

## The Menace of Human Trafficking Across the Sahel Region and the Efforts of NAPTIP

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### ABSTRACT

Human trafficking, which has become a global phenomenon entails the trafficking of people especially young and able bodied people for forced labour and prostitution has become a recurrent decimal in Nigeria. Despite concerted efforts by successive governments to eradicate it the menace of human trafficking in Nigeria and across the Sahel region has remained insoluble. This study therefore, seeks examine the menace of human trafficking in Nigeria and across the Sahel region and by the same token to appraise the efforts of National Agency for the Prohibition of Traffic in Persons and other related matters (NAPTIP) at curbing human trafficking. This is because NAPTIP is a governmental agency empowered by law to investigate and prosecute persons involved in human trafficking. The study adopted structural functional theory and relied basically on review of documented evidence from secondary materials. Efforts were also made to discuss the background of human trafficking in Nigeria. Efforts were also made to discuss efforts of NAPTIP and some steps taken by government and international organizations at curbing human trafficking as well as the associated challenges. Furthermore, the research discovered that poverty; effects of globalization, religious manipulation among others are the determinant factors of human trafficking. The research concluded that the menace of human trafficking can only be eradicated through employment generation, empowerment and poverty alleviation programmes with focus on the down trodden rather than prohibition and prosecution alone. The study recommended other solutions to human trafficking such as adequate funding of NAPTIP, implementation of child rights act, mass enlightenment, advocacy and public awareness etc.

Keywords: Menace, Human Trafficking, Sahel Region, Efforts of National Agency for the Prohibition of Traffic in Persons

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### INTRODUCTION

Human trafficking is a global phenomenon, an endemic social problem; very pervasive and heinous crime and one of the most pressing human rights problems across the world and Nigeria in particular [1,2,3,4]. The gravity of the problem of trafficking in persons has seemingly defied several efforts by international organizations, the government and non-governmental organizations alike. It is because trafficking in persons has proved to be a relatively lucrative business or venture for those who engage in this act. According to [5,6,7,8] human trafficking entails the trafficking of persons usually children and young girls for prostitution and cheap labour, within Nigeria and from Nigeria to other countries in Africa, Europe, Asia and the Americas, and this has also aggravated several other forms of cross border crimes in Nigeria and Africa in general. On a global scale the

United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) was born out of a renewed commitment by world leaders in the battle against human trafficking to end this crime, one of the most egregious violations of human rights in the world today. Formally launched in March 2007 by the United Nations Office on Drugs and Crime (UNODC), and made possible by a generous grant from the United Arab Emirates, UN.GIFT is a call to action, reminding Governments, civil society actors, the media, the business community and concerned individuals of their common commitments to fighting trafficking in persons, and that this battle cannot be fought, or won, alone [9,10]. As at 4 December 2007, 116 countries have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially among women and children, thereby providing a common framework

for international efforts. Only by joining forces, pooling knowledge, expanding the scope and number of stakeholders and cooperating across borders can we hope to eradicate human trafficking. Acknowledging this need at all levels, UNODC continues to develop UN.GIFT in partnership with the International Labour Organization, the International Organization for Migration, the United Nations Children's Fund; the Office of the United Nations High Commissioner for Human Rights and the Organization for Security and Cooperation in Europe (United Nations Office on Drugs and Crime [11,12].

In the case of Nigeria, therefore, the federal government was compelled to establish a more robust presence and effective agency to tackle and curtail the problem of human trafficking in Nigeria. This led to the formation of the National Agency for the Prohibition of Traffic in Persons and other related matters (NAPTIP). Despite all these measures however; human trafficking across the Sahel has persisted with an un-diminishing intensity. Similarly, despite all the humiliation, torture and deportation of several young Nigerian women from various European and other foreign countries, many more young women in Nigeria are committed and determined to find their ways to foreign nations and engage in prostitution and other humiliating or degrading professions [10]. Trafficking in persons

for the purpose of domestic servitude, prostitution and other forms of exploitative labour is a widespread phenomenon globally and in Nigeria in particular [13,14].

Within Africa, Nigeria is the largest single source of trafficked persons of Europe and Asia. Also, the trafficking in persons department report of the United States of America in July [15] identified Nigeria as a source, transit and destination country for trafficked persons. It further mentioned that the victims of human trafficking are men, women and children. In order to curb the menace of human trafficking in Nigeria the trafficking of persons (prohibition) law enforcement and administration act was signed into law in the year 2003. The laws contains far reaching provisions on trafficking and establishes the National Agency for the Prohibition of Traffic in Persons and other related matters (NAPTIP). NAPTIP has the responsibility to enforce laws against trafficking in persons and to take charge and coordinate the rehabilitation and counseling of trafficked persons and for related matter. Apparently, researchers have made some concerted efforts to find solutions to human trafficking in Nigeria, but the problem still persists. This study therefore, sets out to examine the menace of human trafficking across the Sahel region vis-a-vis the efforts of National Agency for the Prohibition of Traffic in Person.

#### Statement of the Problem

With 64.5% of the population being below 25 years, the Sahel is one of the world's most youthful regions. Therefore, investments in education and vocational training could yield huge demographic dividends. The Sahel is also endowed with enormous renewable energy potential; it has more solar energy production capacity than other regions of the world [16]. The macroeconomic conditions in the Sahel have been steadier and stronger than the continental average over the past decade. More so, the Sahel is endowed with great potential for renewable energy and sits atop some of the largest aquifers on the continent. The region is potentially one of the richest in the world with abundant human, cultural and natural resources. The Sahel, the vast semi-arid region of Africa separating the Sahara

Desert to the north and tropical savannas to the south, is as much a land of opportunities as it is of challenges. Although it has abundant human and natural resources, offering tremendous potential for rapid growth, there are deep-rooted challenges environmental, political and security that has affected the prosperity and peace of the Sahel. Consequently, the phenomenon of human trafficking across the Sahel region has become issue of serious global concern in the 21<sup>st</sup> Century. Trafficking in persons is not only a human rights problem; it also subsumes numerous other negativities with disastrous consequences on a global scale. Be that as it may, the widespread contemporary exploitation of men, women and children is unacceptable to people of conscience

the world over. Traditional approaches to preventing trafficking in human beings, to protect and assist trafficked persons and bring criminals to justice have had some small impact on the global phenomenon, but not enough [17]. That even one young person is denied the benefits of childhood, that one young woman is subjected to the brutal humiliation of sexual exploitation and that one man becomes the slave of a cruel taskmaster in another country are clear signals that we must renew both our resolve as well as our initiatives to protect those who are vulnerable. This trend of human trafficking has provoked heavy attention of scholars, especially on the inability to combat the menace of human trafficking. Sequel to the above, this study shall focus on the menace of

human trafficking across the Sahel with special focus on the efforts of National Agency for Prohibition of Traffic in Persons and other related matters (NAPTIP). NAPTIP was chosen as an area of focus, due to the fact that it is an agency setup by the federal government of Nigeria to address the scourge of human trafficking. Also, the agency was a response by the federal Government to the international obligation under the trafficking in person's protocol supplementing the United Nations transnational organized crime convention (TOC). Therefore, the central task of this research is to examine the extent to which NAPTIP has performed its role as an agency for curbing the menace of human trafficking across the Sahel in Nigeria [18,19,20].

#### OBJECTIVE OF THE STUDY

The objectives of this study are to:

1. Critically examine the nature and menace of human trafficking across the Sahel region.
2. Shed light on the determinant factors and effects of human trafficking in Nigeria.

3. Appraise the efforts of NAPTIP in the fight against human trafficking across the Sahel in Nigeria.
4. Identify the challenges impeding the efforts of NAPTIP in the fight against human trafficking.
5. Recommend effective strategies for combating human trafficking across the Sahel.

#### Research Questions

The following research questions are addressed;

1. What are the nature and menace of human trafficking across the Sahel region?
2. What are the determinant factors and effects of human trafficking in Nigeria?

3. What are the efforts of NAPTIP in the fight against human trafficking across the Sahel in Nigeria?
4. What are the challenges impeding the efforts of NAPTIP in the fight against human trafficking across the Sahel?
5. What strategies will effectively help in combating human trafficking across the Sahel?

#### METHODOLOGY

In this study, exploratory research design was employed in order to provide a better understanding of the roles of NAPTIP in the fight against human trafficking in Nigeria. In addition to the exploratory design, this study employed qualitative method in its data collection and analyses. Qualitative research emphasizes meanings (words) rather than frequencies and distributions (numbers) when collecting and analyzing data. Primarily, qualitative research seeks to understand

and interpret the meaning of situations or events from the perspectives of the people involved and as understood by them (in this relying absolutely on documented evidence). It is generally inductive rather than deductive in its approach, that is, it generates theory from interpretation of the evidence, albeit against a theoretical background. Thus qualitative measures are often binary in that they are interested in the presence or absence of phenomena.

#### Theoretical Framework

Structural functionalism is an approach to political analysis that focuses on the functions performed within a political

system and on structures through which they are performed. Structural-functionalism provides a framework for

analyzing whole systems. It stresses the interrelatedness of structures and functions that must be performed if the system is to persist or be adequately maintained. According to [21], one of the chief proponents of the theory in political science, every political system performs certain functions. Functions in this context, means some purpose served with respect to the maintenance or perpetuation of the system. Taking Easton's system analysis as a starting point, Almond identified the input and output function of all political systems as follows:

1. Interest articulation, this means expressing and making demands upon the political system which is usually done by parties and pressure groups
2. Interest aggregations; this focuses on selecting demands and combining them into a manageable number of alternatives. While on the output side are the following functions
3. Rule making: This means taking demands and converting them into the authoritative decisions of the political system e.g. the legislative
4. Rule application; this is the administering or putting the decisions into effect i.e. policy implementation carried out by the executive.
5. Rule adjudication, this involves making authoritative decisions about whether or not a rule has been transgressed in given cases e.g. the judiciary. The function of
6. Political communication; transmitting politically -relevant information to the citizens within the political system and outside of these diverse activities.
7. Political recruitment and socialization; this means getting people to fill all the political system from voters to leaders; forming positive attitudes, values, beliefs and opinions which maintains or sustains the political systems [22].

Almond and Powell (1966) have also classified functions into three types: Capability functions, conversion functions and communication functions. The capability function include those

with extractive capability (to extract taxes and obedience from people), regulative capability (how far the system is allowed to go to enforce law and order), distributive capability (how goods and services are distributed), symbolic capability (whether the political system is in a position to get love for its symbols such as national flag, or the national anthem, etc), and responsive capability (how responsive the system is as perceived by citizens. The capability functions play a role in how a political system conducts physical compulsion used which governs the inputs and outputs of the political system and gives it its special quality and importance as well as its coherence as a system.

Three things clearly emerge from Almond's definition of political system:

1. That a political system is a concrete whole influencing, and in turn influenced by, the environments, the presence of legitimacy force holding it together,
2. Interactions take place not between individuals but between roles adopted by them, and
3. The political system is an open system engaged in a continuous communication with entities and systems beyond its own boundaries. Almond also defines political as separating out a certain set of interactions in a society in order to relate it with other sets.

A system according to him is characterized by:

1. Comprehensiveness
2. Inter-dependence and
3. Existence of boundaries.

A system is comprehensive in the sense that it includes all the interactions - inputs as well as outputs, which affect the use of physical coercion, all the structures, including undifferentiated structures, like kinship and lineage, and anomic phenomena, likes riots and secrets demonstrations, and not merely the interactions which take place within the structures associated with the state, like parliament, executives and bureaucracies, and formally organized units like parties, interest groups and media of communication. Interdependence means that the various sub-sets of the system are so closely

connected with each other sub-sets. Almond defines boundary as points where other systems end and the political system begins. He also explains the line of demarcation between the political system and other systems. In addition to these three characteristics of the systems as enumerated by Almond, is the tendency towards equilibrium. Equilibrium, in a general sense means that no variable should change its position or relation with respect to the other variable, which would imply that the variables have adjusted themselves with each other and reached a steady or homeostatic state, enjoying a condition of harmony stability or balance [23].

At this juncture, it is pertinent to state that for the purpose of this study attention shall be accorded to the functions performed by the structures that makeup the political system. That is to say that we are more interested in the process than the institutions, and would, therefore, like to approach an understanding of the structures within the political system through their functions. In fact, it is on the basis of the efficiency with which a political system performs the functions assigned to it as a

#### Nature and Menace of Human Trafficking

For the purpose of this work the United Nations protocol normative definition of the term Trafficking (otherwise called the Palermo protocol) shall be adopted. It defines Trafficking in persons as the Recruitment, transportation, transfer, harbouring or receipt of persons by means of 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 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 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" [24] The trafficking in persons for the purpose of domestic servitude, prostitution and other forms of exploitative labour is a widespread phenomenon; globally and Nigeria in particular [23]. Within Africa, Nigeria is the largest single source of trafficked

political system that its stature in the scale of political development is determined.

The theory is also used by policy makers to determine the extent to which structure functions and the environmental factors which influence and challenge the structure from performing. It can further be applied to the process of social action which influences political culture through political socialization to the understanding of the environment, in which political and economic development takes place within the framework of the system. Therefore, the relevance of the structural functional theory is very useful in this study. NAPTIP is an agency set up to correct some abnormalities in the system as a result of the collapse of certain structures in Nigeria. It is also pertinent to state that NAPTIP operates in an environment, whose influence affects the activities of the agency. The activities of NAPTIP shall be examined within this ambit to determine the extent to which the agency is capable of curbing human trafficking in Nigeria especially across the Sahel.

persons of Europe and Asia. Also, the trafficking in persons report of the United States of America department July (2001) identified Nigeria as a source, transit and destination country for trafficked persons. It further mentioned that the victims of human trafficking are men, women and children. With an estimated current population of over 200 million, Nigeria is the most populous country in Africa. It is richly endowed with natural resources such as natural gas, tin and agricultural products and is the world's sixth largest oil exporter. However, despite its rich human and natural resources; it ranks among the 20 poorest countries in the world with an annual Gross Domestic Product (GDP) per capita estimated at less than \$300. More than 75 percent of the population lives below the poverty line (Analysis of Nigeria's response to the Libreville platform of action, 2000). The 1970s oil boom sparked a significant economic growth and inspired prospects for continued expansion. However, by the end of the decade, growth had slowed due to a

slump in the world oil prices and Nigeria GDP fell. Also the precarious effect of policies implemented by past governments, corruption and misappropriation of public funds, long years of military rule, neglect of rural sector and its attendant result of food insecurity, has led to the collapse of the Nigerian economy. This untold hardship has forced a large number of families into illegal means of survival [24] states that the consequences of the implementation of the Structural Adjustment Programme (SAP) featuring inflation, depreciation of naira, low installed capacity performance of industries, retirement, unemployment, have been the main causes of the rapid growth and indeed the preponderance of informal sector activities which include such activities as drug and human trafficking. Accordingly, [25] painted a grim picture of the reality of the Nigerian state, as a state in economic and political comatose. Millions of the youths see migration out of the country as a solution to their economic misfortunes, just as an army of jobless people take to crime such as drug and human trafficking. Due to the collapse of certain structures such as the economic structure, to address poverty, welfare system to address unemployment, low wages and salaries, and the attendant result of human trafficking, has made Nigeria to acquire a reputation of being one of the leading African countries on human trafficking. As argued by [26] the Socio-economic condition largely determines the direction and consequences of policies. As elicited by [8] the oil wealth in Nigeria has not been carefully managed to reduce the impact of dependence on single commodity, generate massive internal capital and social capital. Nigeria is yet to produce a successful class of producers as it is always more profitable to gain access to power for prebendalism or to engage in oil bunkering, smuggling, and speculation, currency exchange, drug and human trafficking, and other fraudulent practices. But studies indicate that people willingly engage in trafficking as a way of solving their economic crisis [6]. The poor economic situation in Nigeria and other countries in the Sahel region has led to unemployment and high rates of school dropouts. These circumstances have created a large pool of inactive and

unengaged children and adolescents who are much more vulnerable to trafficking than their peers who go to school. The motivation, to find work away from home is often driven by a question of bare survival. Nigeria today is a centre of trafficking in human beings, especially women and children. It is an origin, transit and destination country for trafficked children and serves predominantly as an origin country for trafficked women. About 83% of child victims of trafficking for domestic service are recruited from the Nigerian State of Akwa Ibom; other child victims come from the states of Cross Rivers, Rivers, Ebonyi, Kano and Kaduna. Children victims of trafficking originating in Nigeria were all under the age of 16 (the majority was between 6 and 10 years of age). Foreign children trafficked to Nigeria come mainly from Benin and Togo (an estimated 96%, with 90% of that figure coming from Benin alone), Côte d'Ivoire and Niger (United Nations Office on Drugs and Crime [26,27]. Children as young as five and six years old trafficked from Benin have been found working in exploitive conditions in Nigerian mines in the Western part of the country. Trafficked girls are used for domestic service or street trading as well as commercial sexual exploitation while boys are generally forced to work on plantations or in commercial farming, construction, quarries and mines, or engage in petty crimes and the drug trade. With respect to women trafficked to Europe for the purpose of sexual exploitation, an estimated 94% are from Edo State in Nigeria while the remaining are from Delta, Kano and Borno States. Nigerian women trafficked abroad are sent to different destinations including Europe (Italy, Spain, France); West Africa (Benin, Côte-d'Ivoire); Central Africa (Gabon, Cameroon) and the Middle East (Saudi Arabia). During the religious pilgrimage, the Hajj, young Nigerian children and older Nigerian women travel to Saudi Arabia and are forced into street begging, domestic service and prostitution. Foreign women are reported to have been trafficked to Nigeria from as far away as Moldova, Belarus, Ukraine and the Philippines (United Nations Office on Drugs and Crime [28]. Togo is an origin country for children trafficked to Nigeria

and Gabon for forced domestic labour and prostitution, while Ghanaian children are trafficked to Togo for forced domestic servitude. Adult Togolese women have been reportedly trafficked to Lebanon and European countries for sexual exploitation. The region's most affected by internal child trafficking are the Maritime region (Departments of Yoto, Afangna and Lacs), the Central region (which includes the Departments of Tchaoudjo, Tchamba, Assoli and Sotouboua), the West region (which includes the Departments of Wawa and East Mono) and the region of Kara (which includes the Departments of Bassar and Assolie) to the cities of Lomé, Kara, Atakpamé and Sokodé. With respect to trans-border trafficking, girls and young women are trafficked from the Northern region (Kabou, Bafilo and Sokodé) to Burkina Faso, Côte d'Ivoire and Niger. Young boys are trafficked from Agodjolo (prefecture of Ogou) and Alédjo

#### Determinant Factors and Effects of Human Trafficking across the Sahel Region

A number of factors contribute to the phenomenon of trafficking in human beings, in particular children, in West Africa. Predominant among these are poverty, large family size, lack of educational opportunities and lack of employment. Other factors facilitating trafficking in persons in Benin, Nigeria and Togo include ignorance on the part of families and children of the risks involved in trafficking, the high demand for cheap and submissive child labour in the informal economic sector, the desire of youth for emancipation through migration, institutional lapses such as inadequate political commitment, non-existent national legislation against trafficking in human beings, and the absence of a judicial framework allowing for the perpetrators and accomplices of trafficking to be held responsible and punished for their acts. Other contributory factors in trafficking in persons in the region include porous borders, corrupt government officials, involvement of international organized crime groups or networks, limited capacity of or commitment by immigration and law enforcement officers to control trafficking at the borders and lack of political will or desire to enforce existing legislation or mandates.

(prefecture of Assoli) to Nigeria, Gabon and Côte d'Ivoire (United Nations Office on Drugs and Crime [29]). In Benin internal trafficking in children occurs. Young women trafficked from rural areas to larger cities such as Cotonou, Porto-Novo, Parakou and Bohicon are forced into sexual exploitation. Beninese children are trafficked to Nigeria, Ghana, Gabon, Côte d'Ivoire, Cameroon and Guinea. They are lured with promises of employment and then forced into domestic, commercial and agricultural labour. Benin also serves as a destination country for children trafficked for labour exploitation from Niger, Togo and Burkina Faso. Adult women trafficked from Niger, Nigeria and Togo are forced into prostitution in Benin, while Beninese women are trafficked to Belgium, France and Germany, predominantly for the purpose of sexual exploitation (United Nations Office on Drugs and Crime [30]).

Similarly, trafficking in persons, in particular women and children is intrinsically related to a number of factors known as "push and pull" factors. Push factors are those which induce individuals to leave an area or country in search of a better life elsewhere. In the case of women and children trafficked in the West Africa region, push factors include the difficult socio-economic environment and deep-rooted, abject poverty, regional inequalities and inadequate programmes for the creation of employment or revenue-generating activities, particularly for youth in rural areas [31]. Failure of structural adjustment programmes to regulate the economic situation and the massive debt of many countries has resulted in economic decline, placing millions below the poverty line, and making children and their families vulnerable to forms of exploitation to include trafficking (Talens, 1998). Economic insecurity and poverty are aggravated by political instability and a lack of accountability of government institutions, which have been either under military regimes or under one party rule [23].

The director of UNICEF for West and Central Africa identifies poverty as a "major and ubiquitous" causal factor behind child trafficking (Human Rights

Watch, 2003). Sending or source states - among others, Benin, Nigeria and Togo - are characterized by situations in which between 33% and 73% of the general population lives on less than US \$1 a day (Human Rights Watch, 2003; 10). Poverty levels are higher in rural areas, from which the majority of trafficked children come. [20] blames other factors such as ignorance on the part of families and children of the risks involved in trafficking; the high demand for cheap and submissive child labour in the informal economic sector; the desire of youth for emancipation through migration; and institutional lapses such as inadequate political commitment, non-existent national legislation against child trafficking, and the absence of a judicial framework allowing for the perpetrators and accomplices of trafficking to be held responsible and punished for their acts" [32]

Other push factors of trafficking in persons in the region; include porous borders, corrupt government officials, involvement of international organized crime groups or networks, limited capacity of or commitment by immigration and law enforcement officers to control trafficking at the borders, lack of adequate legislation and lack of political will or desire to enforce existing legislation or mandates.

The true magnitude of the trafficking problem is difficult to gauge. In part this is due to varying definitions used as well as to other factors such as the accepted practice of the placement of children with relatives or other families both within and outside the country, and the hidden economies in which the children work. Other reasons for the lack of accurate data include a lack of anti-trafficking legislation in many countries, the reluctance of victims or their parents to report their experiences to the authorities and the slowness of government agencies to respond to the problem. Statistics may be generated by NGOs, governmental and international organizations, law enforcement and immigration (statistics on interceptions) and NGOs and Embassies (statistics on repatriations). Rarely are these data sources linked and where statistics are even collected, they often include estimates and portray only the tip of the iceberg. While immigration

statistics often include those who have been deported and/or repatriated and thus include illegal migrants and traffickers/criminals as well as trafficked victims (and thus may be inflated), NGO statistics often report only those who seek help and thus under-represent the true nature of the problem. In the light of the above scenario therefore, it is consequential to assess the efforts of NAPTIP in the fight against trafficking in persons across the Sahel region.

#### Efforts of NAPTIP in the Fight against Human Trafficking across the Sahel Region

National Agency for Prohibition of Traffic in Persons and other Related Matters (NAPTIP) came into being on the 8<sup>th</sup> of August, 2003. The Agency which is the creation of Trafficking in Persons (prohibition) Law Enforcement and Administration Act, 2003 is the Federal Government of Nigeria's response to addressing the scourge of trafficking in persons in Nigeria and its attendant human abuses in its entire ramification. It is also a fulfillment of her international obligation under the Trafficking in person's protocol supplementing the United Nation's Transnational Organized Crime Convention (TOC) (NAPTIP Law Enforcement Act, 2003). Nigeria became signatory to the Transnational Organized Crime Convention and it's trafficking in person's protocol on the 13<sup>th</sup> December, 2000. Article 5 of the said trafficking protocol enjoins state parties to criminalize practices and conducts that subject human beings to all forms of exploitation which includes in the minimum sexual and labour exploitation. The Bill to implement this protocol in the national penal legislation was sponsored as a private member bill by Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), a non-governmental organization initiated and founded by Mrs. Titi Abubakar ([www.naptip.gov.ng](http://www.naptip.gov.ng)). The Bill was subsequently passed by the National Assembly on the 7<sup>th</sup> of July, 2003 and presidential assent given on 14<sup>th</sup> July, 2003 by President Olusegun Obasanjo. From that day, the law took effect and became operational throughout the country.

The law seeks to address trafficking in persons with its associated problems by

creating National Agency for the prohibition of traffic in person and other Related Matters (NAPTIP) a specific multi disciplinary crime fighting agency to address them. The main objectives of act setting up NAPTIP are: -To vest NAPTIP with the responsibility of enforcing all laws against traffic in persons, including investigating and prosecuting person's suspected to be engaged in traffic in person, as well as coordinating the rehabilitation and counseling of trafficked person's [9].

The functions NAPTIP are:

- a. To coordinate all laws on trafficking in person and related offences.
- b. To adopt measures to increase the effectiveness of eradication of trafficking in person.
- c. To adopt witness protection measures
- d. To enhance effectiveness of law enforcement agents to suppress traffic in person.
- e. To establish proper communication channels, conduct research and work on improving international cooperation in the suppression of traffic in person; by land, sea and air
- f. To reinforce and supplement measures in bilateral and multilateral treaties and conventions on traffic in person;
- g. To work in collaboration with other agencies or bodies that may ensure elimination and the prevention of the root causes of the problem of traffic in any person.
- h. To strengthen and enhance effective legal means for international cooperation in criminal matters for suppressing the international activities of traffic in persons.
- i. To strengthen cooperation between the Attorney General of the Federation, Nigerian Police, Nigerian Immigration Service, Nigeria Correctional Service, Welfare officials and all other agencies in the eradication of traffic in person.
- j. To take charge, supervise, control and coordinate the rehabilitation of trafficked persons.

- k. To investigate and prosecute traffickers (NAPTIP Law Enforcement and Administration Acts, 2003).

By these functions, the agency became the country's focal point in the fight - against trafficking in person and its associated social problems with specialized operational departments created by section 8 of the law to implement the mandate of the agency. There are about 21 penal provisions (section 11-29, 32 and 46) of the law prescribing different punishment ranging from 12 months for attempts, to life imprisonment for serious offences such as slavery exportation or importation of girls under the age of 18 years for prostitution, etc. the definition of trafficking in person by the law in its section 64 as amended is in line with United Nations definition in article 3 of the trafficking protocol. Exploitation is the key element of the offence which is found in all the penal provisions of the law.

To enhance the effectiveness of NAPTIP, the Agency works with other Government Agencies such as WOTCLEF, UNICEF, UNODC, IOM, ILO e.t.c. There is a donor group headed by UNICEF. In the month of July, 2006 a regional conference was jointly organized by ECOWAS and ECCAS in Abuja, with active participation of NAPTIP supported by UNICEF, ILO, IOM and the office of the special adviser to the President on trafficking in persons, especially women and children was signed by 15 member states from both ECOWAS and ECCAS. Under section 64 of the NAPTIP act a section was devoted to definition of number of terms. The term human trafficking is defined as "all acts and attempted act involved in the recruitment, transportation within or across Nigerian borders, purchase, sell, transfer, receipt or harbouring of a person involving the use of deception, coercion or debt bondage for the purchase of placing or holding the person whether for or not involuntarily servitude (domestic or sexual reproductive) in forced or bonded labour or slavery-like condition" [8]. The definition of human trafficking in persons under this applies to any person irrespective of gender, age, place of origin or nationality. The definition of trafficker also covers

attempt as well as participation and abetment, since the same provision has defined the word "trafficker" as a person or any entity that intends to commit, aids, abets or acquiesces to an act of trafficking.

The above points having been made it is pertinent to juxtapose the functions of NAPTIP as stated above vis a vis its achievement. This will bring to light the extent to which the functions were realized. NAPTIP has the responsibility to enforce laws against trafficking in persons and to take charge and coordinate the rehabilitation and counseling of trafficked persons and for related matter. Apparently, researchers have made some concerted efforts to find solutions to human trafficking in Nigeria, but the problem still persists. However, it is also pertinent to state that some solutions proffered could not see the light of the day because of the lack of holistic approach to tackling the problem. Some of the limitations include, placing too much emphasis on prostitution, limiting human trafficking to a particular sex (i.e female), and few states such as Edo, Delta, Kano and Kwara. Therefore, for the effective conduct of the functions of the Agency, NAPTIP has the following departments:

- a. Investigation and Monitoring department
- b. Legal and Prosecution department
- c. Public Enlightenment department
- d. Counseling and Rehabilitation department.

The Functions of NAPTIP Vis a Vis Its Efforts at Curbing Traffic in Persons  
NAPTIP has been able to make some minimum achievements since its inception in 2003. So far, between February 2004 and December 2006 NAPTIP was involved in return of 757 trafficked victims including 6 babies. Seventy three (73) victims rescued and counseled in 2004, 337 victims, rescued and counseled in 2005, 348 victims rescued and counseled in 2006. Most of these victims are Nigerian females while a smaller number are Beninese, Togolese and Ghanaian (NAPTIP news magazine 2005, vol. 1 No.3:10). In 2009 the government convicted 25 trafficking offenders and provided care for 1,109 victims increases over the previous reporting period. By and large NAPTIP has convicted 65 human traffickers, rescued

- e. Administration and finance, and
- f. Research and program department

The investigation department liaises with the police for the prevention and detection of offences in violation of the provisions of the Act of Agency, and works in collaboration with the immigration service, custom service and other relevant security agencies. The public Enlightenment department collaborates with the Federal ministries of information and National orientation Agency, women and Youth development, employment, Labour and productivity and be responsible for campaigns, seminars and workshops aimed at educating the public on the problem of trafficking in any person, thereby stimulating interest in and awareness about the problem. The counseling and Rehabilitation department collaborates with the Federal Ministries of Women and Youth Development employment, Labour and Productivity, culture and Tourism, and are responsible for counseling, after care rehabilitation, social re-integration and education of persons, counseling and the promotion of the welfare of convicts. The administration and finance department is responsible for staff administration and remuneration, the account deals with finance for the expenditure of the Agency. Research and program department, carries out field research and set up programmes for the Agency to the public.

and repatriated 4,000 victims since its inception in 2003 [9]. In addition NAPTIP ceased the practice of interrogating trafficking suspects at the same Lagos facility housing its shelter for trafficking victims. To better ensure victims' rights are respected, NAPTIP formed a committee in mid -2009 to review victim care policies aiming to strike a balance between ensuring victims safety in shelters and promoting their freedom of movement. There are also efforts at protecting trafficking victims by Nigerian government through US security agents. Police, customs, immigration and NAPTIP officials systematically employed procedures to identify victims among high risk persons such as young women or girl traveling with non-family

members. Data provided by NAPTIP reflected a total of 1,109 victims identified and provided assistance at one of NAPTIP's eight shelters throughout the country during the reporting period; 624 were cases of trafficking for commercial sexual exploitation and 328 for labour exploitation. Various government agencies referred trafficking victims to NAPTIP for sheltering and other protective services: immigration referred 465; police referred 277; social services referred 192; and the state security service referred nine (U.S Department of State, June 14, 2010). The 2003 trafficking in person's law enforcement and administration act provides for treatment, protection, and non-discriminatory practices for victim. The law specified no trafficking victim should be detained for any offense committed as a result of being trafficked. In 2009, the government took steps to relocate victims' quarters a considerable distance from detention areas of trafficking offenders, greatly reducing undue influence of traffickers over victims. Victims are allowed to stay in the government shelters for six weeks. If a longer period was needed, civil society partner agencies were contacted to take in the victim. Officials encouraged victims to assist with the investigation and prosecution of traffickers and victims served as witnesses in all of NAPTIP's successful cases [13]. The government of Nigeria also sustained efforts to raise awareness of human trafficking over the years. NAPTIP's public enlightenment unit worked throughout on the national and local programme to raise awareness. Example in rural Benue, Kogi and Edo states, NAPTIP introduced grassroots programs and held its first annual race against human trafficking in Edo state with 5,000 runners. On the national level, it covered the 2009 model UN conference for secondary students with a theme of combating human trafficking. Furthermore, a nine-state tour was launched to establish state working groups against human trafficking. The objective of these and several related programs was to sensitize vulnerable people, sharpen public awareness of trends and tricks traffickers used to lure victims, warn parents and share ideas among stakeholders audiences ranged

from 50 to 5,000 persons [9]. NAPTIP worked with immigration services to monitor emigration and immigration patterns for evidence of trafficking. The long established stakeholder forum continued quarterly meetings in Abuja to foster collaboration among agencies. In august 2009, NAPTIP held a stakeholder's workshop in Kaduna to set program priorities and cost estimates for implementing the national plan of action, which was established in 2008.

From the foregoing analysis it is evident that NAPTIP has been able to perform some of its functions, but there is much to do in the achievement of some functions. For example, Nigeria is among the 15 member states from ECOWAS that adopted the child right-act but only 23 of the country's 36 states including the federal capital territory have enacted it. Since the full implementation of the child right act falls under the purview of the state legislature, the federal government cannot force them to implement it. This has led to a setback in the achievement of the functions of NAPTIP. The functions of NAPTIP are also hampered in the area of prosecution of traffickers. Most of the cases, victims are used as witness against the traffickers, this is called trial within trial. This trial is subject to the judgments of the law court. However, most of the statements that were given by the victims as evidences against the traffickers are dined by the traffickers in the law court. it then means the prosecutor will have to proof beyond reasonable doubt before the traffickers can be convicted, if not, the trafficker will set free. This explains why since 2003 till date only 65 trafficking offenders has been convicted.

The lack of synergy among the security agent is another factor affecting the functions of NAPTIP. As stated in (i) under the functions of NAPTIP, the agency is to strengthen cooperation between the Attorney General of the Federation, Nigerian police, Nigerian Immigration Service, etc. This in essence means NAPTIP has to collaborate with other agencies to curb human trafficking. But the synergy is not always there. Some of the security agencies are very egoistic and always claim superiority over others. Police and immigration officials including those working at border post and

airports, at times allegedly collect bribes to overlook traffic crimes. Urban migration through the Nigerian borders especially from West Africa facilitated by the ECOWAS agreement on free movement of goods and persons. This agreement is always exploited and leads to indiscriminate influx of people. Hence, the ability of NAPTIP to suppress trafficking is dampened. It is also pertinent to mention that function (g) under the NAPTIP functions is also being hampered by lack of finance to rehabilitate victims and uplift their standard of living. For example in 2009 the Nigerian government pledged over 7 million dollars in annual funds for NAPTIP's operation and activities; all government programs received partial payment pending budget approval by legislative and executive branches. Due to a four months delay in approval of the 2010 national budget, funds were distributed to all federal agencies in April 2010 (Trafficking in person's report 2010 US Department of State). The delay in budget approval often leads to a setback in the rehabilitation of victims and poor maintenance of offices and shelters.

Challenges faced by NAPTIP in the Fight against Human Trafficking

NAPTIP as an agency focus more on the prevention initiatives and is much limited in the areas of economic empowerment. The victims of human trafficking arrested by NAPTIP are supposed to be empowered through skill acquisition, but the agency is ill-equipped to carry out this function, as it has only five shelters (skills acquisition centers) in Nigeria. These shelters are too few and can only be found in few states i.e. Benin City, Kano, Sokoto, Lagos and Abuja. In addition, the equipments cannot go round the victims that inhabit the shelter (NAPTIP news December 2005 –March 2006). As argued above one of the main reasons people engage in human trafficking is to better their lots and if NAPTIP as an Agency is not well equipped to empower the victims arrested, then what becomes of them? There is a high tendency of the victims returning to the same crime or other similar crimes.

Another major factor affecting the operation of NAPTIP and consequently sustaining human trafficking in Nigeria is corruption. Corruption in Nigeria is more endemic or systemic in nature and has

Poverty can be said to be one of the root cause of human trafficking in Nigeria. In tackling poverty a holistic approach is required, this means NAPTIP has to collaborate with other agencies. NAPTIP lacks adequate facilities to provide vocational training programmes. For example in the year 2009 a total of 1,109 victims were assisted at one of NAPTIP's eight shelters, but while at NAPTIP's shelter only 70 victims received vocational training assistance. (NAPTIP news magazine 2010). Under the NAPTIP act commercial sex acts is criminalized but government has not taken a major action at reducing it. For example at the first quarter of 2012 NAPTIP officials moved to shut down two brothels in Lagos state. At these brothels, authorities rescued 12 females, including six underage victims of trafficking. One property owner was convicted, sentenced to two years in prison and required to forfeit his hostel; his case has remained under appeal. The second brothel owner's trial was on going and he remained free on bail (Trafficking in persons report 2010. US Department of state.)

become institutionalized in the Nigerian society with a devastating effect. The political bureau established in 1987 attributes the failure of politics and governance in Nigeria basically to corruption. Also, the British Department for International Development (DFID) maintains in its paper presentation, that poverty persist in Nigeria because of the mismanagement of resources and corruption, found particularly but not exclusively in the public sector [16]. Beyond the pilfering of public funds, the amassing of fortunes by illegal or corrupt means does not seem to necessarily disturb the average Nigerian. According to [9], for Nigeria various factors have been identified as instrumental in enthrone corrupt practices. These includes, briefly, the nature of Nigeria's political economy, the weak institutions of government, a dysfunctional legal system a culture of affluent and ostentatious living that expects much from "big men", extended family pressure, village/ethnic loyalties and competitive ethnicity. [4] also established a clear link between corruption and

human trafficking, that corruption has adversely affected governance and the larger social structure. Government ability to provide vital social services such as water, sanitation, healthcare, education, etc is usually severely constrained. This generally leads to a retardation of economic development and to the deterioration of whatever public infrastructure has been put in place. Critically, it can be observed that in Nigeria, unbridled corruption has led to bad governance, in spite of the various legislations put in place to check corruption whether under military or civil rule. Hence, bad governance has led to the emergence of economic migrants. These economic migrants are today's trafficked men, women and abused children who, for want of something to eat, ignorance or greed or a combination of these fell victims of the international process of commoditization of human beings, voracious sexual pervers, and organized criminal syndicates. In a sense therefore, human trafficking is a

Human trafficking has intensified in Nigeria, due to certain variables, which has sustained the act. NAPTIP as an agency constituted by law to curb human trafficking is affected by these variables; this has consequently affected its efforts. Some of these variables include, poverty, corruption, weak legal framework, lack of implementation of laws, corrupt law enforcement agents etc. Therefore, all stakeholders in charge of these sectors

#### CONCLUSION

consequence of bribery and corruption, embezzlement, looting and siphoning of public funds abroad and fascist military rule (Eb. In this regard, NAPTIP as an agency for curbing human trafficking can do little or nothing to fight corruption and the existence of corruption in Nigeria will continually affect the operation of NAPTIP. Human trafficking is also sustained in Nigeria by the activities of the law enforcement agents. The law enforcement agents are major partners with NAPTIP in combating trafficking in persons. They include Nigerian Immigration Service (NIS), Nigeria Police Force (NPF), Nigeria customs service (NCS), Nigeria civil defense corps, etc (training manual on trafficking in persons). Unfortunately, trafficked persons often alleged that some Nigerian official collude with traffickers by assisting them with forged documents and then to facilitate their movement across the borders and through ports (situation assessment and analysis report [15].

must perform their duties, as their ineptitude could lead to a structural dysfunction and consequently result to crimes such as human trafficking. Also, NAPTIP and other non-governmental organizations should not only be geared towards rehabilitation and prosecution alone, it should provide more empowerment schemes for the victims of human trafficking as a way of new beginning for them.

#### RECOMMENDATIONS

Based on review of qualitative data the following are recommended:

1. Government should establish structures, create opportunities and formulate policies that would address poverty and reduce its consequences. Create resource centre for skills acquisition for rescued trafficked victims.
2. Government should provide adequate funding to all anti-trafficking agencies including NAPTIP, the police and immigration to support their action and improve efficiency. This measure would enable NAPTIP to ensure speedy prosecution of trafficking cases.

3. Implementation of peer review mechanism at the ECOWAS level is desirable to ensure that every member state in the Sahel region is working assiduously to improve its economy in order to eradicate poverty.
4. Government, NGOs and the media should sustain the current public and media interest in child trafficking through more public education programmes based on research, conferences, workshops and intervention strategies.
5. Nigerian families must be motivated to embrace the values of self-esteem, dignity of labour, patriotism and de-emphasize the get rich quick syndrome. Work

also needs to be done to sensitize parents and family members on

the serious repercussions of child trafficking.

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