Nigerian Border Security and the Challenges of Trafficking in Persons

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Abstract

Human trafficking is an egregious human rights violation that occurs throughout the world. Due to its complex cross-border nature, human trafficking requires a coordinated, multi-disciplinary national and international response. Human trafficking has increasingly become a bane in the wheel of national development in Africa and particularly Nigeria. The consequences are alarming as viable present and potential human resources are illegally sold as commodities into slavery, sexual exploitation, forced labour, among others. The research seeks to carry out an analysis of the connections between border securities and human trafficking in Nigeria and the implications for national security. Firstly, it interrogates the socio-economic causative factors, including poverty as a major driving force for undocumented migration. Secondly, it explores the issue of security governance of borderlands and the capacity of border security agencies to contain identified challenges, and, thirdly, it provides an understanding of the enormity of the problems through analysis of the institutional gaps and what needs to be done to reduce the surge in human trafficking in Nigeria and beyond. However, human trafficking is viewed as modern-day slavery that transient international boundaries thus posing cross border insecurity which is why the choice of modern slavery theory was adopted. The research concluded that since human trafficking is evil, insidious and multi-faceted, a proper enforcement of the laws would lead to the eradication of the scourge. The research recommended that Nigerian government should engage in professional training of border security agencies as well as employ modern technologies in dictating illegal movement of persons and materials across the country's borders.

Background to the Study

In a globalized world that has left the world 'a global village', it is not unexpected that people move all over the world from rural to urban areas and from third world countries to developed countries. Some are fortunate to secure genuine employment to aid their migration, however many others are forced into jobs they have not chosen voluntarily. The history of human trafficking, including that of the trafficking of women, cannot be completely divorced from the phenomenon of slavery. This is because both involve the acquisition and transportation of humans across local, national and international borders for servitude, with or without the consent of the trafficked person(s). This crime of trafficking is a covert, complex and a global phenomenon involving almost all countries. Today human trafficking appears in the front burner as organized crime in the third world after drugs and arms. It is the illegal trade of human beings for the purpose of slavery, commercial sexual exploitation and forced labour. Scholars, researchers, governmental organizations, and international agencies from a variety of or different perspectives have examined the phenomenon of human trafficking variedly: the criminological perspective, legal perspective, sociological perspective, human right perspective and Gender perspective.

Human trafficking or trafficking in persons as defined by Article 3 of the UN Protocol to the Convention on Transnational Organized Crimes cited by Alexander (2012:2) states:

> *The recruitment, transportation, transfer, harbouring or receipt of persons by coercion, of threat or use of force 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.*

The above as buttressed by the protocol is emphasized to prevent, punish and suppress the trafficking in persons especially women and children. The phenomenon is so alarming because of its transnational nature and global spread exacerbated by rapid globalization. Human trafficking is one of the numerous forms of global crimes bedeviling our society today and it is considered among the most lucrative transnational crimes rivaled only by the drug and firearms trafficking (UNHCR, 2000). However, in 2007, during the 20th year anniversary for the abolition of slavery, the United Nations' Researchers and other experts established that nearly 800,000 persons are being trafficked across the borders globally yearly (UNHCR, 2000). Today human trafficking is recording above one million persons being trafficked across the globe yearly due to its lucrative nature.

However, Nigeria is internationally known to be the origin, take-off point and destination of several victims of human trafficking around the world. Nigeria is a multicultural country with diverse ethnic and religious identities and an estimated population of over 200 million people (Alaka et al, 2022). Available records show that over 60% of the population (135 million) lives below the poverty line and women and children, especially those in rural areas, form a larger part of the poor. Men, women, and children from Nigeria are trafficked to the Middle East, Europe, Asia and other African countries. In turn, victims of human trafficking from neighbouring countries such as Niger, Togo, Chad, Mali, Cameroon, and others are trafficked

in Nigeria for domestic servitude, farm work, prostitution, and stone quarrying. There is also the prevalence of domestic trafficking from rural areas to urban areas such as Lagos, Ibadan, Kano, Port Harcourt, and Calabar for domestic servitude, begging, farming, organ trafficking and sexual purposes (Alaka et al, 2022).

Statement of the Problem

Due to porous nature of Nigerian borders, it becomes problematic to achieve effective national security. Even though efforts are made to secure Nigerian borders, it has been discovered that certain factors appear to pose a problem to effective border security in Nigeria. These factors are corruption, issue of facilities and logistics, problem of manpower/personnel, conflict/inadequate of co-operations among security agencies etc. However, the research examined the Nigerian border security and the challenges of trafficking in persons.

Objectives of the Study

1. To investigate the causes of trafficking in persons in Nigeria.
2. To understand the challenges trafficking in persons, pose to the Nigerian government.
3. To understand the efforts made by Nigerian government to mitigate trafficking in persons in Nigeria.

Methodology

The research method for this work is based on survey research, content analysis and the use of secondary date as a source.

Modern Slavery Theory

Modern slavery can be seen as when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, they lose their freedom. This includes but is not limited to human trafficking, forced labour and debt bondage (Bales 1999). The theory was propounded by Kelvin Bales (1999) and it however postulates varieties of theoretical submissions that relate to the trafficking process and as well provides significant accounts in dynamics of sending and receiving states of human trafficking. The theory therefore posits that even though every case of human trafficking is divers and that discrepancy exist in the factors that determine human trafficking in each country, but all cases of trafficking still share related aspects. Corruption in government, economic woes, unemployment and demographic profile cut across almost all states as some of the factors aggravating the situation.

Modern slavery agrees with the Palermo Protocol on human trafficking which involves three elements: the act (recruitment, transport, transfer, harbouring and the receipt of persons), the means (threat or use of force, coercion, abduction, fraud, deception and abuse of power or vulnerability), and the purpose (exploitation). The key points in modern slavery are human trafficking, the use of violence, threats or coercion to transport, recruit or harbour people in order to exploit them for purposes such as forced prostitution, labour, criminality, marriage or organ removal.

Act + Means + Purpose = Human Trafficking
Brief History of Trafficking in Persons
Trafficking in human beings, especially women and girls, 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.

The earliest understanding of the term "trafficking" comes from UN instruments. The term "traffic" was first used to refer to the so-called 'white slave trade' in women around 1900. The trafficking and voluntary migration of white women from Europe to Arab and Eastern States as concubines or prostitutes was of particular concern to European middleclass men, women and government. The result was the creation of an international agreement for suppression of the 'white slave trade' in 1904. At this time, traffic meant the movement of women for an immoral purpose i.e. prostitution. Initially, this definition required the crossing of country borders, but by 1910 it changed to acknowledge traffic in women could occur within national boundaries. Traffic in women was seen as related to slavery but also to be closely linked to prostitution. The link between trafficking and prostitution solidified even more in the following decades, most clearly in the adoption of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others.

The phenomenon can be said to have gained prominence in Nigeria in the early 1990s when drug trafficking and advanced fee fraud (419) became common place. Mohammed (2004) opined that human trafficking particularly women, began as a simple strategy adopted by families desperate for a reprieve from biting economic hardships after the oil glut that was misused by Nigerian leaders between the 80s and 90s. Many factors such as poverty, level of ignorance and family size among other things account for why human trafficking became prevalent.

Causes of Tips in Nigeria
Factors that contribute to trafficking in human beings can be categorized as 'push' and 'pull' factors. Push factors include, among others, poverty, unemployment, lack of social security, gender inequalities, conflicts and violence. Pull factors consist of promises of steady employment, better living conditions and demand for cheap unskilled labour as well as for sexual services (Punam, 2018). The root causes of trafficking are various and often differ from one country to another. Trafficking is a complex phenomenon that is often driven or influenced by social, economic, cultural and other factors. Many of these factors are specific to individual trafficking patterns and to the States in which they occur. There are, however, many factors that tend to be common to trafficking in general or found in a wide range of different regions, patterns or cases. However, in Nigeria, it could be majorly as a result of factors like poverty, unemployment, lack of education, a profit-making venture, broken homes/families etc.

Poverty
Poverty is one of the largest contributors to human trafficking. It can drive people to become traffickers; it can drive parents to sell children or other family members into slavery. This is the case of Nigeria where people in poverty are targeted by traffickers, who offer them a way to earn money when, in fact, they will actually earn nothing and be treated as a slave. Poverty also has a huge impact in many of the other root causes of trafficking, driving people to migrate, others leaving the country droves, because education and legitimate work are difficult to obtain, making recovery and safety from war and disaster impossible, and more.

Unemployment
Traffickers target unemployed individuals and often use deception to persuade them to leave home and take a job in another city or country. The position may initially sound promising, but once the individual arrives at the destination, it is often much different than what was described. With the issue of unemployment in Nigeria, people are left with no choice than to go for what is available, since the desirable is not available. To keep them from leaving, traffickers may confiscate their victims' passports or IDs. They might also pay for transportation, shelter, clothing, or food so their victims are indebted to them and feel obligated to work.

Lack of Education
When you consider the majority of people being trafficked either in Nigeria or other places, they lack educational background. A lack of education can lead to decreased opportunities for work at a living wage, and it can also lead to a decreased knowledge in rights. Both outcomes can cause people to be at a greater vulnerability for human trafficking. In prevention of trafficking, education can also empower children to make changes in their community as they grow older that will prevent situations and vulnerabilities of which traffickers take advantage.

Trafficking Generates a Large Profit
One major cause of human trafficking is the large profit that traffickers gain. This is an incentive for them to continue trafficking people in both forced labor and sex trafficking. For traffickers using forced laborers and bonded laborers, they get cheap labor and can sell their product or service at a much higher cost. For those using sex trafficking, they can easily take all of the profit, forcing women to make a certain amount each night, and keeping them in the situation through drugs, violent force, threats, and more.

Broken Families
Individuals who are cast out of their homes, abandoned, or placed into the child welfare system are highly vulnerable to human trafficking. In Nigeria, runaways, youth experiencing homelessness, and those who live in isolation are often targeted. When someone feels alone or unloved or has been abused in the past, they may be willing to take high risks. They may feel as though they have little to lose or may even find comfort living with their trafficker. Some traffickers offer love and acceptance to lure individuals to work for them.

Border and National Security in Nigeria

Border security is the control of cross-border movement of people with the main goal of reducing illegal flows and not (unduly) limiting legal flows (Brown, 2010). Here we refer border security as the state of protecting the country against any illegal cross-border flows like illegal drugs, illegal migration, illegal arms, human trafficking etc that pose a threat to the survival of a state. In other words, border security means the prevention of illegal movement of goods and persons across borders, which can pose a threat to national security and development.

National security covers critical dimensions viz: economic security, food security, personal security, community security, political security (Adenbaken & Raimi, 2012). In addition, Nte (2011) defined national security as "the ability of a nation to protect its internal values from internal and external threats. Thus, for all practical purpose includes securing the individual against war, poverty, disease, loss of income and other health hazard. There must be national preservation and equilibrium in the economic, social, political and environment spheres". In this work, our focus on national security is based on state's ability to protect lives and property, ensures economic development (increase in revenue and high standard of living), protection from harm, control of crimes and violent attacks. According to Ohazurike and Nosiri, (2016), the problems of achieving effective border security have negative effects on national security. Even though efforts have been made to secure Nigeria border, it has been discovered that certain factors appear to pose a problem or challenge to effective border security in Nigeria like the poor nature of the borders, corruption, issue of facilities and logistics, problem of manpower/personnel, conflict/inadequate of co-operations among security agencies etc.

The Porous Nature of the Borders: Studies have shown that there is high rate of porous borders in Nigeria and it has been assumed to be the major challenge to effective border security. This can be as a result of the vastness of Nigerian border (Menner, 2014; Gbemre, 2016). It has been indicated that Nigerian has 147 irregular and 84 regular routes as movement were done through irregular routes. (Maro, cited in Akinyemi, 2013; Menner, 2014) Adams (2012) viewed that there are existence of 1475 official border sites and estimate of 2000 un-official border sites across Nigeria borders. Musa (2015) identified that there is presence of 250 footprints from Damaturu/Maiduguri axis that link the Cameroon, Chad and Niger that are not known to Nigerian Security Agencies.

Corruption: The issue of corruption is another problem to effective border security in Nigeria. It has been discovered that most security agencies are often compromised to allow illegal flow of goods and people (Akinyemi, 2013; Nte, 2011; Gibemre, 2016). According to Onuoha (2013) "since corruption is endemic and systemic in Nigeria, cross border arms trafficking is sometimes facilitated by security agents. In May for instance, senior custom personnel were arrested for allegedly assisting Boko Haram insurgents to smuggle trucks loaded with huge cache of arms and ammunitions into Nigeria". Gbemre (2016) noted that some checkpoints are not meant to check passport but to extort money from people. Hahonou (2016) indicated that recent anthropological research shows that regular traders,

transporters and passengers that moves along West African states usually provide various kinds of informal payment to state agents in order to escape taxation of goods and certain procedures. Report also maintained that along the Niger-Benin-Nigeria border, there is no positive relation between a higher number of checkpoints and an increased level of control because security agents create fake offices and checkpoints to increase the number of opportunities for taking bribes and racketing citizens (Hahonou, 2016).

Issue of Facilities & Logistics: The problem of adequate facilities and other logistics serve as a problem to effective border security in Nigeria. There have been reported cases of low operational facilities like: poor border barrack or substandard office; lack of or insufficient communication or technological gadgets or facilities; inadequate patrol vehicles etc (Akpomera & Omoyibo, 2013; Akinyemi, 2014; Danfulani, 2014). Lamptey (2015) stated that "the work of border security officials is hampered by logistic and poor government remuneration, creating avenues for corruptions." There is no how effective border security can be achieved without adequate facilities and logistics.

Problem of Manpower/Personnel: Issue of personnel is also a great challenge towards securing Nigerian borders. The presence of inadequate manpower/security personnel has made it difficult for security operatives to effectively maim the borders. Evidence has shown the availability of security personnel is not enough for management of both regular/official and irregular/unofficial route in Nigeria (Dafulani, 2014; Gbemre, 2016). This contributed to high rate of smuggling or infiltration of illegal goods and persons. Conflict/inadequate Co-operations Among Security Agencies: Adam (2012) viewed that "the lack of or absence of integrated security efforts also provides criminal smuggling and other illicit networks". The poor co-operation and coordination between security agents within Nigeria and other neigbouring countries have undermined border security in Nigeria. (Idowu, 2014; 2015; Menner, 2014). Nte (2011) noted that there is poor co-operation between the security agencies (mainly the NCS and NIS) in joint patrol arrangement at the borders. Even though the multinational Joint Task Force has been improving its efforts to ensure security mainly at the borders, there has been problem of collaboration, co-ordination and co-operation between security agencies of other countries (Menner, 2014). In addition, the conflict or poor cooperation and coordination can be as a result of suspicion, problem of information and intelligence sharing, disagreement on standard to follow, ad-hoc operations of some joint patrol etc. (Babatunde, 2009; Idowu, 2014). Nigeria's border health is fundamental to the country's economic prosperity. Therefore, for it to steadily improve its trade position in Africa and on the global scale, it needs safer, well-built, and well-manned border systems.

Nigerian Border Security and Trafficking
Nigeria has been the new hub for all forms of trans-border crimes ranging from women and child trafficking, internet fraud (419), smuggling among others (Mobolaji and Alabi, 2017). These activities tend to affect the security measures already been put in place by the various security agencies. The porous border for instance has been an easy route for criminals to easily ply their trade with less difficulty. The quest for survival led many into smuggling various goods from Benin Du Republic; they avoid paying custom duties thereby reducing revenue

generation by the government (Mobolaji and Alabi, 2017). Despite legal frameworks against trafficking in Africa and Nigeria in particular, various forms of human trafficking have continued to increase on daily basis through porous borders in West African region. A typical example is the "Triangle of Shame". This represents Niger/Chad/Nigeria borders. In this zone, hundreds of girls trafficked from Edo State, Nigeria, end up in the sex industry in Italy (Adepoju, 2005; Yaro, 2008; Sofie & Olsen, 2011).

Efforts by Nigerian Government
Nigeria is party to the protocol to prevent, suppress and punish trafficking in persons, especially women and children (Trafficking Protocol) supplementing the United Nations convention against transnational organized crime, as well as to a number of international human rights instruments, including the United Nations Slavery Convention (1927), the Convention for the Suppression of Trafficking in Persons and of the Exploitation of the Prostitution of Others (1949), the ILO Forced Labour Convention (1930, N. 29), the ILO Abolition of Forced Labour Convention (1957, No. 105), the ILO Worst Forms of Child Labour Convention (1999, No. 182). Nigeria also ratified other international instruments which have provisions that can apply by extension to the protection of the human rights of trafficking persons, including the Convention on Elimination of All Forms of Discrimination Against Women (1979), the Optimal Protocol to the Convention on the Rights of the Child of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), the Convention in the Protection of the Rights of All Migrant Workers and Members of their families (1990) among others (United State Department of State 2015, IPPIR 2013).

In Nigeria, Section 34 of the Constitution of the Federal Republic of Nigeria (1999) guarantees the right to the dignity of the human person thus prohibiting the subjection of any person to slavery and servitude. It prohibits the subjection of any person to slavery or servitude. Others include the rights to movement (Section 41), personal liberty (Section 35), and those that prohibit torture and inhuman or degrading treatment, slavery, servitude and forced labour (Section 34(1) (a) (b) and (c) respectively). (ILO, 2006). Nigeria has two codes of criminal law, the criminal code covering the Southern States of Nigeria and the Penal code applying to the North. Both codes do not define what constitutes trafficking nor does it deal with the various forms of trafficking directly. However, both codes deal with offences which may constitute trafficking for prostitution and slavery. There are also laws in the constitution that are punishable when one is compelled out of their will to do task but there is lack of adequate promotion regarding trafficking in Nigeria's criminal laws. Nigeria being one of the countries with the highest rates of human trafficking, informed why the federal government established the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). This is also because the country has international obligations to use all possible means to prevent and eliminate human trafficking.

Conclusion
Human trafficking is a hidden crime as victims rarely come forward to seek help because of language barriers, fear of the traffickers, and/or fear of law enforcement. Human trafficking is evil, insidious and multi-faceted. A proper enforcement of the laws would lead to the

eradication of the scourge of human trafficking. Human trafficking remains a great threat to our economic development, advancement and human capital. It saps the very potential of our nation by frustrating the aspiration of our young people. The future of so many young people, especially women has been frustrated, their dreams shattered, destinies delayed, and potentials caged because of the triumph of human trafficking which often thrives in the shadow and silence of many and grow due to passive participation of the three arms of government. While the government has made some progress in addressing the problem, it can still do more to prevent trafficking and protect victims.

Recommendation
The study recommended that Nigerian government should engage in professional training of border security agencies as well as employ modern technologies in dictating illegal movement of persons and materials across the country's borders. To effectively achieve this, there should be a renewed strong cooperation and collaboration of Nigerian government with other neighbouring countries such as Benin, Niger, Chad and Cameroun regarding provision of border infrastructures.

The introduction of modern technology should be the priority of the government in combating crimes across the border area. Due to the vast area of borders, developed countries often engage in the use of improved technology like cameras, robots, scanners among others. A central data base and watch house should be instituted whereby the cameras are been installed in hidden selected places. The communities if aware might destroy it but it should be strategically placed. New machine that can scan vehicles and humans should be introduced and it will make the job of the security agents easier and reduces crime.

Beyond increase in manpower, there is the need for training and re-training of various border security agencies. These training and workshop exercises should be routine events to actually equip the security agencies to effectively confront further security challenges. Majority of the Nigerian security officers are not well trained particularly on the area border security Thus, specialization of security agencies on border security is very needful in this era of globalization. NAPTIP and National Orientation Agency (NOA) should undertake massive campaign to enlighten the populace that there is no greener pasture to collect on the streets on the developed countries. This would help dissuade them from becoming victims of trafficking as a result of false impression gotten from exposure to internet and other ICT agents of globalization.

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