

Research article

# COMBATING HUMAN TRAFFICKING IN THE 21<sup>ST</sup> CENTURY. THE ROLE OF NON- GOVERNMENTAL ORGANIZATIONS

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## Abstract

The end of the Atlantic Slave trade in the nineteenth century heralded the demise of an era of mindless humiliation of man by man,-. It also marked the beginning of total respect for the inherent dignity of human person, irrespective of race and colour. This was concretized in the United Nations Declaration of Human Rights on December 10, 1948, and other international Conventions, Covenants, and Protocols. Regrettably, this global effort has in recent time eclipsed by the incubus of human trafficking in the twenty-first century. Cashing on the prevailing spectre of ignorance, gullibility and poverty , perpetrators have forced their victims into performing menial, disgraceful and despicable duties like prostitution, begging and stealing . Against this backdrop, what is the role of Non Governmental Organizations (NGOs) in combating this social menace? In looking at this problem the content analysis was used, and it was discovered that the huge pecuniary returns to the traffickers, and the promise of an illusory good life have sustained this inhuman practice. In conclusion, we suggest that civil society groups should deepen their socio-political education, awareness campaigns and insist that States should rise up to their core functions of provision of human security and flourishing. **Copyright © AJSSAL, all rights reserved.**

**Keywords:** Human Security, Human Rights, Trafficking of Persons and Slave Trade.

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## Introduction

Trafficking in human persons is as old as mankind. In many societies, human beings were exchanged for debt or settlement, to serve as domestic servants or as indentured workers. A victim of this practice is

reduced to the status of a slave for mindless exploitation. But over the years, this dehumanizing act has attracted an avalanche of criticisms by men and women of good conscience. Indeed by the second half of the eighteenth century, slavery received aggressive condemnation. While philosophers denounced it as incompatible with inalienable rights of man, economists claimed it was less profitable than wage labour (Miers, 2003:1).

Campaigns against slavery by David Livingstone, the White Fathers, Society for the Mitigation and Gradual Abolition of Slavery, became prominent because it portrayed on the one hand as the triumph of humanitarianism over self interest, and the on other as the result of the changing economic interests unleashed by industrial revolution (Miers, 2003:4), Undoubtedly hastened its sun set. All these efforts gradually culminated into the Abolition Act of 1807 and the Slavery Convention of September 26, 1926 by the League of Nations. Unfortunately, about 927 Africans were shipped to the Portuguese from West Africa between 1441-1446 (Reader, 1998:336), and as Philip Curtin asserted, between 1451 and 1870 more than 9,391,100 slaves were landed in America (Reader, 1998:379). By the mid-fifteenth century, Africans became chattels and slaves in what was known as the Atlantic Slave trade. Millions of them were subjected to untold agony, groan, pain and anguish. They were transported via the Sahara, the Atlantic and Indian oceans to boost a plantation economy or serve as beasts of burden. Today, these Africans forced to emigrate into Europe, the America and Asia that occurred between 1441 and the abolition of slavery in Brazil on May 13, 1888 constitute the African Diaspora (Michombu, 2005:31).

In this paper, we shall examine the trafficking of persons in the 21<sup>st</sup> century, and what specific roles Non-Governmental Organizations (NGOs) can play to eradicate its existence. The paper argues strongly that as a vocal section of the society, NGOs must be the avantgarde in this regard. In accomplishing this task, therefore the political economy framework is used. This is because of its explication of the anatomy of civil society. It is anchored on the maxim of contradictions, 'as all things are limited and changing' (Novack, 2007:81). These changes are energized by the material conditions in the society and this lies the basis for the polarization of social classes in the society.

### **Conceptualizing Human Trafficking**

Human trafficking is the monstrous practice of transporting human beings to unknown destination for economic interest. It is the subjection of people, especially the vulnerable group sometimes through deceit to slavery. Article I of the slavery convention of the League of Nations defined 'slavery as the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised'. It is a condition in which an individual is under the complete control of another, as if this individual is the property of the other (Bell, 2000:1).

Trafficking in persons in the twenty-first century is a neo-slavery. According to the 2006 Report, 'trafficking in persons is a modern day form of slavery, a new type of global slave trade'. The United Nations Protocol to Prevent and Suppress and Punish Trafficking in Persons especially women and children, adopted through Resolution 55/25 of November 15, 2000 stated in Article 3 that trafficking in persons is:

*the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or forms of coercion of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefit to achieve the consent of a person having control over another persons for the purpose of exploitation. Exploitation shall include at a minimum, forced labour or service, slavery or practices similar to slavery, servitude or removal of organs.*

To all intents and purposes, human trafficking is murderous in nature, stultifies human development, a heinous crime against humanity, repugnant to universal peace and most importantly breeds a condition of insecurity. Like the slave trade of the fifteenth century, it turns ‘... human beings into chattels, brutally uprooting them from their homes, destroying their family life and condemning them to life long often brutal servitude (Miers, 2003):4). It is, therefore, not amazing that any society or community that allows this scourge to exist is at a dead-end and on its way to extinction.

### **Emergence of Human Trafficking**

Trafficking in human persons cannot be divorced from man’s historical evolution. But suffice it to say that its escalating magnitude in the present epoch cannot be unconnected with the global political economy which has consigned majority to absolute poverty, limited access to life-saving amenities. Rourke and Boyer opined that ‘approximately 85 percent of the World’s people live in the South, yet they produce only 23 percent of the global GNP’. There are 842 million illiterate adults and 80 million children in the south who are not in school (Rourke and Boyer, 2003:297-298), and of the 67.5 million children out of school, around the world, 95% live in developing countries (Punch Newspaper, 2008). Africa is reputed for its unrivalled inequality in the world’ (Carmody, 2011:31) and wallowing in deepening underdevelopment and social conflicts, yet ‘... there are domestic elites who benefit as the continent has over 100,000 US dollar millionaires (Carmody, 2011:3).

In Nigeria, the negative Human Development Index for the majority also replicates itself. Poverty which was 45% in 1970 has risen to 70% in 2010 and education out of the reach of many people. Yet, the country is the seventh highest producer of oil in the world and Africa’s highest producer of oil and gas. Most intriguing is the fact ‘... that 80 percent of hundreds of billions of dollars of oil revenue which have been derived in the country has accrued to only 1 percent of the population (Carmody, 2011:30). Therefore, to survive in this economically hostile environment, people are forced to submit themselves to all kinds of temptations and manipulation.

This assertion has been corroborated by the 2008 Report of the United States Agency for International Development (USAID). The Report stated that the essential reason for the prevalence of the inhuman trafficking include

*“poverty, lack of education and opportunity, ethnic discrimination and unequal gender relations’. The victims are not only painfully reduced to servile status, but converted to cheap sex and labour. Agbu noted that those trafficked especially women and children are lured ‘... into children prostitution, domestic servitude, illegal and bonded labour, servile marriage, false adoption, sex tourism and entertainment, pornography organized begging, organ harvesting and other criminal activities (Durli, 2012:1). It is an undeniable fact that absolute poverty is a major factor in human trafficking. This deepens the vulnerability of millions of people who suffer some ‘proximity gap’ from the location of the magnificent cake’, and this is compounded by the increasing number of orphans due to HIV/AIDS related death of parents/guardians. It is this vulnerable group that easily fall prey to the misinformation and manipulations of traffickers. Like university cult groups, they become victims hoping to visit an imagined Eldora do only to discover that they have been caged without a possible escape. The magnitude of this problem can only be appreciated with about 7,000,000 orphans in 2003 in Nigeria and this represents 10% of all children between 0 and 17 years old (Policy paper on Human Trafficking in Nigeria, 2006).*

Traffickers cash in on the depressing economic condition to lure unsuspecting victims with the promise of working in Western countries that would transform their wellbeing. But they end up performing all kinds of duties which they never bargained for. They can neither resist their degrading condition nor provide an

alternative life. The aftermath is that millions of young girls/boys and women between the ages of 7-20 languish in thralldom and needless servitude. According to the International Labour Organization (ILO), nearly 130,000 people in sub-Saharan countries and 230,000 in the Middle East and North America are in forced labour including sexual exploitation as a result of human trafficking.

<http://www.ungift.org>

Accessed on 1/11/12

The ILO report is buttressed by the United States Government estimate. It noted

*...that approximately 800,000 persons are trafficked across borders annually and a great many more are trafficked within countries. Together with drugs and weapons, trafficking in persons is a leading source of profits of its perpetrators. Victims of trafficking can be sold and re-sold, and coerced by their owners into exploitative and often dangerous circumstances (USAID, 2008:1).*

In fact, Sin Chung Mk and Awire revealed that,

*at any given time, there are 20.9 million people in forced labour situations in the world, and 11.4 million (55%) of them are women and girls, while 9.5 million (45%) are men and boys. 4.6 millions are sexually exploited and 14.2million are victims of forced labour (UNODC, and ILO, , 2012).*

It is germane to note that globalization which has enhanced the movement of persons across borders, and expansion of entertainment industry to unprecedented level, have facilitated the frequency and untrammelled trafficking in persons. This explains the global character and sophistication of the trade. It is against this backdrop that Agbu estimates that in the year 2000, a conservative count of people trafficked to all parts of the globe, especially the United States, Western Europe, the Middle East, Japan, North America and Australia included 250,000 persons from South East Asia, 150,000 from South Asia, 100,000 from the defunct Soviet Union and Latin America, 75,000 from Eastern Europe and another 50,000 from Africa (Agbu, 2003).

Nigeria is reputed to be a notorious centre for the cruel trade. The United Nations office of Drugs and Crime stated that Nigeria is a centre for trafficking in human beings, especially women and children. It is an origin, transit and destination country for trafficked children and serves predominantly as an origin country for trafficked women. About 83% of child victims of trafficking for domestic services are recruited from Nigerian states of Akwa-Ibom, Kano, Kaduna (UN, 2000). The former Nigerian President Chief Olusegun Obasanjo declares that between 1999 and December 2000, 1,178 Nigerian women and children believed to be victims of trafficking were deported to Nigeria (Ted Case studies, No. 1656, 2002). The Nigerian Immigration Service also noted that,

*from March 2002 – April 2004, the Saudi Arabia authorities deported 952 women and 1,023, underage unaccompanied children. Investigations revealed that majority of women deported from Saudi Arabia are from Kano, Borno and Adamawa. (Ted Case Studies, No 656, 2002).*

It is against this backdrop of rapid expansion of human trafficking that made Ngozi Ezeilo, United Nations Repporteur on Trafficking in Persons, especially women and children, to strongly aver that ‘human trafficking is growing in Nigeria’. In 2011 more than eleven thousand babies were trafficked each day because of the increasing expansion of baby factories, especially in the Eastern part of the country.

Apart from the above, foreign children trafficked to Nigeria come from West African countries of Togo, Cote D’ Ivoire and Niger Republic. The fluidal movement of trafficked persons have become a common occurrence within the West African sub-region. Perhaps the notoriety of the trade in Nigeria prompted the

United Nations Educational, Scientific and Cultural Organization (UNESCO) to declare in its report that ‘human trafficking is ranked the third most common crime in Nigeria after financial fraudulence and drug trafficking... At least 10 children are sold every day across the country yet, traffickers are seldom caught’.

The victims of this illicit trade are in perpetual tears and agony, but lack the capacity to regain their freedom. In most cases, they are brainwashed to erroneously believe that their economic Eldora do is not far fetched, as their servile life represent a sacrifice for better days ahead. The ordeal of Dristan from Albania typify the horrors victims pass through. Trafficked to Greece at the age of six for forced labour, he was subjected to untold hardship contrary to what he was promised. He begged, stole, washed cars, windows, and sold everything from flowers to cigarette lighters. When he was unable to earn money, he was left hungry, beaten and forced to sleep in streets... (USAID, 2008:2). Like the Trans-Atlantic slave trade which provided fantastic financial base for European industrial revolution, the modern slavery, strives from strength to strength mainly because of the guaranteed profits. Prof Ralph Akinfeleye noted that annually the sum of \$15billion is raked in in industrialised economies, \$9.7billion in Asia and Pacific, \$1.3billion in Latin America and Caribbean, \$1.6billion in Sub-Saharan Africa and \$1.5billion in Middle East and North Africa (UNODC, ILO and IOM, 2012).

With the lucrative disposition of the trade and the willingness of victims to respect the covenant of secrecy with the traffickers, it becomes an uphill task to nip this inhuman menace in the bud. It was the damage inflicted on the victims that stirred global concern against the ingnoble practice.

### **Combating Human Trafficking**

Since the Abolition of slave trade Act of 1807 by Britain to the New Millennium, concerted actions have been made to free the vulnerable group in the society from man’s inhumanity against man. The Berlin Declaration of 1885 inter alia,agreed ‘to watch over the present preservation of native tribes, and to care for the improvement of their condition of moral and material well-being, and to help in suppressing slavery and especially slave trade’ (Miers, 2003:20). This burning desire to exterminate this practice of human indignity was re-echoed in the Paris Peace Treaty of 1814. Article 1 of the Treaty recognized the urgent need ‘to induce the powers of Christendom to decree the abolition of the slave trade so that the said trade shall cease universally in the course of the five years, and that during the said period, no slave merchant shall import or sell slaves, except in colonies of the state of which he is subject (Schloenardt, 2009:2). It is important to mention that these efforts to end slavery by western powers were not borne out of a conviction of racial parity, but ‘to bring Christianity and civilization’ to the heart of African continent’ (Miers, 2003:20).

The defect of all the preceding efforts led to the Slavery Convention of 1926. Unfortunately, the League of Nations became defunct in the aftermath of word war 11. The United Nations which succeeded the League in 1945 was saddled with the onerous responsibility of maintaining world peace and security as in Article 1 of its charter. Again Article 1 of the Universal Declaration of Human Rights of 1948 putatively declared that ‘all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood’.

It is gratifying to note that since 1945, the UN has spawned several Protocols and Conventions urging member states to take stern and appropriate measures to end human trafficking. Article 3 of the UN Supplementary, Convention on the Abolition of Slavery, Slave Trade Institution and Practices Similar to Slavery, which entered into force on April 30, 1957 criminalized the practice of human trafficking, and called on states to impose severe penalties on convicted persons.

This was followed by the Protocol to Prevent, Suppress and Punish Trafficking in persons especially women and children on November 15, 2000. According to its Preamble,

*taking into account the fact that despite the existence of a variety of international instruments containing rules and practical measures to combat the exploitation of persons, especially women and children there is no universal instrument that addresses all aspects of trafficking in persons.*

Apart from defining the specifics of trafficking, article 5(1) stated that ‘each state party shall adopt such legislative and other measures as may be necessary to establish as criminal the offences that the convention set forth in article 3 of this Protocol when committed intentionally’. Other Protocols against trafficking in persons include, the ‘Optional Protocol to the Convention on the Rights of the child on the Sale of children, Child Prostitution and Child Pornography, which entered into force on January 18, 2002. Worst Forms of child Labour Convention, which entered into force on November 19, 2000 by ILO at the Eighty -Seventh session. Abolition of Forced Labour Convention of 1957 by ILO. Convention (No. 29) concerning Forced or compulsory Labour’ which entered into force on May 1, 1932.

All these Protocols and Conventions abhorred in no uncertain terms the practice of human trafficking or forced labour. For instance, article 3 (a-d) of the ILO Worst Forms of Labour convention stated that the worst form of Child Labour includes:

- a. All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict,
- b. The use, processing or offering of a child for prostitution for the production of pornography or for pornographic performances.
- c. The use processing forr offering of a child or illicit activities in particular for the production and trafficking of drugs, defined in the relevant international treaties.
- d. Work which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The African Union (AU) is not left out in this campaign. On June 16, 2009 at Addis Ababa, it instituted the African Union Commission’s Initiative Against Trafficking (AU. COMMIT Campaign). The Initiative became the mouthpiece of AU to aggressively combat the dangerous scourge in the continent. According to Mehari Taddle, Programme Coordinator for Migration, slavery assumes that the master is a superior human being. With trafficking in human beings, it is even more savage and abhorrent as a trafficked person is not only a slave but a source of body organs. There are many cases where organs of trafficked persons are stolen and, in some cases, they are deliberately killed for this purpose (African Union, 2009).

The United States of America (USA) has made tremendous efforts in the fight against human trafficking. Apart from spending \$528million on anti-trafficking activities world wide. USAID alone has since provided \$123million for activities in more than 70 countries (USAID, 2008). In compliance with UN Protocols and Conventions, the country promulgated the Trafficking Victims Protection Act of 2000.

Nigeria is not left out in this campaign. Apart from promulgating the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003, the Child Right Act of 2003 as amended was also promulgated.



Article 30 of the Child Rights Act stated that ‘no person shall buy, sell, hire, let or hire, depose of or obtain possession of or otherwise deal in a child’. This applies to slave practices, trafficking the child, compulsory labour or hawking for goods. Offenders are liable on conviction to ten years imprisonment. It went further to establish the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). NAPTIP has the mandate to carryout awareness campaigns, monitor its operation, rehabilitate victims and ensure the prosecution of perpetrators. In 2009, more than \$7million was appropriated for its activities. As a watchdog it noted that 4.5million persons are trafficked internationally, while about 10,000 are trafficked from Nigeria annually[NAPTIP Bulletin, 2012].

The Agency’s vigilance and sustained action led to impressive result. It secured the conviction of 25 trafficking offenders and provided succour for 1,109 victims in 2009. According to the South-South Zonal Head of NAPTIP, Mr. Peter Essien, the Agency rescued 135 victims of Human Trafficking in Cross River State, and Mr Tumba Terna, Director, Intelligence and International Cooperation of NAPTIP, also averred that in 2012 146 persons were convicted for human trafficking[NAPTIP Bulletin, 2012].

Here lies the indispensability of NGOs in the anti-trafficking campaign. NGOs are organizations formed by like-minded individuals in the society with the sole aim of tackling a particular problem in the society. It is non-profit- making, and not under the control of Government. As members of the civil society, they aggregate public opinion and serve as watchdog of society on certain basic issues essential for good governance and popular happiness. Therefore they must not falter in sustaining an emphatic advocacy that would raise awareness on practices that prohibit the efflorescence of the inalienable rights of humans. This is because of their vantage position of being closer to the people and the beating conscience of the exploited. Obviously, this affords them the rare opportunity to obtain first rate information on varied socio-economic and political matters. For instance, it was the sustained campaign of Women Trafficking and Child Labour Foundation (WOTCLEF) and the International Federation of Women Lawyers (FIDA) against human trafficking that brought the knowledge of that dastardly act to the knowledge of many people. The consequence of their campaigns was that between March 1999 and April 2000, about 1,126 women trafficked out of the country were deported from various countries, and on December 2001 WOTCLEF revealed that the number of trafficked Nigerian women deported was 5,000. In March 2002 FIDA also declared that about 20,000 Nigerian women were involved in the sex industry in Italy (Duru, 2012:162). A report from the Daily Champion Newspaper in 2002 noted that 80 percent of foreign prostitutes in Italy were Nigerian women, and as Agbu noted, 500 women of Nigerian origin are practicing prostitution in Bomako, Mali, while more than 500 others are hawking their bodies in Burkina Faso (Duru, 2012:162). African Independent Television in their June 11,2014 network news sated that baby factories have become a booming business in Eastern part of Nigeria. Helpless pregnant young girls are paid to deliver babies, and later sold by the owners of the baby factory. This is compounded by the kidnap of more than 276 girls from Chibok in Borne state by Boko Haram since April 15, 2014. Investigation revealed that the girls have been subjectd to untold ordeals.

In all honesty, these worrisome and staggering revelations are symptomatic of the woeful failure of the Nigerian state in providing the minimum conditions of existence for its citizens, in spite of the fabulous petrodollars accruing to the country. It also portrays the lingering instability and leadership fatigue that has compounded the crises of governance since political independence.

While commending NGOs that have made appreciable impact in educating the public on the dangers of human trafficking such as the Women's Consortium of Nigeria, Women Aid Collective and Sisters of Charity, they should remain focused and unflinchingly committed to a society where liberty will triumph and where humanity will not turn to a beast against itself. This can be achieved through consistent networking, unrelenting advocacy and guarantee of the basic needs of life.

## Conclusion

Human trafficking is a heinous crime against humanity. It is completely at variance with international norms and morality. It is inhuman, cruel and spiritually debasing. Indeed, this explains the rigorous and painstaking measures enunciated to eradicate its incidence starting from 1807, Therefore, it behoves on men/women of human kindness to take advantage of these Instruments and make human trafficking a history. As Condoleezza Rice, former USA secretary of state, puts it,

*All nations that are resolute in the fight to end human trafficking have a partner in the US. Together we will continue to affirm that no human life can be devalued or discounted. Together we will stop at nothing to end the debasement of our fellow men and women. And together we will bring forth a world of further hopes, a world where people enjoy the full blessings of their God-given liberty (TIP Report, 2007:1)*

In spite of noticeable achievements, the resilience of the traffickers has been outlandish. While some countries have shown some efficacious commitment in the anti-trafficking campaign, others have remained nonchalant and non-committal. This is why out of 185 members States of the UN, only 33 have demonstrated an appreciable compliance with legislations to wipe out human trafficking.

While commending the Nigerian state for showing some level of seriousness by promulgating the Trafficking in Persons (Prohibition) Law Enforcement and Administration (Amendment) Act of 2005, and the Child Rights Act of 2003, it must transcend legal niceties and bring offenders to justice. The child Rights Act has jurisdiction in 23 of the 36 states in Nigeria. The result is that most children are forced to undergo some ordeals that ultimately destroy them in their prime, especially in those States that have not domesticated the Act. This cannot be wished away because as Mrs. Hillary Clinton, former USA Secretary of State remarked 'there are as many as 27 million men, women and children in forced labour, bonded labour and forced prostitution around the world'. The US Federal Bureau of Investigation classifies human sex trafficking as 'one of the World's fastest-growing criminal activities'. It is a form of sex slavery that is made up of 80 percent of women and 50 percent of children'.

NGOs, must convince themselves of the need to join the train of anti-trafficking movement. This is by identifying its allies, context and be abreast with extant legal instruments. They must stir up and be undoubtedly committed to end the illegal practice. After all, defeating human trafficking is a challenge that must be surmounted if our environment must enjoy unhindered development and peace.

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