HUMAN TRAFFICKING IN NIGERIA AND ITS EFFECTS ON THE NATIONAL IMAGE: A MORAL APPRAISAL

Chia, Bonaventure Aondover
Department of Christian Religious Studies
Federal College of Education
Eha-Amufu Enugu State
abcchia01@gmail.com

Abstract

Human trafficking is regarded as modern slavery. It ‘involves deceiving or coercing someone to move either within a country or abroad through legal or illegal channels for the purpose of exploiting him or her’. The phenomenon in recent time has generated a lot of attention among local and international community. The menace has become a lucrative criminal business and Nigeria has acquired a reputation for being one of the leading African countries in human trafficking with cross-border and internal trafficking as a country of origin, transit and of victims. The paper attempts to articulate the effects of the illicit business on Nigeria national image. The major reasons for the persistence of the ugly phenomenon of human trafficking in Nigeria include pervasive poverty, unemployment, greed etc for the purpose of forced labour, domestic servitude, sexual exploitation, and rituals. The paper also review the legislations put in place the Nigeria government to curb menace. The paper recommends that fighting human trafficking in Nigeria is all encompassing because it requires a need for synergy of efforts to create public awareness of the crime, address the poverty situation in the country, create employment for the youths, reinforce relevant national laws, organize counseling, rehabilitation and reintegration programme for the victims

Keywords: Human, Trafficking, Nigeria, National Image, Moral Appraisal

Introduction

Human trafficking is defined in international law 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 a position of vulnerability or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” (Letitia and Yvonne, 2014). In other words, human trafficking refers to the wide variety of processes by which
individuals become enslaved—that is, unable to leave a situation without fear of violence and paid nothing or next to nothing for any duration of time. Human Trafficking most often takes place in three stages: (1) recruitment at place of origin, which often involves coercion or abduction; (2) the transfer of victims to a final destination, either crossing international borders or moving internally within the same country; and finally, (3) the exploitation of the victims. The most widespread forms of exploitation are forced commercial sex and labour, including domestic servitude, but victims are also trafficked for purposes of forced marriages, organ removal and ritual killings. Traffickers target the most vulnerable sectors of society luring their victims, many of whom are women and children, with promises of a better life through employment or education.

Human trafficking is largely a form of modern slavery on account of its resemblance to the Trans Atlantic Slave Trade. Slavery as an institution was abolished in the 19th century, and the 1948 Universal Declaration of Human Rights prohibiting slavery or servitude recognizes the rights of all human beings to live trade, more than two centuries ago, about 300 international protocols and conventions prohibiting and criminalizing slavery and slave trade in any form, have been signed and adopted by nation states (Goliath, 2008). But the recent global economic crunch, poverty, social and political conflicts, wars, natural disasters and the contemporary climate change have profoundly influenced the alarming dimension with which people are being pulled-up as clients for human traffickers (UNHCR, 2000).

Human trafficking, like money laundering, advanced fee fraud, cyber scams and illicit trade in arms and narcotics has elicited a great concern as a contemporary social problem worldwide (Poulin, 2004). It is considered to be the third largest source of profit for organized crime apart from drugs and arms (UNHCR, 2000). In 2007, marking the 200 year anniversary for the abolition of slavery, the United Nations’ researchers and other experts agreed that approximately 800,000 persons are trafficked across the world countries borders each year. The researchers and experts also concurred that human trafficking is nothing but organized crime with the total market value estimated at about $32 billion (South African Government Information, 2009). The international awareness of the scourge of human trafficking has over the years increased considerably. The illegal trade occupies a prominent position among the social ills that pervade the Nigerian Society (Ofuoku, 2010). While it may appear that the problem seems more endemic in the southern part of the country, there are indications that no
part of the country is completely immune from this social malaise that has ravaged many countries in the world (UNICRI, 2004).

The United Nations protocol to prevent, suppress and punish human trafficking, especially women and children, defined human trafficking as “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 abuse of power or of a position, of vulnerability, or of the giving or receiving of payment of benefit to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution, of others or other forms of sexual exploitation, forced labour or services, servitude or the removal of organs” (South African Government Information, 2009). Nigeria, Italy, Spain, Thailand and Belgium are the countries heavily affected by the problem of human trafficking in minors and girls for sexual exploitation. Despite efforts by the government to curb the menace, human trafficking has remained a critical problem in Nigeria. The prevalence of human trafficking has generated serious concerns that have provoked interest of this paper to articulate the potential vulnerability of the victims and the attendant effects on the nation’s image. To properly situate this objective for intellectual discussion, this paper shall attempt to provide an expository situation of Human Trafficking in Nigeria, an in-depth moral appraisal of the effects on the nation’s image, assess the potency of the Nigerian legal instruments available to curb human trafficking and also recommend possible recommendations to the problem of human trafficking in Nigeria.

**Human Trafficking in Nigeria**

Trafficking in human beings is not new. Historically it has taken many forms, but in the context of globalization, has acquired shocking new dimensions. It is a complex, multi-faceted phenomenon involving multiple stakeholders at the institutional and commercial level. It is a demand-driven global business with a huge market for cheap labour and commercial sex confronting often insufficient or unexercised policy frameworks or trained personnel to prevent it. Nigeria has acquired a reputation for being one of the leading African countries in human trafficking with cross-border and internal trafficking.

From all account, Nigeria is a country of origin, transit and destination for human trafficking (Mashil, 2005). The dynamics of human trafficking in Nigeria
are considerably geographical in nature and involve internal and crossborder trafficking. The cross-border context of human trafficking in Nigeria is presented by syndicates that procure travel documents, transportation fare and accommodation for the women and girls who are desperate to leave the country in search of greener pastures in Europe, America, Saudi Arabia and South Africa. These vulnerable women and girls easily become prey for the traffickers. The lure to find a lucrative job abroad and earn a fat pay becomes clearly irresistible because of the devaluation of the Naira and the humiliating pangs of poverty in the country. It is only on arrival at their destination that the women and girls are confronted with the harsh realities that they have been deceived, and are ultimately lured or coerced into commercial sex. While the accurate statistics of the total number of women and girls trafficked into sex industry are difficult to obtain, in 2001, the number of Nigerian women working in the sex industry in Italy alone was about 10,000; a more recent conservative estimate put the figure at roughly 20,000 (Italy, 2011; UNICRI, 2004).

A recent report on human trafficking and migration to Europe shows that in 2014, 170, 100 arrived Italy by sea, compared to 141, 484 migrants that were ferried through the Mediterranean Sea from Libya in 2013. According to the report, the migrants had come from Syria (42, 323), Eritrea (34, 329), Mali (9,908) Nigeria (9,000), Gambia (8, 691), Somalia (5, 756) and some other nations (4,095). Among the migrants, 64, 625 were said to have applied for asylum (Ojugbana, 2015). In the case of Nigeria, most of the migrants were victims of human trafficking hoodwinked by syndicates as a result of their desperation to travel to Europe or Asia for a better life. Thus, human trafficking is a complex phenomenon of which many people are involved at both family and community levels, as well as at the border or international transactions.

The Guardian Opinion (June 29, 2004) observed that Nigeria is a well-known player in human trafficking. According to the paper, the country serves as“ a base camp and transit channel for traffickers and their human commodity”. The paper also noted that inside the country and at border areas some locations are known to be target spots for operations.

In a similar view, Oloko cited in Okpalakunne (2006) explained that human trafficking consists of both national and trans-national recruitment and movement of persons for the purpose of providing cheap, manipulatable and exploitable labour for domestic and agricultural work, commercial sex work or prostitution, begging, unregulated industrial work and street trading.
The South-east and South-south geo-political zones of Nigeria are noted for active involvement in human trafficking. For instance, several thousands of children are known to have been trafficked from Igbo land, Akwa Ibom and Cross River states to Lagos, Benin Republic, Togo and Gabon for the purpose of engaging them in child labour, which is akin to child slavery. The high rate of child trafficking became a major source of concern to the Akwa, Ibom State government that it banned “all forms of trafficking in children from the state to other parts of the country to serve as house-helps or cheap labour of any form” in 2004. The government also threatened to “deal drastically with parents who persist and promote trafficking in children” (Njoku, 2015).

The Western part of the country is also involved in child trafficking for the purpose of using them as cheap labour for domestic work, agricultural production, including cocoa and rubber farms. Nwakamma (2004) reported that Asewele, a community in Ondo State is a spot for child slavery. He stated that both males and females were sold at a price of about N25,000.00 each across the border and there were always prospective buyers. He also noted that despite the efforts being made by the police and immigration officers, Nigerian borders are still vulnerable as far as child trafficking is concerned.

In Benin City, capital of Edo State, there were syndicates who specialized in recruiting and sponsoring young ladies to Europe especially Italy, Amsterdam and Belgium for prostitution. Taire (2004) observed that it was since 2000 that the issue of Nigerian women in general, and ladies from Benin city and its environs in particular going to Europe to work as commercial sex workers had become a real cause for concern. Similarly, THIS DAY (May 3, 2004) in a story culled from Economist stated that people-trafficking in Benin-city was an organized and lucrative trade. The paper observed that it was riot possible to know how many ladies were shipped out each year, but that “everyone in Benin-city knows who has gone”. The paper noted that the girls were recruited by local sponsors “who pay up-front for transport, and the girls therefore start out with thousands of dollars in debt”.

The major reasons for the persistence of the ugly phenomenon of human trafficking in Nigeria include pervasive poverty in the society especially at the family level; the frightening problem of unemployment among the populace particularly the youths, and ignorance of the prospective victims of human trafficking about their fate in foreign countries. Some other reasons include bad
leadership that has failed to improve the welfare of the citizens thereby resulting in mass disillusionment and the urge by many citizens to leave the country in search for better living conditions in other countries; the abuse of traditional method of fostering children and get-rich-quick syndrome in contemporary Nigerian society. There is also the pressures of urban migration which have stretched the demands for house helps and, in turn, induced the internal trafficking of young boys and girls conscripted sometimes into near slave labour (The Guardian Editorial, June 29, 2004).

Moreover, there is the problem of the existence of powerful and influential syndicates within and outside Nigeria that coordinate and finance the despicable business, and the lure of huge profit that accrue to them annually from it.

Legislations against Human Trafficking in Nigeria


At the national level, the 1999 constitution provides for the respect and dignity of human persons. It provides in section 34(1) that no person shall be subjected to torture, in human or degrading treatment or held in slavery or required to perform compulsory labour.

The rights of the citizens to the dignity of the human person against slavery, servitude, forced labour, prostitution and other forms of sexual exploitation is
also enshrined in the criminal Code of the Southern Nigeria (Cap 42, 1990) and the Penal Code of the Northern Nigeria (Cap 89, 1963); Labour Act (Cap 198, 1990); and the Trafficking in Persons Law Enforcement and Administration Act (2003). The anti-human trafficking act is the most recent and crucial because it specifically addresses human trafficking. This anti-human trafficking law was a laudable move that culminated in the establishment of the National Agency for Prohibition of Trafficking in Persons (NAPTIP). There are several provisions (Sections 11 to 29, 32 and 46) of the antihuman trafficking act of NAPTIP prescribing different punishment ranging from one year to life imprisonment for serious offences such as exportation or importation of girls under the age of 18 years for prostitution, forced labour, servitude or removal of organ by means of threat or use of force or other forms of coercion, abduction, fraud or deception. The seriousness of this law is underscored by its section 61(1) which provides for: where an offence under the act is committed by any citizen or person granted permanent residence in Nigeria, s/he may be prosecuted in respect of such offence as if it was committed in any place within Nigeria. This law also vests the power to arrest, search and seize on police, immigration, custom and National Agency for Prohibition of Trafficking in Persons (NAPTIP) officials. Similarly, the federal and state high courts have concurrent jurisdiction to try any of the offences under the law.

Although Nigeria’s trafficking law provides a unified approach for the first time, it is not without its Shortcomings. The law adopts the definition of trafficking in persons as contained in the Palerino Protocol but deals more extensively with trafficking for prostitution and sexual exploitation than with trafficking for other forms of labor. This greatly limits its scope. Moreover, there are lapses in the provisions of the Nigerian trafficking law for the protection of trafficked persons and witnesses. It thereby falls short of the recommended human rights standard approach (GAATW, 2001). While it is noteworthy that the law criminalizes the transport of potentially trafficked persons by any commercial carrier with knowledge of the trafficking transaction, no commercial carrier has ever been charged.

Though still young and in need of necessary infrastructures for the effective execution of its mandate, NAPTTP has succeeded in effecting some arrests and prosecutions. In August 2004, for, example, the Agency prosecuted and convicted a woman trafficker in the Benin City High Court in Edo State of Nigeria and as at February 2006, NAPTIP’s efforts have yielded seven convictions: three in Benin City and two in Kano, two in Ijebu-Igbo Ogun State.
There are also multiple cases pending that raise public awareness. NAPTIP also collaborates with the Nigerian Immigration Office, the police and NGOs and has established offices across the country. To date a total of four offices have been created: one each in Lagos, Benin City, Uyo and Kano. Two shelters were also set up in Lagos and Benin City in addition to a mini-shelter in Abuja. There is also a National Anti-Child Trafficking Network operating in 22 states of Nigeria with the support of the United States Department of State and UNICEF. Finally, both the police and immigration service have established Anti-Trafficking Units located at exit and entry points for trafficking and the Kano Immigration Command now issues annual reports of repatriations through the Kano Airport. However, much still needs to be done as the problem still persists because it is a covert activity and thus the extent to which it occurs remains unknown, Non-governmental organizations like Women trafficking and Child Labor Eradication Foundation (WOTCLEF) has also been involved in the prosecution of traffickers, protection of victims, rehabilitation, retraining and counseling of repatriated trafficked people and their activities have received worldwide support as well as local recognition for their contribution towards curbing the menace. (www.comminit.com/en/node).

In accordance with the national law allowing individual states the right to amend, Edo State recently added new provisions to the criminal code. These provisions had some positive effects: for the first time they made it a crime for third parties, i.e. sponsors and traditional priests, to facilitate the secret oath ceremony and/or to participate in it. Unfortunately, the Edo State amendment also criminalized prostitution, thereby alienating trafficked persons working in prostitution (CC of Edo State, 2001). Since the adoption of this law, there is no evidence that trafficking for prostitution in Edo State has been reduced. In fact, as of April 2004 the majority of repatriated trafficked persons for prostitution from Europe and West Africa were from Edo State. In addition, 25 trafficked Nigerian women were recently deported from the Republic of Benin and 23 of them were from Edo State. There have been no convictions since the enactment of this law.

The amendment also provided for compulsory STDs and HIV tests for deported trafficked persons. This provision violates international human rights standards which permit testing for HIV only with the informed consent of the individual. Nonetheless, state liaison offices are given details of trafficked persons including their HIV and AIDS status for record purposes and “there is a standing order that such deportee victims should be prevented from traveling, outside Nigeria.”
Anti-migratory policies such as not issuing passports to single females from Edo State below the age of 25 years have not had any effect on the trafficking of Edo girls. Instead, traffickers have found other means of getting passports’ and visas for trafficked persons. However, the policy has succeeded in discouraging and frustrating women from Edo State from traveling out of the country to pursue legitimate ventures, violating their fundamental rights. With an increased awareness of human trafficking, other Nigerian States are creating laws in response. There is already a law in Enugu State against child abuse that bans child trafficking. Efforts are also underway to arrest and prosecute traffickers. Unfortunately, few cases have been fully prosecuted. In a nutshell, human trafficking denies hundreds of thousands of people their basic human rights, poses a serious public health risk and fuels organized crime around the world. It is a dark and uncomfortable subject, but one that must be illuminated. Trafficking can only be eliminated through combined efforts at national, regional and international levels. When dealing with an issue of this importance and urgency, time is of the utmost essence. The world must come together to act as one in this regard. The world must stop the criminals and terrorists from using human trafficking as a resource, but even more importantly, the world must stop human trafficking in the name of common decency.

**Effects of Human Trafficking on National Image**

Bad international image ranks one of the most palpable effects of human trafficking. Owing to the high degree and alarming rate of human trafficking engaged by Nigerians within and across the globe, there have been unprintable reports that portray Nigerian reputation in very bad light. It has created erroneous impression that the country is incapable of providing for her citizens especially in terms of employment and social welfare, hence the exodus of her able-bodied youths to foreign countries.

With the increase of young prostitutes of Nigerian origin are allegedly often spotted in sex parlours and streets of some European countries (Italy, Holland and Belgium etc) soliciting for male clients, Nigerians are branded promiscuous and people of low morals that can do anything to earn a living, even sleeping with dogs and monkeys and as a result, our people are held in disdain and treated like animals. Such reports tend to lower our good image before the international community and portray us in a very bad light. This makes every Nigerian a suspect wherever he or she goes. Consequently, we are faced with harsh immigration laws and in some cases, the most sophisticated security
gadgets are used in screening us at different international borders and embassies. So many times visa is denied Nigerians.

The human trafficking conundrum erroneously portrays Nigeria as a country in throes of political and economic crises. This is despite the fact that the country conducted free, fair, credible and peaceful general elections recently, and is making efforts to improve socio-economic conditions of its citizens. Human trafficking, therefore, creates wrong impression of the image of the country. (Njoke, 2015)

It frustrates the efforts of the government towards the achievement of Millennium Development Goals (MDGs) particularly Education for All. Many of the victims of child trafficking are deprived of the opportunity to acquire formal education. Besides, Ezinma (2010) reported that over 12 million Nigerian children are in the bondage of child labour and more are at risk of joining the child labour condition. He stated in his report that it is quite sad that many years after the goal of International Programme on the Elimination of Child Labour work (IPEC) was launched, the prevention and elimination of worst form of child labour (WFCL) is still a mirage in Nigeria. This casts doubts on the commitment of the country towards eliminating child labour which is akin to child slavery.

Human trafficking deprives the country high-skilled manpower needed for rapid national development. It acts as a Brain drain. Ibekwe (2010) summarized the negative effects of brain drain on developing countries, including Nigeria as follows:

*Brain drain in developing countries has financial, institutional and social costs: little return from their investments in higher education; increasing dependency on foreign expertise due to dwindling professional sector; diminishing ability of several developing countries to offer basic health care services to their subjects; widening gap in science and technology between the richer and poor countries; crumbling middle class population; failing tax system and disappearance of jobs and society (Ibekwe, 2010).*

With particular reference to Nigeria, Professors Wilma Meus and David Sanders, both of the University of the Western Cape’s School of Public Health, South Africa stated in their research report that Nigeria has incurred loss of $420 million (N53.34 billion) through the loss of 21,000 doctors to the United States of America. Meus and Sanders stated that conservative estimates showed that the United States has saved at least $3.86 million (N490.2 million) in training fees by
employing doctors from Nigeria (Bagshaw, 2003). Similarly, thousands of medical experts of Nigerian origin reside and work in United Kingdom.

On the other hand, Nigeria’s health care and education sectors have “been in deplorable state partly due to inadequate number of experts as a result of the effect of brain drain.” In the case of health sector, for instance, the report on the progress of the Millennium Development Goals (MDGs) as documented by Anuforo (2010) shows that

*Nigeria really still does not have the kind of public health system that the country…. needs. The life expectancy in Nigeria is about 55 years, while in other middle income countries it is about 70, and higher income countries about 80 plus. Nigeria is just not achieving the health and maternal survival of the child befitting a country of its stature (Anuforo, 2010).*

It should be noted that Nigerians in Diaspora were said to be over 20 million contributing greatly to the development of their various countries of residence (Nwanunobi, 2006).

Human trafficking exposes some Nigerian citizens to all forms of inhuman treatment in foreign countries. These include physical assault, rape, detention and in some extreme cases execution. Many Nigerians are also known to be languishing in prisons in some countries of the world due to the misadventure associated with human trafficking. Trafficking victims also experience other forms of psychological and physical abuse. Yukoshko (2009) reports that victims are more likely to experience fear, guilt, sense of betrayal, lack of trust, suspicion, sense of apathy, shame, withdrawal, resignation to fate, hopelessness, extreme form of submissiveness, maladaptation, and a sense of loss of personal autonomy; initiative and integrity. The report also adds that victims tend to turn to drugs, as well as being much more likely to inflict self injury or even commit suicide. Yet also, victims stand the risk of being arrested, face detention, prosecution and deportation. The fastest growing prisons in Italy, France, Spain, the Netherlands, United States, Saudi Arabia and South Africa are the ones for the immigrants trafficked for sexual exploitation (UNHCR, 2000) most probably from Nigeria.

It has given rise to frequent deportation of Nigerian citizens from foreign countries with its attendant diplomatic implications. The former Head of Nigeria Immigration Service (NIS), Trafficking Unit, Miss Nnenna Mbagwu revealed that a total of 2,562 Nigerian girls were deported from Europe in 2002. She also stated
that 189 minors who were being ‘towed out’ of the country ostensibly for child slavery were intercepted in the same year. (Daily Champion, January 30, 2003).

Human trafficking exposes Nigerian youths to the danger of being used as ‘guinea pigs’ for scientific and medical researches in foreign countries. The National Coordinator of the National Anti-Human Trafficking Campaign (NAHTC), Mr. Richard Osai lamented that human trafficking between Nigeria and the world “is taking worse dimension”. He stated that “besides slave work abuse, the victims are losing their vital parts for a paltry $150 in return for the permanent damage done to them” (Njoku, 2015). This is not only an act of indignity against such victims, but also portrays them as sub-humans without protective rights.

Human trafficking also has significant impact on the National security. It Create an environment of violence, crime and fear, human trafficking separates families, erodes social bonds and support networks, and undermines the economic prospects of the country. Furthermore, facilitated by large-scale international organized criminal networks that are linked to illicit trade in arms and narcotics, trafficking in persons can also compromise state security and impede human development by weakening the rule of law, undermining health systems and threatening public safety.

It impugns on Nigeria’s national character. It was partly as a result of the bad image which human trafficking paints about the country that the Federal Government resolved to embark on re-branding Nigeria project

**Conclusion and Recommendations**

The menace of human trafficking is damaging, disastrous and devastating to the victims, the family and the society at large. In view of the pervasive and penetrative effects of human trafficking on Nigeria and Nigerians, there is need for a continuous synergy of efforts to curb the menace. The government, Law enforcement agencies, media, religious bodies, traditional rulers and the civil society organizations all are expected to play a pivotal role in the war against human trafficking.

Government in particular should make the country attractive to citizens especially the youths through qualitative public education, job creation and provision of social infrastructures, which often constitute the push factor for emigration. Since women and girls are the most vulnerable to trafficking, the
federal government is expected to reinforce relevant national laws and international conventions and protocols that protect the rights and privileges of individuals against trafficking. Law enforcement agencies like the Nigeria Police Force (NPF), Nigeria Immigration Services (NIS) and Nigeria Custom and Exercise (NCE) could also assist the National Agency for Prohibition of Trafficking in Persons (NAPTIP) with intelligence and logistic support to fight the crime. Members of the public also owe a duty to NAPTIP by providing information to help NAPTIP to track down suspected trafficking syndicates. Above all, since globalization has influenced and aggravated human trafficking, just as other transborder crimes, the necessity for closer cooperation and collaboration between Nigeria and other countries to nip the crime in the bud cannot be underestimated.

There is the need to wage war against poverty. The ability to successfully, reduce poverty, is the starting point of victory over human trafficking. The government should work seriously to alleviate the suffering of the people. Unless this is done, no war against human trafficking can be won. Parents and guardians should also be mindful of porous propositions by dubious tour operators seeking to encourage bogus oversea trips for their young daughters.

According to the 2015 TIP Report, the Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking. For instance, the Government has to implement formal procedures for the return and reintegretion of Nigerian victims to ensure that victims are afforded adequate care upon their return to Nigeria; take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses; Take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offense.

Much is also required in the area of counseling, rehabilitation and reintegration. Victims, most of who are traumatized, disoriented and haunted by their experience should first undergo counseling before rehabilitation and subsequently adequate reintegration into the society.
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