1.0 INTRODUCTION: It is my pleasure to express my profound gratitude for the opportunity to contribute my quota on this unique occasion by presenting this paper. To set the ball rolling, it is important to take a voyage into the genesis of what constitutes modern day slavery (Human Smuggling and Trafficking in Human Beings). From time immemorial, human beings were physically sold into slavery and slave live conditions as a result of inter-tribal wars, Debt bondage and conflicts within societies from medieval times up to the pre-colonial and colonial era in Africa. Human beings then became commodities that were openly traded and merchants of this inglorious trade became stupendous financial lords and grand masters in their time and wielded great influence in the society.

With the abolition of the slave trade era in 18th century, there evolved a new trend – modern day slavery in which individuals recruit, transport, harbour and exploit human beings for financial gains. The aspect of modern day exploitations is systematically undertaken in an organized method thereby making it difficult for easy detection and arrest of the perpetrators’ criminal’s acts and their networks.

This phenomenon is global in nature and therefore calls for global solutions.

In light of the foregone, the Trans – Atlantic symposium on dismantling transnational illicit networks is not only timely but expedient and should be
seen as panacea for the fight against Human Smuggling and Trafficking in Humans beings for which the organizers should be commended.

2.1 BACKGROUND TO TRAFFICKING IN HUMAN BEINGS IN NIGERIA

After the abolition of slave trade in the 18th Century, Trafficking in Human beings was relatively unknown in Nigeria until the late 1990’s. Victims of Trafficking were seen as prostitutes or at best illegal or irregular migrants that were justifiably deported back to Nigeria and other West African countries.

Within the country and indeed west African sub – region, victims were perceived as either prostitutes for those kept in the brothels or as unfortunate under privileged individuals that would accept to work under any condition for those engaged in the exploitative labour in the quarries, farms and plantations under slave like conditions.

West Africa and indeed Nigeria was generally in denial of the existence of Trafficking in Human beings in her territory until the late 1990s when it became apparent due to awareness raising by some NGO’s notably among them was WOTCLEF (Women Trafficking and Child Labour Eradication Foundation).

At international level, Nigeria became active in the multilateral negotiation and adoption of trafficking in persons protocols supplementing the UN convention against transnational organized crime.

Nigeria therefore signed and ratified the convention as well as its supplementing protocols in 2000 respectively (Palermo Protocol).

3.1 LEGISLATIVE FRAME WORK AND RESPONSE

The United Nations Convention against Transnational organized crime and the supplementing protocol to prevent suppress and punish Trafficking in Persons, especially as its affect women and children also known as (the Palermo protocol 2000) are international legal frameworks on Human Trafficking.
- Trafficking in Persons (Prohibition) Law Enforcement and administration Act 2003 is the legal framework governing Human Trafficking issues in Nigeria. This legislation is a domestication of the Palermo protocol and aimed at suppressing trafficking in Nigeria.

Other legislative framework that supplements effort to counter Human Trafficking includes:

- The Child Rights Act 2003 (FCT) and child Rights Law of the various States in Nigeria.
- The criminal/Penal laws of the various states in Nigeria
- The operational protocol to the convention on the Rights of the child on sale of child pornography 2000.
- Convention against Torture and other cruel inhuman or degrading treatment or punishment (1984).
- The ILO convention on forced or compulsory labour No. 29 (1930).
- The convention on elimination of all forms of discrimination against women -CEDAW (1979).

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**4.0 ESTABLISHMENT OF NATIONAL AGENCY FOR THE PROHIBITION OF TRAFFIC IN PERSONS AND OTHER RELATED MATTERS (NAPTIP).**

NAPTIP as a focal agency in Nigeria responsible for combating human trafficking in all its ramifications was established on the 8th of August, 2003, with
the appointment of its pioneer Executive Secretary/Chief Executive. The agency is the creation of Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003, is the Federal Government response to addressing the scourge of trafficking in persons in Nigeria and its attendant human abuses. This is also in fulfillment of her international obligation under the Trafficking in Persons Protocol supplementing the United Nation’s Transnational Organized Crime Convention (TOC). The Organizational structure of the agency is thus composed as seen below for a decisive fight against trafficking in Nigeria.
4.1 FUNCTIONS/MANDATE OF NAPTIP

As enshrined in section 4 of TIPLEA 2003 as amended, the mandate of the agency among other things includes:

(a) the enforcement and the due administration of this Act;
(b) the co-ordination of all laws on Traffic in persons and related offences and the enforcement of those laws;
(c) adoption of measures to increase the effectiveness of eradication of traffic in persons;
(d) the facilitation or encouragement of the presence or availability of persons, including persons in custody, who consent to assist in investigations or participate in proceedings relating to traffic in persons and related offences;
(e) enhancing the effectiveness of law enforcement agents to suppress traffic in persons;
(f) establishing, maintaining and securing communication to facilitate the rapid exchange of information concerning offences, conduct research and improving international co-operation in the suppression of traffic in persons by road, sea and air;
(g) reinforcing and supplementing measures in such bilateral and multilateral treaties and conventions on traffic in persons as may be adopted by Nigeria to counter the magnitude and extent of traffic in persons and its grave consequences;
(h) taking such measures and or in collaboration with other agencies or bodies that may ensure the elimination and prevention of the root causes of the problem of traffic in any person;
(i) strengthening and enhancing effective legal means for international co-operation in criminal matters for suppressing the international activities of traffic in persons;
(j) strengthening of co-operation between the office of the Attorney-General of the Federation, the Nigeria Police Force, the Nigeria Immigration Service, the Nigeria Customs Service, the Nigeria Prison Service, welfare officials and other law enforcement agencies in the eradication of traffic in persons; and
(k) taking charge, supervising, controlling and coordinating the rehabilitation of trafficked persons and participating in proceedings relating to traffic in persons.
4.2 4Ps DEVELOPED AS A STRATEGY TO EFFECTIVELY COMBAT TRAFFICKING IN HUMAN BEINGS

From inception till date, the agency has developed 4Ps through which the foregoing functions are carried out as summarized thus:

   a) Prevention;
   b) Protection;
   c) Prosecution; and
   d) Partnership.

(a) **PREVENTION:** Public awareness of the ills and apparent potential dangers of TIP and their effect on the citizens of Nigeria. Here adverts, Radio Jingles, Television programs, Billboard and interactions with the public to help educate and prevent TIP in Nigeria have been developed and implemented among Nigerian Security Agencies, Traditional Rulers, Primary – tertiary institutions, NGOs, Embassies, National working groups and international partners.

(b) **PROTECTION:** Undertakes investigation into alleged offences, rescue victims, arrest the traffickers, gives protection to victims and members of their families and, obtains evidence for the prosecution of traffickers. It is worthy of note that financial investigation into the assets of the criminals are undertaken for seizure and forfeiture in a bid to combat TIP. NAPTIP has already launched the Victim of Trafficking Trust Fund (VTTF) in which confiscated assets of the traffickers are deposited in order to compensate the victims of the crime. Since inception, NAPTIP has investigated 2,500 cases.

(c) **PROSECUTION:** Traffickers have been tried in competent courts of law in Nigeria and abroad by NAPTIP Legal department on various offences after diligent investigations have been undertaken and credible evidence adduced. Since inception, the Agency has successfully prosecuted more than 1000 cases and obtained 108 convictions. The traffickers are serving various jail terms in different states of the federation and abroad and other cases that are pending in various courts are at different stages of disposal/judgment.

(d) **PARTNERSHIP:** In a bid to prevent, protect and prosecute the perpetrators of trafficking in human beings, the Agency needs partnership with other security
agencies in the country. In line with her statutory functions of strengthening of cooperation/collaboration between the office of the Attorney General of the Federation, Ministry of Foreign Affairs, Nigeria Police Force, Nigeria Immigration Service, Nigeria Prisons Service, Nigeria Customs Service, Welfare Officials and other Law enforcement agencies, NAPTIP has closely and effectively synergized with all the necessary agencies in the discharge of its mandate. In taking charge, the agency supervised controlled and coordinated responsibilities, functions and activities relating to current investigation and persecution of all offences connected with or relating to trafficking in persons and other related matters in consultation with the Attorney General of the Federation. There has been partnership between the Agency and the ONSA, DIA, NIA, DSS and SSO in terms of information sharing on traffickers, trafficking trends, trafficking networks and routes. Also, arrests of suspects and rescue of victims have either been jointly done or arrest/rescued made by sister agencies were duly handed over to NAPTIP for investigation and appropriate action.

5.0 INTERNATIONAL COOPERATION

There have been Bilateral and Multilateral agreements between countries on the aspect of human trafficking. Joint investigations are undertaken between NAPTIP and transit and destination countries in a bid to combat human trafficking. This bridges the gap and forges a good understanding and synergy between countries, the establishment of a National Joint Task Force comprising of LEAs to investigate TIP cases in the country has in no little way promoted shared intelligence on inter agency basis.

- Criminal networks cooperate in mutually beneficial relations, countries should do the same, even more
- Informal police contacts have proved very helpful
- Mutual legal assistance
- Memorandum of understanding
- The Transnational organised crime convention TOC platforms
- Regional cooperation; the weak link (arguably less developed than international cooperation)
- COTONOU ACCORD (Benin Republic)
- Sub-regional and regional initiatives ECOWAS/ECCAS
- International cooperation (Luxemburg, Netherlands, Italy, UK, Spain, Switzerland etc)

5.1 TRAFFICKING ROUTES

Benin-Lagos-Cotonou- Abidjan

Benin-Lagos-Ghana-Bamako-Morocco-Spain/Italy

Benin-Kano-Niger Rep-Libya-Italy (Mostly on foot/Trekking)

Lagos-Ibaka/Ibeno-(Akwa Ibom)-Malabo (Equatorial Guinea) – Spain/Italy
5.2 CHALLENGES

In carrying out the fight against Human Trafficking in West African sub-region the under listed challenges are encountered viz:

- Clandestine nature of the crime
- Victims not willing to talk because of Oath of Secrecy.
- Exploiters (Madams) in destination countries in Europe requires international cooperation to be investigated and still deceiving young girls in villages through their proxies.
- Difficulty in tracking suspects due to lack of effective biometric technology.
- Only victims are being deported from destination countries without proper investigations in the host or destination country thereby leaving the suspect unapprehended.

- Dependency on budgetary allocation in the face of so many competing national priorities.

- Lack of adequate capacity in areas of research, care giving and proactive investigation.

- Lack of legislation against Human Smuggling in West Africa poses a big challenge for arrest and effective prosecution of offenders with regards this offence in the sub – region. Efforts should be geared towards this area soonerest.

5.3 CONCLUSION

In light of the foregone, the efforts to combat Human Smuggling and Trafficking in Human beings could be best summarized under the partnership with countries within the sub – region through memorandum of understanding on non operational basis and treaties such as the ECOWAS/ECCAS, The Ouagadougou accord, and international partnership with specialized agencies (UNODC, UNICEF, IOM, BKA, Anti Italian Mafia Bureau, KLPD to mentioned just a few).

Finally, the capacity building of Law enforcement and joint International investigation of the criminal networks through shared intelligence has in no small way impacted positively and effectively for the sustained efforts of the fight against Human Smuggling and Trafficking in persons in West African Sub – region.