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### **NIGERIAN TRAFFICKING IN PERSONS REPORT: LESSONS FROM POLICY IMPLEMENTATION**

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#### **Abstract:**

Human trafficking is an international phenomenon. Trafficking in person report the menace as a multifaceted and illicit trade that continues to generate billions of dollars to the global criminal networks annually. Nigerians especially females are trafficked abroad day in day out. This makes the most populous African nation among the largest source of victims to international trafficking networks. Nigeria tries to combat the menace by establishing a specialised anti-human trafficking agency. The agency is accountable for the implementation of the policy. However, putting policy into action presents thoughtful barriers that create implementation gaps. To date, there is nearly no study that looks into the activities of the Nigeria anti-trafficking agency using the trafficking in person report. The investigation is a qualitative enquiry that uses an in-depth systematic review on human trafficking, which paid attention to putting anti-trafficking policy into practice. This is amongst a few studies that attempt to comprehend the state of human trafficking service delivery to the victims in Nigeria. It finds limited training, meagre resources, absence of awareness and corruption as the main barriers hampering efficient policy implementation.

#### **Key Words:**

*Human Trafficking, Barrier, Policy Implementation, Nigeria.*

## **1. Introduction**

The state of human trafficking depicts a twenty-first century issue, which bedevils across continents and global countries. Trafficking in person reports the menace as a multifaceted and illicit trade that continues to generate billions of dollars to the global criminal networks annually (Usman, 2014; U.S. Department of State 2018). Statistics illustrate that there around 25 million persons in modern-day slavery internationally (International Labour Organisation, 2017). Nigeria is no exempted from this inhuman exploitation. The government tries to combat human trafficking by establishing a specialised anti-human trafficking agency. The agency is accountable for the implementation of the anti-trafficking policy. Thus, putting policy into action presents thoughtful barriers that create implementation gaps. The inadequacy of training and resources has hampered the implementation process. While, the limited victims' service delivery is a continual problem (Hudson, Hunter, & Peckham, 2019; National Agency for the Prevention of Trafficking in Person, 2018). There are quite a number of scholarly works of literature that focus on preventing victims' trafficking and pervasive causes of modern-day slavery. To date, there is nearly no study looks into the activities of the Nigerian anti-trafficking agency. This investigation has added to the intellectual writing on the subject. The inquiry examines the present state of the victim service delivery and why basic features within the implementing agency are not well addressed.

## **2. Literature**

### **2.1 Human trafficking**

The Nigeria government defines human trafficking according to section 13 as “All acts of human trafficking are prohibited in Nigeria. Any person who recruits, transports, transfers, harbours or receives another person by means of threat or use of force or other forms of coercion; abduction, fraud, deception, abuse of power or of a position of vulnerability; or giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” (National Agency for the Prevention of Trafficking in Persons, 2015) The definition is applicable to the Nigerian nationals and foreign citizens residing in Nigeria. According to the National Agency for the Prevention of Trafficking in Person (Naptip), millions of people are trap in the exploited modern-day slavery industry. A significant number of females from Nigeria are trafficked day in day out. This makes the most populous African nation a severe source of human trafficking persons. Trafficking in humans is the second fastest illegal industry that generates more than thirty billion dollars yearly (Hernandez & Rudolph, 2015; United Nations Office on Drugs and

Crime, 2018). The victims are coerced into forced labour, prostitution, street begging, agricultural work, adoption, construction, and other kinds of exploitative labour services. However, findings show girls and women account for about eighty percent of the victims of human trafficking. Additionally, around ninety percent of the victims suffer sexual or physical violence. The violence usually has psychological and physical consequences (Kim, Park, Quiring, & Barrett, 2018; United Nations Global Initiative to Fight Human Trafficking, 2008; United Nations Office on Drugs and Crime, 2018).

Trafficking in persons (TIP) reports bringing to light the annual governments' response in 187 countries. The TIP traces the readiness and measures put in place by states to combat human trafficking (US Department of States, 2018). Kangaspunta, Sarrica, Johansen, Samson, Rybarska, and Whelan (2018) in their investigation using the TIP report found terrorist and armed groups recruiting children and women as a way of earning money. The article also shows a global rise in human trafficking. Kamazima, Ezekiel and Fimbo (2012) and Vanwesenbeeck (2019) pointed out that global prostitution is a major factor in rapid HIV/AIDS expansion and international transmission of sexually transmitted diseases. Caudwell (2018) and feminist writer Sabon (2018) and Usman, Ariffin and Othman (2018) said human trafficking is an oppressive, violent global crime that intentionally paid attention to persons in poverty, the disadvantaged, the vulnerable people especially children and women. Similarly, Cockbain and Bowers (2019) declared that the transnationality of human trafficking is so much politicised and sensitive, it is no surprise that there is limited grounded empirical research. According to them, the past twenty years, witnessed significant legislations, policy making and amendments globally. Thus, there is a lack of how to translate the anti-trafficking policy into practice. In other words, to implement the Nigeria human trafficking policy, the government needs to provide resources to the responsible agency. This will enable the implementers to provide services to the victims of human trafficking appropriately.

## **2.2 Policy implementation**

Policy implementation studies are vital to human trafficking. It addresses the issue of putting the anti-human trafficking policy into practice in a real-world phenomenon. Although, putting policy into implementation seeks to address global and Nigerian human trafficking barriers. Implementation study implies the initiation and application of policy to enhance service delivery to victims, the vulnerable and the marginalised or disadvantaged. This kind of inquiry interacts multidisciplinary that shows collaboration amongst policy makers,

implementers and community members (Hudson, Hunter, & Peckham, 2019; Naptip, 2018). According to Jochim and Lavery (2015), the implementation research pays attention to practical ways to enhance implementation and expand impartiality, effectiveness, sustainability and eventually try to minimise human trafficking challenges (Research on implementation provides a renewed emphasis on how to accelerate the development and delivery of service which will enhance female victims, trafficked persons and the vulnerable (Theobald, Brandes, Gyapong, El-Saharty, Proctor, Diaz, & Elsey, 2018).

Atusingwize, Musinguzi, Ndejjo, Buregyeya, Kayongo, Mubeezi and Bazeyo (2019) cited the barriers to implementation in the Ugandan health sector as are policy gap, absence of awareness, poor planning, limited resources, insufficient human capacity and lack of transparency and accountability. The authors pointed out that the policy is obsolete and needed to be revisited to cater to present happenings. Again, at times the policy document does not state some offenses and where such is stated the punishment does not match the magnitude of the crime committed. Importantly, the study discloses that in actualising the penalty, the process hinders timely inquiry into the occurrence thereby making it difficult for victims to be compensated. Spehar (2018) and Tosun and Treib (2018) discovery indicate insufficient human resources was a crucial factor that impedes the human trafficking implementation process. The finding reveals the anti-trafficking agency was significantly understaffed. This also demonstrates inadequate training by the policy and immigration and other enforcers. The challenges enumerated from the anti-prostitution agency become more complicated when funding is decreased at a time when the cost of global commodities is increasing, making goods procurement at a reduced quantity due to the fund shortages. This means the government has failed to give priority to the flight of the victims and the agency despite been in a critical state. According to the investigation, the lack of such vital resources is a severe impediment to a successful human trafficking policy implementation (Atusingwize, Musinguzi, Ndejjo, Buregyeya, Kayongo, Mubeezi, & Bazeyo, 2019; Tosun, & Treib, 2018; Naptip, 2017).

Ugwuanyi and Chukwuemeka (2013) in their submission on Nigeria, are of the view that effective policy implementation will lead to national development. However, they ascribe the political leadership through which civil servants operate in Nigeria is deeply rooted in corruption. The results confirm bureaucrats also suffer from impactful pressure and persistence demands negatively influence the process of implementation in the country. Ugo and Ukpere (2011) see government communal policy as an action mainly to accomplish a targeted objective. In this dimension, considering that human trafficking is a national

problem. Therefore, public policy regulations should be aimed to present the decision to the public via bureaucratic actions. Additionally, the issue of accountability and transparency is attached to governance challenges such as political interference and corruption that usually compromise the activities of the enforcement officers. Lately, there is an increase in the implementation enquiry and a variety of dimensions on its appropriate and purposive method. However, limited efforts have been made to review the literature and systematically document the practice of putting policy into implementation in Nigeria. For this reason, this study fills and add scholarly work on human trafficking from the policy implementation perspective.

### **3. Methodology**

This investigation is a qualitative enquiry that uses an in-depth systematic review on human trafficking, which paid attention to putting anti-trafficking policy into practice. This is a distinct attempt to comprehend the state of human trafficking service delivery to the victims in Nigeria. Utilising this approach gives the researcher information rich on the topic at hand. The data gained from the scholarly review is not obtainable to the quantitative method rather via qualitative thick explanation (Yin, 2015). This is as a result of the study method, which pays attention to a realistic event on trafficking in persons' annual report activities. The research used secondary data with a chunk of the information from official governments site, international organisations, books and referred journal articles dealing purposeful with human trafficking and which concentrate on detailed policy implementation in Nigeria. This study answer the question of how do human trafficking political will and bureaucratic barriers affect policy implementation in Nigeria?

### **4. Research Findings**

The inauguration of the National Agency for the Prevention of Trafficking in Person as the primary agency in communicating, coordinating and partnering with relevant organisations is the main responsibility specified in its implementable policy. Though Naptip has been one of its kind in Africa and to a large extent a forerunner to the world in the fight against human trafficking. The scourge of human trafficking requires resources, continued awareness, and committed enforcement officers for victim service delivery and efficient policy implementation. In other words, the focus of Naptip is not limited to Nigeria but needs cooperation with other countries to deal with international criminal networks of human traffickers. To this end, Nigeria has signed various multilateral and bilateral agreements with the governments of the European Union, United States, Italy, the United Kingdom,

Netherlands, Saudi Arabia, Poland, Germany, and Benin, Niger among others. Nigeria collaborates with these nations in the fight against human trafficking in areas of capacity building, border issues, search and rescue, intelligence sharing, repatriation, and enforcement (Naptip, 2015). The cooperation has given the Nigerian government the chance to set-up programmes and operates efficiently to address trafficking in persons and cross-border crimes.

Even though the Naptip policy has been implemented, Nigeria ranked as a tier 2<sup>1</sup> watch list in the following year (2004) according to the TIP annual report. This means that there is human trafficking going on at an alarming rate. Also, the TIP report put it that, the government does little to comply with minimum standards towards implementing the prevention, protection, and prosecution of traffickers (3P's) so as to minimise human trafficking (U.S. Department of State, 2004). There is also evidence of the complicity of corrupt border security, and there is no significant progress towards meeting the basic standards of preventing victims, protecting women and prosecuting female traffickers. Though the Naptip Act has been implemented, the country remains a tier two for four consecutive years without significant progress, due to non-compliance to adequately remedy the flight of the prostituted victims (U.S. Department of State, 2008).

In addition, Nigeria gained the momentum taking into cognisance to be in tier one, through the formulation and implementation of the guiding procedure on protection and assistance to trafficked persons in 2008. The guideline is a supplement to the Naptip policy and is viewed as a significant booster that helped Nigeria to meet the minimum standard. The subsequent year after its implementation saw the victory or enlistment of Nigeria as a tier one country. Hence, with sweeping activities and programs of the Naptip, the country was able to meet up with the essential demands of a tier one nation. Thus, complete compliance with the TIP report was noticed. Likewise, interms of victims' services such as shelter, health care, empowerment, and integration, were adequately provided (U.S. Department of State, 2008). This was due to enough resources and funds that led to the actual implementation succeed.

Interestingly, in three years from 2009-2011, Nigeria made a giant stride with full government implementation, commitment and compliance regarding meeting up victims' minimum standards with regards to the protection of victims, preventing exploitation and prosecuting

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<sup>1</sup> countries are categorise based on the three tier rankings: Tier 1: countries that comply with guidelines of protection, prevention and prosecution according to the Trafficking Victims Protection Act (TVPA). Tier 2: countries that do not completely comply to the TVPA's guidelines, yet they are making efforts. Tier 2 Watch List: countries with many trafficked victims, unable to provide proof of increased efforts in reducing human trafficking. Tier 3: weak states that do not follow the minimum guidelines and no any vital endeavours to do so.

traffickers. Nigeria was a tier one nation for just three years but has remained a tier 2 country largely (U.S. Department of States, 2011). The report of 2012 trafficking in person, has identified insufficient progress by the government primarily as traffickers received the option of fine instead of being served with a prison sentence. Furthermore, there was limited funding to the Naptip agency, a few victims integrations, and a shortage of training to Naptip shelter counsellors especially in the area of trauma (U.S. Department of States, 2012). There was the inadequate provision of vocational and educational training services at all shelters to the trafficked victims.

In 2012 Nigeria slipped to tier 2, again based on the trafficking in persons report, which indicates girls and women are exploited in the commercial sex industry in West and Central Africa, South Africa, North Africa, the Middle East, Central Asia, Europe, and the USA, (U.S. Department of State 2013). The report of 2013 trafficking in person, shows a dearth of returned trafficked victims from abroad. The few victims repatriated cannot be traced as well as their actual number is not recorded for future reference and research. Also, it finds limited support from sister agencies of government despite been stakeholders in the fight against human trafficking. The report of 2014 trafficking in person asserts a lack of amendment and implementation of the NAPTIP Act to give prosecutors the power to jail traffickers by removing the option of fine. Then again, shelters are found to be inadequate to accommodate victims and there are limited services to the majority of the victims (U.S. Department of States, 2014). There is also a lack of implementation of the formal procedure as it relates to how to return trafficked victims.

The report of 2015 trafficking in person has seen an amended policy that removed optional fine given to traffickers. The same report found judges given the option to pay fine to traffickers, despite the stoppage of the practice by the 2015 Naptip policy as amended. The report of trafficking in person in the year 2015 finds international prostitution practices of passport confiscation, deception, debt bondage, lack of freedom and juju as significant elements that sustains trafficking in the female for international prostitution (US Department of State, 2015). The report point to an inadequate investigation and prosecution of traffickers that are convicted. Correspondingly, the government needs to fight corruption and the complicity of officials. Notably, there are insufficient funds to the lead agency as well as limited training to Nigerian immigration and police officers. This situation results in the enforcement officers from being unable to identify susceptible women travelling abroad for prostitution (U.S. Department of States, 2015). Similarly, the report of 2016 trafficking in person, point towards the limited attention to victims at the shelter and the inadequate funds to

the Naptip agency (U.S. Department of States, 2016). Nigeria has remained a primary source nation for female prostitution in the sex industry internationally. The 2017 report saw Nigeria downgraded to tier 2 watch list. This is a repetition to the year 2003. This is a result of the year under study which saw Naptip having a decrease in funding especially fund for assistance and empowerment services to victims and limited conviction due to corrupt judges (U.S. Department of States, 2017).

To put it differently, the 2018 TIP report asserts and witnessed a significant budget increase of about eighty five per cent to Naptip compared to the previous year. Even though there is an increase in funding, insufficient monies remain a key concern due to the severity and magnitude of human trafficking demands. For instance, despite establishing a new and additional zonal command that increases victim shelter. The agency presently has a total of 315 victim bed capacity across the ten shelters in Nigeria, which is insufficient to accommodate returned trafficking victims. Surprisingly, the report found Naptip implementers largely centred in cities and state capitals. This hinders identifying and investigating rural human trafficking activities. In this case, fund limitation has tie the agency’s primary implementation task and the organisation is unable to proactively carry-out field operation (U.S. Department of States, 2018). Figure 4.1 Highlights Nigeria’s key implementation issues in the trafficking in person annual report.

**Table 1: Nigeria’s Trafficking in Person Annual Report**

<b>Reporting Year</b>	<b>Highlight</b>
2012	-Insufficient progress due to traffickers receiving optional fine -Limited funding to NAPTIP - Shortage of training
2013	-Absence of repatriated victims -Limited stakeholders support
2014	-Lack of prosecutor powers to jail traffickers -Inadequate shelters -Limited services to most victims
2015	-Amendment of NAPTIP policy -Removal of the optional fine to traffickers -Inadequate prosecution of traffickers -Limited training to Nigeria police and Immigration officers
2016	-Limited victim shelter services



	-Inadequate fund
2017	-Decrease funding -Limited assistance and empowerment services -Lack of conviction due to corrupt judges
2018	-Insufficient fund -Creation of additional zonal command -Implementers centred in cities

**Source: US Department of State (2012-2018) Compile by the Researcher**

In general, Nigeria as a tier 2 watch list, signifies the increasing number of trafficked victims, the severity of the menace and unwillingness to provide sufficient services to combat human trafficking. In addition, Nigeria has shown a lack of fundamental commitment and unable to maintain the tier one ranking or tier two and presently is downgraded to tier two watch list position. Nigeria shares the same tier 2 watch list ranking status with Togo, Angola, Chad, Guinea, Gambia, Algeria, Niger, South Africa, Maldives, Cuba, Kuwait, Iraq, Hungary, and Malaysia. (U.S. Department of State 2018). Undeniably, Nigeria remains a severe source, and to a lesser extent transiting, and destination nation for trafficked people, particularly the young female into international prostitution.

### **5. Conclusion and Recommendations**

Human trafficking is a global problem. Nigeria is no exempted from this inhuman exploitation, as young females are trafficked abroad day in day out. This makes the most populous African nation a severe source of trafficking persons. However, the government tries to combat human trafficking through a specialised anti-human trafficking agency. The agency is accountable for the implementation of the anti-trafficking policy. Thus, putting policy into practice presents thoughtful barriers that create implementation gaps. The scourge of human trafficking requires adequate resources, sustained awareness, sufficient shelter and committed enforcement officers for victim service delivery and efficient policy implementation. Additionally, fighting corruption is key, as it has hampered and slowed the policy implementation process. Nigeria attempts to battle human trafficking by ensuring these implementation barriers are addressed. Though, robust action is needed to ensure fruitful implementation.

The government has all it takes to address these barriers. This will require the repositioning of the implementers to enhance impactful policy implementation. This needs bureaucratic and political leadership putting heads together. Also, there is a need for collaboration, it should draw boundaries on bureaucratic matters especially such that human trafficking requires urgency as well as limited political interference. This will give way for the anti-agency officers to discharge their duties diligently and deliver on their mandate. As such stated anti-human trafficking policy will be strictly adhered to and implementation will surely be successful. The government strongly requires moving away from the curative considerations and fight corruption head on. More so, raising awareness of trafficking amongst communities is sacrosanct to its elimination. This will be in terms of translating policy implementation processes and programs or activities to the citizens. At the same time, the government should initiate programs that will improve training especially on the current trends of human trafficking to the implementers. As a matter of fact, incentives for outstanding work have proved to be a good mechanism and a boost to bureaucratic performance. That is to say, incentivising or encouraging hard work will motivate officers and increase commitment to do more for the victims, ensure service delivery and the overall policy implementation success.

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