TRANSNATIONAL CRIME AND NIGERIA'S NATIONAL SECURITY: COMBATING TRAFFICKING IN WOMEN AND CHILDREN

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ABSTRACT

Human trafficking is a major problem confronting virtually every country in the world. Internationally, trafficking in persons has been identified as a serious threat to human security and development by governments, pressure groups and the United Nations. In Africa, Nigerian groups dominate the organised human trafficking networks in Nigeria? in the continent? , thereby constituting a major security challenge to the Nigerian government. Therefore, this paper examines human trafficking as a form of transnational organised crime and its implications for both national and human security in Nigeria. It analyses the major causes, consequences as well as the challenges in combating trafficking in women and children. Methodology is based on secondary sources such as books, journals, magazines and newspaper articles. How effective are the efforts of government and what are the challenges encountered in the fight against trafficking in women and children? The approach so far adopted by the Nigerian government in fighting trafficking has not been effective. It is argued that apart from addressing the structural factors such as poverty, high unemployment rate, corruption among others, it is also vital to initiate closer collaboration between source and destination countries. Indeed, there is a need for decisive and comprehensive actions to curb the menace of human trafficking.

Key words: Human trafficking, Transnational organised crime, Human rights violation, women and children, Nigeria's National security

INTRODUCTION

A Protocol on Trafficking, attached to the UN Convention Against Organized Crime, in December 2000, formally defined trafficking as a modern form of slavery and indentured servitude, linked to organized criminal activity, money laundering, corruption and the obstruction of justice.[1] Using broad language, the UN Transnational Organised Crime Protocol to Prevent, Suppress and Punish Trafficking in Persons, epecially women and children defines trafficking as the recruitment, transportation, transfer, harboring, or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, use of power or position of vulnerability or giving payments or benefits for control of another person.[2] The Protocol also defines child trafficking as the recruitment, transport, transfer, harbouring or receipt of a child (anyone under 18) for the purpose of exploitation even if this does not involve force, fraud, or coercion. This is a critical point because child trafficking often occurs with the consent of the parents and sometimes, of the children themselves.

Trafficking in persons, especiallywomen and children, for prostitution and forced labor is one of the greatest human rights challenges of our time. The concept of human rights is articulated in the United Nations Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948.[3] The Declaration consists of two parts in which both rights focus on the individual as a human being with inalienable rights, integrity and dignity. This paper, thus?, examines human trafficking as a form of transnational organised crime and its implications for national and human security in Nigeria. The paper reviews extant studies on human trafficking and seeks to analyze the major causes, consequences as well as the challenges in combating trafficking in women and children. It also examines the implications of human trafficking for the security of the "state" and "people" who are victims of human

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[1] UN (United Nations), 2000: *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime,* United Nations Office for Drug Control and Crime Prevention. (New York: United Nations Department of Publications).

[2] UN (United Nations), 2003: *UN Protocol To Prevent, Suppress And Punish Trafficking In Persons, especially Women And Children,* (New York: United Nations Department of Publications).

[3] UN (United Nations), 1948: *United Nations Universal Declaration of Human Rights.* (New York: United Nations Department of Publications).

trafficking networks. What efforts have been made by the government in combating trafficking in women and children? How effective are such efforts and what are the challenges encountered in the fight against trafficking in women and children. What policy interventions should be applied to reduce or check the trafficking in women and children?

Human trafficking is one of the fastest growing areas of international criminal activity that is of increasing concern to nation states. It is regarded as the "underside of globalisation.[4] There is no doubting that human trafficking is a major branch of organized crime involving weapon and drug trafficking.[5] Human trafficking tends to be systematic in its occurrence, especially that its span increases as the globalization process intensifies. Though previously in existence in forms such as prostitution, child labour and domestic servitude, today, contemporary human trafficking is an organized business just as the transatlantic slave trade was with various linkages spread around the globe. Although men are also victimized, the overwhelming majority of those trafficked are women and children.

Trafficking is a problem that affects virtually every country in the world. Internationally, trafficking in persons has been identified as a serious threat to human security and development by governments, pressure groups and the UN. Alarmingly, human trafficking continues and appears to be on the rise worldwide. Most nations of the world are touched by it in some way, especially impoverished African countries, which serve as destination, transit or origin countries where citizens are transported to distant lands and enslaved through labour or commercial sexual exploitation. The business of trafficking in humans is today organized loosely by groups that are also involved in weapons and narcotics, colluding with government officials in dozens of countries. There is very little doubt, that it is a lucrative business and may be one of the most difficult to combat. Its corrupting effects on governments and institutions are barely perceptible because they are a less visible than those caused by gunrunning and drug trafficking.

Generally, the flow of trafficking is from less developed countries to industrialized nations, or toward neighboring countries with marginally higher standards of living. Most of the

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[4] ILO (International Labour Organisation), 2000: *Combating trafficking in children for labour in West and Central Africa*, International Labour Organisation/IPEC. September (Geneva) *Quotation:* (ILO 2000: 13).

[5] Stoecker, S, 2000: "The Rise in Human Trafficking and the Role of Organized Crime", in: *Demokratizatsiya,* 8:129-131.

victims are sent to Asia, the Middle East, Western Europe and North America. According to the 2012 trafficking in persons report by the U.S. State Department, it was estimated that trafficking in persons or modern slavery around the world claims 20.9 million victims at any time, mostly women and children, but increasingly men and boys as well, for forced labor, domestic servitude, or sexual exploitation.[6] One estimate indicates that approximately 50,000 of those trafficked around the world are taken to the United States.[7] An estimated 35 per cent of all trafficked persons globally constitute children under the age of consent.[8] Since trafficking is an underground criminal enterprise, there are no precise statistics on the extent of the problem and all estimates are unreliable. Trafficking is considered one of the largest sources of profits for organized crime, generating seven to ten billion dollars annually according to United Nations estimates. Perhaps realizing that the United States is both a transit and destination country for trafficked persons, the U.S. government has been in the forefront of those seeking remedies to this crime. The United States framework for combating the problem includes measures such as prevention through education, increasing public awareness about economic alternatives, protection for victims of trafficking, and prosecution of traffickers.

In Africa, tens of thousands of victims are believed to be trafficked annually according to the U.S. Department of State, although the extent of trafficking is not well documented. In West Africa, this phenomenon is exacerbated by civil wars, refugees, internal displacement, the recruitment of child soldiers and economic conditions. Wars and civil strife engulfing countries like Sudan and Rwanda, as well as the indifference of some governments make women and children vulnerable to trafficking.[9] Trafficking in children for labor is a serious problem in Togo and Benin as well as Botswana, Zaire, Somalia, Ethiopia, Zambia, Nigeria, Algeria. Victims are trafficked to Nigeria, Gabon, Ghana, and South Africa. Africans, especially women from Nigeria, are trafficked to Western Europe and the Middle East. About half of those are forced into sweatshop labor and domestic servitude. The rest are forced into prostitution and the sex industry, or in the case of young children, kidnaped and sold for adoption.

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[6] U.S. Department of State, 2012: *Trafficking in Persons Report,* (Washington, D.C.: Government Printing Office).
[7] Wannenburg, G and Giralt, N, 2003: "West Africa: A review of the region", in: *South African Yearbook of International Affairs* 4 :83. *Quotation:* (Wannenburg and Giralt 2003: 83).
[8] Ibid.
[9] Davies, K, 1998: *Slave Trade Thrives in Sudan* (Associated Press, i.p).

The International Labour Organisation (ILO) estimated that 200,000–300,000 children are trafficked within West Africa each year. UNICEF calculates that 10,000–15,000 West African children work in the cocoa plantations, having been sold by middlemen to farmers for the sum of $340 each.[10] While many victims come willingly, they are not aware of the excruciating conditions they will face. Until recently, most countries, even in the industrialised nations, have not been able to initiate laws which would adequately deal with trafficking in women and children. There have also not been adequate laws and services to protect and assist victims. However, the implementation of anti-trafficking legislation and programs in some of the developed nations, it is hoped, will significantly improve the situation.

In most African states, government has only recently acknowledged the problem of human trafficking. However, with the infiltration? of networks that smuggle women and children for labour or sexual exploitation by organised crime groups, African government are confronted with enormous challenges of combating human trafficking. Although Nigeria is not the only country perpetrating human trafficking, neither is it the only country suffering from its effects. However, Nigerian groups dominate the organised human trafficking networks in Africa.. In Italy alone, the United Nations estimates that 8,000 to 10,000 Nigerians are forced into the country's street prostitution each year, making them the largest national group trafficked for the Italian sex trade.[11] It is reported that they have expanded their operations into Benin, Togo, Ghana, Mali and South Africa. They have established safe houses, which are used to transport the victims overland to West and southern Africa and Europe. These traffickers can receive $10,000–20,000 for a child and $12,000–50,000 for a woman, depending on the purpose they will serve and the rates that can be earned in a country.

HUMAN TRAFFICKING IN NIGERIA

Poverty, crime, corruption and violence have been part of a vicious circle adversely affecting the development of Nigerian society. These conditions have contributed to a considerable emigration pressure. Corruption plays an important part in facilitating emigration in

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[10] Fitzgibbon, K, 2003: "Modern-Day Slavery? The Scope of Trafficking in Persons in Africa". in: *African Security Review*. 12,1.
[11] Craig, J, 2012a: "Nigerians Become Most Trafficked Into Italy's Sex Trade". (Turin: Italy). (Craig 2012a: 23)

violation of Nigerian policy and laws. For instance, rings of organized crime are specialized in forging and selling travel documents to Nigerian citizens who themselves may not be aware of existing legal procedures for the issuance of passports and visas. Emigration has represented a considerable drain of highly qualified labour from Nigeria. At the same time, the Nigerians abroad represent a substantial resource to their country of origin and they send more than a billion US dollars back to their relatives every year.

Traffickers offer young women opportunities to travel to western countries, usually luring them with promises of good jobs. Before the journey, the woman and the traffickers agree that she incurs a debt around US$ 40,000-100,000, which normally takes between one to three years to pay back. The pact is sealed through religious rituals and is perceived as binding. In Europe, these rituals are often characterized as voodoo and presented in a sensational manner. Once they have repaid the debt, it is not uncommon for the prostitutes themselves to enter the trafficking networks and recruit new women. In Nigeria, international trafficking is mainly but not exclusively concentrated around Edo State with its capital Benin City, where trafficking to Italy has helped many families to escape extreme poverty.

Although statistics on the number of Nigerians involved, mostly as victims, vary widely, it was reported by the Nigerian Police Force and the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF) that between March 1999 and April 2000 about 1126 women trafficked out of the country were deported from various countries. This figure excludes the dead, the maimed, and those that sneaked back into the country. It also does not include hundreds stranded in the streets of Europe and Asia.[12] Further statistics released by WOTCLEF, put the figure of trafficked Nigerian women deported as at December 2001 at about 5000. WOTCLEF, estimated that an average of 4 Nigerian girls are deported every month.[13] For traffickers, the profits are too high, and the penalties too low, to resist the trade.

Many of the women arrested and repatriated were trafficked mainly to Italy, Belgium, Holland and France. Others were known to have moved to the Arab World and the Far East [in search of greener pastures. but were eventually lured into prostitution. It has been revealed that most of the trafficked girls were from Edo, Delta, and Lagos states with an average age range of

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[12] World Bank, 2000: *Can Africa claim the 21st century?* World Bank. (Washington, DC, Government Printing Office) (World Bank 2000: 90).

[13] Olukoshi, A, 2001a: *West Africa's political economy in the next millennium: Retrospect and prospect* (UK: CODESRIA Monograph Series). (Olukoshi 2001:4).

between 15 and 35 years.[14] Those behind this trade trick the young women into traveling outside the country with promises of lucrative jobs in Europe. Once they leave, their leaders compel them to go into prostitution, ostensibly to fund their journey to Europe. Many of these women never get to the promised destination but are usually abandoned midway. A report of the International Organization for Migration noted that in many cases, traffickers seize their victims' travel documents. The victims are then told that to recover their document they would have to repay the cost of their transportation and subsistence. Failed escape attempts usually end in severe confinement and physical assault, and families of those who succeed in running away can be threatened with violence. Because these women are isolated and cannot speak the local languages, they are usually vulnerable to abuse.

However, law enforcement agents who should protect the human rights of the women are sometimes in connivance with the traffickers. The law enforcement officers may become part of the syndicate. In 2001, a former police officer and 50 other Nigerians were arrested in Conakry by Guinean authorities. According to the Nigerian ambassador to Guinea, Abdulkadir Sani, of the 51 detainees, 33 were young women between the ages of 18 and 20, while 17 others were men suspected of being behind the trafficking of the girls.[15] The report disclosed that 95 per cent of those being held were from Benin, Edo State and that the former police officer among them used to work for the Benin police command. Fake Guinean passport booklets, fake flight tickets, and American dollars were recovered from the 17 suspected traffickers. The human trafficking unit of the Nigerian Immigration Services identified some countries as what may be termed consumers of human trafficking. These include Italy, Saudi Arabia, Gabon, Macedonia and India.

Several theoretical perspectives have been offered by sociologists, criminologists and feminists for the trafficking of women and children for sexual exploitation and forced labour. Feminist theories, in particular argue that patriarchal gender arrangements prominent in many cultures support the victimization of girls and women. [16] For instance, the devaluation of girls as

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[14] Ibid.

[15] Ibid.

[16] Farr, K, 2005: *Sex trafficking: The global market in women and children.* Worth Publishing: New York. Morash, M, 2006: *Understanding gender, crime, and justice.* Thousand Oaks, CA: Sage Publications. Jeffreys, S, 2009: *The industrial vagina: The political economy of the global sex trade.*New York: Routledge.

economic burdens may lead to their abandonment by their caregivers, including the selling of girls to traffickers. Also, severely limited availability of legitimate employment opportunities for females may force girls and women into sexually exploitive relationships, as such arrangements may provide the only viable option for survival or escape from intolerable conditions.[17] Feminist theories have been particularly attentive to the globalization of the sex industry along with the ease of air travel has facilitated international sex trafficking as well as other forms of forced commercial sexual exploitation.[18]

Feminist theories commitment to the emancipatory goal of ending women's subordination is consistent with a broad definition of security that takes the individual, situated in broader social structures, as its starting point.[19] Human security, in general, is characterized by a shift in focus from security of the state to the security of people, changing the referent of security in much the same way that feminists have done with trafficking.[20] Feminists not only establish women as a referent of security and focus on gender-related human rights abuses but also, and perhaps more significantly, study the manner in which gender stereotypes are used to establish and reproduce categories of practices, perpetrators, and victims. This framework, thus, refocuses the securitisation process, away from the state, and supposedly opening the way for a social constructivist approach.

However, the approach so far adopted by the Nigerian government to fighting trafficking has not been effective. As the International Labour Organisation/IPEC has warned, continued passivity within civil society and ineffective state control could lead to the rapid institutionalisation of modern-day slavery in Nigeria and the Africa continent.[21] Without serious and sustained political will at the top levels of governments and throughout societies, interventions will remain limited compared to the scope and magnitude of the problem. Traffickers will, thus, continue to victimise African men, women and children, depriving them of their basic human rights, depriving countries of critical human capital to compete in the global

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[17] Ibid.

[18] Ibid.

[19] Tickner, A. J, 2001: *Gendering World Politics* (New York: Columbia University Press 2001), p.48.

[20] Lobasz, J.K, 2009: Beyond Border Security: Feminist Approaches to Human Trafficking. *Security Studies*, Taylor & Francis.

[21] Fitzgibbon, K, 2003: "Modern-Day Slavery? The Scope of Trafficking in Persons in Africa". in: *African Security Review*. 12,1.

economy, and depriving all governments of the ability to establish law and order within their own borders.

CAUSES OF RISE IN TRAFFICKING IN NIGERIA

Various reasons have been identified for the increase in trafficking. In general, the criminal business feeds on poverty, despair, war, crisis, and ignorance. Nigeria, in spite of the huge revenue, over $60 billion a year generated from oil resource, its population is considered among the poorest in Africa. The recent United Nations Development Programme ranked Nigeria 156th out of 187 countries on the 2011 Human Development Index.[22] In January 2012, Nigeria's National Bureau of Statistics released a report showing that the percentage of Nigerians living in "absolute poverty" had increased nationwide from 55 to 61 percent between 2004 and 2010.[23] In recent time, as many as 70% of Nigerians live beneath the poverty line, and the average life expectancy is less than 48 years. Unemployment, lack of economic opportunities, and wealth inequalities are a source of deep frustration across the country. About 32.5 million out of a population of 150 million people are out of work and Nigerians accounts for about one out of every seven unemployed persons in the world.[24] Apart from the high poverty rate, the globalization of the world economy has increased the movement of people across borders, legally and illegally, especially from poorer to wealthier countries.

Another major contributing factor to the rise in human trafficking in Nigeria is the continuing subordination of women, as reflected in economic, educational, and work opportunity disparities between men and women. Women, in particular, have always been the most marginalised and oppressed in any situation, particularly in Africa whose culture provides limiting roles for women. Many societies in Africa still favor sons and view girls as an economic burden. Desperate families in some of the most impoverished countries sell their daughters to brothels or traffickers for the immediate payoff and to avoid having to pay the dowry to marry off daughters. In addition, the lack of opportunity and the eagerness for a better life abroad have made many women and girls especially vulnerable to entrapment by traffickers.

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[22] UNDP (United Nations Development Programme), 2011: *Human Development Index,* (New York: United Nations Department of Publications).
[23] National Bureau of Statistics, *"Nigeria Poverty Profile 2010,"* January 2012, p. 15.
[24] "Taming the Beast of Unemployment", in: *The Punch,* September 27, 2011.

The high demand worldwide, for trafficked women and children as sex workers, cheap sweatshop labor, and domestic workers is also a contributing factor. Traffickers are encouraged by large tax-free profits and continuing income from the same victims, until recently at very low risk. The inadequacy of laws and law enforcement in most origin, transit, and destination countries hampers efforts to fight trafficking. Penalties for trafficking humans for sexual exploitation are often relatively minor compared with those for other criminal activities like drug and gun trafficking.

In many countries, the priority placed on stemming illegal immigration, has resulted in treatment of trafficking cases as a problem of illegal immigration, thus treating victims as criminals. When police raid brothels, women are often detained and punished, subjected to human rights abuses in jail, and swiftly deported. Few steps have been taken to provide support, health care, and access to justice. Few victims dare testify against the traffickers or those who hold them, fearing retribution for themselves and their families since most governments do not offer stays of deportation or adequate protection for witnesses.

The disinterest and in some cases even complicity of governments is another big problem. Many law-enforcement agencies and governments ignore the plight of trafficking victims and downplay the scope of the trafficking problem. In some cases, police and other governmental authorities accept bribes and collude with traffickers by selling fake documentation, among others. In addition, local police often fear reprisals from criminal gangs so they find it easier to deny knowledge of trafficking. Many countries have no specific laws aimed at trafficking in humans.

IMPACT OF TRAFFICKING ON WOMEN AND CHILDREN

Human trafficking is considered a crime against humanity because it is a violation of human rights. Human traffickers violate the fundamental right of all persons to life, liberty and the security of the person, and to be free from slavery in all its forms. It undermines the rights of a child to grow up in the protective environment of a family and to be free from sexual abuse and exploitation. Trafficking also deprives thousands of Nigerians of their lives every year. According to Fitzgibbon hundreds of children have died on the high seas between West and

Central Africa and over 100 women died crossing the Straits of Gibraltar to Europe.[25] At least 168 foreign prostitutes were killed in Italy within a year. An ILO/IPEC survey in Nigeria found that one out of every five trafficked children dies from mishaps or disease.[26]

Trafficking victims are often subjected to cruel mental and physical abuse in order to keep them in servitude, including beating, rape, starvation, forced drug use, confinement, and seclusion. Trafficking exposes men, women and children to HIV/AIDS, other sexually transmitted and infectious diseases, violence, dangerous working conditions, poor nutrition, drug and alcohol addiction. Victims are forced to have sex, often unprotected, with large numbers of partners, and to work unsustainably long hours. They are often denied medical care and those who become ill are sometimes even killed. Indeed, human trafficking undermines the health of women and children. Trafficked children are also less likely to participate in immunisation programmes, defeating government efforts to eradicate early childhood diseases. Severe psychological trauma from separation, coercion, sexual abuse and depression often lead to a life of crime, drug and alcohol addiction, and sexual violence.

Women and children who are victims of human trafficking are faced with the threat of social exclusion and exposure to crime. The loss of the family support network makes the trafficking victim more vulnerable to the traffickers' demands and threats. Many victims cannot seek protection from authorities out of fear of being jailed or deported and without effective witness protection victims are unlikely to come forward to assist prosecutors.[27] Trafficking interrupts the passage of knowledge and cultural values from parent to child and from generation to generation, weakening a core pillar of most African societies. As their ties to society erode, returned victims often have no where to go, and become involved in criminal activities such as drug trafficking, theft and prostitution and labelled juvenile delinquents.

Trafficking has a negative impact on the labour market in Nigeria by eroding human capital. Forcing children to work at an early age and subjecting them to ten to twenty hours of work per day denies children access to the education necessary to break the cycle of poverty and illiteracy that makes conditions ripe for trafficking. It also denies them a healthy childhood development, both socially and physically. Departure of children to other countries is an

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[25] Fitzgibbon 2003: op cit.
[26] Ibid.
[27] Ibid.

irretrievable loss of human resources because they do not contribute to the development of their own country.

TRAFFICKING AND ITS IMPLICATION FOR HUMAN AND NATIONAL SECURITY

Human smuggling and trafficking can result in three forms of security threats to states which include internal conflicts, organized crime, and international terrorism. The uncontrolled flow of illegal migrants and refugees across borders produces additional stresses on already weak state institutions, heightens competition over scarce resources, and exacerbates ethnic and sectarian tensions.[28] The high levels of illegal migration contributes to the perception that states are losing sovereign control over their borders. A failure to control territorial borders can precipitate serious security challenges. In weak and failing states, a lack of border control significantly jeopardizes their capacity across a number of areas. A growing realisation through the 1980s, one which gained heightened clarity during the 1990s, was that the rise of transnational organised crime is inextricably connected with the weakness of many states in the international system. One of the characteristics of weak or failing states is the inability to control their territorial borders. Moreover, porous borders in weak states can allow politically organized nonstate actors access to territory and population groups that can be used for political mobilization, which in turn can lead to the emergence of refugee warrior communities. A case in point includes the emergence of the Rwandan Patriotic Front in Ugandan refugee camps in the 1990s.[29] Refugee flows can act as conduits that regionalize and internationalize internal conflicts, in which case the Great Lakes region of Africa provides just one example of the disastrous consequences that such dynamics can have on weak states.[30]

Most states in transition, however are faced with a plethora of economic and political problems that they must address; severe resource constraints that limit the training and equipping of effective law enforcement organizations; and levels of institutional corruption that undermine

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[28] Dowty, A and Loescher, G, 1996: "Refugee Flows as Grounds for International Action", in: *International Security*, 21,1 (Summer): 43–71. *Quotation:* (Dowty and Loescher 1996: 56).

[29] Lischer, S.K, 2003: "Collateral Damage: Humanitarian Assistance as a Cause of Conflict", in: *International Security,* 28,1 (Summer): 79–109. *Quotation:* (Lischer 2003: 100).

[30] Stedman,S.J, 1996: "Conflict and Conciliation in Sub-Saharan Africa", in: Michael E.Brown, (Ed.): *The International Dimensions of Internal Conflict* (Cambridge: Mass MIT Press, i.p):235–265. *Quotation*: (Stedman 1996: 264).

those anticrime measures actually put into effect.[31] That is, the criminal justice system consists of agencies lacking adequate resources, poorly trained for their new responsibilities, and facing formidable adversaries. Criminal and drug-trafficking organisations, in contrast, have abundant resources, are excellent at discovering new criminal opportunities and have some inbuilt defence mechanisms, including the capacity for both violence and corruption. Another, often overlooked, form of weakness occurs when the state is incapable of making provision for its citizens. Whereas other dimensions of weakness offer opportunities for criminal behaviour, this type of weakness creates pressures and incentives for citizens to engage in criminal activities.

For advanced industrial states with very high levels of internal capacity and control, the concern with maintaining secure borders is also significant. Although states are authorized to monopolize the legitimate means of movement, they do not necessarily control all movement, just as they do not always have a monopoly over the means of violence.[32] The emergence of organized criminal networks around illegal migration can also pose a significant challenge to state authority and control. Given the vast amounts of money involved, such operations erode normal governance and present real challenges and threats to national sovereignty.

The most serious threats to individuals, however, come from organisations engaged in 'human commodity trafficking". Migrants without legal access to their desired destination, often try to enter illegally, placing themselves at the mercy of ruthless organisations which charge exorbitant fees, subject them to considerable deprivation en route and, in the event of payment not being immediate, more or less indenture them into sweat-shop labour or activities such as drug trafficking or prostitution. At the most fundamental level, human commodity trafficking of this kind is a gross violation of human rights and of the essential dignity of human beings. When it involves the systematic abuse of children it is among the most heinous of crimes. Such threats may be a long way from traditional military threats to national security, but for the victims they are more immediate and relevant than any scenario devised by military planners.

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[31] Turbiville, G.H, 1996a: *Mafia in Uniform: The Criminalization of the Russian Armed Forces* (Kansas: Fort Leavenworth). (Turbiville 1996a: 12)

[32] Torpey, J, 1999: *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, i.p): *Quotation:* (Torpey 1999:10)

The emergence of transnational criminal networks that use migration strategically to pursue their interests can influence the national security interests of states in a number of ways. At the most basic level, it can have an impact on the security of the victims of its illegal activities, whether they are individuals who die in transit or under other circumstances, or who are touched by the violence that accompanies such criminal activities. Organized crime, however, is also destabilizing at the global level, leading to what has been termed 'the corruption of global civil society', that is the same civil society channels and networks that help to produce an international public sphere also provide opportunities for increased levels of transnationally organized illicit activities. In states that are already weak or failing, the influx of resources tied to international criminal networks can help to support mafia-like organizations that actually challenge the ability of states to maintain sovereignty over particular areas or that otherwise corrupt their authority.

When criminal networks take over law enforcement functions and monopolize violence at the local level, as well as engage in distributive and service-providing activities normally associated with the state, a local dependence on international networks of organized crime can develop, thereby creating serious internal security problems.[33] In Nigeria and most states in transition in Africa, establishing a legitimate state apparatus which is not only fair and just, but is widely seen to be so, is essential. Legitimacy is far less likely to be achieved, however, when there is a widespread perception that the servants of the state are benefitting directly or indirectly from the activities of criminal organisations. It is worth emphasising that once a trafficking network is functioning effectively, product diversification is easy. Organisations which traffic in drugs can as easily traffic in arms, people, cultural and intellectual property, or the technologies and components for weapons of mass destruction.

Human traffickers can also initiate a direct frontal assault on the state, killing members of the judiciary and law enforcement personnel. Such assaults are perhaps the most blatant cases of a direct security challenge posed by transnational criminal organisations. Yet, in both cases, the assault was beaten back, though at considerable cost to the state, its institutions and its personnel.

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[33] Shelley, L, 1999: "Transnational Organized Crime: The New Authoritarianism", in: H. Richard Friman and Peter Andreas (Eds.): *The Illicit Global Economy and State Power* (Lanham, Md.: Rowman and Littleheld): 25–52. *Quotation:* (Shelley 1999: 43)

More often than not, however, the threat is more insidious, using corruption rather than violence, thereby eroding both the effective functioning and the integrity of state institutions.

Although organized criminals have been known to kill prosecutors, judges, and police, they are not terrorists as their motives are economic not political. However, they assume the role of terrorists when they do such things. The international organized criminals are not seeking to bring down a state, rather they wish merely to retaliate for or immobilize the state's activities against them. The economic ideological duality and seeming interchangeability of the participants in these two kinds of criminal groups forces the need to probe the underlying motives of the criminals. And it forces the need to understand the difficulty in setting up a strict divide between terrorism and international organized crime.[34]

Inevitably, security planning will continue its familiar preoccupation with military threats, even as the concept of security is extended and revised to incorporate a variety of other challenges that are less overt and explicit but ultimately no less damaging to political, economic, and social well-being. It is evident in transitional states where movement towards democracy and the free market needs to be accompanied by effective long term strategies aimed at both nation- and state-building. The difficulties of devising and implementing such strategies are exacerbated by the vulnerability of states in transition to new transnational threats posed by criminal networks seeking to maximise illicit business opportunities while minimising the risks posed to them by law enforcement.

NIGERIAN GOVERNMENT EFFORTS TO COMBAT TRAFFICKING IN WOMEN AND CHILDREN

Although the link between procurers of trafficked victims within Nigeria and their external collaborators has not been properly established, it has been revealed that the Nigerian Police, instead of counseling and enhancing the rehabilitation of the victims, further aggravate the predicament of these women by subjecting them to persecution and extortion while they are in holding cells.[35] This development can only be counter-productive to the efforts at curbing this

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[34] Shelley, L.O and Picarelli, J.T, 2002: "Methods not Motives: Implications of the Convergence of International Organized Crime and Terrorism", in: *Group Police Practice and Research,* 3,4 (Routledge: Taylor & Francis): 305-318. *Quotation:* (Shelly and Picarelli 2002: 310).
[35] Agbu, O, 2003: "Corruption And Human Trafficking: The Nigerian Case", in: *West Africa Review*, 4, 1: 1-11. *Quotation:* (Agbu 2003: 8).

crime against humanity. The fact that the women have successfully traversed the various borders without detection also point to the fact that some collusion exists between the traffickers and certain government agencies. It has been argued that the volume of human trafficking correlates with the level of corruption in the agencies that directly deal with immigration and organized crime.[36]

The relationship between corruption and trafficking in humans could be measured with instruments such as Transparency International's Corruption Perceptions Index (CPI) and the United States Trafficking in Persons List (TIP). The CPI, together with TIP, permits one to determine the extent to which a country tolerates trafficking in or through its territory and the extent to which it is seen to be corrupt. The expected standards under TIP include: national laws prohibiting and punishing acts of trafficking; laws prescribing commensurate punishment for 'grave crimes' (such as trafficking involving rape, kidnapping or murder); actions suficiently deterrent to prevent trafficking; and serious and sustained efforts to eliminate trafficking.

Nigeria was categorized in tier 2 of the Trafficking in Persons Country List for 2001 compiled by the United States government and the Transparency International. This tier lists states that do not meet minimum standards of combating human trafficking but are recognized to be making efforts to do so. Other African countries in this category include Cote d'Ivoire, Cameroun and Uganda. TIP and CPI studies conducted by the U.S. government suggest strongly that corruption and trafficking are strongly related. Indeed, the US Anti-Trafficking Act states that trafficking in persons is often aided by official corruption in countries of origin, transit and destination, thereby threatening the rule of law. Basically, trafficking can be linked to state corruption through the activities or non-action of agencies of law enforcement, customs, immigration, and banking.

Besides global interventions, both Nigerian NGOs and the government are involved in efforts to combat human trafficking. Worthy of mention amongst others are the National Council of Women Societies (NCWS), International Federation of Women Lawyers (FIDA) and WOTCLEF.[37] The activities of the NGOs, especially WOTCLEF, go a long way in exposing the dimensions of this trade in Nigeria and bringing succor to many of the victims. In response to

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[36] Ibid.

[37] Ibid.

pressure from women and human rights groups and the international community, Nigerian authorities are increasingly inclined to act to combat the trafficking in women and children. The establishment of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) in 2003 was an important step in this respect. Independently of how efficient the measures have been, they have contributed to a certain shift in attitudes. Many Nigerians are also worried about the reputation the nation and the people have gained in Europe due to the prostitution business. In May 2006, the NAPTIP headquarters were raided by armed men who destroyed computers, documents and archives, apparently in a deliberate attempt to obstruct the agency anti-trafficking operations.[38] This event testifies to the brutality of the trafficking networks, but at the same time demonstrates that traffickers regard NAPTIP as a real threat to their activity.

For the Nigerian government, tackling human trafficking means engaging corruption directly. Drawing inspiration from the Corrupt Practices and Economic Crime Draft Decree of 1990, the Obasanjo Government has put in place the legal framework encapsulated in the Corrupt Practices and other Related Offences Act, 2000, signed into law on June 13, 2000. This bill seeks to prohibit and prescribe punishment for the hydra-headed problem of corrupt practices and related offences. To this end, the Act establishes an Independent Corrupt Practices and other Related Offences Commission (ICPC).[39] The efforts of the Obasanjo government in tackling corruption, though not very satisfactory, should be recognized. Successive governments after Obasanjo have also devoted efforts to fighting corruption on all fronts through the Economic and Financial Crime Commission (EFCC) and the Independent Corrupt Practices and other related Offences Commission (ICPC). However, it seems Nigeria's laws cannot efFectively control corruption for the simple reason that they were not designed for the kind of society existing now. There are problems with the adversarial criminal justice system not the least of which are its technicalities and inadequate enforcement agencies.

From the civil society, WOTCLEF initiated an anti-trafficking bill drafting committee in June 2000. The committee has drafted a bill that, if passed into law, will help harmonize the existing laws, prevent trafficking, prosecute traffickers, and protect the trafficked. The bill has not been passed into law. The foundation has also been in the forefront of advocacy aimed at

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[38] "Armed men invade NAPTIP headquarters", in: *Nigeria Direct,* 30 May 2006.
[39] "The Corrupt Practices and other Related Offences Act", in: *New Nigerian,* 15 September 2000.

educating the Nigerian public, especially vulnerable groups, about the extent of this problem and the need to check its continued rise. It has so far visited eleven states in the country and established vanguards/clubs in many secondary schools and institutions of higher education.[40]

Although legislation has been passed against money laundering, it is not vigorously implemented. This provides opportunities for leaders of these organisations to accumulate considerable wealth. Not surprisingly, therefore, the success of Nigerian criminal organisations has bred imitation, as individuals and groups from Ghana, Benin, and Sierra Leone have become involved in transnational crime, especially drug trafficking. Although law enforcement agencies have had some successes, Nigerian organisations have several built-in risk management mechanisms. The use of a variety of different dialects, for example, reduces the usefulness of wire tapping and other electronic surveillance devices. In essence, they have a non-technological way of circumventing hi-tech policing. The fact that the organisations tend to be based on family or tribal ties also makes them very difficult to infiltrate. While the threat they pose in terms of corruption and violence in Western countries is less than that from most other groups, they are a particular threat to states in transition.

CONCLUSION

In Nigeria, corruption and violence are strongly interrelated and pervade society in a way that apparently surpasses other countries in the region. As a result, Nigerian groups dominate the organised human trafficking network. The trafficking networks have been able to offer young women the opportunity to travel to Europe and other Western countries. These offers involve varying degrees of fraud. Although an increasing number of the recruited women are aware that they will be working as prostitutes, they are often not aware of the circumstances in which they will be expected to do so. Much has been said about poverty being a breeding ground for human trafficking as an organised crime. Poverty and the lack of opportunity facilitate the recruitment of youths into human trafficking networks.

Any effort at addressing the problem of human trafficking would have to revisit the issue of corruption in high and low places especially in government bureaucracy and other relevant

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[40] Agbu, O, 2003: op cit.

agencies. Personnel of these agencies have to be made to understand the implications of their actions and inactions on issues pertaining to trafficking in women and children. Quite often, we forget that corruption in the public sector is in fact induced by private sector corruption. There is a need to address corruption in both the private and public sectors.

In addition, not only high profits, but also low risks make the trafficking business attractive. Human traffickers face a low risk of arrest, prosecution, or other negative consequences. Traffickers in Nigeria have exploited the lack of rule of law, the nonimplementation of existing anti-slavery laws, and corruption of judicial systems. These institutional lapses allow perpetrators to go unpunished.

While the government have a number of development programs already in place, they should more explicitly address the root causes of human trafficking and other organized crime. This will go a long way to protecting the rights of victim as well as the disastrous implications for national security. It is argued that apart from addressing the structural factors such as poverty, high unemployment rate, corruption among others, it is also vital to initiate closer collaboration between source and destination countries. Indeed, there is a need for decisive action to curb the menace of human trafficking. The recent attention to the longstanding problem of trafficking in persons by mobilising communities, governments, and international NGOs is a step in the right direction.

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