, the threat may come from small groups or even individuals within larger illegal flows in the border. Small Arm Survey Report (2012) reveals that porous borders encourage inflow of weapons thus making its acquisition easy and cheap.

This is largely a major cause of regional instability witnessed in Africa especially in West Africa. Borders are natural points at which to make checks on entry to a country, not only on people but on goods for customs, health, plant health and other purposes; and to enforce rules on prohibited and restricted goods.

The border is also a natural focus of police activity, as it provides an opportunity to check people arriving and it is also the place where by definition the act of smuggling takes place. Border

control therefore have a role to play in combating illegal immigration and various forms of cross-border crime ranging from small arms smuggling to organized crime and international terrorism and border can be best controlled when countries that share borders cooperate.

4. Trans-border cooperation aids in regional integration and healthy cultural relationship between countries that share borders and boundaries.
5. Trans-border cooperation also helps a country to prevent the infiltration of a hostile rival state. With good neighbourly relations, a country that is being targeted by a rival power can secure its backyard against the activities of its enemies.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... argues that functions and needs go beyond the territory of a particular state hence the need for cooperation rather than isolation.
2. ....,  
.....,  
..... and  
..... are ways in which trans-border cooperation can contribute to national development.
3. Trans-border cooperation aids in ..... and ..... between countries that share borders and boundaries.



#### 4.4 Summary

In an era, globalization and internationalization of domestic challenges, trans-border cooperation is a necessity among and between nations that are serious about solving shared problems and concerns. Trans-border cooperation boosts a country's national economy. Trans-border promotes national security and peace among communities at the border. Trans-border cooperation aids regional integration.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... argues that functions and needs go beyond the territory of a particular state hence the need for cooperation rather than isolation.
2. How does trans-border cooperation promote a nation's economy?
3. Explain how trans-border cooperation promotes national security.



### 4.5 References/Further Readings/Web Sources

Asiwaju, A.I. (Ed.) (1993). *Border Region Development, Proceeding of the First National Planning Conference*, Durbar Hotel, Lagos, August 10-12

Joachim, Beck (2018). *Cross-Border Cooperation: Benefits, Challenges and Perspectives for the Horizontal Dimension of European Integration*.

<https://www.researchgate.net/publication/324235986>



### 4.6 Possible Answers to SAEs 1

#### Answers to SAEs I

1. - *Promotes Peace between border communities.*  
 - *Boosts a Nation's economy.*  
 - *Promotes National Security.*  
 - *Prevents the infiltration by a hostile rival state.*
2. *Regional Integration and Healthy Cultural Relationship*

#### Answers to SAEs II

1. Effective trans-border cooperation boosts trade and the movement of goods and services in a country's border. This can help prevent the influx of unwanted commodities that are harmful to a country's citizens and well as regulate the pattern of economic activities in and out of the countries involved in that cooperation. Trans-border cooperation can help a country effectively implement some economic laws designed to boost



local industries and production.

2. With trans-border cooperation, countries can work with their neighbours in the fight against terrorism, insurgency and criminality. This is particularly useful in helping a country curb transnational criminal activity such as arms smuggling, drug trafficking, humans trafficking and terrorism. Trans-border cooperation helps to address the problem of porous borders.

## **UNIT 5      GLOBALIZATION      AND      TRANS-BORDER COOPERATION**

### **Unit Structure**

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 Understanding Globalization
- 5.4 Globalization and Border Security in the 21<sup>st</sup> Century
- 5.5 Globalization and Border Security: A Case Study of North America
- 5.6 Future of Border Security
- 5.7 Summary
- 5.8 References/Further Readings/Web Sources
- 5.9 Possible Answers to Self-Assessment Exercises (SAEs)



### **5.1 Introduction**

This Unit provides background knowledge on the concept of globalization and its impact on trans-border cooperation especially in the area of border security. Globalization is about breaking down national borders. Indeed, it is often argued that growing economic integration and interdependence lead to more open borders and more harmonious cross-border relations. However, events in the world today have forced nations to have a rethink.

This section shines a light on the issue by analyzing globalization and border security using North America as case study. It talks about the open policy that globalization have promoted in the region and how the attack on the World Trade Centre in 2001 by terrorists have caused a reorientation. With globalization comes the burden of increased movement of goods and persons, the unit ends with a brief discussion on how nations are or intend to respond to these challenges of border security.



### **5.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Understand the concept of globalization.
- Discuss border security in a globalized world.
- Examine the future of border security.



### 5.3 Understanding Globalization

The concept of globalization is coined from the word “globa” which represents the “oneness” of the world. It is one of the recent controversial and dynamic themes in international relations fast catching up with other issues of the world because of its overwhelming influence around the world. Robin and Paul (2000) in their book titled “Global Society” assert that globalization refers to ways in which the world is being knitted together.

They point out that scholars often focus attention on the increasingly free flow of goods and capital or generally speaking, economic globalization, while neglecting other spheres which are as well important to understanding its scope and nature. Various parts of the world are being pulled together by the increased density and lowered cost of travel and communications implying thus, that globalization is also about connectivity.

In the same vein, John T. Rourke (2005) asserts that, if you think about it, globalization is probably entwined with your daily economic, communication and cultural existence. We live in an increasingly interconnected, and in many ways, ever more amalgamated world. Alexander C. Ugwukah and Adam Etete Michael (2010) quoted Olatunbosun (1979) who defined globalization as the totality of the processes whereby social relations require relatively distant and borderless qualities i.e., the countless and complex ways that people interact with and affect each other.

Also, Rangarajan (2003) submits that while globalization has brought unprecedented development and progress to people, it has also unleashed negative aspects such as “facilitating international terrorism and other forms of transnational crimes”. He believes that, transnational crime is a global phenomenon which is seen as one of the most destructive. The September 11, 2001 on the United States of America illustrates the lethality of transnational crimes.

Globalization is an ongoing trend whereby the world is at an accelerated manner becoming a more relative and borderless social-sphere (Williams 2008). Globalization is also the process of capitalist expansion and accumulation. It is characterized by the dominance of transnational production, financial speculation and speedy movement of finance across the globe. The privileging of the market over states, the absorption of the society by the market, the vastly increased importance of knowledge for production, and the instantaneous exchange of information across the globe.

## **5.4 Globalization and Border Security in the 21<sup>st</sup> century:**

According to conventional wisdom, globalization is about breaking down national borders. Indeed, it is often argued that growing economic integration and interdependence lead to more open borders and more harmonious cross-border relations.

In North America, President Vicente Fox of Mexico, a leading proponent of the above view who took office in December 2000 promoting a bold vision of an open U.S.-Mexico border including the free movement of labour and the creation of a North American community. Such a proposal would further advance the process of continental integration.

With the U.S.-Canada and U.S.-Mexico borders already the two busiest land crossings in the world, U.S.-Mexico trade has more than tripled and U.S.-Canada trade has nearly doubled since the start of the North American Free Trade Agreement (NAFTA) in 1994. President Fox's border-free vision of North America was one of the first casualties of the devastating terrorist attacks on the Twin Towers and the Pentagon on September 11, 2001.

In both political debates and policy practice, the events of that day raised fears and put borders very much back in style, as the United States began a dramatic tightening of border inspections as part of its new and expanding war on terrorism. Traditional border issues, such as trade and migration, would now be inescapably evaluated through a security lens. But the cross-border transportation and communications networks used by terrorists are also the arteries of a highly integrated and interdependent economy.

Currently, about one quarter of all U.S. production for export (2.5 percent of U.S. gross domestic product) goes to Canada and 15 percent is destined for Mexico. Constricting the arteries that facilitate this trade increases the cost of the cross-border flow of people and goods, with significant economic repercussions for the populace and our trading partners. Similarly, the way in which border controls are implemented and managed could reduce the benefits of open borders and significantly affect the future of North American economic integration.

## **5.5 Globalization and Border Security: A Case Study of North America**

Before the attacks on 9-11, U.S. border enforcement overwhelmingly focused on inhibiting the flow of illegal drugs and immigrants. The enforcement apparatus of the Immigration and Naturalization Service (INS) was designed to handle millions of migrant workers entering the country in search of employment rather than to detect a few individuals who arrive to commit terrorist acts.

Counterterrorism had traditionally been a low priority. Similarly, the U.S. Customs Service focused its energy on controlling the entry of illegal drugs into the country, the Coast Guard concentrated on interdicting illegal drugs and immigrants.

If the efficacy of these efforts was and continues to be controversial, perhaps one reason is that border enforcement efforts have sought to project the image of heightened security while not substantially slowing legitimate cross-border flows of people and goods.

Also, prior to 9-11 most enforcement activity centred on the U.S.-Mexico border, while the U.S.-Canada border was barely policed – only 334 agents were assigned to the 5,525-mile northern border compared with over 9,000 agents stationed at the 2,062-mile southern edge. Even during the 1990s, when the INS budget tripled and the size of the U.S. Border Patrol doubled, attention remained almost exclusively directed at the U.S.-Mexico border. On September 11, 2001, there were as many Border Patrol agents in Brownsville, Texas, as along the entire U.S.-Canada border.

The attacks on the World Trade Centre and Pentagon complicated business as usual along both U.S. borders. The immediate U.S. response included increasing spending on border security and a dramatic tightening of inspections. For instance, in 2003 federal budget provided for a more than \$2 billion increase in border security funds, including a 29 percent increase for the INS, a 36 percent increase in the inspections budget of the Customs Service, and the largest budget increase in the Coast Guard's history.

Moreover, these agencies have now been brought together and folded into the new Department of Homeland Security, representing the largest reorganization of the US federal government since the end of World War II.

One major change was an increased enforcement effort at the U.S.-Canada border. Under the Patriot Act, the number of agents deployed at

the Canadian border was tripled; the Coast Guard now stops all boats crossing the Great Lakes and escorts gas and oil tankers. For its part, Canada also ordered a high state of alert at border crossings immediately after the attacks.

Since then, it has enhanced the levels of security at airports, added new funding for detection technologies and personnel, initiated legislation to combat the financing of terrorism, and frozen the assets of known terrorist groups.

It also introduced a fraud-resistant resident card for new immigrants, increased detention capacity, whereas even counterterrorism “successes” can be infrequent and difficult to observe (for example, the attack that does not take place). In short, border enforcers have been given a harder job, face higher expectations, and have to rely on more difficult measures of progress.

## **5.6 Future of Border Security**

There are at least three potential future border trajectories in North America. At one extreme, one can imagine a substantial hardening of U.S. border defences with security trumping all other considerations—the equivalent of a high tariff on the economies of both the United States and its neighbours.

At the other are multilateral policy harmonization and a “pooling” of sovereignty similar to that which exists among European Union members—where common visa and asylum policies, a shared information system, and standardized border procedures essentially provide a common security perimeter. The most likely scenario for North America lies somewhere in between: a series of initiatives involving a mixture of enhanced cross-border security collaborations and partial policy convergence.

As the task of border control becomes more difficult, looking for answers beyond physical borderlines may be one way to enhance security while encouraging economic integration. For example, there are a number of innovative new cargo-tracking systems, inspection technologies, and traffic management strategies that are being promoted to extend policing beyond ports of entry. This is where smart borders come into play.

## SELF-ASSESSMENT EXERCISES (SAES) I

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The concept of globalization is coined from the word ..... which represents the “oneness” of the world. It is one of the recent controversial and dynamic themes in international relations fast catching up with other issues of the world because of its overwhelming influence around the world.
2. President Fox’s border-free vision of North America was one of the first casualties of the devastating terrorist attacks on the Twin Towers and the Pentagon on September 11, 2001. **TRUE/FALSE**
3. Increase in border security caused by the terrorist attack on twin towers in the U.S represented one of the largest reorganizations of the US federal government since the end of World War II. **TRUE/FALSE**
4. Globalization has not given border enforcers a harder job to do. **TRUE/FALSE**
5. .... is the future of border security.



### 5.7 Summary

Globalization has had both positive and negative impacts in trans-border cooperation especially in the area of border security. With globalization came open borders and the challenges of opening borders include the movement of terrorist groups. This has forced nation to rethink the concept of open borders as measures are being taken to increase the surveillance on borders. With more security threat from the activities of terrorists and transnational criminal groups, coupled with the inefficiency and ineffectiveness of traditional border security arrangements to guarantee safety, nations are now leaning towards the adoption of smart borders.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. According to conventional wisdom, globalization is about breaking down national borders. **TRUE/FALSE**
2. With globalization came open borders and the challenges of opening borders include the movement of terrorist groups. **TRUE/FALSE**
3. What is the full meaning of NAFTA?



## 5.8 References/Further Readings/Web Sources

Andreas, P. (2003). *Border security in the age of globalization: How can we protect ourselves without losing the benefits of openness?*  
*Regional*



## 5.9 Possible Answers to SAEs

### Answers to SAEs I

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Globa
2. True
3. True
4. False
5. Smart Borders

### Answers to SAEs II

1. True
2. True
3. North American Free Trade Agreement (NAFTA)



## **MODULE 2      MECHANISMS   FOR   TRANS-BORDER COOPERATION**

Unit 1	Trans-Border Management in ECOWAS and Regional Citizenship
Unit 2	Gulf of Guinea, Joint Development Zones, Joint Free Trade Zones and Unitization
Unit 3	Role of the National Boundary Commission in Border and Boundary Management.
Unit 4	Issues, Challenges and Solutions to Effective Border Management in Africa
Unit 5	African Union Convention of Cross Border Cooperation in Niamey

### **UNIT 1    TRANS-BORDER MANAGEMENT IN ECOWAS AND REGIONAL CITIZENSHIP**

#### **Unit Structure**

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Definition of Boundaries and Borders
- 1.4 Border Management
- 1.5 Stakeholders in Border Management
- 1.6 Facts about Border Management
- 1.7 ECOWAS and Trans-border Management
- 1.8 Regional Citizenship
- 1.9 Summary
- 1.10 References/Further Readings/Web Sources
- 1.11 Possible Answers to Self-Assessment Exercises (SAEs)



#### **1.1 Introduction**

This Unit discusses border management in the ECOWAS sub-region and the concept of regional citizenship. It begins by clarifying the meaning of the concept of borders, boundary and border management. One of the biggest challenges of African borders is their porosity. Trans-border cooperation involves both state and non-state stakeholders for it to work effectively.

Border Management has been a challenge in Africa and other sub-region such as West Africa despite the existence of institutional frameworks.

In this section, we discussed the scope of ECOWAS as a sub-regional organization and some of the challenges militating and surrounding the problem of border management and regional citizenship in West Africa.



## 1.2 Learning Outcomes

By the end of this Unit, you should be able to:

- Define the concept of borders and boundaries.
- Identify relevant stakeholders in border management.
- State some key facts about borders in Africa.
- Understand the role of ECOWAS in trans-border cooperation in West Africa.
- Explain the concept of regional citizenship and its scope in West Africa.



## 1.3 Definition of Boundaries and Borders

### 1. Boundary

The term has no clearly defined meaning, and its definition has raised considerable heated debate amongst surveyors. However, it is generally understood as a line that marks the confines or divides two contiguous territories. It defines the physical limits of a state's territorial and physical jurisdiction. Boundary systems may be classified as fixed or general.

A fixed boundary is one that has been accurately surveyed such that if marking or beacon is lost, it can be replaced in the same position by accurate survey measurements. A general boundary is one where the precise line of the legal boundary between adjoining land portions is left undetermined.

Hence, an international boundary is mutually agreed upon by two neighbouring countries. An international boundary is, therefore, jointly owned by the two countries involved. The creation of an international boundary is a process known as delimitation. This is a mutual and consensual process, where the two states chose to agree on what should constitute a boundary between them. The agreement will normally translate into codification of a boundary treaty.

The boundary treaty is enhanced by determining the survey marks on the ground that will translate the narrative description of the border into a treaty with annexure of border maps showing the physical ground markings in relation to the surrounding features.

A boundary can be marked by natural features or by beacons. The physical boundary markings are used to control persons and goods entering the territory of one state from another (Wafula, 2011).

## **2. Border**

The term Border is used interchangeably with boundary. It refers to a region or area straddling a boundary or the area adjacent to a boundary. This area may or may not be located exactly on the boundary. In fact, some borders such as airports are located hundreds of kilometres away from the boundaries.

Customs officials usually define the border as any place at, or within, the 12 nautical mile limit where the state exercises statutory authority. But immigration officials have pushed borders to other countries through Advanced Passenger Information/Advanced Passenger Processing (API/APP).

It is also notable that countries do not have single borders, particularly those with maritime boundaries that are variously defined from 12 nautical miles to over 200 nautical miles, depending on the limit of the continental shelf. Borders define a country's sovereignty by determining its territory, and where its administration and jurisdiction ends. Borders also assign national identities.

A nation-state's boundaries put people under one entity, define their lifestyles, national culture including language, destiny, privileges (e.g., right to vote, enjoy welfare benefits and certain rights denied non-citizens), etc (Wafula, 2011).

### **1.4 Border Management**

Before we proceed to discuss border management in ECOWAS and the Gulf of Guinea, we shall define the concept of border management. Border management is the sum total of actions and policies initiated and implemented by government towards effective management of borders and boundaries.

It is the collective government function of immigration, customs and excise, and policing, with the aim of controlling and managing the flow of people and goods across a nation's border or boundary. This is done primarily to achieve national interests' objectives such as economic development, security and peace. Technically, it includes the maintenance of boundary beacons that marks the physical limits of the country's territory. Management of borders is a collective process between a state and its neighbours.

Although, it can be done unilaterally which negates international standards, it is however, mostly done effectively and efficiently when it is done regionally by a number of cross-national actors.

## **1.5 Stakeholders in Border Management**

Actors involved in border management include:

1. Government agencies and institutions such as customs, immigration, the military, police force, ministries and parastatals which activities transcends a country's borders.
2. Local authorities in border areas.
3. International business organizations and institutions.
4. Individuals. This includes residents, tourists, travellers or business men and women.
5. Regional and international organizations.

The presence of external threats, risks and concerns determines a state's responses to issues of border management and security. This underscores the need to institute a comprehensive border management system. All in all, border management and the manner in which it is prioritized reflect a country's fears and aspirations.

Border management is also an expression of a state's power and sovereignty as failure to manage borders can result to domestic and international legitimacy crisis. Trans-border management refers to the cooperation between two or more states in managing shared borders and boundaries.

## **1.6 Facts About Borders Management**

Wafula (2011) presents some facts about borders in Africa and they are:

1. Africa has 109 international boundaries that are approximately 28,000 miles.
2. Out of these 109 boundaries, less than 25% are demarcated.
3. African boundaries are characterized by a high level of porosity/permeability and poor or lack of proper management.
4. African international boundaries are said to be secured by about 350 official road crossing points, or one for every 80 miles of boundary (most control posts are 16-20 kilometres away from the border).
5. There are some land boundaries in Africa that are not crossed by road, rail or waterway (e.g., the Central Africa Republic-Congo, Tanzania, Democratic Republic of the Congo).

6. The 109 international boundaries divide 177 cultural or ethnic groups.
7. 20% of African borders are less permeable because of 27 national parks and game/nature reserves along them.
8. Only 414 roads cross borders in Africa.
9. There are 69 roads that cross borders with no customs posts.
10. Only 20 African boundaries are crossed by railways.
11. There are 20 cross-border ferry routes (Wafula, 2011)

In Africa, there is an institutional framework set up by the African Union to promote trans-border cooperation. This is known as the African Union Border Programme (AUBP). The initiative encourages AU member states to demarcate their boundaries. It also aims to assist local communities in their cross-border activities and develop a curriculum that seeks to enhance the capacities of personnel to effectively manage borders. Unfortunately, it has been more talk and less work.

## **1.7 ECOWAS and Trans-Border Management**

The Economic Community of West African States (ECOWAS) was set up to foster cooperation and integration among countries in the West African sub-region. Since the end of the cold war, there has been series of conflicts in the West African sub region that has had overlapping effects on different states that make up the region.

In fact, there is hardly any West African state that has not experience one level of conflict or the other. Most of the states have experienced full scaled civil wars; examples are Liberia, Sierra Leone, Guinea Bissau, Ivory Coast, Nigeria, experienced coup d'état, religious and ethnic clashes are common.

While there is no single factor that can be said to be the cause of any of these conflicts, the security and economic challenges witnessed in the region necessitated the need for trans-border cooperation and management especially as borders are a great determinant in the flow of factors that drive these conflicts and challenges.

The ECOWAS Protocol on Free Movement is an initiative introduced towards promoting effective border management in the West African sub-region. The ECOWAS Protocol on the Free Movement of People and Goods ensures free movement of the community citizens, i.e., citizens of member states. The Protocol on free movement conferred on Community citizens the right to enter and reside in the territory of any member state, provided they possessed a valid travel document and international health certificate.

However, it also allowed member states the right to refuse admission to any Community citizens who were inadmissible under the member state's own domestic law. The four supplementary protocols adopted between 1985 and 1990 mandated member states, among other things, to:

1. Provide valid travel document to their citizens,
2. Grant Community citizens the right of residence for the purpose of seeking and carrying out income-earning employment.
3. Ensure appropriate treatment for persons being expelled.
4. Not to expel Community citizens en masse,
5. Limit the grounds for individual expulsion to reasons of national security, public order or morality, public health or non-fulfilment of an essential condition of residence.

Put together, the overall aim of the ECOWAS Free movement protocol is to promote free movement of goods and persons while retaining the rights of the member states to, if necessary, take unilateral decisions to guarantee its own security.

However, with increasing state concerns about the activities of cross-border criminal networks which have skyrocketed marked especially by the emergence and boom of terrorism in the sub-region, the free movement protocol has been further weakened. The sub-region is now notorious for trans-border criminality.

Criminals have exploited the free movement policy to spread and perpetrate their activities. The security of lives and properties has been threatened as the free movement of goods and persons has made it easier for transnational criminal groups to carry out the proliferation of small and light weapons, smuggling of drugs and increase in human trafficking.

The Refugee and internal displacement problems have created concerns between affected persons and their hosts. For instance, there are Nigerians displaced by Boko Haram who have found themselves in Cameroon.

The challenges of the Protocol have not helped the security concerns of the sub-region.

Even though ECOWAS prides itself as the first region in Africa with the free movement initiative, the Protocol is poorly implemented constituting more security concern than boosting regional trade and economic development. The security personnel, who are guilty of complicity, have rather turned the job to their own business, encouraging the crossing of smugglers of all sorts of commodities from one country to another with just few pieces of silver.

There is high number of roadblocks, illegal barriers and the problem of insecurity on the roads. In 2005, about 44 Ghanaians were killed in The Gambia while trying to exercise their rights to freedom of movement within the sub-region. Ghana has on more than one occasion threatened to and even deported Nigerian migrants, a policy that has generated a similar Nigerian response in the 1980s.

Sadly, ECOWAS does not have an adequate institutional mechanism for checking the entry of illegal immigrants. People who carry out nefarious activities have exploited the opportunity to their advantage. In essence, the privileges of the protocol have been abused.

The Protocol rather than serve the purpose of integration is rather contributing to the insecurity prevalent in the sub-region. Rather than promote trans-border harmony, it has become a suspect for trans-border disharmony.

With the mounting global grudges against immigration inspired by suspicions over migrant dominance of the labour market, ECOWAS free movement protocol will face more opposition in the nearest future especially with the emergence of nationalist and populist governments in any of her member states.

## **1.8 Regional Citizenship**

The concept of regional citizenship has been a popular subject in international relations. The attempt to confer the rights and privileges of citizenship to people within the member communities of a regional or sub-regional organization is not new.

The ECOWAS Protocols on Free Movement confers many privileges enjoyable by ECOWAS citizens and this underscores the rightness of discussing the concept of citizenship before delving into the core aspects of free movement of ECOWAS citizens, residence, establishment and the free movement of goods and capital.

ECOWAS citizenship somehow belongs to an altered category of citizenship in view of the fact that ECOWAS is a sub-regional organization, encompassing various Member States each with its own citizenship regime. Thus, citizenship rules do not belong in an abstract, separate compartment that is peculiar to ECOWAS based on the regional body that it is.

The citizenship requirements of ECOWAS are inevitably tied with those of the various Member States because as a supranational organization, ECOWAS does not exist separately from the Member States. Article 1

of the Protocol is the fundamental provision relating to the definition of ECOWAS citizenship. It states that a citizen of the Community is:

1. Article 1(a): Any person who is a national by descent of a Member State and is not a national of any non-Member State of the Community;
2. Article 1(b): Any person who is a national by birth of any of the Member States either of whose parents is a national by subparagraph (1) above, provided that such a person on attaining the age of 21 chooses to take up the nationality of the Member State. However, a person who had already attained the age of 21 before the coming into force of this Protocol and who is of dual nationality shall renounce the nationality of that parent who is not a national by virtue of subparagraph (a) above. Thus, the provisions relating to the definition and acquisition of ECOWAS citizenship apply only to persons who are citizens of Member States.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... is generally understood as a line that marks the confines or divides two contiguous territories. It defines the physical limits of a state's territorial and physical jurisdiction. Boundary systems may be classified as fixed or general.
2. .... is used interchangeably with boundary. It refers to a region or area straddling a boundary or the area adjacent to a boundary. This area may or may not be located exactly on the boundary.
3. Border management is the sum total of actions and policies initiated and implemented by government towards effective management of borders and boundaries. It is the collective government function of immigration, customs and excise, and policing, with the aim of controlling and managing the flow of people and goods across a nation's border or boundary. **TRUE/FALSE**
4. Which of the following is not a stakeholder in border management: .....
  - a. Government agencies and institutions such as customs, immigration, the military, police force, ministries and parastatals which activities transcends a country's borders.
  - b. Local authorities in border areas.
  - c. International business organizations and institutions.
  - d. None of the Above



5. African international boundaries are said to be secured by about ..... official road crossing points, or one for every 80 miles of boundary (most control posts are 16-20 kilometres away from the border).
6. Africa has ..... international boundaries that are approximately ..... miles.
7. Which of these is among the four supplementary protocols adopted between 1985 and 1990 that ECOWAS member state are mandated to do?
  - a. Provide valid travel document to their citizens,
  - b. Grant Community citizens the right of residence for the purpose of seeking and carrying out income-earning employment.
  - c. Ensure appropriate treatment for persons being expelled.
  - d. All of the above
8. The Economic Community of West African States (ECOWAS) was set up to foster ..... and ..... among countries in the West African sub-region.
9. .... is an initiative introduced towards promoting effective border management in the West African sub-region.
10. The 109 international boundaries divide ..... cultural or ethnic groups.



## 1.9 Summary

Boundary is generally understood as a line that marks the confines or divides two contiguous territories. It defines the physical limits of a state's territorial and physical jurisdiction. The term Border is used interchangeably with boundary. It refers to a region or area straddling a boundary or the area adjacent to a boundary. Africa has a problem of porous borders. The ECOWAS Protocol on Free Movement is an initiative geared towards promotion of trans-border movement and cooperation in West Africa.

ECOWAS is faced with political, economic and institutional challenges that have limited its impact on trans-border management in West Africa.

## SELF-ASSESSMENT EXERCISES II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Africa has ..... international boundaries that are

approximately ..... miles.

2. Which of these is among the four supplementary protocols adopted between 1985 and 1990 that ECOWAS member state are mandated to do?

- a. Provide valid travel document to their citizens,
- b. Grant Community citizens the right of residence for the purpose of seeking and carrying out income-earning employment.
- c. Ensure appropriate treatment for persons being expelled.
- d. All of the above

3. The Economic Community of West African States (ECOWAS) was set up to foster ..... and ..... among countries in the West African sub-region.

4. .... is an initiative introduced towards promoting effective border management in the West African sub-region.

5. The 109 international boundaries divide ..... cultural or ethnic groups.



### 1.10 References/Further Readings/Web Sources

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## 1.11 Possible Answers to the SAEs

### Answers to the SAEs 1

1. *Boundary*
2. *Border*
3. *True*
4. *None of the above*
5. *350*
6. *109 and 28,000*
7. *All of the Above*
8. *Cooperation and Integration*
9. *ECOWAS Protocol on Free Trade Movement*
10. *177*

### Answers to SAEs II

1. *109 and 28,000*
2. *All of the Above*
3. *Cooperation and Integration*
4. *ECOWAS Protocol on Free Trade Movement*

## **UNIT 2      GULF OF GUINEA, JOINT DEVELOPMENT ZONES, JOINT FREE TRADE ZONES AND UNITIZATION**

### **Unit Structure**

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 The Gulf of Guinea
- 2.4 Conceptualizing Joint Development Zone (JDZ) and Joint Free Zone (JFZ)
- 2.5 Examples of Joint Development Zones
- 2.6 Exclusive Economic Zones
- 2.7 Cross-Border Unitization
- 2.8 Difference between Unitization and Joint Development Zone JDZ
- 2.9 Summary
- 2.10 References/Further Readings/Web Sources
- 2.11 Possible Answers to Self-Assessment Exercises (SAEs)



### **2.1 Introduction**

The Gulf of Guinea is an important region to regional and international trade. The rise in the activities of criminals has prompted concerned nations to promote cooperation for the purpose of ensuring maritime security in the region. This cooperation involves countries in the region as well as global partners who also depend on the movement of goods in the Gulf of Guinea for their energy security and stability.

This unit discusses the situation in the Gulf of Guinea and the scope of the Gulf of Guinea Commission (GGC) as a trans-border management initiative. Furthermore, countries with overlapping claims on areas have found a way in which they can cooperate rather than fight over such areas. This unit also discusses terms such as joint development zones, unitizations and exclusive economic zones within the framework of trans-border management.



### **2.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Explain the role of the Gulf of Guinea Commission
- Define JDZ, EEZ and Cross Border Unitization.
- Provide examples of JDZ, EEZ and Cross Border Unitization Agreements.

- Differentiate between JDZ and Unitization.



## 2.3 The Gulf of Guinea

The Gulf of Guinea is a vast and diverse region stretching from Angola to Senegal. It covers an approximately 6000km of coastline. The region is an important shipping zone transporting oil and gas as well as other commodities. It is reported that on a daily average, there are 1,500 fishing vessels, tankers and cargo ships navigating the waters in the Gulf of Guinea.

The major challenge in the Gulf of Guinea is maritime security. In 2020, according to the International Maritime Bureau, the Gulf of Guinea saw 84 attacks on ships, with 135 seafarers kidnapped for ransom. The Gulf of Guinea experienced a nearly 50% increase in kidnapping for ransom between 2018 and 2019, and around 10% increase between 2019 and 2020.

The region now accounts for just over 95% of all kidnappings for ransom at sea. Piracy in the Gulf of Guinea accounted for nearly 30% of attacks (427 of 1,434) in African waters between 2003 and 2011, and that proportion is increasing. This is partly due to successful counter-piracy operations off the coast of Somalia that have reduced piracy east of Suez, but instances of piracy in the Gulf of Guinea are also on the increase: Fifty-three (53) cases were recorded in 2011, compared with 39 in 2010, and a number of cases go unreported. Within the Gulf of Guinea, there had been 62 reported attempted and actual attacks in 2012.

This trend has continued into 2013 with attacks off the coasts of Côte d'Ivoire, Nigeria and the Republic of Congo. Maritime security is essential to maintaining the flow of revenues from oil and gas, which have the potential to contribute significantly to development in the region.

At the same time maritime resources such as fish, aquaculture and intact ecosystems directly contribute to the livelihoods of many Africans (The Royal Institute of International Affairs, 2013).

To ensure effective and efficient border management in the Gulf of Guinea, the Gulf of Guinea Commission (GGC) was established. The original objective of the GGC was to create conditions of mutual confidence, peace, and security conducive to the harmonious development of member states; and to encourage close consultation in the exploitation of the natural resources of the Gulf of Guinea.

This is with a view to ensuring the economic development of member states and the well-being of their peoples. Since 2013, the organization has been more focused on building and expanding regional maritime security architecture. The countries that make up the GGC include: Angola, Cameroon, Congo Republic, Democratic Republic of Congo, Equatorial Guinea, Gabon, Nigeria, Sao Tome and Principe.

In addition to the GGC, the G7 Friends of the Gulf of Guinea (G7 FOGG) plays an important role in advancing the maritime security agenda in the region by bringing together coastal states, private actors, and regional and international stakeholders in its efforts to promote greater international cooperation.

Another initiative launched to promote maritime security in the Gulf of Guinea is the Yaounde Code of Conduct and Regional Information Sharing. This code of conduct concerning the repression of piracy, armed robbery against ships and illicit maritime activity in west and central Africa was signed by governments of countries in and around the Gulf of Guinea in June 2013. Its objective is to promote regional maritime cooperation and a stable maritime environment that can promote the region's security.

In accordance with the Code of Conduct, signatories set up regional centres for information sharing and coordination. These include the Interregional Coordination Centre (ICC) in Yaoundé, Cameroon; the Regional Centre for Maritime Security of West Africa (CRESMAO) in Abidjan, Ivory Coast; and the Regional Centre for Maritime Security of Central Africa (CRESMAC) in Pointe Noire, Congo.

## **2.4 Conceptualizing Joint Development Zone (JDZ) and Joint Free Zone (JFZ)**

The concept of Joint Development Zones has been a subject of debate and interest in international laws and relation since the 1990s. Joint development zones are governed under articles 74(3) and 83(3) of the 12<sup>th</sup> December 1982 United Nations Convention on the Law of the Sea (UNCLOS).

These provisions advise or oblige States to contemplate “provisional arrangements” of “a practical nature” when they face deadlocks in negotiations over maritime delimitation.

This means that if States cannot agree on their maritime boundaries, they can or should instead consider cooperation on the disputed maritime areas, for a transitional period, while remaining under the duty of carrying negotiations on. Joint Development Zones (JDZ) provides for the joint development of trans-boundary resources within a maritime

zone where the two countries have overlapping claims in respect to their Economic Exclusive Zone (hereafter EEZ).

There are two facts that must be noted in the creation of Joint Development Zones. Firstly, there must be an overlapping claim over an area by two countries. Secondly, there must be an agreement between the concerned parties.

## **2.5 Examples of Joint Development Zones**

1. The 22 February 1958 Agreement between Bahrain and Saudi Arabia: this was the first Joint Development Zone in the Persian Gulf.
2. The 7<sup>th</sup> July 1965 Agreement between Kuwait and Saudi Arabia.
3. The Norway-Iceland Arrangement for Jan Mayen
4. The France-Spain Joint Development Zone of 29<sup>th</sup> January 1974
5. Japan-Korea Joint Development Zone.
6. Argentina-Great Britain 1995 Joint Declaration.
7. The 21<sup>st</sup> February 1979 Malaysia-Thailand MOU in the Gulf of Thailand.
8. The 11<sup>th</sup> December 1993 Columbia-Jamaica Treaty establishing a JDZ
9. The Nigerian and Sao and Tome Principe Joint Development Zone.

## **2.6 Exclusive Economic Zone**

According to articles 55-58 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) established and defined the EEZ as not more than 200 nautical miles from the baseline of the territorial sea. Exclusive Economic Zone (EEZ) is a 200 nautical mile zone extending from a coastal State's baseline in which the coastal State has priority of access to living resources and exclusive right of access to non-living resources.

This zone evidently does not require a claim by the coastal State to come into existence; In an EEZ, the coastal State's rights extend to all ocean strata from the ocean's surface to its subsoil. Essentially, the EEZ concept attempts to secure for the coastal state the resources of sea, seabed and subsoil irrespective of variations in geographic or economic or ecological circumstances.

The exclusive economic zone is exclusive only in so far as mineral resources are concerned. It is essentially only preferential so far as living resources are concerned. However, the EEZ is truly an economic zone because the coastal State has varying rights to anything of economic

value in the zone. Beyond the traditionally exploited living and mineral resources, the EEZ gives the coastal State the exclusive right to produce and exploit non-traditional energy resources within 200 miles of its baseline. Wind and ocean currents, wave motion, and thermal gradients are the major energy sources currently being exploited.

It must be noted, though, that technological and political impediments may prevent energy production from ever being a major economic resource of any EEZ. The EEZ gives the coastal state sovereign rights, but not sovereignty over certain activities such as exploring, exploiting, conserving, and managing the natural resources on the surface and subsurface of the seabed.

The EEZ also gives coastal states rights to conduct other activities with a view to explore and extract economic benefits from the zone. All other states enjoy freedom of navigation, fly over rights, and other lawful acts associated with the operation of ships, aircraft, submarine cables, and pipelines that are compatible with UNCLOS.

#### **Nigeria and Sao Tome and Principe Joint Development Zone:**

The Treaty between the Federal Republic of Nigeria and the Democratic Republic of Sao Tome and Principe on the Joint Development of petroleum and other resources, in respect of Areas of the Exclusive Economic Zone of the Two States (hereafter the Treaty or the N/STP-JDZ Treaty) 1 was signed on February 21, 2001 in Abuja, capital of Nigeria. It entered into force on 16 January 2003.

It was registered by the United Nations (hereafter UN) General-Secretary by 3<sup>rd</sup> October 2003. It provides for the joint development of trans-boundary resources within a maritime zone where the two countries have overlapping claims in respect to their Economic Exclusive Zone (hereafter EEZ). It sets up a Joint Development Zone (here after JDZ) for the joint exploration and exploitation of petroleum and fishing resources in the disputed areas.

The Treaty establishes a Zone and some major institutions. The Zone covers an area of 34,540 square kilometres, which amounts to about 10,000 square nautical miles. Articles 74(1) and 83(1) of LOSC require neighbouring coastal States to settle their EEZ and continental shelf through agreement, and in accordance with international law. In the case of failure to reach such an agreement, and subject to recourse to procedures governed by Part XV on disputes settlement, the LOSC provides for provisional arrangements.

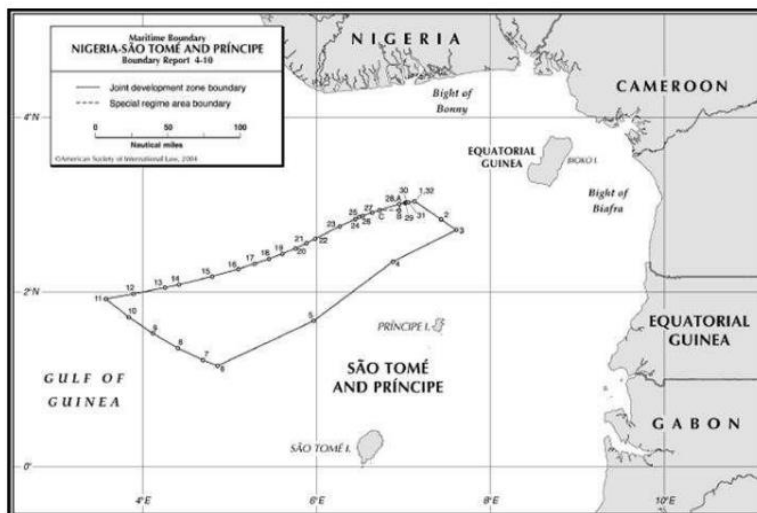
The Treaty makes a noticeable effort in reflecting this in the institutions created in the framework of the JDZ. As we know now the Treaty



resulted from negotiations. Even if the JDZ in itself is not a boundary, it is worth noticing that it has been achieved through negotiations, apparently “in a spirit of understanding and cooperation”, as required by the relevant provision of the LOSC, that is paragraph 3 of articles 74 and 83.

The prescription to “make every effort to enter into provisional agreement of a practical nature” has been observed and went through. The Treaty and the JDZ are the result of such an effort. Delineating the JDZ in provisional agreement itself remains a difficult task, and is properly a diplomatic and legal challenge. Writers such as Gao Jianjun have underlined this difficulty: For a joint development arrangement to succeed, the participating states must tackle different kind of challenges, and the foremost of these is the delineation of a joint development zone (JDZ).

Although there is no specific rule in international law addressing this issue, in practice, however, the location of the JDZ has a close link to the international rules on.



**FIGURE 2: THE N/STP JDZ IN THE GULF OF GUINEA**

(Source: D.A. Colson and R.W. Smith, *International Maritime Boundaries*, Vol. V, p.3648)

*Fig. 2.1*

## 2.7 Cross-Border Unitization

Unitization is the process whereby petroleum reservoirs (fields) straddling concession boundaries are developed and exploited as a unit using a single operator (the unit operator) and common production facilities under a signed agreement (Unitization Agreement), by the holders of the respective concessions. The objective is to maximize economic recovery of producible hydrocarbons. In Nigeria, the enabling law that gives legal backing for unitization is the Petroleum (Drilling and Production) Regulation 1969, section 47, as amended and the 2008 unitization guidelines by the Department of Petroleum Resources (DPR). One of the major milestones in the unitization process is the signing of the unitization unit operating agreement (UUOA).

This agreement specifies how the straddle field is to be operated and defines tract participation (the equity interest, assigned to each concession in the unit). There are about 70 straddle field in Nigeria but not up to ten (10) UUOA agreements has been implemented.

Cross-border unitization in the strict sense covers situations where a common reservoir is underlying the delimited boundary between two states, and it involves the treatment of an identified deposit which is usually a specific petroleum reservoir or field as a single deposit. The concepts of joint development and unitization are not mutually exclusive, because a JDZ could be subdivided into separate contract areas so that deposits may occur across its internal boundaries.

In addition, deposits may be found that cross the boundary of the JDZ into an area where one of the states exercises exclusive sovereign rights. The principle of unitization originated in the United States for the purpose of efficient development of common petroleum reservoirs by the owners of the rights in the separate tracts overlying the reservoir.

This has been accepted and practiced all over the world. Any cross-border unitization will need to be agreed to at two levels:

1. The impacted states will need to reach an agreement; and
2. The respective license holders will need to enter into a unit operating agreement. The purpose of the first agreement is to set out the rights and obligations of each state with respect to the field development and incorporate procedures requiring agreement of both states to minimize conflicts.

## 2.8 Difference Between Unitization and Joint Development Zone (JDZ)

The difference between Unitization and Joint Development Zone (JDZ) whereas unitization occurs in cases where there already exists a boundary or any other border or limit, a Joint Development Zone (JDZ) normally prevails where a maritime boundary is still to be fixed.

Both solutions are meant to help coastal States to proceed to the exploitation of maritime resources that either straddle their maritime boundary, or are subject to opposing claims when there is no boundary yet. By so doing, States avoid or quickly settle disputes arising upon those resources, thus allowing for their exploration or exploitation on better delays and conditions. Recourse to these means is tantamount to actually setting aside claims from both States.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... is a vast and diverse region stretching from Angola to Senegal. It covers an approximately 6000 km of coastline. The region is an important shipping zone transporting oil and gas as well as other commodities.
2. The Treaty between the Federal Republic of Nigeria and the Democratic Republic of Sao Tome and Principe on the Joint Development of petroleum and other resources, in respect of Areas of the Exclusive Economic Zone of the Two States (hereafter the Treaty or the N/STP-JDZ Treaty) 1 was signed on February 21, ..... in Abuja, capital of Nigeria.
3. .... is the process whereby petroleum reservoirs (fields) straddling concession boundaries are developed and exploited as a unit using a single operator (the unit operator) and common production facilities under a signed agreement (Unitization Agreement), by the holders of the respective concessions.
4. To ensure effective and efficient border management in the Gulf of Guinea, the ..... was established.
5. Ghana is an example of a country in West Africa that makes up the Gulf of Guinea. **TRUE/FALSE**



## 2.9 Summary

The Gulf of Guinea is a vast and diverse region stretching from Angola to Senegal. It covers an approximately 6000 km of coastline. The Gulf of Guinea Commission was set up to promote trans-border cooperation in the Management of the Gulf of Guinea. Joint Development Zone provides for the joint development of trans-boundary resources within a maritime zone where the two countries have overlapping claims in respect to their Economic Exclusive Zone.

Exclusive Economic Zone is a 200 nautical mile zone extending from a coastal State's baseline in which the coastal State has priority of access to living resources and exclusive right of access to non-living resources. Unitization is the process whereby petroleum reservoirs (fields) straddling concession boundaries are developed and exploited as a unit using a single operator (the unit operator) and common production facilities under a signed agreement (Unitization Agreement), by the holders of the respective concessions.

## SELF-ASSESSMENT EXERCISES II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... confers the rights and privileges of citizenship to people within the member communities of a regional or sub-regional organization is not new.
2. .... provides for the joint development of trans-boundary resources within a maritime zone where the two countries have overlapping claims in respect to their Economic Exclusive Zone (hereafter EEZ).
3. There are two facts that must be noted in the creation of Joint Development Zones. Firstly, there must be an overlapping claim over an area by two countries. Secondly, there must be an agreement between the concerned parties. **TRUE/FALSE**
4. .... is a 200 nautical mile zone extending from a coastal State's baseline in which the coastal State has priority of access to living resources and exclusive right of access to non-living resources.
5. The difference between unitization and Joint Development Zone (JDZ) is that while unitization occurs in cases where there already exists a boundary or any other border or limit, a Joint Development Zone (JDZ) normally prevails where a maritime boundary is still to be fixed. **TRUE/FALSE**



## 2.10 References/Further Readings/Web Sources

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## 2.11 Possible Answers to SAEs

### Answers to Questions 1

1. *Gulf of Guinea*
2. *2001*
3. *Unitization.*
4. *Gulf of Guinea Commission*
5. *False*

### Answers to SAEs II

1. *Regional Citizenship*
2. *Joint Development Zones*
3. *True*
4. *Exclusive Economic Zone*
5. *True*

## **UNIT 3      ROLE OF THE NATIONAL BOUNDARY COMMISSION IN BORDER AND BOUNDARY MANAGEMENT**

### **Unit Structure**

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Functions of National Boundary Commission in Boundary and Trans-border Management
- 3.4 The Internal Boundary Technical Committee of the National Boundary Commission
- 3.5 The International Boundary Technical Committee of the National Boundary Commission
- 3.6 The States and Local Boundary Technical Committee of the National Boundary Commission
- 3.7 Summary
- 3.8 References/Further Readings/Web Sources
- 3.9 Possible Answers to SAEs



### **3.1 Introduction**

Border and boundary issues are important concerns of government as the lack of proper management have shown to lead to conflicts in affected areas. The National Boundary Commission is backed by legislation to deal with border and boundary issues in Nigeria from local, state, national to international level. This Unit discusses the role of the National Boundary Commission in the management of internal and external borders and boundaries. It also discusses the role of other sub-committees of the National Boundary Commission.



### **3.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Identify the functions of the National Boundary Commission.
- Identify the functions of the internal and international boundary committee of the National Boundary Commission.
- Identify the functions of state and local technical committee of the National Boundary Commission.



### **3.3 Functions of the National Boundary Commission in Boundary and Trans-border Management**

The role of the National Boundary Commission in boundary and trans-border management is contained in its functions as stated in the National Boundary Commission (Establishment) Act of 2006: For boundary and trans-border management, the Commission shall:

1. Intervene, and deal with any boundary disputes that may arise between Nigeria and any of her neighbours with a view to settling the dispute;
2. Intervene, determine and deal with any boundary dispute that may arise among states, local government areas or communities in the Federation with a view to settling the disputes;
3. Define, and delimitate boundaries between states, local government areas or communities in the Federation and between Nigeria and her neighbours in accordance with delimitation instrument or document established for that purpose.
4. Monitor trans-border relations between Nigeria and her neighbours with a view to detecting areas of tension and possible conflict.
5. Promote trans-border cooperation and border region development.
6. Encourage negotiated settlement of border disputes in preference to litigation;
7. Facilitate equitable utilization of shared border resources of land, water, games, forest resources, etc.
8. Co-ordinate all activities on international boundaries;
9. Formulate policies and programmes on internal and international boundaries including land and maritime.
10. Liaise with other international boundary related bodies;
11. Advise the Federal Government on matters affecting Nigeria's border with any neighbouring country;
12. Consider recommendations from the Technical Committees or any other committee set up by the Commission and advise the Federal Government on such recommendations;
13. Take all necessary steps towards the implementation of resolutions on internal boundary disputes;
14. Disseminate information to educate the general public on the functions of the Commission under this Act;
15. Organize, run, operate, conduct and participate in such training courses, lectures, seminars, conferences, symposia and similar study groups which may enhance the activities of the Commission or the efficiency of any of its officers and employees;

16. Carry out such duties related to boundary and border matters as the President may, from time to time, direct; and
17. Do such other things as may be considered by the Commission to be necessary, desirable, expedient, supplementary or incidental to the performance of the functions or the exercise of the powers conferred on the Commission under this Act.

The Commission is also empowered to establish Internal Boundary Technical Committee and an International Boundary Technical Committee that deals with internal and international boundaries, offer management advice and proffer solutions.

### **3.4 The Internal Boundary Technical Committee of the National Boundary Commission**

There is established for the National Boundary Commission a body to be known as the Internal Boundary Technical Committee. The Internal Boundary Technical Committee shall consist of:

1. The Minister of Works, who shall be the Chairman;
2. A representative of the Inspector-General of Police not below the rank of a Commissioner of Police.
3. The Permanent Secretary each from the following institutions:
  - National Planning Commission,
  - Political Affairs Office, the Presidency,
  - Ministry of Internal Affairs, and
  - States and Local Government Affairs, the Presidency;
4. The Solicitor-General of the Federation and Permanent Secretary, Federal Ministry of Justice;
5. The Surveyor-General of the Federation;
6. The Comptroller-General of the Nigerian Immigration Service;
7. Three non-ex-officio members of the Commission;
8. The Chairman of the State Boundary Committee and the Surveyor-General in the relevant States, who may be co-opted when matters affecting their States arise.
9. Deal with any internal boundary dispute with the view to settling the dispute;



***The Functions of the Internal Boundary Committee include:***

1. Deal with any internal boundary dispute with the view to settling the dispute;
2. Define and delimit internal boundaries in accordance with the delimitation instrument or document established for the purpose;
3. Proffer solutions to any internal boundary problems;
4. Promote the development and effective management of internal boundaries; and
5. Make recommendations to the President through the Commission on boundary and border issues between States, Local Governments and communities where necessary.

**3.5 The International Boundary Technical Committee of the National Boundary Commission**

The provision for the International Boundary Technical Committee was made in the act that established the National Boundary Commission. The International Boundary Technical Committee shall consist of:

1. The Minister of Foreign Affairs, who shall be the Chairman
2. A representative of the Inspector-General of Police not below the rank of a Commissioner of Police
3. The Permanent Secretary each from the Ministry of
  - Defence.
  - Works.
  - Petroleum Resources.
  - Internal Affairs.
  - Cooperation and Integration in Africa.
  - National Planning Commission, and
  - Political Affairs Office, the Presidency.
4. The Solicitor-General of the Federation and Permanent Secretary, Federal Ministry of Justice;
5. The Director-General, National Intelligence Agency.
6. The Surveyor-General of the Federation;
7. The Comptroller-General of Immigration Service;
8. Three non-ex-officio members of the Commission;
9. The Chairman of the State Boundary Committee and the Surveyor-General in the relevant States, who may be co-opted when matters affecting their States arise; and
10. The Director-General of the Commission.

The Functions of International Boundary Committee of the National Boundary Commission include:

1. Deal with matters affecting Nigeria on its borders with neighbouring countries including land and maritime;
2. Participate, as may be required in the delimitation of international boundaries in accordance with the delimitation instrument or document established for the purpose;
3. Proffer solutions to any international boundary problems;
4. Promote trans-border cooperation and border region development; and
5. Make appropriate recommendations to the Commission on the effective boundaries and borderlands.

### **3.6 The States and Local Boundary Technical Committee of the National Boundary Commission**

The Act also made provisions for the establishment of the State and Federal Capital Territory Boundary Committees and the responsibility of these committees include:

1. Deal with inter and intra local government boundary disputes within the State and the Federal Capital Territory.
2. Define and delimit Inter and Intra Local Government Area or Area Council Boundaries in accordance with the delimitation instrument or document established for that purpose;
3. Liaise with the Zonal Liaison Officer of the Commission in the State and the Federal Capital Territory;
4. Identify and intervene in areas of potential disputes in the State and the Federal Capital Territory, Abuja;
5. Hold meetings at least once in every quarter to ensure maintenance of peace and order in the border areas;
6. Liaise with the State Boundary Committees of neighbouring States with the view of taking joint measures that shall promote good inter-community relationship;
7. Arrange with other State Boundary Committees for joint utilization of shared resources and facilities along their common borders;
8. Encourage and promote joint inter-community development ventures among border dwellers;
9. Encourage and support peace organs within the State and the Federal Capital Territory, Abuja as the case may be, for the purpose of promoting peace and harmony between communities involved in boundary disputes;
10. Monitor the activities of Local Government Boundary Committees within the State and the Federal Capital Territory, Abuja as the case may be, and deal with disputes which cannot be settled by the Local Government Boundary Committees;

11. Evolve measures for joint utilization of amenities along local government boundaries within the State and the Federal Capital Territory, Abuja as the case may be;
12. Encourage negotiated settlement of boundary disputes in preference to litigation; and
13. Carry out awareness and enlightenment campaigns among the people in the State and the Federal Capital Territory, Abuja as the case may be, on the essence of boundaries in order to foster peace and harmony among the people living along boundary lines.

***The functions of Local Government Boundary Committees of the National Boundary Commission include:***

The Local Government Boundary Committee is saddled with the following responsibilities:

1. Deal with inter-community boundary disputes;
2. Liaise with and keep the State or the Federal Capital Territory Boundary Committee, as the case may be, informed of all boundary problems within the Local Government Area or Area Council;
3. Hold meetings at least once quarterly to identify areas of potential boundary disputes and alert the State or the Federal Capital Territory Boundary Committee, as the case may be;
4. Liaise with neighbouring Local Government Areas towards evolving joint programmes that shall promote peace and harmony among border dwellers;
5. Encourage negotiated settlement of boundary disputes in preference to litigation; and
6. Carry out awareness and enlightenment campaigns with the view of fostering peaceful relationship with neighbouring communities.

As extensively enumerated above, we have established that the National Boundary Commission is equipped with the institutional framework to attend to local, state, national and international border and boundary issues.

**SELF-ASSESSMENT QUESTIONS 1**

- |  |
|--|
| <ol style="list-style-type: none"> <li>1. The role of the National Boundary Commission in boundary and trans-border management is contained in its functions as stated in the National Boundary Commission (Establishment) Act of.....</li> <li>2. These are the functions of the National Boundary Committee except:               <ol style="list-style-type: none"> <li>i. Intervene, and deal with any boundary disputes that may arise</li> </ol> </li> </ol> |
|--|

- between Nigeria and any of her neighbours with a view to settling the dispute;
  - ii. Intervene, determine and deal with any boundary dispute that may arise among states, local government areas or communities in the Federation with a view to settling the disputes;
  - iii. Define, and delimitate boundaries between states, local government areas or communities in the Federation and between Nigeria and her neighbours in accordance with delimitation instrument or document established for that purpose.
  - iv. None of the Above.
3. The Commission has ..... and ..... boundary committees.



### 3.7 Summary

The role of the National Boundary Commission in boundary and trans-border management is contained in its functions as stated in the National boundary commission (establishment) act of 2006. This act also established for a commission, internal and international boundary committees as well as state and local boundary committees. The responsibility of the commission includes to intervene and deal with any boundary disputes that may arise between Nigeria and any of her neighbours with a view to settling the dispute; this function is replicated within Nigeria at the state and local level. The sub-committees deal with issues within their jurisdiction and advise the commission on best practices in handling border and boundary disputes both within and outside Nigeria.

### SELF-ASSESSMENT QUESTIONS II

1. The local government boundary committee is saddled with the task of encouraging negotiated settlement of boundary disputes in preference to litigation. **TRUE/FALSE**
2. The international Boundary Committee participate, as may be required in the delimitation of international boundaries in accordance with the delimitation instrument or document established for the purpose. **TRUE/FALSE**
3. The National Boundary Commission formulate policies and programmes on internal and international boundaries including land and maritime. **TRUE/FALSE**



### 3.8 References/Further Readings/Web Sources

National Boundary Commission (Establishment) Act, 2006.

Oji, O. R. (2021). *Nigeria Niger Joint Commission for Cooperation (NNJCC): A Model for the Cross Border Cooperation Initiative of the African Union Border Programme*. South East Journal of Political Science, 3(2).

<https://journals.aphriapub.com/index.php/SEJPS/article/view/138>

Oji, O.R. & Mustapha, F. (2021). *An Appraisal of the Capacity of Government Institutions for Border Management in Nigeria*. South East Journal of Political Science, 6(1).

<https://journals.aphriapub.com/index.php/SEJPS/article/view/133>



### 3.9 Possible Answers to SAEs

#### Answers to SAEs I

1. 2006
2. D (None of the Above)
3. Internal and International

#### Answers to SAEs II

1. TRUE
2. TRUE
3. TRUE

## **UNIT 4 ISSUES, CHALLENGES AND SOLUTIONS TO EFFECTIVE BORDER MANAGEMENT IN AFRIC**

### **Unit Structure**

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 Challenges to Border Management in Africa
- 4.4 Issues in Border Management in Africa
- 4.5 Strategies of Improving Trans-Border Management in Africa
- 4.6 Summary
- 4.7 References/Further Readings/Web Sources
- 4.8 Possible Answers to Special Assessment Exercise



### **4.1 Introduction**

Border management in Africa is not without challenges. Some of these challenges have existed for decades. This is why despite the existence of numerous institutional frameworks and initiatives designed to ensure efficient and effective management of borders in Africa, the results have been poor. In this unit, we shall discuss the challenges to border management in Africa, account for reasons why borders are not properly managed in Africa and proffer strategies that will address these challenges and issues.



### **4.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Identify the challenges to Border Management in Africa.
- Identify the issues in Border Management in Africa
- Identify the strategies of improving border management in Africa.



### 4.3 Challenges to Border Management in Africa

The challenges to border management in Africa include:

1. **Lack of Strong Institutions:** The management of African boundaries/borders is a factor of the nature of African states and how they are governed. For instance, the prevalence of weak or lack government institutions is most pronounced at the border. Most African countries do not have institutions to manage their borders.
2. **Lack of Cooperation:** The lack of integration at different levels: local, governmental and regional. At the local level, most border management efforts do not incorporate or include border communities. Some deployments of security personnel have most often been carried out without including local interests or partnering with locals despite their intimate knowledge of the border terrain. At government level, there is usually little or no integration between different departments such as immigration, customs, police and intelligence. It is a major security failure when personnel, such as police, military and intelligence do not coordinate with each other at the border. At regional level, most governments do work closely to enhance border security by sharing of intelligence information, undertaking joint border patrols, etc. Effective border security measures require close cooperation among all these levels.
3. **Lack of demarcation:** Lack of, and poorly, marked boundaries have greatly contributed to border insecurity in Africa. Managing African borders is a daunting task. Patrolling a country's borders may often lead to violations of neighbours' territories, as one cannot patrol what doesn't exist. Further, in the words of Helmoed-Römer Heitman, "one cannot control what one does not patrol". African maritime borders are even much more insecure due to the lack of resources to patrol them. At the moment, very few maritime boundaries have been marked. This has greatly contributed to the menace of piracy in the Horn of Africa and Gulf of Guinea regions. Besides piracy, African states are threatened from the sea by illegal fishing, dumping of hazardous and toxic wastes, and smuggling (Wafulu, 2011).
4. Lack of political will and commitment of resources to effectively manage borders.
5. Inadequate personnel available for deployment on the borders.
6. Inadequate skills of personnel deployed to manage borders.
7. Poor motivation among border personnel.
8. Lack or poor intelligence sharing between agencies and countries.
9. Lack of facilities and equipment to secure and manage borders.

10. Lack of office spaces & accommodation for border patrol & control personnel (dilapidated houses with collapsing walls and leaking roofs).
11. Poor and inadequate communication channels—most of the border management personnel do not have the basic communication means such as radios or even mobile phones.
12. Lack of transport and roads along borders to enable patrols.
13. Poorly controlled and managed border points due to absence of offices.
14. Poorly demarcated borders; as pointed out above, more than 75% of African boundaries are poorly marked or unmarked.
15. Illegal border crossing points, usually called “mice or rat routes,” are used by smugglers who charge a fee ranging from \$15-100 depending on the difficulty of terrain and presence of border security personnel.
16. Porosity of borders
17. Presence of cross-border communities that are difficult to administer and often uncooperative in managing borders. Some borders, particularly in Eastern African, have become almost unmanageable due to the lifestyles (gun culture) of pastoralist border communities.
18. Lack or non-functioning border commissions.
19. High-level corruption.

#### **4.4 Issues in Border Management in Africa**

1. Human Smuggling and Trafficking
2. Arms Smuggling: Arms smuggling in West Africa has been identified as a major contributor of regional instability. A Small Arms Survey report points out that “countries with more porous borders tend to have lower weapons prices. This is especially the case in Africa, where porous borders allow the supply of weapons to meet demand more readily.” However, Amado Philip de Andrés has noted that “cross-border crimes are mostly symptomatic rather than causes of instability” in regions (Wafulu, 2011).
3. Auto Theft
4. Drug Trafficking
5. Terrorism
6. War Mercenaries
7. Conflict between Border Communities
8. Population Migration: Population movements across borders caused by armed conflicts have far-reaching security and legal implications. While refugees fleeing armed conflicts have rights and protections guaranteed by international humanitarian laws, among their ranks may be armed combatants who could threaten the security of civilian refugees and local populations near the



camps. There have also been cases where combatants have used refugees as shields and the camps to stage cross-border attacks or to organize invasion of neighbouring countries.

#### 4.5 Strategies to Improving Trans-border Management in Africa

1. Coordination within and between a country's border management agencies.
2. Coordinated Patrols and Joint Patrols with neighbouring countries, in frame of bilateral or trilateral cooperation. Some countries such as Uganda, South Africa and Rwanda have deployed military personnel to patrol their borders while others such Kenya prefer to deploy police units. Those that use the military assume that the military is less prone to being bribed than the police.
3. The establishment of Joint Border Posts (JBPs)/Border Liaison Offices (BLOs) to increase cross-border communication and sharing of crucial intelligence information. This would build trust and dialogue between the opposing border control agencies and increase the spontaneous information exchange about the movement of goods, suspects and vehicles across common borders. The EU in February 2011 offered to construct JBPs at Seme (Nigeria/Benin), Noepe (Ghana/Togo) and Malanville (Benin/Niger) border posts at a cost of 37 million Euros.
4. The installation of surveillance equipment in border regions. Such equipment as usually expensive to procure and maintain. It should also be noted that peddling of border security gadgets have become a growth industry worth billions of dollars.
5. The deployment of Mobile Interdiction Teams (MOBITs) to guard long, porous borders that are often crossed with ease.
6. The creation of an intelligence-led border control capacity that aims to control cross-border crimes. This approach will focus on the identification, analysis, management and sharing of intelligence on cross-border criminal activities (Wafulu, 2011).

#### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The National Boundary Commission (Establishment) Act was enacted in the year .....
2. One of these is not a function of the National Boundary Commission:
  - (a) Intervene, and deal with any boundary disputes that may arise

- between Nigeria and any of her neighbours with a view to settling the dispute;
- (b) Intervene, determine and deal with any boundary dispute that may arise among states, local government areas or communities in the Federation with a view to settling the disputes;
  - (c) Promote trans-border cooperation and border region development.
  - (d) None of the above
3. The Commission has a ..... and ..... boundary committee for internal and external boundary issues.
4. Lack of, and poorly, marked boundaries have greatly contributed to border insecurity in Africa. **TRUE/FALSE**



#### 4.6 Summary

The challenges to effective and efficient border management in Africa are the usually culprits. They include lack of political will, corruption, Lack of cooperation, lack of funds, inadequate skilled personnel and absence of strong institutions. It all boils down to one factor: lack of political will. African leaders have not demonstrated the necessary political will to ensure the continent's borders are properly managed. When sorted, this is the magic touch.

#### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The establishment of Joint Patrol Teams, Joint Border Posts (JBPs)/Border Liaison Offices (BLOs) to increase cross-border communication and sharing of crucial intelligence information are some of strategies of improving border security in Africa. **TRUE/FALSE**
2. One of the following is responsible for why Borders are not properly managed in Africa.
  - (a) Lack of political will and commitment of resources to effectively manage borders.
  - (b) Lack of cooperation within departments, between departments and between countries.
  - (c) Inadequate personnel available for deployment on the borders.
  - (d) All of the Above
3. The installation of surveillance equipment in border regions to promote border security is usually expensive to procure and maintain. **TRUE/FALSE**



#### 4.7 References/Further Readings/Web Sources

Morales, D. (2020). *Conceptualizing sub-national regional cooperation*.

Available on

<https://www.researchgate.net/publication/339734032>

Wafula, O. (2011). *Border Management and Security in Africa*

Available on

<https://www.researchgate.net/publication/308983535>



#### 4.8 Possible Answers to Self-Assessment Exercises (SAEs)

##### Answers to SAEs 1

1. 2006
2. None of the Above
3. Internal and International
4. True

##### Answers to SAEs II

1. TRUE
2. D
3. TRUE

## **UNIT 5      AFRICAN UNION CONVENTION OF CROSS BORDER COOPERATION IN NIAMEY**

### **Unit Structure**

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 Objectives of African Union Niamey Convention of Cross Border Cooperation
- 5.4 Areas of Cooperation
- 5.5 Mechanism for Implementation of Cross Border Cooperation at the Level of the State Parties
- 5.6. Mechanisms for Implementation of Cross Border Cooperation at the Level of the Regional Economic Communities
- 5.7 Mechanism for Implementation of Cross Border Cooperation at the Continental Level
- 5.8 Summary
- 5.9 References/Further Readings/Web Sources
- 5.10 Possible Answers to Self-Assessment Exercises (SAEs)



### **5.1 Introduction**

This Unit discusses the objectives, areas of cooperation and mechanisms for cooperation adopted in the African union convention on cross border cooperation held in Niamey. The essence of that convention is to facilitate the agreement on key border cooperation issues as well as to ensure the implementation of effective cross-border cooperation, necessary for the transformation of border areas into zones of trade and cooperation.



### **5.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Identify the objectives of the convention.
- State the areas of cooperation.
- Identify the various mechanisms for implementation at various levels.



### **5.3 Objectives of African Union Niamey Convention of Cross Border Cooperation**

The objectives of the convention are:

1. Promote cross border cooperation, at local, sub regional and regional levels.
2. Seize the opportunities arising from shared borders and address the related challenges.
3. Facilitate the delimitation, demarcation and reaffirmation of interstate border, in conformity with mechanisms agreed upon by the parties concerned.
4. Facilitate the peaceful resolution of border disputes.
5. Ensure efficient and effective integrated border management.
6. Transform border areas into catalysts for growth, socioeconomic and political integration of the continent and
7. Promote peace and stability through the prevention of conflicts, the integration of the continent and the deepening of its unity.

### **5.4 Areas of Cooperation**

State parties should commit themselves to promote cross border cooperation in the following areas:

1. Mapping and geographical information, including survey;
2. Socio-economic development, including transportation, communication, trade, agro pastoral activities, handicrafts, energy resources, industry, health, sanitation, drinking water, education and environmental protection;
3. Cultural activities and sports;
4. Security, especially combating cross border crime, terrorism, piracy and other forms of crime
5. Demining of border areas.
6. Institutional development in all areas covered by the present convention including identification, formulation and execution of projects and programmes;
7. And any other areas agreed upon by the state parties.

### **5.5 Mechanism for Implementation of Cross Border Cooperation at the Level of the State Parties**

- A. State parties shall commit themselves to apply the provisions of the present convention and to endeavour to attain its objectives, particularly by:

- i. Establishing cooperation mechanisms, including legal frameworks;
  - ii. Taking into account domestication of the provisions of the convention in the development of their national policies and strategies.
  - iii. Submitting, every two years, a report on the measures taken for the implementation of the present convention.
- B. Activities pertaining to cross border cooperation shall be undertaken by the local territorial communities or authorities as defined by the domestic law of state parties.
- C. The decentralized border territorial administrations or authorities established under the domestic law of state parties shall exercise the powers, including the conclusion of cooperation agreements with decentralized border territorial administrations or authorities of neighbouring state parties in conformity with the domestic law of their respective states.
- D. State parties may establish border consultative committees comprising of representatives of competent bodies to assist, in an advisory capacity, the border communities and authorities in the consideration of cross border cooperation matters.

## **5.6 Mechanisms for Implementation of Cross Border Cooperation at the Level of the Regional Economic Communities**

1. The commission shall establish a framework for cooperation with the regional economic communities on the implementation of the border programme, in conformity with the objectives of this convention. In this regard, the commission shall request the regional economic communities to:
  - a. Encourage member state to sign, ratify, or accede to, this convention;
  - b. Designate focal points for coordination, evaluation and monitoring of the implementation of the commitments enshrined in this convention.
2. The commission shall encourage each regional economic community to establish a regional border consultative committee.
3. The regional border consultative committees, composed of nominees of member states of the regional economic communities, shall assist the latter, in an advisory capacity, in the consideration of cross border cooperation matters.
4. The regional border consultative committee shall:

- a. Assist in the formulation of policies and activities for the promotion of cross border cooperation in administrative, cultural, socio-economic and security areas in their respective regions.
- b. Prepare road-maps outlining the actions necessary for enhancing cross border cooperation.
- c. Coordinate all the activities, as well as the mobilization of the required means for the attainment of the objectives stipulated in this convention.
- d. Facilitate dialogue and consultation between regional and local authorities located on either side of border areas, when requested by the state parties concerned.
- e. Recommend the adoption of best practices for the effective management and administration of border areas.
- f. Examine the problems faced by the border populations and suggest solutions thereto, when requested by the state parties concerned.
- g. Make recommendations on ways and means of promoting cross-border activities undertaken by the different entities located within border areas, when requested by the state parties concerned.

## **5.7 Mechanism for Implementation of Cross Border Cooperation at the Continental Level**

1. The commission shall coordinate and facilitate the implementation of this convention through the border programme. Accordingly, the commission shall:
  - a. Act as the central coordinating structure for the implementation of its convention.
  - b. Support state parties in implementing this convention.
  - c. Coordinate the evaluation of the implementation of the convention with other appropriate organs of the union, the regional economic communities and competent national bodies.
  - d. Establish the continental border consultative committee
  - e. Support the efforts of the state parties for an effective sharing of information and intelligence.
2. The continental border consultative committee shall be composed of the representatives of the regional economic communities and shall operate under the auspices of the commission.
3. The continental border consultative committee shall be charged with the following tasks:
  - a. advise the commission on cross border cooperation matters;
  - b. Consider and propose general guidelines to promote cross border cooperation in administrative, security, socio economic, cultural and other areas identified in the convention

- c. Identify priority actions and resources needed for the implementation of these guidelines.
- d. Promote best practices relating to the development of border regions.
- e. Examine problems faced by border populations and propose recommendations, in coordination with, and approval of, the state parties concerned.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Which of these is not an objective of the Niamey Convention:
  - A. Promote cross border cooperation, at local, sub regional and regional levels.
  - B. Seize the opportunities arising from shared borders and address the related challenges.
  - C. Facilitate the delimitation, demarcation and reaffirmation of interstate border, in conformity with mechanisms agreed upon by the parties concerned.
  - D. None of the Above
2. Which of these is an area of cooperation of the convention:
  - a. Security, especially combating cross border crime, terrorism, piracy and other forms of crime
  - b. Demining of border areas.
  - c. Institutional development in all areas covered by the present convention including identification, formulation and execution of projects and programmes;
  - d. ALL OF THE ABOVE.
3. Submitting a report on the measures taken for the implementation of the present Convention should be done every ..... year.



### 5.8 Summary

The African Union Convention on Cross-Border Cooperation held Niamey is a brainchild of the African Union and its intention is to promote transformational cross border cooperation in Africa. Part of its objectives includes facilitating the peaceful resolution of border disputes, ensuring efficient and effective integrated border management, transforming border areas into catalysts for growth, socioeconomic and political integration of the continent and promoting peace and stability through the prevention of conflicts, the integration of the continent and



the deepening of its unity. Core areas of cooperation include economy, trade, culture, security and conflict management. However, there have been no reliable data with which to track how state parties adhered to the resolutions of the convention.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The regional border consultative committees, composed of nominees of member states of the regional economic communities, shall assist the latter, in an advisory capacity, in the consideration of cross border cooperation matters. **TRUE/FALSE**
2. The commission is not mandated to support state parties in its implementation. **TRUE/FALSE**
3. Member states are to ....., or ..... to the Convention.



## 5.9 References/Further Readings/Web Sources

African Union (2012) Report on the Niamey Convention.

[https://au.int/sites/default/files/treaties/36416-treaty-0044 -  
\\_niamey\\_convention\\_african\\_union\\_convention\\_on\\_cross  
-border\\_cooperation\\_e.pdf](https://au.int/sites/default/files/treaties/36416-treaty-0044_-_niamey_convention_african_union_convention_on_cross-border_cooperation_e.pdf)

Policy Brief on the African Union Convention on Cross-Border Cooperation (Niamey Convention).

[file:///C:/Users/hp%20440/Downloads/Policy-Brief-on-the-  
African-Union-Convention-on-Cross-Border-Cooperation-  
Niamey-Convention.pdf](file:///C:/Users/hp%20440/Downloads/Policy-Brief-on-the-African-Union-Convention-on-Cross-Border-Cooperation-Niamey-Convention.pdf)



## 5.10 Possible Answers to SAEs

### Answers to SAEs 1

1. (D) None of the above
2. (D) All of the above
3. Two

### Answers to SAEs II

1. True
2. False
3. Sign, Ratify and Accede

## **MODULE 3      THE USE OF TECHNOLOGY IN BORDER MANAGEMENT**

Unit 1	Digital and Smart Border
Unit 2	Geographic Information Systems and Border Management
Unit 3	Technology and Insecurity in Nigeria
Unit 4	Institutional Frameworks for Trans-Border Cooperation In Counter Insurgency in West Africa And Africa
Unit 5	Technologies in International Migration Management

### **Unit 1      Digital and Smart Borders**

#### **Unit Structure**

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Digital and Smart Borders
- 1.4 The Smart Borders of the European Union
- 1.5 Rationale behind the New Trend in the Adoption of Digital  
Border Systems
- 1.6 Summary
- 1.7 References/Further Readings/Web Sources
- 1.8 Possible Answers to Self-Assessment Exercises



#### **1.1 Introduction**

Technology has revolutionized every aspect of society. Its application has helped facilitated efficiency and effectiveness in service delivery both in the public and private sector. Border management is not an exception as governments around the world are either shifting to the holistic deployment of technology in the borders or having in-depth conversations on making this possible. This unit discusses the concept of digital and smart borders as well as the rationale and trends in the adoption of digital border systems around the world.



#### **1.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Define digital and smart borders
- Identify at least 4 digital and smart border technologies

- State the rationale behind the adoption of digital borders around the world.



### 1.3 Digital and Smart Borders

As the name implies, digital and smart borders simply refer to the deployment of digital and smart technologies to manage and secure borders. It is the use of information and communication technologies in border management. Umar (2015) asserts that a digital border integrates existing digital controls, such as biometric passport data, fingerprint identification and face recognition, with automated lie detectors to analyse travellers' linguistic and facial micro-expressions.

This extension of surveillance from surface features of the body – face or fingertips – to emotional performances reflects the wider orientation of migration governance towards a holistic, bio-political and digitized management of human cross-border mobility.

The World Economic Forum (2016) adds that digital border can be described as a shifting assemblage of technologies and meanings organized around historically-specific power relations that moderates, manages and regulates migrant mobility across the binary of inside/outside at the edge and within the boundaries of national sovereignty.

In the US, the use of technology by border agencies is not new. As far back as 1919, the US government deployed armed aerial surveillance and reconnaissance of the border region. However, contemporary smart borders are unique in the sophistication of the technologies they cover, the scope of the personal data they are able to collect, and the integration of these systems with one another.

Today, smart borders are also more extensively used within and beyond the United States than ever. However, some scholars argue that the embrace of smart borders emerged following the terrorist attack of 9/11. Smart borders have evolved to mean the involvement the expanded use of surveillance and monitoring technologies including cameras, drones, biometrics, and motion sensors to make a border more effective in stopping unwanted migration and keeping track of migrants.

Just recently, the EU adopted a smart border package which will be introduced in 2022-2023. The smart border package aims to:

1. Facilitate border checks.
2. Improve internal security, for example, stronger identification of persons at external borders.
3. Facilitate the detection of over-stayers in the European territory.

The above objectives and benefits are also applicable to any nation or region that is adopting the practice of smart and digital borders. Digital borders provide opportunities for new technologies to improve the security, effectiveness and efficiency of a country's border for both movement of goods and persons respectively.

One major benefit of digital and smart borders is that it facilitates better information dissemination to meet both the travellers' needs and the countries or region security needs. Receiving passenger information before they board airplanes, boats, trains and ships to another country can help border personnel process the passengers' travelling documents through modern facial recognition technologies.

Better information sharing can help countries stop suspected travellers entering their territory. With digital border innovations, people not wanted in a country can easily be stopped from doing so without them travelling.

The ease with which data can be shared within and between countries courtesy of the new technologies, can improve efficiency and security of trade. With the advent of digital portals that enables real time information sharing through the Internet of Things (IoT) sensors, details of travel routes and cargo status can be accessed by all including border forces who can utilize the data to more correctly target suspect cargo, reduce inspection time, improve tax receipts and contribute to the ease of doing business.

Examples of technologies used in border management include but are not limited to drones and automatic license plate readers, such technologies include: Integrated Fixed Towers (IFTs), Ankle monitors, migrant data analysis and tracking and Geographic Information Systems (GIS).

## **1.4 The Smart Borders of the European Union**

Among the most extensive smart borders regimes, that of the European Union is currently the most notable worldwide. Just like the United States of America, the European Union employs a wide array of technologies to surveillance and patrol land and sea, and to determine, by way of algorithms, people who can and cannot cross its borders.

Frontex is the agency in charge of policing the European Union's external borders.

Established in October 2004, the agency fulfils its overall mission by way of three principal means:

1. Providing information and analysis to EU member states regarding what the agency defines as threats to their external borders;
2. Training of border guards; and, most visibly.
3. Conducting expansive sea and land border operations that aim to repel unauthorized migrants and return them to the countries from which they have come.

The agency frames unwanted migration as an “objective” risk due to its entanglements with networks involving transnational crime, human trafficking, and drug smuggling. Frontex then uses these framings, while drawing on the language of human rights and humanitarianism, to justify border policing work.

It performs this job, in part, by suggesting that the agency saves migrants particularly those who already are or could become caught in these networks by utilizing technologies, for example, could identify smugglers before they lead migrants on dangerous journeys; or to help to rescue imperilled individuals at sea.

Frontex brings together existing national systems from defence and disease control to maritime safety of all EU member countries to create what it calls “the system of systems.” These public systems are increasingly partnering with private enterprises, from global technology companies to military contractors.

The goal is to achieve total surveillance of the EU's “external borders.” These include not only the Mediterranean and the border areas of North Africa, but any place from which migration could originate. By pressuring African states to participate in the EU migrant policing apparatus and inducing them to do so via trade deals, arms transfers, and aid programs, the European Union has effectively pushed its borders into sub-Saharan Africa. It has also strengthened some of the region's most authoritarian states.

The EU's smart borders employ a variety of surveillance systems. They include unmanned aerial vehicles along Libya's desert borders, optronic and radar technologies that scan the Mediterranean from the air, and surveillance towers that use visual and electromagnetic identification techniques to scan the Straits of Gibraltar and the Moroccan coast.

These smart borders have resulted in the interception of migrants en route and their detention in a series of camps in North Africa in Libya, Algeria and Morocco paid for by the EU (Mizue *et al*, 2021). Although the EU's ambitious border policing have resulted to several cases of human right abuses such as death and incarceration of migrants, the EU is determined to further increase the capacity of its border policing framework

In this Unit, we shall be discussing Geographic Information Systems (GIS) and its role in border management. Before we proceed, it is pertinent to examine the rationale behind the explosion in digital border adoption.

### **1.5 Rationale Behind the New Trend in The Adoption of Digital Border Systems**

Several reasons are responsible for the shift towards digital and smart borders. As highlighted in the previous section, the use of digital technologies aid in effective and efficient border management, promotes national and regional trade and security. However, there are new trends that seem to be influencing the adoption of digital border systems for tighter border controls in the last 5-10 years. They include:

#### **1. Explosion in International Movement**

Globalization has led to the emergence of a new global landscape that is characterized by the significant movement of people across borders marked particularly by the boom in the travel and tourism industry in particular, which takes responsibility for the safe passage through the air of over 10 million people daily.

In the event of mass movement of people from one country to another, border management activities spikes. Despite the slow economic growth in advanced economics and geopolitical and security concerns, these industries have demonstrated significant resilience globally. While historically travel was a luxury for only those wealthy enough to afford it, the lowering of travel barriers and falling costs have allowed the travel and tourism industry to flourish.

These factors, combined with the growth of disposable income, the rise of the middle class in many emerging markets and changing attitudes of people towards travel, have enabled the surge in international travel. Indeed, the world is on the move, with more people than ever travelling.

The data is staggering. International arrivals rose from 25 million in the 1950s to 1.2 billion in 2015 and nearly 2 billion international trips are

expected by 2030. By 2030, it is expected that most of the growth in international travel will come from beyond the traditional North American and European markets, from Africa, Asia and the Middle East, which will enable further growth and job opportunities in these regions.

While Europe and the Americas will continue to grow, the rate is incomparable to other regions. This is illustrated in the table below.

**Table 3.1 Movement of Tourists around the World**

Region	2015 Outbound Tourists (millions)	2030 Expected Outbound Tourists (millions)	% Increase
Global	1180	1809	53%
Africa	35	90	157%
Americas	199	265	33%
Asia-Pacific	290	541	87%
Europe	594	832	40%
Middle East	36	81	125%

(Source: Mizue *et al*, 2021).

*Fig 3.1*

Tourism is not the only factor responsible for mass movement of people. There has also been a significant increase in the number of persons travelling for study, business and other official and unofficial purposes. Managing this massive inflow of persons require the use of technology for efficiency and effectiveness.

## 2. The Growth Border Technology Industries

There is a theory of international relations that opined that when one seeks to find reasons behind an event or change in the international scene, the best route is to follow the money. In the last 20 years, there has been a boom in the border and surveillance industrial complex.

Between 2008 and 2020, the US Government for instance through its border management agencies issued about 105,997 contracts worth \$55.1 billion to private corporations – such as CoreCivic, Deloitte, Elbit Systems, GEO Group, General Atomics, G4S, IBM, Leidos, Lockheed Martin, Northrop Grumman and Palantir – with ever more contracts for production and deployment of smart border technologies.

The spending spree has provided a bottomless market for growth. Since there can never be total or perfect security, there will always be a perceived need for new technology to fill perceived gaps. Failure of any kind helps create a market for the next even more expensive product or service.

The emergence and boom of these corporations producing border management technologies in one country can fuel the same in another country. These corporations lobby governments into adopting their products creating a full-blown market situation.

### **3. Increased Need for Internal and External Surveillance of Borders, Communities and Society as a whole**

The growing demand for the effective policing and monitoring of immigrants and their communities, the borderlands, and society as a whole has facilitated the adoption of border management and surveillance technologies. In the last 20 years, the capacity of a country's law enforcement agencies and institutions to police and monitor individuals has grown tremendously and exponentially especially in the advent of a globalized world.

On any given day in the U.S. for example, GPS-enabled ankle monitors are attached to the bodies of tens of thousands of non-citizens. Such targeted forms of surveillance are complemented by passive ones that monitor a growing US population. This is especially the case with the US borderlands with Mexico and Canada where the government provides funding and equipment to local police to incentivize cooperation.

The government also uses such technologies to monitor social and political movements. For instance, in the year 2020, the US government aerially surveilled "Black Lives Matter" protests in at least 15 cities. In the same year, the Nigerian government used technology to track leaders of the #ENDSARS movement and their funding sources. Wary of foreign intervention, the government through the immigration, customs and border management agencies increased surveillance of potential threats.

In addition, the capacity to arrest and detain non-citizens has grown dramatically, as governments around the world has vastly expanded its surveillance arsenal via, among other technologies, mobile fingerprinting devices and data analytics developed by several corporations to facilitate tracking and targeting of individuals.

### **4. The Fear of Migrants**

More than ever, nations are battling what they term the rise in illegal migrants. The debate has been cornered to refer to these migrants as causing more harm than good to the host economy and security. This provides a rationale for government to increase investment in border



management technologies so as to be able to control the inflow of migrants.

This was more pronounced under the Donald Trump administration. For instance, the growing illegalization and criminalization of immigrant workers reduces their power, increasing exploitability and disposability. During the COVID-19 pandemic, US farm labourers, most of them undocumented, were declared essential workers and the US Department of Homeland Security announced it would adjust its policing operations accordingly. This exposes how many countries and the interests they serve view workers as resources to be exploited when needed and discarded when they are not. In doing so, their practices reflect and reinforce class and race-based distinctions and their associated inequities, contributing to a world that is apartheid-like.

The biggest predictor of which countries construct border walls, deploy more technologies to the borders and tighten immigration policies. To add to this, the building of walls and policing of international mobility both reflects and produces unequal and unfair life and death situations. For instance, the harms mentioned above manifest the extraordinary growth in the United States budgets for immigration and border policing, which have increased from \$1.2 billion in 1990 to \$25.2 billion in 2019.

This figure reflects a more than 2,000 percent jump in less than thirty years. The growing fear and distrust of migrants especially in the U.S. has seen it set border and immigration control budgets that rivals the total spending by some of the world's largest militaries.

In 2019, America border and immigration agencies budget spending almost matched the military budgets of Australia, Brazil, and Italy, while exceeding those of Canada, Israel, Spain, and Turkey. This growth reflects a political choice rather than an inevitable state of affairs. It is predicated on the purported need for massive investment in border policing in response to an ever-expanding range of manufactured threats which migrants constitute.

The world has changed a lot in the last couple of years and is faced with series of existential challenges. The fear of migrant is not unconnected with the global challenges especially since the issue of terrorism has dominated the global space in the last 20 years. Stricter immigration rules and policies aided by border management technologies are premised on this fact.

Also, nations are aware of the growing global social inequality both in the developed and less-developed world. This has caused a spike in the

number of persons seeking to migrate to other areas that they term greener pastures. With increasing scarcity of resources and global financial and economic challenges, countries are reluctant to open their doors. A strengthened border-policing apparatus has forced migrants to take even more dangerous routes thus informing the need for boosting border management systems using technology.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Examples of digital technologies used in Border Management in the 21<sup>st</sup> century include: ....., ....., ..... and .....
2. .... simply refers to the deployment of digital and smart technologies to manage and secure borders. It is the use of information and communication technologies in border management.
3. Following the terrorist attack of 9/11, ..... have evolved to mean the involvement the expanded use of surveillance and monitoring technologies including cameras, drones, biometrics, and motion sensors to make a border more effective in stopping unwanted migration and keeping track of migrants.
4. The use of digital technologies aid in effective and efficient border management, promotes national and regional trade and security.  
**TRUE/FALSE**
5. In the last 20 years, there has been a boom in the border and surveillance industrial complex. **TRUE/FALSE**



### 1.6 Summary

This Unit talks about the drift towards embracing digital and smart technologies for effective and efficient border management. The EU, America and some countries in Asia have made significant progress in this regard.

The adoption of digital technologies is propelled by factors such as the need for efficiency and effectiveness especially in an era where there has

been an explosion in global movement of goods and persons as well as increasing global security and economic concerns that have sowed the seeds for the demands of safer borders and tighter immigration policies. In the next Unit, we shall discuss the Geographic Information System (GIS) as an example of digital border management technologies.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The growing demand for the effective policing and monitoring of immigrants and their communities, the borderlands, and society as a whole has facilitated the adoption of border management and ..... technologies.
2. Globalization has led to the emergence of a new global landscape that is characterized by the significant movement of people across borders marked particularly by the boom in the ..... and ..... industry in particular, which takes responsibility for the safe passage through the air of over 10 million people daily.
3. Adoption of digital borders is increasing the budget for border policing around the world. **TRUE/FALSE**
4. There is a theory of international relations that opined that when one seeks to find reasons behind an event or change in the international scene, the best route is to follow the .....



## 1.7 References/Further Readings/Web Sources

Chouliaraki and Myria Georgiou (2019) *The digital border: Mobility beyond territorial and symbolic divides*. European Journal of Communication 34(6): 594-605

Mizue, A., Geoffrey, B., Todd, M., Joseph, N., and Miriam, T. (2022). *Smart Borders or a Humane World? A report published by the Immigrant Defence Project's Surveillance, Tech & Immigration Policing Project, and the Transnational Institute*

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## **1.8 Possible Answers to Self-Assessment Exercises.**

### **Answers to SAEs 1**

1. *Integrated Fixed Tower, Ankle Monitors, Drones and Geographic Information Systems*
2. *Digital Borders*
3. *Smart Borders*
4. *True*
5. *True*

### **Answers to SAEs II**

1. *Surveillance*
2. *Travel and Tourism*
3. *True*

## **UNIT 2    GEOGRAPHIC INFORMATION SYSTEMS AND BORDER MANAGEMENT**

### **Unit Structure**

- 2.1    Introduction
- 2.2    Learning Outcomes
- 2.3    Geographic Information Systems and Border Management
- 2.4    Importance of Geographic Information Systems to Border Management.
- 2.5    The Role of Advanced Technologies in Cross-Border Trade
- 2.6    Challenges in the use of technology in Border Management in Nigeria
- 2.7    Summary
- 2.8    References/Further Readings/Web Sources
- 2.9    Possible Answers to Self-Assessment Exercises



### **2.1    Introduction**

GIS is an acronym for Geographic Information Systems. In Geography, many innovations and inventions in the application of information technologies began in the late 1950s, 1960s and early 1970s. Methods of complicated and sophisticated mathematical and statistical modelling were developed and the first remote sensing data became available. This motivated researchers to also begin to envision the development of geographic information systems. The mid-1970s to early 1990s was a period of spread.

The first commercially available software for GIS became available in the late 1970s and inspired many experiments, as did the development of the first microcomputers in the early 1980s. This was an exciting time in which the development of powerful software coupled with the ICT revolution marked by the availability of inexpensive computers permitted many researchers to test new ideas and applications for the first time.

In the early 1990s, or perhaps just a bit earlier, many innovations entered the coordination phase even as other experimentation continued at a fast pace. In this unit, we shall discuss GIS and its importance to border management. On a broader scale, this unit also examines the role of advanced technologies in cross border trade and ends with a highlight on the challenges in the use of technology in Nigeria.



## 2.2 Learning Outcomes

By the end of this Unit, you should be able to:

- Understand how the GIS work.
- Outline the importance of GIS to trans-border management.
- State the Role of Advanced Technologies in Cross Border Management
- Identify the Challenges in the use of technology in Border Management in Nigeria.



## 2.3 Geographic Information Systems (GIS) and Border Management

GIS have emerged as very powerful technologies because they allow geographers to integrate their data and methods in ways that support traditional forms of geographical analysis, such as map overlay analysis as well as new types of analysis and modelling that are beyond the capability of manual methods. With GIS, it is possible to map, model, query, and analyze large quantities of data all held together within a singular database.

The importance of GIS as an integrating technology is also evident in its pedigree. The development of GIS has relied on innovations made in many different disciplines: Geography, Cartography, Photo-grammetry, Remote Sensing, Surveying, Geodesy, Civil Engineering, Statistics, Computer Science, Operations Research, Artificial Intelligence, Demography, and many other branches of the social sciences, natural sciences, and engineering have all contributed. The Geographic Information System (GIS) enables to collect graphical data (spatial data) and attribute data such as records, tables, images, documents, etc all together in one computer system commonly referred to as on-line system.

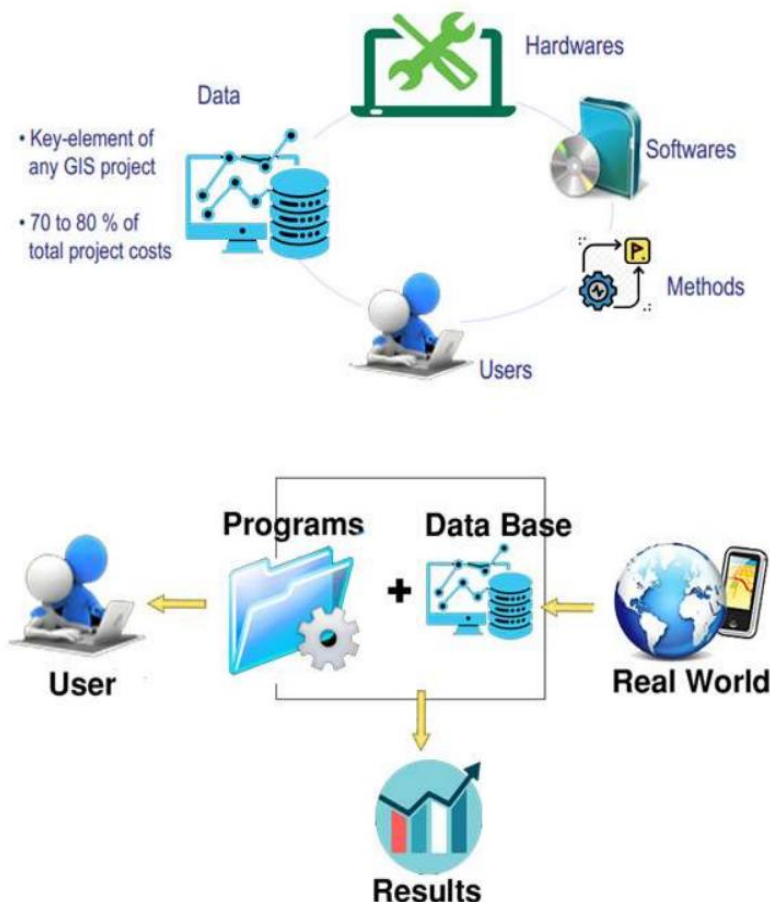
In his own contribution, Umar (2015) refers to GIS as existing computer system that captures, records, stores and analyses information about features on earth's surface (James, 2014). He adds that GIS is also characterized by procuring information relating to features and their locations on earth surface such as highway; it monitors events as they happen, retrieves and display of spatial data, as well as, mapping.

Geographic Information Systems (GIS) relies heavily on remote sensing which involves aerial sensor technologies that detects and classify objects on earth by means of propagated signal from either aircraft or

satellite or both (Ahmed & Salihu, 2013). It also involves geographic profiling where locations are digitally entered by address, analysed with patented algorithm that produces a probability surface showing likelihood address of targets (Rossmo, 2000).

GIS emerged with the rise of automated computer technological revolution and has so far proved to be very effective in solving many complex social, economic and political problems of mankind. Already, it has resolved many crime issues in the advanced world (Radoff, 1993, Umar, 2015).

**Figure 1: Architecture of Geographic Information Systems**



(Source: Enas and Ahmed, 2019).

*Fig. 3.2*

In another attempt at conceptualization, Enas and Ahmed (2019) writes that a Geographic Information Systems (GIS) is a computerized database for coding, storing and retrieving information tied to a geographic coordinate system or a set of places. The primary function of the GIS is the combination and evaluation of different map overlays for the purpose of providing new composite information.

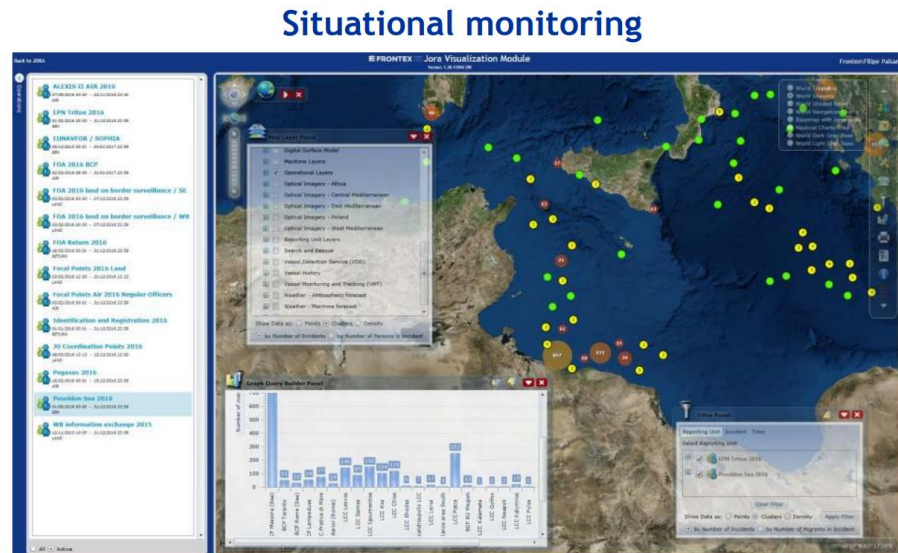
Additional functions of GIS include the digital storage of map data, the production of maps and graphic displays and the reporting of statistical

summaries. GIS has three important components computer hardware, application software and a proper organizational context.

Consequently, the traditional control, monitoring, and management tools and techniques became no longer sufficient with the increase in projects complexities and progress of computer sciences, some advanced tools and techniques such as models, geographic information system (GIS), and expert systems began to take place.

Any geographic information system may be divided into five functional groups viz: Data input and verification, data storage and database management, data output and presentation, data transformation and interaction with the user.

**Figure 2: Situation Monitoring with a GIS**



(Source: GIS for Border Management and Surveillance, Frontex, 2021)  
Fig 3.3



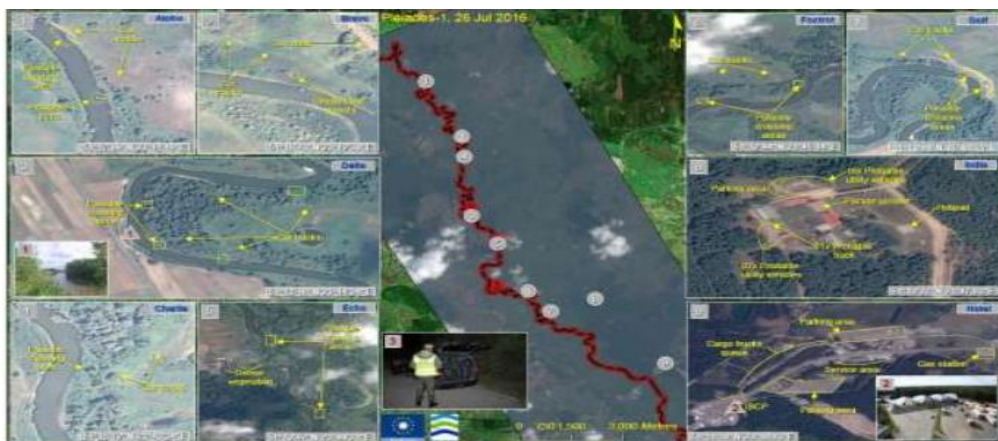
### Figure 3: Monitoring Illegal Migration and Criminal Networks with GIS



Fig 3.4

**Source:** GIS for Border Management and Surveillance, Frontex, 2021.  
The above figure is a live display of coastal monitoring of illegal migration and criminal networks using a GIS. This process involves confirmation and continuous monitoring for critical intelligence.

### Figure 4: Pre-Frontier Monitoring of Cross Border Activities using a GIS



**Source:** GIS for Border Management and Surveillance, Frontex, 2021.

Fig. 3.5

The above is a live display of a geographic information system showing movement of illegal migrants as well as firearm and drug smuggling. The purpose of pre-frontier monitoring in GIS is to identify group of offenders, identify main routes used by smugglers, identify the exact

crossing points and identify the key objects of interests such as groups of people and vehicle.

## **2.4 Importance of Geographic Information Systems to Border Management**

As explained above, GIS is used for collecting and analysing geo-spatial data and information. In relations to border management, GIS can be used to do the following:

1. Identify and counter illicit trafficking and smuggling at the border.
2. By monitoring suspicious movements, GIS tools can be used to detect and prevent the movement and infiltration of terrorists. Advanced countries of the world including the USA, Britain, Germany, etc, have since involved GIS technologies in combating crime in their societies with great success recorded (Ahmed & Salihu, 2013). Although GIS is new in Nigeria, it can play the required role of effective policing of terrorism.
3. GIS helps in checking illegal migration.
4. When installed on means of transport or on containers, GIS enables custom officers to monitor in real time, the location of goods in transit. The system also keeps custom officers informed of any incident.
5. GIS can be used to delineate coastal areas where clandestine crossings can be processed easily.
6. It can also be used in optimizing the deployment of sensors at border areas.
7. GIS are used to correlate the destinations of express freight parcels with the level of crime in the city.
8. The GIS tools can be used to optimize patrols in insecure areas or borderlands with a high level of smuggling.
9. It can also be used to detect bad practices and corruptions at border posts by comparing traffic information provided by the geo-data collected through satellite imagery as against official statistics.
10. GIS can also improve the intra-organizational synergy of custom officers and border patrol officers.
11. GIS facilitates better communication and information sharing between stakeholders such as countries, border communities, traders and business corporations.
12. GIS can be used to improve revenue collection at the border through efficient harmonization of data.
13. GIS is also useful in the promotion of regional integration as it helps customs officers of different countries sharing common boundaries and borders to monitor exchange corridors, routes and

borderlands to facilitate legal trade, ensure trade compliance and mitigate regional security threats.

## **2.5 The Role of Advanced Technologies in Cross-Border Trade**

The World Trade Organization (WTO) and the World Customs Organization (WCO) conducted a study on the role of advanced technologies in cross border trade where they identified and examined the role of three categories of emerging technologies. Their findings include:

### **1. Blockchain and Distributed Ledger Technology:**

Blockchain and distributed ledger technology (DLT) can help to provide better accountability, transparency, immutability and accessibility of information and data quality, as well as the distribution of relevant data and information on border management procedures among all stakeholders. According to the WTO and WCO, the greatest hurdles to the successful introduction of blockchain and DLT in customs processes is surmounting the challenges associated a lack of expertise and good practices, and the associated costs.

Blockchain and Distributed Ledger Technology are recent innovations hence the number of persons who understand this technology are limited but as time goes on, this is expected to increase. For a broader uptake of blockchain by customs authorities, there needs to be more widely available standardized datasets which are used by both government agencies and authorized economic operators. Standardizing datasets would help to avoid the appearance of inefficient governance systems and to potentially prevent the proliferation of different blockchain solutions that are not interconnected.

### **2. Internet of Things (IoT):**

The Internet of Things (IoT) is another technology identified by the WTO and WCO that can aid in trans-border trade. In recent times, there have been positive developments in the use of the internet of things (IoT) by customs authorities. Members are experimenting with the IoT to fully automate border-crossings and customs procedures in national ports. An initiative includes the integration of X-ray scanners into a cross-border image exchange to analyze the results of multiple scanning stations centrally.

The specialized training facility for X-ray systems operators and the unified training software for image analysis under that initiative have optimized human resource allocation and enhanced the quality of image analysis. Other projects include the use of radio frequency identification antennas or e-seals to ensure traceability of goods and means of transport. With the help of Internet of Things, customs authorities can benefit from better risk management, greater efficiency of customs clearance processes and improved analytics. For this to succeed, members of customs authorities first need to address the challenges of integrating information collected through IoT devices into customs operating systems. The different IoT devices need to exhibit compatibility and interoperability across a range of interfaces, without compromising data security and privacy.

### **3. Big data, data analytics, artificial intelligence and machine learning:**

Customs authorities have embraced advanced analytical technologies such as artificial intelligence and machine learning in the administration of ports and borders. Around half of these authorities use some combination of big data, data analytics, artificial intelligence and machine learning. Those who do not currently use them have plans to do so in the future. The majority of customs authorities see clear benefits from advanced technologies, in particular with regard to risk management and profiling, fraud detection and ensuring greater compliance. However, there is a need to establish a data strategy to ensure improved data governance and quality required.

However, data protection laws can limit the extent to which data can be used. Better guidance on how to interpret such legislation in analysing data for customs purposes would help to prevent any excessive caution when designing projects and to promote the exchange of data between organizations and customs authorities. Resources will be required to address the obstacles and challenges to introducing these types of technology, such as the cost and the need for expertise and good practices.

## **2.6 Challenges in the Use of Technology in Border Management in Nigeria**

Nigeria is still far behind in the transition to digital and smart borders. The use of technology in border management in Nigeria can be associated with many challenges including the following:

**1. Inadequate skilled and qualified personnel:**

To make good use of the digital border technologies like the GIS, enough skilled and qualified manpower is required. For instance, GIS and its application is new in Nigeria, as such, the available needed skilful manpower to man it especially among the security personnel may be lacking.

**2. Inadequate Funding:**

Designing, deploying and maintaining digital technologies like GIS for effective and efficient border management require huge funds. These funds are necessary for recruitment of staff and procurement of components needed for smooth operation of the systems. These funds are readily available as the border management is poorly funded in Nigeria.

**3. Paucity of Data and Records:**

Umar (2015) rightly observed that record keeping is one of the major problems of law enforcement in Nigeria. For instance, to function properly, GIS relies almost squarely on computerize socioeconomic and geographic data. Presence of such data and records eases the successfulness of GIS. The absence of these can limit the proper functioning of digital technologies. For instance, there are no accurate records or databases of criminals or migrants in Nigeria. Without information like these, technologies like GIS will have limited use.

**4. Absence of Infrastructure:**

Most of these digital technologies require stable electricity to function 24 hours of every day in a week. Technologies like GIS cannot work without constant supply of electricity.

**5. Lack of Political Will and Corruption:**

The lack of political will to implement policies and programmes is at the centre of government many inabilities and failures in Nigeria. While leaders from other parts of the world are embracing modern technologies and innovations in solving problems and advancing their national interests, Nigerian politicians are still wallowing in their anachronism. Leaders in Nigeria have not demonstrated the necessary political will to digitize Nigerian border and deploy technology towards mitigating the challenges of border management in Nigeria. Also, corruption is an issue. Nigeria is one of the most

corrupt countries in the world. Nigerian public service including the security service is characterized by serious corruption. Even though there is paucity of funds, the little funds allocated for border management are misused, abused and disused.

## **6. Unprofessionalism of Border Management Personnel:**

Officers of the Nigerian customs, immigration, police and other law enforcement agencies responsible for border management in Nigeria display a high level of unprofessionalism when compared with their counterparts in America, Europe and Asia. The use of technology in border management will be seriously challenges as border management personnel are not properly trained or discipline. For instance, GIS smooth operation may not be possible due to very bad attitude of Nigerian security operators. The various security outfits are bedevilled by high rate of indiscipline. Officers and men of the service have lacklustre and lackadaisical attitude to work. They have high disregards for governing laws, principles and regulations.

In most operational cases, complicity has been a perennial factor. For instance, Umar (2015) noted that officers from the northern extraction of the country, especially Muslim, have often been accused of having sympathy to the Boko Haram because of the terrorist link to Islam and the northern origin. Again, he adds that the systematic frustration characterizing the security structure in the country is demoralizing. Service men are not well catered for, salaries are not paid on time, accommodation and other social infrastructures are either inadequate or in very bad shape. Motivational requirements to boost performance are nearly absent. These and many other social environmental factors dampen moral within the security outfits and as such greatly affects performance negatively. Hence, with these attitudinal problems, the successful workability of technology in Nigeria's border management (Umar, 2015).

## **SELF-ASSESSMENT EXERCISES (SAES) 1**

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... have emerged as very powerful technologies because they allow geographers to integrate their data and methods in ways that support traditional forms of geographical analysis, such as map overlay analysis as well as new types of analysis and modeling that are beyond the capability of manual methods.
2. With GIS, it is possible to map, model, query, and analyze large

quantities of data all held together within a singular database.  
**TRUE/FALSE**

3. GIS emerged with the rise of automated computer technological revolution and has so far proved to be very effective in solving many complex social, economic and political problems of mankind. Already, it has resolved many crime issues in the advanced world. **TRUE/FALSE**
4. Geographic Information System (GIS) is a computerized database for ....., ....., ..... and ..... information tied to a geographic coordinate system or a set of places.
5. Which of these is among the five functional groups in which any geographic information system can be divided into? (a) Data input and verification, (b) Data storage and database management, (c) Data conglomeration (d) data output and presentation.



## 2.7 Summary

Geographic Information Systems (GIS) has been around for a while and has proven to be useful in the management of different sectors including border management. The European Union through an agency known as FRONTEX has deployed GIS in the management of the borders of the EU. This has led to an expansion of EU borders and effective and efficient management. GIS tracks movement of goods and persons.

It facilitates information sharing and real time monitoring of borders making it an effective tool in checking illegal migration and the activities of transnational crime groups and terrorists around the borders. Aside GIS, technologies like Block Chain, Artificial Intelligence, Big Data and Internet of Things are proving to be useful digital technologies in cross border trade. Challenges in the use of technology in Nigeria include: lack of trained personnel, corruption, lack of political will and absence of infrastructure.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. All these are functions of GIS except:
  - a. GIS can be used to delineate coastal areas where



- clandestine crossings can be processed easily.
- b. GIS tools can be used to optimize patrols in insecure areas or borderlands with high level of smuggling
  - c. GIS facilitates better communication and information sharing between stakeholders such as countries, border communities, traders and business corporations.
  - d. None of the above.
2. Blockchain and distributed ledger technology (DLT) can help to provide better accountability, transparency, immutability and accessibility of information and data quality, as well as the distribution of relevant data and information on border management procedures among all stakeholders. **TRUE/FALSE**
  3. According to the WTO and WCO, Internet of Things, Big Data and Artificial Intelligence cannot be used in border management. **TRUE/FALSE**
  4. The use of technology in border management will be seriously challenges as border management personnel are not properly trained or discipline. **TRUE/FALSE**
  5. Most of these digital technologies require stable electricity to function 24 hours of every day in a week. Technologies like GIS cannot work without constant supply of electricity in Nigeria. **AGREE/DISAGREE**



## 2.8 References/Further Readings/Web Sources

Enas, S. (2019). *Geographical Information System (GIS) for Managing the Production and Cultivated Areas of Orange in Egypt*.

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## 2.9 Possible Answers to Self-Assessment Exercises

### Answers to SAEs 1

1. *Geographic Information System*
2. *True*
3. *True*
4. *Coding, Storing, Monitoring and Retrieving*
5. *C*
6. *D*
7. *True*
8. *False*
9. *True*
10. *Agree*

### Answers to SAEs II

1. *D*
2. *True*
3. *False*
4. *True*
5. *Agree*

## UNIT 3 TECHNOLOGY AND INSECURITY IN NIGERIA

### Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes.
- 3.3 The Role of Technology in Curbing Insecurity in Nigerian Borders
- 3.4 Summary
- 3.5 References/Further Readings/Web Source
- 3.6 Possible Answers to SAEs



### 3.1 Introduction

There is a very strong correlation between the porousness, mismanagement of African Borders and the rising activities and influx of terrorists and insurgents in Nigeria, West Africa and Africa. Africa and indeed West Africa have one of the worst borders in the world. Border management personnel have not been up to the task as they have been fingered out to aid and abet illegal activities at the borders. This is coupled with their lack of skill and professionalism. To effectively manage African borders, we must turn to technology. For instance, to checkmate the influx of Boko Haram in Nigeria, we must look towards technology. This unit discusses the gap created by the absence of technology as a rationale for the adoption of technology in border management.



### 3.2 Learning Outcomes

At the end of this Unit, you should be able to:

- Understand the link between porous and badly managed borders with insecurity
- Understand the role of technology in curbing insecurity in Nigeria's porous borders.



### 3.3 The Role of Technology in Curbing Insecurity in Nigerian Border

Insurgency and terrorism records available to the Nigeria Immigration Service revealed that there are over 1,400 illegal routes into Nigeria. This is 1,316 more than the approved number of border control posts. The 84 approved border controls cover 4,047km, the total length of

Nigeria's land border. Ogun and Adamawa states, for example, have 83 and 80 illegal posts respectively (Parradang, 2014). The activities of smuggling and tax evasion in cross-border movements across Nigeria-Niger border provides the transitional features of border economic activities, interaction patterns in the border regions and flouting of international laws and convention on border crossing to the detriment of the national interest and invariably the national security in that era (Collins, 1976).

It also asserted that porous features of the border region and the prevailing economic policies of the neighbouring states are tantamount to influence illegal cross-border transactions in goods, currency and other threatening circumstance (Collins, 1976). Nigeria's economy is not translating into a better socio-political environment within the West African sub-region due to decades of neglect and misrule have allowed informal economies at the borders to thrive on crime.

Nigeria's borders with its many pot-holes are used for all illegal activities like, human trafficking, movement of illegal weapons, smuggling of food and non-food items, used cars, drugs and other contraband goods (Parradang, 2014). The implication is that Nigeria is not safe due to cross-border population and its attendant economic activities, cross-border crossing and immigration, ineffective border control and the porosity of Nigerian borders which is a challenge to Nigeria national security and boundary questions, and hence the need for a solution (Collins, 1976).

Despite the considerable efforts by governments in North Africa and across other zones in Africa, there is still a heightened terrorist threat there. A number of terrorist groups are present, most notably al-Qaeda in the Islamic Maghreb (AQIM), that have engaged in suicide bombings, money laundering, smuggling, kidnappings drugs and human trafficking as well as other illicit activities across the neighbouring borders of Mauritania, Niger, Libya, Chad and Mali. In fact, the rapid growth of entwined transnational criminal networks operating between North Africa and the Sahel is now threatening the security stability in the region (Rosand, 2009).

Niger has not been exempted in the terrorist attack trends. The country has been hit severally by acts of terrorism. Furthermore, it was posited that the degree of arms proliferation and possession of arms and ammunition surface-to-air missiles, anti-tank missiles, rocket propelled grenades (RPGs), AK-47 assault rifles etc by rebel forces and mercenaries during Libya uprising open to acquisition by terrorist groups like Al-Qaeda in Islamic Maghreb (AQIM) and sold to Boko Haram and its splinter groups like kidnappers, armed banditry, cattle

rustlers, Niger delta militant in Nigeria have made the matter worse. For instance, on 6<sup>th</sup> October 2019, armed men who believed to be Boko Haram ambushed

military convoy near Mauro village in Benisheikh District and killed 16 civilians, 11 soldiers, similarly on same day gunmen abduct 6 people in Adamawa, also October 4 2019 armed men abduct 6 female students, two teachers in Kaduna (*Daily Trust* 2019). However, the failure of the State in Congo and the Central African Republic as well as the continued fighting by rebels in South Sudan, Angola, Uganda and parts of Kenya, Eritrea, Ethiopia, Libya and Somalia has spread to Nigeria's neighbours and invariably threatening Nigeria's peace and security.

The only means of ensuring that Nigeria is salvaged and protected from the threats from its neighbours lies in its capacity to adopt technologies for border patrol and surveillance to contain the growing security threats across the continent.

Thus, in curbing insecurity, technology can do the following:

- Monitor the movement of terrorists and insurgents along border areas at all times.
- Facilitate better response of border management personnel to activities of terrorists and insurgents in the border areas.
- Trace the routes of entry and exit of terrorists so that they can be easily controlled by security agencies.
- Facilitate trans-border cooperation through sharing of critical intelligence and information among countries that share borders in the region where these terrorists operate.

### SELF-ASSESSMENT EXERCISES 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Insurgency and terrorism records available to the Nigeria Immigration Service revealed that there are over ..... illegal routes into Nigeria
2. The ..... approved border controls cover ....., the total length of Nigeria's land border.
3. Ogun and Adamawa states, for example, have ..... and ..... illegal posts respectively.
4. Technology can monitor the movement of terrorists and insurgents along border areas at all times. **TRUE/FALSE**
5. Technology cannot trace the routes of entry and exit of terrorists so that they can be easily controlled by security agencies. **TRUE/FALSE**



### 3.4 Summary

This Unit briefly discussed the role of technology in curbing insecurity in Nigeria and Africa as a whole. Technology can fill the gap created by the inadequacy of border personnel manning the borders in the analogue way. Technology can trace and track the movement and activities of terrorists for better response and coordination by security personnel of countries affected. There is a link between porous borders and insecurity in Nigeria and Africa.

### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. .... is a challenge to Nigeria national security and boundary questions.
2. Technology can fill the gap created by the inadequacy of border personnel manning the borders in the analogue way.  
**TRUE/FALSE**
3. The only means of ensuring that Nigeria is salvaged and protected from the threats from its neighbours lies in its capacity to adopt ..... for border patrol and surveillance to contain the growing security threats across the continent.



### 3.5 References/Further Readings/Web Sources

- Bashir, B. and Usmar, T. (2021) *Regional Cooperation in West Africa: Counter-Terrorism and Counter-Insurgency*. African Security, Vol. 14, Issue 2, pp. 186-207.  
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[https://www.tni.org/files/publication-downloads/smart\\_borders\\_humane\\_world\\_2021.pdf](https://www.tni.org/files/publication-downloads/smart_borders_humane_world_2021.pdf)



### 3.6 Possible Answers to Self-Assessment Exercises

#### Answers to SAEs 1

1. *1400*
2. *84, 4047*
3. *83, 80*
4. *TRUE*
5. *FALSE*

#### Answers to SAEs II

1. *Porous Borders*
2. *True*
3. *Technologies*

## **UNIT 4 INSTITUTIONAL FRAMEWORKS FOR TRANS-BORDER COOPERATION IN COUNTER INSURGENCY IN WEST AFRICA AND AFRICA**

### **Unit Structure**

- 4.1 Introduction
- 4.2 Learning Outcomes.
- 4.3 ECOWAS Standby Force
- 4.4 Multinational Joint Task Force
- 4.5 The African Union
- 4.6 Summary
- 4.7 References/Further Readings/Web Sources
- 4.8 Possible Answers to Self-Assessment Questions



### **4.1 Introduction**

There has been a long history of continental and regional efforts in preventing and combating terrorism, particularly in Africa. In 1992, the 28th meeting of the Ordinary Session Organization of African Unity (OAU) held in Dakar, Senegal, adopted a Resolution on Strengthening of Cooperation and Coordination among African States in which the Union pledged to fight violent extremism and terrorism.

The AU also adopted the Declaration on the Code of Conduct for Inter-African Relations. The AU further rejected all forms of extremism and terrorism, in respect of its dimension and relational nature to sectarianism, tribalism, ethnicity or religion. Most importantly, it expressed resolve to enhance cooperation to combat terrorism and extremism. In this section, we shall examine some institutional framework for trans-border cooperation in the West African sub-region and Africa as a whole.



### **4.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Understand the link between porous and badly managed borders with insecurity
- Understand the role of technology in curbing insecurity in Nigeria's porous borders.



### **4.3 ECOWAS Standby Force**

The prevalence of varying degrees of conflicts caused by terrorism and insurgency in West Africa has re-emphasized the need to pursue the ECOWAS security agenda (Bashir and Umar, 2021). This agenda is tailored toward ensuring peace and stability in the region and a developmental programme. Pursuing this agenda comes with the need for a robust security framework.

The ECOWAS military vision is thnal military capability in peacekeeping and humanitarian assistance to a level of self-sustenance in the in the areas of troops and logistics support in order to respond to internal or external regional crises or threats to peace and security, including terrorist and/or environmental threats. The accomplishment of the goals set therein the aforesaid vision comes with several challenges along the lines of implementation and execution of the vision. Legal, institutional and operational bounds are set to exist within the realms of ECOWAS military operations against insecurity in West Africa.

That notwithstanding, the “Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security,” adopted by ECOWAS in 1999, provided the needed the legal and institutional backing on collective security in the West African sub-region”. The Protocol is a watershed in the departure of the Organization from the traditional principle of non-intervention as the Protocol empowers ECOWAS to intervene in the internal conflicts of member states. Intervention by the regional body is almost impossible without an effective mechanism for force generation and sustenance.

It is in this regard that it is assumed that ECOWAS Standby Force is a necessary springboard for easier and quicker force mobilization to attain to complex emergencies in the West African sub-region. This standby force is composed of regional sub-units that are ready to intervene in emergencies. For this standby force to work, it requires equipment and highly trained personnel. However, there is a serious challenge of corruption as evidenced in the level of procurement and recruitment scandal in West Africa (Bashir and Umar, 2021).

### **4.4 Multinational Joint Task Force (MNJTF)**

The menace of Boko Haram though began in the North-Eastern region of Nigeria has since extended to other countries that shares borders with Nigeria on that axis. Countries like Cameroun and Chad has seen a level of attacks from the terrorists who have perfected the art of trans-border operations. In realization of the enormous dimension and scale of terrorism and insurgency within the Lake Chad Basin Region by the



affected states, in January 2014, the four countries of Cameroon, Chad, Niger and Nigeria revisited the mandate of the Multinational Joint Task Force (MNJTF) initially established in 1998. The initial intention of establishing the MNJTF was to redefine its operational mandate and further enlarge its scope of operations vis-à-vis its Areas of Responsibilities (AORs). The intention was further expanded for the MNJTF to coordinate joint and combined military offensive actions against BH in the Lake Chad Basin.

The renewed operational intent of MNJTF was a product of the 14th summit of heads of states and governments, held in Chad in April 2012. The attack and overrunning of the MNJTF headquarters formerly located in Baga Local Government Area of Nigeria's Borno State in 2015 was a precursor to its relocation to N'Djamena, Chad. The consequences of this attack on the facility and its personnel sent shockwaves to the regional and international community as regards the internationalization of BH terrorism and insurgency. Thus, a more rigorous mandate capable of containing the transnational capacity of BH becomes expedient.

The operational mandate of the MNJTF includes:

1. To create a safe and secure environment in the areas affected by the activities of BH and other terrorist groups.
2. To facilitate the implementation of overall stabilization programs by the LCBC Member States and Benin in the affected areas.
3. To "facilitate within the limit of its capabilities, humanitarian operations and the delivery of assistance to the affected populations".

As time went on, the execution of this mandate came with certain challenges for the operational efficiency of the MNJTF. These challenges range from the lack of adequate equipment, inadequate financial base, and lack of wholesome willingness of the formally agreed Troops Contributing Member States to contribute full complement of manpower as they pledged. We shall now proceed to examine institutional frameworks for trans-border cooperation against insurgency at the continental level.

#### **4.5 The African Union**

The African Union (AU) had adopted various counter-terrorism frameworks that focused on building cooperation and identifying acts of terrorism and violent extremism as criminalities. The supporting frameworks were refined and expanded after the transition of the OAU into the AU. The AU High-Level Inter-Governmental Meeting on the

Prevention and Combating of Terrorism in Africa, held in Algiers in September 2002, adopted the AU Plan of Action on the Prevention and Combating of Terrorism. This was aimed at establishing a strong base for the expression of commitments and obligations of Member States under the 1999 Convention and the other international counter-terrorism instruments. The Plan of Action adopts viable practical counter-terrorism measures capable of addressing Africa's security challenges in areas of policing, border control, scuttling the financing of terrorism and transnational exchange of information (Bashir and Usman, 2021). Some of the challenges associated with the AU initiatives to promoting cross-border cooperation against trans-border cooperation in Africa are:

1. The unpredictability of pledges made by member states.
2. Lack of support due to gaps in procurement, human resources and experience with mission support systems; and
3. Failure to develop the African Standby Force's own resources, including financial resources.

### **SELF-ASSESSMENT EXERCISES (SAES) 1**

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. Identify one of the challenges associated with the AU initiatives to promoting cross-border cooperation against trans-border cooperation in Africa are:
  - a. The unpredictability of pledges made by member states.
  - b. Lack of support due to gaps in procurement, human resources and experience with mission support systems;
  - c. Failure to develop the African Standby Force's own resources, including financial resources.
  - d. All of the Above
2. Insurgency and terrorism records available to the Nigeria Immigration Service revealed that there are over ..... illegal routes into Nigeria. This is ..... more than the approved number of border control posts.
3. The only means of ensuring that Nigeria is salvaged and protected from the threats from its neighbours lies in its capacity to adopt technologies for border patrol and surveillance to contain the growing security threats across the continent.

#### **AGREE/DISAGREE**

4. The Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by ECOWAS in

....., provided the needed the legal and institutional backing on collective security in the West African sub-region.

5. In realization of the enormous dimension and scale of terrorism and insurgency within the Lake Chad Basin Region by the affected states, in January ....., the four countries of Cameroon, Chad, Niger and Nigeria revisited the mandate of the Multinational Joint Task Force (MNJTF) initially established in .....



#### 4.6 Summary

This Unit briefly examines institution frameworks for promoting trans-border cooperation on counter insurgency in West Africa and Africa. Three frameworks were identified: ECOWAS Standby Force; Multinational Joint Task Force and African Union. It should be noted that the African Union have a range of initiatives such as the African Union Border Programme (AUBP). However, these frameworks have recorded little success caused as a result of limited institutional capacity and capability. The biggest culprit is the lack of political will by leaders of African states to ensure these frameworks succeed.

#### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The operational mandate of the MNJTF includes all except?
  - a. To create a safe and secure environment in the areas affected by the activities of BH and other terrorist groups.
  - b. To facilitate the implementation of overall stabilization programmes by the LCBC Member States and Benin in the affected areas.
  - c. To facilitate within the limit of its capabilities, humanitarian operations and the delivery of assistance to the affected populations.
  - d. None of the above.
2. The AU High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa, held in Algiers in September ....., adopted the AU Plan of Action on the Prevention and Combating of Terrorism.
3. Among the most extensive smart borders regimes, that of the ..... is the most notable worldwide.



#### 4.7 References/Further Readings/Web Sources

Bashir, B. and Usmar, T (2021). *Regional Cooperation in West Africa: Counter-Terrorism and Counter-Insurgency*. African Security, Vol. 14, Issue 2, pp. 186-207.

<https://www.tandfonline.com/doi/full/10.1080/19392206.2021.1929747>



#### 4.8 Possible Answers to Self-Assessment Exercises

##### Answers to SAEs 1

1. *D*
2. *1400 and 1,316*
3. *Agree*
4. *1999*
5. *2014 and 1998*

##### Answers to SAEs II

1. *D*
2. *2002*
3. *European Union*

## **UNIT 5            TECHNOLOGIES    IN    INTERNATIONAL MIGRATION MANAGEMENT**

### **Unit Structure**

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 IOM: History and Development in Migration Politics
- 5.4 The Role of the IOM
- 5.5 Challenges in Adopting Technology for International Migration Management
- 5.6 Summary
- 5.7 References/Further Readings/Web Sources
- 5.8 Possible Answers to Self-Assessment Exercises (SAEs)



### **5.1 Introduction**

International migration management refers to the development and implementation of policies, programs, legislative measures, developmental projects, and performance of international and state actors (e.g., border agencies, immigration services, international organizations) related to international migration procedures and services, border control, migrant protection (e.g., counter-trafficking, protection of rights of migrants, and their families) as well as cross-border labour mobility. In this unit, we discussed the history and role of International Organization for Migration (IOM), identified the technologies adopted in international migration management and examine the challenges associated with the adoption of these challenges.



### **5.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- under the history and role of IOM
- identify the technologies adopted in international migration management.
- identify the challenges involved in the adoption of these technologies.



### **5.3 IOM: History and Development in Migration Politics**

The swift growth and increasing influence of the IOM conveys an impression of significant success of a now globally dominant international organization. IOM membership expanded from sixteen member states in 1951, to 166 member states in 2016; between 1998 and 2016 alone membership more than doubled (from sixty-seven to 166 states). At the same time, IOM also experienced a massive expansion as reflected in its annual expenditures (USD 242.2 million in 1998 to over USD 1.4 billion in 2015); field locations (400); staff (close to 9,000); and projects (approximately 2,400) (IOM 2015a/2016b/2016c/2017b). Omnipresent today, IOM was not meant to be permanent, let alone global, at its founding.

Established in 1951, its predecessor carried the programmatic and telling title of Provisional Committee for the Movement of Migrants from Europe (PICMME; Elie 2011). Fearing the Soviet Union's and other communist countries' influence on yet another UN agency, the U.S. and its allies founded PICMME outside of the UN System, where the organization operated for several decades. Evolving over the years into a quasi-permanent organization, with increasing activities outside of Europe, a rapidly growing membership, and influenced strongly and shaped by the U.S. and other leading Western countries, the organization was first renamed to Intergovernmental Committee for European Migration (ICEM) in 1952.

As its global focus, membership, and activities expanded, ICEM underwent further name changes to Intergovernmental Committee for Migration (ICM) in 1980 and to its current name in 1989 (Perruchoud 1989; Georgi 2010; IOM 2016a; IOM 2016d; Elie 2011). Migration, refugees, asylum, and other related policy areas are traditionally prerogatives of states and their governments. The growth and expansion of IOM and other international organizations (e.g., UNHCR: Loescher 2001) in these areas is thus particularly noteworthy, as they question and challenge these prerogatives and the very foundations of the nation-state concept and the global inter-state system. Until the 1990s, states avoided sharing or delegating responsibilities with other states, let alone non-state or inter-state actors such as international organization.

Meaningful inter-state discussions and dialogues between states and international on migration are a post-Cold War phenomenon (starting 1989–90) with the exception of the European Community (Guiraudon 2000; Geddes 2003) where the notion of shared responsibilities in migration, border control, and the need for a common migration policy

had emerged in the early 1950s. The mid-1980s were a decisive moment for international organizations, which saw their role and influence in migration and related policy domains quickly and significantly expand. This process began with the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC 1985), an informal and nonbinding consultative process between key receiving countries in the Global North.

The 1990s were subsequently marked by a significant increase in the number and frequency of regional consultative processes on migration, asylum, and borders worldwide (Thouez and Channac 2005). Migration was suddenly everywhere as Newland (2010) and Pécoud (2015) recall. Many states sought to engage with new bilateral and multilateral forums on migration, asylum, and borders. International organizations grew to provide states with more migration-relevant information and expertise, as well as logistical support in fortifying border controls through training, policy advice, and tradeshow for technology procurement, information, and deterrence campaigns about the risks of migration, as well as return programs.

Several case studies have pointed to the significant agency International organizations can leverage and exercise in particular cases by, for example, running refugee camps on behalf of the international community in Kenya and other countries (UNHCR; e.g., Hyndman 2000), designing full-fledged national migration policies for specific countries, and even implementing these policies as quasi-governmental actors on the ground on behalf of international donors and foreign countries that pursued through IOM, UNHCR, and other organizations mostly restrictive approaches to migration and refugees (Geiger 2010; Caillaut 2012).

## **5.4 The Role of the IOM**

Through its communications and field activities, IOM is involved in a dynamic process where global migration problems, challenges, location, and appropriate solutions are periodically developed, revised, or reframed (see country portraits and listed suggested activities, e.g., in: IOM 2014). While IOM collects, assembles, and disseminates knowledge (statistics, interpretations etc.) and is involved in constructing the world of migration, it also contributes to the creation of a world order aiming to influence, regulate, and order mobility and migration. To an extent, the IOM's success, influence, and reputation result from innovations in international migration policy.

Since the early 1990s, IOM has contributed to the creation of a new “global migration narrative” (Pécoud 2015), on how international

migration and mobility can and should be managed in the 21st century (Ghosh 1993; Ghosh 2000; Geiger and Pécoud 2010). For several years, the IOM lobbied for a far less control-obsessed and more liberal approach to migration, often in opposition to its member states and donors. Its catchphrase “Managing Migration for the Benefit of All” (Swing 2012) holds a humane, ethical, and universal view of migration.

The migration management concept, however, is still highly pragmatic; effective migration policy is grounded in a balanced approach and regulated openness. If managed properly, migration and mobility can potentially benefit origin countries, destination countries, and migrants (the so-called triple win). Regular migration should thus be encouraged and facilitated in order to realize its positive economic and social impacts. Irregular migration, on the other hand, is framed as less beneficial or detrimental. It is by extension unwanted and should be prevented not only to protect migrants from exploitation or death, but also to shield states, societies, and economies from the negative effects of unmanaged flows (e.g., “brain drain” in origin countries, xenophobic backlashes in receiving states).

The narrative that migration can be rendered positive, combined with the message that IOM can effectively assist states in dealing with their migratory challenges, partly reduces the issue’s element of uncertainty and complexity for IOM member states. No international regime on migration or convention comparable to the Geneva Refugee Convention exists in the field of migration, apart from the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was lobbied for by the ILO and the office of the United Nations High Commissioner for Human Rights and enjoys limited ratification (UN 1990).

Yet the IOM has been arguably successful at conveying the impression of managing migration and keeping it orderly and controlled in its joint operations with states and other actors. The IOM would have otherwise not experienced such an impressive growth in donor funding, member states, activities, and staff since the mid-1990s.

While some publications, such as the “Essentials of Migration Management” (IOM 2004), directly support the propagation and transfer of norms, best practices, and policy models, others, such as “Migration Initiatives,” also disseminate a particular message to states that migration is a common good, certain measures have proven effective in other countries, and IOM’s expertise and knowledge of all challenges, as well as its capacity to tackle each.



In some cases, the IOM goes as far as construing or even constructing the very problem, which are rarely corroborated by third-party publications. It then somewhat prescribes a set solution to such “imagined” problems, promising states, donors, and the global public to implement them for funding. In this strategy, IOM offers a particularly interesting empirical example for the fourth dimension of world organizations and world order.

Algorithm is a sequence of machine-readable commands aiming at performing a certain task, e. g., prioritization, classification, or clustering visa applications. Artificial Intelligence is algorithmic technology that takes actions with some degree of autonomy based on the complex relations between input data (new, unseen data) and historical data. Contrary to conventional wisdom, globalization and technological progress have not resulted in a significant increase in international migration.

Although international migrant stock has been growing in absolute numbers since the 1960s, the share of migrants in the world’s population has been continuously fluctuating around 3% (Migali et al. 2018). In 2019, there were 272 million migrants worldwide (ca. 3.5% of the world’s population) (UN DESA 2019). What has changed, however, is human mobility, directions of migratory flows, and reasons for leaving country of origin.

Technological progress has significantly reduced costs of migration leading to the increase in intercontinental movements (Grubanov-Boskovic and Kalantaryan 2018). The directions of migration are also changing, with only one of the ten most popular migration corridors from 1965 remaining today (from Mexico to the USA) (Grubanov-Boskovic and Kalantaryan 2018; Abel 2018).

Although migration was always and is still driven by inequalities of economic, political, and social nature, there is a rapidly growing number of environmental migrants due to climate change, loss of biodiversity, and land degradation in low-developed regions urbanization appears to be one of the drivers of displacement while also itself contributing to environmental change (temperature increase, changes in land use, hear emissions) (Přivara and Přivarova 2019).

Many countries around the world struggle how to sustainable address big numbers of refugees, IDPs, or forced migrants. States tend to react to mass migration with short-term and reactive responses, such as creating border camps or shelter for a limited time. In many contexts, however, large waves of migrants will not be able to return to their home country and requires a long-term strategy. A sustainable approach would aim at

enabling the migrants to support themselves and develop self-sustaining livelihoods, as well as support the local host community, for example local food production (Al-Husband and Adams 2016).

Although the notion of migration management has been for the first time elaborated in 1993 and explicitly recognized in the global development policy only in the 2030 Agenda, this concept has a much longer history (Geiger and Pécoud 2010; Klein Solomon and Sheldon 2018).

At least since 1900s certain governments have been gradually adopting various admission criteria for migrants, such as assured employment (Canada), national quotas (Brazil, Canada, South Africa, and United States), or having sufficient financial resources (Argentina) (Ferrie and Hatton 2013). Increased migration to the developed countries with relatively small populations led to the rise of demand-driven migratory policies and adoption of sophisticated migration control measures since mid-1980s (Pijnenburg et al. 2018).

In 1967, Canada introduced a points-based system that prioritized highly-skilled migrants. Similar systems were deployed in Australia (1979) and New Zealand (1991). In other countries, migration policies introduced multiple visa categories that prioritize certain profile of migrants (e.g., South Korea) (Chung 2019). Such systems make it more difficult for persons coming from disadvantaged communities to migrate, which can lead to reinforcement of inequalities.

In this context, governments are increasingly using new technologies, such as Artificial Intelligence (AI) systems, in international migration management (Beduschi 2020). AI-based migration management systems were already deployed in the EU (FRA 2018) Canada (Molnar and Gill 2018), New Zealand (Stats 2018), the Netherlands (Dekkers et al. 2019), and United Kingdom (UK Parliament 2019). Although these systems differ between themselves substantially, they are based on algorithms which are involved in the process of granting someone a visa, identifying and allowing the entrance into a country at the border or deciding on resettlement locations.

As automated systems take into account vast amount of data and perform numerous computations, it is frequently impossible to recreate the decision-making process, which is referred to as a “black box problem” (Castelvecchi 2016). This means that international migrants might be unable to successfully challenge the decision of immigration system, even if the decisions are discriminatory.

## **5.5 Challenges in Adopting Technology for International Migration Management**

### **Lawfulness**

Human rights need to be a basis for trustworthy AI. While the EU Ethics Guidelines do not deal specifically with migrants and migration managements, they do highlight that also third-country nationals and persons who entered irregularly have rights under international law that need to be respected (AI HLEG 2019). By accepting international human rights law treaties, states oblige themselves to ensure human rights to all persons within their jurisdiction. This includes also the principle of non-discrimination, which is particularly prone to be violated in the context of AI systems of migration management. In the same vein the SDG 10.2 aims at “empowering and promotion of social inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status,” with the overall aim to reduce inequalities both within and among countries.

The performance of algorithms relies on datasets and computational techniques that, both in their design and implementation may introduce bias and thus produce discriminatory effects or human rights infringements (FRA 2019; Caliskan *et al.* 2017; Danks and London 2017; Costello and Mann 2020). For instance, the algorithm-based visa entry system deployed in the United Kingdom was ruled unlawful in 2005 due to the bias and discrimination against Roma population and in 2020 the Home Office agreed to scrap its “visa streaming” algorithm, due to the “racist assumptions” of the system (McDonald 2020). While every AI system carries risks to human rights, these are particularly significant in migration management, due to the fact that the process produces serious consequences while persons taking part in it do not have the possibility to opt out.

### **Ethics**

Using AI system in migration managements creates also specific ethical challenges which should be considered and addressed. As pointed out by the CoE declaration on manipulative capabilities of algorithmic processes from 2019, such system bear the risks of reinforcing social, cultural, religious, legal, and economic segregation and discrimination, as well as micro-targeting (Council of Europe 2019). Thus, there is a risk that using such systems will lead to increasing inequalities, and hamper the achievement of SDG 10. Similarly, the EU Ethics Guidelines also specifically point to the fact that states should pay

particular attention to more vulnerable groups and to situations which are characteristic by asymmetries of power (AI HLEG 2019).

Those risks are clearly highly relevant in migration contexts. To address 4 New International Migration Management Technologies and Their Impact on Sustainability the ethical challenges faced potentially by AI systems in migration management, ethical principles need to be adhered, in particular respect for human autonomy, prevention of harm, fairness and transparency and explainability.

### **Technical Robustness:**

Legal and ethical considerations are ultimately translated into technical solutions. Deployment of an AI system in a dynamically changing environment (e.g., border infrastructure or migration-related administrative procedures) requires careful design and engineering to avoid unintended consequences. In fact, one of the major advantages of algorithms in international migration management is their adaptability to sudden and unexpected increases of migration, for example, movements caused by natural disasters or financial crises in neighbouring countries. Predictive analytics can be an enabler for replacing an ad hoc crisis-driven approach to unexpected migration (e.g., EU-Turkey Refugee Agreement) with an approach focusing on long-term sustainability.

### **SELF-ASSESSMENT EXERCISES (SAES) 1**

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. ....refers to the development and implementation of policies, programmes, legislative measures, developmental projects, and performance of international and state actors (e.g., border agencies, immigration services, international organizations) related to international migration procedures and services, border control, migrant protection (e.g., counter-trafficking, protection of rights of migrants, and their families) as well as cross-border labour mobility.
2. IOM stands for .....
3. AI-based migration management system is an example of technologies adopted for international migration management.  
**TRUE/FALSE**



## 5.6 Summary

International migration management refers to the development and implementation of policies, programs, legislative measures, developmental projects, and performance of international and state actors (e.g., border agencies, immigration services, international organizations) related to international migration procedures and services, border control, migrant protection (e.g., counter-trafficking, protection of rights of migrants, and their families) as well as cross-border labour mobility.

The International Organization for Migration is the organization responsible for managing world migration. It was established in 1951. Artificial Intelligence systems have been adopted as technologies for the management of international migration.

The three challenges associated with adoption of technology in migration management are: Ethics, technical robustness and lawfulness.

### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. In 2019, there were ..... million migrants worldwide.
2. Which of these is not a challenge in the adoption of technology for migration management?
  - a. Lawfulness
  - b. Ethics
  - c. Technical Robustness
  - d. None of the Above
3. Using AI system in migration managements creates specific ethical challenges. **TRUE/FALSE**



## 5.7 References/Further Readings/Web Sources

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## 5.8 Possible Answers to SAEs

### Answers to SAEs 1

1. *International Migration Management*
2. *International Organization for Migration*
3. *True*
4. *272*
5. *D (None of the Above)*

### Answers to SAEs II

1. *272*
2. *D (None of the Above)*
3. *True*

## **MODULE 4 COMMISSIONS AND INTERNATIONAL ORGANIZATIONS INVOLVED IN TRANS-BORDER COOPERATION**

- Unit 1 International Organizations and Trans-Border Cooperation
- Unit 2 The International Criminal Police Organization (INTERPOL)
- Unit 3 The United Nations (UN) Agencies and Trans-Border Cooperation
- Unit 4 The Role of the WTO and WCO in Trans-Border Cooperation
- Unit 5 Nigeria-Niger Joint Commission for Cooperation

### **UNIT 1 INTERNATIONAL ORGANIZATIONS AND TRANS-BORDER COOPERATION**

#### **Unit Structure**

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 International Organization and Challenges to Trans-border Cooperation
- 1.4 Examples of International Organization promoting Trans-border Cooperation.
- 1.5 Summary
- 1.6 References/Further Readings/Web Sources
- 1.7 Possible Answers to Self-Assessment Questions



#### **1.1 Introduction**

Trans-border cooperation has a historical issue as nations have sought for mechanisms to cooperate and solve border problems even in the pre-Westphalian state era. There has been very little success as disagreements often leads to conflicts. A major problem in reaching a cooperative solution is likely to be the lack of trust. There needs to be a body that exists independently of states that can be a trusted mediator and bridge between countries as they seek to cooperate beyond borders.

Maurice and Allan (2002) posit that if neighbouring countries, because of past problems, do not trust each other, they may fail to reach a cooperative solution, with each trying to maximize its gain from the regional public good and losing because of the spill-over effects which are not taken into account in the decisions of the various parties.

Other constraints on reaching a cooperative solution are its complexity and the financial requirements. In their work, Maurice and Allan (2002)

identified two types of institutions may help resolve some or all of these problems.

However, their level of categorization of these institutions is not clear. International institutions are of more than two types irrespective of the unit used in classification. There are more than two institutions by function, by structure and by position. However, this is not the crux of this section. In relations to trans-border cooperation, international organizations can help with trust, expertise and financing.

In this unit, we discussed the challenges of trans-border cooperation and how international organizations come in.



## **1.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- identify the challenges of trans-border cooperation and the need for international organizations.
- state some examples of international organizations promoting trans-border cooperation.



## **1.3 International Organization and Challenges to Trans-Border Cooperation**

The practice of trans-border cooperation can be difficult especially as nations are out to explore equitable means of sharing the burdens and benefits of trans-border cooperation. According to Maurice and Allan (2002), there are three (3) reasons why Nations are willing to engage in trans-border cooperation.

1. Countries are sometimes unwilling to cooperate because of national pride, political tensions, lack of trust, high coordination costs among a large number of countries, or the asymmetric distribution of costs and benefits involved in this cooperation.
2. Nations sometimes find strong incentives to behave strategically in one-off negotiations. Countries that are dissatisfied with the potential distribution of benefits may withhold their agreement on a particular issue. They can increase the credibility of their threatened veto by making investments that would be useful if the agreement were not implemented. This is inefficient if the



investments are made, exploitative if the other partners concede their demands, or destructive of cooperation if they do not.

3. International and regional cooperation agreements are typically harder to achieve than national ones because, given the absence of reliable courts or higher authorities to which to appeal, the enforcement of property rights is ambiguous and weak at the international level. As a result, international agreements must be self-enforcing, which, in turn, reduces the set of feasible cooperative solutions, possibly to nothing (Maurice and Allan, 2002).

International Organizations have played a role in addressing the above challenges. The last two decades have seen an increase in the number of trans-border cooperation and agreements across the globes. There are several trans-border agreements that have prevented conflicts with potential global impacts as well as help address some serious challenges such as international terrorism, resource management and inequality that is threatening the world. As the level of trust for international organizations grows, trans-border cooperation is expected to grow further. Some examples of international organizations involved in promoting trans-border cooperation among nations include but not limited to the following:

#### **1.4 Examples of International Organization Promoting Trans-Border Cooperation**

African Union (AU), CITES Secretariat, European Free Trade Association (EFTA), European Union (EU), Europol, Eurasian Economic Community (EAEC), Global Express Association (GEA), Global Facilitation Partnership (GFP), International Air Transport Association (IATA), International Air Cargo Association (TIACA), International Association of Ports and Harbours (IAPH), International Chamber of Commerce (ICC), International Civil Aviation Organization (ICAO), International Federation of Customs Brokers Associations (IFCBA), International Federation of Freight Forwarders Associations (FIATA), International Maritime Organization (IMO), International Narcotics Control Board (INCB), International Road Transport Union (IRU), International Standards Organization (ISO), International Trade Center (ITC), INTERPOL, Organization for Economic Cooperation and Development (OECD), Organization for the Prohibition of Chemical Weapons (OPCW), Organization for Security and Co-operation in Europe (OSCE), Regional Center for Combating Trans-Border Crime (SECI Center), United Nations Conference for Trade and Development (UNCTAD), United Nations Counter-Terrorism Committee (UNCTC), United Nations Economic Commission for Europe (UNECE), United

Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Environment Programme (UNEP), United Nations Statistical Division (UNSD), United Nations Office on Drugs and Crime (UNODC), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Universal Postal Union (UPU), World Customs Organization (WCO), World Intellectual Property Organization (WIPO), World Health Organization (WHO) and World Trade Organization (WTO). We shall now proceed to examine how some international organizations facilitate trans-border cooperation.

### SELF-ASSESSMENT QUESTIONS 1

1. Trans-border cooperation has a historical issue as nations have sought for mechanisms to cooperate and solve border problems even in the ..... state era.
2. Countries are sometimes unwilling to cooperate because of national pride, political tensions, lack of trust, high coordination costs among a large number of countries, or the asymmetric distribution of costs and benefits involved in this cooperation. **TRUE/FALSE**
3. Another reason why nations are unwilling to participate in trans-border cooperation is that International and regional cooperation agreements are typically harder to achieve than national ones because, given the absence of reliable courts or higher authorities to which to appeal, the enforcement of property rights is ambiguous and weak at the international level. **TRUE/FALSE**
4. List three international organizations promoting trans-border cooperation.



### 1.5 Summary

The idea of international institutions and organizations is to facilitate cooperation between and among states. Promoting trans-border cooperation is one of the cardinal reasons why international organizations exist. Examples of International Organizations that promotes trans-border cooperation are INTERPOL, UNESCO, WTO, WCO etc.

## SELF-ASSESSMENT QUESTIONS II

- 1 List three international organizations promoting trans-border cooperation.
1. What is the full meaning of WTO?
2. What is the full meaning of AUBP?



### 1.6 References/Further Readings/Web Sources

Maurice, S. and Alan Winters, L. (2002). Regional Cooperation and the Role of International Organizations and Regional Integration, *World Bank Policy Research Working Paper* 2872, July.

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### 1.7 Possible Answers to SAEs

#### Answers to SAEs 1

1. *Westphalia*
2. *True*
3. *True*

#### Answers to SAEs 1

1. *UNESCO, UNODC, INTERPOL*
2. *World Trade Organization*
3. *African Union Border Programme*

## UNIT 2 THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION (INTERPOL)

### Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 International Criminal Police Organization (INTERPOL)
- 2.4 History of the INTERPOL
- 2.5 INTERPOL and Border Security
- 2.6 Roles and Functions of the INTERPOL
- 2.7 Challenges in the Operation of the INTERPOL
- 2.8 Summary
- 2.9 References/Further Readings/Web Sources
- 2.10 Possible Answers to Self-Assessment Questions



### 2.1 Introduction

The world has entered into a new era where it is confronted by a transitional scope of crime that affects both advanced and (mostly) underdeveloped or developing countries as the case may be (Abiodun and Abioro, 2020). Drug trafficking, terror, arms traffic, and money laundering are the most destructive and destabilizing forms of crime that are at the increasing edge of controls held by various criminals (Fooner, 1989).

With advances in science and technology, criminals have become more effective and efficient in carrying out criminal operations with much more devastating impact. The fact that these criminals are highly mobile, moving from one country to another prompted the need for cooperation among the various police forces in the world. Hence, the INTERPOL was created as an international police organization that facilitates cooperation among states in combating the crimes of the 21<sup>st</sup> century. In this unit, we shall discuss the INTERPOL, its roles and challenges.



### 2.2 Learning Outcomes

By the end of this Unit, you should be able to:

- outline the functions of the INTERPOL.
- trace the History of the INTERPOL.
- identify the challenges to the operation of the INTERPOL.



## **2.3 International Criminal Police Organization (Interpol)**

To combat international crimes, the INTERPOL has developed applicable special crime control systems. It has established multinational police cooperation processes, developed terrorist defining procedures, and drafted an anti-money laundering strategy. Crimes are increase rapidly in global community. It is significant that there is absolute coordination among the series of players in maintaining global security architecture. INTERPOL as a global organization facilitates cooperation; and enables police to work directly with their counterparts even among states which do not have diplomatic relations (INTERPOL Annual Report, 2014).

It also provides a voice for police on the world stage, engaging with governments at the highest levels to encourage cooperation and use of its services. All INTERPOL's actions are meant to be politically neutral and taken within the limits of existing laws in different states. Crime is increasing globally which means international cooperation between police, time zones and languages are also more essential in fighting global crimes. Criminals and terrorists usually travel or move round with fake identities, making biometric data and information on stolen travel documents essential to detect and arrest them (Andreas, 2003).

INTERPOL databases have formed the heart of its services to states in the global system, with technology giving room for real-time access to frontline officers at borders (Andreas, 2003). However, police in the global system has queried INTERPOL databases almost 5.4 billion times annually, with over 1.1 million castigating poor policing strategies, and each agency advancing an investigation somewhere in the world. INTERPOL as a global police body has provided operational support to states across the global programmes of counter-terrorism, cybercrime, and organized and emerging crime (INTERPOL Annual Report, 2018).

These operations are therefore often preceded by capacity building and training, to ensure a lasting impact in each country. INTERPOL activities are also guided by its governing body, the General Assembly, which represents all its membership and which meets annually. Crimes and criminals are constantly innovating; so INTERPOL usually commits to always look forward and strive to continuously improve its support and services to member states. That is the reason it is fond of INTERPOL saying "together, we can make the world a safer place" (INTERPOL Annual Report, 2018, Abiodun and Abioro, 2020).

## 2.4 History of the INTERPOL

An extensive account of the history of INTERPOL was presented by Abiodun and Abioro (2012). According to them, before the 19<sup>th</sup> century, cooperation among police worldwide was organized largely on a temporary basis, and was premised on achieving a specific goal. The first effort towards having a formal and permanent framework for international police coordination was the Police Union of German States which was formed in 1851 to bring together police from various German-speaking countries (Fooner, 1989).

Activities of Police Union of German States were mainly premised on criminals and political dissidents respectively. In the same vein, another effort or moves was launched in Italy in the year 1898 during Anti-Anarchist Conference of Rome that gathered delegates from twenty-one (21) European states to inaugurate a formal organization to address the international anarchist movement. Unfortunately, the Anti-Anarchist Conference and its various follow-up meetings that were held in St. Petersburg in 1904 did not bring out positive outcomes (Fooner, 1989).

However, the early 20<sup>th</sup> century witnessed several more energies put in place to formalize international police cooperation, as increasing international travels and commerce aided transnational criminals and fugitives (Idal, 2000). There was an International Criminal Police Congress that was held in Monaco in 1914, which brought police and legal officials from twenty-four (24) countries of the world to discuss international cooperation in investigating various crimes, sharing investigative techniques, and effecting extradition procedures.

However, the Monaco Congress of 1914 set twelve (12) principles and priorities that became fundamental to INTERPOL spheres, including providing direct contact between police in different countries; creating an international standard for forensics and data collection; and at the same time facilitating the efficient processing of extradition requests in the global system (Helmut and Mark, 2012, Abiodun and Abioro, 2012).

The International Criminal Police Organization (ICPO-INTERPOL) which is commonly known as INTERPOL is an international organization that facilitates worldwide police cooperation and crime control. The Agency was founded in Vienna, Austria on 7<sup>th</sup> September, 1923 and has its Headquarters in Lyon, France with seven (7) regional Bureaus globally and a National Central Bureau in all 194 member states, making it the world largest police organization (Buzan and Hansen, 2009).

Also, the General Secretariat headquarters of INTERPOL in Lyon, maintains seven regional bureaus and three special representative offices: Buenos Aires, Argentina; Brussels, Belgium (special representative office to the European Union); Yaoundé, Cameroon; Abidjan, Côte d'Ivoire; San Salvador, El Salvador; Addis Ababa, Ethiopia (special representative office to the African Union); Nairobi, Kenya; Bangkok, Thailand; New York City, United States and Harare, Zimbabwe. INTERPOL originated with the first International Criminal Police Congress which got established in the year 1914 that brought officials from 24 countries together to discuss cooperation on law enforcement matters (Buzan and Hansen, 2009). It got founded in 1923 as the International Criminal Police Commission (ICPC), while adopting many of its current responsibilities throughout the 1930s.

After coming under Nazi control in 1938, the agency became moribund until after the Second World War. But in 1956, the ICPC adopted a new constitution and the name INTERPOL that was derived from its telegraphic address used since 1946. Basically, INTERPOL provides investigative support, expertise, and training to law enforcement operatives globally, while focusing on three (3) major areas of transnational crime: terrorism, cybercrime, and organized crime (Buzan and Hansen, 2009). INTERPOL's mandate actually covers nearly all kinds of crime which include: crimes against humanity, child pornography, drug trafficking and production, political corruption, copyright infringement, and white-collar crime. The agency also facilitates cooperation among national law enforcement agencies via criminal databases and communications networks. Contrary to popular belief, INTERPOL is not a law enforcement agency (Durmaz, 2005). Moreover, INTERPOL runs an annual budget ranging around €113 million (US\$131 million), most of which is realized from annual contributions by member police forces in the existing 181 states worldwide. It is also governed by a General Assembly that is composed of all member countries, which elects the Executive Committee and the President (the current one in the person of Kim Jong Yang of South Korea) who supervises the implementation of agency's policies and administration. In the same vein, day-to-day operations are executed by the General Secretariat, comprising about 1,000 personnel drawn from member states, including both police and civilians (Fooner, 1989).

However, the Secretariat of INTERPOL is currently led by the Secretary General, in the person of Jurgen Stock, who happened to be the former Deputy Head of Germany's Federal Criminal Police Office. Besides, INTERPOL vies to remain politically neutral in order to fulfill its mandate; its charter regulates it from carrying out interventions or activities of a political, military, religious, or racial nature or involving itself in disputes over such matters (Constitution of the INTERPOL, 2016).

## **2.5 INTERPOL and Border Security**

With regards to border security operations over the years, Abiodun and Abioro (2012) writes that the INTERPOL leading operations have been targeting criminals as they cross air, land, and sea borders and at the same time run border security operations with the cooperation of global partners and member states (Hemant, 2018). These target fraudulent documents that conceal true identity, travellers/persons of interest are subject to INTERPOL notices and diffusions, and other specific crime areas of importance. These operations remain substantial instances of how local law enforcement agencies leverage on INTERPOL tools with impressive outcomes. The operations include:

1. Operation Sunbird III: The operation which in 2017 involved about 10 nations in Southeast Asia, identified 110 stolen or lost travel documents and led to 17 arrests.
2. Operation Adwenpa: The 2017 operation also involved eight (8) states in West Africa and rescued over 40 victims who had been trafficked for all sorts of illicit labour, many of whom were minors.
3. Operation Red Lotus: This operation took place in 2018 in Asia where it identified over 184 potential threats and detected 49 globally wanted persons targeted by INTERPOL Red Notices (The Open Dialog Foundation, 2019). Border security against specialized crimes is maintained by INTERPOL. Also, a number of targeted operations and exercises are carried out by the organization against various crimes: people smuggling; human trafficking; poaching of travel documents; counterfeit documents, and altered documents; foreign terrorists among others (The Open Dialog Foundation, 2019 cited in Abiodun and Abioro, 2012).

## **2.6 The Roles and Functions of INTERPOL**

1. Turning information on crimes into criminal intelligence
2. Securing Global Police Communication Services and INTERPOL's databases aid law enforcements in fighting international crime
3. Issuing of notices against global criminals: The INTERPOL publishes serious crime-related data through a system of international notices. It is the duty of INTERPOL's General Secretariat (IPSG) to issue notice in four (4) official languages of



the organization which include: English, French, Arabic and Spanish at the requests of member states (Hemant, 2018).

The Types of Notice issued by the INTERPOL include

- **Red Notice:** To seek the location and arrest of wanted persons wanted for prosecution or to serve a sentence. Red Notices are issued for fugitives wanted either for prosecution or to serve a sentence. A Red Notice is a request to law enforcement worldwide to locate and provisionally arrest a person pending extradition, surrender, or similar legal action (INTERPOL Annual Report, 2018). Total number of public Red Notices in circulation is 7275.
  - **Yellow Notice:** To help locate missing persons, often minors, or to help identify persons who are unable to identify themselves.
  - **Blue Notice:** To collect additional information about a person's identity, location or activities in relation to a crime.
  - **Black Notice:** To seek information on unidentified bodies.
  - **Green Notice:** To provide warning about a person's criminal activities, where the person is considered to be a possible threat to public safety.
  - **Orange Notice:** To warn of an event, a person, an object or a process representing a serious and imminent threat to public safety.
  - **Purple Notice:** This exists to seek or provide information on modus operandi, objects, devices and concealment methods used by the various criminals (INTERPOL Annual Report, 2019).
4. Reducing organized, new types of crime and tracking of all sorts of drug and human trafficking
  5. Victim and suspect identification during complex emergencies
  6. Capacity building and training for the National Central Bureaus (NCBs) and Police
  7. Forensic investigations
  8. Fugitive investigative support
  9. Tracking and Operations against Terrorism

## 2.7 Challenges to the Operations of INTERPOL

Some of the challenges of INTERPOL, according to Abiodun and Abioro (2012) are:

1. Inability to Extradite International Criminals.
2. Indulgence in Politically-Motivated Arrests.
3. Abuse of Globally-Designed Investigation Mechanisms.
4. Unjust Decisions and Biased Mechanism of Operations of the INTERPOL's Commission for the Control of File (CCF).
5. Used as Instrument of Oppressions and Harassments against Opposition Politicians by Non-Democratic States.
6. Absence of Ensuring Obligations in its Constitution.
7. Withdrawal/Removal of Red Notices against Criminals on the Orders of Member States' Leaders.
8. Bribery and Corruption

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. Promoting trans-border cooperation is one of the cardinal reasons why international organizations exist. A major problem in reaching a cooperative solution is likely to be the lack of .....
2. Countries are sometimes unwilling to cooperate because of national pride, political tensions, lack of trust, high coordination costs among a large number of countries, or the asymmetric distribution of costs and benefits involved in this cooperation.  
**TRUE/FALSE**
3. All of these international organization facilitates trans-border cooperation except .....
  - a. NFA.
  - b. African Union.
  - c. European Union
  - d. World Trade Organization (WTO)
4. The ..... was created as an international police organization that facilitates cooperation among states in combating the crimes of the 21<sup>st</sup> century. To combat these crimes, it has developed applicable special crime control systems. It has established multinational police cooperation processes, developed terrorist defining procedures, and drafted an anti-

money laundering strategy.

5. INTERPOL as a global police body has provided operational support to states across the global programmes of counter-terrorism, cybercrime, and organized and emerging crime. **TRUE/FALSE**



## 2.8 Summary

The INTERPOL has over the years recorded a number of successes in cross border cooperation in the fight against global crime. However, it is faced with a lot of challenges. Among its many challenges, Abiodun and Abioro (2012) note that INTERPOL is faced with its own strict guideline in according absolute priority to national sovereignty. This is corroborated in the argument of former Secretary General of INTERPOL, Jean Nepote in 1983 that, “national sovereignty cannot be ignored whether one likes it or not” (Ravid, 2017).

This guideline is transferred to a greater extent and member states are not obliged to implement anything. In fact, a member state can have its personal interest brought to the forefront in the name of national sovereignty. Operating within the limits of the laws existing in different states, member states are offered full freedom to maintain their individual interests. This situation has remained one of the clogs in the wheel of INTERPOL carrying out its responsibilities effectively in the global system (Matt, 2019).

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. The International Criminal Police Organization (ICPO-INTERPOL) which is commonly known as INTERPOL is an international organization that facilitates worldwide police cooperation and crime control was founded in ..... on 7 September, 1923 and has its Headquarters in ..... with seven (7) regional Bureaus globally and a National Central Bureau in all ..... member states, making it the world largest police organization.
2. INTERPOL provides investigative support, expertise, and training to law enforcement operatives globally, while focusing on three (3) major areas of transnational crime: ....., ....., and .....

3. Which of the following is not a function of INTERPOL?
  - a. Turning information on crimes into criminal intelligence.
  - b. Securing Global Police Communication Services and INTERPOL's databases aid law enforcements in fighting international crime.
  - c. Issuing of notices against global criminals.
  - d. None of the above.
4. Which of the following is a challenge of INTERPOL?
  - a. All of the answers below
  - b. Inability to Extradite International Criminals
  - c. Indulgence in Politically-Motivated Arrests
  - d. Abuse of Globally-Designed Investigation Mechanisms
5. List four types of Notices issued by the INTERPOL?  
 ....., ....., .....  
 and .....



## 2.9 References/Further Readings/Web Sources

Abiodun, T.F. & Abioro, T. (2020). Roles and Challenges of International Criminal Police Organization (Interpol) in Investigation of Crimes and Maintenance of Global Security, *Research Journal of Social Science and Management*, Vol. 10, No. 3, pp. 7-24.

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## 2.10 Possible Answers to Self-Assessment Questions

### Answers to SAEs 1

1. *Trust*
2. *True*
3. *A*
4. *INTERPOL*
5. *TRUE*

**Answers to SAEs II**

1. *Vienna, Austria; Lyon, France and 194*
2. *Terrorism, Cybercrime and organized crime*
3. *D*
4. *A*
5. *Red, Blue, Green and Yellow*

## **UNIT 3 THE UNITED NATION (UN) AGENCIES AND TRANS-BORDER COOPERATION**

### **Unit Structure**

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 UNESCO and Trans-border Cultural Cooperation
- 3.4 Advantages of Trans-border Cultural Cooperation
- 3.5 United Nations Office for Drug and Crime (UNODC)
- 3.6 The United Nations Convention on the Law of the Sea (UNCLOS)
- 3.7 United Nations Conference on Trade and Development (UNCTAD)
- 3.8 Contributions of UNCTAD to Trans-border Trade in Africa
- 3.9 Summary
- 3.10 References/Further Readings/Web Sources
- 3.11 Possible Answers to Self-Assessment Questions.



### **3.1 Introduction**

This Unit discusses the role of agencies of the UNITED NATIONS (UN) in promoting trans-border cooperation. The agencies discussed in this unit are: UNESCO, UNODC, UNCLOS, and UNCTAD. The United Nations has been the leading international organization in global cooperation and integration. We consider it pertinent to highlight how the UN through its agencies has facilitated trans-border cooperation.



### **3.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Identify the role of UNESCO in trans-border cooperation.
- Identify the role of UNODC and UNCLOS in trans-border cooperation.
- State the impact of the UNCTAD in promoting trans-border cooperation in Africa.



### 3.3 UNESCO and Trans-Border Cultural Cooperation

UNESCO has been given the central role among the United Nations agencies for the promotion of Trans-Border Cultural Cooperation. The sudden departure of colonial rulers and fast emerged new independent states in the Third World created big difficulties in nation-building process. It was then realized to develop the cultural cooperation among nations as the most important means to deal with the developmental problems (Adams 2000).

UNESCO advocates that it is the man, as the cornerstone of peace building among nations and human kind. This spirit can clearly evident in 12 Articles of UNESCO's Declaration of Principles of International Cultural Co-operation. Since 1975, four important agreements has been signed among nations relating to culture and cultural cooperation, are very important milestones in this regard. Those are:

1. The Staton Report of 1975
2. International Information Education and Cultural Recommendations for the Future, USA (Center for Strategic and International Studies 1975);
3. The Rigaud Report of 1979 on external Cultural Relations, France (Poirrier 2003);
4. The Report by the Central Policy Review Staff (CPRS) of 1977, UK (James 1986);
5. The Report on Foreign Cultural Policy of the Commission of Inquiry of the Germany Bundestag of 1975, Germany (Foreign Cultural Policy 1978).

### 3.4 Advantages of Trans-Border Cultural Cooperation

Prasanta (2016) posited that advantages of trans-border cultural cooperation include:

#### **Cultural Cooperation as a Vehicle of World Peace**

Cultural cooperation an atmosphere can be created for promoting world peace. The cooperation can bring the realization among countries to help each other in difficult times and assist each other to promote political and economic development. It encourages the nations to exchange skills, ideas, technologies and experiences. Culture teaches countries not to involve in war with each other and pursue a foreign policy based on collaboration and mutual assistance (DeRivera 2004).

### **Supporter of Conventional Diplomacy**

Culture has always very significant effect on the foreign policy strategy. The foreign policy process is subordinate to larger cultural dynamics. Sometimes cultural relations achieve a topical and dramatic effect in breaking down barriers between countries. Cultural programmes can create a more constructive basis for political and economic relations among countries (Muller and Seligson 1994).

### **Promote International Understanding**

Cultural cooperation helps forming understanding in international relations. Understanding is both a head and heart in linking between feeling and making friendship. Misunderstanding and ideological strictness is a major barrier to understanding among nations. So, it is believed through the cultural cooperation a very good understanding can be made among nation-states.

### **Lubricant for Trade**

The European Union has been proved that cultural cooperation is the main lubricant for cross-border trade among nations. There are several evidences of cultural exchanges among European and American countries through export of books and arts. These are undoubtedly furthered by cultural relations. Nowadays tourism has become a growing industry both in developed and developing world. The great cultural heritages and the assistance extended by the UNESCO are the main reason of the growth of this industry. Culture has become as an “invisible export” (Singh, 2007).

### **International Cooperation for Peaceful Coexistence**

Cooperation between nations has become a prime necessity for peaceful coexistence between nations. Cultural cooperation can change the mindset of the leaders of the economically affluent nations to extend assistance to developing nations. A politically, economically and academically backward country exerts social tensions and conflict which can spread and violet the entire world. It can also help to reduce the ideological and the political tensions among nations (Garrett 1992).

## **3.5 United Nations Office for Drugs and Crime (UNODC)**

Another institution of the United Nations that promotes trans-border cooperation is the United Nations Office on Drugs and Crime (UNODC). The United Nations Office on Drugs and Crime (UNODC) is a global leader in the struggle against illicit drugs and transnational organized crime, and the United Nations-led programme on terrorism. UNODC was established in 1997 as a result of the merging of the



United Nations Centre for International Crime Prevention and the United Nations International Drug Control Programme. It was established by the Secretary-General of the United Nations to enable the Organization to focus and enhance its capacity to address the interrelated issues of drug control, crime and international terrorism in all its forms.

UNODC currently has over 1,500 staff working at the national, regional and global levels through a network of 54 field and project offices, as well as liaison offices in New York and Brussels.

1. The UNODC works to inform the world about the dangers of drug abuse and to strengthen international action against drug production, trafficking and drug-related crime.
2. UNODC also works to improve crime prevention and to assist with criminal justice reform in a number of countries.
3. UNODC works with Member States to strengthen the rule of law, promote stable and viable criminal justice systems, and combat the growing threats of transnational organized crime and corruption.
4. UNODC bases its work on the three pillars of research and analytical work, normative work to assist States in the ratification and implementation of international treaties, and the development of domestic legislation on drugs, crime and terrorism, and field-based technical cooperation projects.
5. The UNODC strengthens the legislative and judicial capacity of countries to ratify and implement international conventions and instruments on drug control, organized crime, corruption, terrorism and money-laundering.

Aside the above function, the UNODC is also the guardian of most of the related conventions, particularly:

- The United Nations Convention against Transnational Organized Crime and its three protocols (against trafficking in persons, smuggling of migrants and trafficking in firearms)
- The United Nations Convention against Corruption
- The international drug control conventions.

### 3.6 The United Nations Convention on the Law of the Sea (UNCLOS)

The UNCLOS is an organization set up to foster cooperation among and between nations on maritime border issues. UNCLOS was signed on 10 December 1982 in Montego Bay, Jamaica and entered into force in 1994. Considered the “constitution for the oceans”, the Convention aims to provide the legal framework for all human activities in the sea. From a marine environmental perspective, UNCLOS is also the most comprehensive international legal framework for the protection of the marine environment thus far. As of 31 January 2020, UNCLOS has 168 state parties including all ASEAN member states, China, Japan and Korea. UNCLOS is often referred to as the constitution for the oceans, UNCLOS is a comprehensive and near universal treaty.

It is not the only treaty that applies to pollution of the sea and the protection of the marine environment, but it is the only one which is intended to regulate all activities at sea. UNCLOS includes both provisions that are directly implementable by states and framework provisions that require agreement and formulation of further regulations, measures, standards and procedures at international, regional and/or national levels. With 168 state parties, UNCLOS has a global reach.

The obligation to cooperate for the protection and preservation of the marine environment is provided in a number of articles in UNCLOS, including the general provisions on the protection of the marine environment, and the specific provisions on particular sources of pollution. The general provisions include in particular Articles 197 and 123.

1. **Article 197 provides that:** States shall cooperate on a global basis and, as appropriate, on a regional basis, directly or through competent international organizations, in formulating and elaborating international rules, standards and recommended practices and procedures consistent with this Convention, for the protection and preservation of the marine environment, taking into account characteristic regional features.
2. **Article 123 provides that:** States bordering an enclosed or semi-enclosed sea should cooperate with each other in the exercise of their rights and in the performance of their duties under this Convention. To this end they shall endeavour, directly or through an appropriate regional organization.

### **3.7 United Nations Conference on Trade and Development (UNCTAD)**

Trade is an important trans-border activity. The need for a framework that will promote trade across borders prompted the creating of the United Nations Conference on Trade and Development (UNCTAD). UNCTAD was created in 1964 to fulfil a development mission. The world has changed since then.

The East/West divide makes little sense after the collapse of the Berlin Wall. The North/South axis is still a reality but a lesser one in light of the growing diversity among developing countries. The thinking on appropriate development strategy has thrown into sharp relief the wisdom of the early proponents of political democracy and economic incentives. Views on the role of the external environment within which the developing countries must function have also changed, from seeing it as a threat to considering it as an opportunity.

UNCTAD was established to promote development among the so-called “un-developed” and “under-developed” newly independent countries. Its purpose was to facilitate the integration of these economies into the world economy through a balanced approach. This *raison d’être* remains valid, as the problems of development persist. When UNCTAD was created, the world was at the peak of the East-West conflict, and the South had emerged as an economic grouping of poor countries vis-à-vis the rich North.

The member States of UNCTAD were arranged into groups reflecting these divisions: the Group of 77 (developing countries, further subdivided into regional groupings), Group B (developed countries), Group D (the then Central and Eastern European countries) and China. With the end of the Cold War, the former communist countries of Central and Eastern Europe have been seeking to make a successful transition from their earlier political regimes and economic systems. Some joined the European Union. Others are faced with the problems presented by their particularities; but their predicaments and aspirations are now largely in common with those of many other developing countries of the South.

The South itself is not the monolithic political and economic bloc it was in the 1960s. Some developing countries have made a successful transition to the increased prosperity of the North; others are on the way; and still others have been stagnating and are even further marginalized. Developing countries on different continents and within each continent have had differing experiences and have diverse interests in issues related to international trade and investment.

Asian countries generally have integrated themselves better into the world economy. Africa has generally done worse. This raises questions on the role of UNCTAD in facilitating trans-border cooperation among African countries. Before we delve into that issue, we shall examine some of the successes of the UNCTAD since its formation.

### **Some Records of Unctad**

1. UNCTAD developed the idea of the Generalized System of Preferences (GSP);
2. UNCTAD pioneered the issue of trade in services, which only later became a central feature of GATT discussions and negotiations;
3. UNCTAD, at an early stage, focused on the issue of tariff escalation, a phenomenon that still persists, and even led international economists to develop the influential theory of effective protection that addresses the question of value-added protection;
4. UNCTAD pioneered as early as the 1960s the focus on South-South trade, yet another staple item in trade talks today;
5. UNCTAD pioneered the analysis of skilled migration, with several studies of the “brain drain” from developing countries, and organized discussions of proposals to deal with the issue through such measures as the taxation of migrants for purposes of development – questions now being revisited in several forums;
6. UNCTAD provided substantial input to commodity agreements as a way of addressing the persistent problems of earnings instability by countries dependent on one or just a few primary products.

### **3.8 Contributions of UNCTAD to Trans-border Trade in Africa**

1. UNCTAD supports African countries in transforming their economies to create jobs, reduce poverty, accelerate sustainable development and facilitate the region’s integration into the world economy.
2. The UNCTAD contributes to and support the debate on the multilateral trading system, with a particular focus on the needs of most vulnerable populations and the promotion of their economic opportunities.
3. The UNCTAD analyzes the opportunities and challenges of the multilateral trading system and support developing countries to

enhance their participation in the multilateral trading system, taking into consideration their sustainable development needs.

4. The UNCTAD conducts research and technical analysis on the impact of the multilateral trading system and its rules on developing countries, as well as deepen its work in promoting dialogue and consensus among member States on key elements of the multilateral trading system, including the determination of policy space to support national development objectives, while remaining consistent with relevant international rules and countries' commitments.
5. The UNCTAD works on the impact of non-tariff measures on trade relations, market access, investment and transit, and thus their development implications and impact on the well-being of the population of affected countries, including through the strengthening of its cooperation on the topic with other relevant partners, as well as through participation in the Multi-Agency Support Team on the non-tariff measure database.
6. The UNCTAD provides statistics, analytical work and technical assistance to developing countries, to promote structural transformation.
7. UNCTAD, the focal point within the United Nations system for the integrated treatment of trade and development, supported and is supporting negotiations on the African Continental Free Trade Area by providing advisory and technical assistance in many areas. As a member of the African Continental Free Trade Area Technical Working Group on Rules of Origin, UNCTAD provided support to the African Union in drafting technical regulations on the rules of origin for the African Continental Free Trade Area negotiations, including for the case of special economic zones.
8. The UNCTAD participated in the three sessions organized by the African Union relating to the African Continental Free Trade Area in May, November and December 2018, presenting statistics on intra-African import and export among 54 African countries, taking stock of the progress made in the implementation of the African Continental Free Trade Area, and analysing the different approaches to listing sensitive and excluded products under the tariff negotiations.

9. The UNCTAD helped member States of the African Union carry out detailed analyses and simulations of tariff negotiations in connection with the African Continental Free Trade Area.
10. The UNCTAD, with financial support from the Government of Germany, provided support to the African Union Commission, regional economic communities in Africa and African countries in developing and implementing a framework to report, eliminate or monitor non-tariff barriers and increase regulatory transparency among African countries in the African Continental Free Trade Area. In February 2019, the Commission and UNCTAD organized a meeting in Nairobi with regional economic communities in Africa to discuss and elaborate the details of a possible continental nontariff barrier mechanism that will deal with barriers of this type faced by traders in intra-African trade transactions in the African Continental Free Trade Area. Participants in this meeting included representatives from the Common Market for Eastern and Southern Africa (COMESA), SADC, East African Community (EAC), ECOWAS, Community of Sahelo-Saharan States, Intergovernmental Authority on Development and Arab Maghreb Union, as well as from the Economic Commission for Africa, African Organization for Standardization, National Metrology Institute of Germany and independent experts.
11. The UNCTAD presented a draft negotiation text for the African Continental Free Trade Area Protocol on Competition, and a report on a case for a standalone protocol on consumer protection. UNCTAD participated in the discussion of the African Continental Free Trade Area Protocol on Competition, which took place in Addis Ababa in February 2019 organized by the African Union Secretariat.
12. To date, the negotiations have focused on protocols on competition, intellectual property rights and investment, which UNCTAD supported with presentations on key issues in the Investment Protocol of the African Continental Free Trade Area. The discussions of the meeting fed into the preparation of a report entitled “Assessing Regional Integration in Africa IX: Next Steps for the African Continental Free Trade Area”.
13. UNCTAD also provided written inputs on specific features of international investment agreements for a joint policy paper, which will guide the draft of the Investment Protocol of the African Continental Free Trade Area. UNCTAD also supported

the Tripartite Committee of Senior Officials with a presentation on investment related considerations relevant for the second phase of the Tripartite Free Trade Area negotiations.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. UNESCO has been given the central role among the United Nations agencies for the promotion of Trans-Border Cultural Cooperation. **TRUE/FALSE**
2. Which of the following is an advantage of trans-border cultural cooperation?
  - (a) Cultural Cooperation is a vehicle of World Peace
  - (b) Promotes International Understanding
  - (c) A, B and C
  - (d) Supports Conventional Diplomacy.
3. The ..... is a global leader in the struggle against illicit drugs and transnational organized crime, and the United Nations lead programme on terrorism and it was established in the year .....
4. UNODC works with Member States to strengthen the rule of law, promote stable and viable criminal justice systems and combat the growing threats of transnational organized crime and corruption. **TRUE/FALSE**
5. The ..... is an organization set up to foster cooperation among and between nations on maritime border issues. It was signed on 10 December ..... in Montego Bay, Jamaica and entered into force in .....



### 1.9 Summary

The UN has been an important organization in promoting trans-border cooperation. In this unit we discussed the roles of its agencies and framework. UNESCO has been given the central role among the United Nations agencies for the promotion of Trans-Border Cultural Cooperation. The UNCTAD has not been supportive of trans-border trade cooperation in Africa by aiding the African Free Trade Agreement. UNODC works with Member States to strengthen the rule of law,

promote stable and viable criminal justice systems and combat the growing threats of transnational organized crime and corruption UNCLOS is an organization set up to foster cooperation among and between nations on maritime border issues.

## SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. Trade is an important trans-border activity. The need for a framework that will promote trade across borders prompted the creating of the ..... which was created in ..... to fulfil a development mission.
2. The UNCTAD helped member States of the African Union carry out detailed analyses and simulations of tariff negotiations in connection with the African Continental Free Trade Area. **TRUE/FALSE**
3. UNCTAD, at an early stage, focused on the issue of tariff escalation, a phenomenon that still persists, and even led international economists to develop the influential theory of effective protection that addresses the question of value-added protection. **TRUE/FALSE**
4. UNCTAD ..... developed ..... the .....
5. The UNCTAD has not been supportive of trans-border trade cooperation in Africa by aiding the African Free Trade Agreement. **TRUE/FALSE**



### 3.10 References/Further Readings/Web Sources

Jose L. Wong Villanueva, Tetsuo Kidokoro & Fumihiko Seta (2020): *Cross-Border Integration, Cooperation and Governance: A Systems Approach for Evaluating “Good” Governance in Cross-Border Regions*, Journal of Borderlands Studies, <https://www.tandfonline.com/doi/full/10.1080/08865655.2020.1855227>



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[https://unctad.org/system/files/official\\_document/td541add2\\_en.pdf](https://unctad.org/system/files/official_document/td541add2_en.pdf)

United Nations Conference on Trade and Development (2020). *Activities Undertaken by UNCTAD in Support of Africa*. Report by the Secretary-General of UNCTAD, Geneva.  
[https://unctad.org/system/files/official-document/tdb67d2\\_en.pdf](https://unctad.org/system/files/official-document/tdb67d2_en.pdf)



### 3.11 Possible Answers to Self-Assessment Questions

#### Answers to SAEs 1

1. *True*
2. *C*
3. *UNODC, 1997*
4. *True*
5. *UNCLOS, 1982, 1992*

#### Answers to SAEs II

1. *UNCTAD, 1964*
2. *True*
3. *True*
4. *General Systems of Preferences (GSP)*
5. *False*

## **UNIT 4 THE ROLE OF THE WTO AND WCO IN TRANS-BORDER COOPERATION**

### **Unit Structure**

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 History of the World Trade Organization.
- 4.4 Contributions of the World Trade Organization (WTO) in Trans-border Cooperation
- 4.5 The Role of the World Customs Organization (WCO) in Promoting Trans-border Cooperation.
- 4.6 Summary
- 4.7 References/Further Readings/Web Sources
- 4.8 Possible Answers to Self-Assessment Questions



### **4.1 Introduction**

The WTO is a multilateral organization that regulates trade relations between states while the WCO is an intergovernmental organization that aims to improve coordination among customs administrations around the world as they facilitate trade and ensure the security of their borders. These two organizations play a central role in promoting trans-border cooperation. In this Unit, we shall be examining the specific roles these two organizations play.



### **4.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- State the contributions of WTO to trans-border cooperation.
- State the contributions of WCO to trans-border cooperation.



### **4.3 History of World Trade Organization**

After the Second World War, the World Bank and the International Monetary Fund (IMF) were created as international financial institutions. It was intended that a third institution be created to regulate the trade aspect of international economic cooperation among nations. More than fifty countries were part of the negotiations to create International Trade Organisation (ITO) as a specialized organ of the

United Nations. The scope of the draft ITO Charter included rules on employment, commodity agreements, restrictive trade practices, international investment, and services. The target had been the creation of ITO at a UN Conference on Trade and Employment in Havana, Cuba in 1947.

However, it never came to be. Meanwhile, 23 countries had entered into trade negotiations in Geneva in 1947. The agreement was known as the General Agreements on Trade and Tariffs (GATT) and was to come into force on 1st January, 1948. The agreement aims to remove the use of import quotas and to reduce tariffs on goods. GATT was not to be a permanent agreement. However, it continued to hold sway as the major multilateral agreement governing international trade for over 45 years until the establishment of WTO. It was also not an international trade organization.

Yet it gathered approximately 130 signatory parties into the system. GATT continued to extend through various negotiation rounds, supplementary codes and arrangements, interpretations, waivers, reports by dispute-settlement panels and decisions of its council. Signatory states of GATT took a long walk to form the WTO. This happened in the Uruguay Round of negotiations that lasted from 1986 to 1994. The Round was finally completed on 15<sup>th</sup> April, 1994 wherein 111 out of the 125 participating states signed the final document. 104 states accepted it and it came into force on 1st January, 1995 for eighty-one members which reflected more than 90 per cent of international trade.

Apart from its success in creating WTO, the round also enlarged the scope of multilateral agreements regulating trade and ensured institutional restructuring. It is also credited to have concluded the General Agreement on Trade in Services (GATS) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) thereby bringing services and intellectual property under the regime of multilateral agreements.

It also replaced the 1948 GATT with the 1994 version. In replacing GATT, WTO aims to create equitable trade conditions and fairer environment for goods and services to allow the free flow of trade. It recognizes the importance of aligning the structural imbalanced economic conditions. WTO was established to ensure substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international trade relations.

#### **4.4 Contributions of the World Trade Organization (WTO) in Trans-border Cooperation**

The WTO is a multilateral organization that regulates trade relations between states. It has a unique tripod purpose. First, it seeks to encourage the progressive trade liberalization and remove restrictive barriers states place on importation and exportation of goods and services which distort trade flows and decrease general economic wellbeing and development. Second, it is a negotiating forum referred to as “rounds,” wherein member states meet to negotiate terms of trade liberalization treaties which become binding on all members.

Lastly, the WTO seeks to provide clear rules of engagement to ensure a more transparent and predictable trans-border and international trade. The WTO has underlining principles that defines and determines its policies and agreement. The most prominent of these principles are the MFN and the national treatment principle. The MFN clause is the foundational principle of WTO which provides for non-discrimination among states as it requires members to accord all other members of the Agreement similar treatment concerning any tariff or concession in respect of a particular product, as they would have done to any other country.

Also under the national treatment principle, once goods pass through the borders of member states, members are obliged to give equal treatment to those goods as though it is of their national origin. This is a measure to prevent states’ use of internal regulations to discriminate against imported goods which will negatively affect tariffs reduction and other means of trade liberalization. The six key objectives of WTO include:

1. Setting and enforcing rules for international trade;
2. Providing forum for negotiation and monitoring of further trade liberalization.
3. Resolving trade disputes;
4. Increasing transparency in the decision-making processes;
5. Enabling cooperates with other major international economic institutions involved in global economic management and
6. Providing help to developing countries to take full benefit of the global trading system. WTO has succeeded in concluding several trade agreements liberalising trade between states. This success

has resulted in the increase in the volume of world trade. This increase has been measured to amount up to 25% in the preceding 8 years.

#### **4.5 The Role of World Customs Organization (WCO) in promoting Trans-border Cooperation**

Specifically, the WCO aims to do the following:

1. Set international standards to facilitate cross-border trade.
2. Secure the international trade supply chain
3. Harmonize and simplify customs procedures aimed at facilitating trade
4. Strengthen the security of the supply chain
5. Foster the exchange of information between customs administrations
6. Provide capacity building through training and assistance.

In order to coordinate global customs procedures, the WCO promotes and provides guidance for implementing the 1974 Kyoto Convention, which was adopted to harmonize and simplify international customs procedures. The revised Kyoto Convention, which came into force in 2006, offers legal provisions and controls to implement the procedures of the convention and also addresses more up-to-date issues facing customs administrations in greater detail, including electronic commerce.

The WCO coordinates its activities with a number of United Nations entities working on issues of trade and security, including the International Maritime Organization (IMO), the UN Conference for Trade and Development (UNCTAD), the UN Educational, Scientific and Cultural Organization (UNESCO), and the UN Economic Commission for Europe (UNECE). Though the WCO's work is not directly linked to security threats and counterterrorism, the 9/11 attacks prompted greater emphasis on supply chain security and terrorism among its membership. Consequently, the organization initiated a number of programs aimed at reducing the vulnerability of global trade to terrorist attacks.

For example, in June 2002, the WCO adopted a resolution noting the threat of terrorism to global trade, and established a Task Force with the

private sector called the Joint Customs/Industry Task Force on Security and Facilitation of the Global Supply Chain, to offer guidance and recommendations on coordinating and improving the methods of customs administrations to secure the supply chain. This Task Force produced a package of technical measures, including the Customs Guidelines on Integrated Supply Chain Management, which calls for the application of a risk assessment to the interoperable supply chain.

The WCO also provides capacity-building assistance to support implementation of UN Security Council Resolution 1540 (2004), which aims to prevent non-state actors from obtaining weapons of mass destruction (WMD), by offering specific training sessions. The WCO's Secretariat assists its members in the implementation of Recommendation IX of the Nine Special Recommendations of the Financial Action Task Force (FATF), which is a critical component of the provisions of UN Security Council Resolution 1540 because it focuses on the transportation of currency suspected to be related to terrorism. Furthermore, the WCO is developing a Correlation Table to assist customs/border-control officers in determining which goods are subject to the 1540 resolution regime and to improve customs' risk-profiling processes.

Additionally, the WCO Secretariat provides resources to states to assist them with border security. For example, the Secretariat offers a databank on advanced technology, which provides guidance on securing international trade through the supply chain and a list of companies and products that customs administrations might encounter in their work. The Secretariat also assists customs administrations in detecting transnational organized crime through its World Customs Enforcement Network (CEN). This network facilitates the exchange of information with other organizations by providing a database of illegal products, examples of concealment methods, and its own communication systems.

The communication systems include CEN-comm, a secure platform for international exchange of operational information and intelligence and the National Customs Enforcement Network (NCEN), a national database for enforcement and intelligence purposes with a platform to exchange information with other customs administrations.

### **SELF-ASSESSMENT EXERCISES (SAES)**

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. Which of this is not among the six key objectives of WTO?
  - a. Setting and enforcing rules for international trade.

- b. Providing forum for negotiation and monitoring of further trade liberalization.
  - c. None of A, B and D
  - d. Resolving trade disputes
2. The agreement was known as the ..... and was to come into force on 1st January, ..... and later evolved into the WTO after the Uruguay round of negotiations in .....
  3. Which of the following is among the roles performed by the WCO in facilitating trans-border cooperation?
    - a. Set international standards to facilitate cross-border trade.
    - b. Securing the international supply chain
    - c. Harmonizing and simplifying customs procedures aimed at facilitating trade.
    - d. All of the above.
  4. WTO is the acronym for .....



## 4.6 Summary

In this Unit, we discussed the role of the World Trade Organization and World Customs Organization in promoting trans-border cooperation. The WTO regulates and promotes trade relations between states. The WCO improves coordination among customs administrations around the world as they facilitate trade and ensure the security of their borders.

### SELF-ASSESSMENT QUESTIONS II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes*

1. WCO is an acronym for .....
2. UNCTAD pioneered the issue of trade in services which only later became a central feature of GATT discussions and negotiations. **TRUE/FALSE.**
3. The ..... clause is the foundational principle of WTO which provides for non-discrimination among states as it requires members to accord all other members of the Agreement

similar treatment concerning any tariff or concession in respect of a particular product, as they would have done to any other country.

4. MFN means  
.....



#### 4.7 References/Further Readings/Web Sources

Jose, L. Wong Villanueva, Tetsuo Kidokoro & Fumihiko Seta (2020). Cross-Border Integration, Cooperation and Governance: A Systems Approach for Evaluating “Good” Governance in Cross-Border Regions, *Journal of Borderlands Studies*, <https://www.tandfonline.com/doi/full/10.1080/08865655.2020.1855227>

World Customs Organization (WCO) (2022). The Role of Advanced Technologies in Cross-Border Trade: A Customs Perspective. <http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/wco-wto-paper.aspx>, 29 March, 2022.



#### 4.8 Possible Answers to Self-Assessment Exercises (SAEs)

##### Answers to SAEs 1

1. C
2. GATT, 1948 and 1994
3. D
4. World Trade Organization

##### Answers to SAEs II

1. World Customs Organization
2. True
3. MFN
4. Most Favoured Nation



## **Unit 5 NIGERIA-NIGER JOINT COMMISSION FOR COOPERATION**

### **Unit Structure**

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 History and Role of the NNJCC
- 5.4 NNJCC as Model for CBC
- 5.5 Milestone Achievements of the NNJCC
- 5.6 Challenges of the NNJCC
- 5.7 Summary
- 5.8 References/Further Readings/Web Sources
- 5.9 Possible Answers to Self-Assessment Questions



### **5.1 Introduction**

The Federal Republic of Nigeria and the Republic of Niger are two friendly and sister neighbouring countries with sound relations and an exemplary cooperation in the West African sub-region. The two countries realizing the need for a peaceful and harmonious coexistence among these people have formulated a policy of joint Commission called Nigeria-Niger Joint Commission for Cooperation (NNJCC). The policy constitutes not only an important recognition of the imperatives of cooperation, but also represents an instrument for the strengthening of relationships. In this Unit, we discuss the history and role of the NNJCC, its structure, milestones and challenges.



### **5.2 Learning Outcomes**

By the end of this Unit, you should be able to:

- Trace the history of the NNJCC
- Identify the role of the NNJCC
- State the milestones and challenges of the NNJCC



### **5.3 History and Role of the NNJCC**

The NNJCC was created after two summit meetings in November, 1970 in Nigeria and March 1971 in Niamey, Niger Republic between Presidents, Diori Hamani of Republic of Niger and General Yakubu Gowon of the Federal Republic of Nigeria. The two Heads of State

steered their governments towards setting up a permanent legal framework by ensuring effective and sustainable cooperation as well as promotion and implementation of concrete integration initiatives between the two countries. NNJCC, a bilateral government agency provides institutional anchorage and political support for regional initiatives between the two countries.

The communities of Niger of the Dosso, Tahoua, Maradi, Zinder and Diffa region living along the 1,500 km border cannot be dissociated from the neighbouring Nigerian States of Kebbi, Sokoto, Zamfara, Katsina, Jigawa, Yobe and Borno. The statutes of the Commission signed on the 22<sup>nd</sup> December, 1973 in Niamey, define the objectives of the Commission and the role the Permanent Secretariat is expected to play in achieving these objectives. Article 4 of the statute stipulates that NNJCC is responsible for the following:

1. To formulate policies which will facilitate full application of the principles set out in the Convention;
2. To collect, evaluate and disseminate information on proposals made by member states;
3. To promote and coordinate joint research projects and programmes aimed at developing the resources of the two countries;
4. To examine complaints and promote settlement of disputes through reconciliation and mediation;
5. To draw up common rules regarding matters within its component;
6. To examine complaints and promote the settlement of disputes referred to it through conciliation and mediation;
7. To liaise with contracting parties on joint efforts and to follow the progress of the execution of survey work as envisaged in the convention among others.

Furthermore, the government of Niger Republic and Nigeria signed a protocol on 22nd December, 1973 amending the 1971 Convention thereby instituting the following three main organs to direct the affairs of the Joint Commission:

- The High Authority, which is the supreme body of the Commission and is composed of the Heads of State of the member states, is expected to meet at least once a year;
- The Council of Ministers, which is responsible to the High Authority and is made up of equal number of representatives of the two governments of analogous status. It is also expected to meet at least once a year; and
- The Permanent Secretary is responsible for the daily functioning of the Commission and carrying out the decisions of the High Authority.

The aim and objectives of the NNJC are in conformity with the principles stated in the Charter of both the United Nations (UN) and the Organization of African Unity (OAU). It is therefore worthwhile emphasizing that the NNJCC is neither in competition nor at variance with the aims and objectives of other sub-regional and intergovernmental organizations in West Africa (Bolouvi, 2005). It is created by Nigeria and Niger to enable the two States formalizes the agreement, broaden and consolidate cooperation between them in all fields of endeavour.

In fact, the workings of the NNJCC goes beyond the framework of simple economic relations, its integrity remains concrete in the promotion of joint development of the two countries by implementing local projects, designing financing strategies and accompanying political decisions in order to facilitate their implementation. The NNJCC's achievements are closely linked to its mission of developing bilateral and cross border trade in the following vital sectors: transport, telecommunications network, trade, environment, management and promotion of livestock breeding, joint rural programmes, energy, industry, health, management of aquatic resources, combating cultural enemies, security and border management among others.

#### **5.4 NNJCC as Model for CBC**

The NNJCC is today an important organization with diplomatic status. It is known for the coordination, promotion and facilitation of trade between Nigeria and Niger Republic, and is an example of CBC that goes beyond the traditional agreements because it was based on intrinsically linked communities. Its creation enabled populations of both countries to live in the border area paying no heed to official borders to preserve their specific connection that are usually linked to communities on the continent and also in the West African sub-region. In this regard, the NNJCC recognises over 36 years of expansion and strengthening cooperation between the two countries in all areas of human activity. The NNJCC provide support on harmonization over

colonial balkanization in the area of history and geography, the two countries have moulded their commitment to the future.

A large part of this territory and its population were part of the successive empires in West Africa and in particular, the Mali, Songhai, Kanem, Bornu, the Hausa state. Even today, it is difficult to separate the communities living along the 1,500 kilometres border of Niger: Dosso, Tahoua, Maradi, Zinder and Diffa departments from their neighbouring Nigeria States of Kebbi, Sokoto, Zamfara, Katsina, Jigawa, Yobe and Bornu. NNJCC is thus a bilateral cooperation body that had been in existence for a long time. Furthermore, both countries have a specialized CBC structure that further strengthens CBC initiatives:

The NBC and Le Commission Nationale des Frontiers du Niger. The CBC policy success is inherently based on peace and stability between the two States. The policy's spectacular success is based on a common platform of democratic norms, trust, shared respect for human rights, good governance, public security, shared relations cultural bonds etc. In this respect, Nigeria's experience at exploring peace and development potential of boundaries and borderlands with its immediate neighbour of Niger may be used as a roadmap and guidelines for future successes. In spite of the little challenges encountered occasioned by insecurity along some sectors of the boundary, the Nigeria-Niger experience through the NNJCC should be used as essential guide for other African states towards archiving sustainable development and regional integration.

The CBC initiative of AUPB is designed to highlight integration through services located on either side of the boundary, for use by Border Communities of both countries regardless of national boundaries (AUBP). These may include managing certain common resources as Nigeria and Equatorial Guinea have done with oil fields in the Gulf of Guinea, under the aegis of the JDA, and Nigeria and Niger in the case of managing cross-border resources. In this respect, the NNJCC is a working model for repositioning settlement patterns and regional infrastructural development initiatives, it also a symbol of south-south cooperation and may be used as a roadmap/guideline towards achieving further sustainable development and regional integration.

## **5.5 Milestone Achievements of the NNJCC**

- Provision of electricity to the Republic of Niger by the Federal Republic of Nigeria.
- Development of connecting roads paving way for a main international road between the two countries.
- Promotion of telecommunication networks

- Setting up of a rapid exchange of information system on the sanitary situation in both countries principally to manage contagious diseases and epidemics at the regional border.
- Improvement in the age long tradition of commercial trade between both countries.
- Carrying out pre-feasibility and feasibility studies at the beginning of 1980 with assistance from UNIDO, UNDP for an industrial millet and sorghum-processing unit set up in Zinder and Kano; the village mills manufacturing unit set up in Maradi; and the glassworks factory in Kano.
- The creation of a framework for livestock health at the common border designed to combat epizootic disease. Management of aquatic resources etc.

## 5.6 Challenges of the NNJCC

- Insecurity occasioned by the activities of Boko Haram and other Insurgency groups
- Inability of the NNJCC to attract sufficient funding from donor agencies
- Perception of people about border.

### SELF-ASSESSMENT EXERCISES (SAES) 1

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The NNJCC is a cross border cooperation initiative between ..... and .....
2. The NNJCC was established after two summits held in the year ..... and ..... and ratified in the year .....
3. Which of this is not an organ of the NNJCC?
  - a. Secretary General
  - b. Permanent Secretary
  - c. Council of Ministers
  - d. The High Authority
4. Which of this is a role of the NNJCC?
  - a. To collect, evaluate and disseminate information on proposals made by member states;
  - b. To promote and coordinate joint research projects and programmes aimed at developing the resources of the two countries;
  - c. To examine complaints and promote settlement of disputes through reconciliation and mediation;
  - d. All of the Above



## 5.7 Summary

The NNJCC stands for Nigeria-Niger Join Commission for Cooperation. Its protocol was signed in 1973 and its aim is to promote cooperation and harmonious relationship between Nigeria and Niger. The commission has three major organs namely: The High Authority, the council of ministers and the Permanent Secretary. Some of the achievement of the commission include: Provision of electricity to the Republic of Niger by the Federal Republic of Nigeria, development of connecting roads paving way for a main international road between the two countries, promotion of telecommunication networks, setting up of a rapid exchange of information system on the sanitary situation in both countries principally to manage contagious diseases and epidemics at the regional border, improvement in the age long tradition of commercial trade between both countries. Insecurity, poor funding and poor perception of people about border are challenges that this commission has been facing.

### SELF-ASSESSMENT EXERCISES (SAES) II

*Attempt these exercises to measure what you have learnt so far. This should not take you more than 8 minutes.*

1. The major challenges to the NNJCC are ..... and .....
2. NNJCC has facilitated an improvement in the age long tradition of commercial trade between both countries. **TRUE/FALSE**
3. The NNJCC has three major organs namely: ....., ..... and .....
4. The NNJCC has facilitated the development of connecting roads paving way for a main international road between the two countries. **TRUE/FALSE**



## 5.8 References/Further Readings/Web Sources

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## 5.9 Possible Answers to SAEs

### Answers to SAEs 1

1. Nigeria and Niger Republic
2. 1970, 1971 and 1973
3. A (Secretary General)
4. D (All of the Above)

### Answers to SAEs II

1. Insecurity and funding
2. True
3. The High Authority, the council of ministers and the Permanent Secretary.
4. True

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## ABBREVIATIONS AND ACRONYMS

API	Advanced Passenger Information
APP	Advanced Passenger Processing
AQIM	Al-Qaeda in the Islamic Maghreb
AU	African Union
AUBP	African Union Border Programme
AU-PSC	African Union Peace and Security Council
BLO	Border Liaison Office
BREXIT	Britain/United Kingdom Exit from the European Union
CRESMAC	Regional Centre for Maritime Security of Central Africa
CRESMAO	Regional Centre for Maritime Security of West Africa
DLT	Distributed Ledger Technology
DPR	Department of Petroleum Resources
EAEC	Eurasian Economic Community
ECOWAS	Economic Community of West African States
EEZ	Exclusive Economic Zone
EFTA	European Free Trade Association
EU	European Union
FATF	Financial Action Task Force
FIATA	International Federation of Freight Forwarders Associations
FRONTEX	European Border and Coast Guard Agency
G7FOGG	Friends of the Gulf of Guinea
GATS	General Agreement on Trade in Services
GATT	General Agreement on Trade and Tariffs
GEA	Global Express Association
GFP	Global Facilitation Partnership
GGC	Gulf of Guinea Commission
GIS	Geographic Information Systems
GPS	Global Positioning System
GSC	Greater South China
GSP	Generalized System of Preferences
IAPH	International Association of Ports and Harbours
IATA	International Air Transport Association
IBC	International Boundary Commission
ICAO	International Civil Aviation Organization
ICC	International Chamber of Commerce
ICEM	Intergovernmental Committee for European Migration
IFCBA	International Federation of Customs Brokers Associations
IFTs	Integrated Fixed Towers

IMF	International Monetary Fund
IMO	International Maritime Organization
INCB	International Narcotics Control Board
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migration
IoT	Internet of Things
IRU	International Road Transport Union
ISO	International Standards Organization
ITC	International Trade Centre
JBP	Joint Border Post
JDZ	Joint Development Zones
JFZ	Joint Free Zones
JTT	Joint Technical Committee
MERCOSUR	Southern Common Market
MNJTF	Multinational Joint Task Force
MOBIT	Mobile Interdiction Team
NBC	National Boundary Commission
NCEN	National Customs Enforcement Network
NNJCC	Nigeria-Niger Joint Commission for Cooperation
OAU	Organization of African Unity (now African Union)
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OECD	Organization for Economic Cooperation and Development
OPCW	Organization for the Prohibition of Chemical Weapons
OSCE	Organization for Security and Co-operation in Europe
PCMME	Provisional Committee for the Movement of Migrants from Europe
PNWER	Pacific North-West Economic Region
RPG	Rocket Propelled Grenade
SECI	Centre Regional Centre for Combating Trans-Border Crime
TIACA	International Air Cargo Association
TRIPS	Trade-Related Aspects of Intellectual Property Rights
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNCTC	United Nations Counter-Terrorism Committee
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme

UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council
UNSD	United Nations Statistics Division
UPU	Universal Postal Union
UUAOA	Unitization Unit Operating Agreement
WCO	World Customs Organization
WEF	World Economic Forum
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMD	Weapons of Mass Destruction
WTO	World Trade Organization