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## Human Trafficking as a Global Problem and the Efficacy of NAPTIP in Tackling Human Trafficking in Nigeria

### ABSTRACT:

This paper evaluates the gravity of the human trafficking problem in Nigeria and examines the approaches implemented by the National Agency for Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP). NAPTIP, an agency of the Federal Government, was established under the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 to combat human trafficking. The objective of this study is to evaluate the effectiveness of the action plan of the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) in Nigeria's fight against human trafficking, with a particular focus on safeguarding the rights of victims and the environment. The paper additionally investigates the efficacy of NAPTIP's nationwide initiatives thus far in addressing the issue of human trafficking in Nigeria. The research findings indicate that NAPTIP has proven to be inadequate in tackling issues of human rights violations, consequently contributing to a rise in the nationwide occurrence of human trafficking. To mitigate, if not eradicate, human trafficking, the Nigerian government and NAPTIP must undertake decisive measures. The National Orientation Agency, non-governmental organizations, and other relevant stakeholders, must raise societal awareness about the problem of human trafficking to properly inform Nigerians about its implications on the environment and the country. To reintegrate human trafficking victims into society, there should be prospects for employment.

**Keywords:** Human trafficking, Fundamental human rights, Victims of trafficking, NAPTIP, Nigeria.

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## I. Introduction

The rate at which human trafficking is decimating the nation is alarming, and the Nigerian government and other relevant stakeholders must act quickly to address the problem. If urgent and immediate action is not taken, more Nigerians will become victims of human trafficking, which has already claimed many lives. The 1999 Constitution of the Federal Republic of Nigeria (as amended), particularly Chapter IV, which addresses citizens' fundamental human rights, has always been violated by the act of human trafficking. Human trafficking has been defined as the use of deception, force, or coercion to obtain forced labor or any commercial sex activities. Abuse of people who have been trafficked has been declared a violation of their fundamental human rights<sup>1</sup>. Nigeria's population growth and dire economic conditions, which exacerbate underemployment, unemployment, and insecurity, have led to an upsurge in human trafficking<sup>2</sup>.

Nigeria's government must act quickly to manage the growing problem of human trafficking if it is to be eradicated. People are now leaving the country in search of better living conditions and earning prospects because the government has thus far failed to address the issue that has forced some into slavery and caused a variety of other problems. Human trafficking is also prevalent in nations like Thailand, Nigeria, India, and China, causing harm to people's mental health and resulting in tension, anxiety, and depression<sup>3</sup>. According to reports, human trafficking has sharply expanded in Nigeria over time, standing at 603 victims in 2014, 721 in 2016, and 1,076 in 2018; a dramatic increase.<sup>4</sup>

The ineffectiveness of the National Agency for the Prevention of Trafficking in People and Other Related Issues (NAPTIP), the primary organization tasked with addressing human trafficking in Nigeria, has been duly acknowledged on a national scale. Prominent cities in Nigeria, including Abeokuta, Calabar, Ibadan, Kaduna,

<sup>1</sup> Office to Monitor and Combat Trafficking in Persons, Trafficking in Persons Report, Journal "Trends in Organized Crime", Vol. 10, 2006, 7.

<sup>2</sup> Edomwonyi-Otu O., Edomwonyi-Otu L.C., Is Unemployment the Root Cause of Insecurity in Nigeria?, International Journal of Social Inquiry, Vol. 13, No. 2, 2020, 13.

<sup>3</sup> Okafor N. I., Iwuagwu A. O., Gobo B. N., Ngwu C. N., Obi-Keguna C. N., Nwatu U. L., Rahman, F. N., Perception of Illegal Migration and Sex Trafficking in Europe Among Younger Women of Oredo Lga, Edo State, Nigeria: The Social Work and Ethical Considerations, Advances in Social Sciences Research Journal, Vol. 7, No. 6, 2020, 34.

<sup>4</sup> Statista, Number of Victims of Trafficking in Persons Recorded in Nigeria from 2014 to 2022, 2024, <<https://www.statista.com/statistics/1210624/number-of-victims-of-trafficking-in-persons-in-nigeria/>> [12.04.2024].

Kano, Lagos, and Port Harcourt, often enlist Nigerians from rural regions, particularly those in the south, to exploit them for commercial sex and forced domestic labor. Among the sectors where traffickers exploit their victims as indentured and bonded labor are the tie-dye industry, artisanal mining, stone quarries, agriculture, textile manufacturing, street begging, and domestic work in the northwest and southwest of the country.<sup>5</sup>

The Nigerian government must collaborate with local nongovernmental organizations (NGOs) to end violations of human rights in the nation and develop a solution for compensating and improving the lives of victims of human trafficking nationwide. By giving individuals access to necessities like healthcare and education, the government can improve people's quality of life<sup>6</sup>.

This paper is apt at this time as it identifies the key problems with human trafficking in Nigeria and suggests ways through which NAPTIP and the Nigerian government can put an end to the illegal acts of trafficking to comply with the minimum international standards for the fight against such crimes. The research is significant in that it reveals key places in Nigeria where victims of human trafficking are found. The information gathered here can help the Nigerian government slow down the rate at which human trafficking is ravaging particular regions. The study is particularly significant because it examines the efficient tactics that human rights protection organizations may use to control human trafficking and enhance the lives of victims of human trafficking around the world.

This work employs the doctrinal method of research. Doctrinal or library-based research focuses on analyzing legal doctrine and its development and application. This research is solely theoretical, and involves basic research to discover a specific legal declaration, while library-based research aims to identify the definitive solution to certain legal challenges or questions. The main sources utilized in this study comprise, but are not restricted to: The 1999 Constitution of the Federal Republic of Nigeria (as amended)<sup>7</sup> and the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 (TPPEAA), which are employed for safeguarding human rights in Nigeria. The secondary sources encompass literary

<sup>5</sup> U.S. Department of State, Trafficking in Persons Report, 2022, 4, <<https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf>> [19.05.2024].

<sup>6</sup> Okogbule N.S., Combating the 'New Slavery' in Nigeria: An Appraisal of Legal and Policy Responses to Human Trafficking, *Journal of African Law*, Vol. 57, No. 1, 2013, 68.

<sup>7</sup> Constitution of the Federal Republic of Nigeria, 1999, Cap C23, LFN 2004.

works, scholarly publications, and academic journals that pertain to the topic under investigation. The internet has been immensely beneficial to facilitating the compilation of this material.

## II. Human Trafficking in Nigeria

Nigeria has long been a key hub for human trafficking, with the nation acting as both a source and a destination for victims. Since the transatlantic slave trade first started in the 15<sup>th</sup> century, human trafficking has been a major issue in Nigeria. Human trafficking has, however, evolved over the past few years, and now poses a serious threat to the nation. Human trafficking, which is also referred to as “modern-day slavery”, is the practice of transporting people illegally for forced labor, sexual exploitation, or any other profitable activity. The issue of human trafficking, a serious and humiliating crime that has a severe impact on the lives of millions of people worldwide, has spread to a global scale.<sup>8</sup>

Many victims are trafficked all over the world for a variety of purposes, including forced labor, child begging, domestic servitude, and organ harvesting. According to a survey, minors make up 20% of all human trafficking victims worldwide. Children are frequently among the top victims of human trafficking in numerous African nations, which directly impacts national growth<sup>9</sup>. Teenagers, men, women, and even children can all become victims of human trafficking. According to a government assessment, the International Organization for Migration (IOM) estimates that there are 1.4 million victims of human trafficking in Nigeria who endured humiliation, misery, and abuse.<sup>10</sup> A study claims that children make up about 58% of all human trafficking victims in Nigeria. The average age of victims of human trafficking is 27, which suggests that children and young people are the main demographics targeted by this crime.<sup>11</sup>

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<sup>8</sup> UNODC, Human Trafficking: People for Sale, 2012, <<https://www.unodc.org/toc/en/crimes/human-trafficking.html>> [19.05.2024].

<sup>9</sup> UNODC, Global Report on Trafficking in Persons, 2019, <<https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>> [19.05.2024].

<sup>10</sup> Abeku T., IOM Raises Concern over 1.4 Million Victims of Trafficking in Nigeria, Guardian, 29 July 2021, <<https://guardian.ng/news/iom-raises-concern-over-1-4-million-victims-of-trafficking-in-nigeria>> [19.05.2024].

<sup>11</sup> Ibid.

### III. Some Reasons for Human Trafficking

In different countries, different factors contribute to human trafficking. A lack of human rights, poverty, lack of opportunities in the social or economic spheres, oppression, and conflict are frequent causes of human trafficking. Political unrest, natural disasters, and threats from conflict can all contribute to an upsurge in human trafficking on a global scale, while wars between nations leave street children and orphans particularly exposed to the practice. The causes of human trafficking have also been linked to cultural and social norms in various nations, among them unsafe living situations due to the abuse, undervaluation, and exploitation of girls and women<sup>12</sup>. In India, for example, illiteracy, political unrest, and corruption are the main contributors to child trafficking<sup>13</sup>. Families who are struggling financially are known to sell their children for money<sup>14</sup>. Yet those involved in the human trafficking trade look in particular for those who are vulnerable. Among them are migrants who have had to flee their homes as a result of a natural disaster or due to severe economic hardship.

Globally, the primary driver of human trafficking is the need for cheap labor. There is a huge need for low-cost domestic and agricultural labor, and firms continue to follow illegal customs. With traffickers targeting the unemployed and pressing them to accept employment in other nations, unemployment is clearly a significant contributor to human trafficking worldwide<sup>15</sup>.

As soon as traffickers reach their destination, they seize the victims' identities and passports and force them to perform illicit duties.

Abuse and undervaluation of women and girls are tolerated in some societies<sup>16</sup>, and thus cultural practices are another factor contributing to the rise in the number of cases of human trafficking. In the traditional cultures of many nations, girls

<sup>12</sup> UNODC, Toolkit to Combat Trafficking in Persons. Global Programme against Trafficking in Human Beings, New York, 2008, 5-7 <[https://www.unodc.org/documents/human-trafficking/Toolkit-files/07-89375\\_Ebook%5b1%5d.pdf](https://www.unodc.org/documents/human-trafficking/Toolkit-files/07-89375_Ebook%5b1%5d.pdf)> [19.05.2024].

<sup>13</sup> The Rise of China and India. Impacts, Prospects and Implications, edited by A.U. Santos-Paulino and W. Guang Hua, Palgrave Macmillan, 2010, 107.

<sup>14</sup> Soken-Huberty E., 10 Causes of Human Trafficking, <<https://www.humanrightscareers.com/issues/10-causes-of-human-trafficking/>> [19.05.2024].

<sup>15</sup> John G., Human Trafficking Prevalence in Rwanda: The Role Played by Unemployment, American Journal of Social Sciences and Humanities, Vol. 4, No. 1, 2019, 165.

<sup>16</sup> Mbamba C. R., Amponsah E. B., Ndemole I. K., Structural Patterns That Facilitate the Trafficking of Children: Narratives from Practitioners Involved in the Rescue and After-Care of Trafficked Children, Journal of Social Service Research, Vol. 49, No. 1, 2023, 5.

are coerced into underage marriage, which is a form of human trafficking. Human trafficking is also a result of inter-communal conflict, which makes children and women more vulnerable and LURES them into armed groups. Women are viewed as culturally obedient and just a mere chattel in the Eastern parts of Nigeria, which also equates to human trafficking<sup>17</sup>.

The issue of human trafficking is a worldwide concern that significantly impacts individuals' lives and negatively affects the environment. Nigeria is particularly susceptible to human trafficking due to a range of reasons, including but not limited to extreme poverty, corruption, conflict, and inadequate economic opportunities. NAPTIP statistics indicate that between 2019 and 2022, an estimated 61% of human trafficking incidents in Nigeria transpired domestically, while the remaining 39% involved transnational activities<sup>18</sup>.

#### **IV. International Legal Frameworks on Human Trafficking**

Trafficking in Persons is the act of recruiting, transporting, transferring, harboring, or receiving individuals through force, deceit, or coercion for the purpose of exploitation in forced labor or commercial sexual exploitation. Victims of this crime were estimated by the International Labor Organization (ILO) to number 27.6 million in 2022<sup>19</sup>. Human trafficking is the second largest illicit industry in the world, and has a significant impact on the most vulnerable members of our society. These heinous actions erode the rule of law, contaminate global commerce, promote gender inequality, and jeopardize global security<sup>20</sup>.

The menace of human trafficking is not limited to Nigeria alone; it cuts across numerous locations. Countries around the globe are making efforts to ensure that the rate of human trafficking within their environment is minimized. Even in the United States, both U.S. residents and foreign nationals are being purchased and sold in a manner reminiscent of modern-day slavery. Traffickers exploit victims through

<sup>17</sup> Kehinde A., Iyaniwura S., Adimoha C., Examination of the Right of a Female Child to Inheritance: Eastern Nigeria Context, *Journal "Prawo I Wiez"*, No. 1 (39), 2022, 345.

<sup>18</sup> Pathfinders Justice Initiative, Nigeria: Human Trafficking Factsheet, 2022. <<https://pathfindersji.org/nigeria-human-trafficking-factsheet/>> [19.05.2024].

<sup>19</sup> USAID, Countering Trafficking in Persons. Democracy, Human Rights and Governance, U.S. Agency for International Development, 2019, <<https://www.usaid.gov/trafficking>> [19.05.2024].

<sup>20</sup> Ibid.

the use of violence, manipulation, fraudulent promises of lucrative employment, or through romantic relationships<sup>21</sup>. The laws put in place internationally to combat human trafficking are as follows:

**(a) The Palermo Protocol**

In November 2000, the United Nations ratified the Palermo Protocol as a component of the United Nations Convention against Transnational Organized Crime. It is the first legally binding instrument that includes a definition of human trafficking that is internationally recognized. This definition is essential for the identification of victims, as well as for the detection of all forms of exploitation that constitute human trafficking, regardless of whether they are men, women, or children. Countries that ratify this treaty are required to establish anti-trafficking laws that are consistent with the legal provisions of the Protocol and criminalize human trafficking<sup>22</sup>.

Trafficking has been defined in Article 3 (a) of the Palermo Protocol as “the recruitment, transportation, transfer, harboring 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 include, at a minimum, “the exploitation of the prostitution of others, or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.”

**(b) The African Charter on Human and Peoples’ Rights<sup>23</sup>**

Article 5 of the African Charter on Human and People’s Rights is also among the international instruments used against human trafficking. It provides that every individual shall have the right to the respect of the dignity inherent in a human being, and to the recognition of their legal status. All forms of exploitation and degradation of a person, particularly slavery,

<sup>21</sup> Federal Bureau of Investigation, Human Trafficking, 2022, <<https://www.fbi.gov/investigate/violent-crime/human-trafficking>> [19.05.2024].

<sup>22</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, UN, 25 December 2003, No. 395742021.

<sup>23</sup> African Union, African Charter on Human and Peoples’ Rights, 1981. <<https://au.int/en/treaties/african-charter-human-and-peoples-rights>> [19.05.2024].



the slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.

**(c) The ECOWAS Common Approach on Migration**

The ECOWAS Common Approach on Migration, which is not a binding document, was implemented on January 18, 2008, by the ECOWAS Authority of Heads of State and Government. The document offers strategic guidance on specific priority areas to facilitate the effective management of human trafficking and migration in West Africa<sup>24</sup>.

**(d) The Ouagadougou Action Plan to Combat Trafficking in Human Beings**

In 2006, the Ministerial Conference on Migration and Development in Tripoli enacted the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children. It is a collaborative international framework between Europe and Africa that aims to accelerate the prevention, suppression, and punishment of human trafficking<sup>25</sup>.

**(e) The United States' Trafficking Victims Protection Act (TVPA) 2000**

In the United States, the first comprehensive federal law to address human trafficking was the 2000 Trafficking Victims Protection Act (TVPA). In addition to the protections provided by immigration relief for foreign national victims of human trafficking, it emphasizes prevention through public awareness programs, both domestically and internationally, and prosecution through new federal criminal statutes. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons was established by the Trafficking Victims Protection Act of 2000 to facilitate the coordination of anti-trafficking initiatives among federal government agencies in the United States.

**(f) Ghana's Human Trafficking Act 2005**

In order to combat human trafficking within, to, from, and through Ghana, the Human Trafficking Act (Act) was implemented on December 5, 2005<sup>26</sup>. The Act aims to achieve its objectives by establishing a widely recognized definition of human trafficking, requiring a minimum prison sentence of

<sup>24</sup> International Organization for Migration, ECOWAS Common Approach on Migration, 2008, <<https://www.iom.int/ecowas-common-approach-migration>> [19.05.2024].

<sup>25</sup> Ogunniyi D., Idowu O., Human Trafficking in West Africa: An Implementation Assessment of International and Regional Normative Standards, the Age of Human Rights Journal, 2022, No. 19, 171.

<sup>26</sup> Mohammed A.K., Is Ghana's Law Against Human Trafficking a Success? Criminal Justice Review, Vol. 47, No. 1, 2020, 27.



5 years for those involved in trafficking, and specifying measures for the protection and assistance of victims. Typically, the duration ranges from a minimum of 5 years to a maximum of 25. The 2005 Human Trafficking Act, which was amended in 2009, made sex and labor trafficking illegal.

**(g) Canada’s Criminal Code and Immigration and Refugee Protection Act**

Canada has robust legislation in place to address human trafficking, as outlined in the Criminal Code. This legislation explicitly outlaws both the act of trafficking individuals and any other forms of exploitative behavior associated with human trafficking. Canada’s Immigration and Refugee Protection Act specifically addresses the issue of cross-border trafficking. Section 118 of the Immigration and Refugee Protection Act explicitly forbids intentionally arranging for the entry of one or more individuals into Canada using methods such as kidnapping, deceit, trickery, or the use of force or coercion. The offence carries a maximum punishment of life imprisonment and/or a fine of up to \$1 million<sup>27</sup>.

## V. Some Data Relating to Human Trafficking Around the Globe

The data acquired from the 155 nations that are affected by human trafficking, according to the UNODC report, give a global assessment of the detrimental effects of human trafficking<sup>28</sup>.

In 2022, the Thai government reported conducting 253 trafficking investigations (188 in 2021), prosecuting 308 alleged traffickers (125 in 2021), and convicted 249 traffickers (82 in 2021). In 2022, courts sentenced 201 convicted traffickers, with about 99 percent receiving two or more years in prison<sup>29</sup>. Thailand rescued 1807 victims of human trafficking, with 60% of them being women in the year 2019<sup>30</sup>.

<sup>27</sup> Public Safety Canada, About Human Trafficking, 2020, <<https://www.publicsafety.gc.ca/cnt/cn-trng-crm/hmn-trffckng/abt-hmn-trffckng-en.aspx>> [19.05.2024].

<sup>28</sup> UNODC, Global Report on Trafficking in Persons, 2009, <<https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>> [19.05.2024].

<sup>29</sup> Thomson Reuters Foundation, Record number of trafficking victims strains resources, Bangkok Post, 7 January 2020, <<https://www.bangkokpost.com/thailand/general/1830439/record-number-of-trafficking-victims-strains-resources>> [19.05.2024].

<sup>30</sup> 1,807 Human Trafficking Victims Rescued in Thailand in 2019, New Straits Times, January 8, 2020, <<https://www.nst.com.my/world/region/2020/01/554485/1807-human-trafficking-victims-rescued-thailand-2019>> [19.05.2024].

The two largest populations of economic migrants from Cambodia and Myanmar make up most of the trafficking victims in Thailand. Poor children from rural areas are the main target of traffickers there, and women are also frequently trafficked because prostitution is permitted in the country. Moreover, Thailand needs inexpensive labor, so illegal immigrants are brought in to work in the construction and fishing industries for extremely low pay.<sup>31</sup>

It has been established that 183,000 non-citizens who are victims of human trafficking are present in Israel without legal status<sup>32</sup>. 325 victims of human trafficking were identified from 2017 to 2021, with 44% of the victims having been trafficked for enslavement and 40% for sexual exploitation<sup>33</sup>. Israel's police interviewed 789 suspects for human trafficking, of whom 99 were found guilty and 155 were indicted.

Nigeria as a country now serves as both a source of trafficking in persons, and a destination. Behind “drug trafficking” and “economic fraud”, human trafficking is the third most common crime in Nigeria. Nigeria received 32nd out of 167rd place in the Global Slavery Index 2018 study, with over 1,386,000 slaves<sup>34</sup>. Child labor, sexual exploitation, and forced labor were just a few of the serious problems that Nigerian children had to deal with. Nigeria is home to many child laborers who work in a variety of vocations, including as domestic helpers, carpenters, and street laborers. According to a survey, even though forced labor is prohibited by international law, 43% of Nigerian children were affected by it<sup>35</sup>. Human Rights Watch interviewed victims of human trafficking in Benin City, Lagos, Ogun State, Abeokuta, Abuja, and other cities. According to the research, out of 76 survivors of human trafficking, 5 were men and 71 were women or girls<sup>36</sup>.

<sup>31</sup> Ibid.

<sup>32</sup> U.S. Department of State, Trafficking in Persons Report, 2022, 305, <<https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf>> [19.05.2024].

<sup>33</sup> Peleg B., Lee V., Report: Human Traffickers not Being Prosecuted in Israel, Haaretz, 29 December 2022, <<https://www.haaretz.com/israel-news/2022-12-29/ty-article/.premium/report-human-traffickers-not-being-prosecuted-in-israel/00000185-5f5f-d819-a995-ffff05430000>> [19.05.2024].

<sup>34</sup> Pathfinders Justice Initiative, Nigeria: Human Trafficking Factsheet, 2022. <<https://pathfindersji.org/nigeria-human-trafficking-factsheet/>> [19.05.2024].

<sup>35</sup> Anadolu Agency, Almost Half of Nigerian Children Trapped in Forced Labor, Int'l Labor Org. Says, Daily Sabah, 03 May 2019, <<https://www.dailysabah.com/africa/2019/05/03/almost-half-of-nigerian-children-trapped-in-forced-labor-intl-labor-org-says>> [19.05.2024].

<sup>36</sup> See: U.S. Department of State, Nigeria 2020 Human Rights Report, 2021, <<https://www.state.gov/wp-content/uploads/2021/03/NIGERIA-2020-HUMAN-RIGHTS-REPORT.pdf>> [19.05.2024].

## VI. The Role of NAPTIP in Handling Human Trafficking Cases in Nigeria

The Trafficking in People (Prohibition) Law Enforcement and Administration Act of 2003 established the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), a federal agency<sup>37</sup>. The major goals of NAPTIP are to protect people from human trafficking and to combat violence to reduce migrant smuggling and trafficking. The organization's main goal is to create a country free of human trafficking and violent crime. The investigation of all incidents of human trafficking, including child labor, forced prostitution, organ harvesting, exploitative labor, and illegal migrant smuggling, is a major responsibility of NAPTIP. The organization was founded in 2003 with the goal of enforcing anti-trafficking legislation, rescuing and assisting victims, and bringing traffickers to justice. Although NAPTIP has achieved several victories in its fight against human trafficking in Nigeria, more work needs to be done by the organization to significantly diminish, if not entirely eradicate, the practice there. Although the statute that founded NAPTIP and provided the agency with a legislative framework to address the issue exists, little has been accomplished by the agency since its foundation<sup>38</sup>.

In examining the role of NAPTIP in tackling human trafficking in Nigeria, the first role to mention is rescue and assistance. Rescue and assistance of victims of human trafficking is one of NAPTIP's main responsibilities. This includes giving victims a place to live, access to healthcare, and legal counsel. Almost 900 victims of human trafficking were rescued in Nigeria in 2017, according to NAPTIP's Annual Report (2017)<sup>39</sup>. To aid victims of human trafficking in reestablishing their life and gaining independence, NAPTIP also offers them educational and vocational programs, while, to help them recover from trauma and exploitation, NAPTIP offers accommodation.<sup>40</sup>

Another major role of NAPTIP is to prosecute traffickers. Under the law, NAPTIP is authorized to conduct an inquiry into any person's suspicious activity and to

<sup>37</sup> Global database on Violence against Women, <<https://data.unwomen.org/global-database-on-violence-against-women>> [19.05.2024].

<sup>38</sup> See: Kigbu S.K., Hassan Y.B., Legal Framework for Combating Human Trafficking in Nigeria: The Journey So Far, *Journal of Law, Policy and Globalization*, Vol. 38, 2015, 205-220.

<sup>39</sup> See: U.S. Department of State, Trafficking in Persons Report, 2017, 304-307, <<https://www.state.gov/wp-content/uploads/2019/02/271339.pdf>> [19.05.2024].

<sup>40</sup> Ibid.

enter any property or premises for purposes of an investigation. In combating human trafficking in Nigeria, NAPTIP's four main tasks are prevention, prosecution, protection, and partnership.

NAPTIP's efforts in prosecuting the defendants in *Raji v. FRN*<sup>41</sup> were acknowledged, and the defendants were sanctioned after the prosecution. This case involved an appeal against the ruling of the High Court of Edo State, which affirmed the appellants' convictions on charges of deceptive inducement to depart from any location in contravention of Section 13(b), and compelled labor infraction of Section 22(1)(a) of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 (as amended), respectively. The Court of Appeals reached its decision that the appellant was a member of a criminal organization that deceives young people, especially females, into believing that a trip to Kuwait will help them advance their academic careers when, in reality, the reward is a sale. In consideration of this, the court affirmed the judgment of the trial court. Peace Eze and Adaugo Okafor were additionally implicated in the abduction of a neighbor's two-year-old son at the time of the alleged incident; the child was from Awka, Anambra State, and was subsequently transferred to Port Harcourt, Rivers State. NAPTIP stated that after demanding a ransom from the boy's parents, they had traveled to Port Harcourt, where they encountered Mr. Mayokun, who assisted them. Local church Omega Power Ministries received the child before selling him to an unidentified purchaser. The three defendants received their sentences after their conviction by the Federal High Court in Port Harcourt on all six counts in July. Additionally, in 2018, NAPTIP effectively prosecuted a child abduction case involving Peace Eze, Olujimi Mayokun, and Adaugo Okafor as the three suspects<sup>42</sup>. The Benin Zonal Command of the National Agency for the Prevention of Trafficking in Persons (NAPTIP) effectively prosecuted seven defendants implicated in four incidents of human trafficking. Mr. Emeka Nwawenne, the ebullient zonal commander, declared that all four convictions, encompassing seven defendants in four distinct cases, were punishable by incarceration, forced labor, and monetary penalties. In *FRN V. Amaze Ogieriakhi*<sup>43</sup>,

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<sup>41</sup> *Raji v. FRN* (2019) LPELR-47182(CA).

<sup>42</sup> Babatunde A., Analysis: Despite Successes, NAPTIP Investigates, Prosecutes Only Few Reported Trafficking Cases, Premium Times, 2 October 2019, <<https://www.premiumtimesng.com/news/headlines/355530-analysis-despite-successes-naptip-investigates-prosecutes-only-few-reported-trafficking-cases.html>> [19.05.2024].

<sup>43</sup> Charge No: NNNCN/BEN/2c/2022.

a case brought before Justice A.A. Adewemimo in the National Industrial Court on October 13, 2022, Benin Division, the Anti-Human Trafficking Agency, was successful in getting convictions. Two years of hard labor and a \$200,000 fine were imposed on one of the defendants, Ogieriakhi Amaze, while three years in prison were imposed on Fatima Joy and Odiri Joseph for their roles in the case. These are a few of the cases that NAPTIP has dealt with. Nonetheless, it has been noted that the courts' and NAPTIP's efforts to end human trafficking have had little to no effect, since the number of cases in Nigeria continues to rise.

## 1. Has NAPTIP Succeeded in Its Established Role?

The 2004 Trafficking in People (Prohibition) Law Enforcement and Administration Act established the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), an agency of the federal government. The primary objective of NAPTIP is to protect individuals from human trafficking and combat violence to reduce migrant smuggling and trafficking. The organization's main goal is to create a country free of human trafficking, where no one suffers violence. NAPTIP's primary duty is to investigate all incidents of human trafficking, including those involving illegal migrant smuggling, forced labor, organ harvesting, child labor, forced prostitution, and exploitative labor<sup>44</sup>. NAPTIP is established under the Trafficking in Persons (Prohibition) Enforcement and Administration Act of 2003 (TPPEAA)<sup>45</sup>. The Act provides for the protection and support of trafficking victims and witnesses.

The following rights are safeguarded by NAPTIP for victims of human trafficking:

Victims and witnesses of human trafficking are safeguarded and provided for under the provisions of the Act. Victims of human trafficking are afforded the following protections by NAPTIP:

The entitlement to safeguarding and aid provided by NAPTIP, including but not limited to accommodation, healthcare, and other forms of assistance, participation in the investigation and prosecution of the trafficking case as a fundamental right, entitlement to restitution and justice regarding their distress.<sup>46</sup>

<sup>44</sup> Global database on Violence against Women, <<https://data.unwomen.org/global-database-on-violence-against-women>> [19.05.2024].

<sup>45</sup> Trafficking in Persons (Prohibition) Enforcement and Administration Act of Nigeria, 2003, Section 1.

<sup>46</sup> Ibid., Section 1-4.

As the supreme law of the land and the framework for the protection of human rights in Nigeria, the 1999 Constitution of the Federal Republic of Nigeria (as amended) states that individuals are entitled to the dignity of the human person; none shall be subjected to torture, inhuman or degrading treatment, or punishment.<sup>47</sup>

These are additional rights that NAPTIP must safeguard:

**Right to life**<sup>48</sup>: Victims of trafficking frequently endure violent acts and dangerous circumstances, endangering their lives. NAPTIP must make sure that the victims of human trafficking are kept safe from harm and that their right to life is upheld.

**Right to be free from exploitation and enslavement**: Victims of human trafficking are frequently made to do forced labor or are sexual exploited. NAPTIP must endeavor to put a stop to these actions and defend the rights of trafficking victims.

**Right to dignity of human persons**<sup>49</sup>: Victims of trafficking frequently experience physical abuse and are exploited. NAPTIP must safeguard the right to bodily autonomy of trafficking victims and make sure they are not the targets of any kind of sexual or physical exploitation.

**Right to privacy and confidentiality**<sup>50</sup>: Victims of human trafficking frequently worry that their traffickers will punish them, which may keep them from seeking assistance. NAPTIP must make sure that the anonymity and privacy of trafficking victims are upheld, and that they are shielded from reprisals.

**The right to a fair trial**<sup>51</sup>: Victims of human trafficking may be subjected to legal actions like criminal prosecutions or civil lawsuits. NAPTIP must make sure that victims of trafficking are given proper legal representation and that their right to a fair trial is upheld.

The specified rights are detailed in various international treaties and conventions on human rights, such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the United Nations Protocol to

<sup>47</sup> Constitution of the Federal Republic of Nigeria, 1999, Section 34.

<sup>48</sup> *Ibid.*, Section 33.

<sup>49</sup> *Ibid.*, Section 34.

<sup>50</sup> *Ibid.*, Section 37.

<sup>51</sup> *Ibid.*, Section 36.

Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. The Nigerian Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 provides the legal structure for safeguarding the rights of human trafficking victims in Nigeria and establishes the basis for NAPTIP. However, it has been noted that these rights have not been adequately protected by NAPTIP, as victims of human trafficking still experience massive violations of their fundamental human rights by traffickers. It is vital to enhance the legislative frameworks against human trafficking in the country so that the appropriate authorities can conduct the appropriate enforcement measures against traffickers<sup>52</sup>. The Nigerian government could employ this crucial tactic to lessen the issues associated with human trafficking in the nation.

The work of NAPTIP has significantly contributed to defending the rights of trafficking victims in Nigeria. To fully address this critical human rights issue, however, much more must be done. Given that the degree of human trafficking in Nigeria is still very high and is, indeed, alarming, the government and other stakeholders must continue to support NAPTIP's initiatives and give the funding and political will required to end the practice.

## 2. Some Challenges Faced by NAPTIP

The presence of corruption and official cooperation in trafficking crimes continues to be a serious issue, hindering law enforcement efforts and allowing for the continued lack of accountability for these crimes. The Nigerian government some time ago initiated investigations into two persons implicated in trafficking offences: one from the National Immigration Service and the other from the Nigerian Security and Civil Defense Corps, which are among those law enforcement mechanisms put into place to combat criminal activities in Nigeria<sup>53</sup>.

The sluggish judicial process is another significant obstacle that NAPTIP encounters. Cases concerning human trafficking are not resolved promptly in Nigeria due to said judicial system.

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<sup>52</sup> Gardner A., Northall P., Brewster B., Building Slavery-free Communities: A Resilience Framework, *Journal of Human Trafficking*, Vol. 7, No. 3, 2020, 338.

<sup>53</sup> See: U.S. Department of State, Trafficking in Persons Report: Nigeria, 2023, <<https://www.state.gov/reports/2023-trafficking-in-persons-report/nigeria>> [19.05.2024].



## VII. How can Nigerians be Rescued from Human Trafficking and Its Impact on the Environment?

An environment that is prone to human trafficking is toxic; living in such an environment is detrimental to the entire populace. As a result of the country's rapidly expanding population, limited economic possibilities, rising unemployment, and acute poverty, the rate at which human trafficking ravages Nigeria cannot be overemphasized.<sup>54</sup> To address the challenges of human trafficking in this nation, the government of Nigeria must take the required steps for the social welfare and improved economic growth of this nation. The Nigerian government must allocate enough funds to education to upgrade the educational system and reduce human trafficking, since this has devastating effects on the environment.<sup>55</sup> There is a need for NAPTIP, NGOs, and other relevant stakeholders in the sector to increase the awareness level and give proper information to the people on the dangers of human trafficking and why they need to be careful so as not to fall prey to traffickers; the strategies usually adopted by the traffickers should be exposed to reduce human trafficking. To reduce the unemployment rate and poverty, the Nigerian government must develop greater work prospects for its people. To gather information about people trafficking, it is also crucial to monitor and control human movement across the borders of the nation.

## VIII. Recommendations and Conclusion

In safeguarding the rights of trafficking victims in Nigeria, the National Agency for the Prevention of Trafficking in People (NAPTIP) is a key player. According to the study, human trafficking violates many people's human rights in Nigeria and has a significant impact on many people's lives. One of the primary reasons for human trafficking globally is the widespread ignorance of human rights laws. Typically, bogus job promises also result in human trafficking. Human trafficking is also facilitated by language barriers, fear of other traffickers, and law enforcement. The rights of trafficking victims in Nigeria still need to be protected, notwithstanding NAPTIP's best efforts. These difficulties include inadequate staffing, poor coordina-

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<sup>54</sup> Kigbu S.K., Hassan Y.B., Legal Framework for Combating Human Trafficking in Nigeria: The Journey So Far, *Journal of Law, Policy and Globalization*, Vol. 38, 2015, 205.

<sup>55</sup> Mba E., How to Stop Human Trafficking in Nigeria, *InfoGuide Nigeria*, 2015, <<https://infoguidenigeria.com/stop-human-trafficking-in-nigeria/>> [19.05.2024].

tion amongst relevant stakeholders, and corruption. Due to poverty, lack of efficient child and human rights protection, and increased judicial system corruption in Nigeria, human trafficking has grown drastically. As a result, it is essential to continue supporting NAPTIP's initiatives and putting the established policies and programs into action. NAPTIP is ineffective in safeguarding the rights of human trafficking victims in Nigeria and has not demonstrated significant progress on this issue. Nigeria is rated 32 out of 167 countries in human trafficking according to the global slavery index. This indicates that NAPTIP has not been successful in addressing human trafficking in Nigeria.

It is recommended to conduct robust efforts against human trafficking in Nigeria. The National Orientation Agency needs to fulfill its responsibility by creating awareness about human trafficking in the country. These efforts should primarily focus on the risks associated with human trafficking and the importance of protecting the rights of trafficking victims. Efforts should focus on marginalized people, including women and children, in rural and urban locations nationwide. Offering economic and psychological assistance, and career prospects, through human rights awareness programs can facilitate the reintegration of victims, particularly those who have been sexually exploited due to human trafficking.

Developing enough possibilities for economic growth to reduce poverty is also recommended, since it has been identified that one of the major reasons responsible for the high level of human trafficking in Nigeria is poverty. The Nigerian government must invest sufficient money in education and create better job opportunities for the common people in the country, with immediate effect.

Likewise, collaboration between NAPTIP and other international organizations is recommended so as to share experiences and adopt similar policies as those in other countries which have helped curb human trafficking, allowing Nigeria to align with international best practices in tackling human trafficking.

In addition, there is a need for NAPTIP to partner with NGOs to succeed in curbing human trafficking across Nigeria.

Also, organizations across the country responsible for combating human trafficking can launch official websites and discussion boards where people can share news about the problem and raise awareness of the issue.

NAPTIP must also assure adherence to the legal provisions. NAPTIP should enforce all rules and regulations in Nigeria to uphold ethical standards. Those who violate the laws should be held fully accountable by the law.

Deployment of adequate technology to identify criminals is important. The federal government needs to enhance its spending in the technology industry and install facial recognition technology in airports.

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