

# Proliferation of illicit arms and control mechanisms in Nigeria: A critical socioeconomic analysis

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**Abstract** The study addresses the question of illicit weapons proliferation and many diverse control measures undertaken to counteract it in Nigeria. It further explores the reasons why Nigeria has become an appealing target for illicit weapons in the West African sub-region. Given the ease of in-flows and out-flows of illicit arms within the borders of the Nigerian State, this study contends that Nigeria's firearms law is outdated and insufficient, especially as seen from the perspective of the Protocol to the arms trade agreement that is in force, and even in the light of the dynamics of security issues in the 21<sup>st</sup> century. The study demonstrates that the growing proliferation of illicit weapons in Nigeria has had economic, humanitarian and socio-political consequences. Therefore, it concludes that all the regional containment measures, from ECOWAS to weapons trading agreements, have not decreased the proliferation of illicit arms in Nigeria and that the Nigeria's Firearms Act is outdated and unsuitable for the security needs of the Nigerian state, notwithstanding the problems faced by the security dynamics of the 21<sup>st</sup> century.

## Introduction

Today, the major safety risks to continental peace are undoubtedly generated by the local and transnational terrorist organizations, the proliferation and trading of small and light weapons, and the cross-border criminal networks. UN Resolution UNGA50/70 B (1995) notes that small arms and light weapons (SALW) are easily accessible and simple to use, and that they are the only instruments of wildness in virtually all current conflicts in which the UN is involved. These weapons are primarily possessed by the determined warriors and outlaws who hardly comply with the International Convention. The UN General Assembly further stresses that these weapons have killed human beings with around 80% of the victims being women and children. In her address at the National Consultation on Physical Security and Stockpile Management (PSSM) in Abuja, organized by the Small Arms and Light Weapons Agency and the Presidential Committee of SMEs, the Director of the United Nations Regional Center for Peace and Disarmament in Africa, Olatokunbo Ige, presented these startling statistics. The UN General Assembly also states that the estimated return on guns remaining inside Nigeria is at least 350 million (Vanguard, 2016).

However, the effects of Nigeria's rising weaponry proliferation rate are worrisome for the country's fragility of security. From the onset of the fourth republic, Nigeria has been in and out of different conflicts, which have spurred the unregulated spread of weaponry. According to Omitola and Awotayo (2016), Nigeria has been caught in a web of recurrent incidents of armed conflict and criminal anarchy from the ethnic militias, Boko Haram, Fulani Herdsmen, and recently kidnapping as a result of the proliferation of small arms and light weapons since the country's democratic transition in 1999. The persistent threat to human security from the savage mass murders, organized and carried out by Fulani Herdsmen across the whole country, is now the clearest and most dangerous explanation of the uncontrollable and limitless access to tiny and light weapons in Nigeria. However, Nigeria's peace and safety agenda is particularly important in preventing the proliferation of small guns and light weapons. In the same vein, it's important for the Economic Community of West African States (ECOWAS) Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security to put an end to the illegal access to small arms and light weapons. This mechanism has been specifically dedicated to undertaking preventive measures against the illegal flow of small weapons. Art. 51 stipulates, among other measures, that in the fight against illegal trafficking and trade of small guns, the Western African Economic Community (ECOWAS) should adopt any necessary steps. The armed conflicts, vast arms and light weapons proliferation and trafficking have made it impossible for the Nigerian Government to turn a blind eye to controlling the ever-hideous tendency to prevent catastrophes.

## Proliferation of arms and control initiatives: A conceptual explication

Kelli (2008) and Alusala (2016) pointed to acceleration of arms struggles, abduction, terrorism, robbery, murder, community violence, border crimes, and general insecurity worldwide, reflecting a widespread proliferation of small guns and light weapons. In the same vein, in

addition to ineffectiveness and corruption demonstrated in dealing with certain security issues and conflicts, the absence of cooperation and synergy among numerous security agencies, the rate of extermination of criminals and the wilful destruction of criminal exhibits contribute significantly to the lack of public confidence. In West Africa, we cannot accept the role mercenary and vigilante organizations play in weapons proliferation. Indeed, while considering the nature of the spread of small arms in African countries, one will agree that governments at various levels should be able to manage their countries' security systems. Clamour against crime spurs increased operations of the non-state actors responsible for the expansion of SALW in the Western African geographic region. The rates of ethnic militia, vigilant security organizations, weapons smugglers, crime gang members and bandits, which become a standard in African nations, become worrying. Almost every country on the Continent witnesses the shocking effects of the recent crises in Libya, Mali, Sudan and pro-Sudan caused by the SALW.

Nigeria's borders are 770 km long with the Republic of Benin, 1,500 km with the Republic of Niger, 1,700 km with Cameroon and 90 km with Chad. Nigeria also borders the Atlantic Ocean at a distance of 850 km. The increasing parts of porous borders between Nigeria and the neighbouring countries enable easy trafficking in weapons and other illegal products within the ECOWAS trade centre from one country to another. Arms from conflict areas are trafficked readily in tiny amounts and smuggled clandestinely. The immigration and customs officials are unaware of many smuggling routes. In Nigeria there is also a craft arms production by local blacksmiths, in addition to the geometric progression of small arms proliferation. As many other businesses, blacksmithing in Nigeria is not organized or supervised in any way which favours abuse. Small arms and light weapons trafficking in Nigeria is not ascribed exclusively to poor border control, but also to border porosity. Arms are becoming more accessible because of the poor and inadequate management and control of the borders, resulting from the lack of technological infrastructure, high level of corruption, and lack of personnel at border level. In the country there is a continual armed conflict between ethnical and religious groups.

Adeniyi (2017) claims that many places in Africa are characterized by protracted conflicts, proxy wars and inter-community fightings. Violence continues to create structural poverty and induce cycles of poverty across the continent. For instance, death, sexual abuse, dissolution, pillage, and the belief that life will be well shut up has brought immense misery. It is estimated by global scientists that an average of 500,000 deaths every year and millions more are caused by armed violence and war. Armed wars' human costs are abundantly documented in literature. In Nigeria, and Africa as a whole, armed conflicts affected mostly the poor rural areas and this has significantly diminished poverty reduction and human safety efforts. The rate at which farmers are murdered on their fields and around the country with AK47 in the forests better explains slowdown of the food development. ECOWAS Small Arms Control Program (ECOSAP) (2007) observes that the main element contributing considerably to the lethargy and continuous crises of the ECOWAS sub-region is a consequence of the expansion and trade in small-scale arms and light-duty weapons. Besides the expansion of weaponry and the clash between children and warriors of fortune, war has become a challenge for both kinds and lifestyles. The use of or a threat

to use conventional weapons, in particular small arms and lightweight weapons, consistently increases gender-based violence, violence against women and violations of the human rights which occur in Africa. The increased availability of tiny weaponry has added to the worrisome rate at which infantile casualties occur in Africa, because small arms and light weapons can easily be utilized by the children.

## The proliferation of arms and the farmers – herdsman conflict in Nigeria

The security situation in the Nigerian political arena has a catastrophic effect on human security and challenges associated with proliferating guns. It can be highly visible as daily killings, abductions and skirmishes between farmers and herders occur. It is a reality that insecurity and crime are a worldwide event. In Nigeria this globalization influenced food security, tourism, direct foreign investments and the development of key infrastructure. However, apart from the effect of globalisation, it should be understood that all crimes are local, and solutions against crimes can be appropriately managed locally. In short, Nigeria has been hammered hard by insecurity and Nigeria seems to be overwhelmed by its security architecture. The response of the government to this safety problem continues to be amazing and not encouraging, as criminal elements are still free.

Keli (2008) notes that in the western sub-region of Africa small and light arms still constitute a severe threat to human safety. In the domains of food security, Keli revealed the ongoing threat to human safety. The savage atrocities that Fulani Herdsmen have organized and carried out in Nigeria are currently explaining the alarming trend towards unrestricted and uncontrolled access to possession and use of small and light arms. Only famine in the country can result from plundering and occupation of communities and farms. Fabiyi and Otunuga (2016) agree that herdsman play a vital role in ensuring food safety. They reported the annual slaughter of around 1,3 million cattle, accounting for 30% of meat consumption by more than 170 million Nigerians. However, the country's recently fragile unity, food security, employment, the right to life and property are all threatened by their activities and actions. Iro (1994) pointed out that the herdsman of Fulani are pastoralists, both nomads and semi-nomads, and the main job of the Fulani is keeping livestock. In line with this, livestock breeding among the Fulanis is a viable career. Yet, their nomadic character in their pursuit of green vegetable land and access to water for their cattle always led to conflicts between herders and farmers. These recurring conflicts have raised year after year a demand for small arms possessions. Omitola and Awotayo (2016) argue that they learned to use deadly weapons instead of bow and arrow, machete or spear. The herdsman of the Fulani have a very advanced weapons, such that even our police do not have. The nomadic nature of husbandmen and the patterns of their attacks demonstrate clearly that the increasing crossborder crimes, and, more still, the source of conflict between the husbandmen and the Fulani farmers, can be situated within a conflict between their resources, a concept which is still controversial in the international political space.

## Economic, humanitarian and socio-political costs of uncontrolled arms in Nigeria

In view of the increasing number of terrorists, ethnic militants, secessionists, and other bandits, Nigeria's state structures have been reordered in a sufficient manner by its widespread and continuous misuse of arms. Its harmful activity has converted a large number of Nigerians, even within their own nation, into refugees and internally displaced individuals. The question of security of the internally displaced in the increasing number of refugee camps throughout the country is a source of constant worry. The extent, increasing trend, and cost of these effects should force all stakeholders involved, nationally and internationally, to take decisive action before they escalates beyond a normal level. The United Nations Office on Disarmament (2013) has noted that human costs are evident in different ways, including the killings, injuries and rape of civilians, and even children, who are most sensitive in any conflict. These are the consequences of the not properly regulated world trading in legal weapons. The perpetrator of this abominable crime against human rights and humanitarian law creates internal displacement of people within and across borders and will force the sufferers of armed violence and conflict to endure tremendous insecurity and financial challenges.

The rapid growth of armaments affects our political spaces more negatively. The multiplication of weaponry impacts election behaviour, it initiates and promotes electoral violence. The levels of violence in Nigerian elections and their adverse influence on electoral turnout were noted by Danjibo and Oladeji (2007). The carnage that has always defined our elections has been supported in line with this assumption, because the elections are a door-to-die in Nigeria and the atmosphere surrounding them is always tense and war-like. Hazen and Horner (2007) write that the militarized nature of politics, together with the occurrence of the armed groups, has engendered an association between politics and violence. Armed groups, acting under disguise of the hired hands, have now developed their bases of economic support, thereby freeing themselves from their political patrons. This has led some groups to interact with and try to influence the political procedure themselves.

A factor stimulating the proliferation of light weapons in Nigeria are the elections. Since the Nigerian elections in 2003 and later years, the tools of political violence have evidently shifted from conventional ones, i.e. matches, clubs and knives, to small weaponry, such as the locally manufactured and purchased pistols and a variety of attack fusils. It was mostly young groups, being in fact the political thugs, that were used both for the defence and attack by the politicians. It is necessary to remove these illegal weapons from circulation in order to generate robust, free and fair elections, which can legitimate a government that really reflects the results of voting. Nigeria's sharply decreasing peace and security are a factor counteracting its position as a destination for investment in Africa. It reduces its political and economic impact as the African powerhouse and a major factor in international space. As the Centre for Democracy and Development (2003) has noticed, due to the extremely centralized character of government resulting from a long period of military rule, the political and business resources are concentrated in the hands of the political leaders. As such, Nigeria's politics may be described as an "allocation politics",

which means that the electoral success is closely linked to “access to the country as a means to accumulate riches and to impart prestige”. It is also concerned with internal security issues which cannot be separated from the spread of illegal weapons. The Nigerian tourism potential is great and deserves the position of the Africa touristic hub, with all its different patrimony sites, rivers, fountains, mountain festivals and the carnival. There are also detrimental impacts on weaponry proliferation in the education sector. Cultists are murdering our ivory tower, as well as criminals, teachers or pupils do. The increasing distribution of illicit weapons in our universities, polytechnics or educative colleges have dramatically shown the issue. The threat to education progress in Nigeria is still an albatross.

## Arms control initiatives in Nigeria

Weapons and arms control initiatives have always relied on agreements and procedures to either reduce their growth in number or limit their use. The aim is to stop armaments by regulating the procurement of weapons and the way they are deployed to reinforce the military capacity. This effort is intended to stimulate the adoption of various ways of crisis management. Arms control is a means of negotiating instruments of international treaties, agreements, and regional and sub-regional protocols, both nationally and internationally. However, national commitments to the sub-regional, regional and international agreements are as significant as is their anticipated impact. This means that in order to achieve worldwide weapons control, the international initiatives should achieve certain level of conformity with national weapons control initiatives. The national legislation and other regulations are important in the context of international treaties.

Close collaboration between the Member States that form the sub-regional bloc will ensure the gains from ECOWAS. ECOWAS is an efficient and sensible step towards preventing unlawful expansion of weapons in the sub-region. It also appeals for international peacekeeping missions and for addressing real national safeguards and security needs. Art. 50 of the Convention Instrument (in accordance with the arrangements of the moratorium) force the Member States to put control measures on import, export, and production of light weapons; to register and manage the movement and utilization of the authentic arms stock; to find and obliterate all unlawful and surplus weapons; to permit exemption to the moratorium exclusively in accordance with strict conditions. In December 1999, the Heads of State and Government affirmed a Set of accepted rules formulated in 19 Articles, which prescribe tasks, obligations, and solid activities to be followed by the Member States and the ECOWAS Commission respectively.

Kamavauko and Luvenga (1995) underlined lack of commitment or collaboration of the armed criminals in curbing the threat, noting further that the majority of cases of arms control or enforcement were detected by the police. In Africa it is quite hard to mention any recent incidents of successful prosecution of arms traders. Even in cases of suspected detection of weaponry and/or munitions, it typically goes unheeded. Officials do not conduct investigations in most cases. For example, a United Kingdom based NGO, which is monitoring the transfer of weaponry, published in 2013 a report from the Conflict Armament Research, which documented

10 cases of the trafficking ammunition in illicit marketplaces. The research notes that ammunition is tracked to nine nations: the DRC, Ivory Coast, Guinea, Nigeria, South Sudan, Kenya, Sudan, and Uganda. The report points to the facts. However, none of these countries questioned the results. Indeed, it is rare that authorities attempt to validate such research findings, investigate such situations and prosecute the culprits. Given the enormous armaments in individual holdings, the question arises if it concerns the crimes of robbery and enforcement or a dark motivation for waging war against the state. The massive collection of advanced weapons is paraded by and publicly shown by insurgents and militants, as well as by livestock roasters. The rates of armament intensification call into question the government's resolve to stop the hideous trend. Coulibally (2008) stated that its voluntary character and the lack of legal punishments have hindered the moratorium's efficacy. Duquet (2009) highlights worries over the safety of waterways in the Niger Delta, a resourceful Niger region bordering Nigeria. According to him, the Niger Delta is the portal to the paths through which the international waters of the Gulf of Guinea promote trafficking and piracy. Duquet (2009) argues that these organized criminal networks in oil-rich regions have large elements of illicit weaponry proliferation, a unity of purpose, and vast resources.

The Firearms Law of 1959 was superseded by the Nigerian weapons law of the 1990s. The Nigerian Firearms Act of 1990 was only old wine in a new barrel because the 1959 legislation and the 1990 Act did not radically modify the Nigerian Firearms Act. Section 28(2) of the Firearms Act of 199, however, allows nobody to have any firearms or munitions under one's control unless under a licence granted by the Chairman or Inspector General of the Police. Furthermore, the Act specifies that no person under the age of seven will receive a licence. No person who has been convicted of violence in the last five years will be granted the licence. It is also necessary to confirm that one is not unsound, visually impaired or high-temperamental. In Nigeria, only the inspector general of the police has the sole authority to licence the manufacturers and repairers of weapons, providing them with correct documentation and registration. However, to tackle the 21<sup>st</sup>-century security challenges in a more effective manner, there is a need to make necessary laws that would be in consonance with the current realities in order to effectively reverse the menace.

Ikelegbe (2014) observed that the police are a key agency charged with enforcing all legal frameworks concerning SALW. The "Nation Newspaper" of 23 February 2018, reported that the Inspector-General of Police Mr. Ibrahim Idris directed Commissioners of Police all over the country to commence the recovery of illegal firearms. „The operation will equally include cordon and search and raid, seizure from any premises, hideouts, dwelling houses or buildings or sites that are under construction". The IG was of the opinion that this action would enable the Nigeria Police Force to deal decisively with herders and farmers clashes, kidnappings, armed robbery, cattle rustling, militancy, and terrorism. The reawakening commitment of the Nigeria Police Force to assure protection of lives and property across the country remains unequivocal and unwavering. In another view, as lofty as the directives of the Inspector General of Police seemed, Aremu (1999) asserts that police in Nigeria do not enjoy positive public perception. They

are being faced with various issues starting from the negative perception of the general public and dehumanizing conditions underneath that they perform their duties. Awotayo (2013) observe that Nigeria police has not been successful due to its ineffective communication, technological policing, and the inability to give intelligence to the high-level security threat in the country. Omitola and Awotayo (2016) agree that Nigeria has the feature of a failing state which has been heavily influenced by manifested weak governance and corrupt judicial structures. The high degree of corruption has undermined the lasting control of small arms. However, Yacubu (2005) argues that public support is an indicator of effectiveness in fighting small-scale weaponry proliferation. The general acceptance of government policies, as well as the way the security forces perform their tasks, will be the basis for enjoying and retaining this support from the people.

### **Illicit proliferation of arms and insecurity in Nigeria: The state policing option**

Nigerian State Governors recognized the need to prioritize insecurity and arms control, because most of this crime is committed within states. They realized that the effective participation must be based on a top-down strategy rather than a bottom-up one that does not have an effective answer. The current strategy of the Nigerian police conceals the way the police are overwhelmed by the security situation within the country and the rapid military intervention to such a purely civil protest. The method in which the Nigerian police are currently formed shows that people have little faith in their structures and activities. In recent years, Nigerian police performance has been awful because the crime rate has gone up astronomically. They are incompetent to deal with this country's banditry, terrorism and other safety concerns. Awotayo (2013) stated that the centralized structure and operational demands of the Nigerian police and the monopolization by the federal government of the Nigerian police force under section 214 (1) are clearly rooted in the 1999 constitution. Hence, the calls for creation of the state police have brought to the fore the question of restructuring the current federal arrangement in Nigeria. The 1999 constitution created a conflict and a contradiction when it recognised the state governors as chief security officers of their respective states, and gave the control of police apparatus to the central government. The centralization of the Nigerian police, founded on the constitution, made it difficult for the governors to fulfil their constitutional responsibilities in terms of security on the territories under their jurisdiction. Students and instructors were removed from a school in the country of Niger on Wednesday 17 February 2021. Schools in Nigeria are common targets for the terrorist groups and criminal gangs, yet we are collectively unaware of that if care is not taken. The attack took place at the Government Science College in the town of Kagara in Niger State where it is reported that over 40 people were kidnapped, including at least 26 students. One student was reportedly killed in the attack. Therefore, the arms race going on in the country require immediate response. A gun or a bullet in a wrong hand is only a millimetre from killing, carrying AK-47 by non-state actors, including herdsmen, is a joke taken too far. The security operatives seem to be helpless in the face of disaster. This has clearly shown the government's failure in securing the lives and properties of the citizens, which should be its primary purpose.

The formation Operation *Amotekun*, as part of the control mechanisms against banditry and other sources of insecurity in the southwest, is a real illustration of a communal reaction to security concerns and a model of how the problem of insecurity may be addressed. Due to their profound knowledge of the local environment, the Operation *Amotekun* has been reported to be effective on many occasions in capturing hundreds of killer herdsmen, repelling invasion, and in particular freeing up a number of towns and villages, as well as in helping to ensure their local governments to support the socio-cultural life of the area. Operation *Amotekun*, as a local security network, will be an essential interface inside the intelligence collection network required for other security operations. Indeed, the South-western Security Network is important not only as an immediate response to the threat of banditry, but also as the promise of peace-building within the region and across Nigeria.

## Conclusion

The campaign to curb the spread of small arms is at the top of the peace and security agenda in Nigeria. Stopping the unlawful movement of armaments and small arms proliferation is a key task that can transform the fragile peace we are experiencing in Nigeria into the enduring peace. As the population of Nigeria continues to expand and the demand for limited natural resources continues to grow, conflicts over natural resources will be significantly exacerbated in the next several decades. The possible impact of climate change should be considered on the availability of water, on food safety and on the prevalence of various diseases. The destructive potential of small arms proliferation has never been in doubt. Small weapons are lethal but very easy to use. Therefore, international cooperation is required to combat terrorism, especially considering that the illicit trade in small arms and light weapons is closely linked to drug trafficking, money laundering, and other transnational organized crime. All arms proliferation control initiatives should start with the consolidation of good governance, reinforcement of legislative measures, and a capacity of law enforcement agencies, as well as promotion of development agendas including appropriate campaigns for awareness-raising on the negative impact of arms proliferation. There is an urgent need to pool pertinent intelligence information and to regulate the detection and apprehension of the illicit cross-border movement of small guns by the police and customs activity.

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## Cytowanie

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