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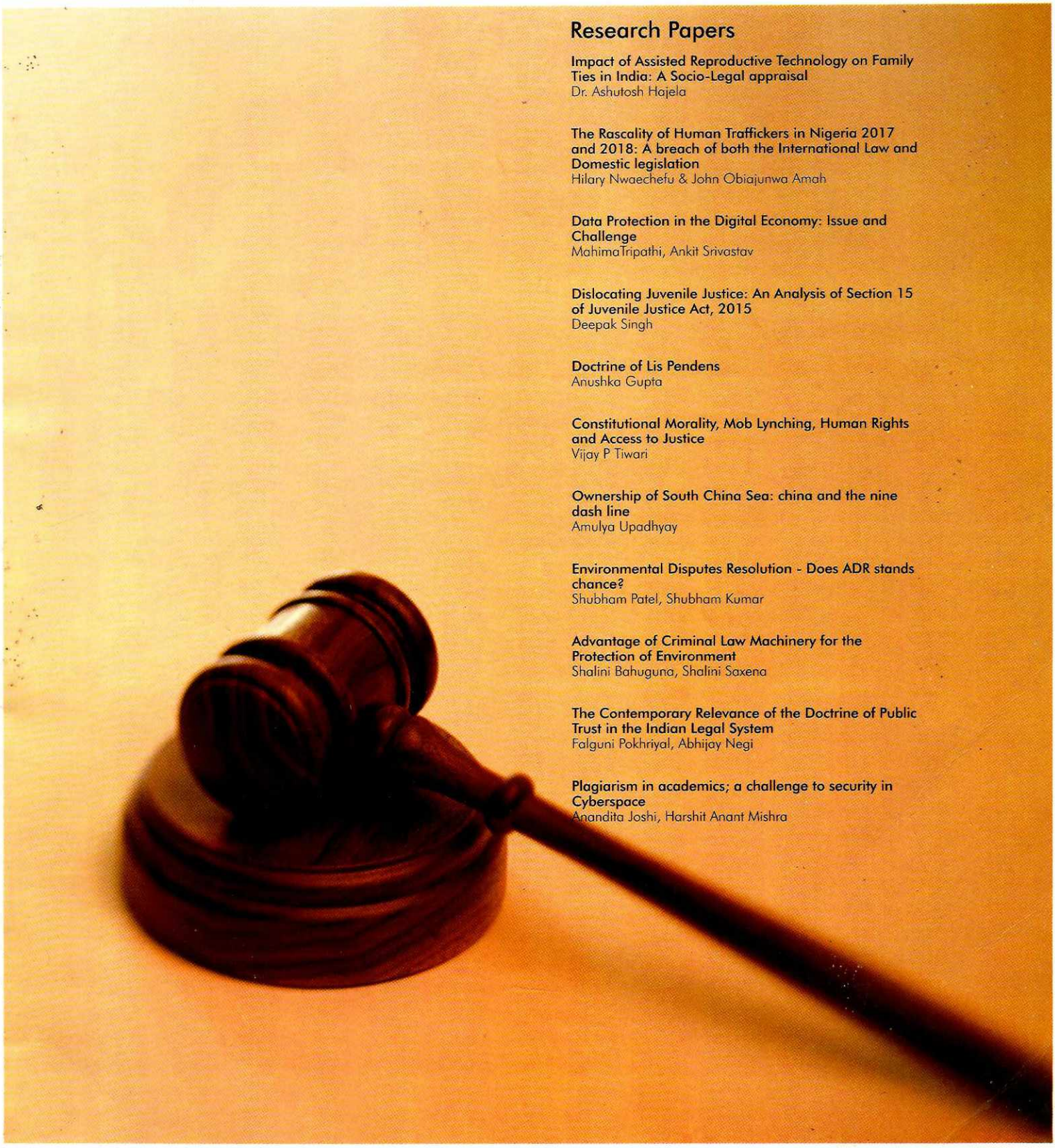

The Rascality of Human Traffickers in Nigeria 2017 and 2018: A breach of both the International Law and Domestic legislation

Hilary Nwaechefu*
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ABSTRACT

The trend of human traffic king has persisted in Nigeria and has taken dangerous dimension for reasons not well addressed by successive governments. However, the trend has assumed alarming dimensions in recent time in Nigeria leading to the passage of legislative instrument. The law against human trafficking has come on board to curb the ugly trend with little or minimal success. All over the world, human slave trade has been abolished. In Nigeria, there is a law prohibiting human trafficking applicable throughout the country with punitive penalties. The primary objective of this paper is therefore to identify the reasons human traffic king has persisted notwithstanding local and international legislations. This paper also identifies what constitutes human trafficking, instances of human trafficking within and across the shores of Nigeria and make recommendations to check and minimize this animalistic behaviour of humans against fellow human beings. This paper approaches the topic by reference to International Statute, Domestic Statute Books, Law Text Books, Law Reports, Internet sources and Newspapers. The findings in this paper are that: weak monitoring, economic hardship, abject poverty and misinformation lead to people becoming victims of human trafficking. This paper makes recommendations towards stemming the tide.

Key words: Human trafficking, human slavery, NAPTIP Act, poverty, syndicate

1. Introduction

The Immigration department in Nigeria is responsible for granting traveling documents to citizens migrating to other countries of the world, while the ministries of foreign affairs see to the welfare of Nigeria citizens outside the country. However, despite the foreign affairs regulation and immigration laws, many Nigerians have been victims of human trafficking and slavery in overseas with bitter experience-either they die in the process or they are sold into slavery. The United Nations also passed instrument condemning trafficking in persons which many member states including Nigria have domesticated. This ugly incidents and recurring events of human trafficking prompted the Federal Government of Nigeria to domesticate the legislation against human trafficking. Many well meaning Nigerians also welcome the laws against human traffickingwhich was meant to curb the inhuman trend against Nigerians. It is disheartening that proper checks and monitoring and enforcements of the laws are very minimal and weak. Many victims suffer in Libya and at times die in trying to migrate to Europe via illegal means and routes. Sometimesperpetators of human trafficking are arrested and prosecuted. Numerous instances abound where the offences are committed unnoticed by the law enforcements agents in Nigeria and in other instances, the perpetrators collude with corrupt security agents in Nigeria to carry out this crime against humanity. The severity and the alarming trends in human traffickinghas attracted the attention and criticisms of different stakeholders such as Judges, Lawyers, Academics, Social Scientists, Religious Bodies and General Observers, depending on your point of view. Notwithstanding the persistence of concern and criticisms of different stakeholders, the crimes of human trafficking have persisted. Many writers in the past and present have dwelt on the subject matter of human trafficking. When issues of human trafficking are brought before the courts, the courts have never failed in making pronouncements, awarding damages and convicting the accused persons, if the cases are proved beyond reasonable doubts by the prosecution. However there have been legal and policy responses of late to address the menace. Notwithstanding scholarly efforts and judicial contributions on the subject matter,humantraffickinghas persisted in Nigeria. In the light of all these, Academics and other stake holders have made useful contributions toward stemming the tide and it is ongoing. There is no doubt that a discussion of this nature will serve the immediate and future needs for advancement of peace, security and dignity of human persons in Nigeria and abroad.

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2. Meaning or Definition of Human Trafficking

The Black Law Dictionary[1] defines Human Trafficking thus:

"Human Trafficking is the illegal recruitment, transportation, transfer, harbouring, or receipt of a person, especially one from another country, with the intent to hold the person captive or exploit the person for labour, services, or body part"

Trafficking in person means:

Recruitment, transportation, transfer, harbouring or receipt of a person, by means of threat or use of force or other form of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability of the giving or receiving of payment or benefit to achieve the consent of a person having control over another person, for the purpose of exploitation[2]

3. Legal frame work against human Trafficking

The Legal frame work for this research on human Trafficking includes the followings:

i. United Nation Convention against Transnational organized crime 2004 and the protocol thereto.

ii. Constitution of the Federal Republic of Nigeria 1999

iii. Trafficking in persons (prohibition) Enforcement and Administration Act, 2015

4. Background to the legislation against human trafficking in Nigeria.

The legislation against human trafficking in Nigeria, just like other laws, had its root from the Nigerian constitution.[3] The Constitution is the basic law or the grund norm. To this end, section 34 specifically states:[4]

(1) Every individual is entitled to respect for the dignity of his person and accordingly-

(a) No person shall be subjected to torture or to inhuman or degrading treatment;

(a) No person shall be held in slavery or servitude; and

(c) No person shall be required to perform forced labour

The above was the position of the Constitution of the Federal Republic of Nigeria prior to the passage of the United Nation Convention against Transnational organized crime 2004 and the protocol thereto. This was followed by the trafficking in persons (prohibition) Enforcement and Administration Act, 2015 in Nigeria. In spite of `the constitutional provisions against inhuman or degrading treatment, torture or slavery or servitude and forced labour[5], human trafficking, sale of newly born babies, kidnapping, killing and harvesting of human organs have persisted in the Nigeria society. It became evident that the constitutional provisions are no longer enough to safe guard the lives of the citizens against criminals who engage in trafficking. Nigeria who is member of the United Nations and also a signatory to the United Nation Convention against Transnational organized crime 2004 and the protocol thereto, had to take further step in domesticating the Convention by passing the trafficking in persons (prohibition) Enforcement and Administration Act, 2015. There is no doubt that it is a step in the right direction. The big question is, to what extent has this legislation against Trafficking in persons stem the tide of the crime of human trafficking? It is not just an offence contrary to the domestic and international legislations, trafficking in persons amounts to crime against humanity in general.

Slavery had long been abolished by the movement led by a British named William Wilberforce and the slave trade Act was passed by the British parliament in 1807, but the abolition of slave Act was implemented in 1833 when the slavery Abolition Act 1833 (3&4 Will. IVc. 73) abolished slavery throughout the British Empire, which also include Nigeria as one of the then British colonies. The Act made the purchase or ownership of slaves illegal within British Empire with the exception of territories in possession of the East India company, Ceylon (now Sri Lanka), and Saint Helena[6]. There is no doubt that the Act was an emancipation of slaves from the hold of their former slave masters to the status of employees under the masters for those former slaves who chose to continue working for their former masters under a new arrangement of employer employee relationship. The truth is that after the slavery Abolition Act 1833, slavery in all thenBritish Empire

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1 (Ninth Edn.) Edited by Bryan A Garner (U.S. West Publishing Co., 2004) p. 1635

2 United Nation convention against transnational organized crime and the protocol there to, Annex II, General provisions Art 2 (a) 2000

3 1999 as amended

4 Id

5 Sec.34,Constitution of the Federal Republic of Nigeria 1999 as amended

6 Available at http://en.m.wikipedia.org (last visited on July 20, 2018)

officially ended. It is an aberration and anachronism in this twenty first century of 2017 and 2018 to hear and read of human trafficking and slavery; God forbid.

The United Nation Convention against Transnational organized crime 2004 and the protocol

Thereto provides as follows:

(a) *Trafficking in persons shall mean the recruitment, transportation, transfer, habouring and receipt of persons, by means of the threat or use of force or other form of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulner ability or of giving or receiving of payments or benefit to achieve the consent of a person having control over another person, for the purpose of exploitation*[7].

The global body did not stop at the above provisions, it went further to admonish states, that is, member states to take necessary steps to ensure the prevention of trafficking in persons in what ever forms it may assume[8]. Putting other persons into prostitution for personal financial gains of the exploiter or putting someone into slavery or removing human organs in any form amounts to trafficking[9]. Also condemned by the global body is the receiving and using children for exploitation of any sort [10]. A child as used in the UN convention refers to a person who has not attended the age of eighteen (18).[11]

Activities of the International Community towards eradication of Human Trafficking

As annual excercise the united nation creates awareness of the offences of human trafficking by declaring a day in a year as world day against human trafficking. The 30th day of July 2018 was declared by the UN as the world day in 2018, a day against hman trafficking. It was meant to create awareness of the dangers of trafficking in persons. The world body noted with sadness that people fall victims to traffickers because they were tricked on a false promise of getting them a beter job or at times people families sell their children into slvery just to survivie. The UN aalso revealed that people fall victims by coercion and threats[12].

Th United States of America department on annual routine took upon itself to investigate cuntires that are tacitly promoting human traffic king inspite of the United nation Convention prohibiting same. The US fingered five counties as human traffick of fenders in 2018. These are: Russia, China, Iran, Belarus and Venezuela the Russia and China tacit supports for human trafficking are the most annoying, two super powers who ought condemn human trafficking in all its ramificaations. The US congress had to approve sanctions against Russian banks and oil companies for Russia roles in allowing forced labourfron north Korea. Similarly China permitted state sponsored forced labour even as she had purportedly announced stopping forced labour practice[14]

5. Trafficking in persons (prohibition) Enforcement and Administration Act of Nigeria, 2015

It should be borne in mind that the above piece of legislation came as a response to the growing trend inhuman trafficking offences in Nigeria. The objectives of the Actare as follows in paragraphs (a-c)[15]

(a) *To provide an effective and comprehensive legal and institutional frame work for*

(b) *the prohibition, prevention, detection, prosecution and punishment of human trafficking and related offences in Nigeria*

(c) *Protect victims of human trafficking*

(d) *Promote and facilitate national and international cooperation in other to meet the objectives*

To realize these lofty objectives, the Act made provision for the establishment of an Agency to be known as the National Agency for the prohibition of trafficking in persons (NAPTIP). The Agency has several functions, among which are clearly brought out in the following paragraphs:

(e) *Investigate all cases of trafficking in persons including forced labour, forced prostitution, exploitative labour, and other form of exploitation, slavery and slavery activities ,bonded labour, removal of organs, illegal smuggling of migrants, sale and purchase of persons;*

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7 Art.3, (a)

8 Art. 9, United Nation Convention against Transnational Organized Crime 2004 and the Protocolthereto

9 Art. 3, (a)

10 Art. 3, ©

11 Art. 3, (d)

12 https://www.awarenessdays.com (last visited on September 3, 2018)

13 Deidre McPhillips, 5 of the worst countries for human trafficking,U.S.News, available at https://www.usnews.com(last visited onSeptember 9, 2018)

14 Id(last visited on September 9, 2018)

15 PART 1, Trafficking in Persons (Prohibition) Enforcement and Administration Act of Nigeria, 2015

(h) *Create public enlightenment and awareness through seminars and workshops,* publication, radio and television.

There are other functions enumerated in the Act , but the limited scope of this paper will not permit putting down all the elaborate objectives; the salient twor above will serve the useful purpose of this publication. In carrying out these functions, the Agency is empowered to investigate all forms of human trafficking by any persons or body corporate that have breached the law under any disguise. The challenging question is, in spite of the United NationsConventionagainst Trafficking inPersonsand the domesticated versionin Nigeria, coupled with the National Agency for the prohibition of trafficking in persons (NAPTIP) operational in Nigeria, how do criminal elementsin Nigeria still engage inhuman trafficking and why do people elect and willfully agree to be trafficked? We shall examine this question shortly below.

6. Why do people engage in human Trafficking and why do people fall victim of Trafficking?

There are no obvious reasons propelling individuals into the business of traffickingtheir fellow human beings other than monetary gains. Some people become victims because their traffickers come under a deceptive guise of securing lucrative jobs for their victims.Those who also surrendered to be trafficked do so for same monetary gains. The motive of every business venture is profit making. The business could be conducted locally or internationally as the case maybe. Buying and selling of goods and services is for profit making, irrespective of the nature of supposed profit, whether legal or illegal profit. In the case of trafficking inPersons, human beings are the goods in the trade, albeit illegal. Trafficking inPersons could be conducted locally or internationally. It is a serious offence upon conviction. The reason for traffickinginPersons are but not limited to the following:

- **Monetary gains**

Most of the culprits or victims of the offence of Human Trafficking in 2017 and 2018 under review blamed their actions on economic hardship and so they engaged in the illegal business of buying and selling human beings with the view to alleviating economic hardship. This is the confession of the suspects when they are arrested by the law enforcement agents in Nigeria. The question is, why can't these people trade in commodities and articles or something else aside human beings? In Abia state of Nigeria, it was a situation of galore of human trafficking as reported in the dailies.[16] The Police command in Abia state led by Mr. Anthony Ogbizi (CP)recently arrested three persons in connection with the sale of a two day-old baby boy. Among those arrested was a 17 year old Gift Daniel who incidentally was the mother of the child, already sold. Gift Daniel allegedly confessed that she sold the baby for six hundred and seventy thousand naira (=N= 670 000.00) (US$ 1856,01) due to financial difficulties she was facing and nobody could come to her rescue. Gift Daniel, the mother of the baby said her first child was a also a baby boy but her mother sold the child and when she became pregnant the second time she decided to sell the two day old baby boy by herself. The woman who brokered the transaction was one 38year old woman, Ngozi Nwaiuzu. The woman who assisted Gift Daniel during child delivery was rewarded in the sale transaction with the sum of thirty thousand naira (=N= 30 000.00)[17] (US$ 83.20).

Still in Abia state, The Police arrested a twenty two year (22) old lady Blessing Chukwu for allegedly selling her three week old baby girl to one ChinasaOkpala 40, for the sum of three hundred and sixty thousand naira (=N= 360 000.00) (US$ 998.44), which she claimed was due to financial difficulties. Out of this paltry sum, only one hundred and ninety thousand naira (=N= 190 000.00) (US$ 526.96)was given to Blessing Chukwu as her reward for the sale. The 40 year old woman ChinasaOkpala who bought the baby girl claimed that her 13 years barrenness compelled her into buying the baby. The Police commissioner in Abia state Mr. Anthony Ogbizi confirmed the arrest[18].

In a related evelopment in oweerri the imo state capital state, Nigeria, the Nigeria police intercepted and arrested two women who allegedly bought a day old twins, male and female, for the sum of one million, eight hundred thousand naira (=N= 1.8M)(US$ 4,992.21). The names of the traffickers were given as Chizoba Eze and Amaka Eze and upon interrogation the two women confessed that they impersonated the mother of the twins. The true identity of the women were later uncovered by the police intelligwence team[19].The Federal Special Anti Robbery Squard (FSARS) in Imo state police command rescued nine

[16] Human Trafficking, NIGERIA TRIBUNE NEWSPAPER 31 (Ibadan Edn., June 6,2018)

[17] Id

[18] Id

[19] Chidiebere Ekeoma, Two Women Buy Day-Old Twins For =N=1.8M,PUNCH NEWSPAPER 4 (LagosEdn., August 21, 2018)

(9)childrensolen from their parents and guardians in Owerri (Imo state capital) and Benin (Edo state capital)Nigeria. The names of the suspects were given as :There saasiegbu, Chioma Emeka, happiness Peter, martina Nwadike and Martha Ojimba. A man named Mike who received two of his stolen children rescued by the police, revealed that the children were kidnapped when the chidren were on their way to attend a coaching class in 2015[20].

In another case of one female migrant by name Sonia 23, from Edo state, Nigeria, recounted how a migrant business woman lured her to travel to Italy to do the job of house help, but according to her, when they got to Libya and wanted to cross to Europe, they were involved in an accident; consequently the madam changed her mind and ordered her to remain in Libya and embark on prostitution soas to pay back the sum of eight hundred thousand naira (=N= 800 000. 000) (US$ 2,218.76) which was the agreed sum for taken her to Europe. While on the prostitution she met a man who offered to offset the =N= 800 000. 000debts. On her trying to migrate to Europe, she was raided alongside other migrants and as she could not raise the sum of five hundred thousand naira (=N= 500 000. 000) (US$ 1,386.73) demanded by her abductors, she was kept in prison for ten months until help came from the International organization for migrants (IOM) and she agreed to a voluntary repatriation[21].

In the case of Motunrayo Ademola, a female migrant from Ibadan Oyo state, Nigeria, she had travelled to Libya in December, 2017 to join her husband to pursue greener pasture and, according to her when they got to the seaside they were raided by Libyan officials and she and her husband were put in separate prison even with the one month old baby she had on her hands. They were in prison until help came from the International Organization for Migrants (IOM) and she agreed to a voluntary repatriation[22].

Some people became victims because their traffickers came under a deceptive guise of securing lucrative jobs for their victims, when in actual fact, the objective was to traffic them to Libya and sell them as slaves to Arabs. This was the story of one of the recent returnees from Libya, Mr. Otega Ukulu, who claimed to be businessman from delta state. He said: "I came to Libya more than a year ago after I paid three hundred thousand naira (=N= 300 000. 000)(US$ 832.04) to a link in Agadez(Niger Republic) to find my way to Sabba, but on getting to the Oasis city, my link sold me to an Arab where I wash toilet to pay up the money at which he bought me. Later the Arab man pushed me and 25 others to Tripoli and sold us afresh. It was from Tripoli I escaped and started hustling. This was how my dream to go to Italy dashed."[23] Onhispart, one thirty nine (39) year old Benjamin Elunor from Delta state, Nigeria recounted his decision to travel to Europe was to make a better living following the collapse of his contract business back in Nigeria. He paid an Agent in Nigeria the sum of two hundred thousand naira (=N= 200 000. 000)(US$ 554.69) to take him to Tripoli. He was trapped in a place called hell fire ghetto in Philaeni in Libya and he was asked again to pay the sum of three hundred thousand naira (=N= 300 000. 000)(US$ 832.04), which he could not raise and that was the beginning of hell, torture and anguish for him, he recalled, until help came from the International Organization for Migrants (IOM) and he agreed to a voluntary repatriation.

The personal account of fresh batch of 160 stranded Nigerians who returned recently from Libya following the harrowing experience they went through in their failed attempts to reach Europe via Libya should be a warning lesson for those who still nurse the idea to illegally migrate to Europe. One of the returnees, Mr.kingsley Edward who said he left Nigeria in August 2017 for greener pasture in Europe, called upon the Federal Government of Nigeria to create job opportunities for the masses, adding that if there were job opportunities in the country, he would not have risked travelling out of the country via illegal routes.Mr. kingsley Edward further averred that he had an Ordinary National Diploma (OND), but could not find employment. This prompted him to seek for an Agent whom he claimed he paid the sum of Five hundred thousand naira =N=500 000.00)(US$ 1,386.73), but on getting to Libya, the purported agent abandoned him[24].

- **Sex for money migration**

Many Nigeria ladies journey to the European world to engage in prostitution so as to make quick money and in the process they get stuck there and often are jailed by the authorities of the foreign host country because of the illegal trade they took to. Some of the ladies in the process of doing the international prostitution became pregnant and give birth under precarious conditions.

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[20] Id.. at 5

[21] Hannah, Returness Nigerian Sex Slaes Relive Ordeal,13,14& 15 THE NATION NEWSPAPER (Lagos Edn., December 23,2017)

[22] Id..at 15

[23] Id..at3

[24] Anthony Akinola, Returnees: We saw hell in Libya , PUNCH NEWSPAPER 36(Lagos Edn,July14,2018)

On the 17th of December, 2017, among 245 Nigerians evacuated from Libya that arrived at MuritalaMohammed International Airport Lagos, were mostly young women and children born by the sex slaves[25]. One of the sex slaves was one Glory Osas who was imprisoned in Libya and had a baby in the sojourn. It was unbelievable that the prostitute migrant left Nigeria with pregnancy of few months in desperate search of greener pastures under a misguided and deceptive information about travelling abroad to make quick wealth.

The summary of all the highlighted incidences of trafficking in persons is that, people engage in trafficking for the following reasons to wit: i. Insecurity and threat to lives and properties in Nigeria; ii. Misguided and deceptive information about travelling abroad to make quick wealth; iii. High unemployment rate and the unprecedented rate of poverty in Nigeria; iv. The euphoria of marrying European ladies and marrying European men; regretably they are ignorance of the dangers of illegal migration, so people voluntariy submit to traffickers.

- **Misguided and deceptive information about travelling abroad to make quick wealth**

One Mrs. Josephine Uchennahad narrated that sometime in July 2017; she got information that a wealthy Nigerian needed three young ladies as sales girls in her shops in Austria where she lived. She innocently gave her 15 year old daughter out to traffickers. The heart broken Mrs. Josephine Uchenna, said at first, she felt all was well with her daughter until she received a call from the supposed host, in the person of one Madam AmarachiChukwuka informing her that her daughter had not yet arrived Austria to assume duties of a sales lady. The said informant stated further that all efforts to contact Miss ChinenyeUchenna-the daughter had been futile. The woman became crestfallen and things fell further apart, when the same Mr.IkechukwuMgbemele who was to receive the girls informed the woman of the tragic death of 26 young Nigerian ladies trying to reach Italy. The news of several young Nigerian ladies who died in Libya went round the news media in Nigeriaandit became clear to the heartbroken mother that her 15 year old daughter was a victim of trafficking leading to her daughter's death[26].

The above sad event was a clear case of child trafficking in breach Section 30[27].This incidence singularly prompted the popular musician Mr. Charles Oputa popularly known as Charly boy, to lead a protest to the Ministry of Foreign Affairs at Abuja, Nigerian capital on the 4th day of December 2017, to demand a well coordinated governmental action to ameliorate the pains of Nigerians allegedly sold as slaves in Libya. Similarly Charly boy and his group protested against the inhuman treatment meted on Nigerians by the Libyan authorities. The group demanded that the sale of Nigerians as slaves in Libya be brought to an end[28].

The summary of all the highlighted incidences of trafficking in persons is that, people engage in trafficking for the following reasons to wit: i. Insecurity and threat to lives and properties in Nigeria; ii. Misguided and deceptive information about travelling abroad to make quick wealth; iii. High unemployment rate and the rising rare of poverty in Nigeria; iv. Many Nigerians have this euphoria of marrying European ladies and marrying European men and most regretably, there isobvious ignorance of the danger of uncertainty of migration on the part of those victims of trafficking who voluntarily submit to traffickers

The summary of all the highlighted incidences of trafficking in persons, is that, people engage in trafficking for the following reasons to wit:

i. Insecurity and threat to lives and properties in Nigeria;

ii. Misguided and deceptive information about travelling abroad to make quick wealth;

iii. Lack of job and the high rate of povertyin Nigeria;

iv. The euphoria of marrying European ladies and marrying European men and above all, the obvious ignorance of those victims of trafficking.

7. The evacuation of Migrant Nigerians from Libya and the challenges thereto.

Many Migrants languishing in Libyan prison took the succor offered by International Organization for Migrants (IOM) and the European Union, as a result were repatriated back to Nigeria which seemed the best option for them.Over two thousand (2000) Nigerians had been repatriated home, among whom were young people and infants[29]. Most of these migrants returnees were in the age range of 18 to 32 years. The alarming anguish and wailings over the plight of Nigerians trapped in Libya

[25] Ojo,THE NATION NEWSPAPER, supraat 13

[26] THE NATION NEWSPAPERId.. at 6

[27] The Child Right Act 2003

[28] THE VANGUARD NEWSPAPER7(Lagos Edn., December 5, 2017)

[29] Hannah Ojo,Nigerian sex slaves reliveordeal,THE NATION NEWSPAPER 14 & 15 (Lagos Edn., December 23, 2017)

compelled the President Muhammadu Buhari led Federal Government to constitute a high power delegation to Libya on fact finding diplomatic mission to Libya and the possible evacuation of trapped Nigerians back to Nigeria. This delegation was led by Foreign Affairs Minister Geoffrey Onyema. The team was comprised of: special assistant to the president on Foreign Affairs and the Diaspora, Mrs. Abike Dabiri-Erewa; Controller-General of the Nigeria Immigration Service, Mohammed Babadende; Director- General of the Nigeria Emergency Management Agency (NEMA)MustaphaMaihaja; Director- General of the National Agency for the prohibition of trafficking in persons (NAPTIP), Julie OkahDonli; the Federal Commissioner for Refugees, Migrants and Internationally displaced persons, HajyaSaddiya Umar Farouq; a representative of the National Security Adviser, Mr. Abba Ibrahim; Director-General of the National Intelligence Agency (NIA). The primary assignment was to liaise with the International Organization for Migrants (IOM) for the identification of the camps and all the groups needed to negotiate the release of Nigerians with a view to releasing them in safe and dignified manner. It was discovered that over forty thousand (40 000) Nigerians were trapped in Libya mostly in Tripoli, Sabha(the deadly entry point to Libya) and at Benghazi and Misrata- the transit to Europe. The delegation led to the release of 5,037 trapped Nigerians[30]. The released Nigerians had since been returning in batches; the first batch of 485persons returned on Sunday 7th January 2018, closely followed by another batch of 545 on Tuesday the 9th day of January 2018[31]. This is a commendable achievement by the delegation. However more could have been achieved but for some hindrances which included: the refusal of the not yet captured illegal migrant to relate with Nigerian Embassy in Tripoli for useful data collection. Other frustrating factors to the delegation were that, there were several slavery, trafficking and prostitution cartel in Libya masterminded by Nigerian crooks and their Libyan criminal counterparts. On the other hand, there were many Nigerian professionals and other Artisans and business men who were lawfully residing in Libya. The Geoffrey Onyema led delegation found that these lawful migrants were not keen at returning home.[32]

8. Judicial actions in Nigeria against trafficking in persons

The Director General, National Agency for the prohibition of Trafficking in persons(NAPTIP) Dame Julie Okah-Donli blamed the Agency's inability to prosecute and convict offenders of human trafficking on the use of black magic. Speaking on the topic: "Youth Migration, Deportation and Rehabilitation: the way forward," organized by the University of Benin held at the Akin Deko auditorium, to mark the 60th birthday of one of its alumni, Captain Idahosa Okonbo, the NAPTI Pbosssaid: "the prosecution of human traffickers is usually difficult and their conviction is based on witness of the victim's testimony which is difficult to obtain because of the control mechanism adopted by the traffickers, the most popular which is the use of 'juju' (local terminology for charms) to control the victims." Julie Okah-Donlidisclosed that NAPTIP had secured conviction of 339 persons in the offence of human trafficking while many were pending in court.[33]

In Lagos state Nigeria, one NonyeUkatu was arrested by the National Agency for the prohibition of Trafficking in persons (NAPTIP) following a tip off,it was learnt that Mrs. Ukatuhaboured two girls under the age of twelve (12) and using them for forced labour and domestic slaves. She was subsequently arraigned in court on six count charge bordering on human trafficking, charge No: ID/2227C/2015, contrary to sections 22(a), 23 (1a) and 25 (a) of Trafficking in persons (prohibition) Enforcement and Administration Act, 2015, whereupon the presiding Judge,JusticeKudy Jose found the suspect guilty as charged and convicted her and so sentenced her to thirteen (13) years imprisonment.

Similarly, in Port Harcourt, the capital city of Rivers State, Nigeria, a media report alleged that two women namely Precious Obasi and Esther Igwe were alleged to have conspired and unlawfully taken away three new born babies and went to a hotel to perfect their crimes. The hotel management, uncomfortable with their lodgment, alerted the police; consequently the two women were arrested and arraigned before Chief Magistrate F.N Amanze who admitted them to bail in the sum of five million naira (=N= 5 000 000.00)(US$ 13,867.25) each, after they pleaded not guilty to the charge of conspiracy and child

[30] THE NATION NEWSPAPER 27 (Lagos Edn., January10, 2017)

[31] THE VANGUARD NEWSPAPER 77 (Lagos Edn., December 9, 2017)

[32] THE NATION NEWSPAPER, supra

[33] DAILY SUN NEWSPAPER 27 (LagosEdn., February 27,2018)

trafficking[34]. The outcome of the trial is being awaited since the law presumes them innocent until proved guilty by a court of competent jurisdiction. The point here is that, we have to be bringing this information inprint to sensitize the unwary public of the dangers inherent in trafficking in person, so that they can be on the lookout for traffickers' devices and avoid falling victims.

The Director General, National Agency for the prohibition of trafficking in persons (NAPTIP) Dame Julie Okah-Donli disclosed that a lot had been achieved in terms of prosecution and conviction of traffickers. The NAPTIP boss revealed that three hundred and fifty nine (359) human traffickers had been convicted and sentenced to various terms of imprisonment while three thousand, five hundred (3500) Nigerianshas been rescued from Libya in the last fifteen (15) years of NAPTI Pexistence.[35] This was disclosed on 30th day of July 2018 at a press conference held in Abuja the Nigeria capital to mark the fifteen (15) years existence of NAPTIP. NAPTIP further disclosed that the International Organisation for Migration (IOM) had also rescued seven thousand (7000) persons from Libya[36].

Nigeria was reportedly ranked 23 on the global slavery index of 167 countries[37] and there is the need to stem the tide. Edo state ranked the highest affected state on irregular migration in Nigeria. The European union Ambassador to Nigeria, Mr. KetilKarlsen, said that in 2017, about one hundred and eighty thousand (187 000) illegal migrants were registered and Nigeria had 16 percent of those who travelled to Libya[38].

9. Suggestions towards minimizing and eliminating the offences of trafficking in persons in Nigeria

i. The penalty provided under sections 22(a & b), 23 (1a) and 25 of Trafficking in persons (prohibition) Enforcement and Administration Act, Nigeria, 2015 include 5years, 7years and 7 years respectively. These penalties appear lenient and not deterrent enough compared to ignominy nature of the offence to the victims and Nigeria as a whole. The traffickers and their accomplices deserve life imprisonment, bearing in mind some of the victims of trafficking die in the process as in the case of several Nigerians who died at the Mediterranean Sea trying to illegally cross to Europe. If the offence of kidnapping could attract life imprisonment, then why make trafficking in persons appear a lesser offence.

ii. The Federal Government of Nigeria should, as a matter of urgency, include lessons on trafficking in person as part of the curriculum from the primary schools to the tertiary levels, so as to make every one sensitive to devices of the criminals of human Trafficking; by so doing children and the young persons who are usually the target of traffickers will not fall prey to these devilish fellow citizens and theircohorts.The Nigeria educational research and Development Council (NERDC) should come up with curriculum on this subject of trafficking and related issues.

iii. The traditional rulers, political leaders, religious organizations, parents and the media must participate actively in reorientation efforts to stem the tide of the menace of trafficking in our society. They should encourage their followers and subjects to stop heading for Europe but rather believe in themselves and be contented with what they could make out of Nigeria. Nigeria is a rich and blessed country with potentials for greatness. We should contribute our quota rather than running to Europe for greener pastures where many had died at the Mediterranean Sea trying to illegally cross to Europe.

iv. Apart from arresting and prosecuting the suspects and convicting them, which is good, but their ill gotten wealth and assets should be seized and the proceeds put into the rehabilitation funds meant for rescued trafficked victims. There must be no hiding place for the traffickers any more in Nigeria. The NAPTIP should set up a monitoring team whose duties should include disguising as intended illegal travellers to Europe, by that means they could trace and investigate these syndicates behind this ill in our society. They would then be apprehended in a manner that the apprehended syndicate members would not know that their purported victim travelers were on espionage mission. No stone should be left unturned in the war against human trafficking.

v. The Federal Government of Nigeria should pursue vigorously polices aimed at empowering the youths and the vulnerable in the society. Job creating policies and programmes should be embarked upon so that

[34] THE VANGUARD NEWSPAPER 13 (Lagos Edn., June29, 2018)
[35] THE GUARDIAN NEWSPAPER 1&7 (Lagos Edn., July31, 2018)
[36] Id..at 7
[37] DAILY SUN NEWSPAPER 3 (Lagos Edn., February27, 2018)
[38] Id

the teeming youths will be gainfully employed with attractive condition of service. Self employment empowerment programme should be pursued to create opprtunity for self employment. The Federal Government should seek the cooperation of the Western advanced countries to assist Nigeria succeed in creating jobs for her teeming youths. When this is achieved, Nigerians will no longer take the risk on their lives migrating to the Europe via illegal routes as it occurs at the moment.

vi. The federal Government of Nigeria should pursue vigorously polices aimed at infrastructural development particularly steady power supply. This will promote the springing up and survival of small and medium scale enterprises and by so doing create mass employment. This approach will make the youths prefer to stay back home rather than submitting themselves for trafficking or falling prey to traffickers with the attendant hazzards.

vii. The federal Government of Nigeria should pursue social security scheme; a scheme whereby, the yet to be employed persons, are given stipends at specified interval for their feeding and immediate upkeep pending when they become gainfully employed as practiced in Europe and America. This measure if well implemented, the youths who are mainly the victims of trafficking, will no longer see the need for desperate migration to Europe and America.

Conclusion

There is no doubt that these well thought out suggestions, if well implemented in Nigeria or any other country, India inclusive, the incidences of trafficking in persons will reduce to the lowest ebb. All hands must be on deck. These scornful and mournful incidences of human trafficking must be dealt with decisively in whatever ways it demands. Human beings cannot continue to be used as objects of trading. This is a time of proactive action and no one should be left out of this campaign. With joint societal efforts, success will be recorded against these dare devil syndicates in Nigeria, Libya, India or elsewhere in the universe.