

TRANSBOUNDARY TRAFFICKING OF AFRICANS FOR INHUMAN AND EXPLOITATIVE LABOUR: THE NIGERIA EXPERIENCE

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ABSTRACT

Citizens of some African countries have over the decades been victims of human trafficking, a transnational type of slavery in modern times in which some ill-informed persons are made to perform all sorts of inhuman, degrading and exploitative labour. Through deceit, fraud, force, misrepresentation or threat, these victims are transported across national borders or within their territorial boundaries. Factors which make victims vulnerable include, but not limited to poverty, ignorance, corruption and bad governance. Nigeria is a State Party to some international and regional conventions which prohibit and prevent these crimes. Indeed, has enacted anti-human trafficking legislation to put an end to the crime, as well as to hold offenders accountable. Yet, the crime of human trafficking keeps increasing at an astronomical level, despite the availability of an avalanche of legislation. There is therefore, need for an efficient and intentional monitoring, implementation and enforcement of the available legal regimes in the country through the adoption of proactive measures, including the training and re-training of personnel saddled with the responsibility of enforcing the laws as well as the Police Force which is saddled with the responsibility of the investigation of crime and the Immigration Officers, whose responsibility is to secure national boundary.

Keywords: Human Trafficking, Trafficking, Transboundary Crime, Exploitative Labour

1.Introduction

Most young and uniformed youth from some African Countries have suffered from the severe consequences of human trafficking which is a heinous crime against humanity for decades. Human trafficking simply put connotes a situation whereby some vulnerable persons are being recruited, custodied, transported or moved using deceit, misrepresentation within a national border or through an international boundary for purposes of forced labour, sex slavery and other forms of inhuman and dehumanizing

exploitation. The operation of trafficking in persons for these insidious reasons date back to antiquity. Most religious books have indicated that at one point in time or the other, people had been used for some exploitative reasons. Instances abound in the Holy Bible as well as the Holy Quran to demonstrate the fact that people were used as slaves.¹ It is on record that, trafficking for all sorts of reasons was operational in the Chinese dynasties, followed by the Babylonians and other States in the medieval era.² It is indeed trite, that prior to the scramble for colonial territories by Europe and the American during the 16th and 18th centuries, there was need for cheap labour abroad. Available estimates reveal that, at that time, about 13 million Africans were transported to Europe and the Americas for all sorts of slave-related labour.³ Trafficking is derived from the word “traffic” which was at first used for the “white slave” a situation whereby some women were transported across national borders to serve as sex slaves to members of the troops.⁴ Some other authors who situate trafficking as enslavement for purposes of forced sex labour opine that the practice started as early as the 19th century.⁵ It must be stated from the outset that, trafficking has its roots in the Code of Hammurabi.⁶ It was unfortunately permissible for human beings were be bought and sold as chattel without any form of rights whatsoever. indeed, it is believed that some unscrupulous human beings, due to their exposure to crime and all the negative consequences which flow from there, presume that they can actually possess other

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¹ K Johnson, ‘Supplying Slaves The Disguise of Greener Pastures: An Exploratory Study of Human Trafficking in Uganda’ SIT Graduate Institute/SIT Study Abroad, <https://digitalcollections.sit.edu/isp_collection> accessed 18 October 2024; J Pliley, ‘Claims to Protection: The Rise and Fall of Feminist Abolitionism in the League of Nations Committee on the Traffic in Women and Children 1999 – 1936’ [2010] *Journal of Women’s History* 97

² K Kabance, ‘The Globalisation of Sex Trafficking’, [2014] International Affairs: Directed Research Project 6

³ SADC, ‘Strategic Plan of Action on combating Trafficking in Persons, Especially Women and Children, 2009 – 2019’ [2009] 1

⁴ L Chew and Ann Jordan, *Human Rights and Trafficking in Persons: A Handbook, Global Alliance Against Traffic in Women* [2000] 20

⁵ J Doezeema, ‘Forced to Choose: Beyond the Voluntary v Forced Prostitution Dichotomy’ in K Kempadoo (Ed.) *Global Sex Workers Rights, Resistance and Redefinition* (Routledge 1998) 34-50

⁶ LW King, *The Code of Hammurabi*, (Bibliobazarr Publishing Charleston 2007) 11-21 [In the Code of Hammurabi, a total of 16 articles make mention of slaves and their treatments in appropriate cases]

human beings, deal with them howsoever they please and then disposes of them like chattel over a stall counter⁷. These unfortunate victims are driven into this unfortunate condition in both Nigeria and Uganda by poverty, illiteracy, corruption, bad governance, ignorance and other prevailing circumstances in their home country. As a result of their ignorance, they fall as easy prey to their exploiters⁸.

History has provided uncontroverted evidence that Transnational Slave Trade was brought officially to an end in 1807.⁹ All members of the International community acceded to international conventions, demonstrating their willingness to put an end to slavery in whatsoever name called. In spite of the bold statement made at the time, unfolding events have revealed that, the resolve was so to speak, an exercise in futility as slavery has resurged in the form of a new name and traffickers have evolved new techniques, each passing year, to beat whatever mechanism which are being put in place to arrest and bring to justice, perpetrators of the trade. At a time when African countries ought to be on the fast lane to development, 200 years after putting an end to official slavery, they are rather trafficked this time for more horrifying and terrifying exploitative labour than what their forebears suffered¹⁰.

Looking completely and holistically at the style and pattern which human traffickers use in harvesting their potential victims, one would realise a nexus between what was obtainable in the slave trade era and now.¹¹ Unfortunately, slave were treated as objects or

⁷S Drescher, *A History of Slavery and Anti-slavery* (Oxford University Press 2009) 4-5

⁸ CEE Okojie, 'Trafficking in Women for Sexual Exploitation and Good Practices for Addressing the Problem by all Stakeholders' (2015) *UN Division for the Advancement of Women*, Expert Paper 17 to 20 May 2015

⁹ EU Onyeizugbo, 'Child Trafficking a New Slave Trade: Why it Thrives in Africa' [2011] (2) (2.3) *Afro Asian Journal of Social Sciences* 1, O Olayemi, 'Combating Human Trafficking in Nigeria: A Prerequisite for the Realisation of National Development Aspirations Being a Paper Presented at the NISER Seminar Series (NRSS), (NISER Ibadan 2004) 4, L Eggertsen, 'Comparing U.S. Policy with Israel, Jordan, and Syria: Does Diplomacy Play a Role in Human Trafficking Policy in the Middle East?' [2012] (2) (15) *International Journal of Humanities and Social Science* 4

¹⁰ GO Antai 'Methods of Judicial Cooperation and the Procedure for Enforcement under International Law; Identifying the Nexus between Theory and Practice' (2024) 4(3) *Newport International Journal of Current Research in Humanities and Social Sciences*, 80-88. <<https://doi.org/10.59298/NIJCRHSS/2024/4.3.8088>>.

¹¹ Olayemi (n 9) 4

commodities of exploitation or beasts of burden. They had no rights in the estimation of their slaves masters, such that they could be bought and sold at will without any consideration as to their humanity.¹² This raises a serious of human rights violations which all must rise to the occasion in order to hold those responsible accountable for the continued violations of the rights which have been guaranteed by international and regional conventions. The two countries under review, have in their respective Constitution recognised the Bill of rights and have enshrined same in Chapter Four of their Constitution as Fundamental rights¹³.

2. Concept of Human Trafficking

Looking at the tactics adopted by traffickers, it would be seen that, they adopt different patterns, such as deceit, intimidation, force, and in most cases, they do not give the victims any idea that, after taking them across territorial borders, their lives would change for the worst¹⁴. Relying on the innocent and the naivety of these vulnerable and uninformed seekers of greener pastures, they subject them to the most inhumane treatment ever imagined, thereby robbing them of the fundamental rights endowed on them. Human trafficking is defined under the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, which is an addendum to the United Nations Convention against Transnational Organized Crime.

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of 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 purpose of exploitation. Exploitation shall

¹² *ibid*

¹³ Constitution of the Federal Republic of Nigeria 1999 (as amended) and Constitution of the Republic of Uganda 1995

¹⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention Against Organised Crime 2000 Article 2, Convention on the Rights of the Child Article 1, African Convention on the Rights and Welfare of the Child Article 2, Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour Article 2

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 organs¹⁵.

As at 2019, different international organisations provided different statistics of Trafficking individuals in accordance with their investigation. The CSO¹⁶ indicated in their report that, 2.7 million human beings were living in the condition of bondage of slavery, FIA¹⁷ on their part demonstrated in their report that about 24.9 million persons were suffering as victims of trafficking in the whole world.¹⁸ Corroborating the above information, ILO¹⁹ equally provided statistics of a staggering 12.3 million people being sexually exploited and among them, 40 to 50 per cent belong to the vulnerable group, children²⁰. In order to show the alarming rate of increase, the International Children Emergency Fund of the United Nations the United Nations International Children Emergency Fund²¹, went more than a decade behind and showed that around 1.26 million children were involved in child labor as of 2004, while approximately 2.8 million children between the ages of five and 17 years were actually believed to be engaged in hazardous work within Nigeria²². These are statistics provided of persons actually known. The implication is that there may be more million persons, suffering on a daily basis, whose condition is not known and yet they have to go through the exact same gory experience each passing, without any help in sight. and

¹⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime article (3) (a)

¹⁶ Meaning Civil Society Organisation

¹⁷ Meaning Financial Intelligence Authority

¹⁸ S Asubo, 'Challenging Africa's Growing Human Trafficking Crisis-The Role of Banks and FINTECHS' *Financial Intelligence Authority* 6 April 2022, MF Solla, 'Slavery and Human Trafficking International Law and the Role of the World Bank' (2009) *Social Protection and Labour Discussion Paper No. 0904* 5, C Tucher and others, 'An Analysis of Human Trafficking for Sexual Exploitation in Vietnam and a Comprehensive Approach to Combating the Problem' [2010] (16) (2) *WARD MACRO Docx PDF* 442

¹⁹ Meaning International Labour Organisation

²⁰ Solla (n 17) 5-6

²¹ Hereinafter referred to as UNICEF

²² UNESCO, 'Human Trafficking in Nigeria: Root Causes and Recommendations' [2006] (14.2) *Policy Paper Poverty Series*, [the report indicates that victims are sourced from all the South-South States of Nigeria as well as some others in the Western parts of the country. Others are transported across national boundaries through West Africa and end up in Europe and the Americas], OO Fayemi, 'Women, Poverty and Trafficking: A contextual Exposition of the Nigerian Situation' [2009] (5)(1) *Journal of Management and Social Sciences* 8

as victims²³. Apart from children, another internationally recognised group of vulnerable persons who bear the brunt of the insipid trade of the trafficking cartel, are women²⁴. Available reports show that they make up about half of the victims of sexual slavery, forced marriage and domestic sexual assault²⁵.

One would have thought that, with global efforts at putting an end to this menace through According to other figures, women make up over half of those implicated in this horrible crime, both as perpetrators and victims. the adoption of international conventions which prohibit such violations, the trafficking in persons would have abated. Unfortunately, available statistics presently, leaves much to be desired. For example, a 2023 report of the US Department of Justice avers that, there has been an astronomical spike in number of victims recruited each year²⁶. The report indicates the percentage of victims trafficked from the following countries as follows, Ukraine 16 percent; Philippines 11 percent; USA 10 percent; Republic of Maldora 9 percent and Mexico 7 percent. The International Organisation 2022 report shows that there are presently about 50 million victims globally, out of which 27.6 million victims are in situation of forced labour and yet another 22 million victims are in forced marriages²⁷. The report further indicates that this illicit trade generates a profit of about \$245.8 billion annually²⁸, out of which sexual exploitation generates \$169.9 billion and forced labour including domestic servitude generates \$75.9 billion.²⁹ The moment traffickers successfully harvest their victims, these victims are made to undertake the worst forms of unimaginable and insidious work ever imagined under very harsh working conditions. Some others are made to serve as cleaners at homes and stand the danger of being sexually abused, working in catering and confectionary outfits as well

²³ UNODC Global Report [2014] 10

²⁴ GO Antai 'An Appraisal of the Historical Development of the African Response to Extradition' (2024) 4(3) *Newport International Journal of Current Research in Humanities and Social Sciences*. 27-35.
<<https://doi.org/10.59298/NIJCRHSS/2024/4.3.2735>>

²⁵ Ibid

²⁶ US Department of Justice, 'Human Trafficking Data Collection Activities' 2023 TIP Report
<<https://www.usa.gov>> accessed 21 October 2024

²⁷ International Labour Organisation, 'Profits and Poverty: the Economies of Forced Labour' <<https://www.ilo.org>,> accessed 22 October 2024

²⁸ Ibid

²⁹ Ibid

as restaurants. The UNODC, 2012 to 2014 report indicate that, about 40 per cent of persons trafficked were used for forced labour³⁰.

These trafficker adopts an avalanche of strategies in perfecting their trade. As a result of hardship, poverty and ignorance, some families, due to some promises made to them, sale their wards to these unsuspected traffickers in the hope of a better life, and these wards unfortunately, end up as sex workers. As a result of the seeming life of affluence exhibited by some individuals who reside abroad, whose sources of income have not been ably verifiable, some unsuspecting victims offer themselves to be trafficked, with the hop that within the shortest possible time, “they too would have arrived”. On the other side of the divide, others are forcefully kidnapped³¹. It is very worrisome that most of these victims are recruited from Africa. The statistics from the continent reveal that about 23 percent of transboundary trafficking takes place in Africa.³² There have been reports within Africa wherein children have been trafficked for purposes of harvesting their organs for rituals³³. The report further indicates that such victims are recruited from some countries in North Africa, East Africa, Central African Republic and India³⁴. A new style of human trafficking which is operational mostly in some States of South-South, South-West and other states of Nigeria is baby factory³⁵. Some medical facilities are used to house young pregnant girls who do not intend to suckle and keep their children³⁶. Tokens are gifted them and the innocent, vulnerable babies taken from them and given to prospective adoptees, though illegally³⁷. Baby harvesting comes with some unpleasant consequences, particularly for the female children who may end of being sexually defiled and abused by their supposed fathers. Another unpleasant consequence which flows therefrom is the fact that, since the

³⁰ Ibid 10

³¹ Tucker and others, 445

³² Human Trafficking Institute, ‘Breaking Down Global Estimates of Human Trafficking: Human Trafficking Awareness Month 2022’ @trafficking-institute.org/breaking-down-global

³³E Pearson, ‘Coercion in the Kidney Trade? A Background Study on Trafficking in Human Organs Worldwide’ (GTZ, 2011) 11

³⁴ UNODC Report, 68

³⁵ These are fundamentally States in the Southern parts of Nigeria

³⁶ Olayemi (n 9) 7

³⁷ ibid

adoption process was not legally done with records kept in specific places, these babies could end being used for rituals and other unprintable reasons, and finally, the actual mother and child may never get an opportunity to ever meet. Poor policing in the south-south area of the country has given impetus to this unsavoury crime³⁸. In line with extant laws and regulations, each birth ought to be properly captured and records kept in all Health facilities in the country, but as a result of the loopholes in the system, emboldened by corruption, human traffickers can successfully operate without leaving any traces³⁹.

3. Human Trafficking in Nigeria

With over 200 million inhabitants, Nigeria is the most populous nation in Africa and her territory covers an area of 923,769 km².⁴⁰ Prior to the emergence of the British hegemony in Nigeria, it was common place to find in the cultural settings, vanquished at war being taken as spoils of war and used as slaves⁴¹ initially, these ‘spoils of war’ were kept in palaces of influential kings and made to discharge all sorts of hard labour at the instance of their masters. Due to an increase in their numbers due to frequent communal skirmishes, subsequent slaves were sold to the Portuguese who needed strong men and women with African heritage to labor in their farms⁴² The First ordinance which prohibited slave trade in the colony of Lagos was passed in 1874 by Lord Lugard⁴³. And at the end of August 1916, the Lugard administration had completely banned slavery in southern part of Nigeria. In the early 1970s, prostitution became a lucrative business in Nigeria and it took the form of *quid pro quo*,⁴⁴ a practice of sex in exchange for settlement of debts by some women of

³⁸ C Eseadi, and others, ‘Prevalence of Baby Factory in Nigeria: An Emergent Forms of Child Abuse, Trafficking and Molestation of Women’ [2015] (2)(1) *International Journal of Interdisciplinary Research Methods* 1, SS Huntley, ‘The Phenomenon of ‘Baby Factories’ in Nigeria as a New Trend of Human Trafficking’ [2013] *International Crimes Database* 10

³⁹ *ibid*

⁴⁰ WA Johnson, and others ‘Evaluation of the Structure and Operations of the Nigeria Police Public Relations Department’ [2013] (2)(1) *Kuwait Chapter of Arabian Journal of Business and Management Review* 49

⁴¹ OG Uwa, P Okor and TM Ahmed, ‘Human Trafficking and Interface of Slavery in the 21st Century in Nigeria’ [2014] (4) (21) *Research on Humanities and Social Sciences* 13

⁴² *ibid*

⁴³ *Ibid*

⁴⁴ Giving up a thing in exchange for another

Edo descent to their Italian creditors.⁴⁵ However, with the effluxion of time and age getting the best of these prostitution trailblazers, young, succulent and beautiful girls were subsequently recruited and transported abroad in continuation of the obnoxious trade⁴⁶. The introduction of Structural Adjustment Programme by the General Babangida regime had far-reaching negative consequences on the economy.⁴⁷ Poverty occasioned by inflation coupled with unemployment was rife in the 1980s and for the youth, an opportunity to travel out to other climes, gave them a glimpse of hope. At the time, a total of about 10,000 Nigerians worked in Italy.⁴⁸ As at 1996, Edo State topped the chart for transboundary trafficking for purposes of prostitution⁴⁹. Records reveal that 64 Nigerian women in all as of March 16, 1999 were deported from Italy, had 47 of them who were from Edo State.⁵⁰ Another 88 were deported in a space of just about three months, and 66 were indigenes of Edo State.⁵¹ This gave a wrong publicity about the country and unfortunately, the Nigerian envoy to Italy, in 1999, shamefully admitted that Nigeria accounted for 60 per cent of Italy's sex workers⁵². These deportations in the 1990s revealed the actual business which the supposed influential women were actually engaged in and the figures showed that most of the young women who were trafficked across national borders were between the ages of 14 and 18, and others were 19 and 24 years of age.⁵³ Most of persons trafficked and taken to Europe often pass through the shores of Nigeria⁵⁴. Also, Nigeria holds the African record as a nation with the greatest statistics of the most

⁴⁵ MA Yinusa and AO Basil, 'Human Trafficking Among Youth in Nigeria: A Modest Explanation from Benin City, Nigeria' [2008] (3)(4) *The Social Sciences* 286-290, Fayemi (n 21) 65

⁴⁶ GO Antai *Et al*, 'Exploring Mechanisms for Enforcing Human Rights within the Context of International Law: Issues and Challenges'. (2024) 10 (1) *NIU Journal of Legal Studies* 59-70
<<https://ijhumas.com/ojs/index.php/NIUJLS/article/view/1943>>

⁴⁷ Hereinafter called SAP

⁴⁸ Yinusa and Basil (n 43) 287, Fayemi (n 21) 68

⁴⁹ O Olufayo and BJ Omotosho, 'Women Trafficking and Women Prostitution in Selected Local Government Areas in Mid-West Nigeria' [2009] (20) (3) *Journal of Social Sciences* 174

⁵⁰ *ibid*

⁵¹ *Ibid*

⁵² Fayemi (n 21) 68

⁵³ Olufayo and Omotosho (n 46) 176

⁵⁴ I Nnadi, 'Sex Trafficking and Women – The Nigerian Experience, [2013] (6)(3) *Journal of Politics and Law* 9,

exploited victims for human trafficking. Records abound which reveal that, almost eight million children from Nigeria had been forced to work as child labour, out of which about 43 per cent of them work in very dangerous environments⁵⁵. Young boys most often than not are forced to work in plantations in some African countries⁵⁶. A new dimension to the quest for human organ has been introduced into the business.⁵⁷ These victims are often very poor and unformed persons who have been manipulated by their supposed benefactors. It is worthy of note, that, in 2023, Ike Ekweremadu, former Deputy Senate President of the Federal Republic of Nigeria had been found by a United Kingdom Court for being complicit in the trafficking of a poor, ill-informed and naive young man for purposes of kidney transplant in favour of his daughter and has been sentenced to nine years imprisonment⁵⁸. Poverty is at the root of the continuous perpetration of the heinous and inhuman business.⁵⁹

4. Causes of Human Trafficking

Human trafficking is fueled by some identified factors. Pearson⁶⁰, identifies poverty and globalisation, as well as other factors which makes victims vulnerable. The globe is now a global village due to globalisation wherein people can interact seamlessly from all parts of the world without necessarily having to physically travel⁶¹. The implication is that transactions of these nature could be commenced and concluded without any fork of physical movement⁶². Once more, the globalization-induced opening of national borders

TT Gungul and AJ Samson, 'Prostitution as a Social Evil in Nigeria: Issues and Challenges' [2014] (2)(1) *International Journal of Peace and conflict Studies* 29-36

⁵⁵ Uwa, Okor and Ahmed (n 36) 13

⁵⁶ *ibid*

⁵⁷ DB Sean-Columb, 'A Human Rights Approach to human Trafficking for Organ Removal' [2013] *Medical Health Care and Philos* 2

⁵⁸ BBC, 'UK Court Sentence Senator Ike Ekweremadu to About Nine Years in Prison for Organ Trafficking Plot' 5 May, 2023, available at <<https://www.bbc.co.uk/news>> accessed 24 October 2024

⁵⁹ UNODC, 'Human Trafficking for the Removal of Organs and Body Parts' (2008) 2 <https://www.unodc.org> accessed 27 October 2024

⁶⁰ E. Pearson, 'Human Rights and Trafficking in Persons: A Handbook' [2000] *Global Alliance Against Traffic in Women* 33

⁶¹ *ibid*

⁶² MA Rahman, 'Human Trafficking in the Era of Globalisation: The Case of Trafficking in the Global Market Economy' [2011] (2)(1) *Transience Journal* 60-61

has resulted in a rise in both the international trade of labor and capital as well as goods and consequence which flows from the above is the jettisoning of national borders which in turns aids a free transnational migration⁶³.

Lack of accountability by government agencies, occasioned by corruption is yet another identifiable reason for the vulnerability of African to the crime under focus⁶⁴. Due to impunity, a reign of terror has been unleashed on innocent vulnerable persons who should ordinarily protected. It has been observed though unfortunately, that, agencies, such as the Nigeria Police which, is established by law to protect and secure nationals, rather turn around to aid and abet crime, once they have been compromised, thereby giving syndicates of human trafficking a boost in many dimensions⁶⁵. Commentators are unanimous on the point that police corruption has been the greatest bane of the country which has in turn made citizens to⁶⁶. Yet, the Force is the chief security agency in the country. It is not only the Police force that is complicit in the dereliction of duties as identified above. Some other agencies whose functions under the enabling laws shoes functions are security relation as equally complicit as well. The result of the above is that in the place of integrity, accountability, forthrightness and the likes, inequality, nepotism, intolerance and other vices thrives thereby emboldening syndicates and perpetrators⁶⁷. It could therefore be boldly asserted that there is a nexus between poverty, corruption and a failed government⁶⁸. The apparent failure has opened the nation's territorial border to all manner of crimes including, but not limited to human trafficking⁶⁹.

⁶³ J Chuang, 'Beyond a Snapshot: Preventing Human Trafficking in the Global Economy' [2006] (13) (1) *Indiana Journal of Global Legal Studies* 139-146

⁶⁴ SO Ajagun, 'Implications of Human Trafficking for Human Rights: The Case of Nigeria' [2012] (12) (11) *Global Journal of Human Sciences and Humanities* 29

⁶⁵ FB Okesola and PEU Mudiare, 'Community Policing in Nigeria: Challenges and Prospects' [2013] (3)(7) *American International Journal of Contemporary Research* 67

⁶⁶ N Adegoke, 'The Nigeria Police and the Challenges of Security in Nigeria' [2014] (3)(6) *Review of Public Administration and Management* 1

⁶⁷ F Waziri, Former Chairman of the Economic and Financial Crimes Commission, 'Corruption and Governance Challenges in Nigeria' [2010] (7) *CLEEN FOUNDATION Monograph*, 1

⁶⁸ DO Bodunde, A. A. Ola and MD Afolabi, 'Internal Security in Nigeria, the Irony of Multiplicity of Security Outfits and Security Challenges' [2014] (2)(5) *International Journal of Research in Humanities, Arts and Literature* 213-220

⁶⁹ Adegoke (n 78) 21-35, Okesola and Mudiare (n 77) 134-138

It is customary in the traditional African societies as seen in the case of Uganda and Nigeria, for wards from average or poor homes to seek support from members of their families or communities in big cities. But as opposed to the anticipated assistance, such wards are unfortunately converted to items of transboundary slavery⁷⁰. It is crucial to note that human trafficking is a crime against humanity, as may be inferred from both international, regional and domestic instruments adopted to put an end to it. And as noted by a former UN Secretary General, “it is one of the most egregious violations of human rights which the United Nations confronts”⁷¹.

5. Conclusion and Recommendations

Nigeria is a country of origin, transit, and in some cases destination in the human trafficking network and in other cases, final destination for the perpetration of this heinous inhuman crime against humanity. It is a party to multilateral international instruments which uphold, protect, preserve and secure human rights. The continuous operation and perpetration of human trafficking as a crime within and through its borders, leave much to be desired. Human rights is very fundamental, it is inalienable, it inures in every human person and cannot be taken away without severe consequences to the perpetrators. Impunity and non-accountability on the part of government agencies has given a boost to the continuous perpetration regarding the human rights abuses in Nigeria and indeed in some other African Countries. This work has demonstrated that, as a result of dereliction of duty from some quarters, traffickers are emboldened, knowing full well that, they can always have their way through corrupt and nefarious practices. Yet, people are not held accountable. Accountability should seriously be demanded of government agencies saddled with the responsibility of

⁷⁰ OA Gbadamosi, ‘*International Perspectives and Nigerian Laws on Human Trafficking*’ (Network for Justice and Democracy 2006) 27

⁷¹ KA Annan, ‘Forward to the United Nations Convention Against Transnational Organised Crime and the Protocols thereto’ General Assembly Resolution 55/25 of 15 November, 2000 iv

protecting the territorial borders, internal security and sister agencies which collaborate with them to ensure safety of human beings⁷².

Apart from acceding to international conventions, Nigeria has taken further steps to demonstrate a zero tolerance to this crime by enacting an anti-human trafficking regime. For instance, it was as a result of the consequences which were occasioned by human trafficking in Nigeria that WOTCLEF⁷³ was formed and the Non-Government Organisation sponsored the Bill which finally crystalised as the National Agency for the Prohibition of Human Trafficking and Related Issues (NAPTIP) in 2003⁷⁴. This Principal Act was modified in 2005, in order to also criminalise the keeping of brothels and use of children as domestic house helps⁷⁵ In 2015, the NAPTIP was further amended to address grey areas inherent in the previous Act.

Furthermore, Civil Society Organisations have worked closely with the government of Nigeria to raise awareness and ensure the implementation of the Act. Some perpetrators have been arrested and many prosecuted. Yet, the crime still increases in an astronomical rate. For instance, during the celebration of World Day against Trafficking in 2024 in Nigeria, it was reported that more than 24,000 victims have been rescued and rehabilitated.⁷⁶ Given the quantum of persons affected by this human rights violation, and the network of syndicates, the number of rescued victims does not in any way indicate that combatting human trafficking is close to being successful.

The implication is that, there are certain things which are not done right. There is therefore, need for effective monitoring and enforcement of the relevant anti-human trafficking regimes, personnel involved in investigating and prosecuting perpetrators

⁷² GO Antai 'Universality versus Cultural relativism in International Human Rights: A Case Study of the Anti-Homosexuality Act of Uganda 2023' (2024) 11 (12). *IAA Journal of Management* 1-14.
<https://doi.org/10.59298/IAAJAM/2024/112.11400.00>

⁷³ Meaning Women Trafficking and Child Labour Eradication Foundation

⁷⁴ Njoku, 25; see also AJ Ikpong, 'Prevention of Trafficking in Persons in Nigeria: A Critical Analysis of the Trafficking in Persons Prohibition Law Enforcement and Administration Act, 2003' [2010] (3) *Nasarawa State University Law Journal* 123

⁷⁵ Ibid s 64

⁷⁶ NAPTIP, 'NAPTIP Celebrates 2024 World Day Against TIP As Partners and Stakeholders Give Thumbs Up for the Agency's Achievement' 6 August 2024 <<https://naptip.gov.ng>>naptip-celebrates-world-day-against-tip> accessed 30 October 2024

need to be trained on the use of modern technological gadgets which would make it easier for the detection of the crime. In addition, the Police Force and other agencies in charge of national borders have to be trained on international best practice in transnational border security, with the requisite encouragement by way of funding and remuneration so as to be firm in the discharge of their mandate under the law. There is equally a call for good governance in order to rid the society of corruption.

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