

PERCEPTIONS OF STATE AND NON-STATE ACTORS ON NIGERIA'S COMPLIANCE WITH UNITED NATIONS ANTI-HUMAN TRAFFICKING PROTOCOL

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ABSTRACT

United Nations Convention against Transnational Organized Crime and its Supplementing Protocols is the major international treaty that define and guide state action against Trafficking in Person (TIP) and it enjoyed the state parties to criminalized TIP, Prevent TIP, protect victims of TIP, prosecute human traffickers and Promote Partnership in the fight against TIP. This study examined the perception of state and non-state actors on Nigeria's compliance with UN anti-human trafficking Protocol, using qualitative research methodology. The study is aimed to answer why and under what conditions does Nigeria complied with the Protocol? The study is situated within Hegemonic theory of International Relation to explain whether the country was forced by hegemonic state to comply or the failure to honor the Protocol might hurts the country's image and reputation. Twenty-four participants from Government Official, International Governmental Organizations and Non-Governmental Organizations were interviewed. Based on the perception of the participants four themes emerged (1) Compliance Based on International Pressure, (2) Compliance to promote International Image, (3) Compliance to fulfill constitutional responsibility and (4) Compliance to integrate anti-human trafficking actions. The study contributed in advancing the discussion of Hegemonic Stability Theory to Nigeria's compliance to UN Human Trafficking Protocol.

Keywords: *Transnational Organized Crime, International Law, Human Trafficking and Compliance*

Introduction

The trafficking of women and children has become an international business, its devastation affects almost all counties either as a source, transit or destination. The global crime reaped huge profits to the traffickers. Trafficking as a concept is seen as an illegal transportation or movement of arms, drugs or human person, but the concerned of this study is human trafficking. Hence Harold (2012) states that human is a complex term that comprises trafficking for sexual exploitation, forced labor and the removal of organs. Ehindero (2004) conceptualized it as the criminal abuse and violation of human rights of a person through activities, behaviors or attitude related to illegal recruitment, possession, movement, and marketing of persons within and across national and internal borders with devastating effect to the individual, societies, states and the world in general. Within the last decades, there was a significant improvement on the global knowledge based on human trafficking, this improvement was as the result of the United Nations Protocol to Prevent Suppress and Punish Trafficking in Persons (UN Protocol). Article 3 of the Protocol defined trafficking in persons as:

“The recruitment, transportation, transfer, harboring or receipt of persons by means of threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of a giving or receiving of payments or benefits to achieve the consent of a person having control over other persons for the purpose of exploitation” (UN Protocol, 2000).

UNODC (2012) report on trafficking in person reveals three critical elements that defined the meaning of trafficking in persons in UN Protocol, these elements are: Act (What) Means (How) and Purpose (Why).

Table 1: Components of the definition of Human Trafficking

Act (What)	Means (How)	Purpose (Why)
Recruitment	Threat or use of force or violence	Prostitution of others
Transportation	Coercion	Other forms of sexual exploitation
Transfer	Abduction	Forced labor or services
Harboring	Fraud or Deception	Slavery or practices similar to Slavery
Receipt of persons	Giving payments or benefits Abuse of power or vulnerability	Servitude removal of organs

(Source: UNODC, 2012)

The signing of the United Nations Anti-Human Trafficking Protocol in Palermo, Italy, in December 2000, demonstrated the political will of the international community to address a global challenge with a global response. The purpose of the Protocol is: (a) To prevent and combat trafficking in persons, paying particular attention to women and children; (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and (c) To prosecute human traffickers and (d) to promote cooperation among States Parties against human trafficking. The Protocol states that each state party shall domestic the protocol, criminalize human trafficking and adopt or strengthen legislative or other measures to prevent human trafficking, protect trafficked persons, prosecute human trafficker and promote partnership in curbing the menace of trafficking in persons.

Nigeria is a major player in international trafficking, the country accounts for 13 percent of the global record. The country is considered as a source, transit, and destination of human trafficking (United StatesDepartment of States [USDOS] Report, 2013). In her effort to combat human trafficking Nigerian Government signed, ratified and domesticate the UN Anti-Human Trafficking Protocol. Therefore, in 2003 the country enacted the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003 (TPPLEAA) as amended in 2005 and 2015. The TPPLEAA established National Agency for Prohibition of Trafficked in Persons and other Related Matters (NAPTIP). The Act TPPLEAA prohibits human trafficking and prescribed a penalty for human traffickers. This study is aimed to answer why and under what conditions does Nigeria complied with the Protocol? The purpose of this study is to examine the perception of state and non-state actors on Nigeria's compliance with UN anti-human trafficking Protocol, using qualitative research methodology.

Literature Review

Raymond (2002) and Kelly (2001), studies shows that the United Nations Trafficking Protocol is an international policy response to address the crime of traffic in persons, protect the trafficked victims and promote international cooperation in combating the global crime. Raymond (2002) added that the protocol is the framework that requires a comprehensive approach in the source, transit and destination countries to combat the crime (UN Protocol, 2000). In explaining the reasons and the factors that contributed to the development of the protocols Kelly (2001) states that the change in worldwide perspective of the TIP which is viewed not only on human rights but as an issue of transnational organized crimes necessitate the need of the global response to counter the criminal networks. In support of this factor Raymond (2002) argues that the protocol was launched to contest the world organized criminal networks, who organized trafficking as transnational industries beyond national borders. Therefore, international policy is required to address the global business.

Monzini, (2005); UNCEF (2007) and Shastari (2010) studies reveals that prior to the UN Protocol 2000 there were different international instruments against prostitution and trafficking in

persons, such as International Agreement for the Suppression of White slave Traffic, of 1904 and 1910, Convention on the Suppression of Traffic in Women and Children 1921, International Convention of the Suppression of Traffic in Women of full age 1933 and the Convention of the Suppression of the Trafficked in Persons and the exploitation of Prostitution of others 1949 (Monzini, 2005). No matter the significance of these instrument as UNCEF (2007) studies pointed, but the international instruments were inadequate to address the crime as well failed to define trafficking, obligates the need for new international agreement. For instance, the Agreements and Conventions of 1904 and 1910 were discriminatory conventions negating the significance of humanity, generally paid attention only to the protection of white women and children of the European background from the traffickers. Kelly (2001) states that predecessor international trafficking laws limited in scope and were inadequate to combat trafficking by today's standard, thus international environment was set for the development of a new international agreement capable of addressing the global crime. Kelly further added that the pressured or lobbied mounted by Non-Governmental Organizations over their government on behalf of trafficked persons who have suffered various forms of exploitation and human rights violations contributed to the development of the protocol.

Raymond (2002) finding shows that unlike the previous international Trafficking instruments the Protocol provides a comprehensive and internationally accepted definition for the first time, as well provides a framework for prevention of TIP, protection of trafficked persons and encourage the global partnership in combating the global crime (Raymond, 2002 and UNODC, 2006). In addition, Kelly, (2000:31) states that the Protocol reflects the first international consensus on the definition of trafficking, which is the first step toward a concerted international effort to combat trafficking. Other studies highlight the importance of the Protocol that it does not only acknowledged the gravity of the trafficking but set up an international standard in the definition of trafficking (Jani, 2010;). They further added that the Protocol provides the global definition of the crime. It also encourages the member states to criminalize the offense in their domestic legislation, Similarly, Jani (2010) emphasizes that the Protocol was aimed to bring consensus among nations about the criminalization of trafficking in persons and other related matters. The Protocol creates a new identity for the trafficked victims, who is no longer consider as a criminal or illegal immigrant to the victims of human rights violation and abuses (Jani, 2010;).

Avdeyeva, (2012) examines state compliance with the UN Trafficking Protocol. Using the US State Department's annual TIP Reports as the source of data. The study gathers data on 26 Eastern European and Central Asian states from 2001 to 2007 to test the influence of membership in the regional organizations, foreign assistance, democracy, the prevalence of corruption, female representatives in parliament, and level of economic development. Her finding indicates that country compliance with the UN trafficking protocol is influenced by domestic and international factors; specifically, more female legislators in parliament has a positive impact on the compliance. The finding illustrating the importance of female legislators in parliament conceptually aligns with findings of Wittmer and Bouché, (2013) and Wooditch, (2012) examined the role of female legislative leadership in the passage of domestic human trafficking legislation within the United States. Specifically, they found that female legislative presence is positive factor in the increase of human trafficking legislation passed between 2003 and 2008 across US states. The following section discussed the theoretical framework of the study.

Hegemonic stability theory

The Hegemonic Stability Theory (HST) is an International Relation theory rooted from the field of political Science, History and Economics. The major proponents of the theory are Robert Gilpin and Robert Keohane. Hegemony is the phenomenon in which a single state is powerful and utilized such power to maintain the essential rules governing International Relations (Keohane, 1984). The theory therefore, described the existence of power relation between the hegemonic and

non-hegemonic states and a hierarchical power structure in the international system. The theory is based on the assumption that international stability and peace can best be achieved when there exists hegemonic state that will enforces and ensure other states complies with the regulations of the international system. The Hegemonic stability theory is considered in this article because the theory highlighted that the hegemonic states exercise their leadership positions either through diplomacy, persuasion, sanctions and coercion in order to maintain international stability. Therefore, states comply with International treaties or conventions because they are persuaded or forced into by the powerful states (Avdeyeva, 2012).

So, compliance with UN Human Trafficking Protocol is a function of power relation between the hegemonic state who uses her leadership position to ensure the other countries adopt and implement the Protocol because the Hegemonic States have the resources that can be used to ensure compliance. For instance, the United States as the leading hegemonic state through it TVPA uses the Trafficking in Persons Annual Reports to reward compliance and punish non-compliance countries. Therefore, ratifying and complying with the Protocol isa serious concerned for the hegemonic states. For instance, the former American Attorney-General John Ashcroft and John Kerry the United States Secretary of States announced in 2001 and 2013 respectively that fighting to end human trafficking remains and continue to be a top priority of United States foreign policy and human trafficking violate the American held values of freedom and human dignity. The country (American) will exercise her leadership position in protecting those values globally (Harold, 2012; US States Department Report, 2013). Therefore, Nigerian Human trafficking Act Nigeria was in response to the pressure and interest of the hegemonic destination countries who exercise influence on the sources countries to adopt and implement the policy as the means to check and reduce the huge flow of trafficking into their countries from the source nations. Therefore, Nigeria as a source country relied on foreign donor and aid in financing her anti-trafficking activities and other development projects. The fear of losing the aid and the economic sanctions that may follow for noncompliance has subjected the country to formulate the policy in compliance with the dictates of hegemonic states.

Methodology

Since the purpose of this study is to explore the perceptions of states and non-state actors on why and under what condition Nigeria comply with the UNTOC Protocol “qualitative approach is the most appropriate method to be used” (Creswell, 2003; Patton, 2002; Denzin & Lincoln, 2000). The approach is appropriate for this study, because the study attempt to understand Nigeria’s compliance from the perspectives of state and non-state actors. The study adopts purposive sampling procedure to identify the research participants. Patton (2002) states that “purposive sampling is based on selection criteria that would lead to valuable information” therefore, criteria for inclusion in this study are (a) Participants that are fully and directly involved in the formulation and implementation of Human Trafficking Policy in Nigeria. (b) The participants had to come from Government Agency, International Governmental Organizations and Non-Governmental Organizations(c) The participants amongst whose organizational or institutional mandate deals with human trafficking (d) Participants that are willing to participate in this study. Based on the criteria listed (a-d) National Agency for the Prohibition of Trafficked in Persons and Other related Matters (NAPTIP), United Nations Children’s Education Fund (UNICEF), United Nations Office on Drugs and Crime (UNODC) and Women Trafficking and Child Labour Eradication Foundation (WOTCLEF) were selected and agreed to participate in the study. For the purpose of this study (n=20) participants were approached of which (n=15) (6 Government officials, 5 NGOs official, 4 IGOs officials) were interviewed. The number (15) of informants in this study was determined by the point of saturation (Lincoln and Guba 1985).

Semi-structured interview with open-ended questions in English language was conducted with all participants. Therefore, the date and places of the interviewed were fixed by the

participants at their appropriate time and convenient places. All the interviews were conducted at the time range between 45 to 60 minutes this is in line with the position of Guest, Namey, and Mitchell, (2013) stated that true in-depth interview needs 45 to 90 minutes. All interviews were tape-recorded and transcribed with the permission of the research participants. As for data analysis the researcher followed the analytical procedures proposed by Creswell (2003). Firstly, the author transcribed all the interviews. Secondly, each of the transcribed interviews was read, re-read and re-read in its entirety for the purpose of familiarization and preparation for coding. Thirdly, the author reduced the collected data into various themes through the process of coding (Saldana, 2015).

As per trustworthiness the study utilized Member Checking (Patton, 2002; Denzin & Lincoln, 2000; Guest et al, 2013). Both multiple sources and method triangulation were used to ensure the information collected and the findings are valid, accurate and adequate (Denzin & Lincoln, 2000). It is unethical for the author to divulge to the public the identities of the participants. Similarly, the participants were informed that their responses would be treated as confidential and would be utilized for the purpose of this study. Therefore, in compliance with the ethical principles as recommended by Creswell (2003) anonymity was maintained and pseudonyms were used in describing the identities of the participants, such as GOV, IGOs and NGOs representing Government official, International Governmental Organization and Non-Governmental Organization respectively.

Findings and Discussion

The findings of this study provide an in depth understanding of Nigeria complied with United Nations Anti-Human Trafficking Protocol. The findings revealed (a) Compliance Based on International Pressure, (b) Compliance to promote International Image, (c) Compliance to fulfill Constitutional Responsibility and (d) Compliance to integrate anti-human trafficking actions. Figure 1 displayed the conceptual framework of findings representing the perceptions of state and non-state actors.

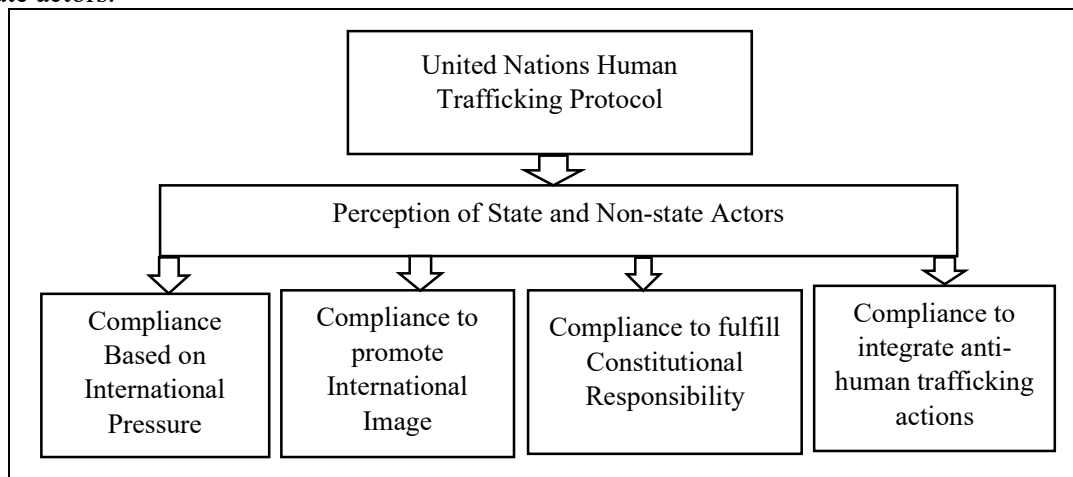


Figure 1: Conceptual framework of findings

The figure 1 shows the conceptual framework of the findings, it provides the platform to understand the perception of state and non-state actors on Nigerian compliance with UN Anti-Human Trafficking. The framework presents diverse perspectives that emerged from the stakeholders (State and non-state actors), whose perception is critical to the understanding of why and under what condition Nigeria complied with UN protocol. The following section focused on compliance based on international pressure.

Compliance Based on International Pressure

Nigeria is recognized as the major player in international trafficking in persons, a leading African country and source to Europe, America and the Middle East. Therefore, most of the informants NGO2, NGO3, NGO4, GOV2, GOV5, and IGO2 understand Nigerian enactment of Human Trafficking Act was a response to international pressure, because the destination countries mostly United States and European wanted to address or tackle human trafficking issues from the source. Informant NGO2 says:

“From the beginning, the government does not see the need to address human trafficking issues and victims' protection until when they were forced to by most of the destination country...”

Another informant IGO2 says:

“It was unfortunate that a magnitude of this nature, the government is less concerned in protecting its own citizen before European countries say enough is enough, this problem and the fight against human trafficking must be countered at the source. You can imagine that even the first anti-trafficking in-person bill, was a private bill sponsored by NGOs on like other bills that the government has interest in and see the need for...”

In addition, informant GOV4 says:

“...human trafficking is transnational organized crime...the destination countries are worried and suffered from the inflow of these people into their countries. They entered into various bilateral and multilateral agreements with Nigeria, a source country... not only that, they are watching how these agreements and another anti-human trafficking legal framework both at international and national are respected and complied... Because for them curbing this crime must begin at the origin countries...”

The informants' perceptions indicate that the political will to formulate the policy was not there until when Nigeria was pressurized to do so. As a way to enforce compliance and pressurize countries to take action, United States monitor countries commitment, hold them accountable and threatening sanction for their failure to comply with the unilateral standard set down by United States (Willman, 2009). The informants maintained that even when the Nigeria response to the international pressures by enacting and formulating the policy, Nigeria is subjected to the monitoring and evaluation of its anti-human trafficking and victim protection efforts by the United States. One of the informants GOV3 says:

“...the United States Trafficking in Person's Office, they asked us how many victims do we received, and how many victims do you empowered, and how many traffickers prosecuted...? They evaluate whether we are working in line with international standard...”

United States as the major financier of the anti- human trafficking project in Nigeria, they monitored and evaluated the activities and efforts of the state and non-state actors in the implementation of the policy. They monitored whether the policy is translated in line with policy objective and the fund assisted for the execution of the policy are utilized for that purpose. The informant's view is consistent with findings of Harold (2014) that United States Department of State Office to Monitor and Combat Trafficking in Persons is instrumental in this aspect. GOV2 affirmed that:

“...the US monitoring and report on human trafficking has a positive impact, because it aids Nigeria in putting human trafficking agenda forward, as well make Nigeria to be serious and more committed to the prevention of human trafficking and protection of trafficked person”

The informant GOV2 perceived that Nigerian commitment to human trafficking and victim protection has been pressurized by the United States of America. The United States monitoring report has placed Nigeria on bad light, where Nigeria was ranked tier 2 and 3 indicating the country has not complied with the international measurable standard. The low ranking has made Nigeria to prioritize human trafficking, victim protection and assistance. Human trafficking has been a serious concerned to United States, for instance, the former American Attorney-General John Ashcroft and John Kerry the United States Secretary of States stated in 2001 and 2013 respectively that combating trafficking in person and protection of trafficked persons has been on the top priority of the American foreign policy and trafficking in persons contravened the American held values of freedom and human dignity. Therefore, America will use her position in protecting those values

globally (Harold, 2012; USDOS, 2013). Part of the measures the hegemonic states take to pressurize Nigeria in addressing the trafficking in person's problems and to ensure trafficked persons are protected and assisted involved the offering of financial and technical assistance, the threat of sanctions or withhold non-humanitarian assistance. And according to US Trafficking in person Victims Protection Act (TVPA), the US may direct her executive directors of International Monetary Fund (IMF) and World Bank to vote for or against non-humanitarian and non-trade assistance to the countries depending on their commitment, compliance, enforcement and the implementation of trafficking policy. The use of these measures had forced countries to acknowledge the scale of trafficking in persons and to take all the measures necessary for the total eradication of the crime (Harold, 2012). Therefore, the fear of losing the aid subjected Nigeria to the influence of the hegemonic state (United States) which is considered as the core funder of anti-trafficking intervention in the world. (Nwogo, 2014; Harold, 2012). The US as hegemonic undertakes the assessment of Nigerians' commitment to trafficked persons protection and assistance, prevention, and prosecution, as well ranked country according to her policy responses on protection and assistance, and then publish the finding in the US Annual Trafficking Report. The US assessment has significant impact in making countries to introduce human trafficking policies, as well implement such policies. The following section focused on compliance to promote International Image.

Compliance to promote International Image.

Nigeria has been recognized in the literature as the major player in international human trafficking, leading African country and a major source of trafficked persons for sexual exploitation and prostitution to Europe, particularly Italy and Netherlands. For instance, UNODC, (2006) report shows that 60 percent of prostitutes in Italy are Africans and 80 percent of them were Nigerians and of which 60 percent are trafficked persons. The former Director-General of NAPTIP Beatrice, (2014) further added that in the most capital of Europe at least 6 out of 10 of the trafficked persons are identified as Nigerians. According to the informant, GOV1 says:

“It is disgraceful that Nigeria is categorized as a major source of human trafficking...and hardly one listen to an international media report on human trafficking, Nigeria is not mentioned... this problem of trafficking in person must be addressed... if we are to restore our reputation. Thanks, Government is making an impact in this regard through this anti-human trafficking policy” Sharing the same view informant NGO4 says:

“I cannot deny the fact to say the government is not committed, the political will was there, they formulated the policy, established institutions to implement the policy as well provide the little resources with this in mind we cannot say the government is not committed and supportive...at least it boasts our image”

The informants perceived that Nigeria's anti-human trafficking policy is a means through which the country can restore her lost glory and image, because the collective image of the country suffered humiliation, it lost her position of respect even in the eyes of fellow African countries, being the leading African nations in terms of human trafficking and other related crime. The country could no longer provide leadership for Africa as it once did in the fight against transnational organized crime. The country, according UNODC (2006) was hardly consulted by extra-African powers on issues dealing with Africa, the way they did before, and the country was also stigmatized as one with a criminal record of human trafficking and drug trafficking. Nigerians are often subjected to humiliation, because of the activities of human and drugs traffickers. (Sylvester, 2006).

As a way to project her image according to the informants, the country in 2008 designed and introduced National Policy on Protection and Assistance Trafficked Persons in Nigeria (NPPATPN) to address trafficked persons' protection and assistance issues, where issues of rehabilitation, repatriation of trafficked persons and reintegration are central to the policy. A year after the introduction of NPPATPN and the commitments of the country toward victims' protection

and assistance, earned the country recognition, respect and also upgraded to tier 1 as the category of countries whose government complied with the international standard in terms of protection and assistance to trafficked persons and prevention of human trafficking (USDOS, 2009). The placement of Nigeria on tier 1 in 2009 by US Monitoring Office (USDOS, 2009) has boosted her reputation and consequently lead other Countries on the anti-trafficking issue in Africa. For instance, the Economic Community of West African States (ECOWAS) has adopted Nigeria's Policy on Protection and Assistance to Trafficked Person as the Regional Policy. Therefore, informant GOV4 states that "the country become the African leading light in the fight against human trafficking and victim protection". The perception was that the country earned itself the respect and remarkable trademark as being Africa leading country spearheading the fight against trafficking in person and protection and assistance to trafficked persons. Informant GOV4 states that this explained why nations and international communities rally their support to Nigerian leadership role in this regard. In support of this the informant GOV4 view, the ECOWAS Commissioner for Women and Gender states that Nigerian's commitment to curbing the menace of human trafficking and trafficked victims' protection has made so much impact in the West African Sub-region within the short space of time (Okoli and Francis, 2013). Similarly, the country was a powerful advocate for combating humantrafficking globally, in recognition of that the Director-General of NAPTIP on behalf of Nigerian Government was honored by United States Department of State as trafficking in person hero acting to end human trafficking (USDOS, 2014).

Avdeyeva (2012) stated that it is important to note that many countries want to have a say and also play a role in the community of nations, one way among others to enhance their role is by building a good reputation. Hence, the countries' good image and reputation is an asset for increasing her participation and bargaining capability among other countries. This reputation allowed Nigeria to develop trust among her counterpart in Africa, in which some of the countries in sub-region signed MOU in training their official on counter-trafficking and protection of the trafficked person. For instance, Informant GOV2 states:

"Most of our counterpart in the West African region in the recent years depend on us to provide training on how best to address the menace trafficking in person and the rehabilitation of trafficked victims considering our experience in the protection and assistance and the fight against the modern-day slavery. Most of the countries in West African sub-region and including those from Africa have come on study tours to learn from our experience. Such countries saw the need for us to help in raising their capacity in the area of victims' protection and assistance'.

The view of the informant shows that the country has developed a good reputation among her counterpart with regard to the victim protection and assistance in which most of the African countries trust Nigeria in enhancing their capacity for effective trafficked persons rehabilitation and reintegration. In view of this, the country Nigeria inaugurated 27 members steering committee for the establishment of West African Training Academy on Human Trafficking, the academy is to offer and satisfy the institutional and personal training needs within the country and West African countries (NAPTIP, 2009). This demonstrates her leadership role in counter trafficking in person in the sub-region. The informants' perception is consistent with the findings of Avdeyeva (2012) that improving country's reputation is critical in enhancing her role and power among nations. Therefore, Nigeria being the first to formulate the policy NPPATPN which subsequently adopted by West African countries has increased the country's image and given her more leading role in the sub-region on the issues of protection of trafficked person and prevention of trafficking in person. This has also demonstrated Europe and America the significant of Nigeria in countering and fighting this transnational crime. Moreover, it also portrays the country as an important asset in strategizing a way to reduce the transnational crime on behalf of West African sub-region. The following focused on compliance to fulfil constitutional responsibility.

Compliance to Fulfill Constitutional Responsibility

Human Trafficking, particularly women and children, for forced, labour and sexual exploitation, is one of the most egregious violations of human rights that Nigeria now confronts. The crime (Human Trafficking) is the violation of the right to the dignity of human person and right to personal liberty as enshrined in section 34 and 35 of the Constitution of the Federal Republic of Nigeria 1999. Therefore, it's a constitutional duty for Nigerian government to guarantee security and welfare for its citizens. Informants GOV1, GOV3, GOV4, NGO1, IGO1 and TP2 states that the formulation or adoption of NPPATPN should not be seen or interpreted as a response to the international pressure but an act of responsibility for government to protect its citizen from the modern-day slavery. For instance, informant GOV1 claims that: "The policy is in compliance with the provision of the constitution, in which it places the protection and the welfare of Nigerian citizens as government core duty" Sharing similar view NGO1 says:

"Human trafficking is a breach of the supreme law of the land, violation of trafficked person's human rights, it tarnishes the country image abroad and a threat to the country's national security. Therefore, combating this crime is government responsibility. By the way it is government constitutional responsibility to protect the rights of its people, and ensure their lives and property are safe"

The Informants GOV1, GOV3, GOV4, NGO1, IGO1 and TP2 acknowledge that section 14 sub-section (b) is the constitutional ground and basis for the NPPATPN. The section states that "Security and welfare of the people shall be the primary purpose of the government" To them, the main objective which stands out clearly in the constitution is the protection and advancement of human rights, security, welfare and the dignity of the citizen. Therefore, to these informants GOV1, GOV3, GOV4, NGO1, IGO1 and TP2 "human trafficking" is the violation of the fundamental rights of the trafficked person as enshrined in the constitution. Therefore, as a response to this constitutional provision, Nigerian Government designed and formulated NPPATPN as a national policy to protect, rehabilitate and reintegrate as well to ensure that dehumanized trafficked person is empowered to become functional members of their community. The informants perceived that the designing and formulating NPPATPN is a duty bound by the government to curb the menace of human trafficking, protect the vulnerable persons and the trafficked person victim from further victimization. The following section focused on compliance to integrate anti-human trafficking action.

Compliance to Integrate Anti-Human Trafficking Actions

The informants perceived Nigeria's compliance with UN Trafficking Protocol as the mean of partnership and integrating anti-human trafficking action. Many actors are involved in the anti-human trafficking project independently of one another, based on their strategic institutional guidelines. Therefore, according to the informants GOV1, GOV3, GOV5, IGO2, NGO2, NGO4 and NGO3 to avoid overlapping and duplication of anti-human trafficking action, considering the number of actors involved in the victim's protection and assistance intervention. The policy developed common strategies and plans among the actors and apportioning roles and responsibilities in line with their organizational mandate and competencies. For instance, Informant GOV3 says:

"The policy unified the anti-human trafficking efforts in the country and it brings together various stakeholder toward achieving a common goal that is protection and rehabilitation of the trafficked person..." Another informant IGO2 added that;

"I understand the policy as uniting factor that is aim to ensure a well-balanced relationship and it also aims to ensure that strategic counter-trafficking plans are carry-out with adequate collaboration and coordination of actions and efforts of the relevant players"

The perception of the informants indicates that the policy is recognized as a reference point of linking the relevant players, whereby integrating their efforts at both national and international level. In compliance with UN Trafficking Protocol, Nigeria formulated NPPATPN and Section 4.2.1 of NPPATPN have identified Government agencies, civil societies and international organizations that are key actors in the protection and assistance to trafficked victims in Nigeria. The policy (NPPATPN) according to the informant GOV5 assigned the role of coordinating the trafficked persons protection and assistance to NAPTIP. The agency is to ensure the stakeholders

are not working at cross purposes but working fully in accordance with the National policy. NAPTIP by its mandate set up National Consultative Forum (NCF) as a way to strengthening the cooperation and integration of actors and their activities, the forum was extended to 23 states of the federation to ensure effective coordination of trafficked persons protection and assistance at the grass-root level. Some of the informant NGO3, NGO4, GOV3, GOV4, GOV1, IGO2 highlighted the efforts of government in integrating the actions of other stakeholders through a National Referral System (NRS).

This National Referral System (NRS) is a cooperative framework through which the government fulfills the NPPATPN objectives of protecting and assisting the trafficked person in a strategic collaboration with Non-Governmental Organizations, International Organizations, and development partners. The purpose of this referral according to NGO3 is to ensure that all the trafficked rescued persons have access to adequate support as enshrined in the NPPATPN. The National Referral System is considered as an extension government commitment in emphasizes the significance of a systematic, coordinated and integrated approach with the view to facilitate the rescue, rehabilitation, and reintegration of trafficked persons to become a functional member in their respective societies. This indicates that National Referral System is one of the critical policy aspects that unite the stakeholders on the issues relating to the trafficked persons protection process from the initial identification of victims, rescue, return, rehabilitation and sustainable reintegration. As the way to ensure effective integration of stakeholders' efforts in the protection process the NPPATPN develop uniform and standard criteria for identifying the trafficked person, such as: (a) a person whose travel documents were confiscated by traffickers, (b) a person whose freedom of movement was either partially or totally curtail, (c) a person who has suffered physical, mental and or sexual abuse and (d) a person who had no foreknowledge of the exploitative nature of the job). This is because identification is the first stage of the protection process and the need to have a holistic response and promote partnership in the identification of trafficked persons is critical to the protection and rehabilitation of trafficked persons. For instance, informant NGO2 states:

“As the result of the complex nature of human trafficking in the country, a lot of service providers do not know the criteria that qualify a person as a victim of human trafficking, the need to equip the relevant actors with background knowledge will facilitate easy identification of the trafficked persons...”

It appears that prior to the policy, most of the anti-human trafficking actors has found it difficult and confusing to understand who a victim of human trafficking is, this challenge may be linked to the lack of clear policy direction on the issues, but with the policy on the ground, the actors are expected to easily and confidently identify, differentiate and explain who the victims of human trafficking are. This is because section 2.2 of NPPATPN defined criteria or checklists that the actors should consider when identifying the victims of human trafficking as against the victims of human smuggling. Informant IGO2 says:

“I understand the policy as the means to strengthen the institutional capacity of both states and non-state actors in the delivery of protection and assistance services...this is critical in strengthening the professionalism of participating member on anti-human trafficking project...”
Informant IGO1 added that

“in terms of protection, we are trying to get more people involved and have the understanding of the issue by integrating the anti-human trafficking intervention strategies into the curriculum of law enforcement academy training schools, so that it become standardize and uniform, so that any law enforcement academy, once is there they begin to train more of their officers, it is beyond UNODC bringing 20 people into the hall to ... they begin to cascade that training, we know that with time anybody in the protection business will know what to do to protect the trafficking of human being.”

The perception of the informants is that both human resource and institutional capacity building occupy a central position in the policy to ensure an effective and efficient protection and assistance of a trafficked person. Therefore, the need for coordinated and collaborated capacity building for better protection and assistance can never be overemphasized. This view is consistent with Marie et al, (2009) that identify the area of need for capacity building to focus on the geo-structural and commercial components of the human trafficking crime if really to ensure successful victims' identification. The geo-structural components are (1) State of origin (recruitment and

export); (2) State of transit (transportation); and (3) State of destination (reception and exploitation). The commercial components involved in some of the following activities that the trafficker engaged: (1) Advertising (recruitment or exploitation); (2) Renting of buildings (hotels, entertainment industries safe-houses, brothels, factories, etc.); (3) Transportation (obtaining identity documents and organizing transit); (4) Financial transactions. Victims of human trafficking can be identified and evidence can also be obtained at any one of these stages. The finding shows that the purpose of the policy is to integrate the anti-human trafficking and trafficked person protection efforts of all relevant stakeholders in order to avoid overlapping and duplications of responsibilities considering the number of stakeholders involved in the protection and assistance to trafficked persons. This is because integrating such efforts would help to develop common strategies and plan of action among the stakeholders based on their institutional mandate and competencies, as a way to ensure the trafficked persons are better protected and assisted. The informant GOV4 says the policy by its philosophy is aim at unifying and coordinating efforts both at a national and international level to promote the concept of trafficked persons protection and assistance, also to provide a uniform guide and direction among the state and non-state actors on the issues relating to victims' protection.

Conclusion and Recommendations

The findings indicate that Nigeria's compliance was a response to the international pressures and interest of the hegemonic countries who influenced Nigeria to ratify and sign the Protocol. So, the fear of losing the aid and the economic sanctions that may accompany for not complying with the dictates of these hegemonic countries have subjected Nigeria to design the policy. So, the implementation of the human trafficking policy is a function of power relationships between the hegemonic states who use their leadership position to ensure the other countries adopt and implement the policies because they (Hegemonic States) have the resources that can be used to ensure compliance. The study recommends further research on the efforts of travel agencies, tour operators and airlines in the prevention and protection of trafficked persons because these transport agents are critical in understanding the national and transnational movement of potentially trafficked persons from source places or countries to the exploitation centers at the destination areas. It appears that this area has not been adequately investigated. Therefore, further study needs to be conducted in this area.

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