

**AN EMPIRICAL ANALYSIS OF THE CHALLENGES AGAINST THE PROLIFERATION OF
SMALL ARMS AND LIGHT WEAPONS: SPECIAL FOCUS ON NIGERIA**

BY

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ABSTRACT

The proliferation of small arms and light weapons (SALW) in Nigeria remains a critical impediment to National security, social cohesion, and sustainable development. Despite several national and international interventions, the challenges of curbing the illicit flow and circulation of SALW persist. This paper empirically analyses some key challenges hindering effective control of SALW proliferation in Nigeria. It uses socio-legal methodological approach thereby combining doctrinal with the qualitative research approach. Interviews with policy makers and experts in the field were conducted and data generated. The paper identifies institutional weaknesses, porous borders, weak enforcement mechanisms and socio-economic drivers among others as major obstacles. The findings underscore the need for a comprehensive approach that strengthens institutional capacities, improves border security, addresses underlying socio-economic grievances, and enhances regional cooperation. Policy recommendations are proposed to guide stakeholders in formulating more robust control measures.

Keywords: *Challenges, Proliferation, Small arms, Light weapons, Nigeria*

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1.1 Introduction

The proliferation of small arms and light weapons (SALW) has become one of the most pressing security and development challenges facing Nigeria. SALW contribute significantly to violent conflicts, armed robbery, banditry, terrorism, and communal clashes, undermining peace and security. According to United Nations Development Programme (UNDP) approximately 70% of the illicit weapons circulating in West Africa are concentrated in Nigeria. Despite several initiatives, including Nigeria's ratification of the ECOWAS Convention on Small Arms and Light Weapons, 2006, and the establishment of the National Centre for the Control of Small Arms and Light Weapons (NCCSALW) in 2021, control effort has yielded limited results. This paper seeks to analyse some of the challenges confronting these efforts.

1.2 Literature Review

Previous studies have established a strong connection between the availability of SALW and the prevalence of armed violence in Nigeria.² Scholars attributed the proliferation of SALW to several factors, Nigerian porous borders³, Usman et al identify porous borders, poverty, unemployment, weak institutions ethnic conflict and non-state actors as major contributors.⁴ While commenting on border porosity Spencer noted that the border is the first line of defence against terrorism and the last line of a nation's territorial integrity.⁵ Effective border management is therefore, vitally important for the preservation of national security.⁶ Furthermore, Malami et al highlighted that corruption is central, it undermines enforcement, border security and stockpile management.⁷ However, Isah, Luka & Philip stress border insecurity increases illicit markets, and recommended

²Okeke, V. O. S., and R. O. Oji. "The Nigerian state and the proliferation small arm and light weapons in the northern part of Nigeria." *Journal of Educational and Social Research* 4, no. 1 (2014): 415-428.

³Ebaye, S. and Bassey, B.O., 2021. Porous Borders and Weapons Proliferation: a threat to Nigeria's security. *Quest journal of research in humanities and social sciences*, 9(12).

⁴Usman, A., 2021. Background: Small Arms, Violent Conflicts. *The Palgrave Handbook of Small Arms and Conflicts in Africa*, p.17. Krahmann, Elke. "From state to non-state actors: the emergence of security governance." In *New threats and new actors in international security*, pp. 3-19. New York: Palgrave Macmillan US, 2005. Anders, Nils H. "The role of non-state actors in the European small arms regime." (2003).

⁵Nosiri, Uzoma D., and Eudora U. Ohazurike. "Border security and national security in Nigeria." *South East Journal of Political Science* 2, no. 2 (2016).

⁶Eselebor, Willie A., and Okunade Samuel Kehinde. "Border management and Nigeria's national security." In *Democratic practice and governance in Nigeria*, pp. 207-224. Routledge, 2020.

⁷Malami, Salisu, Nor Anita Abdullah, and Zuryati Mohamed Yusoff. "The Proliferation of Small Arms and Light Weapons in Nigeria: Corruption a Major Challenge." *Malaysian Journal of Law & Society* 29 (2021).

the need to amend the 1959 Firearms Act.⁸On his on part, Fidel examines how competition between security agencies such as police, Customs and military weakens efforts to control SALW at Nigeria's porous border. He calls for improved inter agency collaboration.⁹On legal regime, scholars such as Awotayo and others review Nigerian's Firearms Laws and ECOWAS Protocols on SALW, concluding that outdated national legislation and poor stockpile control hinders implementation and serves as a serious challenge to SALW control.¹⁰ Ibrahim and Abdulkadir analyze regional SALW movements, showing how Nigeria's Atlantic coastal position enables trafficking linked to banditry, kidnapping, herder farmers crises, and electoral violence.¹¹Regional dynamics, such as spillover of arms from conflict in Libya, Mali, and Chad have also aggravated the situation.¹²While international frameworks, such as UN Programme of Action on SALW and ECOWAS Conventions, provided regulating guidance, local implementation remains crowded with challenges. This paper builds on this literature by providing empirical evidence of these challenges from the primary data generated from the interviews conducted with the stakeholders in the area of research in Nigeria.

1.3 Research Methodology.

The research methodology adopted is the socio-legal research method. It employs the doctrinal legal research method and the qualitative social science research method¹³. The Interviews were the empirical data collection method. The doctrinal method is the mainstay of legal research and was chosen to cater for the textual analysis of the legal and institutional framework on the regulation of the proliferation of SALW. The qualitative research method was the phenomenological method that entails the exploration of the live experience of research

⁸Isah, Benjamin, BaiyiViniru Luka, and Umar Philip. "Proliferation of Small Arms, Light Weapons and Nigerian Security: A Case Study of North-Eastern Nigeria." *Kashere Journal of Politics and International Relations* 2, no. 1 (2024): 169-181.

⁹FIDEL, AGABA IDUH. "INTER-AGENCY RIVALRY AS A MAJOR CHALLENGE FOR CURBING THE PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS'IN NIGERIA." *International Journal of African Development and Sustainable Research* (2024).

¹⁰Awotayo, Olagoke Oluwafemi, Olawale Olufemi Akinrinde, and OlowogboyegaOyebade. "Proliferation of illicit arms and control mechanisms in Nigeria: A critical socioeconomic analysis." *Acta Politica Polonica* 53 (2022): 5-14.

¹¹Ibrahim, Bashir, and Yahaya Abdulqadir. "Small Arms and Light Weapons Proliferation in West Africa: Implication for Nigerian Security." *Kashere Journal of Politics and International Relations* 3, no. 1 (2025): 63-74.

¹²Shihundu, Felix. "Libya: Arms Proliferation and Armed Groups. The Libyan Conflict Revisited." *Conflict Studies Quarterly* 38 (2022).

¹³Ezirigwe, Jane, and Jan Glazewski. "Conducting Socio-Legal Research in a Conflict Area during a Pandemic: Reflections and Lessons for Future Researchers." *Journal of African Law* 68, no. 2 (2024): 231

participants¹⁴. Ten interviewees were involved and were carefully selected guided by the purposive sampling research method. This method dictates that only persons or experts with requisite information on the phenomenon of research are to be selected¹⁵. In meeting this research requirement, staff from law enforcement agencies such as the police, the Department of State Services (DSS), the Custom and Excise and the Immigration Service were selected. Others are academics with specialization in security studies and law enforcement.

The content and thematic analysis approaches were adopted. While the content analysis was deployed on the doctrinal materials, the thematic analysis was adopted for the qualitative data generated from the interviews.

1.4 Critical Analysis of the Challenges for the Regulation and Prevention of Small Arms and Light Weapons Proliferation in Nigeria

This section of the paper contains analysis of the empirical data collected through the semi structured interviews on legal and institutional challenges for control and prevention of SALW proliferation in Nigeria. Similarly, ten interviews were conducted with the relevant stakeholders on the challenges of SALW proliferation in Nigeria. An interview protocol was designed. A set of questions were developed on the key areas of the study. From the analysis several themes emerged. These include the challenges for the control of proliferation of SALW and the need for stakeholder engagement among others. These themes were thematically analysed and as required the arguments and facts were supported with sufficient excerpts from the transcribed interviews. The analysis reveals that responses from the interviews support the finding in existing literature on the key challenges for the regulation and control of the proliferation of SALW. The themes are examined and analysed.

1.5 Challenges for the Control of the proliferation of SALW

The Nigerian authorities suffer many challenges in curtailing the problems of weapons proliferation and their resultant consequences. These challenges are motivated by the poor legal and institutional capacity as described by Antony and Uwa. From the institutional angle, Nigeria

¹⁴ Burton, Mandy. "Doing empirical research: Exploring the decision-making of magistrates and juries." In *Research methods in law*, pp. 63-78. Routledge, 2013.

¹⁵ Kelly, Susan E., Ivy Bourgeault, and Robert Dingwall. "Qualitative interviewing techniques and styles." *The SAGE handbook of qualitative methods in health research* 19 (2010): 307

was a signatory to the many instruments, treaties and convention on small arms and light weapons. But however, it remains the only country among the fifteen members States of ECOWAS without National Commission on SALW. As a result of that SALW endure to flow into the country raising a question of whether there is absence of commitment or absence of capability to address the problem.

On the other hand the main principal law dealing with the SALW, the Firearms Act needs to be overhauled to accommodate current issues on control and prevention of SALW proliferation. The law on SALW received limited review in 1966, 1990, 1994 and 2004 most of which are on citations of law and not on the main provision of the law.¹⁶ The following are some of the legal and regulatory challenges to the control of arms proliferation in Nigeria.

(I) Legal and Institutional frameworks as a Challenge

The laws for the control of the proliferation of Small arms and Light Weapons (SALW) featured in the responses of the interviewees as one of the factors militating against the control of the proliferation of SALW. This is a problem in the security circle. Many scholars give their opinion on the adequacy or otherwise of the firearms Act 1959. According to Abdullahi

“The main statutory provisions on firearms are elastic enough to cover the types of weapons referred to as SALW. The Act is however inadequate in several aspect and fall short of the present-day bench marks on regulating and deterring proliferation of illicit arms.”¹⁷

Similarly, Okoro while lamenting on the years the Act took without meaningful amendment, described it as “obviously outdated and therefore overdue for review to synchronize their provisions with current international standard in combating the SALW scourge”.¹⁸ Respondent 1 captured the problem when he stated that “law on SALW is outdated it need to be reviewed and cases and issues need to be factored, criminalised and appropriate punishments provided.

¹⁶Mba Atinna, “The Economic Community of West African State (ECOWAS) and the Control of Illicit Proliferation of Small Arms and Light Weapons in West Africa (1998-2005),” *ETD Collection for Robert W. Woodruff Library, Atlanta University Center* (University of Atlanta, 2008).

¹⁷ Ibrahim Abdullahi, “Contextualizing the Proliferation of Small Arms and Light Weapons in Nigeria: The Untold Story,” *International Journal of Business and Law Research* 3, no. 1 (2015): 10.

¹⁸ Helen Chuma Okoro, “Proliferation of Small and Light Weapons in Nigeria Legal Implications,” *Law and Security* (2011): 306. Laura Mazal Christiane Agbone-Johnson, Adedeji Ebo, *Small Arms Control in Ghana, Nigeria and Senegal* (London, 2004).

Similarly, when we talk about the law, the problem may not be limited to the law alone the criminal justice system has a lot of problems in Nigeria.” In a related response, Respondent 8 stated that

“When we look at the Firearms Act it needs serious amendment because there are obsolete provisions and how the law can be enforced. The law of 1959 cannot work effectively in 2024 due to changes in the behavior of people, urban development and population growth.”

Respondent 1 further asserts that “the law made in 1959 (the Fire Arms Act) is the same law we are relying to regulate firearms related activities in 2024 certainly the disparity is so wide, and the gaps are so many, you may have fruitless litigation or argument at the end of it both systems suffer with nothing for the country.”

Respondent 3 further stated that Nigeria has laws for the regulation of SALW, but the problem is that of being up to standard and not implemented. Respondent 3 said

“Although laws exist but the sufficiency of the law will be weighed from the perspective of international best practices and international standards and I can tell you there is room for amendment in terms of the content of the law and mechanism for enforcing the law.”

Some of the inadequacies of the legal framework are seen in the light of the punishment provided for illegal possession of small arms and light weapons. Imohe concedes that punishments for SALW related offences are not “strong enough to ensure deterrence and enforcement in the event of breach.”¹⁹ Expressing his dissatisfaction with the penalties for illegal possession of SALW, Respondent 4 stated that

“I am not satisfied because if you want actually stop the weapons proliferation in Nigeria we must introduce stiffer penalties. I think death penalty should be introduced especially were people were found providing weapons to insurgents, armed robbers, and kidnappers. Anyone found renting or selling weapons to criminals to commit murder, kidnapping should attract capital punishment. This

¹⁹ Laura Mazal Christiane Agbone-Johnson, Adedeji Ebo, *Small Arms Control in Ghana, Nigeria and Senegal* (London, 2004)p.24.

is the only thing that will deter offenders from engaging in such criminal attitude. The entire legal regime should be overhauled. Like I told you most of the laws are not actually on the proliferation of SALW but are mainly on illegal possession of SALW. They are not actually on the issue of selling or distribution of firearms.”

The delays in the judicial system especially when it comes to prosecution of traffickers and illegal possessors of SALW contribute greatly in the proliferation of the SALWs. Like any case criminal cases do linger for decades undecided. Despite technological advancement, judges in Nigeria still write long hand proceedings.²⁰ Commenting on this, Respondent 1 stated thus

“When we talk about the law the problem may not be limited to the law alone but also the criminal justice system. It has a lot of problems in Nigeria. Civil and criminal cases are in competition in the same court leading to the delay, confusion, corruption and many other things. In addition to this our judges are taking proceedings free hand they use their hand to write proceedings, to write their judgment and beside this, many of them were either average or below average in legal training. And therefore, they don’t read they allowed themselves to be confused or easily convinced by lawyer’s argument regardless of the fact whether the law was compiled or not so the problems are many probably having a separate court to enhance speedy trial of people arrested or charged with related crimes. This will hasten and will certainly assist, if you want the punishment to be effective it must be swift. Swift means immediate. It must be effective, and it must be commensurate to the offence committed.”

Additionally, the current legal regime appears to be more focused on the illegal possession without a corresponding arrangement to track and trace SALW illegally possessed in the country. According to Respondent 2

“Most of the laws we have on firearms are not rigorous and adequate as they concentrate more on the issue of illegal possession. We don’t have serious

²⁰ Chidi Nkwopara, “Recording Court Proceedings in Long Hand Shameful Antiquated,” *Vanguard* (Lagos, July 4, 2018). <https://www.vanguardngr.com/2018/07/recording-court-proceedings-long-hand-shameful-antiquated-san/>

legislation. The only laws can be seen in Firearms Act 1959 and Robbery and Firearms Act 1984. These are the only laws that deal with firearms related issues but unfortunately the laws centered on illegal possession of firearms. But you see how many people go to homes to see whether people have illegal firearms”

Other Respondents such as Respondent 10 equally argues that the legal framework is inadequate. According to the Respondent

“Legal and institutional framework in Nigeria is grossly inadequate taking into consideration the proliferation of weapons in recent time in some north eastern states of Borno, Yobe and Adamawa. The incidences of rampant killings and different kind of criminal atrocities are been done with SALW. So, my assessment is that the legal and institutional framework is inadequate to curtail and prevent the spread of SALW and its resultant consequences.”²¹

(ii) Border porosity

Tight border controls are fundamental means of reducing the proliferation of arms especially small and light weapons. Border porosity as seen in the previous chapters is a serious contributor to the circulation and proliferation of small and light weapons. Many scholars such as Hazen and Horner, attributed proliferation of SALW in Nigeria to lengthy and porous borders.²² This position has been confirmed by several Respondents involved in this research. These include Respondents 1, 2, 3 4, and 5. According to Respondent 5, “our land borders are porous. The porosity of these borders is equally a challenge more especially during dry season, everywhere is a route for the smugglers.”²³ Respondent 3 captures the point frontally when he stated that border porosity in Nigeria has received the lamentations of the Comptrollers of Customs and Immigration. The Respondent 3 stated thus

²¹ Interview with Interviewee 10 at his office ministry of justice, Audu Bako Secretariat Kano, Nigeria.

²² J. Hazen J.M. and Horner, *Small Arms, Armed Violence and Insecurity in Nigeria: The Niger Delta in Perspective* (Geneva, 2007). Zuryati Mohamed Yusoff, Salisu Malami, Nor Anita Abdullah, “Effective Border Security: A Strategy for Curtailing Arms Proliferation in Nigeria,” *International Journal of interlectual Discourse* 1, no. 2 (2019): 197.

²³ Interview with Interviewee 5 at his office Federal Secretariat, Federal Capital Territory Abuja, Nigeria.

“is an understatement. There are several thousands of kilometers across the Nigerian borders, I can say that Nigeria is one of the countries with highest porous borders. And believe you me substandard goods, arms etc. largely come through this border. There is high rate of smuggling through this porous border and the smuggled goods could include this SALW. If smugglers can dare the customs at the ports in Lagos and other places how much more of the porous borders? If they can have the audacity to import through the ports that are manned with the technology and personnel, your imaginations is as good as mine of what happen to the thousands kilometers of Nigeria porous borders, north, south, east, and western Nigeria. I am sure you are aware of the lamentations of controller of custom and other law enforcement agencies about the porosity of the Nigerian borders.”²⁴

Respondent 3 further contends that a rough calculation shows that the porous Nigerian border is more than the whole of Malaysia/Thailand border which is put at 640 kilometers.²⁵ The Respondent stated that “one can say if you put together the kilometers of porous borders in Nigeria may equal the entire borders of some countries including even the northern Malaysia.”²⁶

Responding on the number of legal and illegal border routes, Respondent 8 stated

“Frankly speaking our borders are very porous. We have approved border routes and we equally have illegal routes. The approved borders routes are the once approved by Custom and Excise Management Act. For example, in Jigawa state of Nigeria we have Maigatari which is approved border route, we also have BabbanMutum in Babura local government of the same state. In one village out of villages you will find as many as 30 illegal routes. Therefore, we need to amend our laws to legalize, man, modernized and secure those borders.”²⁷

²⁴ Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

²⁵ S. Arulldas and Jonathan Edward, “Sneaking Guns into Malaysia? Source Says so Easy,” *Malaymailonline*, 2016.

²⁶ Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

²⁷ Interview with Interviewee 8 at the North-West Nigeria office of the Nigeria Custom and Excise, Sani Marshal Road, Kano, Nigeria, on June 21, 2025

Respondent 1 equally opined that, “the border (in Nigeria) is very porous. The entry points are very many depending on the choice.”²⁸ The porosity of Nigeria’s borders according to the Respondent 2 aids smuggling as it is easier for the smugglers to cross the Nigerian borders using camels and donkeys.²⁹ Respondent 2 however believes that our borders unlike what obtains in some jurisdictions are porous because Nigeria does not have a wall around its borders. According to the Respondent “our borders are very porous because one we do not have walls.”³⁰ The Respondent believes that the porous borders are difficult to manage because of this porosity. He argued that

“Our borders are very porous and poorly manned. Today, we are complaining of major security challenges we have in the country which is Boko Haram, farmers/herder’s clashes. These are not ordinary clashes, but they are clashes with weapons, it is a complete mayhem. Havoc is being unleashed on the communities as our borders are porous and very open nobody checkmate anything. Smugglers cross the borders on camels and donkeys.”³¹

On how to secure our porous borders the interviewees offered wide range of options to the Nigerian state. These include among others the need to increase funding for vehicles, aircraft and provision of technological equipment and the fencing of the borders were proffered. The need for trained personnel and sniper dogs were additional recommendations. According to Respondent 2

“We need to properly guard and monitor our borders using modern technological instruments. In doing so we also need vehicles and we need to fence our border. For proper monitoring we also require train security personnel, dogs and aircrafts. Nigeria must also establish bilateral relation with its neighbors with the view to have proper cooperation in assisting arms detection. Nigeria is a unique country most of our neighbors are francophone

²⁸ Interview with Interviewee 1 at his Office, Department of Criminology, Faculty of Social Sciences, Bayero University Kano, Nigeria, on April 3, 2025.

²⁹ Ibid

³⁰ Interview with Interviewee 2 at his residence, Senior Staff Academic Quarters, Police Academy, Wudil, Kano, Nigeria, on April 19, 2025

³¹ Ibid Interviewee 2

countries. We need good relationship with them and their mother country France. As there are allegation that France is arming the Boko Haram.”³²

Recommending the ways to secure the porous Nigerian borders, Respondent 3 stated that:

*There could be scanners and other gadgets that could ease the work of the customs, immigration and other law enforcement agents. Technology is part of us and technology we must imbibe if we want to move in the pace other developed and developing world is moving. Non-existence of a specific agency.*³³

(iii) Rivalry between law enforcement agencies

Rivalry and inter agency feud among the security agencies in Nigeria is one of the major challenges for the control of SALW proliferation in the country. It was first reported in Port Harcourt in 1977 between Nigerian Army and Nigerian Police³⁴ This challenge has over the years become recurrent decimal³⁵ and involved virtually all the para-military and security agencies in Nigeria.³⁶ There is no doubt that the effects of violence are the absence of security to the people at the time of these clashes. Instead of the public security operatives whose main obligations are to safeguard lives and property of the citizen and properly secure our borders, they end up creating a gap by their rivalry which terrorist and criminal utilizes to smuggle weapons and other illicit substances into Nigeria This is another problem for the regulation and proliferation of SALW. According to Respondent 2

“The division of labor between agencies lead to rivalry and the rivalry has prevented them in concentrating at the national security interest. So, government should be committed and at the same time try to establish good working relationship between the security forces. Establish probably joint task forces. Secondly, if for instance the National security services could be trained together

³² Ibid interviewee 2

³³ Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

³⁴Odoma Samuel, “An Appraisal of Army- Police Clashes in Lagos, Nigeria 2000-2010” (University of Ibadan, Nigeria, 2011).

³⁵ Samuel Nil Odoma and A Aderinto, “Power Consciousness of Security Operatives: The Bane of Inter-Agency Feud in Nigeria,” *International Journal of Criminology and Sociological Theory* 6, no. 3 (2013): 1.

³⁶Odoma Samuel, “Superiority Struggles and Inter Agency Feud in Nigeria,” *Global Journal of Human-Social Science Research* 14, no. 5 (2014).

at the onset established personal relationships that will go a long way in reducing the rivalry among them and perhaps getting a national focus and working entirely for the country.”³⁷

According to Respondent 1, the porosity of our borders is such that arm trafficker can move freely without being questioned by anyone. Demanding that the Nigerian government takes steps towards control of the borders stated that

*“To fight proliferation of SALW in Nigeria government needs to take so many approaches. Many of this SALW are proliferated through our borders. This is because our borders are porous, you could get access to the country from any direction without necessary coming across or been question by any security official”.*³⁸

(iv) Corruption

Corruption is a serious problem in Nigerian security setting. It aids criminality and the proliferation of small and light arms. Apart from the porous borders law enforcement agents are known to be corrupt. The Respondent such as Respondents 1, 2, 3, and 4 also highlighted corruption as a contributor to the proliferation of small arms and the rising criminality in Nigeria. According to Respondent 1 “there is the problem of corruption. People and law enforcement agencies strive to enrich themselves. This corruption tendencies have rendered the efforts for the reduction in the proliferation of SALW difficulty. This is a major challenge. Also, the quality of some of the officers assign for this responsibility is considerably low.”³⁹

Respondent 3 posits that apart from myriad of other problems militating against the control of proliferation is corruption. In his words

³⁷ Interview with Interviewee 1 at his Office, Department of Criminology, Faculty of Social Sciences, Bayero University Kano, Nigeria, on April 3, 2025

³⁷ Ibid interviewee 1

³⁸ Ibid interviewee 1

³⁹ Interview with Interviewee 1 at his Office, Department of Criminology, Faculty of Social Sciences, Bayero University Kano, Nigeria, on April 3, 2025.

“There are other issues like corruption. A custom officer at the border would not mind you imported whatever weapon in so far you will settle him. He does not care what happen to the economy and the security of the country provided he is settled. Corruption and politics are among the challenges militating against control of arms and contributing arms proliferation.”⁴⁰

Respondent 1 stated that

“But in fairness to security agencies we have a very porous border that is very difficult or impossible to restrict the importation of arms by the people who may wish to do so because land border, the sea border and the activities involved and perhaps the issue of corruption has facilitated the import and Nigeria is well known for corruption. When think the current administration effort are been made to restore sanity in our own system.”⁴¹

Bribery and corruption may take long to be eradicated at the borders as the officers are in some occasions and at some border posts expected to make returns of the share of the proceeds of bribe to the head office or to the posting officers. Responding on this issue Respondent 1 stated that “In addition to this, some border officials are expected to share the returns with their superior officers back at the office further encouraging the cycle of corruption.”⁴²

(v) Lack of Equipment

Basic working instruments such as torchlight, accommodation and camp bed are vital for the border security agents. Respondent was emphatic on equipment when he stated that “for proper monitoring we also require train security personnel, dogs and aircrafts.”⁴³ In a related response Respondent 8 a custom officer also stressed the need for some gadgets to enable the custom function effectively at the borders and entry points into the country. According to the Respondent,

⁴⁰ Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

⁴¹ Interview with Interviewee 1 at his Office, Department of Criminology, Faculty of Social Sciences, Bayero University Kano, Nigeria, on April 3, 2025.

⁴² Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

⁴³ Interview with Interviewee 2 at his residence, Senior Staff Academic Quarters, Police Academy, Wudil, Kano, Nigeria, on April 19, 2025

“We need trucks, we need night vision devices, and we need observation posts in the volatile areas.”⁴⁴ Regrettably these are lacking in the context of Nigerian border security services. Some of the Respondents attest to the lack of this basic equipment. One imagines how functional and alert will the immigration, custom and other border officials will be under these circumstances.

Respondent 1 believes that not only are the equipment inadequate they are also outdated and obsolete. According to the Respondent

“When you talk of the logistic or some of the working tools they are either outdated, obsolete or are ineffective or not even been proper one. We need facilities we need logistics we need favorable working condition and perhaps the security services need to be satisfied and there take home should take them home for them to be able to do the expected work. And I think if this can be done and perhaps training shall follow people should be trained, let them know the implication and danger they pose by neglecting this minor thing that lead to criminal activities.”⁴⁵

The response of Respondent 8 gave a synopsis of the equipment challenges facing the law enforcement agents at the borders thereby militating against the security of the Nigerian borders. According to the Interviewee,

“We also don’t have modern technological devices that will assist in detecting conceal firearms. In addition to the above border security officials need new rifles and other equipment’s. If you go to borderline in developed and developing countries, you will have realized that they have all the above-mentioned technological equipment and thermal imaging. They also have observation post. The duo assists in observation and detecting object especially at night.”⁴⁶

⁴⁴ Interview with interviewee 8

⁴⁵ Interview with Interviewee 1 at his Office, Department of Criminology, Faculty of Social Sciences, Bayero University Kano, Nigeria, on April 3, 2025

⁴⁶ interview with Interviewee 8 at the North-West Nigeria office of the Nigeria Custom and Excise, Sani Marshal Road, Kano, Nigeria, on June 21, 2025

(vi) Weak enforcement'

Laws are not only to be put in place, but they need to be enforced. Where laws no matter how good they are drafted appear not to be enforced, they will not serve the purpose of the enactment of the laws. This position applies to the regime for the enforcement of SALW. The findings from the responses of the interviews reveal that although laws such as the Fire Arms Act exist but enforcement remains one of the big challenges. Respondents 2, 3 and 10 in particular see enforcement as a major challenge. While Respondent 10 contends that “enforcement of SALW related legislation is very poor”⁴⁷ Respondent 3 posited that

“So, my assessment is that the laws exist. At my fingertips I can recall the Firearms Act, the Robbery and Firearms Act and the fact that the office or arm of the executive the police is in charge of the licensing and this mandate is given to them by the law. So the law exists but the only problem like in all other fields of endeavor but the only problem like I said is implementation and enforcement.”⁴⁸

The judicial system is the channel through which the criminals are tried for illegal possession and crimes that are related are prosecuted. The criminal justice system is full of problems beginning from arrest, investigation to prosecution. According to Respondent 6,

“The leading problem is that people who are alleged to have committed firearms related offences rarely faced prosecution and punishment for their nefarious conducts. I think if police and office of the Attorney General will take issues of investigation and prosecution seriously, the state will secure more convictions of criminals and in turn it will checkmate arms spread and serve as deterrence to intending criminals. We must do all that we can in the area of discreet investigation of cases. I can remember vividly that between 1990 to 1998 out of 12,000 arrested hoodlums for illicit possession of firearms only 500 amounting to (4.2) were successfully prosecuted.”

⁴⁷ Interview with Interview 10

⁴⁸ Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

The delay in the justice administration adds to the problem of proliferation of SALW. These delays are caused by many factors some of which include the attitude of counsel and the courts itself. According to Respondent 9 “the courts, the prosecution counsel and at times the defense counsel unnecessarily delay the prosecution of suspects standing trial for illegal possession and illegal use of SALW.”⁴⁹ Commenting on the judicial system and the need to have specialized courts for the prosecution illegal possession of SALW Respondent 2 stated

“Nigeria must create task force on SALW proliferation with time framework and then with judicial system that will be ready to deal with defaulters because the truth of the matter is that our judicial system is very slow and then the prosecution also is very slow. Defaulters easily get off the hook that is why we are unable to deal with this problem seriously. As there is problem of enforcement.”

Only recently the Inspector General of Police initiated a move for the mop up of SALW illegally possessed by Nigerians. The IGP established a committee to carry out that exercise under the headship of the Commissioner of Police of the 36 states of the federation. Responding on the issue of efforts for the control of proliferation of SALW, Respondent 2 stated that “The only deliberate attempt is the committee created by the present Inspector General of police to mop up weapons from the states headed by various commissioners of police. With this major success have been recorded but more need to do.”

The requirement of the law of a ballistic examination of SALW in prosecution is well settled under the Nigerian law. However, there is only a ballistic laboratory in Lagos Nigeria. This constitutes a problem in the prosecution of SALW as it contributes in the delaying prosecution of cases on SALW across the country that comprises of thirty-six states. According to the Respondent

“Another challenge is that the law requires ballistic report on the weapons before they are admitted in court as evidence and these experts and the laboratory is only found in Lagos which is obviously inadequate for while country and this causes delay in the prosecution of cases.”⁵⁰

⁴⁹ Interview with Interviewee 9 at his office ministry of Justice, Audu Bako secretariat Kano Nigeria on 10, 07, 2025

⁵⁰ Interview with Interviewee 10, at his office Kano State Ministry of Justice, Audu Bako Secretariat Complex, Kano Nigeria

Connected to weak enforcement is the issue of surveillance and intelligence gathering. This is important in Nigeria as there are reported cases of secret local manufacturing of assault rifles and explosive in the country. There is also the issue of lack of a task force charged with the sole responsibility of monitoring and surveillance on the proliferation of the SALW. Expertise and strategies in thorough investigation are equally lacking. It appears that criminals caught with the SALW are not thoroughly interrogated as to their source of the SALW albeit illegally. Commenting on this Respondent 2 stated that

“Most of the time when criminals are arrested the investigation officer should insist on the source of the weapon. And again, you will be surprise that there is another dimension to SALW spread as we have local manufacturers. The local manufacturers are spread across many states in Nigeria. We have them around Benue, Kafanchan in Kaduna and Plateau where AK47 are fabricated, even explosives are improvised. There are secret factories that are illegally manufacturing arms in Nigeria. With regard to this we need to liaise with secret agents in order to fish out the illicit factories.”⁵¹

There are other responses that show a weakness in Nigeria’s approach in the control of the proliferation of SALW in the country. The best approach in crime prevention is the preventive approach. But the country adopts the curative. If the country has emphasized the preventive approach the recent mop up exercise for the retrieval of SALW in illegal circulation of the SALW in the country. Commenting on this Respondent 3 stated that

*“Unfortunately, our approach is what they call curative because if the preventive measures are taken in Nigeria, the proliferation of SALW would not have been the way it is now. Like I said you use the example of the recent mop off. The mop off approach is not preventive is curative because the arms are already in circulation in the hands of bandits”.*⁵²

⁵¹ Interview with interviewee No 2 at his residence senior Academic staff quarters Wudil, Kano Nigeria.

⁵² Interview with Interviewee 3 at his Office, Department of Public Law, Faculty of Law, Bayero University Kano, Nigeria, on April 3, 2025

1.6 Conclusion and Recommendations

This paper found that several challenges militate against effective regulation and control of the proliferation of SALW in Nigeria. The principal challenge is the large expanse of porous border that surrounds the country running into thousands of unmanned border routes. The other identified challenges include inadequate legal framework, weak enforcement, rivalry between relevant law enforcement agencies, corruption, and lack of equipment that includes technological devices among others. Lack of institutional capacity were equally highlighted as challenges. These factors have manifested into the apparent weak enforcement of laws and treaties as well as policy implementation.. To address these, the following recommendations are advanced:

- a. Strengthen institutional capacities through adequate funding, training and anti-corruption measures.
- b. Enhance border security by deploying modern surveillance technologies and increasing personnel
- c. Reform the legal framework to ensure stricter penalties and more effective prosecutions.
- d. Address socio economic grievances through targeted development and job creation programme.
- E. Unified approach and inter- agency cooperation in tackling menace of small arms and light weapons proliferation in Nigeria.