

# Human Trafficking and Interface of Slavery In The 21<sup>st</sup> Century in Nigeria

OSIMEN GODDY UWA, PEDRO OKOR, AHMED TITILADE M.

Email Address- [goddos4real@yahoo.com](mailto:goddos4real@yahoo.com) Phone No- +234-8033720-666

## Abstract

Trafficking in human beings is modern-day slavery and has become a widespread phenomenon mostly in Africa. Two hundred years after the abolition of the trans-Atlantic slave trade, the trafficking of African children continues unabated. Human trafficking has become a heinous transnational crime undertaken by highly organized syndicates. The syndicates employ deceit, coercion and prey on vulnerable girls whom they traffic overseas for domestic servitude and sexual exploitation. Human trafficking is inherently demeaning, harmful and violates fundamental human rights to life, liberty, dignity and freedom from discrimination. This work therefore, examines all forms of human trafficking in Nigeria, revealing the operations of the trafficking business and the nature of the traffickers themselves. Using a historical and comparative perspective between human trafficking and slavery, it then demonstrates that there is great correspondence that exists between the two phenomena. Necessary recommendations were also given to eradicate human trafficking and other related transnational crimes in Nigeria.

**Keywords:** Human Trafficking, Child Labour, Slavery, Nigeria.

## Introduction

Human trafficking remains a topic of concern with Nigeria as a source, destination and transit country. Mainly young women and girls are trafficked to Europe and other destinations, and there is growing evidence for the involvement of Nigerian criminal networks. Nigeria domesticated the key provisions of the UNTOC and the Trafficking Protocol in 2001, and has since set standards for the ECOWAS region and beyond, through its National Agency for the Prohibition of Trafficking in Persons (NAPTIP)

Nigeria is a transit, and destination country for women and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Trafficked Nigerian women and children are recruited from rural areas within the country's borders – women and girls for involuntary domestic servitude and forced commercial sexual exploitation, and boys for forced labor in street vending, domestic servitude, mining, and begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, primarily Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, and the Gambia, for the same purposes. Children from West African states like Benin, Togo, and Ghana – where Economic Community of West African States (ECOWAS) rules allow for easy entry – are also forced to work in Nigeria, and some are subjected to hazardous jobs in Nigeria's granite mines. Nigerian women and girls are taken to Europe, especially to Italy and Russia, and to the Middle East and North Africa, for forced prostitution. Traffickers sometimes move their victims to Europe by caravan, forcing them to cross the desert on foot, and subjecting them to forced prostitution to repay heavy debts for travel expenses, Okojie (2003). The trafficking of children is one of the gravest violations of human rights in the world today. Children and their families are lured by the empty promises of the trafficking networks: - promises of a better life, of an escape route from poverty, and every year, hundreds of thousands of children are smuggled across borders and sold as mere commodities. Their survival and development are threatened and their rights to education, to health, to grow up within a family, to protection from exploitation and abuse, are denied. These include all the women, children and men who are deceived, transported and delivered into the hands of those who exploit them for profit. Poverty, war, lack of information, gender inequality and cheap labour put demographic populations such as women and children at high risk. The general lack of prospects in rural areas often leads to trafficking, and many of those trafficked come from poor communities. One common dynamic is the following: in times of cut backs in states services and subsidies, women assume the considerable burden of diminished resources as they are subjected to the rigid gender-based division of labour assigning them the house-hold, and men tend not to devote their earnings to the house-hold, leaving the women responsible for the survival of their families, these women then seek to diversify their source of income, which increase their risk of being trafficked. The users of trafficked persons are at the end of a long chain. They can be either the users of sex workers or the heads of farms or shops needing access to cheap labour. Sometimes, prospective employers of trafficked persons directly approach the agents who negotiate with the

trafficked persons or their relatives. According to UNICEF “very often they do not perceive themselves as part of the trafficking network, although they are in fact an engine in the machinery of exploitation. Every aspect of the various roles of users requires further research”. Users may act as individuals or are networked through access to other illegal activities such as prostitution or sexual abuse of children and forced labour. They may be unaware or unconcerned about trafficking or not perceive themselves as part of the trafficking network.

Two hundred years after the abolition of the trans-Atlantic slave trade, the trafficking of African children continues unabated. This is one of the most horrific violations of a child’s right. Trafficking can be defined as “the recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation”. Reasons for trafficking children include: sexual exploitation, forced labour and/or slavery, domestic servitude, forced marriages, illegal adoptions, and even forced organ removal or human sacrifice. Nigeria acts as a source, transit and destination country for trafficking children to Europe, the Middle East and other countries throughout Africa. UNICEF has estimated that over 1.2 million children worldwide are trafficked each year. The highest rates of child trafficking in Nigeria are found in the Niger Delta region, according to research by NAPITP, the Nigerian Anti-Trafficking Agency. Children become vulnerable to being trafficked for a number of reasons, with the root causes as mentioned above, being poverty and lack of opportunities, corruption and instability and/or armed conflict. Their parents may pay for them to be taken to another country, in the hope that they will gain employment and a better life abroad. Alternatively, children may be sold to traffickers by their parents, or kidnapped by such groups. Street children are particularly susceptible to becoming trafficking victims, as they are children who suffer from other forms of discrimination. In the Niger Delta, children who have been stigmatized as ‘witches’ are extremely at risk as they are usually rejected by their families and communities, and often live on the streets with no-one to care for them. Trafficking of women is an endemic social problem that has assumed transnational dimensions in a global world where feminization of poverty has become prevalent. Human trafficking is transnational in nature because of the involvement of organized syndicates who specialize in trafficking in women and children from one country to the other for prostitution.

### **Conceptual Discourse**

Who is a victim of Trafficking? – Under section 50 paragraph 10 of the Nigerian Anti- Trafficking in person Act, a victim of trafficking means any trafficked person. Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as the recruitment, transportation, transfer, harboring or receipt of persons, by the means of threat, or use of force or other forms of coercion, of abduction, fraud of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. In the Europol Convention of Subjection of a person to the real and illegal sway of other persons by using violence or menaces or by abuse of authority or intrigue with a view to exploitation of prostitution forms of sexual exploitation and assault of minors or trade in abandoned children. The Organization for Security and Cooperation in Europe (OSCE) in —Trafficking in Human Beings: Implications for the OSCE defines Trafficking in Human Beings as: —all acts involved in the recruitment, abduction, transport (within or across borders), sale, transfer, harbouring, or receipt of persons; -

by the threat or use of force, deception, coercion (including abuse of authority), or debt bondage;

- for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, forced or bonded labour, or in slavery-like conditions;

- in a community other than the one in which the person lived at the time of the original deception, coercion or debt bondage. In line with the definitions in the Convention and Protocols, the UN Global Programme against Trafficking in Human Beings uses the following definitions: Organized criminal group shall mean a structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly, or indirectly, a financial or other material benefit, ( Olaide 2005). Smuggling of migrants shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident. The United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air. The Convention spells out how countries can improve cooperation on such matters as extradition, mutual legal assistance, transfer of proceedings and joint investigations. It contains provisions for victim and witness

protection and shielding legal markets from infiltration by organized criminal groups. Parties to the treaty would also provide technical assistance to developing countries to help them take the necessary measures and upgrade their capacities for dealing with organized crime. United Nations Convention against Transnational Organized Crime entered into force on 29 September 2003. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children entered into force on 25 December 2003. The Protocol against the Smuggling of Migrants by Land, Sea and Air entered into force on 28 January 2004. "Serious crime" shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty. "Structured group" shall mean a group that is not randomly formed for the immediate commission of an offence. It does not need to have formally defined roles for its members, continuity of its membership or a developed structure. The Global Alliance Against Trafficking in Women (GAATW), the International Human Rights Law Group and the Foundation Against Trafficking in Women (STV) in conjunction with similar NGOs around the world defined trafficking as: —Any act or attempt involving the recruitment, transport within or across national boundaries, exchange, sale, transfer, lodging or reception of a person by means of deception, constraint (including the use of force or the abuse of authority) or by means of debt bondage with a view of placing or maintaining the person in question, with or without financial consideration, in a position of servitude (domestic, sexual or reproductive) in forced labour or in conditions analogous of slavery, in a community other than that in which the person lived until the moment the deception, constraint or debt bondage was brought to bear, ( Olaide Gbadamosi ,2005) .

The Geneva Convention on the Abolition of Slavery, adopted by the League of Nations in 1926 and joined by a Supplementary Convention in 1956, provides a precise definition of slavery and trafficking. The Convention described Slavery as the possession of a person and exercise over the same of any or all the powers attributing to the right of ownership. The Geneva Convention described trafficking as a practice which includes the act of capturing, acquisition or conferment of a person to reduce the same to slavery, as well as every act of acquisition or conferment by sale or exchange, and, in general, every act of trading or transport of slaves. The Optional Protocol to the Convention on the Rights of the Child on the Sale of Child, Child Prostitution and Child Pornography (2002) defines Trafficking in Minors in Article 2(a) as: —any action or transaction that transfers a child from one person or group of persons to another for remuneration or for any other benefit“. Trafficking is outlawed in the Universal Declaration of Human Rights (1948), the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949). The International Covenant on Civil and Political Rights (1979), the Convention on the Elimination of all Forms of Discrimination against Women (1979), Convention on the Rights of the Child (1989) with its supplementary Protocol on the Sale of Children, Child Prostitution and Child Pornography (2002); Convention No. 182 of the International Labour Organization (ILO) Relating to Prohibition of the Worst Forms of Child Labour (1999) and the Charter of the International Criminal Court (Rome, 1998). The phenomenal rise in the heinous crime of the trafficking in persons for the purposes of sexual exploitation, slavery or forced labour has assumed frightening dimensions in many parts of the world. Human trafficking for the purposes of sexual and other forms of exploitation has become a global business reaping huge profits for traffickers and organized crime syndicates, causing flagrant human rights violations and creating serious problems for governments across the globe. Trafficking in persons represents the world's third largest area of organized crime – after drugs and arms trade. It is an illicit trade that is unbearable to the human heart. Trafficking in persons is inhuman, immoral and an offence under the laws. Despite the existence of many international instruments against trafficking in persons, the illegal trade goes on unabated. As the 21st Century began, the dehumanizing Practice of trafficking in persons became rampant throughout the world.

### **Theoretical Framework**

Theories are usually employed to explain phenomenon and to create understanding of a particular concept. Therefore, the best theory which explains human trafficking on this regard is an integrated theoretical framework as been used by Thozama Mandisa and Mark Lanier, which provides a combination of theories to explain the trend and occurrence of human trafficking. To this research work, Economic theory is singled out to explain crimes, actions and behaviours which calculate the gains and benefits accrued from participating in a certain task. Economic theory of crime suggests that people make decisions to offend in ways that resemble their decisions made about other non-criminal activities, (Witt & Witte 2000:4, 6). The criminal might commit crime if the expected gains from legal work are less than the ones that are to arise from illegal work. The underlying principle of the economic theory is that, criminals commit crime because they have perceived the benefits from the crime to outweigh the possibility of being prosecuted and incurring costs, (Eagle & Better, 2007:166; Persson & Siven, 2007:213). It is pointed out by Pratt (2008:44) as well as Witte & Witt (2002:2, 5) that individuals apply legal or illegal actions because of the expected utility from those acts and are influenced by the fact that the possibility of the expected gains from crime relative to earnings from legal work accentuates

trafficking endeavours. Another component of this theory is that the lesser the punishment the more human trafficking progresses. The probability of being apprehended prosecuted and sentenced and the value of the expected punishment will determine the extent of the crime. That brings another economic dimension in human trafficking that is presented by McCray, (2006) in which he argues that certainty is more important than severity. Furthermore, McCray observes that the criminal in this regard would act like an economist and apply the image of a self-maximizing decision maker, carefully calculating his or her advantage, which might be different from an opportunist whose will considered and reckless nature might get him into trouble. Certainty and severity of punishment are the two variables that are considered important for the formulation of an integrated theory. In summary, once rational decisions have been made, vulnerability of potential victims ascertained and requirements of the demand considered the human trafficking process resumes. The human traffickers could by then have studied the legal response to human trafficking to ascertain the sanctions confronting them should they get caught by the criminal justice authorities. The trafficker is a link between supply and demand, on one hand increasing supply through the recruitment, deception, transportation and exploitation process and on the other hand boosting demand by providing easy access to the trafficked persons. This include recruiters as well as transporters, receivers, pimps, brothel-keepers, corrupt border guards and producers of false documentation, all of whom will benefit as the trafficked persons pass through their hands. Whatever the scale and means of the operation, the process is a systematic, well-organized economic phenomenon, involving the displacement and movement of persons solely to profit from the exploitation of the trafficked person's labour.

### **Human Trafficking and Slavery: Historical Perspectives**

Human trafficking is not a new phenomenon to mankind; it is as old as human existence and civilisation. It dates back to the time of old empires and kingdoms when captivities of conquered empires were taking from their place of origin into slavery and made them to serve kings and queens of other lands. The practice later changed to the sales of the excess captives to other equally powerful kings that needed the services of slaves either as palace wards or status symbol and appearance of dignity, power and affluences or in some cases as objects of sacrifice to appease ancestral spirits. When, the continent of Africa was discovered by the early Portuguese explorer, the practice was exploited by the Portuguese sailor who saw the ready market for the African slaves in tea and sugar plantations in Europe and America respectively. Hence the beginning of the Trans-Atlantic and Trans-Sahara slave trades that saw millions of blacks' able-bodied men as commodity of trade to be ferried across the sea and Sahara into slavery. However, by the 18<sup>th</sup> century when the Europeans economic interest shifted slowly from agriculture to industry coupled with the humanitarian sentiment and movement that swept across Western Europe and American. By the last decade of the past century, global consensus has been developed that human trafficking and slavery are two brothers of the same parent, because they both represent similar purpose if not the same. The Geneva Convention on the Abolition of Slavery, adopted by the League of Nations in 1926 and joined by a Supplementary Convention in 1956, provides a precise definition of slavery and trafficking. The Convention described Slavery as the possession of a person and exercise over the same of any or all the powers attributing to the right of ownership. The Geneva Convention described trafficking as a practice which includes the act of capturing, acquisition or conferment of a person to reduce the same to slavery, as well as every act of acquisition or conferment by sale or exchange, and, in general, every act of trading or transport of slaves. This menace, represent one of the dehumanising form of human right abuse and child labour which nations have been encourage to develop mechanisms and immediate measures to control.

### **Human Trafficking in Nigeria: Analytical Perspective**

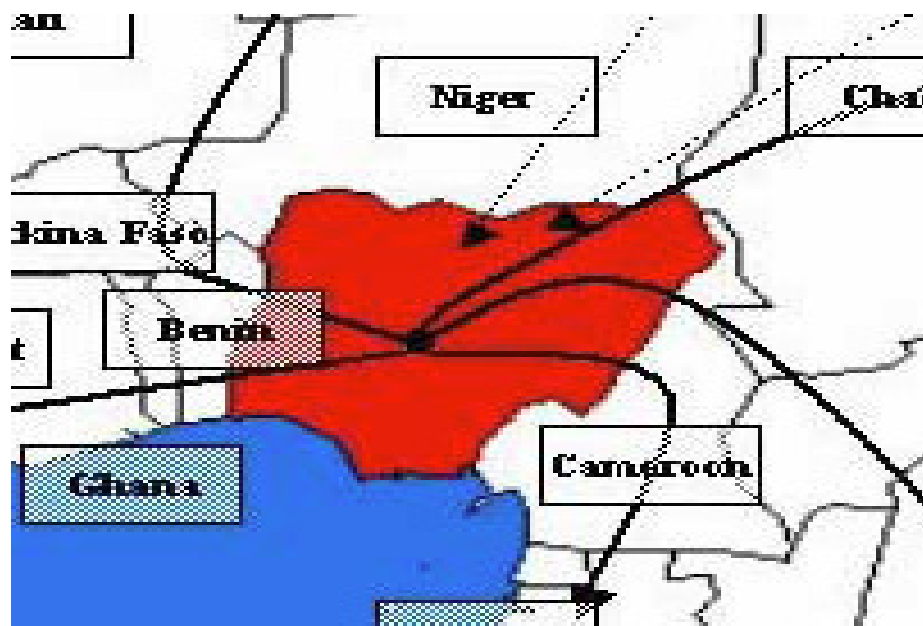
Human trafficking remains a topic of concern with Nigeria as a source, destination country. Trafficking in children goes hand in hand with poverty and child labour. Africa has the highest rate of child labour in the world: 41% of five to fourteen year olds. (Robinson and Palus, 2001). About 8 million Nigerian children are engaged in exploitative child labour, putting them at great risk of human trafficking, as 43% of them are based in the southern border towns of Calabar, Port Harcourt and Owerri. Approximately 19% of school children in Nigeria work after school in exploitative and dangerous environments. It is estimated that 80% of children trafficked to Italy are from Africa and 60% of these are Nigerians. Boys are mostly trafficked from the south eastern part, Imo, Abia and Akwa-Ibom into Gabon, Equatorial Guinea and Congo, while those from Kwara move to Togo as far as Mali to work on the plantations, Slavery International, 2003, (UNICEF, 2003). This is due to the fact that the discovery and awareness of trafficking situations came about through research and the study of child employment and the living conditions of working children. Studies on child labour called attention to the phenomenon of trafficking in children through the analysis of their method of entry into the labour market. According to a study carried out in Nigeria in 1992 by among children living in five states, it was found that 54% to 70% of children living in the street were migrants and that 40% of the children in domestic service came

to town with a third party or non-family member (Bazzi-Veil, 2000). In another survey carried out by UNODC, on 173 children living in the street in four Nigerian cities, it was discovered that 15% came with their parents, whereas 67% came in the company of other adults (friends of the family or strangers); 43% said that they had been victims of trafficking (Veil, 2000). A similar indicator of trafficking is when a child is in a situation of placement working outside of his immediate family unit and living with his employer (Talens, 2000). In the aforementioned survey of 173 children living and working in four Nigerian cities, 47% of children said that their employers paid their wages directly to the person who brought them, 35% were ignorant of the arrangements made, while 19% said there was no monetary arrangement (Veil, 2000). The population of Nigeria, the largest on the African continent, is estimated at 136 million (UNFPA, 2003). The United Nations Development Programme (UNDP) estimates that the 2.2% annual growth rate will increase the population to 161 million people by 2015. According to United Nation Children Education Fund (UNICEF), 80% of these young women engaged in prostitutions in Europe mostly, Italy and they are usually girls between the ages of 12-25 years. The population comprises numerous ethnic groups (with more than 250 ethno-linguistic groups) and with a high proportion of children. Forty-four percent (44%) of the population is under the age of 19; 52.2% under the age of 24 (UNDP Human Development Report 2004). Per capita income in 2002 was estimated at \$328 (UNDP Human Development Report 2004) and the number of people living in absolute poverty is increasing. Nigeria ranks 151 out of 173 on the Human Development Index, with over 70% of the population living below the income poverty line on less than \$1 per day. Those affected mostly are women and children and those from rural areas. A lack of education, high illiteracy rates and work in poorly rewarded sectors generally affects girls and women (Aronowitz, 2004). Child victims are mainly recruited from remote villages and smaller towns. Many of the child victims are from villages and rural towns in Akwa Ibom State. In Akwa Ibom, Ekorì is regarded as the headquarters of trafficking in the state. Other origin states were Cross River and Abia States. Child victims were recruited in Akwa Ibom State and trafficked to cocoa plantations in Ondo State (Nigeria) and Cameroon. Adult victims came largely from the bigger towns or cities. Adults were recruited from big towns or cities such as Benin City (Edo State), Asaba (Delta State), Yola (Adamawa State) and Kano, (Kano State) – all state capitals. Many of the adult victims were women trafficked from Edo State to West African cities and European countries. Some adult victims were trafficked to the Middle East through the Kano International Airport under the guise of going on a religious pilgrimage (the Hajj). Older women, mostly divorcees or widows, travelled to Saudi Arabia, Human Rights Watch, 2003). A study by the Nigerian NGO, Girls Power Initiative attributes the reason why girls are more susceptible to trafficking abroad than boys/ young men. Firstly there is a demand for their sexual services (they are marketable abroad). “Parents preferred to send daughters abroad because they could be relied upon to assist the family and help lift them out of poverty; girls were more willing to sacrifice themselves for their families. The success stories of other girls, who had been trafficked and had made it, also encouraged others to try their luck. High rates of unemployment among girls due to relatively low levels of female education because of unwillingness of their parents to send them to school provided a pool of girls to be trafficked abroad than male counterpart.

### **Trafficking Pattern in Nigeria**

Studies have indicated clearly defined trafficking routes involving Benin, Burkina Faso, Cameroon, Gabon, Ghana, Guinea, Côte d’Ivoire, Mali, Niger, Nigeria and Togo. In Cross-border trafficking, Benin, Ghana, Nigeria and Togo are the main countries of origin from which child domestic labour is exported to the main urban centres of countries such as Congo, Equatorial Guinea, Côte d’Ivoire, Gabon and Nigeria (UNICEF, 1998). In spite of these patterns, it is not uncommon for a country to supply and receive children, while also serving as a transit country. In Nigeria, Four trafficking routes were identified from northern Nigeria: Those leaving from Kebi or Sokoto travel to the Republic of Benin on to Niger, Ghana, Senegal and from there on the destinations of Libya, Algeria or Morocco. These are transit countries for the destinations in the Middle East or Europe. The Zindel (Katsina State) and Megatel (Jigawa State) exits are used to trafficking persons through Niger to Mali, Burkina Faso, to Libya and on to Europe or the Middle East. From Yobe and Borno States, persons travel by road to Chad, Sudan and onwards. Mayo, Sudan is known as the Nigerian traffickers’ transit camp. Persons may wait for days to weeks to procure travel documents to take them to Europe or the Middle East. The fourth transit route takes persons from Adamawa and Taraba States (these two states have the most porous borders) through Cameroon on to Gabon. This route is used predominantly to traffic women and young children out of Nigeria. Through the southern axis, persons are trafficked from Imo, Cross River and Akwa Ibom States to Gabon, Equatorial Guinea and Cameroon for cheap labour.

### 1.1 map of Nigeria: showing course of human trafficking in Nigeri.



SOURCE:[http://www.unigift.org/image/unigift/map\\_nigeria\\_destination.jpg](http://www.unigift.org/image/unigift/map_nigeria_destination.jpg)

Human trafficking is big business, and the UN and other organizations estimate the total global market value of this illicit activity to USD 32 billion, where about USD 10 billion is derived from the initial "sale" of individuals, while the remainder represent the profits from the services or goods produced by the victims. In Nigeria, the high profits and relatively low risk of being caught are key motivators. There are so many negative effects attached to this phenomenon in Nigeria, Loss of lives, increasing prevalence of STDs including HIV/AIDS, increase in violence and crime rate, higher school drop outs, impaired child development, poor national image and massive deportation of Nigerian girls. As Nigeria serves as provider, receiver, transit and stop-over location.

#### Effort by the Nigerian Government in Curbing the Menace

Nigeria is the first African country to enact a law against human trafficking in 2003. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) was given the mandate to enforce the law. The establishment of the agency in August 8, 2003, pursuant to the enactment of the trafficking in persons (prohibition) law enforcement and administration act was sign into law on July 14, 2003. Before then, human traffickers had a field day ,wreaking havoc on human lives through recruitment, moving people by deceit and force within Nigeria and beyond for sexual exploitation, forced labour and marriage, rituals, begging, pick-pocketing and drug trafficking. The Government of Nigeria sustained law enforcement efforts to combat trafficking during the past years. The 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005 to increase penalties for trafficking offenders, prohibits all forms of human trafficking. The law's prescribed penalties of five years' imprisonment and/or a \$670 fine for labour trafficking, 10 years' imprisonment for trafficking of children for forced labour or street hawking, and 10 years to life imprisonment for sex trafficking which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

### Summary of convictions 2004-2012

	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Abuja	1	4	3	1	1	3	1	1		15
Lagos	-	-	1	1	3	6	-	8	1	20
Kano	-	-	-	-	5	3	14	9	-	31
Uyo	-	-	-	-	1	2	1	-	2	6
Benin	-	-	-	3	-	2	7	22	-	34
Sokoto	-	-	-	-	11	10	4	6	-	31
Enugu	-	-	-	2	2	-	2	-	-	6
Maiduguri	-	-	-	-	-	-	1	4	1	6
<b>Total</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>23</b>	<b>26</b>	<b>30</b>	<b>50</b>	<b>4</b>	<b>149</b>

**Source:** NAPTIP 2012, Abuja

Nigeria's 2003 Child Rights Act also criminalizes child trafficking, though only 23 of the country's 36 states, including the FCT, have enacted it. According to the Nigerian constitution, laws pertaining to children's rights fall under state purview; therefore, the Child Rights Act must be adopted by individual state legislatures to be fully implemented. As stipulated in the criminal code for the South and Penal code for the North, the Nigerian criminal law has several provisions protecting children and youth from harm and sexual exploitation. Within the last three decades, the Nigerian government has not enforced these laws effectively, however, since the democratic transition in 1999, the government and several states Houses of Assembly have passed or are in the process of passing laws to protect children, Ladan (2012) The high profits and low risks of punishment for human trafficking make it an attractive business. African traffickers face low risk of arrest, prosecution or other negative consequences. They have exploited the inadequate rule of law, the non-implementation of existing anti-slavery laws and corruption of judicial systems. These lapses allow perpetrators to go unpunished. Prosecutions are rare and fraught with difficulties. Trafficked persons often allege that some Nigerian officials collude with traffickers by assisting them with forged documents and then facilitate their movement across borders. Law enforcement agents are usually reluctant to investigate violent crimes, especially, those against women and children who are unable to pay the cost of investigations or bribe the investigating officers. Thus, perpetrators of rape, sexual assault, domestic violence and human trafficking largely go unpunished in Nigeria. As a result, a combination of corrupt officials, complicit authorities and weak laws combine to guarantee impunity for traffickers while increasing the plight of trafficked person, Human Right Watch (2002). According to NAPTIP, between 2004 and 2011, 118 persons convicted for human trafficking offence while, 5,399 trafficked victims rescued within that same period. The Non- governmental organisation and women's right organisations continue to protest against government's inability to prosecute well-known traffickers and the conviction of traffickers is quite rare and even if convicted, they often release within a short period of time without serious punishment.

### **Recommendations**

Beyond mere lamentation, now is the time for all level of governments, non-governmental organisations (NGOs), Churches and Mosques to pull resources together to effectively tackle the human trafficking scourge and its allied crime of organ trafficking. It is obvious that NAPTIP seems overwhelmed by the enormity of the challenge. Therefore the agency should seek the partnership of foreign human trafficking experts to assist it in the surveillance and monitoring of our porous borders.

There is also the legal angle to the menace. A study of the 208 convictions obtained by NAPTIP from 2004 to 2013 indicates that the punishment meted out to human trafficking offenders is ridiculous compared to the crime. Therefore the NAPTIP Act should be amended so that human trafficking offences will be punishable with long

or mandatory sentences. It is a mockery of criminal justice to impose a three-year sentence with an option of fine on a person convicted of procuring young girls for prostitution abroad.

More importantly, government should tackle youth unemployment. It is obvious that an unemployed or underemployed hand is an easy prey. Most Nigerian girls become victims because of their quest for gainful employment and a better life abroad. Besides, the continuous pressures on the family in present times have resulted in some parents abandoning their primary responsibilities of raising their children in an upright manner. There is need for critical stakeholders, especially the religious institutions, to help in strengthening the family institution.

Finally, trafficking in human person and in human organs in Nigeria cannot be combated without the effective reform of the country's criminal justice system. It has also be noted that corruption and slow judicial process as the main obstacles in bringing offenders to justice. Therefore Nigeria's criminal justice system needs immediate overhauling. If crime investigation is carried out expeditiously, if suspects and witnesses are brought to court on hearing days, if there is no executive interference in the trial of high-profile criminal cases, and if criminal cases are not adjourned endlessly, many human and organ traffickers will be successfully prosecuted in court and brought to justice.

## References

- Anti-Slavery International (1994), "Forced Begging in West Africa", Child Workers in Asia, Anti-Slavery International, (2003a), "Nigeria", Human traffic, human rights: redefining victim protection, London, 2003; pp. 159 – 172
- Aronowitz, A. and M. Peruffo (2004), "Human Trafficking in West and Central Africa", The Aronowitz, A., Coalitions Against Trafficking in Human Beings in the Philippines – Phase 1 Research Action Final Report, UNODC, can be downloaded from the web at: [http://www.unodc.org/unodc/en/publications/publications\\_trafficking.html](http://www.unodc.org/unodc/en/publications/publications_trafficking.html)
- Bazzi-Veil, L. (2000), The Status of Child Trafficking for Economic Exploitation in West and Central Africa, UNICEF, Abidjan, Côte d'Ivoire.
- Blackwell Companion to Criminology, Colin Sumner, editor, Blackwell Publishing, October-December 1994. editor, Blackwell Publishing, Ltd: Malden, Ma.
- Botha, A. (2004), "Bid to end human trafficking", downloaded from the internet of 17 November 2004 at [http://www.news24.com/News24/Africa/News/0,,2-11-1447\\_1622326,00.html](http://www.news24.com/News24/Africa/News/0,,2-11-1447_1622326,00.html) Eagle, J.G., & Betters, D.R. (1998). The endangered species act and economic values: A comparison of fines and contingent valuation studies. *Ecological Economics*, 26 (1998), 165-171
- FOS (Federal Office of Statistics), (2001), ILO (International Labour Organization) and SIMPOC (Statistical Information and Monitoring Programme on Child Labour), Report on National Modular Child Labour Survey Nigeria, 2000/2001.
- Gallagher, A. (2001), "Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis", *Human Rights Quarterly*, 23.
- Human Rights Watch (2003), *Borderline Slavery: Child Trafficking in Togo*, Vol. 15, No. 8(A), April 2003.
- ILO (International Labour Organization) (2001), *World of Work Magazine*, No. 39, June 2001.
- Kekeh, R. K. (1997), *Le trafic des enfants au Togo. Etude prospective a Lome, Vogan et Cotonou. Rapport definitif*, Wao Afrique, September 1997.
- Kelly, L. and L. Regan (2000), *Stopping Traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK*, Policing and Reducing Crime Unit, Research, Development and Statistics Directorate, Home Office, London.



- Kleemans, E.R., E.A.I.M. van den Berg, H.G. van de Bunt, (1998), Georganiseerde criminaliteit in Nederland, Wetenschappelijk Onderzoek- en Documentatie Centrum, Ministerie van Justitie.
- Kouakou K.(1998), International Child Trafficking between Mali and Cote d'Ivoire, UNICEF Ltd: Malden, Ma.
- Ladan, M. T (2012),The state of human trafficking. A paper presented at Annual General Confrence of the Nigerian Bar Association, 28<sup>th</sup> August,2012. Abuja.
- McCray, J. (2006). Dynamics and the economic theory of crime. Criminology and Economics Summer Workshop. University of Michigan: June 5.
- Nationaal Rapporteur Mensenhandel (2003), Mensenhandel, Aanvullende kwantitatieve gegevens, Tweede Rapportage van de Nationaal Rapporteur, Bureau NRM, Den Haag.
- Nigeriaans Platform Nederland (2001), Handel in Nigeriaanse Meisjes naar Nederland, Negeriaanse Vereniging Nederland, Amsterdam, September 2001.
- Okojie, C. (2003), Programme of Action Against Trafficking in Minors and Young Women from Nigeria to Italy for the Purpose of Sexual Exploitation, Report of Field Survey in Edo State, Nigeria, UNICRI; downloaded from the web at [http://www.unicri.it/Nigeria\\_research.PDF](http://www.unicri.it/Nigeria_research.PDF)
- Okojie, C. (2004), Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo; Final Report – Nigeria, unpublished report submitted to the United Nations Office on Drugs and Crime, Vienna.
- Olaide, A. G (2005) International Perspective and Nigeria Laws on Human Trafficking
- Olukoya, S. (2003), “Tales of woe from Nigeria’s child ‘slaves’”, BBC News, published 13 November 2003; downloaded from the internet on 2 December 2003 at <http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3264959.stm>
- Robinson, S. and N. Palus (2001), “An Awful Human Trade”, Time, 30 April 2001; 34-35.
- Salah, R. (2001), “Child Trafficking in West and Central Africa: An Overview”, Paper Presented at the first Pan African Conference on human trafficking organized by Wotclef at the International Conference Centre, Abuja, February 19<sup>th</sup> – 23<sup>rd</sup>, 2001, pag.4, at <http://www.unicef.org/media/newsnotes/africchildtraffick.pdf>
- Talens, C. (2000), Smuggling and Trafficking in Human Beings in West Africa. Unpublished desk review, United Nations Interregional Crime and Justice Research Institute.
- Taylor, Ian and Ruth Jamieson (1999), “Sex Trafficking and the Mainstream of Market Culture: Challenges to Organized Crime”, Presentation at the International Conference on “New Frontiers of Crime: Trafficking in Human Beings and New Forms of Slavery”, unpublished paper, UNICRI/Comune de Verona, 22-23 October 1999.
- This Day (Lagos), “77 Prosecuted for Human Trafficking”, downloaded from the web on 30 September 2004 at <http://allafrica.com/stories/200409300487.html>
- Thozama M. L. and Mark L. (2012). An Integrated Theoretical Framework to Describe Human Trafficking of Young Women and Girls for Involuntary Prostitution, Public Health - Social and Behavioral Health, Prof. Jay Maddock (Ed.), ISBN: 978-953-51-0620-3, InTech, Available from: <http://www.intechopen.com/books/public-health-social-and-behavioral-health/an-integrated-theoretical-framework-to-describe-human-trafficking-of-young-women-and-girls-for-trafficking>.
- UN (2000), Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.
- UNDP (United Nations Development Programme), Human Development Report 2003, can be downloaded from the internet at [www.undp.org/hdr2003/](http://www.undp.org/hdr2003/)

- UNESCO (2006), Human Trafficking in Nigeria: Root Causes and Recommendations. Policy Paper, No. 14.2 (E).
- UNICEF (2002), Child Trafficking in West Africa: Policy Responses, Innocenti Research Centre, Florence, Italy.
- UNICEF (2003), Trafficking in Human Beings, Especially Women and Children, In Africa, Innocent Research Centre, Florence, Italy, September 2003.
- UNODC (2006), Measures to combat Trafficking in Human Beings in Benin, Nigeria and Togo.
- Uzor, A, A. and M. Peruffo ,( 2004) “Human Trafficking in West and Central Africa”, The Blackwell Companion to Criminology, Colin Sumner, editor, Blackwell Publishing, Ltd: Malden, Ma. 2004.
- Veil, L. (2000), The Status of Child Trafficking for Economic Exploitation in West and Central Africa, UNICEF.
- Verbeet, D. (2000), Combating the Trafficking in Children for Labour Exploitation in West and Central Africa, Draft, Working Document based on the studies of Benin, Burkina Faso, Cameroon, Côte d’Ivoire, Gabon, Ghana, Mali, Nigeria, Togo, International Labour Organization, Abidjan, Côte d’Ivoire.
- Witt D, & Witt, R. (2002). Crime Causation: Economic Theories. In Encyclopaedia of Crime and Witte, A. Justice, 1 (302-308) New York: Macmillan.

The IISTE is a pioneer in the Open-Access hosting service and academic event management. The aim of the firm is Accelerating Global Knowledge Sharing.

More information about the firm can be found on the homepage:  
<http://www.iiste.org>

## CALL FOR JOURNAL PAPERS

There are more than 30 peer-reviewed academic journals hosted under the hosting platform.

**Prospective authors of journals can find the submission instruction on the following page:** <http://www.iiste.org/journals/> All the journals articles are available online to the readers all over the world without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. Paper version of the journals is also available upon request of readers and authors.

## MORE RESOURCES

Book publication information: <http://www.iiste.org/book/>

## IISTE Knowledge Sharing Partners

EBSCO, Index Copernicus, Ulrich's Periodicals Directory, JournalTOCS, PKP Open Archives Harvester, Bielefeld Academic Search Engine, Elektronische Zeitschriftenbibliothek EZB, Open J-Gate, OCLC WorldCat, Universe Digital Library, NewJour, Google Scholar

