THE IMPACT OF INTERNATIONAL LAWS AND CONVENTIONS ON NIGERIA'S NARCOTIC DRUG CONTROL STRATEGY

BY

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THIS IS A THESIS SUBMITTED TO THE POST GRADUATE SCHOOL AHMADU BELLO UNIVERSITY IN PARTIAL FULFILMENT FOR THE DEGREE OF MASTER OF INTERNATIONAL AFFAIRS AND DIPLOMACY

DEPARTMENT OF POLITICAL SCIENCE,
FACULTY OF SOCIAL SCIENCE

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CERTIFICATION

We the undersigned examiners do hereby certify that this thesis entitled **"THE IMPACT OF INTERNATIONAL LAWS AND CONVENTIONS ON NIGERIA'S NARCOTIC DRUG CONTROL STRATEGY"** is his independent work for meeting the requirements for an award of a master degree of International affairs and diplomacy of the Ahmadu Bello University Zaria.

Supervisor — **Date** 16-05-06

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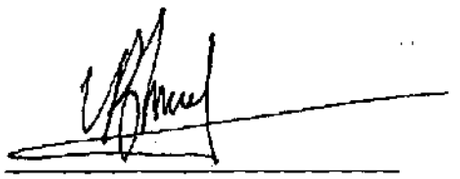
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DECLARATION

I hereby declare that this thesis titled **"THE IMPACT OF INTERNATIONAL LAWS AND CONVENTIONS ON NIGERIA'S NARCOTIC DRUG CONTROL STRATEGY"** is my independent work researched and documented. No part of this work has been submitted to any other institution for any academic awards. All references made in the work have been duly acknowledged



16-05-00

ABDU IBRAHIM **DATE**

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DEDICATION

I wish to dedicate this thesis

To my late Mother Hajia Adama

for nurturing me and contributing towards my education

To my Father Alhaji Abdulkarim Abubakar for educating me

And to Allah the Almighty for making all these possible.

Thank you all

ACKNOWLEDGEMENT

My decision to come back to Ahmadu Bello University for a masters degree was made for the simple reason that to be a successful Lawyer one must be a man of letters. To be a man of letters you must extend your knowledge to other fields in order to have knowledge of almost every activity under the sun.

It is difficult to acknowledge all the numerous persons who in one way or the other helped in my intellectual development as a student of International Affairs and Diplomacy. My first obligation is to my Supervisor and Head of Department Dr Ohwona Andrew. He offered me advise and guided me throughout the research work. Most importantly I will always remember the confidence he had on me to successfully undertake this work.

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Worthy of mentioning are my three children Abba, Al-amin and Fauziya for tolerating me during the course.

Above all, my countless thanks and love goes to my Late mother Hajia Adama Abdulkarim (Magajiya), who during her life time sponsored my education right from primary school up to my university level. Those scarifies she made for me encouraged me to work hard, so that she will not be put to shame. I wish there are ways I could repay her for all she has done for me.

Most of all praise goes to Allah, the Lord of the worlds who gave me the health and life to successfully complete the course.

ABSTRACT

This study specifically sets out to look at the impact of international laws and conventions on Nigeria's narcotic drug control strategy.

The problem of illicit traffick and abuse of narcotic drug and psychotropic substances is a global problem which affects the health and welfare of human beings. Nigeria as a member of the United Nations ratified all the international laws and conventions in order to tackle the twin problem of illicit trafficking and abuse of narcotic drug and psychotropic substances.

Consequently a specialised drug Agency known as the National Drug Law Enforcement Agency (N.D.L.E.A.) was established. This agency therefore became one of the impacts of the International Laws and conventions. Other impacts include the National Drug Control Strategy and the politics of international drug control.

From our analysis of the secondary data gathered, it was found out among other things that the strategy adopted by Nigeria has drastically reduced the problem of drug trafficking and abuse. But due to the politics of international drug control, Nigeria is still depicted among nations of the world that are not co-operating towards the global elimination of drug trafficking and abuse. We have also found that Nigeria is neither a producer of drag nor a user country but a transit country brought about by her geographical location.

In reality the crux of Nigeria's decertification by the USA was the refusal of the military regimes of General Ibrahim Babangida and Sani Abacha to democratise Nigeria. To this end it is recommended among others that Nigeria should continue with its good strategy of tackling drag abuse and trafficking damning the politics of international drug control propagated by the western world.

TABLE OF CONTENTS

CONTENT		PAGE
TITLE PAGE		i
DECLARATION		ii
CERTIFICATION		iii
DEDICATION		iv
ACKNOWLEDGEMENT		v
ABSTRACT		vii
TABLE OF CONTENT		viii
ABBREVIATIONS		xi
CLARIFICATION OF TERMS		xii
	CHAPTER ONE	
	GENERAL INTRODUCTION, RESEARCH PROBLEM, THEORETICAL FRAME WORK, OBJECTIVE OF THE STUDY, METHODOLOGY AND LITERATURE REVIEW	1
1.0.1	Introduction	1
1.0.2	Statement of research problem	3
1.0.3	Research questions	3
1.0.4	Proposition	4
1.0.5	Objective of the study	4
1.0.6	Justification	5
1.0.7	Theoretical framework	7
1.0.8	Methodology	9
1.0.9	Scope and limitations	10
1.1.0	Literature review	10
1.1.1	Outline of chapters	15

CHAPTER TWO

INTERNATIONAL LAWS AND CONVENTIONS ON ILLICIT TRAFFICKING AND ABUSE OF NARCOTIC DRUG 17

2.0.1 Introduction 17

2.0.2 Treaty and conventions 17

2.0.3 The single convention on narcotic drugs of 1961 24

2.0.4 The 1971 convention in psychotropic substances 27

2.0.5 The 1972 protocols amending the single convention on narcotic drugs of 1961 35

2.0.6 The united nations conventions against illicit traffick in narcotic drugs and psychotropic substances of 1988 36

2.0.7 Level of participation expected of Nigeria by the U.N in the area of illicit drug traffick eradication 40

2.0.8 What awaits Nigeria of there is inadequate level of participation 42

2.0.9 Summary 43

CHAPTER THREE

STRATEGIES ADOPTED BY NIGERIA TOWARD THE ERADICATION OF ILLICIT DRUG TRAFFICKING 45

3.0.1 Introduction 45

3.0.2 Adopted strategies of Nigeria on the effectiveness of the convention 45

3.0.3 Impediments of Nigeria's collaborative efforts with the U.N in combating the illicit drug trafficking 71

3.0.4 Summary 73

CHAPTER FOUR

	INTERNATIONAL POLITICS OF DRUG CONTROL	74
4.0.1	Introduction	74
4.0.2	International politics of drug control	75
4.0.3	Nigeria, U.S.A and the decertification politics	81
4.0.4	Effect of drug trafficking an Nigeria's economy and image abroad	85
4.0.5	Achievements of Nigeria's drugs enforcement agency during the Bamaiyi years 1994-1998	90
4.0.6	Summary	98

CHAPTER FIVE

	SUMMARY AND RECOMMENDATIONS	100
5.0.1	Summary of findings	100
5.0.2	Recommendations	102
	Bibliography	113

ABBREVIATIONS

A.B.U.	-	Ahmadu Bello University
C.I.A.	-	Criminal Investigation Agency
C.N.D.	-	United Nations Commission on Narcotic Drug
C.N.S.	-	Central Nervous System
D.D.R.U.	-	Drug Demand Reduction Unit
E.C.O.S.O.C.	-	Economic and Social Council
E.C.O.W.A.S.	-	Economic Community of West African States
H.O.N.L.E.A.	-	Heads of National Drug Law Enforcement Agencies
I.C.P.O/INTERPOL	-	International Criminal Police organisation
I.L.O.	-	International Labour organisation
I.N.C.B.	-	International Narcotios control Board
L.S.D.	-	Lysergic Acid Diethylamide
M.O.T.	-	Miscellaneous Offences Tribunal
N.A.F.D.A.C.	-	National Agency for Food Drug Administration and Control
N.D.L.E.A.	-	National Drug Law Enforcement Agency
N.D.C.S.	-	National Drug Control Strategy
N.G.O.	-	Non Governmental Organization
O.A.U.	-	Organization of African Unity
U.N.O.	-	United Nations Organisation
UNDCP	-	United Nations International drug Control Programme
UNDP	-	United Nations Development Programme
UNESCO	-	United Nations educational, Scientific and Cultural organisation
UNICEF	-	United Nations International children Emergency Fund
WHO	-	Word Health Organisation

CLARIFICATION OF TERMS

1. **AMPHETAMINES:** These substances include dexamphetamine, amphetamines, methylamphetamine and fenfluramine. Sometimes, put in this group is ephedrine. These drugs were originally developed for appetite suppression because of the mechanism by which they produce their effects they may induce psychosis which when stabilised may not be easily reversible. Both amphetamines and cocaine are stimulants.

2. **CANNABIS:** This is popularly known as Indian hemp. The main specie of cannabis commonly grown is cannabis sativa. The dried leaves and flowering heads are wrapped up in plain papers and smoked most of the time. Low dosage of cannabis produce depression, but higher doses produce characteristic hallucinations, it causes feeling of sensory awareness, with sounds and light seeming more intense and fantastic.

3. **COCAINE:** Cocaine and amphetamines are portents of central nervous system stimulants. Small doses of cocaine are said to cause euphoria, a sense of well being, loss of fatigue and heightened sensory awareness. Larger doses cause intense C.N.S. stimulation creating intense pleasure.

4. **DEPRESSANTS:** These substances slow down the functioning of the brain. They have the capability to induce sleep or prolong the duration of sleep, when used alertness is reduced, reaction time is increased and general body motor functions are rendered dull. These include opiates, sedatives, alcohol, cannabis etc.

5. **DRUG BARONS:** Are large scale financiers responsible for the reception, importation and redistribution of large quantities of illicit drugs into and out of a country. They are largely wholesalers. They necessarily may not have any direct contact with the illicit drug itself or the traffickers. But are the prime movers of the illicit drug business.

6. **DRUG COURIERS:** Import illicit drugs form the producing countries to another country and then export those illicit drugs, employing various methods from Nigeria to other parts of the world, especially the consumer or user nations.

7. **HALLUCINOGENS:** These are agents which produce altered state of perception or thought. The hallucinations could be visual, auditory or tactice. Drugs which produce hallucinations include cannabis, lisergic acid diethylamide (LSD), mescaline (from cactus) psilocybin (from mushroom) and phencyclidine (angel dust).

8. **ILLICIT TRAFFICKING:** This refers to the trafficking in drugs contrary to the provisions of the united nations convention. It also means the illegal trade and distribution, manufacture and production of hard or narcotic drugs' production is the separation of opium coca leaves, cannabis and cannabis resin from the plant from which they are obtained.

9. **ILLICIT DRUG USE:** The deliberate use of arcotic drugs and psychotropic substances for non-medical reasons which later leads to addiction and dependence.

10. **NARCOTICS:** The word 'narcotic' is derived form the Greek 'narcotics', which means sleeping inducing opiates, such as heroin which depress the central nervous system, decreasing alertness and interest in the immediate environment are

narcotics, where as cocaine is a powerful central nervous system stimulant which produces the opposite effects.

11. **OPIATES:** This is a general term for drugs obtained form the opium poppy the sap of the plant papava and they are synthetic derivatives. They all possess the ability to depress the brain but to different extents. Their major side effects are respiratory depression nausea and vomiting.

12. **SEDATIVES:** These drugs are used clinically for relieving anxiety and inducing sleep especially in situations where severe anxiety makes sleep impossible. Drugs in this group include benzodiazephines and barbiturates. The benzodiazephines are the ones being used today and indeed are of concern because of the trend of their abuse in our locality. An example s valium 5 and lexotan

CHAPTER ONE

1.01 INTRODUCTION

It is a known fact that the magnitude and the rising trend in illicit traffic in narcotic drugs and psychotropic substances poses a serious and devastating threat to the health and welfare of human beings. Consequently, it shakes the economic, socio-cultural and political foundation of several human societies. By implication, the human race is being hypnotised and thus misled to a society of fantasy and unproductivity.

The consumer market of the narcotic drugs and psychotropic substances is increasingly penetrating the various social groups in our societies. The most immediate victims are the most active segment of the population - youths and children. This has subsequently led to other criminal activities that perpetually undermine the stability and security of several affected countries.

Obviously, illicit traffic is an international criminal activity, it is therefore necessary to demand an urgent attention with top most priority. In the light of this the United Nations General Assembly Resolution of 1984 initiated an action which is currently implemented by member-nations. The action is not easy to implement by certain countries due to socio-political or politico-economic reasons.

The effectiveness of any law is largely dependent on the extent to which it is recognised by the larger society in relation to its desirability and fairness; the enforceability of the law in terms of its realistic or pragmatic outlook; its unambiguity and clarity and the extent to which penalties for its violation are certain. There is no doubt that laws exist

mainly to protect society's economic, political, social and moral survival. Consequently, effective laws must guarantee such protection by ensuring peace and order in the society.

Drug laws, including the laws on drug trafficking and abuse are concerned with the survival of the society. This is better illustrated by the opening statement in the declaration of the international conference on drug abuse and illicit trafficking convened in Vienna in June, 1987. The participating states declared their belief in human dignity and legitimate human aspirations for decent life; concern for human suffering, loss of life and social disruption brought about by drug abuses; and awareness of the effects of drug abuse on the economic, social, political and cultural structures of nations, and threats drugs pose to their sovereignty and security.

The problem of hard drug in Nigeria is real. It is no longer the problem of trafficking but also one of abuse. In our effort to curtail exportation of drugs channelled through Nigeria for the final destination in Europe and United States, we have been left with hard drugs trapped on our shores to which we have started witnessing their consumption. Why are we so much concerned by the actions of individuals destroying themselves? This question is similar to asking why a state should be concerned with an individual citizen committing suicide. In short, why should there be a law against suicide? Has the society got any right to intervene if an individual chooses to go hell in his own fashion provided he does not infringe on the rights of others?

This thesis is also aimed at analysing the political implications of the drug laws for Nigeria in its international relations and diplomacy.

1.02 STATEMENT OF RESEARCH PROBLEM

The Nigerian state as a member of the United Nations and also a signatory of the conventions on illicit trafficking in drugs has been making efforts by prioritising the problem of drug. The illicit trafficking and use in narcotic drugs have spread at an alarming rate and there is no part of the globe that has not felt the threat. To this end, the international communities has shown concern by improvising remedies to the problem through enactment of international laws and conventions. These laws are to be implemented by nations of the world.

Our aim therefore is to assess the effect of international laws and conventions enacted by the United Nations on the strategy adopted by Nigeria towards eliminating the drug menace.

Based on the above, it is pertinent to state what international laws and conventions stand for as well as the meaning of both impact and strategy.

The terms international laws and conventions are employed to designate the principles and rules of conduct declaratory there of which states feel themselves bound to observe and therefore do commonly observe in their relations with each other.

The word impact according to the Advanced Learners' Dictionary means to have an effect on something or somebody while strategy means planning and directing an operation in a war or campaign or plan or policy designed for a particular purpose.

1.03 RESEARCH QUESTIONS

1. What are the strategies used by Nigeria towards compliance with the international laws and conventions on illicit drug trafficking and abuse?

2. How could these laws governing the control and sanction on illicit drug trafficking and abuse enhance the image of Nigeria in international affair and diplomacy?
3. How effective are the laws on drug trafficking and abuse in Nigeria?
4. How true is it that politics exist in international drug control?

1.04 PROPOSITIONS

It is proposed for this study that:-

1. Illicit traffic and abuse in narcotic drug and psychotropic substances poses a serious threat to the health and welfare of human beings. In the light of this, the United Nations enacted international laws and conventions which is currently implemented by member-nations.
2. So long as Nations of the world subscribe to the UN's conventions on illicit drug trafficking and abuse, as well as devise drug control strategies in their countries, drug problem will be reduced.
3. It is also proposed that the introduction of National Drug Control Strategy by Nigeria will lead to elimination or reduction of drug trafficking and abuse in the country.
4. Nigeria's effort at eliminating drug trafficking and abuse is bedevilled by international politics of drug.

1.05 OBJECTIVE OF THE STUDY

1. To critically consider and assess the way and manner laws governing the control and sanction on illicit trafficking in drugs could enhance the image of Nigeria in international affairs and diplomacy.

2. To examine the strategies used by Nigeria towards compliance with the international laws and conventions on illicit drug trafficking and abuse.
3. To assess the effectiveness of the laws on drug trafficking and abuse in Nigeria.
4. To assess Nigeria' efforts at controlling the drug problem and the politics of international drug control.

1.06 JUSTIFICATION

The problem of drug trafficking and abuse poses the greatest danger to the economic and social existence of those legal entities called Nations' States. It is a problem that seems to vehemently resist solutions and this situation has been quite frustrating to both individuals and states. The effectiveness of any law is largely dependent on the extent to which it is recognised by the larger society in relation to its desirability and fairness, the enforceability of the law in terms of its realistic or pragmatic outlook, its unambiguity and clarity and the extent to which penalties for its violation are certain. There is no doubt that laws exist mainly to protect societies' economic, political, social and moral survival. Consequently effective laws must guarantee such protection by ensuring peace and order in the society.

There are a number of reasons why the drug problem is persistent all over the world. These include the huge economic benefit derived from the business, lack of effective global strategy in dealing with the problem and the politics of international drug control. the aim of this study therefore is to assess how Nigeria complied with the international laws and conventions on drug abuse and trafficking, to look at the drug

control strategy adopted by Nigeria and to see what both the Nigeria n and international community will benefit from the study since drug problem is a global problem.

The justification of this study will not be complete without attempting to ansuwer the following questions:-

1. What will the international community benefit? And
2. What will Nigeria benefit from the result of the study?

The international community will benefit from the drug control strategy adopted by Nigeria which tackled both the drug demand reduction and the supply reduction. This strategy greatly reduced the influx of drug from Nigeria to Europe and the U.S.A. It is a well-established fact that Europe and the United States are both producers and users of drug. This strategy if adopted by the international communities especially Europe and U.S.A will greatly reduce the problem of drug abuse and trafficking facing them. Secondly, this study will show to the international communities that compliance with the international conventions will lead to the global elimination of drug trafficking and abuse.

Nigeria will benefit from the result of this study because it will clear the exaggeration on the part of the Western world particularly the United States on the extent of the drug problem in Nigeria. It will also show the Western world that it is a wrong assumption that Nigeria is among the countries that are not co-operating towards the global elimination of drug trafficking and abuse. United States is both a producer of narcotic drugs and a haven for drug barons. She is also the highest consumption country in the world, yet Nigeria is depicted as the main culprit in the drug business world. It will also show that Nigeria happens to be a target of drug barons because of her geographical location and her high global and regional economic potentials.

1.07 THEORETICAL FRAMEWORK

The theoretical convention that informs the analysis of the impact of international laws and conventions on Nigeria's narcotic drug control strategy is the system focus (theory).

The system theory is an example of theories that emerged as a result of attempt by scholars to develop a wide range theories that can explain issues in international relations at any level.

The general system theories evolved with the great influence of Von Bertalanffy a biologist, David Easton, Gabriel Almond, etc. The theory is used in several fields such as political science, biology, anthropology, international relations etc.

The employment of system as a tool of analytical approach is not uniform among scholars in international relations for instance some are descriptive others are explanatory while others are methodological in application to help generate data to explain events in international relations.

Nevertheless, the system is consequently seen to have a structure and is seen as encompassing processes through which it is either sustained or changed.

The world is therefore seen as a system and nations of the world as components of the system.

Illicit traffic in drug is an international criminal activity which poses a serious and devastating threat to the health and welfare of human being. This problem is a global problem which needs an immediate intervention. The world as a system realising the common interest of the nations of the world in eliminating drug trafficking and use decide to convene an international conference on drug abuse and traffic in Vienna in June, 1987.

The participating states declared their belief in human dignity and legitimate human aspirations for decent life; concern for human suffering, loss of life and social disruption brought about by drug abuse. As a result of the treaty signed during this conference, nations of the world as components of the system are faced with the challenge of complying with the treaty in their countries.

The variables employed along this line are:-

1. The action of nations as the component of the system.
2. The structure and functioning of the system which results from the interaction of nations and the environmental factors which condition both the actions of nations and the operation of the system (Ofoegbu, 1980).

On the other hand, according to the advocates of the systematic level of analysis states have little or no freedom of action. Their range choice about the kind of foreign policy they need to adopt is relatively narrow if not non-existent on occasions and determined by their external environment. One important implication of this is that state behaviour and the pattern of alignment follow change in the distribution of power.

Apart from the independence of foreign policies which the proceeding point emphasis, the systemic level of analysis is also based on the belief that all states are the same in terms of interest they pursue, the factors which motivate them and the way they behave.

Furthermore, the system look at international relations as a single unit capable of adoptive behaviour. The United Nations conventions against illicit traffic in narcotic drugs and psychotropic substances of 1988 which was adopted in 1998 marks the first decisive steps toward mobilizing member-states in the international community to combat the drug

trafficking menace. It has been regarded by states as a comprehensive international instrument in that, the convention incorporates, reinforces and supplements the measure in the other three drug treaties, namely, the single convention on narcotic drugs of 1961, the 1971 convention and the 1972 protocol amending the single convention of 1961.

The goals and values pursued by the international system include:-

1. Attempts to establish world peace.
2. Preservation and promotion of the system through peace and international order.
3. Use of collective measures as common guarantee against disturbance of peaceful condition.
4. Realisation of international co-operations and friendships in very many fields in defence of its rights.

Again, for the fact that the system is political and that it makes authoritative binding decisions, it has structures such as:-

- the input structure
- the conversion structure
- the output structure
- the environment structure and
- the feedback structure.

1.08 METHODOLOGY

The research relies on the use of secondary sources of data. Previous relevant prescribed works will be consulted. These will include newspapers, journals, bulletins,

mainly to protect society's economic, political, social and moral survival. Consequently, effective laws must guarantee such protection by ensuring peace and order in the society.

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The world is therefore seen as a system and nations of the world as components of the system.

Illicit traffic in drug is an international criminal activity which poses a serious and devastating threat to the health and welfare of human being. This problem is a global problem which needs an immediate intervention. The world as a system realising the common interest of the nations of the world in eliminating drug trafficking and use decide to convene an international conference on drug abuse and traffic in Vienna in June, 1987.

The participating states declared their belief in human dignity and legitimate human aspirations for decent life; concern for human suffering, loss of life and social disruption brought about by drug abuse. As a result of the treaty signed during this conference, nations of the world as components of the system are faced with the challenge of complying with the treaty in their countries.

The variables employed along this line are:-

1. The action of nations as the component of the system.
2. The structure and functioning of the system which results from the interaction of nations and the environmental factors which condition both the actions of nations and the operation of the system (Ofoegbu, 1980).

On the other hand, according to the advocates of the systematic level of analysis states have little or no freedom of action. Their range choice about the kind of foreign policy they need to adopt is relatively narrow if not non-existent on occasions and determined by their external environment. One important implication of this is that state behaviour and the pattern of alignment follow change in the distribution of power.

Apart from the independence of foreign policies which the proceeding point emphasis, the systemic level of analysis is also based on the belief that all states are the same in terms of interest they pursue, the factors which motivate them and the way they behave.

Furthermore, the system look at international relations as a single unit capable of adoptive behaviour. The United Nations conventions against illicit traffic in narcotic drugs and psychotropic substances of 1988 which was adopted in 1998 marks the first decisive steps toward mobilizing member-states in the international community to combat the drug

trafficking menace. It has been regarded by states as a comprehensive international instrument in that, the convention incorporates, reinforces and supplements the measure in the other three drug treaties, namely, the single convention on narcotic drugs of 1961, the 1971 convention and the 1972 protocol amending the single convention of 1961.

The goals and values pursued by the international system include:-

1. Attempts to establish world peace.
2. Preservation and promotion of the system through peace and international order.
3. Use of collective measures as common guarantee against disturbance of peaceful condition.
4. Realisation of international co-operations and friendships in very many fields in defence of its rights.

Again, for the fact that the system is political and that it makes authoritative binding decisions, it has structures such as:-

- the input structure
- the conversion structure
- the output structure
- the environment structure and
- the feedback structure.

1.08 METHODOLOGY

The research relies on the use of secondary sources of data. Previous relevant prescribed works will be consulted. These will include newspapers, journals, bulletins,

conference papers, etc. Other places for the collection of materials will include the Kashim Ibrahim Library, A.B.U., Zaria, the Nigerian Institute of Internal Affairs Lagos, the British Council Library Kaduna, the National Drug Law Enforcement Agency, the United Nations Drug Control Programme, Ikoyi, Lagos, etc.

1.09 SCOPE AND LIMITATIONS

This research will focus on the international laws and conventions on illicit trafficking in drugs and psychotropic substances. Similarly the research will look at the strategies adopted by Nigeria towards compliance with the UN's conventions. Finally, the research will attempt to analyse the politics involved in international drug control.

The study is expected to cover the period from 1990 to 1999 i.e. from the date the Agency fully commenced its activities.

1.10 LITERATURE REVIEW

In order to have a detailed knowledge of the topic under study, it becomes necessary to examine the works of authors, scholars and other people. First and foremost, there is the need to look at the term 'International Law' in order to have better understanding of the research topic. According to Charles Cheney Hyde (1945, vol. 1p.1), "the term international law may fairly be employed to designate the principles and rules of conduct declaratory there of which states feel themselves bound to observe and therefore, do commonly observe in their relations with each other." Thus customary rules concerning the immunities of diplomatic agents constitute part of general international law. A bilateral treaty constitutes particular international law binding only the parties.

Iyamabo (1990:19) sees illicit drug trafficking as the supply, transportation, storage, importation or exportation of a controlled drug unlawfully. What is employed here is an international networking activity whereby various devices are employed to perpetuate the illegal trade.

Cutting, P.D. (1983:21) sheds light on the dynamism of illicit drug trafficking when he says that "the operations and methods of those smuggling and dealing in illicit drugs are becoming progressively more determined, complex and sophisticated.

To the UNO, illicit drug trafficking means, the cultivation, manufacture and trafficking in drugs banned by the United Nations Treaties (Ghali: 1994, p.39). The expression illicit drug trafficking in other words is used to describe the link between the demand for and supply of illegal drugs. What is portrayed here is a picture of well-organised syndicates of professional criminals on the illicit drug business who skilfully try to circumvent or beat the security network or systems established at the international, regional and national levels. (Ghali, B.B. 1994:3) further point out that the global drug menace has gone beyond geographical boundaries of states and argues that it is no longer correct to classify it as a national problem or issue having penetrated the spheres of international politics and world economics.

In her own view of the effects of illicit drug trafficking, Okeshola, F.B. (1993:5) argues that the illicit drug trade increases the tendency for illicit use of narcotic drugs and psychotropic substances, further leading to criminal behaviour by addicts while trying to finance their drug taking habit, criminal acts are committed while under the influence of drugs which invariably increases demand for social services, health care and legal aid.

As illicit drug trafficking continues to be a menace to countries around the world, the United Nations functional activities especially towards drug eradication are needed. Thus Ajayi Femi (1994) opines that the pervasive nature of illicit use and trafficking of narcotic drugs and psychotropic substances definitely poses a great danger to mankind. So in her continuous move to promoting the welfare of peoples and nations of the world, the United Nations pledged to fight the drug problem through the establishment of the United Nations International Drug Control Programme which would co-ordinate all United Nations Drug control activities, see to it that relevant treaties are implemented at the same time provide effective leadership in international drug control.

Mazzitelli, Luigi A (1996) in revealing the vision United Nations had or designed for Nigeria, said "it is the fervent hope of the United Nations Drug Control Programme (UNDCP) and all its counterparts that the war against drug abuse and illicit trafficking will be won." He established a linkage between the United Nations Drug Control Programmes operation in Nigeria with the UN General Assembly with a view to assisting Nigeria to totally eliminate illicit drug trade, at the same time, equipping the country with specialised expertise. The approach UNDCP was adopting to help Nigeria was to lend a legislative assistance towards implementing the 1961, 1971 and 1988 international drug conventions. Such efforts were geared towards achieving development since the illicit drug trade infringes on the development of Nigeria.

For Mazzitelli, positive development for Nigeria would have to be pursued through three positive approaches:-

1. The recognition of inter-dependency in the global village in the area of drug related issue.
2. The empowerment of people as practical and indispensable tools for achieving self-sustainable results through technical assistance, and
3. The design and implementation of workable strategies at the national, sub-regional levels. His view on the second and third approaches goes beyond the national frontiers of Nigeria to existing organisations such as the OAU and the ECOWAS.

Buckingham, A., (op. Cit) in the same view looks at the activities of the UNDCP office for Nigeria as being conceived and designed towards mobilising and organising the resources of Nigeria and further give her drug control activities a boost.

Afolabi Janet Mba (1996) in proving that the objectives are being operationalised, uses Musa Bamiayi's assertion that Nigeria was already on the path to victory and that seizures of drugs and arrests of drug barons and couriers were carried out.

Consenting to this claim, Akpan Mike (1996) points out that Nigeria had so far fought the drug war that a ministerial committee was set up to look into how the drug menace could be handled.

Umozunike, U.O. (1995) avers that these treaty, laws or provisions were no doubt meant to protect the interests of those stronger states actors, at the same time, serve as a tool for the subjection and exploitation of the weaker states.

International law sees all states as subjects of international law, whose interest must be promoted and protected, and all states are equal before the law irrespective of religion, race, colour, creed or political ideology so long as a state has recognised

independent status. Any nations state that has become a party to the treaties is a party to the charter and must conditionally abide by the stipulated agreements.

Thus Maryam Green (1973: 161) argues that once in force, treaties are binding upon the parties to them and must be performed in good faith.

A.B. Dambazau (1995: 20) is of the opinion that in the drug trafficking world, Nigeria is a major transit or transhipment country within the West African subregion. Cocaine and heroin are the major drugs imported by traffickers. Marijuana has both local production base and foreign source. As a non-producing country, her geographical location, population, abundant human and natural resources and status in Africa, make her a vulnerable target to the drug world.

Thus, Ambassador Adamu Mohammed (1996) argues that "it is obvious to any unpartisan mind that the underlying reasons for the current face-off between Nigeria and U.S is political. The so-called decertification of Nigeria by the U.S. is purely political:.

- I very much agree with all the views advanced by the various authors on the drug problem in Nigeria.

However, it is my opinion that it is a wrong assumption by the international communities to condemn Nigeria and classify her among nations of the world that are not co-operating towards the global elimination of drug trafficking and abuse. This is one of the politics of international drug control. consequent upon this, Nigeria was decertified by the USA. In the actual sense, Nigeria is neither a producer nor a user country but a transit nation. it happens to be a target for drug barons because of her geographical location. It is also necessary to mention that the crux of the USA's decertification of Nigeria was the refusal of the Military regime of General Ibrahim B. Babangida and General Sani Abacha

to hand over to a democratically elected civilian government. The USA sees itself as the leading democracy in the world. The feeling of promoters of democracy is that Nigeria is not progressing enough towards democracy. To strengthen this view, some exiled Nigerians together with a section of the international press have been successfully using human rights record of the Nigerian state to convince public officials in the West that Nigeria is not serious about democracy. The above reasons were given credence with the certification of Nigeria by the USA immediately after the restoration of democracy in Nigeria. In a nutshell, Nigeria's decertification was not her inability to satisfy the requirement of international drug control but for political reasons.

1.11 OUTLINE OF CHAPTERS.

The work is generally divided into five chapters. Chapter one is basically the introductory part of the study which contains the research problem, theoretical frameworks propositions, objective of the study, methodology, scope and limitations, Justification and the literature reviews.

Chapter two deals with the international laws and conventions on illicit trafficking and abuse of narcotic drugs. This include the singles convention on narcotic drugs of 1972, the 1971 convention on psychotropic substances, the 1972 protocols amending the single convention on narcotic drugs and the united Nations conventions against illicit trafficking in naarcotic drugs and psychotropic substances of 1988. This chapter also treated the level of participation expected of Nigeria by the U.N. in the area of illicit drug trafficking eradication.

Chapter three deals with the strategies adopted by Nigeria towards eradication of illicit traffick in drugs. This chapter also treated the impediment to Nigeria's collaborative efforts with the united Nations in combating illicit drug trafficking.

Chapter four treats the international politics of drug control, the Nigeria, U.S. and the decertification politics, the effect of drug trafficking on Nigerians Economy and image abroad. The chapter further elaborated the achievements of Nigeria's Drug Enforcement Agency during the Bamayi years [1994 to 1998].

Lastly, chapter five is the summary and the discussion of the major findings conclusion and recommendations.

CHAPTER TWO

INTERNATIONAL LAWS AND CONVENTIONS ON ILLICIT TRAFFICKING AND ABUSE OF NARCOTIC DRUGS

2.01 INTRODUCTION

In this chapter, we want to examine the international laws and conventions on illicit trafficking and abuse of narcotic drugs and psychotrophic substances as well as the instruments of co-operation between the United Nations and Nigeria towards the elimination of the drug trafficking and abuse of narcotic drugs and psychotrophic substances.

2.02 TREATY AND CONVENTIONS

Article 38 (1) of the statute of the International Court of Justice states that "treaties" and "conventions" are synonymous terms. In international laws treaty is regarded as conventional international law which invariably means that international law is based on conventions and it is that which legally creates relations through parties giving their consent thereto. However, in our contemporary world, treaty is the most important source of international law.

Therefore, a treaty is seen as an agreement which creates obligations that bind states or subjects of international law after negotiations have been made and concluded. In fact, according to Maryam Green, a treaty is "an agreement between subjects of international law in written form and governed by international law." Treaties have various nomenclatures which are: Protocol, Declaration, Convention, Charter, Accord,

Covenant, arrangement, understanding, compromise, regulation, pact, provision, statutes, act, etceteras (Hingorani, 1993; Umozurike, 1995). Treaties are further classified into four categories which are: universal, general, multilateral and bilateral. Universal treaties are those agreements which are binding on all state in the international community.

"Practically, there are hardly any such treaties which may be binding on states, although four general conventions of 1949 on protection of war victims and Vienna convention on diplomatic relations of 1961 may be considered as near universal treaties" (Hingorani, ibid). General treaties are those treaties which bind almost all the states in the world. Examples of such treaties are the conventions on consular relations of 1963, and that of the agreements of 1961. Bilateral treaties bind two states while multilateral treaties bind more than two states. The recurrence of the provisions of bilateral treaties may lead to customary international law especially when it comes to extradition matters whose interpretation and application must be made by municipal courts. Example is that of treaties concluded among European states during the nineteenth century derived from the rules permitting extradition of individuals to their home states demanding such extradition (Muhammed, H. 1996:2).

In fostering international relations or enhancing international co-operation among states, treaties have been instrumental in achieving such objectives which would reflect in the development of international economic and social factors toward solving problems of political nature. Doubts have been cleared in certain times and common understanding have been ensured among parties while agreeing and co-operating on specifically, economic and social issues of common and mutual interests and co-ordinating strategies towards solving problems plaguing mankind such as illicit drug obligations derived from

customary law. Treaties have proliferated as evidenced in the large number of treaties registered with the United Nations. They diminish the importance of customary laws (Umozurike, op cit: 17). Large number of treaties are currently in force as international legislations such as the declarations of 1899 and 1907 on the law of war and neutrality, the single narcotic drug convention of 1961 which replaced the previous treaties concluded before the second world war, calling for collective responsibility and willingness of states in punishing offences related to illicit drug trafficking which was signed at New York (Muhammed, H, op cit: 6; Everyone's United Nations, 1986:264; Starke, J.C. 1984: 112). Within a period of half a century, that is between 1864 - 1914, 254 treaties have already been concluded, further showing the importance of law making treaties in modern times (Starke, J.G., ibid).

In a treaty, only parties that have sovereign status that can enter into and conclude treaties even in the fullest degree. However, a state may decide to voluntarily deprive herself of the right to make treaties in the future on certain matters. Again, it is expected of states to satisfy themselves of the international capacity of the other subjects of international law. States ought not to downplay a party's capacity from the negotiation stage to the concluding stage of a treaty as a reason for themselves not applying its terms (Maryam, G. op. Cit. :164). Without gainsaying, agreements between states are to be respected. Furthermore, there are states that cannot enter into treaty arrangement. They are colonies, trust territories or federated states. It is the metropolitan states or protectorates that can enter into and conclude treaties and conduct foreign relations in their behalf. But in the case of federated states, they may go into treaties and conduct foreign relations in some cases and certain categories, although this does not give them

independent status. An example is the federated republic of Germany and Cantons of Switzerland (Hingorani, op. Cit: 208). States with neutral status such as Sweden can enter into treaties. Also, the Vatican City has the full capacity to enter and conclude treaties. Her form of treaty arrangement is called concordat.

Apart from sovereign states entering into treaties, United Nations Organisations and her specialized agencies have the capacity to enter into treaty pacts and conclusions, even with member-states so as to effectively carry out their functions, further heightening the tempo of their activities so that the horizontal approach to solving problems of political nature in the world such as illicit drug trafficking would be realized. To solve the world's problem, Article 43 of the charter authorizes the United Nations to enter into negotiations with states for a full commitment of military contingents as mandated by charter VIII. United National agencies such as UNESCO, WHO, ILO, World Bank have the capacity to enter into agreements in order to discharge their function effectively (Ibid, :209).

In the formation or creation of treaty as an international instrument, various stages are involved in the negotiating states. The stage is not yet an international instrument but is regarded as a draft. Negotiation involves plenipotentiaries, Heads of State, Government or foreign ministers. If negotiation is taking place between Heads of State, Government or between foreign ministers, a full right of negotiations and conclusion of agreement is accorded them by virtue of their office. But in the case of representatives, they do not have the inherent capacity to negotiate or conclude agreements but are issued with letter of authority called "Full power." But before negotiation begins, they are scrutinised (Maryam, G. op. Cit; Hingorani, ibid). The next stage is the adoption of the text by the

negotiating parties (Article 9 (I) of the Vienna convention). If adoption is taking place in an international conference, then a two-thirds majority of the states present is required (Article 9 (2). If it is within an international organization, then the majority laid-down in the rules of that particular organization must be implemented, otherwise unanimously. Authentication of the text of the treaty is another stage which is a formal act showing signature and initialling by the representatives of the negotiating states. In short, authentication expresses acceptance of the accuracy of the written treaty text. Lastly, while errors are discovered in the text by formal rectification at this stage, the treaty is then concluded but it does not mean that the treaty has enter into force. Only that a new international instrument has come into existence (Maryam, G. ibid).

In this vein, there is always a relationship between the treaty and a state. such relationship is manifested where at the conclusion of the treaty, the state declares its consent to be bound by the treaty agreement. This expression may be done either before or after the treaty has entered into force. If a state does express its consent before the treaty enters into force, she is called a contracting state but if after the treaty, she becomes a "party" to that treaty. A state that is not party to the treaty is called a "third state" (Ibid, :1811-5).

Furthermore, there are three ways a state can express her consent to be bound by a treaty (Article II of the Vienna Convention).

1. SIGNATURE

This is a state's way of expressing consent to be bound by a treaty in a negotiation if the treaty itself so specifies or provides that signature can have that effect. This is

normally established by a state's representatives who have been accorded "full powers." However, if ratification has been provided as to prevail on signature, then the treaty and the full powers of the representative are made subject to ratification. Signature at this stage is an intermediate stage, which has no legal validity because it has not been reciprocally ratified by states, yet it should not be seen as a scrap of paper because it is an agreement that has received the solemn signature of states subject to ratification. Here, states are obliged not to jeopardize the interests of the other subjects and the purpose of the treaty, before and after ratificiation of the treaty (Ibid:168; Hingorani, ibid: 212-3).

2. RATIFICATION

This is when a state expresses its willingness or approval to be bound by a treaty through its representative or agent who has been given full powers or authority by his or her state. Ratification binds a state of a treaty "unless it is a multilateral treaty in which it becomes binding on it when it has been ratified by a requisite number of states under the treaty" (Hingoran, ibid). Ratification has no fixed time but if it is a bilateral treaty or tripartite agreement, states are expected not to waste time but in multilateral treaties ratification may take years. The interval between signature and ratification offers a state an opportunity to be sure that their agent has carefully met the constitutional requirements regarding the implementation of the treaty in conformity with their national laws before ratifying the international obligations. While the state representative(s) still has the time to think about the pros and cons of the effects the treaty may have on the state, it is also another period for the state to use and ascertain or watch the reaction of the citizenry. The reaction of the public will either make the government ratify a treaty or otherwise.

However, even when unfavourable criticisms is hurled at the states from the public against the ratification of a treaty, the government could go on to ratify not minding the adverse reaction of the public (ibid).

3. ACCESSION AND ADHESION

This is an act of acceptance of treaty which binds a state which for one reason or another do not qualify to become party to a treaty either by signature or ratification or had not signed the treaty earlier. Accession has the combined function of signature and ratification. Ratification can however be differentiated from accession in that while a state has signed and ratified a treaty, a state that was absent at the signing and conclusion of a treaty accedes. Accession may be permitted if the treaty so provides and is mostly evident of multilateral treaties. A treaty may specify what category of states that could accede or which signatories or ratifiers of the treaty have to consent thereto. All it takes to accede to the treaty must be duly communicated to the parties of the treaty. "once the accession has been validly done, the acceding state is at par with the ratifying state" (ibid, :215).

In the light of these, the creation of treaty laws must be well-defined and channelled with states pledging to become parties to such treaties, honouring and faithfully complying with their spelt out terms. In so doing, a high degree of surety and formidable base will characterize the smooth conduct of international relations that will emanate therefrom. Then will the social, economic and humanitarian problems plaguing Nigeria specifically and mankind in general be mitigated especially in the area of illicit drug trafficking and use.

With Article 56 in mind, obliging Nigeria to launch a joint battle in co-operation with the UN, and to hammer out the purposes set forth in Article 55 which states that "the UN shall promote higher standards of living, full employment and conditions of economic and social progress and development" (Muhammed, H. op. Cit: 88). We shall look into the three recent conventions and one protocol amending one of the conventions adopted to fight the drug menace which are:-

a. the single convention of Narcotic Drugs of 1961;
b. the Convention on psychotrophic substance of 1971;
c. the 1972 protocol amending the single convention of 1961;
d. the UN convention against illicit traffic in narcotic drug and psychotropic substance of 1988.

2.03 THE SINGLE CONVENTION ON NARCOTIC DRUGS OF 1961

The existence of so many conventions, protocols and agreement regarding the international control of narcotic drugs led to the codification of all multilateral and bilateral agreements and conventions on the control of narcotic drugs under the aegis of the League of Nations and then the United Nations into one treaty, because they had become haphazard in focus. In making a major step towards achieving that objective of codification the ECOSOC of the UN adopted Resolution 689J (XXVI) on the 28th of July, 1958. The birth of the single convention on Narcotic Drugs in 1961 further fulfilled that objective.

Beginning with the new task, the convention replaced the permanent central Board and Drug Supervisory Board of previous arrangements with the commissions on Narcotic Drugs which eventually become one of the commissions of ECOSOC of the UN. The commission along with INCB were entrusted with International control of drugs. The commission is inter-alia, empowered to amend the schedules in which drugs are categorized and suggest ways in which aims and provisions of the conventions should be implemented. Therefore, Nigeria most specifically is obliged to establish or set up special administration in order to meaningfully co-ordinate drug control activities and make reports on the workings of the treaty, notify states through the Secretary General of the UN of laws and regulations passed to be implemented at her national jurisdiction. The convention also retains the estimates system which was earlier introduced in the 1931 convention. It also prescribes the confiscation of objects or equipment used for committing illicit drug trafficking (Emafo, Philip, 1990:67; Oye, Chukwurah, 1990:97; Yemi Osinbajo, 1990: 227-233).

Another unique innovation of the single convention is the introduction of penal measures towards the cultivation of narcotic plants such as poppies, cannabis and coca plants which served as raw materials for the illicit production trade and use of narcotic drugs. A functional control system was established by the United Nations mandating states parties to limit production of narcotic plants exclusively to a limited amount for medical and scientific purposes, although the 1931 convention had this provision.

Again, it was intended that farmers of opium production would be strictly monitored in order to further prevent the diversion of the agricultural crops in the distribution chain system.

By implication therefore, the success of the 1961 international convention or treaty obligations especially against the cultivation of cannabis sativa (Marijuana) in the case of Nigeria, rest on her willingness to properly design or redesign her national policies and control measures so that the instruments or the provisions created could be successfully implemented.

Furthermore, opium production was, as at the time 1961 convention was born, a global social and humanitarian plague needing an active solution aimed at maintaining peace which the classical functionalists strive to bring to focus. India for example, adopted an excellent regulatory and practical system aimed at frustrating narcotic agricultural activity. This was evident in the granting of licensing rights to farmers, government's monitoring on the farmers and making the buying and processing of the narcotic crops and storage a monopoly of the state. This later came to serve as a model for international treaty provisions (Bayer, I. 1983:6). This under-current reason for India's strict measures could possibly be attributed to the tendency for errant farmers linking up with illicit drug dealers or barons who own clandestine laboratories for illegal processing of opium, and then out of profit motive, transport the dangerous products to vulnerable consumers or addicts, further causing enormous pain and suffering in both the economic and social sphere of states. India's action also prevented the maximum possibility of diversion of controlled substances. For Nigeria, the total eradication of the cultivation, processing, trafficking and illicit use of marijuana has been tackled through the

initiation of the "operation burn the weeds" programme so as to make the 1961 convention against the agricultural activity of that narcotic plant work. Contrariwise, if there is lack of national basis or control for the rigorous implementation of the 1961 single convention on narcotic drugs. It could defeat the goals set forth at its birth, thus preventing the development of social, economic, humanitarian progress and peace and security for the human family.

2.04 THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

This convention for the first time adopted an effort to control the illicit use of drugs not covered by the previous treaties. The convention for the first time extended international legal control to legally manufactured pyschoactive drugs which were diverted and further constituting a major source of supply for illicit traffic, coupled with their growing harmful effects. Thus, governments and the international community inmpreventing such diversion of psychoactive substance from legal channels to illicit ones developed control measure by adopting the convention on psychotropic substances of 1971. The convention defines psychotropic substances as any substance, natural or synthetic or any natural material specified in schedule I, II, III and Iv which are dangerous and mind-altering drugs. That is, the substance has the capacity of exerting on the brain, the effects of sedation, hypnosis, stimulation, change in mood or behaviour after ingestion or illicit use. Such drugs are hallucinogenic speed drugs (LSD, Mescaline and phencyclidine); stimulant such as cocaine, Amphetamine compound) including special diet pills, tranquilizers of the central neuro system (CNS), Barbiturates and non-barbiturates).

Education, early identification and social reintegration of the illicit drug user as important preventive measure against illicit use are introduced in the convention. Advertisement of products of drugs under international control are prohibited and parties are enjoined to prohibit or restrict import or export of drugs under international control (Iyamabo, J.A. 1900: 2; Bayer, I, op. Cit; Emafo, Philip op cit:68).

However, the question of the expression of what psychotropic substances means in their differing interpretation or the scope of drug having either lower or higher concentration of psychoactive properties, the level of risk resulting from their illicit use, their addictive properties and potency and their widely therapeutic values, prompted the plenipotentiary conference, held in Vienna from January 11th to February 21st 1971 under the auspices of the United Nations to resolve this problem or discrepancies. The conference therefore cateogrized the control measures into four schedules, which were mandated to strictly adhere to the restrictions provided in the schedules. These schedules are schedules I, II, III and IV substances of the 1971 convention.

SCHEDULE I OF THE 1971 CONVENTION

This schedule includes those substances which are highly prohibited because they are mainly hallucinogens such as LSD, PCP, "Mescaline, which is the active principle of the peyoti (peyote) plant-psilocybine and psilocine which are the active principles of hallucinogenic mushroom psilocybe mexicana, DMT and DET which are abbreviation for dimethyltruptamine and diethytruptamine, respectively STP (serenity, tranquillity, peace) which designate a synthetic compound produced in under ground laboratories and THC or

tetrahydocannabinol, one in the active principle of cannabis" (Oye, Chukwurah, op. Cit: 88).

Their limited legitimate use, demand and manufacture are encouraged but under highly restricted and monitored regulation, solely for scientific and medical purpose and it is those who are in the medical and scientific circles that are duly authorized and licensed to carry out such government regulated and supervised task.

The indiscriminate exportation and importation of the substances under schedule I are prohibited by UN except in specific procedures duly followed by exporters and importers. However the provision in this schedule can be frustrated by drug barons who in their desperate moves to make huge profits, illicitly manufacture and perpetuate the traffic and demand from their state-of-the-art clandestine laboratories with huge workforce of 'well paid' chemists and traffickers. Thus, harm is inflicted on the economy and social structure of particularly Nigeria by the illicit trafficking of these controlled drugs which are exacerbated in the form of inflation of private consumption and the distortion of the production cycle. So, the negative effects on the social structure are pain and suffering inflicted on the individual and the society at large. Functionalism therefore advocates the proper or redesigning of the development of international economic and social factors meant to raise up a standard against the sophisticated, interaction and inter-reliance of drug trafficking organizations that are constantly upgrading their methods of counteracting the law enforcement of Nigeria and even the international community. By this, possible conflicts would be averted.

SCHEDULE II OF THE 1971 CONVENTION

This schedule covers psychotropic (stimulant) substances such as amphetamines and methaqualone which fall under a chemical group that stimulate the CNS.

In the case of Amphetamines, it has been argued that its large scale illicit traffic is mostly supplied from clandestine laboratories, manufactured by chemists under the employ of drug barons. Again, a pharmaceutical preparation containing amphetamine could be diverted and then trafficked especially in international transactions and delivery (Bayer, I, op.cit). There are reasons Bayer puts forward for this possibility:

a. Most countries that manufacture these set of psychoactive drugs not yet parties to the 1971 convention and compliance with the provision of the convention depend more on the willingness of pharmaceutical manufacturers than on government control in those countries;
b. Some governments and manufacturers or exporters are not aware of or familiar with the provision of the relatively 1971 convention; some countries do not have necessary control measures on compound pharmaceutical preparations containing Schedule II substance;
c. Absence of control measures or lag in policies on imported pharmaceutical products in some developing countries which further facilitates the introduction of compounded preparations without control, which may not be noticed by the appropriate authorities (ibid).

Deductively, cases of diversion could be curbed at least to the barest minimum if Nigeria takes serious her treaty obligations, affirming her willingness and intensifying her campaign against the global menace in compliance with the requirement of the CND.

Again, the spirit of participation in treaty obligations, if well followed by Nigeria in relation to the submission of estimates and statistical reports, so that the United Nations could monitor the former's functioning of the export and import authorization, cases of diversion would be stemmed. The 1971 convention mandates states like Nigeria to adopt appropriate legislative measures in the area of prescription of drugs and other psychotropic substances to patients subject to sound medical practices and regulations. Nevertheless, Bayer observes that the use of amphetamine for therapeutic purpose is dwindling, although it could be largely supplied from clandestine laboratories.

The authors of the 1971 convention perceived that the illicit use of methaqualone and other preparations containing methaqualone and diphenhydramine which was placed under the control of schedule IV posed a great to its users in some countries mostly in diversion cases during international transactions and delivery which further led to illicit traffic. since schedule IV could not control its diversion, the CND transferred methaqualone from that schedule to that of II in 1976. This was because article 2 of the 1971 convention contains a provision that empowers the CND to either add a substance to one schedule to another, should a party send or WHO receive an information concerning the diversion of a substance, (ibid:12).

SCHEDULE II AND IV OF THE 1972 CONVENTION

These schedules covers pharmaceutical products which are depressants and are in the form of hypnotic and sedatives belong to the group of barbiturates and are often used jointly with other substances like heroin, alcohol or stimulants. That of tranquilizers which fall under schedule IV, is used to eliminate anxiety and nervousness which could be placed

in the class of depressant, requiring strict control against its illicit use (Oye, C.A. op.cit). They are characterized by their large scale production by licensed pharmaceutical firms, subject to prescriptions mostly in industrialized countries and, their consumption is controlled because of the precariousness that is associated with their illicit use and perpetual dependency, especially when ingested with alcohol. Once more, the drugs under these schedules are highly consumed than any other drugs in the other schedules widely traded in international and national transactions and they constitute the ingredient of many pharmaceutical preparations, including combination product (Bayer, I. op.cit). In the light of this, we are inclined to believe that the illicit traffic in these drugs is possible and Nigeria rife with its devastating effects, associated with their illicit use.

On a wider scale, such drugs apart from their illicit traffic, have found their way into the developing nations because of the tendency for the producers to enlarge their markets, dump such dangerous drugs in order to recover the cost of producing such psychotropics not relevant to the third world countries (Maduguw, M.O. et al, 1995: 51). We could infer here that no other reason would warrant the dumping of dangerous psychotropics in the developing countries than that, the latter's health systems and services, pharmacy regulatory laws are weak, undeveloped and not well designed, and so, a vigorous confrontation of the illicit traffic in drugs is far fetched, and there is the need to review their control measures and policies, coupled with sincere commitment in the implementation of anti-drug trafficking laws. regrettably, the authors of schedules II and IV of the international drug convention of 1971 never pondered that some subjects of this international drug treaty law would barely realize their obligations fully or objectively bring about economic and social solutions by building up and consolidating measures that

would act as a buffer against the growing drug bugbear. Much emphasis on states' control measures on the diversion and illicit traffic on the psychotropic substances ought to prevail on mere keeping watch on the monitoring and control of international transactions (ibid).

To this end, the tendency of western manufacturers dumping irrelevant and dangerous psychotropic drugs in the weaker nations would be checked. By implication, the purpose of universal application of the provisions of the international instruments on the prevention and repression of illicit drug trade which at last ushers in a spill over effect when a solution falls in place is constricted.

In the view of the structuralists, international treaty laws are created to ignore the needs of the weak nations, not taking cognizance of their peculiar problems, more so, as they were not designers nor participated in drafting most of the drug treaty laws to which they are parties as newly independent states with the stronger actors protecting their own interests. When Mitrany asserted that the problem of our contemporary world is not how to keep the nations peacefully apart but to encourage the mutual and equal participation of states in order to solve the economic, social problems and eliminate war, he meant that there should be no imbalance or a gulf precipitated by motives and tendencies, suggesting exploitation and protected self or national interests, in the interplay of nations in issue areas in the global arena. In relation to this Articles 21, paragraphs (b), (c) and (d) of the 1971 convention on psychotropics mandates states not only to co-operate with each other but with relevant international organizations and agencies of the UNO which are competent enough to stem the flow of the trade leading further to illicit use. Again, to further help states in carrying out their obligation toward keeping a tight rein on the

diversion and traffic of compounds under schedule III and IV, Article 16, paragraph 3, sub-paragraph (a), (b), (c) and (d) stipulates that parties report to the secretary general in case of important areas suspected to be related to drug traffic. Furthermore, as a matter of urgency, states must, as mandated in sub-paragraphs (a), (b), (c) and (d) of the same Article 16, paragraph 3.

(a) disclose new trends of the suspected illicit traffic issue

(b) disclose the quantities involved

(c) throw light on the sources from which the substances are obtained and

(d) the method employed by illicit traffickers.

In the light of this analysis, we can deduce that Nigeria which is our scope needs to make schedule III and IV of the 1971 convention work by strengthening her pharmacy regulatory laws, properly develop her designed anti-drug trafficking laws and policies and be committed to their effective implementation in compliance with the United Nations mandate. This would facilitate the checking of unwarranted importation and use of psychotropic substances and illicit traffic in narcotic drugs.

Lastly, following those psychotropic substances not covered by the international control system, and in making effort to control their diversion, Article 13 of the 1971 convention, noting the growing number of manufacturers and exporters of pharmaceutical products from the industrialized nations and exporting countries not bound by the 1971 convention, or not in a position to monitor every shipment of pharmaceutical products, empowers importing countries to notify exporting countries specifically what psychotropic substance it prohibits and restricts its importation. The exporting countries so informed or notified are strictly implored to adhere to the former's notification. By so going, their

being on friction wheels would be averted. Again, developing nations whose control services are not yet developed in which they cannot step up a buffer against every shipment of imported pharmaceutical products, would be protected.

This, Article 13 saw as a realistic approach towards the timely control of psychotropic substances in the diversion and illicit traffic.

2.05 THE 1972 PROTOCOL AMENDING THE SINGLE CONVENTION ON NARCOTIC DRUGS OF 1961

This protocol was adopted by a plenipotentiary conference in Geneva from 6th to 25th March 1972 which is a supplementary instrument amending the 1961 single convention. It sees the need to eradicate the illicit drug traffic in narcotic drugs and its illicit use through:

(a) the consolidation of the international control machinery that will help or boost it to expose and check the excess cultivation and illicit cultivation of the opium poppy as well as the illicit production, manufacture and trafficking in narcotic drug;

(b) the extension of the provision of existing bilateral treaties on extradition and ensuring that those guilty of narcotic offences will find no safe haven from prosecution in any part of the world;

(c) the establishment of guidelines in avoiding illicit use and treatment of drug addicts. In this vein, member-states are obliged to grant technical and financial assistance among themselves for an effective enforcement of the provisions of the single convention of 1961. It also encourages regional co-operation

through the establishment of multilateral agreement which would create regional centers for scientific research and education in order to grapple with the problems emanating from the illicit use of and traffic in drugs (Oye, C.A., op. Cit:97; Emafo,P. op.cit:68).

2.06 THE UNITED NATIONS CONVENTIONS AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES OF 1988

The adoption of the 1998 convention marks the first decisive step towards mobilizing member-states in the international community to combat the drug trafficking menace. Being the most current convention which aims at solving the drug problem, it has been regarded by states as a comprehensive international instrument in that, the convention incorporates, reinforces and supplements the measures in the other three drug treaties. Again, the treaty addresses various problems not envisaged in the existing treaties (Osinbajo, Y. op.cit:227). The preamble of the 1988 convention strongly considers illicit traffic in narcotics and psychotropic substances as an international criminal activity that needs to be given 'urgent attention and highest priority.'

Most of the drugs the 1988 convention regards as being trafficked are classified into four basic groups in relation to their intrinsic pharmacological potencies and therefore states are mandated to adopt control measures without delay and further place the affected drugs in the category of imports under license which are to be issued by their respective ministries of health. These drugs are:

a. stimulants - e.g. cocaine, Amphetamine etceteras

b. narcotics - e.g. morphine, heroin, etceteras

c. sedatives and depressants - barbiturates, methaqualone (madrax tablets, valium)

d. psychotogens and hallucinogens - e.g. LSD, cannabis etceteras (Akagbosu, C.T. 1995: 1-2).

In clearer terms, the convention aims to mobilize and co-ordinate global efforts towards the eradication of the illicit drug trade. Thus, provisions spelling out the offences of the illicit drug trade, jurisdiction over offences (Article 4) and punishment are contained therein. Just as collective responsibility of all states is encouraged, states are also obliged to fight the menace within the framework of international co-operation. The preamble also refers to the act of illicit drug traffic in narcotics and psychotropic substances as having generated huge amounts of capital and wealth for international criminal organizations, who organize and structure their activity to function efficiently within national economies even at the international level and then integrating their profit into the legal economy and corrupting the structures of the governments. The use of children in many parts of world in the illicit drug trade, and cultivation or production is discouraged. Article 2 also calls upon states to co-operate with one another, at the same time, respect one another's sovereign status and integrity while detecting the criminal activity, and enhance the enforcement of drug laws among member-states of the United Nations (Oye, C. op.cit: 100; Maduagwu, et al 1995: 50).

Drug offences are criminalised with sanctions attached to them as provided in Article 3 of the 1988 convention enabling the investigation of money laundering, which Article 32 (2) (b) of the single convention of the 1961 and Article 22 (2) (b) of the 1972 convention see as extraditable. By this, extradition and other co-operative procedures in

penalizing such offenders would be facilitated which possibly could be done through entering into and concluding bilateral and multilateral agreements to enhance its effectiveness.

The scope of seizure and confiscation are widened to include the confiscation and forfeiture of proceeds such as collateral assets-equipment and materials deliberately used or intended to be used which are derived from offences or proceeds of money laundering (Article 13) production, manufacture, extraction, preparation, offering for sale, distribution, sale, delivery on any terms, are also the offences criminalised which were earlier included in the 1961 single convention on narcotic drugs (as amended).

The convention spells out the training of personnel for treatment rehabilitation and social integration of illicit users of psychotropic substances which aims to eliminate the drug menace. It calls for international co-operation so that transit states especially the developing ones could be assisted through the development of technical co-operation and interdiction efforts and strategies. Financial assistance are also required of states parties which are to be channelled through competent international and regional organisation within the ambit of the treaty provisions so that the infrastructure needed for such an effective control and prevention of the illicit traffic could be augmented and strengthened (Osinbajo, Y., op.cit: 237-8).

Diversion or the use of substances used in the illicit manufacture of narcotic drugs psychotropic substances (Article 12), measures to eradicate illicit cultivation of narcotic plants and stem the illicit demand for narcotic drug and psychotropic substances (Article 111), measures to prevent the use of commercial carriers and vehicles in perpetuating the illicit traffic offences (Article 15), the proper labelling of exports of narcotic drugs and

psychotropic substances as earlier spelt out in schedules of 1961 and 1971 convention (Article 16) are expected of states. In addition, arrangements are made to prevent the illicit traffic of drugs by sea (Article 17) the vigorous supervision and suppression of illicit traffic in narcotic drugs and suppression of illicit traffic in narcotic drugs and psychotropic substances in free trade zones and free ports are required in article 12 (3) (a) of the convention of 1971 in schedules I and II article 31 (2) of 1961 convention (as amended), and (Article 18) of 1988 convention, the prohibition of mailing consignments of illicit drugs and psychotropic substances to a post office (Article 19) and information to be furnished by parties to INCB are demanded of parties (Article 20). Along this line, the INCB may decide to improve on the convention depending on the deliberations on information that has been given to it by commission and other agencies of the United Nations (Emafo, P., op.cit:69; Oye, C.A., op.cit: 100; Osinbajo, Y. Ibid: 238).

In pursuing the 1988 convention, the aim is meant to accomplish the underlying philosophy of the classical functionalists and that is the application of the welfare approach in the international sphere which would then manifest into social economic and humanitarian benefits. The social policy embedded in the 1988 convention recognizes that the narcotic drugs and the psychotropic substances are to be under strict regulation and monitoring, yet these drugs have to be adequately provided and made available for only medical (for the relief of pain and suffering) and scientific purposes, so that the adverse effect associated with the illicit use of those controlled drugs and substances could be mitigated. To this end therefore, this herculean task is only feasible if Nigeria especially would swoop into a well co-ordinated and joint action with the United Nations in the spirit of the convention so as to maintain health and security where her citizens and even the rest

of mankind would savour human dignity and the good life with relish after the illicit drug traffic phenomenon has been eliminated. Again, Nigeria must acknowledge the competence of the United Nations and drug control related organs and agencies such as the UNDCPD, strive to co-operate with them in order to stamp out the drug menace through entering into and concluding the international agreements provided by the UN to fight the menace.

2.07 LEVEL OF PARTICIPATION EXPECTED OF NIGERIA BY THE UN IN THE AREA OF ILLICIT DRUG TRAFFIC ERADICATION

Once a statement of the law contained in the treaty is accepted by Nigeria and she knows beyond doubt that the law is what it ought to be, giving her warrant to adhere to its obligation since it is an instrument or a firm base on which to formalize co-operation with the UN and other states parties and executing it, then it becomes what the law becomes. Nigeria must deem it expedient to see that the observance of the statement of the law or the provisions are affirmed. The rule of 'pacta sunt servanda' should be rule. This rule itself predates international law and exerts its weight on all agreements made within the framework of the legal system and this is the basis of treaty laws. as a treaty enters into force, it must be performed in good faith as she becomes bound to it. Nigeria may not in particular justify herself from observing the provisions of the treaty by referring to any existing impediments in the municipal law or legal system. Again, entering into and concluding an unwritten agreement keeps a state bound by it under international law by virtue of "pacta sunt servanda." This is because, the capacity to enter into oral and other formal agreement is an exercise of state sovereignty in which an intention to enter into a

legal relationship was expressed. Thus article 6 of the UN charter defines this mandate clearly when it states that every sovereign has the fullest capacity to enter and conclude treaties and if the state expresses its consent to be bound by the treaty (Maryam, G., op.cit.).

So, Nigeria is expected to obey the spirit and not the letter of the international drug treaty laws, especially that of 1988 which furnishes the legal basis, on which the present international drug control system stands. However, the working and effectiveness of the international drug control system depends on how Nigeria conceives of her jurisdiction. Once for example, a shipment of drugs has passed her national frontier, the question of jurisdiction and the severity of punishment commensurate with a drug crimes coupled with the fact that her social custom differs from other states. Nevertheless, these problems thin out if the real meaning or purpose underlying the treaty is followed out when Nigeria adopt appropriate legislation, introduce necessary administrative or special agency to enforce the legislative measures (preventive and repressive action) and ensure rapid co-operation with the UN and her established and competent international drug control organs and agencies. In a clear term, the spirit and intentions must be enshrined in the country's domestic law which must be vigorously implemented so as to regulate drug cultivation, production, manufacture, trade and use. With this effort, it is evident that Nigeria has accepted the legal obligations to abide by the treaty obligations (Akagbose, C.T. op.cit, the United Nations Drug Abuse Control, 1992: 53-11).

Furthermore, the spirit of the convention is expected to burn or set aglow within the heart of Nigeria through her adopting and enforcing strict laws and regulations that will dovetail into the UN drug treaty provisions so that drug traffickers and barons will

find no safe haven in her territory to hide. Should reverse be the case, they would take advantage of her lax controls and existence of impoverishment, corruption, etceteras would eventually set in the society, thus defeating the spirit behind the international instruments against illicit drug trafficking and use.

So, for Nigeria to fully participate in the committee of nations and entrench social, economic, humanitarian and technical advancement (as the functionalists believe) for both her citizens and the rest of mankind, she needs to consider and ponder that she is bound by the obligations of the conventions. In this case, strategies must be adopted and efforts made in relation to the prevailing conditions and circumstances at her level of jurisdiction and then at the global milieu. Lastly, she is expected not to be deviating party put to operationalise the drug conventions at achieving the desired goals.

2.08 WHAT AWAITS NIGERIA IF THERE IS INADEQUATE LEVEL OF PARTICIPATION

If Nigeria is interested in the global campaign against the illicit traffic in narcotics and psychotropic substance, she must bear in mind that she has to have a focus, looking at the scope of the drug problem both at home and abroad, working towards the set target, performing the task and realizing the expected result.

Should she as a party to the conventions deviate from the established rule because she sees the obligations as now conflicting with her interests, she will be guilty of cheating, gross misconduct, threatening the progress and integrity of the treaty and undermining international co-operation. This misbehaviour would therefore attract adverse reaction and atmosphere from within the international community, even if the state of Nigeria

inclines to select and reject some parts of the treaty especially in a case where as a developing nations, she overtly or covertly allows drug barons to invest their huge profits into her economy. It will really take sincere commitment and staunch willingness for Nigeria to vigorously implement money laundering counter measures - seizures and confiscation of proceeds derived from drug trafficking.

In addition, INCB which evaluates and supervises the implementation of drug control treaties in states, draws the attention of governments to remedial measures, should the state party breach the treaty provisions. To this end, INCB Nigeria violates any of the drug treaty laws.

Lastly, sanctions and threats may be used against her by more powerful states parties.

All the collaborative efforts of the United Nations and Nigeria at eradicating illicit drug trafficking and use is geared toward favouring a bottom-up evolutionary approach and achieving a harmonious international co-operation for the eradication of the drug phenomenon. To this end, respect for obligation of the treaty laws must be maintained. This would automatically lead to higher levels of co-operation, thus preserving and promoting peace, social and economic welfare and development. This is a message from the classical functionalists.

2.09 SUMMARY

In this chapter, we discovered the various international laws and conventions which are the instruments of co-operation between Nigeria and the United Nations. We also discovered that for effective and total war on drug trafficking and abuse, both the UN

and Nigeria should vehemently maintain the conventions and treaties which both parties pledged to enter.

We realised that treaties and conventions are synonymous. Under them, terms and concepts like signature, ratification, accession and adhesion were looked into.

Furthermore, we saw the treaties or conventions and protocols ranging from 1961 - 1988 which the UN together with states parties have entered into as regards the eradication of illicit drug trafficking and abuse.

Finally, from this chapter we realised that lack of treaties or conventions between the UN and Nigeria might not be responsible for illicit trafficking but lack of compliance and proper implementation of the conventions.

CHAPTER THREE

STRATEGIES ADOPTED BY NIGERIA TOWARD THE ERADICATION OF ILLICIT DRUG TRAFFICKING

3.01 INTRODUCTION

In this chapter, we would want to examine or investigate how the provision put forward by the UN towards the eradication of drug trafficking has been adopted by Nigeria. Then we would look at the impediments to Nigeria's collaborative efforts with the United Nations toward the stamping out of the drug menace.

3.02 ADOPTED STRATEGIES OF NIGERIA ON THE EFFECTIVENESS OF THE CONVENTION

1. THE RATIFICATION OF TREATIES

The pervasive drug problem has dwarfed beyond national efforts in leaps and bound and has become a global issue, needing realistic campaign for its elimination by the international community. To this end, Nigeria ratified the main international treaties or conventions in order to tackle the issue of drug trafficking and use. The 1961 single convention on narcotic drugs (as amended), which entered on the 13th of December 1964 was ratified by Nigeria on the 6th of June, 1969. The 1971 convention on psychotropic substance was ratified by Nigeria on the 23rd June, 1981. Then Nigeria ratified the 1988 convention against the illicit traffick on narcotic drugs and psychotropic substance which was concluded in Vienna on the 20th December, 1988. Nigeria was the third country to ratify the 1971 and 1988 conventions (Osinbajo, Y. 1991: 245; Daily Times 1990: 4). By

implication, the ratification of the 1988 convention particularly since it reinforces all the conventions, points to the fact that Nigeria has agreed to be part of the solution of the global plague. Aware that no mismated alliances has been made but that of a mutual and compatible agreements, the intensification of her co-operation while in pursuit of that active and harmonious global purpose must be achieved through the adoption of the provisions of the international drug laws and obligations into her domestic laws, and keeping the spirit and the intentions of the convention, active and alive (Higdon, Paul, 1995: 31-2; Akagbosu, C.T. 1995: 11-12).

Having become party to the conventions, Nigeria saw the need to adopt appropriate legislation, aimed at establishing an administrative agency that will enforce measures against the drug phenomenon in Nigeria and further link up and co-operate with the other parties in the international community, at the same time working with the relevant and competent established international organisations toward achieving that peaceful order whereby the promotion of economic and social health of the human family would eradicate the tendency or the prevalence of conflicts and war. Thus, for the proper facilitation of the two way traffick coming from the spreading web of international activities, a specialized central drug control agency was created in Nigeria.

2. THE FORMATION OF THE AGENCY

Prior to the formation of a central agency, the formulation and implementation of Nigeria's drug laws and policies towards the fulfilment of the treaty obligations were carried out by the ministries of health, justice, internal affairs, police, customs and the immigration services. Therefore, the formulation and the implementation of drug laws and

policies became haphazard in focus. To this end, a need arose to create a central institution for a proper and purposeful co-ordination of all the efforts of the various institutions and agencies that has engaged in the illicit drug trafficking control. so, NDLEA was established by the Federal Military Government of Nigeria under Decree No. 48 of 1989 and its Amendment Decree No. 33 of 1990 so that there would be an effective and meaningful elimination of the illicit traffick and use of narcotic drugs and psychotropic substances in Nigeria. As a legal entity and organ, NDLEA is to look at the prevailing drug phenomenon in Nigeria as confirmed by the preamble of Decree 48 of 1989 paragraph (H) (p.426), design and implement policies and programmes in order to stamp out the supply and demand for these controlled drugs n the country. In a more clearer manner, NDLEA's scope of operation is of international dimension but of national significance since the provisions of Decree No. 48 of 1989 is adopted along the lines of the 1988 convention, thus preparing and fertilizing the ground for the projection of her national functional sphere into the international arena with other states parties to the conventions and the international agencies, who must render their service on such prepared ground and bringing about the good life, peace and security in the fight against the drug menace in Nigeria.

Having been established, NDLEA was made to consist of the following:

(a) A Chairman

(b) A representative of the Nigeria Police Force, not below the rank of an Assistant Inspector-General;

(c) The Director, Military Intelligence;

(d) the Director Customs and Excise;

(e) The Director, State Security Service;

(f) A representative of the Federal Ministry of Justice not below the rank of Director;

(g) The Director General, National Intelligence Agency; Affairs, and Health, not below the rank of Director, and

(h) A representative each from the Ministries of External Affairs and Health not below the rank of Directors and

(i) Three other persons (Decree 48, section 2; pp: 426-7).

The functions of the agency and the special powers conferred upon her are outlined in sections 3 and 4 respectively.

3. ESTABLISHMENT OF SPECIAL UNITS

In pursuance of its objective as contained in the Decree 48 of 1989 establishing NDLEA and for effective conduct of the Agency, four specialized units were created namely:

(i) General and Asset Investigation

(ii) Prosecution

(iii) Drug Demand Reduction Unit

(iv) Training Research and Development (Decree 48, section 6: 1129-30)

(v) General and Asset Investigations

This unit has two sub-units:

(a) Supply Reduction

(b) Assets Investigations

While embarking on supply reduction, a battle is launched against the illicit importers and exporters of controlled drugs. This is done through the adoption of stringent or punitive measures which are aimed at regulating and controlling the activities of suppliers, dealers and users of narcotic drugs and psychotropic substances. These strategies are designed to check the procurement of these controlled substances such as cocaine, heroin etc. and stemming the distribution and re-exportation of drugs which traffickers had surreptitiously imported into the country from the Golden Triangle and Crescent countries, the mounted drug control structures notwithstanding. Efforts are made also not to allow Nigeria become a fast growing producer nation of Indian hemp. this is realized through the "Operation burn the weeds strategy. Other areas of impact are the mounting of surveillance, intelligence networks, detective and investigative outfits at the airports, seaports, borders, the hinterland and high risk areas which serve for the traffickers as areas for repackaging and distribution of the controlled drugs. This is to facilitate the identification of the key sources, routes and principal actors in the illicit drug trade. Once these are discreetly done, arrests are made, investigations carried out, prosecution, searches and seizures are finally done. Nigerians travelling to drug producing countries are made to undergo visa screening exercise and some form of serious scrutiny are carried so as to decipher the genuineness of their trip. Duly satisfied, they are recommended to the embassies of those countries to consider the travellers for the issuance of visas (Ahire, 1992:11; Oyejide, A.O. 1995: 64; NDLEA* Policies and programme, 1996: 8-9). To deter intending traffickers into the illicit drug trade, the

photographs and names of persons of Nigerians convicted for drug related offences both home and abroad are published for public consumption.

The Asset investigation arm, realizing that, aggressive profit motive is the driving force behind the activities of illicit syndicated drug trafficking organisations, works within the empowerment of Decree No. 3 of 1995, to fight against money laundering. This enables this sub-unit to investigate secret bank deposits and investment accruing from the staggering profits accumulated by drug dealers. This is aimed at hitting the traffickers where it would hurt them the most (NDLEA: Policies and programs, ibid,:9).

A serious disease such as illicit drug trafficking plaguing societies needs a serious cure so that problems of political nature would be averted and the resources, rather to be used for the treatment of addicts and other related problems emanating from the drug menace, would be channelled towards the promotion of not only the economic and social development but the public health of the human families of states such as Nigeria. It will then not be surprising if law enforcement against the entry and exportation of controlled drugs are vehemently checked.

ii. PROSECUTION UNIT

Law is very instrumental in the successful eradication of illicit drug trafficking and use in Nigeria. Here, penalties are spelt out which should punish drug related offenders. Enforcement officers and agencies are empowered to combat the menace within the confines of legal arm of NDLEA whose responsibility inter-alia, is the prosecution of drug offenders (para. "a" Sec. 7 sub-section 2, Decree No. 48).

The unit also renders the General and Assets Investigation unit legal advice and assistance when such a need arises (paragraph "b", ibid). When the investigation unit sends file(s) of suspected drug traffickers arrested, the prosecution unit "writes opinions which based on the facts and knowledge of the law particularly the NDLEA Decrees No. 48 of 1989 and No. 33 of 1990. All opinions which the prosecution unit write are meant to establish whether there is a 'prima facie' case against the suspect or not" (Oyejide, A.O., op.cit:65). Since the legal strategy is adodpted by this unit to enforce the international treaty provisions in the country's legal system, aimed at fighting illicit drug trafficking, its success hinges greatly on a dedicated and efficient machinery which must enliven the legal provisions to make it work. To grasp the import of this fact, Anthony Onuora, a legal officer at the NDLEA states that "law does not exist and operate in a theory or in vacuum, it has to be functional. Functionality demands recognition of the problems of the times and these problems vary from time to time" (Drug Force, 1994: 24). Even Mitrany saw that the peaceful separateness of states would create a great vacuum which would make it difficult for states to tackle issue areas for the common good of mankind. A void or vacuum must surely be occupied and illicit drug traffickers are sure to fill in this space and perpetrate their deadly dealings which would pervade and permeate the national boundaries, of states in leaps and bounds, with no active measures existent for states to frustrate the spread of the drug threat.

Mitrany supported the earnest effort of states to strive to actively interact and work together so as to seek and fulfil the areas of mutuality that will further bind those interests that are common to them. We can infer from here then that if there is co-operative efforts between Nigeria and the United Nations against the drug menace, a

peaceful social and economic order would be entrenched, thus putting to an end conflicts and political divisions.

In this vein, we can see that Anthony Onuora's assertion or position that the dynamic nature of our contemporary world's problems begging to be vehemently tackled or solved by a functional legal instrument is true. We can derive from this view that the formation and implementation of Nigeria' municipal laws aimed at putting to an end, the drug menace must be in compliance with the international legal provisions provided and so, the spirit and intention of the obligations of the international drug conventions has to be followed to the letter. With this effort in place, no vacuum can be created as international drug laws are the binding force of the Nigerian state.

Furthermore, the prosecution unit of NDLEA conducts proceeding that essentially lead to the recovery of assets or properties used in drug related offences which are forfeited to the state (paragraph "c" ibid). It has miscellaneous offences tribunals (MOT) established and is responsible for the appointment of judges who handle numerous pending cases and performs legal duties as NDLEA may refer to it from time to time (paragraph "d", ibid) presenting the M.O.T no longer handle drug cases. Jurisdiction is now vested in the federal high courts.

However, impediments to the successful impact on the international drug treaty laws with Nigeria's jurisdiction come as a result of "overall laxity of security arrangements, the porous nature of our large borders and the astonishing institutionalization of corruption" (Ahire, op. Cit: 10).

iii. DRUG DEMAND REDUCTION UNIT

The Agency saw the need to create a unit known as the Drug Demand Reduction because it was necessary to effectively reduce or prevent the illicit demand for controlled drugs in Nigeria through detection, intervention and prevention approaches. This idea, if vigorously pursued forms the base on which illicit drug trafficking in dangerous drugs would be eliminated and bar youths from experimenting with such controlled drugs.

In executing its responsibilities, the DDRU

(a) carries out campaigns, organizes seminars and workshop which are meant to scare and educate the general public on the dangers of controlled drugs and substances;

(b) renders after-care rehabilitation, social reintegration and education of addicts in accordance with articles 38 (1) of 1961 convention, 15, amendment to 38 (1) of 1961 convention, 1972 protocol and 1988 convention;

(c) promotes the welfare of convicts of drug related offences;

(d) formulates and implements programmes touching on illicit drug use reduction which are culturally relevant and feasible in Nigeria.

Towards the achievement of her lofty dreams, the Directorate of Drug Demand Reduction broadly institutionalized the following divisions, which are mutually complementary in character. They are:-

a. PUBLIC ENLIGHTENMENT PROGRAMME: *(Decree 48 of 1989, section 7 (3) (a).*

This division is poised to use all channels of communication in its anti-drug campaign efforts which are designed to arouse public awareness, thus giving a reliable

information on the dangers of illicit trafficking and use, as well as conscientising the target population enmeshed in the quagmire of the drug menace and the yet to be vulnerable groups. The following strategies used are:-

- the employ of docu-drama which is a combination of documentary and drama which have visual effects and are blended with flowing narration with its message conveyed along relevant cultural tones. Campaigns and lectures on the drug threat are used with the full participation of casts who are popular stars and professional artists whose rendition is expected to have a touch of universal appeal and acceptance yet of a national significance.
- pictures and charts showing variety of drugs which have colourfully illustrated message on the effects of illicit drug use;
- the production of well designed information leaflets which in a versatile form address specific areas of problems associated with illicit drug use;
- the use of the electronic media and sponsorship of a thirty minute radio drama production and programmes on the drug problem in Nigerian society. Radio, TV advertisement, jingles, public enlightenment programme on "Drug your Doom" on FRCN, Lagos, live shows and concerts in schools and outdoor choice areas for featuring drama in different languages such as English, pidgin Yoruba, Hausa, Igbo;
- outdoor campaign through posters in English, Hausa, Igbo, Yoruba, pidgin, Kanuri and Fulani, handbills, billboards, stickers, pamphlets and badges;
- training and mobilization workshops and seminars are organised in collaboration with government agencies or NGOs which among other things

are featured a documentary, on the activities of NDLEA (Drug Demand Reduction Unit public enlightenment Division activities for 1994 and 1996).

b. PREVENTIVE DRUG EDUCATION FOR SCHOOLS

The activities within this division is aimed at instilling the value of self-esteem into the pupils and students of primary, secondary schools and tertiary institutions so that, they could resist the temptations and pressure of illicit use of drugs. Drug Free Clubs are formed in the primary and secondary schools as a result.

c. GUIDANCE AND COUNSELLING

Counselling and referral services are organised for drug dependent persons. This approach is known to have the therapeutic effects on the addicts and is part of the general treatment procedure. Trained counsellors, tutors in secondary schools, locally trained volunteers and primary health care workers are all involved towards ridding the society of drug related problems. Peer group counselling are encouraged amongst youths in school so that student would develop positive self-concept and good interpersonal relationship, thus protecting themselves from the dangers of illicit drug use (Oyejide, A.O. op.cit: 68; Ikegbuna, F, 1997: 15).

d. DRUG EDUCATION FOR GENERAL POPULACE PROGRAMME

The entire citizenry are educated to stay clear of illicit drug and warned of the effects of illicit use. This is aimed at promoting and maintaining public health life styles

and security in the society. Information on STDs and other hazards of sharing needles amongst drug addicts are emphasized.

e. SOCIAL WELFARE AND REHABILITATION PROGRAMME
(decree 48 of 1989 section 7 (3) (b).

The treatment of identified drug dependent person is a very essential programme of any state. This, in Nigeria, results have been realized by this Division in collaboration with the social welfare division of the Federal and State Ministries of Health and Social welfare "as well as various psychiatric and teaching hospitals in the country in order to foster working relationship with these places and use them as avenues for referral treatment and rehabilitation of drug dependent persons (Oyejide, A.O. op.cit: 67).

The existence of rehabilitation centres facilitates treated drug dependents to acquire and possess skills, vocational training, the enhancement of their rehabilitation efforts and their reintegration into a conducive atmosphere or setting which is geared towards averting recidivism. The social reintegration of treated drug convicts are also embarked upon.

f. DATA COLLECTION (RESEARCH DIVISION)

This Division determines the nature and extent to which illicit drug use has pervaded and permeated the Nigerian society so as to design programmes that would aim at halting the menace and prevent its future spread.

The development of data bank on the issue of illicit drug trafficking and use of national significance and international character where there is systematic data collection

methods is embarked upon. This target is to facilitate the co-operation of the activities amongst the different units that have been formed and structured towards the operationalisation of the national drug control machinery. The data bank offers accurate strategies and data on the current situation of the drug phenomenon in the country so as to further the moves of traffickers (ibid: 69; Musa, B. op.cit: 34).

iv. TRAINING, RESEARCH AND DEVELOPMENT UNIT

This unit, being the fourth specialized unit of the NDLEA, initiates, develops and improves specific programs for the Agency. In order to pursue its objectives effectively, two sub-units are established: Training and Development, and Research and Planning.

(a) TRAINING AND DEVELOPMENT

In this sub-unit,

- newly recruited cadets are trained,
- refresher courses are organised for operatives so as to keep them abreast of the current trends and methods of drug trafficking and interdiction,
- seminars, workshops and conferences are organised either unilaterally or bilaterally sponsored.
- monthly training programme aimed at creating a forum for officers who have acquired interdiction training programmes abroad, are organised so that these officers could share and impart their knowledge and experience on their colleagues (NDLEA; policies and programmes, op.cit:10).

(b) **RESEARCH AND PLANNING**

This sub-unit:

- computes statistics on arrests and seizures both within and outside Nigeria.
- conducts research on the modus operandi of drug concealment. Convictions of drug offenders and the current trend in the world of illicit drug trafficking are assessed.
- creates a database for the planning and analysis of the manpower needs of the Agency (ibid).

The functionalist's idea of peace and security in the world through a spreading web of international activities which are made possible through the creation of complex related international agencies through the UN< with each of them dealing with the issue areas so as to eliminate the drug menace is also exemplified in the sub-units and divisions. The sub-mandates associated with their creation is geared towards their mutual co-operation and actualization of the promotion of peace, development, health and other welfare areas, in the hot campaign against the illicit drug, trafficking and use. The spiritedness and zeal infused in the national spreading web of activities towards eradicating the drug problem show that the zeal could be made to burn at the international arena in compliance with the requirements of the international drug treaty laws. This shows that Nigeria's functional activities at the national level will facilitate the concept of transferability of not just her jurisdictional structure but her skills that are required in solving social, economic, technical and humanitarian problems for the good of mankind or the human family, thus entrenching the good life, peace and security because of her willingness to participate and interact in committee of nations.

To further make an impact on the conventions adopted against illicit drugs trafficking, a most recent strategy was launched - the National Drug Control Strategy (NDCS).

4. NDCS

The most recent drug control strategy put in place in Nigeria is the National Drug Control Strategy (NDCS) which was launched on the 26th of July, 1995. The formation is in line with the United Nations General Assembly global plan of action of 1994. The strategy was a make up of an international committee inaugurated by the Commander-in-Chief in 1994. The inter-ministerial multi-disciplinary approach is involved here because all ministries and agencies are expected to put in inputs one way or the other towards the co-ordination and systematic approach of eliminating the menace in Nigerian society.

To this end, a co-ordinating center (NDCS) was created whose secretariat is the Directorate.

The task of NDCS is channelled towards

(a) the prevention of illicit drug use in all its ramification, even in sports,

(b) vehemently confronting and preventing the occurrence of illicit drug trafficking,

(c) effective control and monitoring of the illicit movement of drugs,

(d) the treatment, rehabilitation and social reintegration of identified drug dependent persons,

(e) the facilitation of national co-ordination and then channel all the efforts in compliance with the international drug control obligations (Nwane, C.U. 1997: 22).

Thus, the vigorous implementation of the strategy is aimed at helping in:-

i. the redemption of the dented image of Nigeria from the enormous damage illicit drug trafficking home and abroad;

ii. facilitating the effective functioning of NDLEA and the objectives for which it was established so that the drug war could be won,

iii. rallying all or creating a forum where all the relevant and competent international, governmental and non-governmental organisations would work towards the suppression and repression of illicit use of drugs and trafficking throughout Nigeria and enhancing their performance;

iv. setting forth outlines that would give the effective control of drug menace a sense of purpose and direction (NDLEA: policies and programmes, op.cit:7).

From these distinct goals of NDCS, we can infer that they form a base on which the eradication of the illicit use and trafficking of narcotic drug and pyschotropic substance both within and outside Nigeria stand.

NDCS's initiative is modelled along the global drug control strategy of UNDCP. Buttressing this fact is Emily Adegbokun, the Director of NDCS. She states that "UNDCP encourages each government to have plan, to have a strategy to tackle the drug problem because, there at the international level, they do have a master plan for a global efforts to tackle the drug as a menace. So, UNDCP encourages governments to have strategies to work towards. The strategy has to be evaluated and reviewed periodically"

(Ezeji, O. et al, 1988: 20-1). Furthermore, she says that states are expected to streamline their drug control policies along the master plan of UNDCP and open the doors of their national drug control machineries for UNDCP to come in for proper co-ordination to UN standard and expectation since the drug menace is a global one.

For a total achievement of the set objectives, the NDCS document is divided into four components, namely:

1. Drug Demand Reduction
2. Control of illicit supply
3. Control of illicit trafficking
4. Adequate and efficacious penal sanctions

Each of the components has its identified goals and a list of well designed method of implementation.

To further create heavier and practical impact on the international drug control machinery,

(a) Illicit drug control committee on drug reduction are found in all the states of the federation. This is because, the philosophy of the NDCS is that of balanced approach in that the anti-drug campaign goes beyond interdiction of supply reduction enforcement to stemming the demand for illicit drugs. Here again, the tendency for the duplication of functions between NDCS and DDRU unit of NDLEA is carefully avoided. Although there are interactional activity between NDCS and the specialized units of NDLEA so as to perform that single task of campaigning against the drug menace in Nigeria and entrenching

economic, social and humanitarian development and the achieving peace and security. This would be indicative of the fact that poverty has been alleviated, impending conflicts averted. This is highly reflective of the classical functionalist's view.

(b) NDCS' impact on the international drug control machinery are shown in her strategies evolved towards the identification of the roles of the traditional rulers, local government chairmen, village heads, towards the control of both the use and traffick in illicit drugs.

(c) NAFDAC collaborates with NDCS in performing its role in accordance with the requirements of the strategy. Because NAFDAC is a regular and active member of the inter-ministerial committee, she sends reports about the control of licit drugs to NDCS which are then forwarded to UNDCP annually. Ministries in co-operation with NDCS pursue the cause of the strategy. Examples of such ministries are Education, Agriculture, Health and other agencies. In that of education, schools are encouraged to form drug free clubs and drug preventive education are formally or informally enshrined into the curricular of schools.

(d) The inter-ministerial committee meets regularly and deliberates on prevailing drug issues where decisions are made passed on to NDCS for implementation. The cost of public enlightenment aimed at arousing the awareness of the Nigerian populace, on the effects of the illicit use and trafficking in drugs are critically studied and analyzed by the inter-ministerial committee (Nigeria's country report at the 9th

meeting of HONLEA, 1996: 8). In this vein, NDLEA and NDCS receive information of accomplishment from other ministries on the anti-drug campaign. NDCS on the other hand receives support in this regard from UNDCP.

Again, the co-operation of NDCS and UNDCP is exemplified in the sending out of questionnaire to all the units of the Agency all over Nigeria by NDCS on information on the extent of Nigeria's level of drug control which when returned to NDCS, are sent to UNDCP in either Lagos or Vienna. However, it has been observed that questionnaires sent out to NDLEA units all over Nigeria are not returned, thus hindering the effective assessment and compilation of results on the extent of Nigeria's drug control (Ezeji, O. et al op.cit: 23). In fact, national co-operation towards the eradication of drug menace would be undermined and could cause the same negative effect at the international arena, if such outright lazzaire faire, attitude is exhibited by the zonal area law enforcement agents in Nigeria. Total commitment is needed at the national level as this will only make the international instruments that have been put in place to control the drug threat effective. Otherwise, the good life for both the Nigerian populace and the entire human family will not be realized.

(e) Most importantly, is the efficacy of penal measures on drug related offences which focuses on the sanctions that are existing presently in Nigeria. Apart from assessing the degree of adequacy and effectiveness or spirit of implementation of penal measures in Nigeria, a timely review, evaluation and monitoring of the efficacy of penal sanctions or provisions is made, which is primarily aimed at creating a renewed awareness to the Nigerian control on

controlled drugs. This awareness is made possible by continuous dialogue through the organisation of workshops and seminars. Recommendations are made by the academics those from the tribunals, some private lawyers and civil service personnel thus improving on the NDCS'' master-plan on drug control.

Lastly, NDCS is part of HONLEA in that it encourages regional and inter-regional co-operation, working towards African states assembling in Nigeria for the discussion of and mutually agreeing on how to eliminate the drug menace in the continent. The NDCS secretariat also gives support to ECOWAS secretariat in the suppressions and repression of the drug phenomenon in West African sub-region. Here, if effective co-operation exist between Nigeria through the instrumentality of NDCS and African States in conjunction with the United Nations towards the extirpation of the illicit drug traffic menace, a more harmonious co-operation will increase amongst them, thus actualizing social and economic development whose impact will be felt in the other areas of the world. That is, if they are committed in their bilateral and multilateral treaty agreements that will grant them easy access to needed assistance to eradicate the drug plague.

5. BILATERAL/MULTILATERAL AGREEMENTS TOWARDS THE CONTROL OF DRUG TRAFFICKING

The first step for any nation in the global war against drug trafficking is to sign and ratify all existing international convention and protocols aimed at stemming the drug problem. This would serve as a firm base on which any internal measure would be carried out such as law enforcement and bilateral agreements for co-operation in issue areas. While Nigeria has ratified the main international agreements on drug problems, she has

(xi) the Nigeria-Thailand agreement of April 1990 to combat the Lagos-Bangkok route (Akagbosu, 1995:4).

These efforts aimed at eliminating illicit drug trafficking is to ensure that the public health and social welfare of mankind along with the economic, cultural and political foundations of states are not eroded and shaken respectively but developed and consolidated. Thus, averting political divisions, conflicts and war. Total willingness and commitment is needed from states in their co-operation agreements to make the world a peaceful and secure environment to live in. To this end, Nigeria must be a keeper of the drug treaty obligations, bilaterally or multilaterally entered into with the rest of the subjects of the drug treaty laws. She in fact must settle in for the long haul and enjoy the good life that comes as a result of co-operation efforts with the entire human family.

6. LIMITATIONS AND CONTROL OF SUPPLY OF DRUGS

The international drug control system recognizes that the diversion, illicit traffic and the legitimacy of narcotic drugs and psychotropic drugs are made possible because of demand and supply. "The supply aspect should meet the licit demand where there is an estimates system, while the single convention on narcotic drugs, 1961, provides for annual estimates of narcotic drugs required by each party to the convention. The convention on psychotropic substances does not provide for such estimates of requirements by each party. In absence of an estimates system, there may be tendency to over-produce and over-supply" (Emafo, op.cit.: 76). To this end, Nigeria's social policies aimed at meeting the drug needs of her citizens must include placing a tight rein on the indiscriminate supply of such controlled drug substances. This, it could do by making sure that:-

(a) Drugs are exclusively limited and made available for medical and scientific purposes so that human sufferings and pains could be drastically reduced and achieved development for mankind, respectively.

(b) The promotion and maintenance of good health care through the availability of good drugs are not hindered,

(c) The legitimate need of drugs are dispensed by authorized and licensed drug experts and druggists,

(d) There would be no loopholes in the structures set in place warranting the diversion of drugs from licit sources to illicit sources and preventing the illicit trafficking and use of drugs,

(e) There is a more vigorous and enhanced system of rehabilitating and socially reintegrating drug dependent persons, and

(f) There is a proper entrenchment of drug legislation and enforcement laws (ibid: 77).

However, the increased undermining of the UN obligation to exclusively limit the supply of licit drugs stem from the regulatory pharmacy laws of states which are not effectively promulgated or enforced which leads to the excess in production as against the legitimate requirements mandated by WHO, unless national organisations and individuals are otherwise licensed and authorized to keep excess stock of such controlled drugs (ibid.).

To avoid this problem, Nigeria's legislative and administrative control measures must be contemplated along the possibility of licit drugs being diverted into illicit channels further leading to illicit traffic and use. As a result, import and export permits must

accompany legitimate transactions in Nigeria especially on controlled substances covered by tables I and II of the 1988 UN convention against the illicit traffic on narcotic drugs and psychotropic substances. The efforts of Nigeria notwithstanding, illicit traffickers are discovered to have surreptitiously used fake or forged import certificates of import psychotropic substances such as pemoline into the country and this has distorted the data collection and analysis, investigation of reported cases of attempted diversion and the annual estimates to the INCB made difficult. While adopting a more secure way of using an import permit, the urgent need for producing and exporting countries should arise for them to have a deep respect for international law and national control systems of even the weaker states such as Nigeria.

The clandestine use of chemicals not being in existence in Nigeria notwithstanding, chemical inspectors of NAFDAC Zonal offices all over the country have been empowered to monitor the distribution and use of all controlled chemicals. Again, NAFDAC in collaboration with the NDLEA, investigate cases of diversion of all controlled substances from licit to illicit channels (Nigeria's Country Report at the 9th meeting of HONLEA, 1996 op.cit: 9).

7. INTERNATIONAL CO-OPERATION

Nigeria' further adopted strategy is shown in the area of international co-operation existing between her and the UNDCP. The Nigeria's co-operation with UNDCP is geared towards reinforcing the system of mobilizing and organizing the Nigerian resources and society. As at 1995, UNDCP's budget for the implementation of six projects in Nigeria stood at US $1.5, which include:

(a) Reinforcing the operational capacity of the Special Units of the Agency,

(b) Strengthening the after-care rehabilitation system for those Nigerians who are drug dependent. To achieve this UN mandate, UNDCP helped Nigeria to develop, equip and commission three community-based drug rehabilitation centres in Maiduguri in Borno State, Minna in Niger State and Ahoada in Rivers State,

(c) UNDCP supports NDLEA to embark on public enlightenment programmes "through preventive education and the production and broadcasting of two TV documentation on the drug situation in Nigeria" (Buckingham, A. op.cit).

(d) UNDCP help to develop a balanced approach aimed at reducing demand,

(e) The establishment and equipping of the NDCS secretariat in NDLEA is done with the support of UNDCP so that an effective co-ordination and monitoring of all drug related activities would be realized,

(f) Assistance is rendered to NGOs in relation to the funding of two projects. Street children and research, sponsorship of Nigerian researchers, the support and development of the African approach to solving the drug problem and promoting Nigerian solutions in countries having the same cultural and social history and values are all encouraged by the UNDCP.

Recognizing that all illicit drug trafficking is a very dynamic and highly organised syndicated business, Nigeria organizes training and refresher courses for drug control personnel but most importantly is the advanced and specialized courses organised for some Nigerian drug control personnel abroad in collaboration with the American Drug Enforcement Agency as well as the British Customs and Excise in London. In addition,

technical assistance have been rendered to Nigerian drug control officers by UNDCP in Cote D'Ivore, Namibia, Egypt, South Africa and London (Musa, B. Ibid: 32-3).

Furthermore, Interpol/ICPO is the largest Police organisation in the world because its scope of operation is global in character. To this end, the growing rate of illicit drug trade n the world has posed a great challenge to the organisation, that it has committed a great measure of its resources into combating the problem of illicit drug trafficking through the arrest and facilitating extradition of the drug offender who has completed his jail term to a requesting state.

In relation to the co-operation between NDLEA and Interpol, the latter receives sensitive information and messages from other Interpol offices all over the world on drug related matters for the former. For example, it could be on a drug offender who, having finished serving his jail term, is to be deported back to Nigeria. Interpol in Nigeria uses her superior logistics to intercept deportees who eventually walk into the waiting arms of the NDLEA officials at the point of entry. Unknown to the deportee, Interpol of the said country where the deportee was jailed notifies the Nigerian Interpol of the deportation.

Lastly, all the work of the Interpol in Nigeria concerning illicit drug trafficking matters are carried out in close collaboration with the intelligence unit of NDLEA (Ebuamu, C. 1988: 17).

Nigeria's co-operation with UNDCP is aimed at combating the problem of drug trafficking and use right from the very roots just as the classical functionalists have been given the thumbs-up for burrowing deep under the surface of reality to find the root causes of war and achieving a social, economic and humanitarian and even technical

solution which further leads to development and the improvements of social welfare of the human family.

The spreading web of international activities between Nigeria and the United nations through the signing and functional implementation of bilateral and multilateral agreements which facilitates the rendering of technical assistance to Nigeria is very much co-operation between Interpol and NDLEA of Nigeria.

Having looked at some of the strategies adopted by Nigeria aimed at making a positive impact on international drug treaty laws so that the drug menace could be eliminated, we would examine the possible impediments against Nigeria's collaborative efforts with the United Nations towards the eradication of illicit drug trafficking in the next section of this chapter.

3.03 IMPEDIMENTS TO NIGERIA'S COLLABORATIVE EFFORTS WITH THE UN IN COMBATING THE ILLICIT DRUG TRAFFICKING

Some hindrances have however come in between the smooth co-operation between Nigeria and the United Nations:

(1) Nigeria's oversize land borders hamstrings effective drug interdiction efforts,

(2) The liberalization of the issuance of visas and the free circulation of persons and goods in ECOWAS sub-region,

(3) Several typographical variations make land and water patrol very difficult. In addition, the government's provision of boats, special patrol vehicles, such as jeeps is inadequate in number to enhance drug interdiction,

(4) There is a general laxity at Nigeria's airports and seaports,

(5) The wide prevalence of corruption in the country which has enabled high level drug trafficking syndicates to infiltrate her security agencies, particularly amongst some of Nigeria's drug law enforcement officers,

(6) NDLEA's slow implementation of UNDCP's plans which hampers further development of the latter's programme and provision of resources for Nigeria, thus, hampering future planning.

(7) The lack of systematic empirical and dependable information in Nigeria. There are not yet studies, analyses and surveys that can inform the UNDCP the extent and pattern of illicit drug use in Nigeria, or the percentage of drug dependent Nigerians at a certain point in time, the age group involved and the geographical location of such problem in the country. Because of this difficult situation, UNDCP depends on various unprofessional sources such as mere observation, feelings and feedback (Iyamabo, J.A. op.cit: 47-8; Ahire, P.T. op.cit: 149; Drug Salvation Force, 1977:5; Bassey, O. et al, op.cit: 44-5).

However, we believe that for an effective co-operation between the United Nations and Nigeria to exist, Nigeria in particular needs to appreciate the necessity for an increased co-operation with the United Nations through the UNDCP so that the drug threat would be tackled, thus leading to a development in Nigeria's economic, social and humanitarian factors which are major pre-requisite for the ultimate solution to problems of political nature, thus ushering in mutual trust between them, further leading to broader and higher levels of co-operation.

3.04 SUMMARY

In this chapter, we examined the strategies adopted by Nigeria to effectively make the convention of the UN work which were through ratification of treaties, the formation of an Agency that will properly and purposefully co-ordinate the drug control system and activities which would have a national significance and be a global standard and dimension, the establishment of specialized units and the NDCs whose various activities is geared toward performing one task and arriving at the same goal; the eradication of the drug problem, thereby making the Agency a functional entity. Other strategies adopted by Nigeria are entering into bilateral and multilateral agreements, the limitation and control of supply of licit drugs and enhancing international co-operation.

Finally, we saw how impediments hinder the smooth co-operation between the United Nations and Nigeria towards the eradication of illicit drug traffic in narcotic drugs and psychotropic substances.

CHAPTER FOUR

INTERNATIONAL POLITICS OF DRUG CONTROL:

4. 01 INTRODUCTION

In this chapter we will examine the international politics of drug control, Nigeria, U.S. and the decertification politics, the effect of drug trafficking on Nigeria's Economy and Image Abroad and the achievements of Nigeria's drug Enforcement Agency during the Bamaiyi years, 1994 to 1998.

There seems to be exaggeration on the part of the western world, particularly united states on the extent of the drug problem in Nigeria. The united states is both a producer of narcotic drugs and psychotropic substances and a haven for drug barons. She is also the highest consumption country in the world, yet Nigeria is depicted as the main culprit in the drug business world. Nigeria happens to be a target of drug barons because of her geographical location and her high global regional potentials.{DAMBAZAU A.B,1995; P.21}

There is no doubt that there is drug trafficking problem in Nigeria, but the solution is a global responsibility, which of course has been made more difficult as a result of the politics of international drug control. Nigeria has co-operated towards the global elimination of drug trafficking, by subscribing to the international laws and conventions on drug trafficking and abuse. In fact it is the third country in the world to subscribe to the convention. More so Nigeria has devised control strategies which yielded positive results.

Despite all these efforts put in by Nigeria the united states still decertified Nigeria among Nations of the world that are not co-operating towards the global elimination of drug trafficking and abuse.

4. 02 INTERNATIONAL POLITICS OF DRUG CONTROL:

The attitude of some rich countries leaves much to be desired in terms of control in illicit drug trafficking. Despite all the successes achieved by the National Drug Law Enforcement Agency (NDLEA) Nigeria is still decertified by the united states of America, even those countries with worst records like Pakistan and Mexico were never decertified. The U.S.A has turned a blind eye on the drug activities of some of her neighbours in the Caribbean, central and Latin America. {ADAMU A.M, 1996; P.93}.

The united state appears to use double standards in pursuing her policy of international drug control. While it is in record that Washington recently certified all major producing and transit countries in Latin America, Central America and the Caribbean, she has refused to certify most countries outside her region, such as Afghanistan, Burma, Iran, Nigeria and Syria. It is certainly not in our character to condone crime of any kind, yet Washington has intensified campaign of columny to drag the name Nigeria into the mud.

The double standard manifested in U.S. policy when the U. S. invaded and removed the Panamian head of state, Manuel Noriega from office for drug offences was a stark violation of international law. On the other hand, the same U.S is condoning illicit trafficking in the Bahamas. This says such about the duplicity of U. S. policy on Drug. As a result the danger exist in politicising the drug war.

It is in dispute that in the drug trafficking world, Nigeria is a major transit or transshipment country within the west Africa sub-region. But it is neither a producer nor a user Nation.

Cocaine and heroin are the major drugs imported by traffickers. Marijuana has both local production base and foreign source. As a non-producing country, her geographical location, population, abundant human and natural resources and status in Africa, make her a vulnerable target to the drug world. The fact that most Nigerians either on business or vacation trips, find it convenient to make the United Kingdom and united state their "home", identifies them as targets for the drug syndicate.

It is obvious to any unpartisan mind that the underlying reasons for the current face off between Nigeria and U.S. is political. The so-called decertification of Nigeria by the U.S. is purely political. But U.S. Government Officials now hurl inconsistent accusation at Nigeria. For instance one U S. high official announced that 40-50% of drugs getting into the U.S emanate from Nigeria.

Their own drug Agencies say that 75% of the drugs come from Mexico. Now that is 120% to 125%. I do know that a full bottle of water is 100% full; I do not see how you can add another 20 to 25% of water into the same bottle. Again at the recently concluded session of the UN commission on narcotic drugs in Vienna, the U.S Delegation told the U.N body that drug consumption in the U.S has gone by 50%. In the same week their own international propaganda cable Net work - CNN was telling the world that consumption in the U.S had gone up by 30%. U. S. has starkly refused to even acknowledged the efforts which this administration has so far accomplished in the drug war especially during the

reign of Major General Musa Bamaiyi as the chairman of NDLEA.{ADAMU A.M. 1996; SUPRA}

It is patently dishonest to say that the then head of State, commander in chief (Gen. Sani Abacha) "protects, nurtures, nourishes and benefits from the drug trade. Yet a high U.S official did say "we are aware that the intelligence services of some countries do engage in the drug trade and use the proceeds to finance their dubious operations and even wars. We are also aware that some of the producing countries benefit from the drug trade due to injection of hard currency into their economies". From the foregoing, it is clear that apart from international co-operation and robust collaboration in combating this menace, national interests have been the determinants of the commitment of some of the major actors in the world community in the crusade against drug trafficking. .{ADAMU A.M. 1996; SUPRA}

The Nigerian Government has shown exemplary will to fight the drug scourge of illicit trafficking and drug abuse. NDLEA when headed by a fearless, hard working General (Musa Bamaiyi) has been revamped and has achieved such result by reducing drug exports by over 75%, in the past years. Nigeria is a signatory to all the United nations conventions on narcotic drugs and psychotropic substance and has recently sent memorandum of understanding to many countries in an effort to co-operate fully in eradicating those twin evils.

The politics of international control of narcotic drugs and psychotropic substances takes many dimensions.

First, there is the historical connection particularly in the united state, in which the majority of drug addicts are blacks and Hispanics, and who become the target of

destruction through the use of hard drugs. The more drug is pumped into the ghettos for the consumption of these minorities, the more chances of them being self destructive; of course such a situation gave rise to high school drop outs, unemployment, soaring crime rate, including criminal violence resulting from drug trade and prostitution. It has also been as a result of this racist tendencies that expired licit drugs are pushed into third world countries, particularly in Africa, in which high death rates are recorded as a result of the use of such drugs purchased from local patent medicine stores. Drugs of all kinds are deliberately pushed into communities of the black race either to enhance self-destruction or to dispose of expired drug consignments which licit drug manufactures would usually find impossible to dispose due to stringent laws in their respective countries. .{ADAMBAZAU A.B. 1995; P 29}

Secondly, drug trade is often used to finance intelligence operation, which is generally very costly. Writing on the united states drug problem vis-à-vis her covert operations in Honduras, Peter Scott observed that "..... The first target for an effective drug strategy should be Washington itself, and specifically its connections with corrupt drug-linked right wing forces in other parts of the world. Since the 1940s these government connections have opened up unsupervised shipping and plane communications between the U.S. and drug growing areas and also conferred a de facto immunity from prosecution on those drug traffickers who are part of such connections ..... it is important however to see the central drug connection in the context of other drug related covert operations conduct since the passage of the National Security Act in 1947, which created the legal justification for maintaining such drug connections outside normal congressional review, and outside the rule of Law. The cumulative History of such

connection suggests that changes in politics, more than, changes in either demand and supply, have been the driving force behind the changes in the over all pattern of drug flows into the united state". {BULLINGTON B 1991 op.cit, P.96}

Scott also sighted examples of first the heroin epidemic of the 1970s as a result of the C.I.A Collaborations with KMT troops known for growing opium in the Golden Triangle and right wing regimes in the same zone. When the link between United States and Laos was severed, opium production fell from 200 tons in 1975 to 30 tons in 1984. In the same token, the reduction of CIA involvement in southeast Asia under Carter, reduced united state heroin epidemic. {SCOTT P.D. 1991 op.cit, P.97}

The united states is known to have supported the contrast resulting in the "Honduran connection" where major Drug traffickers and their allies gained protection through their contra support activities culminating into deliberate supply of most American cocaine. In Mexico CIA connection was revealed through the arrest of one of the biggest drug baron, Alberto Silica - Falcon. In assessing the situation in the Bahamas, Burlington noted that:

> *"Given the facilitative role the Bahamas have come to play in the Mercurial growth of the U. S drug trade in the last two decades, it is puzzling that united states government officials have done so little publicly to either criticise or coerce their Bahamian counter parts to co-operate with the hegemonic war on Drugs."*

Thirdly, the foreign policies of key players in global politics does influence the control of international drug trade. A question has been asked for example, why the united states has done little or nothing at all to curb the participation of the Bahamas in drug activities, even though the Bahamian archipelago is very close to her, while going as far as invading, Panama to remove Manuel Noriega for alleged drug offences?

This had been attributed to the fears of communist expansion during the cold war period. On finding, who was the Prime Minister of the Bahamas during the invasion of Panama his involvement in drug activities was said to be enormous yet he had united state protection against harassment. Burlington (1991) asked the question why? According to him, the united states government.

> *"…… which has adopted a spectacular hard line stand on drugs and the need for international control, has done virtually nothing to disrupt piddling control over Bahamas. This may seem especially puzzling giving last years invasion of Panama and subsequent unseating of dictator Manuel Noriega, allegedly because of his involvement in drug trafficking.*
> *…… A country that would resort to a full scale military invasion of another sovereign Nation in order to apprehend a single person who had collaborated with drug smugglers would also go after a National leader charged with similar offences and located much closer to home than Panama …… But that has not papered. Why? What is so special bout the Bahamas that protects the leadership from hostile U. S. action over its on-going complicity drug smuggling".*

The answer lies in a foreign policy government by National interests rather than drug policy. The United States uses the Bahamas to conduct constant surveillance of Cuba. The local islands have also been used as training areas, including Launching pads to maintain an excellent striking distance against Fidel Castro. There is a U. S. naval base located on Andros Island in the Bahamas.

It is also known that the deep channel in Bahamas has been used for testing solar systems which are of vital importance in detecting soviet submarines in the Florida channel and around Guantanamo in Cuba. The price to be paid for the strategic use of the Bahamas includes immunity against international drug control.

Based on the foregoing, it could be seen that politics exist in international drug control. Also there is more to the decertification of Nigeria by the U.S than meet the eye.

The crux of Nigerian decertification by the U.S. is not the inability of Nigeria to co-operate towards the elimination of drug trafficking. But the fact that the military regimes of General Ibrahim Babangida and Sani Abacha refused to restore democracy back into the Country. The duration and chosen pattern of the military regime to restore back democracy has been criticized by the international community. The duration (1985-1998) of the transition programmes has elicited some negative reactions from some quarters especially the U.S.A. The U.S.A seeing itself as the world leading democracy decided to decertify Nigeria hiding under the false canopy of drug. However, when the General Abdulsalam Military regime handed over to a democratically elected president, the U.S. government in March, 1999 partially certified Nigeria.

4. 03 NIGERIA, U. S. AND THE DECERTIFICATION POLITICS:

Since the establishment of the National Drug Law Enforcement Agency by decree 48 of 1999 there has been a steady flow of positive and negative views on matters involving the agency and Nigeria. This is coming from both internal and external sources.

The Agency has risen to what one would rightly claim to be up to the expectations of many. This positive image of the Agency has earned her a lot of accolade particularly from the international community.

Like the old saying goes, good deeds are written on water while the unpleasant ones are written on brass, and must always be remembered.

The informed world was forced to raise an eye brow when Nigeria was decertified for the fourth consecutive year (1997) by the government of the United States of America for what it claimed to be lack of serious commitment on the part of the government to the

drug war. The united States also claimed: 'The Nigerian government failed to address critical issues hindering progress in these areas (money laundering and international fraud). It also failed to meet the standards of the 1988 UN Vienna convention". {DRUG SALVATION FORCE 1997; VOL 3, NO 1 P10}

Amongst her claims for decertifying Nigeria, the USA also believes that the Agency has been grossly under funded in the past years. Lack or co-ordination among the police, intelligence and other Law Enforcement Agency were also amongst the claims leveled against the country by the USA.

Rightly armed with the above information, one would be forced to wonder if the decertification of Nigeria by the USA was a proper step considering the fact that the Agency has made considerable achievement within the short time since coming into existence.

It is equally for one to ask if the step was to enhance the efficacy of the Agency operations or distort it. The answer is simple. The decertification does not only go a long way in distorting the image of the Agency but will cause an end to foreign aid, from the United Nations and of course will put an abrupt end to possible loans from the world bank.

The government of the Federal republic did not hesitate in registering its disappointment with and rejection of the decertification of Nigeria by the United States for the following reasons:

Firstly, the greatest achievement of the Agency so far is the drastic reduction of corruption within its rank and file. The Agency has so far arrested about 39 drug barons created additional zonal commands thus effectively covering the country. The drastic

reduction of transit in cocaine and heroin by over 85% is one of the achievements of the Agency. The procurement of 56 X 4 wheel vehicles for enhanced operations is among the numerous achievements of the Agency. {DRUG SALVATION FORCE 1997; VOL 1, NO.1, P10}.

With the above listed achievements, and more not enumerated here, there is need for the U.S to retrace her steps considering the fact that n o nation can arrogate to itself the right to be the sole arbiter or judge over any other.

When viewed concisely, the grounds of decertification are certainly laced with political undertones, vis-a-vis the lingering political imbroglio between Washington and Abuja over democratisation.

AMERICAN CONNECTION

It is confirmed that the united state is the world's greatest consumer of hard drugs and about 50% of drugs consumed in the US come from Colombia alone. The U.S.A is suffering from the evil effects associated with drugs. The rate of violence in America streets is on the increase so also is drug-related murder. Most dealers kill to protect their trade or to intimidate their competitors. With millions of dollars coming in from drugs, dealers can now afford bulletproof vests, silencers and sophisticated weapons such as military assault guns, and fully automatic pistols.

The problems created for the U.S.A by the drug dealers and traffickers have compelled the government to intervene in Colombia Panama, and other drug producing and trading states.

The U.S invasion of Panama and the subsequent removal from government of the Panamanian strong man Manuel Noriega was occasioned by the belief that Noriega willingly allowed drug cartels the use of Panama for on ward transportation of drugs into the United States.

American has been criticised for her inability to attack the demand for drugs at home and hoping to shift blame for failure on shoulders of more distant authorities. Their critics maintained that the great appetite for drugs in the United States is the main reason why the supply is in good business.

In an apparent bid to dismiss the criticism the United States president George Bush, on 5th September, 1989 initiated a drug control programme titled the National Drug Control Strategy. The aim of the strategy is to disrupt, dismantle and ultimately to destroy the illegal market for drugs by attacking both the supply and demand sides of the drug problems. The entire programme involved in the strategy will be implemented simultaneously and to his end about U.S $9.2 billion has been earmarked for the programme that year. {NARCOTIC LAW AND POLICY IN NIGERIA, 1990 V.8, P259}

In an attempt to discourage banks from laundering drug proceeds for drug cartels, the Bank of credit and commerce international and an officials of the bank were on 11th October, 1988 indicted by U.S Attorney in Tampu. In January, 1990 the bank pleaded guilty to drug money laundering charges and agreed to forfeit U.S 14.8 million in an escrow account and also to co-operate with the investigation in return for which the bank will be allowed to continue to operate in America. But what has the U.S. achieved by its anti drug crusade?.

The activities of the U.S seem to suggest that it has not yet fully achieved success in its anti drug campaign because it is a known fact that the U.S is the source of chemicals such as EITHER and ACETONE needed by the Colombian drug lords to produce cocaine. If the U.S authorities are in a position to control the supply of the chemicals to cocaine producers, it will greatly minimise its production. The Colombian police claimed to have seized 1.5 million gallons of such chemical in 1989, which is enough to produce up to 300 metric tons of cocaine.

They maintained that the U.S must control the sale of such chemicals, in order to have any meaningful impact on the production of cocaine. It is therefore suggested that an appeal be made to them to consider controlling the sale of the chemical.

The U.S is not the only Nation that has failed in controlling demand at home and tries to attack supply. Britain is in the same Boat: British ministers seem to be content with visiting South America and making speeches about getting the South Americans to grow coffee instead of coca, or getting the Pakistan farmers to grow cash crops instead of poppy.

4.04 EFFECT OF DRUG TRAFFICKING ON NIGERIA'S ECONOMY AND IMAGE ABROAD

Though Nigeria ranked third in world wide table of arrest, released by INTERPOL on drug trafficking in 1989, the actual volume of drugs being carried by Nigerians is small According to the report, 99 Nigerians were arrested world wide between January and October, 1989 with a total drug volume of 393 kg. Pakistan on the other hand ranked 7th with 114 Nationals arrested but with 1.136 kg of drugs. Other countries like China, Iran,

Afghanistan and India ranked 9th, 10th, 11th and 13th respectively but with more volumes of drugs than Nigeria. Nigeria's problem is the number of its Nationals involved and this has adversely affected her image abroad. {NARCOTIC LAW AND POLICY IN NIGERIA, 1990 V.8, P257}

The humiliating searches and shabby treatment meted to Nigerian travelers' abroad is a source of great National embarrassment. Passengers in Nigerian Airways and Nigerian passengers in other Airlines are separated from other passenger and thoroughly searched at most Airports abroad. Equally embarrassing is the treatment of holder of Nigerian diplomatic passports and other VIP's who are subjected to humiliating searches of their person and luggage's inspite of their declared states. There are cases of pregnant Nigerian women who lost their pregnancies because of the crude manner they were searched.

Recently some African nationals and Nigerians were arrested in Pakistan for drug offences. A Pakistan daily carried the report and referred to all suspects as Nigerians. In short every black arrested in Pakistan for an offence is regarded as a Nigerian. In most countries of the world today, every Nigerian is regarded as criminal unless he or she proves otherwise. Though this has not been officially expressed by these states, the kind of body and personal searches Nigerian travelers go through at points of entry in these countries is not enough evidence. Until recently, Nigerians travelling to Britain were not required to obtain an entry visa but now every Nigerian travelling to Britain is not only required to obtain an entry visa, the transit visa being issued at point of entry is about being cancelled. The requirements for obtaining the entry visa also become cumbersome for Nigerians.

In the united States of America, there was a special senate hearing on the activities of Nigerians resident in the U.S Nigerians particularly those of them who engage in drug trafficking and other illegal activities are said to have constituted themselves into Mafia. According to a report in the island news, the Nigerians Mafia is said to be fast becoming the backbone of a new Nations wide crime group in the U. S. In Britain, some times ago two Nigerian ships were arrested for carrying drugs. NNSL River Oji was arrested with 150 kg of herbal cannabis aboard.

Even the Wrecked MV Gurara, was said to be carrying drugs. In Togo and Chad Nigerians caught with drug were paraded at world press conferences with member of the diplomatic corps attending. Examples abound of incidents of drug trafficking that have dealt a big blow on the country's image abroad.

The already battered image of Nigeria received another blow when the Thai authorities cancelled the privilege which Nigerian travelers to that country had been enjoying. In tending travelers are now required to obtain entry visas from Thai embassy before departing from Lagos.

The effects of this illicit trade on the Country's image abroad is as traumatic as the effect on the economy. It is a known fact that drugs aggravate the crime rate within any particular society. Though Nigerian is not a drug consuming Nation, more and more youths are going into drugs.

When people begin to use drugs, they are initially convenient due to availability of ready cash. In the course of time they begin to run out of money and begin to sell off their property to meet their drug needs. Some end up selling their cars, houses, dresses, and whatever they could lay their hands on. When the property is exhausted, they turned to

organised crime such as ARMED ROBBERY, which in most case result in murder. The very high state of minds in which some users find themselves results in ASSAULTS and RAPE. For women, most end up in prostitution to sustain their evil habits.

The Police confirmed the fears of most Nigerians when it stated that the drug related crimes are on the increase. Observations and interrogations of arrested robbers, paid assassins and car snatchers revealed that they relied on hard drugs to execute their nefarious schemes. The notion that cocaine and heroin are used by rich people only does not hold again as any could be got for only N5. In September 1989 in Lagos, three hard drug users were reportedly found dead as a result of over dose. {NARCOTIC LAW AND POLICY IN NIGERIA, 1990 V.8, P258}

Reports coming from campuses of our higher institutions of learning are no encouraging at all. Students were known in the past to have only abused those drugs that could inhibit sleep such as caffeine (Nescafe and kolanuts) and ephedrine. Nowadays, Students now take hard drugs, cocaine and heroin in particular. Most of them are now admitted in our psychiatric Hospitals.

According to the authorities of psychiatric Hospital in Yaba. There is an upsurge in the number of people taking drugs as indicated by the increase in the number of patients being admitted for drug addition.

The Hospital authorities feared that if these trend continues, the facilities available may be unable to cope with patients intake. The laboratory facilities are insufficient and test equipment for detoxification of patients is not available. Identified Nigerian users cut across professional lines. Pilots, Doctors, Pharmacists, Law Enforcement Agency, and people in very specialised professions engage in illegal drug use. The pattern of use also

cut across all ages as a 12-year-old girl is among the Hospital inmates. {NARCOTIC LAW AND POLICY IN NIGERIA, 1990 SUPRA}

The implication of the user states on different sectors of the society the military, the politicians, the bureaucrats and the youths could be devastating. The effects on the youths could be more profound as peers easily influence them. Youth hold peers dearly and if a member of the group tested the drug, it could be introduced to others who may then follow suit. On the political effect, drug addicts can peddle rumors, which are capable of destabilising a government. The addicts and barons may sponsor assassination squads to discredit government. The effect of drug barons' economic power can be a source of intimidation and corruption to the community.

The effect of drug trafficking on gross domestic product of a Nation is observable from the unwillingness of subjects to engage in productive economic activities. The ease with which traffickers and barons make money make it impossible for them to engage in any investment which would not yield immediate return. It is also a drain in the foreign exchange because hard drugs are bought abroad in hard currency.

The most profound effect could be that of reallocation of scarce resources within the economy. Government would now have to provide funds for rehabilitation of traffickers, Hospitals and equip the Law Enforcement agents to standard required for effective discharge of duties. The resources would have been better utilized in the provisions of social amenities for people instead of using it to rehabilitate addicts.

4. 05: ACHIEVEMENTS OF NIGERIA'S DRUG ENFORCEMENT AGENCY DURING THE BAMAIYI YEARS: 1994 - 1998.

Nigeria's concern towards revamping her lost image abroad and decertification by the U.S.A. led to the appointment of a fearless and hard working General (Musa Bamaiyi) as the Chairman Chief Executive of NDLEA. His first priority was the re-organisation of the Agency as well as launching an aggressive campaign aimed at reducing both the drug supply and drug demand.

On the 1st of December, 1994, an inter-ministerial committee on the drug control was inaugurated by the head of state and commander in chief of the Armed forces, General Sani Abacha in Abuja with the following terms of reference:

The prevention of drug abuse in all its ramifications including drug in sports: prevention of drug trafficking, effective control of the movement of all drugs; treatment rehabilitation and social re-integration of drug dependent persons. Others are facilitation of internal co-ordination.

All these are aimed at revamping the colossal damage, which the illicit business has done to our image and reputation as a Nation.

During the Bamaiyi years more hard drug traffickers were arrested by the National Drug law Enforcement Agency especially in 1996. This gives a pass mark on the Agencies operational strategies in the past three years.

A total of 1187 suspects were arrested in 1996 with 19, 834.2686 kilogrammes of drugs as against 798 arrests with 15, 288.74 kg of illicit drugs in 1995. In1994, 693 suspects were caught with 20009.376 kilogrammes of illicit drugs.

Correspondingly more men were arrested in 1993 than in 1994 and 1995 respectively. One thousand and ninety suspects representing 92.58 percent of the total figure for 1996 were male as against 732, representing 91.73 percent for 1995. In 1994, 632 were male representing 91.19 percent of the years total. The number of female suspects for 1996 was 88, representing 7.41 percent of that years total figure as against 1995 figure of 66 or 8.27 percent of the total number for the year 1994 had 61 female, representing 8.8% of that years figure. {DRUG SALVATION FORCE, 1997 V.3, NO 1 P9}

More suspects trafficked in cannabis, popularly known as Indian hemp in both 1996 and 1995 than in 1994. 1004 suspect representing 58.6 percent of the total number of suspects on 1995 were found with 15, 258.741 kg of cannabis. Heroin followed as 69 suspects were arrested in 1994 with 91.6509 kg as against 1995 figure of 68 arrested and 30.2653 kg of the drug. The 199 heroin related arrest were 66 with 19.3793 kg. Seventy-five traffickers representing 6.3 percent of the total were apprehended with 90.7639 kg of cocaine in 1994. forty-seven of 5.88 percent of the total number of suspects were arrested in 1995 with 15.9136 kg of cocaine. While 1996 cocaine suspects were 40 with 6.1609 kg.

The number of suspects that trafficked in the less popular drugs such as amphetamines, barbiturates, ephedrine, diazepam and pemoline decreased between 1994 and 1995 though the quantity peddled increase. In 1996 a total of 77 suspects were caught these psychotropic substances amounting to 1203.7892 kg. Forty-three persons were arrested in 1994 with 94.30361 kg of these drugs as against 23 the following year with whopping 310.3936 kilogrammes.

Nineteen cases of abandoned drugs were recorded and seized in 1994 compared to the 26 in 1995 and 15 in 1996. Only 792 or 99.1 percent of those arrested in 1995 were Nigerians.

In 1996 1187 traffickers including 17 expatriates were caught Nation wide with various types of drugs. However, 1060 suspects representing 89.30 percent were caught within the country at the airports, seaports, and border. Twenty-five suspects representing 3.6 percent of the total arrests made in 1994 were apprehended at the various lands border pots across the country where as 14 or 2.02 percent of the arrests were made at the seaports in 1994 as against 27 or 3.4 percent the following year.

More suspects were arrested at the Airport in 1994 (87 or 126), than in 1995 which recorded 41 arrests or 5.14 percent of the total. In 1996 it was 25 representing 2.11 percent.

The fall in the number of arrests at the Nations international airports between 1994 and 1996 is for one indicative of tighter security at these positions by the Agency.

The then Chairman and Chief executive of the Agency Major General Musa Bamaiyi attributes this trend of arrests within the past three years to uncompromising onslaught the Agency has carried out on illicit drug dealers. While traffickers now find the exit points unsafe leading to a fall in the number of arrests in these places, the rise in the number arrested in other place indicates that our field operatives have redoubled efforts in hither to neglected areas. This trend he promises would continue till the nation was rid of hard drugs. {DRUG SALVATION FORCE,.1997 V.3, NO 1 P9}

In 1997 alone 17, 683.012 kg of illicit drugs were seized from traffickers. This indicates a drastic reduction in incidence of drug trafficking in the country when compared

with 19,834,2686 kg seized in 1996 the Agency has succeeded in arresting so many traffickers including the seizure and destruction of their illicit drugs. Between 1994 to 1997 a total of 5,050 arrests were made.

Trafficking by Air has remained and is still first route of choice because it provides a fast and quick means of transacting business. However, with the intensification of security at the checkpoints all over the country, traffickers have resorted to land routes, making use of our borders. Due to the intra-city/inter-city and cross border movement of illicit drugs especially cannabis, the Agency resolved to mount checkpoints on the high ways. These check points have proved very effective, as a result the arrest across the Nation is over whelming.

The Agency also introduced patrol at the seaports and the riverine areas with the acquisition of 54 patrol boats from mid 1996/1998 for interdiction work along the nations waterways. Drug trafficking through the sea had been common decimals. It is to date the most convenient means of conveying large quantities of illicit drugs into and out of any country.

Apart from law Enforcement, the conduct of in-depth drug investigations, which have exposed some drug barons who hither to were seen as untouchables, has been of immense credit to the Agency.

There are security reports confirming massive cultivation's of cannabis in the country. As a result, strategies were put in place to control illicit cultivation and distribution of this plant. First was the decentralization of the activities of the Agency to cover the whole Nation.

Presently, NDLEA operates through twenty zonal commands and over hundred Area Commands.

More so there is another strategy tagged "operation burn the Weed." (OBW). The scheme was launched in the first quarter of 1994 in response to the growing menace of cannabis. This strategy is aimed at immediate destruction of cannabis farms when discovered.

Also, a programme tagged 'Community Mobilization against cannabis cultivation has been on. This method involves ward to ward, village to village campaigns against cannabis sativa cultivation and the arrest of landowners in the event of the arrest of an Indian hemp cultivator. This programme has yielded results as landowners now volunteer information that has led to many arrests.

Inspite of this trend, the perpetrators of Indian hemp business have moved their farms far into thick forest reserves where they worked mostly at nights for fear of being raided during the day. In fact the destruction of Indian hemp farms are made difficult as a result of the size of the farms and the long hours of trekking to get to their locations. In this regard a proper liaison has been initiated with the state ministry of agriculture to detail forest guards to properly police the forest reserves, and pass on information on farms to the agency operatives who also carry out periodic surveillance of the forest reserves.

The promulgation of the money laundering decree 3 of 1995 by the federal government seeks to counter the laundering of proceeds from drugs and other illegal business activities.

Investigations are carried out in banks and other financial institutions to identify cases related to money laundering as stipulated in the decree. Persons found guilty are

dealt with according to the Law as soon as investigations are completed. The Agency has made some tremendous progress in the execution of the money laundering decree. For instance during the Bamaiyi year's account has been frozen, and forfeiture of numerous posh cars has been made and such people involved are standing trials accordingly.

In order to deter illegal traffickers from acts that could tarnish the image of the country, arrested drug offenders after serving their jail term abroad are made to serve another term on return to Nigeria.

This serves to punish them for putting the name of the country into disrepute and to deter others. In addition photographs of arrested drug traffickers within and outside the country are published in the Agency's magazine Drug salvation force.

Also, the enforcement of laws especially the forfeiture of assets of drug convicts to the federal government of Nigeria has helped to scare some prospective dealers. As soon as an arrest is effected, all the valuable assets of the suspects are seized and upon conviction are forfeited to the government.

To deter intending traffickers from making their unwhole some trip abroad, the agency also screen Nigerians intending to travel to source countries like Bangkok, Peru Laos, etc. During this process, intending travelers are made to submit some vital documents and guarantors after which intelligence report is written on them. When cleared, a clearance certificate is given to them to enable them obtain a visa from the country's embassy.

The power to carry out prosecution of drug offences is vested on the prosecution unit of the Agency by decree 48 of 1989, offenders were formerly prosecuted before the miscellaneous offences tribunal. But now jurisdiction is vested on the federal high courts.

In the area of drug demand reduction, the drug demand reduction unit (D.D.R.U) of the Agency made the following achievements:

a. Carried out campaigns, organizes seminars and workshops which are meant to scare and educate the general public on the dangers of controlled drugs.

b. Renders after-care rehabilitation, social re-integration and education of addicts.

c. Promotes the welfare of convicts of drug related offences.

d. Formulate and implement programs touching on illicit drug use reduction, which are culturally relevant and feasible in Nigeria.

Towards the achievement of its dreams the directorate of drug demand reduction broadly institutionalized the following divisions, which are mutually complementary in character:

They are:

KASHIM IBRAHIM LIBRARY

a. **PUBLIC ENLIGHTENMENT PROGRAMMES.**

This division uses all channels of communications in its anti drug campaigns which are designed to arouse public awareness, thus giving a reliable information on the dangers of illicit trafficking and use as well as conscientising the target population enmeshed in the drug menace and yet to be vulnerable group.

This section uses the following strategies: -

1. The employ of documentary and drama. Campaigns and lectures on the drug threats.

2. Pictures and charts showing varieties of drugs with the effect of drug use.

3. The use of the electronic media and sponsorship of a thirty minute radio drama production on the drug problem in Nigeria. Radio - TV. Advertisement, jingles etc.

4. Training and mobilization workshops and seminar are organized.

A. Preventive drug education for schools

B. Guidance and counseling

C. Drug education for general populace

D. Social welfare and rehabilitation programme. etc.

From the foregoing, it is evident that Nigeria has done more than enough to convince the whole world that it is co-operating towards the elimination of drug trafficking and abuse. Nigeria has also done enough to be certified by the United States going by the remarkable achievements of the NDLEA during the period of General Bamaiyi.

But it is disheartening to hear from the US Ambassador to Nigeria William H. Twaddle (1998: p3) in a speech in ABU Zaria that Nigeria has not yet met the required standard. He said inter-alia that:

"Since 1994 we have, in the American legislative context decertified Nigeria because it has yet to meet the specific, technical performance standards applied to all countries designated as major narcotics producers or transit centres. We welcome progress on curtailing corruption at the national Drug Law Enforcement Agency and we recognize NDLEA's energetic efforts to implement its mandate. However, we continue to await the arrest and prosecution of major traffickers, the effective implementation of the

anti money laundering decree and the commitment of sufficient resources to allow Nigerian Law Enforcement Agency to turn into reality Nigeria's comprehensive national Drug Control Program."

This was a rather bias assertion. However, whatever action Nigeria should take must be based on fairness, justice and the rule of law. Nigeria should forget the pressures of the bias western Nations. If nobody commends Nigeria for a job well done, it should commend it self.

4: 06 SUMMARY

In the chapter we critically looked into the international politics of drug control. Despite all the successes achieved by Nigeria's drug enforcement Agency the western countries still regard Nigeria as not co-operating enough in terms of control of illicit drug trafficking and abuse.

We also examined how the U.S decertified Nigeria on the ground of not meeting the standards required from countries designated as major narcotic producers.

We looked at how the U.S A. turned blind eye on the drug activities of some of her neighbours in the Caribbean, central and Latin America.

We also saw that democratization of Nigeria was the central cause of Nigeria's decertification and not illicit drug trafficking.

We studied the effect of drug trafficking on Nigeria's economy and image abroad.

Finally, we examined the achievement of Nigeria's Drug Enforcement Agency under General Musa Bamaiyi.

In this period more hard drugs traffickers were arrested than in the previous year and more strategies of control were introduced.

We also saw that the successes recorded by NDLEA in this period were due to the uncompromising onslaught the Agency has carried out on illicit drug dealers. These achievements also showed that Nigeria has done enough to be certified by the U.S.A.

CHAPTER FIVE

SUMMARY AND RECOMMENDATIONS

5. 01 SUMMARY OF FINDINGS

As a result of this study the following findings are established:-

(1) In realisation of the threat and danger which illicit drug abuse and trafficking is posing to the health and welfare of the society, the united Nations enacted international laws and conventions.

These laws are:- the singles convention on narcotic drugs of 1961, the 1971 convention on psychotropic substances, the 1972 protocol amending the single convention on narcotic drugs of 1961 and lastly the united nations convention against illicit traffick in Narcotic drugs and psychotropic substances of 1988. The existence of so many conventions of all multilateral bilateral agreements and conventions of narcotic drugs under the aegis of the United Nations into one treaty. This treaty which most members of the U.N.O. implemented has considerable impact on the drug control strategy of member nations, leading to the reduction of the drug menace. This finding has tallied with the first proposition. The preposition is:- illicit traffick and abuse in narcotic drug and psychotropic substances poses a serious threat to the health and welfare of human beings. In the light of this, the United Nations enacted international laws and conventions which is currently implemented by member nations.

(2) That Nigeria has exploited the provisions put in place by the United Nations for eradication of drug trafficking and abuse. The first effort Nigeria made was the

putting to an end, the haphazard activities in drug control due to non – existence of a centralised Agency. This Nigeria did by promulgating Decree 48 of 1989 which established NDLEA. The legal status accorded NDLEA gave her power to control the ILLICIT traffick in narcotic drugs and psychotropic substances. The Special units are:-

(3) The General and Assets investigation

(4) Prosecution Unit

(5) Drug demand reduction unit and

(6) The training and research development unit

NDLEA therefore tackled both the drug demand and supply reductions

To further make an impact on the conventions adopted against ILLICIT drug trafficking, the Agency launched the National drug control strategy. (NDCS). This was in line with the United Nations General Assembly plan of action 1994.

This strategy adopted by Nigeria led to the reduction of drug abuse and trafficking in the country.

This finding also tallied with the second and third propositions. The propositions are: -

(a) So long as Nations of the world subscribe to the UN's conventions on illicit drug trafficking and abuse, as well as device drug control strategies in their countries drug problem will be reduced.

(b) It is also proposed that the introduction of the National drug control strategy by Nigeria will lead to elimination or reduction of drug trafficking and abuse in the

(3) That, as a result of the international politics of drug control, despite all the successes and achievements made by Nigeria's Drug Enforcement Agency, the western countries still regard Nigeria as not co – operating enough in terms of control of illicit drug trafficking and abuse. A Typical example is the United States. The United States decertified Nigeria on the ground of not meeting the standard required from countries designated as major narcotics producers. The USA turned blind eye on the drug activities of some of her neighbours in the Caribbean, central and Latin America. In reality the crux of Nigeria" decertification by the U.S was the refusal of the military regimes of General Ibrahim Babangida and General Sani Abacha to democratize Nigeria.

We also found out that from 1994 to 1998 the NDLEA under the leadership of General Musa Bamaiyi arrested more hard drug traffickers than in the previous years. Yet Nigeria was not certified by the U.S. This finding tallied with the last proposition that Nigeria's effort of eliminating drug trafficking and abuse is be devilled by international drug control.

(4) That all the findings have tallied with the proposition regarding this study mentioned in chapter one.

5. 02 RECOMMENDATION:

From the above conclusion and our analysis and investigation into the impact of international laws and conventions of illicit traffic and abuse on Nigeria's narcotic drug control strategy, we are inclined to suggest ways to vigorously fight the drug menace.

Nigeria should review her National pharmacy laws in such a way that she would exclusively limit the trade and usage of controlled drugs, so that the possibility of diversion of these drugs would be reduced and finally stopped. This would help in saving youths from illicit use of drugs.

Drug addicts should be easily identified, rehabilitated and socially reintegrated in a most conducive environment so that they will not relapse into recidivism. To strengthen her rehabilitation system, Nigeria should seek for more financial and technical assistance from friendly nations and United Nations. This would be further enhanced, if bilateral and multilateral co-operation, being an essential supplement to the campaign against illicit drug trafficking would be regarded as a value instrument, meant to help her acquire necessary resources. This aid given her would enhance crop substitution programme in the cannabis sativa-growing regions of Nigeria should she tend to relax the NDLEA's operation burn the weeds programme.

Exchange of information and intelligence reports is very much indispensable in totally eradicating illicit drug trafficking. To this end, since the plague is a serious one, Nigeria must highly acquire and utilize human and material resources. Nigeria must therefore assist some West African States and receive assistance from other technologically advanced states so that anti-drug agencies in West African sub-region could be properly computerised, practically embark on internet connectivity and proper information management. Hooking up and riding through the worldwide network would enhance exchange of information and intelligence reports so that drug trafficking cartels would be hit below the belt.

NDLEA Decree 48 of 1989 was promulgated which contains stiff sanctions with wide powers, coupled with memoranda of understanding which were signed with Britain and the USA to coordinate efforts in routing the menace. NDLEA was also set up to co-operate with such foreign agencies to ensure that Nigeria's borders seas and ports are properly guarded to make illicit of convicted drug traffickers in order to deprive them of the fruits of their dangerous adventure. However, Nigeria's purpose of entering and ratifying the conventions needs to be pondered upon and given a rethink. The next step is then to assess her level of participation in the global drug control system.

To this end if Government is serious in her interdiction efforts, Government should increase the budget meant for drug interdiction so that success would be recorded at different levels in Nigeria, because of the high syndicated and global networking nature of illicit drug business.

From the local level the entire citizenry have to be educated through enlightenment campaigns, to be aware of the negative effects illicit drug trafficking and use have on an individual. Once an individual is wrecked because of the drug problem, he or she becomes a source of heartache and burden to his family and the entire Nigerian society. He also becomes a burden on the economy, because of the cost of treatment.

Consistent and effective parental supervision and guidance are needed so as to prevent the younger ones from being susceptible to undesirable association and peer group pressure.

Government should not ignore psychological and emotional turbulence that comes from detachment from families, jobs, religion and bleak career future and advancement, etceteras. While NDLEA continues her public enlightenment programmes, it

intensification must be felt, so that people will continue to be aware of the dangers inherent in experimenting with controlled drugs, even in schools. Again, NGOs, UNDCP and NDLEA should review their joint efforts at identifying drug addicts, treating, rehabilitation and social reintegrating them into a better environment.

In pursuing the drug demand reduction, NDLEA need to intensify the identification of farmlands of narcotic drugs and open burning of weeds. For NDLEA to advance their drug campaign into the villages, where cannabis sativa are cultivated, local heads or chiefs who are the custodians of society have to be involved and properly paid. If there are ever any culprit, the supreme head and council of chiefs constituting the political authority have to decide to exile the culprit from the community. Thus, this effort would serve as a deterrent to would-be growers of narcotic crops. Identification of growers of narcotic crops could only be possible if NDLEA in collaboration with local political authority recruit and pay errand boys from the community who are expected to report to the police about drug related cries, who in turn would notify NDLEA for a surprise raid.

This is necessary because the errand boys know better those perpetrators of the drug crimes and even if any, women collaborate with those perpetrators. A place like Lagos, area boys would help since they are in the better knowledge of what happens in every nook and cranny of Lagos. Individual anonymous calls or reporting to NDLEA must be encouraged and taken very seriously because that approach is efficient in detecting and interdicting efforts, and protecting the informer from attack.

In relation to legal strategy, the police, NDLEA, the federal high courts are used in the country's justice system to punish drug offenders, which is supposed to serve as a

deterrent to unbending traffickers and users of controlled drugs. To this end, if punishment is only applied, there is likelihood that the offender would be hardened and so, emphasis should not be one aspect alone but a balanced approach. That is, relevant custodian institution should be designed in such a way that offenders are punished, reformed and integrated into a conducive environment, provided a trade or vocation, accepted as contributors in the socio-economic development of the society and not stigmatized in any way.

Sophisticated modern day technological facilities and gadgets such as high sensing equipment to detect concealed drugs, sniffer dogs etceteras should be provided for professional detectives, who are trained to handle the gadgets, so as to uncover drug trafficking activities and to protect their lives too. Government should embark on tighter border controls and increased surveillance at Nigeria's ports and borders areas. The military could even work with NDLEA in patrolling Nigeria's land and sea borders and territory since the geographical conditions of Nigeria make it susceptible to the illicit transit traffic. This will go a long way in enhancing law enforcement in combating the illicit traffic in controlled drugs. In this vein, the NDLEA recently realized the urgent need for the police to work closely with her in combating the drug problem in Nigeria. The role of police and NDLEA therefore, should be defined in order to prevent rivalry and conflict. The police should be given adequate training in diverse techniques of fighting the illicit drug trafficking and use.

The remuneration of NDLEA staff needs to be vigorously improved and other incentives given them, since drug law enforcement is a very sensitive and risky issue. Their salaries should be promptly paid also. Deserving officers should be adequately

rewarded. This is to enable them resist the luring manipulations of drug barons. NDLEA also need to look again at, reviewing and improving her insurance, assurance policies and covers for all NDLEA staff. The staff welfare unit of NDLEA needs to expand the scheme to include immediate family members of staff, which work in the danger zone areas such as detective, and destroyers of cannabis sativa farmland. The lives of the family members are also exposed to danger because of the vindictive nature of aggrieved drug barons, traffickers, narcotic farmers etceteras.

The Government should properly channel the proceeds raked from oil sales, so that the economy would be revamped. With the liquefied natural gas project in place at Bonny, Rivers State; production of gas should kick off so that the nation will shift part of her total dependency on oil to gas. This will yield more revenue for the country and create jobs for her citizens. The same applies to the agricultural and manufacturing sector. Their promotion and development will create a firm economic base for Nigeria and further facilitate her ability to meet her drug treaty obligations without having to depend on the West for financial assistance. She would even help other African countries to increase interdiction efforts in the drug campaign.

While alleviating the suffering of the masses, improving on their living standard, creating new jobs or gainful employment, improving their welfare, the National Health Insurance scheme that has not been put to work for years, should be invigorated so that mortality rate will be low. This would considerably close the vast chasm separating the rich and the masses.

NDLEA should be given an uninterrupted autonomy to arrest anybody involved, from the top echelon down to the social fabric of the Nigerian society. The judiciary also

should be give total autonomy and control, so that NDLEA could work in close co-operation with that arm of Government.

The public enlightenment unit of NDLEA in collaboration with the print and electronic media should educate Nigerians on the need to have obligation towards international law. They should be made to internalize the constraint of the law. But this is only possible if there is a pervading transparency in the structures of Government who are the custodians of the law. If it is the contrary, Nigerians will only see the adoption of international law, which they are obliged to respect, as a means of frustration and preventing those who want to take a chance on illicit drug trafficking in order to, survive (Axel Klein, 1994 p.663). To this end, NDLEA and the Government should encourage Nigerians to further help NDLEA meet the international drug treaty obligations.

The possession of Nigeria passports by non-Nigerians should be the main concern of the immigration service and corrupt officials should be prosecuted appropriately. This should also apply to Ministries of Internal Affairs, External Affairs and the country's diplomatic staff abroad. It may make sense to say that most black men, holding Nigerian passports and caught in drug and other crimes abroad are not really Nigerians.

The furnishing of information by Nigerian Ambassadors abroad to NDLEA about the activities of Nigerian traffickers should be intensified. The pictures and names of Nigerian trafficker should not only be published but also aired on a special programme in the print and electronic media which would serve as a deterrent to would-be Nigerian traffickers.

Nigeria should aim at achieving her objectives through increased regional and international cooperation's. She should work through NDLEA with other States drug

agencies and inter-governmental agencies and NGOs in eliminating the drug menace. Interdiction efforts should be encouraged around the Chad basin area with personnel, speed boats, patrol vehicles, working offices, telecommunication facilities provided. From here, there will be a further strengthening of the regional block with the positive impact at the interregional and inter-continental levels.

It is very needful that all the various units of NDLEA spread all over the states of the federation promptly complete and return the questionnaires sent to them by NDCS. This is to enable the NDS collect and send the information UNDCP in Lagos or Vienna needs. If the units are reluctant to cooperate with NDCS, the efficiency of both the national and global drug control systems is retarded. To this end, staff training at NDLEA should include as a matter of necessity, research orientation and evaluation through the use of computer. Management Information System should not only be entrenched in NDLEA's central and zonal offices but improvement should be made on that area. This will enhance a mutual and effective control between NDCS and other units.

The philosophy and objectives behind the formation of NDCS and DDRU NDLEA and their functions should be distinctively set out so as to avoid the duplication of functions and waste of resources, clash or rivalry. Since NDCs is coordinating body on the internal and external activities of NDLEA, it is still subservient to NDLEA. Therefore, it is needful that an independent expert committee be set up by the Government, but whose selection and appointment is largely determined by the populace or public working groups, professional bodies, international organizations based in Nigeria, traditional political leaders etceteras. The independent expert committee should be made to monitor and evaluate the activities of NDLEA and NDCS and ensure that there is a vigorous and

functional implementation of anti-drug measures in compliance with the treaty provisions. Their meeting and deliberations should be biannual and their remuneration for the two sittings come from UNDCP.

If drugs under control are classified because of the perception of their dangerous nature, alcohol should be regarded as a CNS altering drug because of the increase in road accidents in Nigeria.. Like Russia for example, the production and distribution should be strictly under government monopoly. In addition, taxation should be highly placed on alcohol consumption so that the money or proceeds would be used to help the destitute and further strengthen the rehabilitation system or centre. Tobacco advertisement in the country 'sprint and electronic media, billboards, sponsorship of musical, sporting, soap opera etceteras programmes should be discouraged. Glamorization of tobacco smoking on the television, the warning statement as mandated by the Federal Ministry of Health and social welfare not withstanding, increase the rate of tobacco consumption amongst the society's youth which could further lead to experimenting with controlled drugs. The end result would be social crimes and more addicts in rehabilitation centres and a heavy burden on the economy. More consumption amongst unidentified addicts would heighten illicit drug trafficking, more work for NDLEA and more global attention to Nigeria's drug problems. So, it is a chain reaction that must be nipped in the bud right from the roots: tobacco and alcohol consumption.

Nigeria should continue and fully utilize the programmes designed by UNDCP meant to properly mobilize and organize the society. NDLEA should adequately guide UNDCP in developing the rural areas through crop substitution programmes especially cannabis sativa producing areas of Nigeria, alleviate poverty, promote the health care

system, educational system, unemployment reduction etceteras. Funds from UNDCP and other international organizations and NGOs should be properly managed and channeled towards meeting the country's drug treaty obligations. The same applies to confiscated proceeds from drug traffickers and barons. There should be the prompt implementation of UNDCP's plans and programs for Nigeria's drug control programmes by the NDLEA.

In 1998, the U.S. ambassador to Nigeria, Mr. William Twaddle paid a courtesy visit to NDLEA chief, Major-General Musa Bamaiyi at NDLEA Lagos. There he declared the US intention in renewing the rendering of assistance to Nigeria, towards the eradication of illicit drug trafficking, with its positive impacts spilling into the West African sub-region. We suggest that the NDLEA utilize this opportunity judiciously which would lead to a broader and higher cooperation between Nigeria and the USA. The country needs more number of narcotic agents trained up to international standard, but would have a national significance. So, any officer who merits or meets the requirements should be sent abroad for training.

We also suggest that Western countries such as the USA should intensify her drug demand reduction programmes, since it is believed that drug demand fuels the illicit supply of controlled drugs. This would go along way frustrating traffickers.

The last, but not the least, is the urgent need for the radical reformation and equipping to a global standard, the forensic laboratory at Oshodi in Lagos where drugs seized from traffickers are analyzed and tested. Efforts should also be made to prevent drug barons from manipulating the forensic laboratory officials. This is to ensure reliability in the results of the tests conducted on such seized controlled drugs. NDLEA

should also not only fully develop the laboratories that the yet to be completed but have more laboratories in Port-Harcourt, Warri, Kano, Abuja, Adamawa and Enugu.

Finally, it is a well known fact that, the problem of trade and abuse in narcotic drug and psychotropic substances is a complex one. It is a problem that has been worsened by the complexity of international politics. The issue of drugs is a global one, but unfortunately the very powerful in the global community are not sincere in the way they handle it.

Nigeria has been castigated by the Western media and their government for "not co-operating enough" to tackle the drug problem, while at the same time, Western Governments are prepared to support very powerful drug barons else where, apparently to protect their National interests. It is such double standards that make the problem more complexes than it should be.

Whatever action Nigeria should take must be based on fairness, justice and the rule of law not dependent on pressures by the Western governments and their allies. Of course allowing drugs to infiltrate our communities will be dangerous to our economic and social well being. Such a situation is capable of destroying the very foundation of the society. We must therefore resist the cultivation, production, trafficking and abuse of narcotic drugs and psychotropic substances. However, any law or decree promulgated must be in the collective interests of the society. While the individual matters and his fundamental rights as guaranteed by the constitution must be protected, the survival of the society as a collective entity must take precedence.

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